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WHEN: Tuesday, October 22, 2013
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Washington, DC 20002

RESERVATIONS: (202) 741–6008

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Federal Register

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The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

DEPARTMENT OF AGRICULTURE

Food Safety and Inspection Service

9 CFR Part 391

[Docket No. FSIS–2013–0026]

Extension of the Current Fees for the Accredited Laboratory Program

AGENCY: Food Safety and Inspection Service, USDA.

ACTION: Interim final rule.

SUMMARY: The Accredited Laboratory Program is the FSIS program in which non-Federal laboratories are accredited as eligible to perform analyses on official regulatory samples of raw or processed meat and poultry products, and through which a check sample program for quality assurance is conducted. The program is funded by user fees. The current fee regulation is due to expire at the end of the present fiscal year. In order to provide time to develop a proposed rule that will establish a formula for determining the fee, FSIS is extending the current laboratory accreditation fee.

DATES: This final rule is effective September 27, 2013.

ADDRESSES: FSIS invites interested persons to submit comments on this rule. Comments may be submitted by either of the following methods:

- *Federal eRulemaking Portal:* This Web site provides the ability to type short comments directly into the comment field on this Web page or attach a file for lengthier comments. Go to *http://www.regulations.gov.* Follow the on-line instructions at that site for submitting comments.
- *Mail, including CD–ROMs, etc.:* Send to Docket Clerk, U.S. Department of Agriculture, Food Safety and Inspection Service, Patriots Plaza 3, 1400 Independence Avenue SW., Mailstop 3782, Room 8–163B, Washington, DC 20250–3700.
- *Hand- or courier-delivered submittals:* Deliver to Patriots Plaza 3, 355 E Street SW., Room 8–163B, Washington, DC 20250–3700.

Instructions: All items submitted by mail or electronic mail must include the Agency name and docket number FSIS–2013–0026. Comments received in response to this docket will be made available for public inspection and posted without change, including any personal information, to *http://www.regulations.gov.*

Docket: For access to background documents or comments received, go to the FSIS Docket Room at Patriots Plaza 3, 355 E. Street SW., Room 8–164, Washington, DC 20250–3700 between 8:00 a.m. and 4:30 p.m., Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Contact Charles Williams, Director, Issuance Staff, Office of Policy and Program Development, Food Safety and Inspection Service, USDA, 1400 Independence Avenue SW., Room 6077, South Building, Washington, DC 20250; Telephone: (202) 720–5627.

SUPPLEMENTARY INFORMATION:

Background

FSIS accredits non-Federal analytical laboratories under its Accredited Laboratory Program. Such accreditation allows laboratories to conduct analyses of official meat and poultry samples. The Food, Agriculture, Conservation, and Trade Act of 1990, as amended, mandates that laboratory accreditation fees cover the costs of the Accredited Laboratory Program. This same Act mandates an annual payment of an accreditation fee on the anniversary date of each accreditation.

On April 12, 2011, FSIS issued a final rule entitled, ''New Formulas for Calculating the Basetime, Overtime, Holiday, and Laboratory Services Rates; Rate Changes Based on the Formulas; and Increased Fees for the Accredited Laboratory Program'' (76 FR 20220). The rule increased fees for the Accredited Laboratory Program beginning in fiscal year 2012 in order to ensure FSIS recovered the cost of providing laboratory accreditation services. The current laboratory accreditation fee of $5,000 expires September 30, 2013. However, because the Accredited Laboratory Program fee continues to be necessary, FSIS is extending the current fee. FSIS plans to develop and propose a new formula for calculating the fee.

Interim Final Rule

FSIS is amending 9 CFR 391.5 to keep the laboratory accreditation fee at $5,000.00. In accordance with section 553 of the Administrative Procedure Act (5 U.S.C. 553), the Agency finds good cause for making this interim rule effective upon publication. At the same time, however, FSIS is providing for a 30-day comment period. FSIS will propose changes to the laboratory accreditation fees through future rulemaking.

Executive Order 12866 Regulatory Review

This rule has been reviewed under Executive Order 12866 by the Office of Management and Budget (OMB) and has been determined to be ''not significant'' for purposes of E.O. 12866.

Regulatory Flexibility Analysis

As required by the Regulatory Flexibility Act (5 U.S.C. 601–612), the FSIS Administrator has examined the economic implications of the rule and has determined that it will not have a significant impact on a substantial number of small entities.

Executive Order 12988 Civil Justice Reform

This rule has been reviewed under Executive Order 12988, Civil Justice Reform. Under this rule: (1) All State and local laws and regulations that are inconsistent with this rule will be preempted; (2) no retroactive effect will be given to this rule; and (3) no retroactive proceedings will be required before parties may file suit in court challenging this rule.

Executive Order 13175 Indian Tribal Governments

This rule has been reviewed in accordance with the requirements of Executive Order 13175, Consultation and Coordination with Indian Tribal Governments. The review reveals that this regulation will not have substantial and direct effects on Tribal governments and will not have significant Tribal implications.

Paperwork Reduction Act

This rule does not contain any new information collection or record keeping requirements that are subject to the

Office of Management and Budget (OMB) approval under the Paperwork Reduction Act, 44 U.S.C. 3501 et seq.

E-Government Act

FSIS and USDA are committed to achieving the purposes of the E-Government Act (44 U.S.C. 3601, *et seq.*) by, among other things, promoting the use of the Internet and other information technologies and providing increased opportunities for citizen access to government information and services, and for other purposes.

Additional Public Notification

FSIS will announce this rule online through the FSIS Web page located at *http://www.fsis.usda.gov/wps/portal/fsis/topics/regulations/federal-register.*

FSIS will also make copies of this **Federal Register** publication available through the FSIS Constituent Update, which is used to provide information regarding FSIS policies, procedures, regulations, **Federal Register** notices, FSIS public meetings, and other types of information that could affect or would be of interest to constituents and stakeholders. The Update is communicated via Listserv, a free electronic mail subscription service for industry, trade groups, consumer interest groups, health professionals, and other individuals who have asked to be included. The Update is also available on the FSIS Web page. In addition, FSIS offers an electronic mail subscription service which provides automatic and customized access to selected food safety news and information. This service is available at *http://www.fsis.usda.gov/wps/portal/fsis/programs-and-services/email-subscription-service.* Options range from recalls to export information to regulations, directives, and notices. Customers can add or delete subscriptions themselves, and have the option to password protect their accounts.

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List of Subjects in 9 CFR Part 391

Fees and charges, Government employees, Meat inspection, Poultry products.

Accordingly, 9 CFR part 391 is amended as follows:

PART 391—FEES AND CHARGES FOR INSPECTION SERVICES AND LABORATORY ACCREDITATION

■ 1. The authority citation for part 391 continues to read as follows:

Authority: 7 U.S.C. 138f; 7 U.S.C. 1622, 1627 and 2219a; 21 U.S.C. 451 *et seq.;* 21 U.S.C. 601–695; 7 CFR 2.18 and 2.53.

■ 2. In § 391.5, paragraph (a) is revised to read as follows:

§ 391.5 Laboratory accreditation fee.

(a) The annual fee for the initial accreditation and maintenance of accreditation provided pursuant to § 439.5 of this chapter shall be $5,000.00.

* * * * *

Done at Washington, DC, on: September 20, 2013.

Alfred V. Almanza,

Administrator.

[FR Doc. 2013–23505 Filed 9–26–13; 8:45 am]

BILLING CODE 3410–DM–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2013–0516; Airspace Docket No. 13–AAL–2]

Establishment of Class E Airspace; Akutan, AK

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action establishes Class E airspace at Akutan Airport, Akutan, AK. Controlled airspace is necessary to accommodate aircraft using the new Area Navigation (RNAV) Global Positioning System (GPS) standard instrument approach procedures at the airport. This action enhances the safety and management of aircraft operations at the airport.

DATES: Effective date, 0901 UTC, December 12, 2013. The Director of the Federal Register approves this incorporation by reference action under 1 CFR Part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

FOR FURTHER INFORMATION CONTACT: Richard Roberts, Federal Aviation Administration, Operations Support Group, Western Service Center, 1601 Lind Avenue SW., Renton, WA, 98057; telephone (425) 203–4517.

SUPPLEMENTARY INFORMATION:

History

On July 29, 2013, the FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM) to establish controlled airspace at Akutan Airport, Akutan, AK (78 FR 45477). Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Class E airspace designations are published in paragraph 6005, of FAA Order 7400.9X dated August 7, 2013, and effective September 15, 2013, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be published subsequently in that Order.

The Rule

This action amends Title 14 Code of Federal Regulations (14 CFR) Part 71 by establishing Class E airspace extending upward from 700 feet above the surface within a 3.5-mile radius of Akutan Airport, Akutan, AK, with a segment extending from the 3.5-mile radius to 5.5 miles northwest of the airport. This action ensures the safety and management of aircraft operations at the airport.

The FAA has determined this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this regulation: (1) Is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that only affects air traffic procedures and air navigation, it is certified this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the

U.S. Code. Subtitle 1, Section 106 discusses the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it establishes controlled airspace at the Akutan Airport, Akutan, AK.

Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1E, ''Environmental Impacts: Policies and Procedures,'' paragraph 311a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR Part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for 14 CFR Part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9X, Airspace Designations and Reporting Points, dated August 7, 2013, and effective September 15, 2013 is amended as follows:

Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.

* * * * *

AAL AK E5 Akutan, AK [New]

Akutan Airport, AK
(Lat. 54°08′41″ N., long. 165°36′15″ W.)

That airspace extending upward from 700 feet above the surface within a 3.5-mile radius of the Akutan Airport and within 1-mile each side of the 311° bearing extending from the 3.5-mile radius to 5.5-miles northwest of the airport.

Issued in Seattle, Washington, on September 16, 2013.

Clark Desing,

Manager, Operations Support Group, Western Service Center.

[FR Doc. 2013–23221 Filed 9–26–13; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Parts 121 and 135

[Docket No. FAA–2000–7119]

RIN 2120–AG89

Emergency Medical Equipment

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; notice of policy change and availability.

SUMMARY: This action supplements the preamble published in the **Federal Register** on April 12, 2001 (66 FR 19028). The FAA has reviewed data for automated external defibrillators and enhanced emergency medical kits to amend the ''no go'' provision. Data show that allowing these items to be incomplete, missing, or inoperative for one flight in accordance with the FAA master minimum equipment list does not adversely affect aviation safety. This action provides notice of the data finding and makes available the corresponding policy change for the one-flight relief for use of emergency medical equipment.

DATES: This action becomes effective September 27, 2013.

FOR FURTHER INFORMATION CONTACT: Gregory J. Janosik, New Program Implementation and International Support Branch, Air Transportation Division, Flight Standards Service, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone: 202–267–8166; facsimile: 202–267–5229; email: *Gregory.Janosik@faa.gov.*

SUPPLEMENTARY INFORMATION: In the final rule entitled, ''Emergency Medical Equipment,'' published on April 12, 2001 (66 FR 19028), the preamble states that automated external defibrillators (AED) should be, and enhanced emergency medical kits (EMK) should remain, ''no-go'' items. *See* 66 FR 19033. That final rule's preamble also states that the current provision under § 121.279(a), with adoption of § 121.803(a) without the words ''unless authorized by the Administrator'' would remain until the FAA developed more experience with the enhanced EMKs and AEDs. *Id.*

As described in the background section, the FAA has data obtained from the airline industry to demonstrate that use of the emergency medical equipment required by § 121.803(a) would rarely be used on back-to-back flights and therefore has allowed relief for one flight with an incomplete, missing, or inoperative Emergency Medical Kit (EMK) or automated external defibrillator (AED). A copy of Master Minimum Equipment List (MMEL) Policy Letter (PL) 73, Revision 5, Relief for Emergency Medical Equipment, is available for review on the Flight Standards Information Management System found on the FAA's Web site at: *http://fsims.faa.gov/*. A copy will also be posted to the docket for this action.

Background

FAA PL–73, MMEL Relief for Emergency Medical Equipment, was originally issued on March 4, 1994. The PL was created to provide standardized MMEL requirements for the deferral of approved emergency medical equipment, including EMK, First Aid Kits (FAK), and AEDs required by 14 CFR § 121.803. The purpose of the PL has remained consistent throughout its five revisions, although the relief specifics have been further defined. Revision 1 reformatted the PL to conform to PL standardization requirements. Revision 2 expanded the relief for FAKs to include relief for all emergency medical equipment. Revision 3 clarified that emergency medical equipment in excess of the regulatory requirements can be inoperative. Revision 4 provided three-flight limited dispatch authority for all incomplete, missing, or inoperative EMKs, FAKs, and AEDs that do not meet the minimum regulatory requirements. Revision 5 reduced the limited dispatch authority available from three flights to one flight in all situations.

On April 6, 2001, the FAA issued the final rule requiring certain aircraft operating under part 121 to carry EMKs, FAKs, and AEDs. *See* 66 FR 19028. The final rule's preamble reflected the FAA's long-standing position that emergency medical equipment items are ''no-go'' items and AEDs should also be considered ''no-go'' items meaning that if they are not operating pursuant to the regulatory standard then the flight should not be permitted to takeoff. In that final rule, the FAA also indicated

that the ''no go'' policy would remain in effect until the agency develops more experience with the equipment. Consistent with the regulation, the FAA issued Advisory Circular (AC) 121–33B which restated the policy that ''EMKs and AEDs are 'no-go' items and must be carried as indicated on the'' MEL on January 12, 2006. The AC indicated that the air carrier may elect to carry redundant equipment to ensure that after use of the equipment in flight, the minimum required equipment is still on board the aircraft.

However, on April 12, 2006, the FAA issued Notice 8000.320, which allowed MMEL relief for EMKs and AEDs, despite the contrary statements in the rule and AC discussed earlier. The FAA allowed the MMEL relief based on data collected from major air carriers, beginning in 1998 that showed using an EMK on back-to-back flights was rare. The notice also determined that ''a large number of passengers may be at more risk at a diversion airport than they would be if MMEL relief'' was available allowing the aircraft to be dispatched to its intended destination. This notice, which reversed previous FAA policy as stated in the preamble to the 2001 final rule, was not published for public comment before its issuance. It was eventually cancelled after 12 months on April 12, 2007.

On April 18, 2006, soon after the release of Notice 8000.320, the FAA released PL–73, Revision 4, MMEL Relief for Emergency Medical Equipment. Consistent with Notice 8000.320, this revision granted limited dispatch authority for aircraft with EMKs, FAKs, and AEDs that did not meet the minimum requirements of 14 CFR § 121.803. PL–73, Revision 4 authorized an air carrier to complete up to three flight cycles (3 flights) without the required equipment allowing time for the air carrier to repair or replace emergency medical equipment. PL–73, Revision 4 remained in effect until June 15, 2011.

PL–73, Revision 5 was released on June 15, 2011. Revision 5 resulted from a review conducted by FAA Flight Standards Service, which concluded that the MMEL relief offered by revision 4 was not consistent with regulation and was counter to the FAA's established position that EMKs and AEDs are ''no-go'' items. Revision 5 allows only one flight cycle (1 flight), in any situation, for an air carrier to obtain the minimum required emergency medical equipment on board the aircraft. However, upon review of the policy, the FAA concluded that revision 5, though more restrictive than revision 4, is still not consistent with the regulation nor does it comply with the intent of the regulation as expressed in the preamble. Because revision 5 was a shift in the FAA's stated policy, the public should have been notified and provided opportunity for comment before adopting the new policy.

The FAA's position is that although the preamble to the rule is clear that EMKs and AEDs are ''no go'' items, as contemplated by that final rule. Our experience has led us to conclude that relief should be allowed in limited circumstances. However, it is foreseeable that required medical equipment may be used during a flight, and the pilot will divert the aircraft to a location where the utilized medical equipment cannot be replenished or replaced. Therefore, the FAA has determined that allowing the air carrier to conduct one flight so that the aircraft can fly to a location where supplies are available would allow passengers on such a flight to reach their destinations without adversely affecting safety. As discussed earlier, air carriers have presented statistical information about EMK usage on aircraft to the FAA, which indicates that once an EMK or AED is used during a flight, there is only a remote possibility that it would need to be used on the next flight.

Airlines for America (A4A) recently resubmitted that data along with an analysis of EMK use to support its position that three-flight relief would be acceptable. A4A's analysis was based on the likelihood of using an EMK on the first successive flight and extrapolated that data to conclude the likelihood of using an EMK on three consecutive flights would be 1: 3.8×10^{-13}. The FAA evaluated A4A's analysis and determined that the conclusion regarding use on three consecutive flights was not statistically valid. The FAA notes that A4A's analysis failed to consider that the likelihood of needing to use an EMK on any of the three successive flights would be the same as needing it on the first flight. A4A's letter has been placed in the docket associated with this notice.

The probability of needing an EMK does not decrease because an EMK was opened on the first flight. We believe, therefore, that the probability of needing the EMK on subsequent flights would be 5.5×10^{-5} to 7.8×10^{-5} (3 times as high as the one-flight case). Therefore, because there is a relatively low probability of needing the EMK on any particular flight, we are allowing one-flight relief to air carriers with an inoperative EMK or AED so that if the flight lands at a location where the equipment cannot be repaired or replenished, the airplane can move to a location where such services are available. However, because the probability of needing to use an EMK on subsequent flights does not diminish, we do not believe that three-flight relief would be acceptable.

Issued in Washington, DC, on September 18, 2013.

John S. Duncan,

Director, FAA Flight Standards Service.

[FR Doc. 2013–23522 Filed 9–26–13; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 501

[Docket No. FDA–2013–D–1088]

Guidance for Industry #223: Small Entity Compliance Guide—Declaring Color Additives in Animal Foods; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of availabilty.

SUMMARY: The Food and Drug Administration (FDA) is announcing the availability of a guidance for industry #223 entitled ''Small Entity Compliance Guide—Declaring Color Additives in Animal Foods.'' This small entity compliance guide (SECG) aids industry in complying with the requirements of the final rule that published in the **Federal Register** of November 17, 2011. FDA issued the regulation in response to the Nutrition Labeling and Education Act of 1990 (the 1990 amendments), which amended the Federal Food, Drug, and Cosmetic Act (FD&C Act). Specifically, FDA amended its regulations regarding the declaration of certified color additives on the labels of animal food including animal feeds and pet foods.

DATES: The guidance is effective September 27, 2013. Submit either electronic or written comments on the SECG at any time.

ADDRESSES: Submit requests for single copies of the SECG to the Communications Staff (HFV–12), Center for Veterinary Medicine, Food and Drug Administration, 7519 Standish Pl., Rockville, MD 20855. Send one self-addressed adhesive label to assist that office in processing your requests. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the SECG.

Submit electronic comments on the SECG to *http://www.regulations.gov.* Submit written comments to the

Division of Dockets Management (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT: Charlotte Conway, Center for Veterinary Medicine (HFV–228), Food and Drug Administration, 7519 Standish Pl., Rockville, MD 20855, 240–276–8649; email: *charlotte.conway@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

FDA is announcing the availability of an SECG entitled ''Small Entity Compliance Guide—Declaring Color Additives in Animal Foods.'' This SECG aids industry in complying with the requirements of the final rule published in the **Federal Register** of November 17, 2011 (76 FR 71248).

FDA has prepared this SECG in accordance with section 212 of the Small Business Regulatory Enforcement Fairness Act (Pub. L. 104–121). This document is intended to provide guidance to small businesses on the requirements of the final rule, which implements a portion of the 1990 amendments. The 1990 amendments, among other things, provided for the declaration of certified color additives on the labels of human and animal food, including animal feeds and pet foods. The 1990 amendments also provided for the listing on food labels of the common or usual names of all color additives required to be certified by FDA. This regulation deals with the requirements associated with animal food only.

Before passage of the 1990 amendments, the FD&C Act provided that colorings could be declared collectively on food product labels using the term ''colorings.'' The 2011 regulation requires that certified color additives be declared on labeling of animal food by their common or usual name, but color additives exempt from certification (e.g., caramel, paprika, and beet juice) may still be declared collectively. The rule makes these animal food regulations consistent with the regulations regarding the declaration of certified color additives on the labels of human food. The rule also suggests appropriate terminology for the declaration of noncertified color additives on the labels of animal food.

II. Significance of Guidance

FDA is issuing this SECG as a level 2 guidance consistent with FDA's good guidance practices regulation (21 CFR 10.115). The guidance represents the Agency's current thinking on this topic. It does not create or confer any rights for or on any person and does not operate to bind FDA or the public. An alternative approach may be used if such approach satisfies the requirements of the applicable statutes and regulations.

III. Paperwork Reduction Act of 1995

This SECG refers to previously approved collections of information found in FDA regulations. These collections of information are subject to review by the Office of Management and Budget under the Paperwork Reduction Act (44 U.S.C. 3501–3520.) The collections of information in the regulation ''Animal Food Labeling; Declaration of Certifiable Color Additives'' (21 CFR 501.22(k)(1) and (2)) have been approved under OMB control number 0910–0721.

IV. Comments

Interested persons may submit either electronic comments regarding this document to *http://www.regulations.gov* or written comments to the Division of Dockets Management (see **ADDRESSES**). It is only necessary to send one set of comments. Identify comments with the docket number found in brackets in the heading of this document. Received comments may be seen in the Division of Dockets Management between 9 a.m. and 4 p.m., Monday through Friday, and will be posted to the docket at *http://www.regulations.gov.*

V. Electronic Access

Persons with access to the Internet may obtain the SECG at either *http://www.fda.gov/cvm* or *http://www.regulations.gov.*

Dated: September 24, 2013.

Leslie Kux,

Assistant Commissioner for Policy.

[FR Doc. 2013–23560 Filed 9–26–13; 8:45 am]

BILLING CODE 4160–01–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2013–0850]

Drawbridge Operation Regulation; Lake Pontchartrain, Near Slidell, LA

AGENCY: Coast Guard, DHS.

ACTION: Notice of deviation from drawbridge regulation.

SUMMARY: The Coast Guard has issued a temporary deviation from the operating schedule that governs the Norfolk Southern Railroad Bridge across Lake Pontchartrain, mile 4.80, near Slidell, St. Tammany Parish, Louisiana. The deviation is necessary to replace worn joints on the north draw of the bridge. This deviation allows the bridge to remain closed to vessel traffic for six hours on three consecutive days.

DATES: This deviation is effective from 8 a.m. through 2 p.m. on October 8, 9 and 10, 2013.

ADDRESSES: The docket for this deviation, [USCG–2013–0850] is available at *http://www.regulations.gov.* Type the docket number in the ''SEARCH'' box and click ''SEARCH.'' Click on Open Docket Folder on the line associated with this deviation. You may also visit the Docket Management Facility in Room W12–140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this temporary deviation, call or email Mr. Jim Wetherington, Coast Guard; telephone 504–671–2128, email *james.r.wetherington@uscg.mil.* If you have questions on viewing the docket, call Barbara Hairston, Program Manager, Docket Operations, telephone 202–366–9826.

SUPPLEMENTARY INFORMATION: Norfolk Southern Corporation, the bridge owner, requested three, 6-hour closures for the Norfolk Southern RR Bridge over Lake Pontchartrain, Mile 4.80, near Slidell, St. Tammany Parish, LA. The bridge has a horizontal clearance of 105 feet and a vertical clearance of two feet, above Mean Sea Level, in the closed-to-navigation position and an unlimited vertical clearance in the open-to-navigation position.

The bridge opens on signal as per 33 CFR 117.5. The deviation period will be October 8, 9 and 10, 2013 from 8 a.m. through 2 p.m. each of those days. These closure periods will allow the replacement of the bridge joints as required in a normal maintenance cycle.

This waterway is used by both commercial and recreational vessel traffic. No previous coordination was made with the waterway users though the closure times were chosen to minimize the impact to these users.

Vessels able to pass through the bridge in the closed positions may do so at anytime. The bridge will not be able to open for emergencies and there is no immediate alternate route for vessels to pass. The Coast Guard will also inform the users of the waterways through our Local and Broadcast Notices to Mariners

of the change in operating schedule for the bridge so that vessels can arrange their transits to minimize any impact caused by the temporary deviation.

In accordance with 33 CFR 117.35(e), the drawbridge must return to its regular operating schedule immediately at the end of the effective period of this temporary deviation. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: September 16, 2013.

David M. Frank,

Bridge Administrator.

[FR Doc. 2013–23525 Filed 9–26–13; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 111220786–1781–01]

RIN 0648–XC878

Fisheries of the Northeastern United States; Summer Flounder Fishery; Commercial Quota Harvested for the State of New York

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Temporary rule; closure.

SUMMARY: NMFS announces that the 2013 summer flounder commercial quota allocated to the State of New York has been harvested. Vessels issued a commercial Federal fisheries permit for the summer flounder fishery may not land summer flounder in New York for the remainder of calendar year 2013, unless additional quota becomes available through a transfer from another state. Regulations governing the summer flounder fishery require publication of this notification to advise New York that the quota has been harvested and to advise vessel permit holders and dealer permit holders that no Federal commercial quota is available for landing summer flounder in New York.

DATES: Effective October 1, 2013, through December 31, 2013.

FOR FURTHER INFORMATION CONTACT: Carly Bari, (978) 281–9224, or *Carly.Bari@noaa.gov.*

SUPPLEMENTARY INFORMATION: Regulations governing the summer flounder fishery are found at 50 CFR part 648. The regulations require annual specification of a commercial quota that is apportioned on a percentage basis among the coastal states from North Carolina through Maine. The process to set the annual commercial quota and the percent allocated to each state is described in § 648.102.

The initial total commercial quota for summer flounder for the 2013 fishing year is 11,793,596 lb (5,349,575 kg) (77 FR 76942, December 31, 2012). The percent allocated to vessels landing summer flounder in New York is 7.64699 percent, resulting in a commercial quota of 901,855 lb (409,081 kg). The 2013 allocation was adjusted to 842,605 lb (382,206 kg) after deduction of research set-aside and adjustment for prior years' quota overages.

The Administrator, Northeast Region, NMFS (Regional Administrator), monitors the state commercial landings and determines when a state's commercial quota has been harvested. NMFS is required to publish notification in the **Federal Register** advising and notifying commercial vessels and dealer permit holders that, effective upon a specific date, the state's commercial quota has been harvested and no commercial quota is available for landing summer flounder in that state. The Regional Administrator has determined, based upon dealer reports and other available information that, New York has harvested its quota for 2013.

Section 648.4(b) provides that Federal permit holders agree, as a condition of the permit, not to land summer flounder in any state that the Regional Administrator has determined no longer has commercial quota available. Therefore, effective 0001 hours, October 1, 2013, landings of summer flounder in New York by vessels holding summer flounder commercial Federal fisheries permits are prohibited for the remainder of the 2013 calendar year, unless additional quota becomes available through a transfer and is announced in the **Federal Register**. Effective 0001 hours, October 1, 2013, federally permitted dealers are also notified that they may not purchase summer flounder from federally permitted vessels that land in New York for the remainder of the calendar year, or until additional quota becomes available through a transfer from another state.

Classification

This action is required by 50 CFR part 648 and is exempt from review under Executive Order 12866.

The Assistant Administrator for Fisheries, NOAA (AA), finds good cause pursuant to 5 U.S.C. 553(b)(B) to waive prior notice and the opportunity for public comment because it would be contrary to the public interest. This action closes the summer flounder fishery for New York until January 1, 2014, under current regulations. The regulations at § 648.103(b) require such action to ensure that summer flounder vessels do not exceed state quotas. If implementation of this closure was delayed to solicit prior public comment, the quota for this fishing year will be exceeded, thereby undermining the conservation objectives of the Summer Flounder Fishery Management Plan. The AA further finds, pursuant to 5 U.S.C. 553(d)(3), good cause to waive the thirty (30) day delayed effectiveness period for the reason stated above.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: September 24, 2013.

Kelly Denit,

Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2013–23566 Filed 9–26–13; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 665

[Docket No. 130625564–3821–02]

RIN 0648–XC736

Main Hawaiian Islands Deep 7 Bottomfish Annual Catch Limits and Accountability Measures for 2013–14

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Final specifications.

SUMMARY: NMFS specifies an annual catch limit of 346,000 lb of Deep 7 bottomfish in the main Hawaiian Islands for the 2013–14 fishing year. The action supports the long-term sustainability of Hawaii bottomfish.

DATES: The final specifications are effective October 28, 2013, through August 31, 2014, unless NMFS publishes a document in the **Federal Register** superseding these specifications.

ADDRESSES: Copies of the Fishery Ecosystem Plan for the Hawaiian Archipelago are available from the Western Pacific Fishery Management Council (Council), 1164 Bishop St., Suite 1400, Honolulu, HI 96813, tel 808–522–8220, or *www.wpcouncil.org.*

FOR FURTHER INFORMATION CONTACT: Jarad Makaiau, Sustainable Fisheries,

NMFS Pacific Islands Region (PIR), 808–944–2108.

SUPPLEMENTARY INFORMATION: On August 22, 2013, NMFS published proposed specifications, finalized here, and a request for public comments (78 FR 52125). Additional background information on this action is found in the preamble to the proposed specifications, and is not repeated here.

Through this action, NMFS is specifying an annual catch limit (ACL) of 346,000 lb of Deep 7 bottomfish in the main Hawaiian Islands (MHI) for the 2013–14 fishing year. This ACL is the same as was set for the 2012–13 fishing year. The MHI Management Subarea is the portion of U.S. Exclusive Economic Zone around the Hawaiian Archipelago lying to the east of 161° 20″ W. longitude. The Deep 7 bottomfish are onaga (*Etelis coruscans*), ehu (*E. carbunculus*), gindai (*Pristipomoides zonatus*), kalekale (*P. sieboldii*), opakapaka (*P. filamentosus*), lehi (*Aphareus rutilans*), and hapuupuu (*Epinephelus quernus*). The Council recommended the ACL based on the best available scientific, commercial, and other information, taking into account the associated risk of overfishing.

The MHI bottomfish fishing year started September 1, 2013. NMFS will monitor the fishery, and if the ACL is reached before August 31, 2014, NMFS will, as an associated accountability measure (AM) close the non-commercial and commercial fisheries for Deep 7 bottomfish in Federal waters through August 31, 2014. During a fishery closure for Deep 7 bottomfish, no person may fish for, possess, or sell any of these fish in the MHI. There is no prohibition on fishing for or selling other *non*-Deep 7 bottomfish species throughout the year. All other management measures continue to apply in the MHI bottomfish fishery.

Comments and Responses

The comment period for the proposed specifications ended on September 6, 2013. NMFS received one public comment and responds as follows:

Comment 1: The commenter supports the ACL and associated AM, but questioned why the comment period for the proposed specifications ended after the start of the fishing year.

Response: The time that NMFS needed to complete supporting analyses for this action resulted in the delayed comment period. Because NMFS does not expect the fishery to reach the ACL until very late in the fishing year, if at all, the timing of the comment period and resulting effective date of the final specifications do not affect management of the fishery.

Changes From the Proposed Specifications

There are no changes in the final specifications.

Classification

The Regional Administrator, NMFS PIR, determined that this action is necessary for the conservation and management of MHI Deep 7 bottomfish, and that it is consistent with the Magnuson-Stevens Fishery Conservation and Management Act and other applicable laws.

The Chief Counsel for Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration during the proposed specification stage that this action would not have a significant economic impact on a substantial number of small entities. NMFS published the factual basis for certification in the proposed specifications, and does not repeat it here. NMFS did not receive comments regarding this certification. As a result, a final regulatory flexibility analysis is not required, and none was prepared.

This action is exempt from review under Executive Order 12866.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: September 23, 2013.

Alan D. Risenhoover,

Director, Office of Sustainable Fisheries, performing the functions and duties of the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

[FR Doc. 2013–23675 Filed 9–26–13; 8:45 am]

BILLING CODE 3510–22–P

Proposed Rules

Federal Register
Vol. 78, No. 188
Friday, September 27, 2013

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

7 CFR Part 319

[Docket No. APHIS–2013–0037]

RIN 0579–AD78

Importation of Potatoes From Mexico

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Proposed rule.

SUMMARY: We are proposing to amend the regulations concerning the importation of fruits and vegetables to allow the importation of fresh potatoes (*Solanum tuberosum* L.) from Mexico into the United States. As a condition of entry, the potatoes would have to be produced in accordance with a systems approach employing a combination of mitigation measures to prevent the introduction and dissemination of plant pests into the United States. The potatoes would have to be imported in commercial consignments, would have to be produced by a grower who is registered in a certification program, would have to be packed in registered packinghouses, would have to be washed, cleaned, and treated with a sprout inhibitor, and would have to be inspected after packing for quarantine pests. The potatoes would also have to be accompanied by a phytosanitary certificate that declares that the conditions for importation have been met. Finally, the national plant protection organization (NPPO) of Mexico would have to provide a bilateral workplan to the Animal and Plant Health Inspection Service (APHIS) that details the activities that the NPPO of Mexico will carry out to meet these requirements, subject to APHIS' approval. This action would allow the importation of potatoes from Mexico while continuing to protect against the introduction of plant pests into the United States.

DATES: We will consider all comments that we receive on or before November 26, 2013.

ADDRESSES: You may submit comments by either of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov/#!documentDetail;D=APHIS-2013-0037-0001.*
- *Postal Mail/Commercial Delivery:* Send your comment to Docket No. APHIS–2013–0037, Regulatory Analysis and Development, PPD, APHIS, Station 3A–03.8, 4700 River Road Unit 118, Riverdale, MD 20737–1238.

Supporting documents and any comments we receive on this docket may be viewed at *http://www.regulations.gov/#!docketDetail;D=APHIS-2013-0037* or in our reading room, which is located in room 1141 of the USDA South Building, 14th Street and Independence Avenue SW., Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 799–7039 before coming.

FOR FURTHER INFORMATION CONTACT: Mr. David Lamb, Regulatory Policy Specialist, PPQ, APHIS, 4700 River Road Unit 133, Riverdale, MD 20737–1231; (301) 851–2018.

SUPPLEMENTARY INFORMATION:

Background

The regulations in ''Subpart–Fruits and Vegetables'' (7 CFR 319.56–1 through 319.56–61, referred to below as the regulations) prohibit or restrict the importation of fruits and vegetables into the United States from certain parts of the world to prevent the introduction and dissemination of plant pests.

Currently, the regulations do not allow the importation of fresh potatoes (*Solanum tuberosum* L.) from Mexico. The national plant protection organization (NPPO) of Mexico has requested that the Animal and Plant Health Inspection Service (APHIS) amend the regulations to allow fresh potatoes from Mexico to be imported into the United States. As part of our evaluation of Mexico's request, we prepared a pest risk assessment (PRA) and a risk management document (RMD). Copies of the PRA and the RMD may be obtained from the person listed under **FOR FURTHER INFORMATION CONTACT** or viewed on the Regulations.gov Web site (see **ADDRESSES** above for instructions for accessing Regulations.gov).

The PRA, titled ''Importation, from Mexico into the United States, of Potato, *Solanum tuberosum,* Tubers Intended for Consumption, A Pathway-Initiated Commodity Risk Assessment'' (April 2011), evaluates the risks associated with the importation of fresh potatoes from Mexico into the United States. The RMD relies upon the findings of the PRA to determine the phytosanitary measures necessary to ensure the safe importation into the United States of potatoes from Mexico.

The PRA identifies eight quarantine pests present in Mexico that could be introduced into the United States through the importation of potatoes:

- *Copitarsia decolora* (Guenée), a moth.
- *Epicaerus cognatus* Sharp, potato weevil.
- *Nacobbus aberrans* (Thorne) Thorne & Allen, false root-knot nematode.
- *Ralstonia solanacearum* race 3 biovar 2 (Smith) Yabuuchi *et al.,* a bacterium that causes brown rot of potato.[1]
- *Rosellinia bunodes* (Berk. & Broome) Sacc., a pathogenic fungus.
- *R. pepo* Pat., a pathogenic fungus.
- *Synchytrium endobioticum* (Schilb.) Percival, a pathogenic fungus that causes potato wart disease.
- *Thecaphora solani* (Thirum. & M. O'Brien) Mordue, a pathogenic fungus that causes potato smut.

The PRA also identifies *Globodera rostochiensis,* golden cyst nematode, as a quarantine pest that exists in Mexico, and determines that this pest is unlikely to follow the pathway only because it is under official control within Mexico.

A quarantine pest is defined in § 319.56–2 of the regulations as a pest of potential economic importance to the area endangered thereby and not yet present there, or present but not widely distributed and being officially

[1] The PRA refers to this pest as ''*Ralstonia solanacearum* race 3'' because the taxonomic community customarily uses this term to refer to *Ralstonia solanacearum* race 3 biovar 2. However, *R. solanacearum* race 3 biovar 1 also exists in Mexico and could follow the pathway on potatoes from Mexico into the United States, but is not a pest of quarantine significance to the United States. To reflect this fact, and to clarify that the proposed regulations are not intended to address this biovar, we refer to the pest as *Ralstonia solanacearum* race 3 biovar 2 throughout this document.

controlled. Plant pest risk potentials associated with the importation of fresh potatoes from Mexico into the United States were derived by estimating the consequences and likelihood of introduction of each quarantine pest into the United States and ranking the risk potential as high, medium, or low. The PRA determined that three of these eight pests—*N. aberrans, R. solanacearum* race 3 biovar 2, and *S. endobioticum*—pose a high risk of following the pathway of fresh potatoes from Mexico into the United States and having negative effects on U.S. agriculture. The remaining five pests—*C. decolora, E. cognatus, R. bunodes, R. pepo,* and *T. solani*—were rated as having a medium risk potential.

Based on the conclusions of the PRA and the RMD, we are proposing to allow the importation of potatoes from Mexico into the United States subject to a systems approach. The conditions in the systems approach that we are proposing are described below. These conditions would be added to the regulations in a new § 319.56–62.

Bilateral Workplan

Proposed paragraph (a) of § 319.56–62 would require the NPPO of Mexico to provide a bilateral workplan to APHIS that details the activities that the NPPO would, subject to APHIS' approval of the workplan, carry out to meet the requirements of proposed § 319.56–62. The bilateral workplan would have to include and describe in detail any requirements in proposed § 319.56–62 that specifically refer to the bilateral workplan.

A bilateral workplan is an agreement between APHIS' Plant Protection and Quarantine program, officials of the NPPO of a foreign government, and, when necessary, foreign commercial entities, that specifies in detail the phytosanitary measures that will comply with our regulations governing the import or export of a specific commodity. Bilateral workplans apply only to the signatory parties and establish detailed procedures and guidance for the day-to-day operations of specific import/export programs. Bilateral workplans also establish how specific phytosanitary issues are dealt with in the exporting country and make clear who is responsible for dealing with those issues. The implementation of a systems approach typically requires a bilateral workplan to be developed.

Commercial Consignments

Proposed paragraph (b) of § 319.56–62 would require potatoes from Mexico to be imported only in commercial consignments. Produce grown commercially is less likely to be infested with plant pests than noncommercial shipments. Noncommercial shipments are more prone to infestations because the commodity is often ripe to overripe, could be of a variety with unknown susceptibility to pests, and is often grown with little or no pest control. Commercial consignments, as defined in § 319.56–2 of the regulations, are consignments that an inspector identifies as having been imported for sale and distribution. Such identification is based on a variety of indicators, including, but not limited to: Quantity of produce, type of packaging, identification of grower or packinghouse on the packaging, and documents consigning the fruits or vegetables to a wholesaler or retailer.

Certification Program

Proposed paragraph (c) of § 319.56–62 would require the potatoes to be produced by a grower who is registered in a certification program administered by the NPPO of Mexico. At a minimum, the program would have to require the producer to use only seed that has been certified by the NPPO of Mexico as free of *R. solanacearum* race 3 biovar 2, *R. bunodes, R. pepo, S. endobioticum,* and *T. solani* to produce the potatoes. The certification program would also have to require the potatoes to be grown in an enclosed environment or alternatively would have to require the field in which the potatoes are grown to be surveyed for quarantine pests and tested for *R. solanacearum* race 3 biovar 2 at regular intervals. The nature of these intervals and other requirements of the program that are jointly agreed upon by APHIS and the NPPO of Mexico would be contained in the bilateral workplan.

Seed certification for potatoes is based on a generational process. As part of this process, a small quantity of seed is used as nuclear stock and grown over several growing seasons. Potatoes produced from this seed are inspected and tested at regular intervals for quarantine pests. If all generations of potatoes produced during these growing seasons are determined to be free of quarantine pests, the seed may be certified as being free of quarantine pests and commercially distributed.

We would require the use of certified seed because *R. solanacearum* race 3 biovar 2 and *S. endobioticum* can remain viable in a hospitable environment for an extended period of time. We would also do so because potatoes may be infected with *R. bunodes, R. pepo,* and *T. solani* for a period of time before there is external evidence of this infection. The generational process associated with seed certification provides sufficient time to determine whether any of the nuclear stock seed is infected with these pests.

We would require the potatoes to be produced in an enclosed environment or, alternatively, would require the field in which the potatoes are grown to be surveyed for quarantine pests because most of the pests of quarantine significance that could follow the pathway on potatoes from Mexico are soil-borne, and because the most virulent of these pests, *R. solanacearum* race 3 biovar 2, can spread quickly through both water and soil. For this latter reason, if the potatoes are produced in a field, we would require the field to be tested for *R. solanacearum* race 3 biovar 2 at regular intervals.

Registered Packinghouses

Proposed paragraph (d) of § 319.56–62 would require the potatoes to be packed for export in packinghouses that are registered with the NPPO of Mexico and to which the NPPO of Mexico has assigned a unique identifying number. Such registration would facilitate traceback of a consignment of potatoes to the packinghouse in which it was packed in the event that quarantine pests were discovered in the consignment at the port of first arrival into the United States. We discuss such traceback procedures at greater length later in this document.

Post-Harvest Cleaning and Treatment

Proposed paragraph (e) of § 319.56–62 would require that, after harvest but prior to packing, the potatoes be washed, cleaned of soil and debris, and treated with a sprout inhibitor in accordance with the bilateral workplan. Washing and cleaning would remove soil and plant debris, two potential sources of introduction of quarantine pests, from the potatoes. Washing would also remove any *C. decolora* on the potatoes, since the moth is an external feeder.

We would require treatment with sprout inhibitors because, once a potato has begun to sprout, it is propagative material that can easily be used as a plant for planting. The risk assessment that we prepared evaluated only the risk of potatoes from Mexico imported into the United States for human consumption, and, in general, the plant pest risk associated with plants for planting tends to be higher than that associated with plants and plant parts intended for human consumption.

Post-Harvest Inspections

Proposed paragraph (f) of § 319.56–62 would require a biometric sample to be taken from each consignment of potatoes destined for export to the United States in accordance with a protocol jointly agreed upon by APHIS and the NPPO of Mexico and specified within the bilateral workplan. The sample would have to be visually inspected for evidence of sprouting, as well as evidence of *C. decolora, E. cognatus, N. aberrans, R. bunodes, R. pepo,* and *T. solani.* It would also require a portion of the potatoes in the sample to be cut open, inspected for evidence of *E. cognatus, N. aberrans, R. solanacearum* race 3 biovar 2, and *T. solani,* and submitted to a laboratory approved by the NPPO of Mexico for testing for *R. solanacearum* race 3 biovar 2. The potatoes could not be shipped to the United States until the results of this testing are obtained. If any of the potatoes are found to be sprouting, or any evidence of these quarantine pests is found, or any potatoes have non-negative test results for *R. solanacearum* race 3 biovar 2, the entire consignment of potatoes would be prohibited from importation into the United States.

Potatoes infected with *R. bunodes* and *R. pepo* exhibit signs of rot and fungal growths, and potatoes infected with *T. solani* become misshapen or covered with wart-like galls. Additionally, as mentioned above, *C. decolora* is an external feeder. Visual inspection should therefore be able to identify any potatoes that are infected with *R. bunodes, R. pepo,* or *T. solani,* or infested with *C. decolora.* Additionally, although *E. cognatus* and *N. aberrans* are internal feeders, potatoes that are heavily infested with these pests may exhibit some external symptoms of this infestation.

By cutting the potatoes open, evidence of infestation with *E. cognatus* and *N. aberrans* would become apparent, as would any galling caused by *T. solani. R. solanacearum* race 3 biovar 2 attacks the vascular system of host plants and causes the collapse of vascular tissue; if the vascular tissues of the potatoes have begun to collapse because of *R. solanacearum* race 3 biovar 2, this would likewise be apparent when the potatoes are cut open. However, because *R. solanacearum* race 3 biovar 2 may have already infected a plant before symptoms of vascular collapse appear, and because *R. solanacearum* race 3 biovar 2 is an especially virulent pest, we would also require the potatoes to be tested for *R. solanacearum* race 3 biovar 2 with negative results at a laboratory approved by the NPPO of Mexico.

We would require the potatoes not to exhibit evidence of sprouting because, as we mentioned above, sprouting potatoes are propagative and can easily be used as plants for planting.

Sealed Means of Conveyance

Proposed paragraph (g) of § 319.56–62 would require each consignment of potatoes shipped from Mexico to the United States to be transported following inspection from the packinghouse to the port of first arrival into the United States in a means of conveyance sealed with an agricultural seal affixed by an individual authorized by the NPPO of Mexico to do so. This requirement is necessary to prevent quarantine pests from being introduced into consignments of potatoes during transit to the United States.

If the seal is broken en route, an inspector at the port of first arrival would take remedial measures jointly agreed to by APHIS and the NPPO of Mexico and specified in the bilateral workplan. The measures specified in the workplan would depend on whether the inspector determines the integrity of the consignment itself to have been compromised; if so, whether this has resulted in the introduction of plant pests into the consignment during transit; and, if so, whether any of these pests are quarantine pests.

Phytosanitary Certificate

Proposed paragraph (h) of § 319.56–62 would require each consignment of potatoes shipped from Mexico to the United States to be accompanied by a phytosanitary certificate, issued by the NPPO of Mexico, that states that the potatoes do not come from an area of Mexico regulated by the NPPO of Mexico for *G. rostochiensis;* have been produced from seed certified free of *R. solanacearum* race 3 biovar 2, *R. bunodes, R. pepo, S. endobioticum,* and *T. solani;* have been inspected for *C. decolora, E. cognatus, N. aberrans, R. solanacearum* race 3 biovar 2, *R. bunodes, R. pepo,* and *T. solani;* have been tested for *R. solanacearum* race 3 biovar 2; and based on this inspection and testing, have been found free of those pests. The phytosanitary certificate would also have to specify the number of the packinghouse in which the potatoes were packed.

Because *G. rostochiensis* is a quarantine pest within the United States, we would prohibit the importation of potatoes from areas of Mexico regulated for *G. rostochiensis* into the United States in order to prevent additional introductions of the pest into the United States. The proposed phytosanitary certificate requirements reflect that prohibition.

Traceback Procedures

Proposed paragraph (i) of § 319.56–62 would establish traceback procedures if quarantine pests are discovered on potatoes from Mexico at a port of first arrival into the United States. In the event that this occurs, the potatoes would be traced back to the packinghouse in which they were packed using the packinghouse number specified on the phytosanitary certificate.

The packinghouse would be required to identify the grower from which the potatoes originated, and the grower would be required to identify the place of production in which the potatoes were grown. That place of production would be suspended from the export program for potatoes to the United States for the remainder of the shipping season.

If the grower is unable to identify the place of production in which the potatoes were grown, that grower would be suspended from the export program for the remainder of the shipping season.

Finally, if the packinghouse is unable to identify the grower from which the potatoes originated, that packinghouse would be suspended from the export program for potatoes to the United States for the remainder of the shipping season.

Executive Order 12866 and Regulatory Flexibility Act

This proposed rule has been determined to be not significant for the purposes of Executive Order 12866 and, therefore, has not been reviewed by the Office of Management and Budget.

We have prepared an economic analysis for this rule. The economic analysis provides a cost-benefit analysis, as required by Executive Order 12866, and an analysis of the potential economic effects of this action on small entities, as required by the Regulatory Flexibility Act. The economic analysis is summarized below. Copies of the full analysis are available by contacting the person listed under **FOR FURTHER INFORMATION CONTACT** or on the Regulations.gov Web site (see **ADDRESSES** above for instructions for accessing Regulations.gov).

The Small Business Administration's small-entity standard for U.S. farms that produce potato tubers is annual receipts of not more than $750,000. In 2007, the average market value of sales by the 15,014 U.S. farms that produced

potatoes was about $222,000, well below the small-entity standard.

In recent years, the United States has shifted from being a net importer to being a net exporter of fresh or chilled table potatoes. U.S. average annual net supply from 2008 to 2010 (marketed production plus imports minus exports) was about 16.6 million metric tons (MT). Mexico's average annual exports for the same years totaled about 1,500 MT. Even if all of Mexico's exports were diverted to the United States, they would be equivalent to less than one-hundredth of 1 percent of U.S net supply.

Under these circumstances, the Administrator of the Animal and Plant Health Inspection Service has determined that this action would not have a significant economic impact on a substantial number of small entities.

Executive Order 12988

This proposed rule would allow fresh potatoes for consumption to be imported into the United States from Mexico. If this proposed rule is adopted, State and local laws and regulations regarding potatoes imported under this rule would be preempted while the potatoes are in foreign commerce. Fresh potatoes are generally imported for immediate distribution and sale to the consuming public and would remain in foreign commerce until sold to the ultimate consumer. The question of when foreign commerce ceases in other cases must be addressed on a case-by-case basis. If this proposed rule is adopted, no retroactive effect will be given to this rule, and this rule will not require administrative proceedings before parties may file suit in court challenging this rule.

Paperwork Reduction Act

In accordance with section 3507(d) of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the information collection or recordkeeping requirements included in this proposed rule have been submitted for approval to the Office of Management and Budget (OMB). Please send written comments to the Office of Information and Regulatory Affairs, OMB, Attention: Desk Officer for APHIS, Washington, DC 20503. Please state that your comments refer to Docket No. APHIS–2013–0037. Please send a copy of your comments to: (1) Docket No. APHIS–2013–0037, Regulatory Analysis and Development, PPD, APHIS, Station 3A–03.8, 4700 River Road Unit 118, Riverdale, MD 20737–1238, and (2) Clearance Officer, OCIO, USDA, room 404–W, 14th Street and Independence Avenue SW., Washington, DC 20250. A comment to OMB is best assured of having its full effect if OMB receives it within 30 days of publication of this proposed rule.

APHIS is proposing to amend the fruits and vegetables regulations to allow, under certain conditions, the importation into the United States of commercial consignments of fresh potatoes from Mexico. The conditions for the importation of fresh potatoes from Mexico include registration of packinghouses. The potatoes would also be required to be accompanied by a phytosanitary certificate issued by the NPPO of Mexico with an additional declaration confirming that the potatoes had been produced in accordance with the proposed requirements. The NPPO of Mexico would also have to enter into a bilateral workplan with APHIS.

We are soliciting comments from the public (as well as affected agencies) concerning our proposed information collection and recordkeeping requirements. These comments will help us:

(1) Evaluate whether the proposed information collection is necessary for the proper performance of our agency s functions, including whether the information will have practical utility;

(2) Evaluate the accuracy of our estimate of the burden of the proposed information collection, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the information collection on those who are to respond (such as through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology; e.g., permitting electronic submission of responses).

Estimate of burden: Public reporting burden for this collection of information is estimated to average 2.97 hours per response.

Respondents: National Plant Protection Organization of Mexico, producers.

Estimated annual number of respondents: 19.

Estimated annual number of responses per respondent: 2.6.

Estimated annual number of responses: 31.

Estimated total annual burden on respondents: 92 hours. (Due to averaging, the total annual burden hours may not equal the product of the annual number of responses multiplied by the reporting burden per response.)

Copies of this information collection can be obtained from Mrs. Celeste Sickles, APHIS' Information Collection Coordinator, at (301) 851–2908.

E-Government Act Compliance

The Animal and Plant Health Inspection Service is committed to compliance with the E-Government Act to promote the use of the Internet and other information technologies, to provide increased opportunities for citizen access to Government information and services, and for other purposes. For information pertinent to E-Government Act compliance related to this proposed rule, please contact Mrs. Celeste Sickles, APHIS' Information Collection Coordinator, at (301) 851–2908.

List of Subjects in 7 CFR Part 319

Coffee, Cotton, Fruits, Imports, Logs, Nursery stock, Plant diseases and pests, Quarantine, Reporting and recordkeeping requirements, Rice, Vegetables.

Accordingly, we propose to amend 7 CFR part 319 as follows:

PART 319—FOREIGN QUARANTINE NOTICES

■ 1. The authority citation for part 319 continues to read as follows:

Authority: 7 U.S.C. 450, 7701–7772, and 7781–7786; 21 U.S.C. 136 and 136a; 7 CFR 2.22, 2.80, and 371.3.

■ 2. Add § 319.56–62 to read as follows:

§ 319.56–62 Potatoes from Mexico.

Fresh potatoes (*Solanum tuberosum* L.) may be imported into the United States from Mexico only under the conditions described in this section. These conditions are designed to prevent the introduction of the following quarantine pests: *Copitarsia decolora* (Guenée), a moth; *Epicaerus cognatus* Sharp, potato weevil; *Globodera rostochiensis,* golden cyst nematode; *Nacobbus aberrans* (Thorne) Thorne & Allen, false root-knot nematode; *Ralstonia solanacearum* race 3 biovar 2 (Smith) Yabuuchi *et al.,* a bacterium that causes brown rot of potato; *Rosellinia bunodes* (Berk. & Broome) Sacc., a pathogenic fungus; *R. pepo* Pat., a pathogenic fungus; *Synchytrium endobioticum* (Schilb.) Percival, a pathogenic fungus that causes potato wart disease; and *Thecaphora solani* (Thirum. & M. O'Brien) Mordue, a pathogenic fungus that causes potato smut.

(a) The national plant protection organization (NPPO) of Mexico must provide a bilateral workplan to APHIS that details the activities that the NPPO of Mexico will, subject to APHIS' approval of the workplan, carry out to

meet the requirements of this section. The bilateral workplan must include and describe the quarantine pest survey intervals and other specific requirements as set forth in this section.

(b) The potatoes may be imported in commercial consignments only.

(c) The potatoes must be produced by a grower who is registered in a certification program administered by the NPPO of Mexico. The program must require the producer to use only seed that has been certified by the NPPO of Mexico as free of *R. solanacearum* race 3 biovar 2, *R. bunodes, R. pepo, S. endobioticum,* and *T. solani* to produce the potatoes. The program must also require the potatoes to be grown in an enclosed environment or alternatively must require the field in which the potatoes are grown to be surveyed for quarantine pests and tested for *R. solanacearum* race 3 biovar 2 at regular intervals in accordance with the bilateral workplan.

(d) The potatoes must be packed for export in packinghouses that are registered with the NPPO of Mexico and to which the NPPO of Mexico has assigned a unique identifying number.

(e) After harvest but prior to packing, the potatoes must be washed, cleaned of soil and debris, and treated with a sprout inhibitor in accordance with the bilateral workplan.

(f) A biometric sample of potatoes must be taken from each consignment of potatoes destined for export to the United States in accordance with a protocol jointly agreed upon by APHIS and the NPPO of Mexico and specified within the bilateral workplan. The sample must be visually inspected for evidence of sprouting, as well as evidence of *C. decolora, E. cognatus, N. aberrans, R. bunodes, R. pepo,* and *T. solani.* A portion of the potatoes must then be cut open, inspected for evidence of *E. cognatus, N. aberrans, R. solanacearum* race 3 biovar 2, and *T. solani,* and submitted to a laboratory approved by the NPPO of Mexico for testing for *R. solanacearum* race 3 biovar 2. Potatoes may not be shipped to the United States until the results of this testing are obtained. If any potatoes are found to be sprouting, or any evidence of these quarantine pests is found, or any potatoes have non-negative test results for *R. solanacearum* race 3 biovar 2, the entire consignment of potatoes will be prohibited from importation into the United States.

(g) Each consignment of potatoes shipped from Mexico to the United States must be transported following inspection from the packinghouse to the port of first arrival into the United States in a means of conveyance sealed with an agricultural seal affixed by an individual authorized by the NPPO of Mexico to do so. If the seal is broken en route, an inspector at the port of first arrival will take remedial measures jointly agreed to by APHIS and the NPPO of Mexico and specified in the bilateral workplan.

(h) Each consignment of potatoes shipped from Mexico to the United States must be accompanied by a phytosanitary certificate, issued by the NPPO of Mexico, that states that that the potatoes do not come from an area of Mexico regulated by the NPPO of Mexico for *G. rostochiensis;* have been produced from seed certified free of *R. solanacearum* race 3 biovar 2, *R. bunodes, R. pepo, S. endobioticum,* and *T. solani;* have been inspected for *C. decolora, E. cognatus, N. aberrans, R. solanacearum* race 3 biovar 2, *R. bunodes, R. pepo,* and *T. solani;* have been tested for *R. solanacearum* race 3 biovar 2; and based on this inspection and testing, have been found free of those pests. The phytosanitary certificate must also specify the number of the packinghouse in which the potatoes were packed.

(i) If quarantine pests are discovered on potatoes from Mexico at a port of first arrival into the United States, the potatoes will be traced back to the packinghouse in which they were packed using the packinghouse number specified on the phytosanitary certificate.

(1) The packinghouse must identify the grower from which the potatoes originated, and the grower must identify the place of production in which the potatoes were grown. That place of production will be suspended from the export program for potatoes to the United States for the remainder of the shipping season.

(2) If the grower is unable to identify the place of production in which the potatoes were grown, that grower will be suspended from the export program for potatoes to the United States for the remainder of the shipping season.

(3) If the packinghouse is unable to identify the grower from which the potatoes originated, that packinghouse will be suspended from the export program for potatoes to the United States for the remainder of the shipping season.

Done in Washington, DC, this 24th day of September 2013.

Kevin Shea,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2013–23667 Filed 9–26–13; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF THE INTERIOR

Bureau of Safety and Environmental Enforcement

30 CFR Part 250

[Docket ID BSEE–2012–0005; 13XE1700DX EX1SF0000.DAQ000 EEEE500000]

RIN 1014–AA10

Oil and Gas and Sulphur Operations on the Outer Continental Shelf—Oil and Gas Production Safety Systems

AGENCY: Bureau of Safety and Environmental Enforcement (BSEE), Interior.

ACTION: Extension of comment period for a proposed rule.

SUMMARY: The Bureau of Safety and Environmental Enforcement (BSEE) is extending the public comment period on the production safety systems proposed rule, which was published in the **Federal Register** on August 22, 2013. The original public comment period would end October 21, 2013. However, BSEE has received multiple requests from various industry representatives to extend the comment period. The BSEE has reviewed the extension requests and determined that a 45-day comment period extension is appropriate.

DATES: Written comments must be received by the extended due date of December 5, 2013. The BSEE may not fully consider comments received after this date.

ADDRESSES: You may submit comments on the rulemaking by any of the following methods. Please use the Regulation Identifier Number (RIN) 1014–AA10 as an identifier in your message. See also Public Availability of Comments under Procedural Matters.

- *Federal eRulemaking Portal: http://www.regulations.gov.* In the entry titled Enter Keyword or ID, enter BSEE–2012–0005 then click search. Follow the instructions to submit public comments and view supporting and related materials available for this rulemaking. The BSEE may post all submitted comments.
- Mail or hand-carry comments to the Department of the Interior (DOI); Bureau of Safety and Environmental Enforcement; Attention: Regulations Development Branch; 381 Elden Street, HE3313; Herndon, Virginia 20170–4817. Please reference ''Oil and Gas Production Safety Systems, 1014–AA10'' in your comments and include your name and return address.
- Public Availability of Comments—Before including your address, phone

number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

FOR FURTHER INFORMATION CONTACT: Kirk Malstrom, Regulations Development Branch, 703–787–1751, *kirk.malstrom@bsee.gov.*

SUPPLEMENTARY INFORMATION: The BSEE published a proposed rulemaking on production safety systems on August 22, 2013 (78 FR 52240). The proposed rule would amend and update the regulations regarding oil and natural gas production by addressing issues such as: safety and pollution prevention equipment lifecycle analysis, production safety systems, subsurface safety devices, and safety device testing. The proposed rule would differentiate the requirements for operating dry tree and subsea tree production systems on the Outer Continental Shelf (OCS) and divide the current subpart H into multiple sections to make the regulations easier to read and understand. Upon publication of the proposed rule, BSEE received a number of requests from multiple oil and gas companies and industry groups asking BSEE to extend the comment period on the proposed rule. Accordingly, to provide additional time for review of and comment on the proposed rule, BSEE is extending its original 60-day comment period by an additional 45 days.

Dated: September 19, 2013.

Tommy P. Beaudreau,

Acting Assistant Secretary, Land and Minerals Management.

[FR Doc. 2013–23520 Filed 9–26–13; 8:45 am]

BILLING CODE 4810–VH–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 1 and 27

[WT Docket No. 13–225; DA 13–1877]

Wireless Telecommunications Bureau Opens Docket To Seek Comment on DISH Network Corporation's Petition for Waiver and Request for Extension of Time

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: In this document, the Commission announces the opening of WT Docket No. 13–225 and seeks comment on a Petition for Waiver and Request for Extension of time filed by DISH Network Corporation (DISH Request), which would enable more flexibility that would serve and promote the underlying objectives of the Commission to utilize all of the AWS–4 spectrum more robustly.

DATES: Submit comments on or before September 30, 2013. Submit reply comments on or before October 10, 2013.

ADDRESSES: Federal Communications Commission, 445 12th Street SW., Washington, DC 20554. You may submit comments, identified by WT Docket No. 13–225, DA 13–1877, by any of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Federal Communications Commission's Web site: http://www.fcc.gov/cgb/ecfs/.* Follow the instructions for submitting comments.
- *People with Disabilities:* Contact the FCC to request reasonable accommodations (accessible format documents, sign language interpreters, CART, etc.) by email: *FCC504@fcc.gov* or phone: (202) 418–0530 or TTY: (202) 418–0432.
- *Availability of Documents.* Comments, reply comments, and *ex parte* submissions will be available for public inspection during regular business hours in the FCC Reference Center, Federal Communications Commission, 445 12th Street SW., CY–A257, Washington, DC, 20554. These documents will also be available via ECFS. Documents will be available electronically in ASCII, Microsoft Word, and/or Adobe Acrobat.

For detailed instructions for submitting comments and additional information on the rulemaking process, see the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Matthew Pearl, Broadband Division, Wireless Telecommunications Bureau, at (202) 418–2607 or by email at *Matthew.Pearl@fcc.gov.*

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's public notice released on September 13, 2013, DA 13–1877, that announced the opening of WT Docket No. 13–225 and that the Commission is seeking comment on a Petition for Waiver and Request Extension of Time filed by DISH Network Corporation (''DISH Request''). Copies of the DISH Request and any subsequently-filed documents in this matter may be obtained from Best Copy and Printing, Inc., in person at 445 12th Street SW., Room CY–B402, Washington, DC 20554, via telephone at (202) 488–5300, via facsimile at (202) 488–5563, or via email at *fcc@bcpiweb.com.* The DISH Request and any associated documents are also available for public inspection and copying during normal reference room hours at the following Commission office: FCC Reference Information Center, 445 12th Street SW., Room CY–A257, Washington, DC 20554. The complete text is also available on the Commission's Web site at *http://hraunfoss.fcc.gov/edocs_public/attachmatch/DA-13-1877A1.docx.* Alternative formats (computer diskette, large print, audio cassette, and Braille) are available by contacting Brian Millin at (202) 418–7426, TTY (202) 418–7365, or via email to *bmillin@fcc.gov.*

Summary

1. On September 9, 2013, the DISH Network Corporation, on behalf of its wholly-owned subsidiaries, Gamma Acquisition LLC and New DBSD Satellite Services G.P. (collectively, DISH), filed a Petition for Waiver and a Request for Extension of Time (DISH Request) with the Wireless Telecommunications Bureau (Bureau). DISH filed its pleading as an attachment in the Universal Licensing System (ULS) to all of the AWS–4 licenses held by its wholly-owned subsidiaries, Gamma Acquisition LLC (Call Signs T060430001–T060430176) and New DBSD Satellite Services G.P. (Call Signs T070272001–T070272176). Specifically, DISH requests waiver of certain technical rules for the 2 GHz band at 2000–2020 MHz and 2180–2200 MHz (AWS–4 band) to permit operational flexibility to use the lower AWS–4 block, 2000–2020 MHz, currently designated as an uplink band, for either uplink or downlink operations. Pursuant to §§ 1.3 and 1.925(b)(3)(i) of the Commission's rules, DISH seeks a waiver of § 27.5(j), which sets forth pairing requirements for AWS–4, and § 27.53(h)(2)(ii), which imposes out-of-band emission limits for AWS–4 operations in the 2000–2020 MHz band, as well as other technical AWS–4 rules ''to the extent required.'' DISH Request at 2 & n.2, 6 & n.11, 9–12. *See* 47 CFR 27.5(j), 27.53(h)(2)(ii); *see also* Service Rules for Advanced Wireless Services in the 2000–2020 MHz and 2180–2200 MHz Bands, WT Docket Nos. 12–70, 04–356, ET Docket No. 10–142, *Report and Order and Order of Proposed Modification,* 27 FCC Rcd 16102 (2012) (*AWS–4 Report and Order*), *recon. pending.* In addition, DISH requests an

extension of the final build-out requirement for each of the AWS–4 licenses. Pursuant to § 1.946(e) of the Commission's rules, DISH requests a one-year extension of the final construction requirement set forth for AWS–4 licenses in § 27.14(q). *See* 47 CFR 27.14(q). The purpose of this public notice is to announce the opening of a docket, WT Docket No. 13–225, to seek comment on DISH's request and to establish the *ex parte* status of discussions related to the Petition for Waiver and Request for Extension of Time.

2. DISH, which is also the Mobile Satellite Service licensee in the 2000–2020 and 2180–2200 MHz bands, asserts that ''[g]rant of the requested flexibility will serve and promote the underlying objectives of the Commission's AWS–4 rules by enabling DISH to utilize all of the AWS–4 spectrum more robustly and by improving the extent to which the AWS–4 band coexists with future licensees in the adjacent H and J Blocks.'' *See* Service Rules for Advanced Wireless Services H Block—Implementing Section 6401 of the Middle Class Tax Relief and Job Creation Act of 2012 Related to the 1915–1920 MHz and 1995–2000 MHz Bands, WT Docket No. 12–357, *Report and Order,* 28 FCC Rcd 9483 (2013) (*H Block Report and Order*); Amendment of the Commission's Rules with Regard to Commercial Operations in the 1695–1710 MHz, 1755–1780 MHz, and 2155–2180 MHz Bands; GN Docket No. 13–185, *Notice of Proposed Rulemaking,* FCC 13–102, rel. July 23, 2013 (*AWS–3 NPRM*). DISH further states that grant of such operational flexibility will permit AWS–4 operations in the 2000–2020 MHz block to be harmonized with operations in the adjacent PCS band, and H and J Blocks, thus potentially providing up to 30 megahertz of contiguous downlink spectrum. If the requested relief is granted, DISH commits to file, ''as soon as commercially practicable but no later than 30 months after the grant of [its] petition . . . an election with the Commission stating whether it will deploy the 2000–2020 MHz band for downlink or uplink use.''

3. With regard to its request for extension, DISH asserts that a one-year extension of the final build-out requirement for AWS–4 is ''necessary for DISH to update its network and device planning to accommodate the requested flexibility.'' Among other things, DISH states that it will need to ''initiate work for a new standard from the 3rd Generation Partnership Project (''3GPP'')[,] . . . restart work to design devices and base stations, and make substantial changes to its network planning.''

Procedural Matters

Ex Parte Presentations—Permit-But-Disclose Proceeding

4. This matter shall be treated as a ''permit-but-disclose'' proceeding in accordance with the *ex parte* rules. Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule § 1.1206(b). In proceedings governed by rule § 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (*e.g.,* .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

Comment Period and Filing Procedures

5. To allow the Commission to consider fully all substantive issues regarding the DISH Request in as timely and efficient a manner as possible, commenters should raise all issues in their initial filings. New issues may not be raised in responses or replies. A party or interested person seeking to raise a new issue after the pleading cycle has closed must show good cause why it was not possible for it to have raised the issue previously. Submissions after the pleading cycle has closed that seek to raise new issues based on new facts or newly discovered facts should be filed within 15 days after such facts are discovered. Absent such a showing of good cause, any issues not timely raised may be disregarded by the Commission.

6. Pursuant to §§ 1.415 and 1.419 of the Commission's rules, 47 CFR 1.415, 1.419, interested parties may file comments and reply comments on or before the dates indicated on the first page of this document. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS). *See Electronic Filing of Documents in Rulemaking Proceedings,* 63 FR 24121 (1998).

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: *http://fjallfoss.fcc.gov/ecfs2/.*
- For ECFS filers, in completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket number. Parties may also submit an electronic comment by Internet email. To get filing instructions for email comments, commenters should send an email to *ecfs@fcc.gov,* and should include the following words in the body of the message, ''get form.'' A sample form and directions will be sent in reply.
- Paper Filers: the original and one copy of each filing must be filed by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554.
- All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th Street SW., Room TW–A325, Washington, DC 20554. The filing hours at this location are 8 a.m. to 7 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class, Express, and Priority mail should be addressed to 445 12th Street SW., Washington, DC 20554. All filings must

be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554.

• One copy of each pleading must be delivered electronically, by email or facsimile, or if delivered as paper copy, by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (according to the procedures set forth above for paper filings), to: (1) The Commission's duplicating contractor, Best Copy and Printing, Inc., at *fcc@bcpiweb.com* or (202) 488–5563 (facsimile); and (2) Matthew Pearl, Broadband Division, WTB, at *Matthew.Pearl@fcc.gov* or (202) 418–7247 (facsimile). Any submission that is emailed to Best Copy and Printing should include in the subject line of the email: (1) The docket number of this proceeding, which is listed on the first page of this public notice; (2) the name of the submitting party; and (3) a brief description or title identifying the type of document being submitted (*e.g.,* WT Docket No. 13–225, [name of submitting party], Notice of *Ex Parte* Communication).

• *People with Disabilities.* To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an email to *fcc504@fcc.gov* or call the Consumer & Governmental Affairs Bureau at 202–418–0530 (voice), 202–418–0432 (tty).

• *Availability of Documents.* Comments, reply comments, and *ex parte* submissions will be available for public inspection during regular business hours in the FCC Reference Center, Federal Communications Commission, 445 12th Street SW., CY–A257, Washington, DC, 20554.

These documents will also be available via ECFS. Documents will be available electronically in ASCII, Microsoft Word, and/or Adobe Acrobat.

Federal Communications Commission

Blaise A. Scinto,

Chief, Broadband Division, Wireless Telecommunications Bureau.

[FR Doc. 2013–23647 Filed 9–26–13; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[Docket No. 130312236–3236–01]

RIN 0648–BD05

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery Off the Southern Atlantic States; Amendment 27

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Proposed rule; request for comments.

SUMMARY: NMFS proposes regulations to implement Amendment 27 (Amendment 27) to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region (FMP), as prepared and submitted by the South Atlantic Fishery Management Council (South Atlantic Council). If implemented, Amendment 27 and this rule would extend the South Atlantic Council's management responsibility for Nassau grouper into the Gulf of Mexico (Gulf) exclusive economic zone (EEZ); increase the number of allowable crew members to four on dual-permitted snapper-grouper vessels (*i.e.,* vessels holding a South Atlantic Charter Vessel/Headboat Permit for Snapper-Grouper and a South Atlantic Unlimited or a 225-Pound Trip Limit Snapper-Grouper Permit) that are fishing commercially; remove the prohibition on retaining any fish under the aggregate bag limit for grouper and tilefish or the vermilion snapper bag limit by captain and crew of federally permitted for-hire vessels; modify the snapper-grouper framework procedures to allow acceptable biological catch levels (ABCs), annual catch limits (ACLs), and annual catch targets (ACTs) to be adjusted via an abbreviated framework process; and remove blue runner from the FMP. The purpose of this rule is to streamline management of Nassau grouper, improve vessel safety for dual-permitted vessels, implement consistent regulations regarding captain and crew retention limits for snapper-grouper species, expedite adjustments to snapper-grouper catch limits when new scientific information becomes available, and minimize socio-economic impacts to fishermen who harvest and sell blue runner.

DATES: Written comments must be received on or before October 28, 2013.

ADDRESSES: You may submit comments on the proposed rule, identified by ''NOAA–NMFS–2013–0085'' by any of the following methods:

• *Electronic Submission:* Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to *www.regulations.gov/#!docketDetail;D=NOAA–NMFS–2013–0085*, click the ''Comment Now!'' icon, complete the required fields, and enter or attach your comments.

• *Mail:* Submit written comments to Kate Michie, Southeast Regional Office, NMFS, 263 13th Avenue South, St. Petersburg, FL 33701.

Instructions: Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by NMFS. All comments received are a part of the public record and will generally be posted for public viewing on *www.regulations.gov* without change. All personal identifying information (*e.g.,* name, address, etc.), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter ''N/A'' in the required fields if you wish to remain anonymous). Attachments to electronic comments will be accepted in Microsoft Word, Excel, or Adobe PDF file formats only.

Electronic copies of Amendment 27, which includes an environmental assessment, an initial regulatory flexibility analysis (IRFA) and a regulatory impact review, may be obtained from the Southeast Regional Office Web site at *http://sero.nmfs.noaa.gov.*

FOR FURTHER INFORMATION CONTACT: Kate Michie, telephone: 727–824–5305, or email: *kate.michie@noaa.gov.*

SUPPLEMENTARY INFORMATION: The snapper-grouper fishery of the South Atlantic is managed under the FMP. The FMP was prepared by the South Atlantic Council and is implemented through regulations at 50 CFR part 622 under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

Background

The Magnuson-Stevens Act requires that NMFS and regional fishery management councils prevent overfishing and achieve, on a continuing basis, the optimum yield from federally managed fish stocks. These mandates are intended to ensure that fishery resources are managed for the greatest overall benefit to the nation,

particularly with respect to providing food production and recreational opportunities, and protecting marine ecosystems. To further this goal, the Magnuson-Stevens Act requires fishery managers to end overfishing of stocks and to minimize bycatch and bycatch mortality to the extent practicable.

Extension of Management Authority for Nassau Grouper in the Gulf of Mexico to the South Atlantic Council

Amendment 27 includes an action to extend the South Atlantic Council's jurisdiction for management of Nassau grouper into the Gulf. In 2012, the Gulf of Mexico Fishery Management Council (Gulf Council) and NMFS implemented the Generic Annual Catch Limit/Accountability Measures Amendment (Generic ACL Amendment), which included removing Nassau grouper from the FMP for Reef Fish Resources of the Gulf of Mexico (Gulf Reef Fish FMP). The final rule for the Generic ACL Amendment became effective on January 30, 2012 (76 FR 82044, December 29, 2011), except for the measures that removed the prohibition on the harvest or possession of Nassau grouper in the Gulf EEZ. The Gulf Council requested that the Secretary of Commerce designate the South Atlantic Council as the responsible council to manage Nassau grouper in the Gulf, which the Secretary did in a Notice of Agency Action published on December 16, 2011 (76 FR 78245). Therefore, in the final rule for the Generic ACL Amendment, NMFS delayed the effective date for removing the prohibition on the harvest or possession of Nassau grouper in the Gulf pursuant to the Gulf Reef Fish FMP, until the South Atlantic Council could extend its jurisdiction for Nassau grouper into the Gulf to prevent any lapse in the protective regulations necessary for Nassau grouper.

Through Amendment 27, the South Atlantic Council would assume management responsibility for Nassau grouper in Federal waters of the Gulf. The current restrictions on the harvest or possession of Nassau grouper in the Gulf EEZ and South Atlantic EEZ would continue if Amendment 27 is approved for implementation. Nassau grouper has been under a harvest moratorium since 1992 due to concerns of overexploitation, and the current ACL for Nassau grouper in both the South Atlantic EEZ and Gulf EEZ is zero. This proposed rule would continue the restrictions on the harvest or possession of Nassau grouper in the Gulf EEZ and South Atlantic EEZ.

Increase in Crew Member Limit for Dual-Permitted Vessels

Currently, there is a crew size limit of three for vessels with both a South Atlantic Charter Vessel/Headboat Permit for Snapper-Grouper and a commercial South Atlantic Unlimited or 225-Pound Permit for Snapper-Grouper (referred to as ''dual-permitted'' vessels) that are fishing commercially. This crew size limit prevents a dual-permitted vessel from engaging in a charter vessel/headboat trip when the vessel is harvesting and possessing fish in excess of the recreational bag limits. However, a safety concern arises under the current crew size regulations when dual-permitted vessels are spearfishing commercially under the South Atlantic Unlimited or 225-Pound Permit for Snapper-Grouper. The maximum crew size of three persons prevents fishermen from diving in pairs using the buddy system while having a standby diver and captain at the surface, as recommended by the U.S. Coast Guard diving operations manual. Therefore, this rule would increase the crew size from three to four on dual-permitted vessels to allow two persons to remain on the vessel while there are two divers in the water, thereby increasing safety-at-sea.

Removal of Captain and Crew Bag Limit Retention Restrictions for Snapper-Grouper Species

The final rule to implement Amendment 16 to the FMP (Amendment 16)(74 FR 30964, June 29, 2009) prohibited the captain and crew of vessels operating as charter vessels or headboats (*i.e.,* vessels with a valid South Atlantic Charter Vessel/Headboat Permit for Snapper-Grouper) from retaining the bag limits of gag, black grouper, red grouper, scamp, red hind, rock hind, coney, graysby, yellowfin grouper, yellowmouth grouper, yellowedge grouper, snowy grouper, misty grouper, vermilion snapper, sand tilefish, blueline tilefish, and golden tilefish to help end the overfishing of gag and vermilion snapper. The prohibition on retention of these species by captain and crew was expected to contribute to an overall reduction in harvest and incidental catch of gag and vermilion snapper. Amendment 16 also established multiple measures to end the overfishing of gag and vermilion snapper through quotas, reduced bag limits, and a shallow-water grouper spawning closure. A recent stock assessment update for vermilion snapper indicates the species is no longer undergoing overfishing and is not overfished. Gag was last assessed in 2006, prior to the implementation of Amendment 16, and those assessment results indicated gag was undergoing overfishing and was approaching an overfished condition.

Since the implementation of Amendment 16, several management measures have been implemented to ensure the overfishing of vermilion snapper and gag does not occur, including ACLs and accountability measures (AMs), which are intended to maintain harvest at or below the ACLs. Analysis contained in Amendment 27 indicates the reduction in the harvest of those snapper-grouper species subject to the captain and crew bag limit retention restriction is not significant, and allowing the captain and crew to retain bag limit quantities of gag, black grouper, red grouper, scamp, red hind, rock hind, coney, graysby, yellowfin grouper, yellowmouth grouper, yellowedge grouper, snowy grouper, misty grouper, vermilion snapper, sand tilefish, blueline tilefish, and golden tilefish, would not negatively impact snapper-grouper stocks, including vermilion snapper and gag. Therefore, this rule would remove the current restriction that prohibits the captain and crew on a vessel operating as a charter vessel or headboat from retaining the bag limits of the snapper-grouper species listed above.

Modify the Framework Procedures in the Snapper-Grouper FMP

Currently, among other things, the Framework Procedures in the FMP allow an ABC, ACL, and ACT to be modified for snapper-grouper species via the regulatory amendment process, which most often requires developing an amendment and associated National Environmental Policy Act (NEPA) analysis, and implementing the management measures through proposed and final rulemaking. This process can be lengthy. The lag time between when new scientific information becomes available and when catch levels can be adjusted has the potential to result in adverse impacts on the economic and biological environments of the snapper-grouper fishery. Therefore, this rule would allow an ABC, ACL, and ACT to be modified using an abbreviated framework procedure, whereby after the South Atlantic Council has taken final action to change an ABC, ACL, and/or ACT, the Council would submit a letter with supporting data and information to the NMFS Southeast Regional Administrator (RA) requesting the desired change to those applicable harvest parameters.

Based on the information provided by the South Atlantic Council, the RA would determine whether or not the requested modifications may be warranted. If the requested modifications may be warranted, NMFS would develop the appropriate documentation to comply with NEPA and other applicable law, and propose the action through rulemaking. NMFS anticipates this expedited process will shorten the time it would take to make routine changes to harvest limits in response to new information, while allowing the public adequate time to comment on any change.

Remove Blue Runner From the FMP

The Magnuson-Stevens Act requires Councils to prepare FMPs for overfished species and for other species where regulation would serve some useful purpose, and where the present or future benefits of regulation would justify the costs. Blue runner was originally included in the FMP because it was thought to co-occur with other, more economically desirable species.

In the final rule to implement the Comprehensive ACL Amendment (77 FR 15916, March 16, 2012), all snapper-grouper species listed in the FMP (including blue runner) were evaluated to determine if they were still in need of Federal conservation and management. NMFS' guidelines for determining whether to include species in an FMP for purposes of Federal conservation and management are set forth in 50 CFR 600.340(b)(2).

Based on an evaluation of these criteria for all of the snapper-grouper species in the FMP, the Comprehensive ACL Amendment removed 13 species from the FMP. Blue runner was not removed from the FMP at that time because it was determined to not meet the criteria for being removed from the FMP, and the final rule to implement the Comprehensive ACL Amendment established an ACL of 1,289,941 lb (585,107 kg) for blue runner.

In Amendment 27, the South Atlantic Council re-evaluated the need for Federal management of blue runner based on updated information. The majority of commercial and recreational blue runner harvest (99 percent) occurs off the state of Florida (in Federal and state waters combined), with 76 percent of blue runner landings harvested in state waters (using landings data from 2005–2011) and a large portion of the recreational landings harvested from shore. Florida manages blue runner in state waters. Florida regulations include a 2-fish bag limit or a limit of 100 lb (46 kg) of blue runner per day (whichever is greater) with a recreational fishing license, gear prohibitions for both commercial and recreational fishermen, and a commercial saltwater products license (SPL) requirement to harvest blue runner in amounts exceeding 100 lb (46 kg) per day. Bycatch of blue runner in state waters using allowable gear may be sold with a commercial SPL. Blue runner is primarily used as bait, is not commonly retained for human consumption, and is exempt from any Federal bag and possession limit restrictions. A commercial Federal South Atlantic Unlimited or a 225-Pound Trip Limit Snapper-Grouper Permit is not required to harvest blue runner in state waters.

Based on the updated information above, the South Atlantic Council determined blue runner could be removed from the FMP without jeopardizing the health or sustainability of the stock. Therefore, this rule, if approved, would remove blue runner from the FMP.

Classification

Pursuant to section 304(b)(1)(A) of the Magnuson-Stevens Act, the Assistant Administrator has determined that this proposed rule is consistent with Amendment 27, the FMP, the Magnuson-Stevens Act and other applicable law, subject to further consideration after public comment.

This proposed rule has been determined to be not significant for purposes of Executive Order 12866.

NMFS prepared an IRFA for this rule, as required by section 603 of the Regulatory Flexibility Act, 5 U.S.C. 603. The IRFA describes the economic impact that this proposed rule, if adopted, would have on small entities. A description of the action, why it is being considered, and the objectives of and legal basis for this action are contained in the preamble. A copy of the full analysis is available from the NMFS (see **ADDRESSES**). A summary of the IRFA follows.

The proposed rule would extend the South Atlantic Council's jurisdictional authority for management of Nassau grouper to include Gulf Federal waters and continue the harvest prohibition of Nassau grouper in the Gulf and South Atlantic EEZ; increase, from three to four, the number of crew members on any dual-permitted vessel (a vessel with both a South Atlantic for-hire snapper-grouper and a South Atlantic commercial snapper-grouper permit); remove the snapper-grouper species retention restrictions for captain and crew of vessels with a South Atlantic for-hire snapper-grouper permit; modify the South Atlantic Snapper-Grouper FMP framework procedure; and remove blue runner from the South Atlantic Snapper-Grouper FMP.

The Magnuson-Stevens Act provides the statutory basis for this rule. No duplicative, overlapping, or conflicting Federal rules have been identified. In addition, no new reporting, record-keeping, or other compliance requirements are introduced by this proposed rule. Accordingly, this rule does not implicate the Paperwork Reduction Act.

NMFS expects the proposed rule to directly affect commercial fishermen and for-hire vessel operators in the South Atlantic snapper-grouper fishery. The Small Business Administration recently modified the small entity size criteria for all major industry sectors in the U.S., including fish harvesters. A business involved in finfish harvesting is classified as a small business if independently owned and operated, is not dominant in its field of operation (including its affiliates), and its combined annual receipts are not in excess of $19.0 million (NAICS code 114111, finfish fishing) for all of its affiliated operations worldwide. For for-hire vessels, all qualifiers apply except that the annual receipts threshold is $7.0 million (NAICS code 487210, recreational industries). The SBA periodically reviews and changes, as appropriate, these size criteria. On June 20, 2013, the SBA issued a final rule revising the small business size standards for several industries effective July 22, 2013 (78 FR 37398). This rule increased the size standard for commercial finfish harvesters from $4.0 million to $19.0 million. Neither this rule, nor other recent SBA rules, changed the size standard for for-hire vessels.

From 2007 through 2011, an annual average of 336 vessels with valid commercial South Atlantic snapper-grouper permits landed at least 1 lb (0.45 kg) of blue runner. These vessels generated dockside revenues of approximately $2.1 million (2011) from all species caught in the same trips as blue runner, of which $111,000 (2011 dollars) were from sales of blue runner. Each vessel, therefore, generated an average of approximately $6,250 in gross revenues, of which $330 were from blue runner. Vessels in the coastal migratory pelagics fishery also harvested blue runner on some of their trips harvesting Spanish or king mackerel. In 2007–2011, an average of 176 vessels harvested at least 1 lb (0.45 kg) of king mackerel and 1 lb (0.45 kg) of blue runner. These vessels generated an average of about $799,000 from sales of king mackerel and $57,000 from sales of blue runner. For the same period, an

average of 219 vessels harvested at least 1 lb (0.45 kg) of Spanish mackerel and 1 lb (0.45 kg) of blue runner. These vessels generated about $352,000 from sales of Spanish mackerel and $33,000 from sales of blue runner.

For over 2 decades, the commercial and recreational harvest of Nassau grouper in the South Atlantic and Gulf has been prohibited, so no revenue information on commercial vessels dependent on Nassau grouper is available. Based on the revenue information presented above, all commercial vessels affected by the rule can be considered small entities.

From 2007 through 2011, an annual average of 1,813 vessels had valid South Atlantic charter vessel/headboat (for-hire) snapper-grouper permits. As of January 22, 2013, 1,462 vessels held South Atlantic for-hire snapper-grouper permits, and about 75 are estimated to have operated as headboats in 2013. The for-hire fleet consists of charter vessels, which charge a fee on a vessel basis, and headboats, which charge a fee on an individual angler (head) basis. Average annual revenues (2011 dollars) per charter vessel are estimated to be $126,032 for Florida vessels, $53,443 for Georgia vessels, $100,823 for South Carolina vessels, and $101,959 for North Carolina vessels. For headboats, the corresponding per vessel estimates are $209,507 for Florida vessels and $153,848 for vessels in the other states. Based on these average revenue figures, all for-hire operations that would be affected by the rule can be considered small entities.

NMFS expects the proposed rule would directly affect all federally permitted commercial vessels harvesting blue runner and for-hire vessels that operate in the South Atlantic snapper-grouper fishery. All directly affected entities have been determined, for the purpose of this analysis, to be small entities. Therefore, NMFS determined that the proposed action would affect a substantial number of small entities.

Because NMFS determined that all entities expected to be affected by the actions in this proposed rule are small entities, the issue of disproportional effects on small versus large entities does not arise in the present case.

Extending the South Atlantic Council's jurisdictional authority for management of Nassau grouper has no direct effects on the profits of commercial and for-hire vessels, because there are no accompanying changes to the management measures for this species. Any future changes to the management for Nassau grouper in the Gulf or South Atlantic EEZ would pass through the usual regulatory process, although in the future it would be solely under the South Atlantic Council's regulatory process.

Increasing the maximum number of crew members on any dual-permitted vessel from three to four would generally affect only those vessels that opt to bring on board an additional crew member. Vessel owners/operators would likely weigh the additional costs and benefits of such an action. Direct costs would be in the form of compensation to the additional crew member. Benefits could come in the form of better safety conditions, especially on trips that involve diving, or higher fishing quality on for-hire vessel trips that could generate repeat customers and increase the vessel's net operating revenues. The net effect of this action is relatively unknown in the short term. This action would make the South Atlantic regulation on the maximum crew size of dual-permitted vessels consistent with the Gulf regulation.

Removing the snapper-grouper bag limit retention restrictions for the captain and crew of for-hire vessels (*i.e.,* allowing the captain and crew to possess bag limits for all snapper-grouper species with allowable bag limits) could potentially increase the profits of for-hire vessels. These extra bag limits could be used as part of crew compensation, which would lower overall cost, or as a marketing tool to attract additional angler trips, which could bring in additional revenues. It is likely, however, that profit increases would be relatively minimal because of the small number of additional fish that could be kept if the retention restriction were removed. The total extra fish in a year that would result from allowing the captain and crew of for-hire vessels to keep bag limits is estimated to be about 51 fish on all charter trips and 138 fish on all headboat trips. From an enforcement perspective, this action would reduce confusion about which snapper grouper-species could be retained by the captain and crew of for-hire vessels.

Modifying the FMP framework procedure would have no direct effects on commercial and for-hire vessel profits. This modification would allow for faster implementation of changes in the ABCs, ACLs, and ACTs for any snapper-grouper species based on the most recent stock assessment. The effects of those changes will be analyzed once they are considered by the South Atlantic Council.

Removing blue runner from the FMP would leave the species relatively unregulated in the South Atlantic EEZ, where 24 percent of the landings occurred from 2005–2011. As a result, commercial vessels could harvest as many blue runner as they can using whatever gear is most efficient for their operations. In principle, therefore, this action can be expected to result in overall profit increases to commercial vessels in the short term. Historically, however, blue runner has not been a major species targeted or landed by commercial snapper-grouper or coastal migratory pelagic vessels. During 2007–2011, revenues from blue runner accounted for an average of about 5 percent of total revenues generated by snapper-grouper commercial vessels that landed at least 1 lb (0.45 kg) of blue runner. These vessels would generate additional profits mainly if they increase their effort in harvesting blue runner. This would require some changes in their harvesting strategies that may only increase fishing costs. Many vessel operators may have deemed this cost increase not worth expending, as partly evidenced by the relatively small share that sales of blue runner contribute to total vessel revenues.

The case with commercial vessels targeting mainly Spanish or king mackerel is different from that with vessels mainly dependent on snapper-grouper species. Under the no action alternative, a commercial snapper-grouper permit is required to possess and land blue runner. In addition, allowable gear types for harvesting any snapper-grouper species exclude gillnets, which are a gear type used in harvesting king and Spanish mackerel. Vessels which harvest Spanish or king mackerel but do not possess a commercial snapper-grouper permit must discard their catches of blue runner; or, even if they have the necessary commercial snapper-grouper permit, they may not use gillnets to harvest blue runner along with king and Spanish mackerel. For commercial vessels landing at least 1 lb (0.45 kg) of Spanish mackerel and 1 lb (0.45 kg) of blue runner, revenues from blue runner were about 10 percent of revenues from Spanish mackerel; and for commercial vessels landing at least 1 lb (0.45 kg) of king mackerel and 1 lb (0.45 kg) of blue runner, revenues from blue runner were about 5 percent of revenues from king mackerel. Removing blue runner from the FMP would allow these vessels to legally maintain their revenues and profits at current levels.

Similar to commercial vessels, for-hire vessels would, in principle, benefit from removing blue runner from the FMP. These vessels may take as many trips targeting blue runner as they can.

However, charter vessels and headboats accounted for only 2.4 percent and 2.5 percent, respectively, of total recreational landings of blue runner during 2007–2011. In addition, there is no record of target trips for blue runner by charter vessels, and target trips for blue runner by headboats are unknown. Given this information on landings and target trips, removing blue runner from the FMP would likely have minimal effects on the profits of for-hire vessels.

The long-term effects of removing blue runner from the FMP on commercial and for-hire vessel profits would depend on whether the harvest of blue runner is sustainable in the absence of Federal management of the species. Should blue runner undergo overfishing or become overfished, commercial and for-hire vessel catches of blue runner would decline and so would their profits. However, it should be noted that about 99 percent of blue runner are caught off of Florida waters, and if blue runner is removed from the FMP Florida could extend its fishing regulations into the EEZ. This could allow for continued sustainable management of the species. In addition, the South Atlantic Council expressed its intention to continue monitoring trends and landings of blue runner for possible future management actions affecting the species, should the need arise.

The following discussion analyzes the alternatives that were not preferred by the South Atlantic Council, or alternatives for which the South Atlantic Council chose the no action alternative.

Two alternatives, including the preferred alternative, were considered for extending the South Atlantic Council's jurisdictional authority for management of Nassau grouper. The only other alternative is the no action alternative. The South Atlantic Council decided two alternatives were sufficient, since the Secretary of Commerce has already designated the South Atlantic Council as the responsible fishery management council to manage Nassau grouper in the Gulf. These two alternatives are administrative in nature and therefore would have no direct effects on the profits of commercial and for-hire vessels.

Three alternatives, including the preferred alternative, were considered for modifying the crew size restriction for dual-permitted snapper-grouper vessels. The first alternative, the no action alternative, would maintain the crew size limit of three persons. This alternative would have no effects on vessel profits, but it would not address safety issues particularly related to diving trips. The second alternative would remove entirely the crew size limit on dual-permitted snapper-grouper vessels. This alternative would afford vessel owners/operators more flexibility in selecting the optimal crew size for every fishing trip, and thus may be expected to result in higher profits than any of the other alternatives. However, this alternative would tend to complicate the enforcement of fishing rules that differentiate between a commercial and a for-hire fishing trip. Under the alternative, dual-permitted vessels could take a for-hire trip with every angler practically considered a crew member, and then sell their catch as if a commercial vessel trip was taken. In addition to being illegal, this practice could pose problems in tracking recreational versus commercial landings of snapper-grouper species for purposes of ACL monitoring. Moreover, accountability measures could be unduly imposed on one sector if sector ACLs could not be properly monitored.

Three alternatives, including the preferred alternative, were considered for modifying the bag limit restriction on snapper-grouper species for the captain and crew of permitted for-hire vessels. The first alternative, the no action alternative, would maintain the prohibition on captain and crew of for-hire vessels from retaining bag limit quantities of the following species: gag, black grouper, red grouper, scamp, red hind, rock hind, coney, graysby, yellowfin grouper, yellowmouth grouper, yellowedge grouper, snowy grouper, misty grouper, vermilion snapper, sand tilefish, blueline tilefish, and golden tilefish. This alternative would not change the profits of for-hire vessels, but would also forgo any potential profit that could result from the preferred alternative. The second alternative would establish a bag limit of zero for the captains and crew of permitted for-hire vessels for all species included in the FMP. Under this alternative, captain and crew of for-hire vessels would tend to forgo annually about 275 fish in charter trips, and 4,291 fish in headboat trips. If these fish were used as part of crew compensation, losing them would increase the cost of fishing; if these fish were used as a marketing tool to attract additional angler trips, those trips and associated revenues would unlikely occur in the future. There is, therefore, a good likelihood that this alternative would adversely affect the profits of for-hire vessels, although the magnitude of effects would be relatively small.

Two alternatives, including the preferred alternative, were considered for modifying the FMP framework procedure. The only other alternative is the no action alternative. These two alternatives are administrative in nature and therefore would have no direct effects on the profits of commercial and for-hire vessels. Only one alternative was considered by the Council that would meet the purpose of this amendment and at same time address the concerns raised by NOAA General Counsel (GC). The Council had initially proposed amending the framework procedure to allow for adjustments to ACLs via publication of a notice in the **Federal Register**. However, NOAA GC advised the Council that such a process would not meet current legal requirements and NMFS would likely disapprove it. Subsequently, the Council revised the alternative to incorporate NOAA GC suggestions.

Three alternatives, including the preferred alternative, were considered for modifying the placement of blue runner in a fishery management unit and/or modifying management measures for blue runner. The first alternative, the no action alternative, would have no effect on the profits of commercial and for-hire vessels in the snapper-grouper fishery. However, commercial vessels in the coastal migratory pelagics fishery that do not possess a commercial snapper-grouper permit would have to discard their catches of blue runner unless they secure the necessary permit. Without the necessary permit, they would experience revenue and profit reductions from discarding blue runner. If they wanted to continue their practice of harvesting and selling blue runner, they would have to purchase a commercial snapper-grouper permit. Their cost would increase especially because the commercial snapper-grouper permit is under a moratorium, and the likely purchase price of a commercial snapper-grouper permit would be substantially higher than the administrative cost of securing an open access permit or renewing a commercial snapper-grouper permit. The second alternative would retain blue runner in the FMP, but would allow commercial harvest and sale of blue runner for vessels with a South Atlantic commercial Spanish mackerel permit. In addition, gillnets would be an allowable gear in the snapper-grouper fishery, although only for harvesting blue runner. This alternative would tend to maintain the current profitability of commercial vessels, especially in the coastal migratory pelagics fishery as these vessels would be allowed to harvest and sell blue runner without incurring additional costs through the purchase of commercial snapper-

grouper permits. The third alternative would retain blue runner in the FMP, but would exempt the species from the commercial snapper-grouper permit requirement for purchase, harvest, and sale of snapper or grouper. This alternative would have the same effects on the profits of commercial vessels as the second alternative.

List of Subjects in 50 CFR Part 622

Fisheries, Fishing, Headboat, Reporting and recordkeeping requirements, South Atlantic.

Dated: September 20, 2013.

Alan D. Risenhoover,

Director, Office of Sustainable Fisheries, performing the functions and duties of the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

For the reasons set out in the preamble, 50 CFR part 622 is proposed to be amended as follows:

PART 622—FISHERIES OF THE CARIBBEAN, GULF OF MEXICO, AND SOUTH ATLANTIC

■ 1. The authority citation for part 622 continues to read as follows:

Authority: 16 U.S.C. 1801 *et seq.*

■ 2. In § 622.1, paragraph (d), Table 1, the entry for ''FMP for the Snapper-Grouper Fishery of the South Atlantic Region'' is revised and footnote 6 is added to read as follows:

§ 622.1 Purpose and scope.

* * * * *

(d) * * *

TABLE 1—FMPS IMPLEMENTED UNDER PART 622

FMP title	Responsible fishery management council(s)	Geographical area
* * * *	* *	*
FMP for the Snapper-Grouper Fishery of the South Atlantic Region	SAFMC	South Atlantic [6].
* * * *	* *	*

[6] Nassau grouper in the South Atlantic EEZ and the Gulf EEZ are managed under the FMP.

* * * * *

■ 3. In § 622.2, the definition for ''charter vessel'' is revised to read as follows:

§ 622.2 Definitions and acronyms.

* * * * *

Charter vessel means a vessel less than 100 gross tons (90.8 mt) that is subject to the requirements of the USCG to carry six or fewer passengers for hire and that engages in charter fishing at any time during the calendar year. A charter vessel with a commercial permit, as required under § 622.4(a)(2), is considered to be operating as a charter vessel when it carries a passenger who pays a fee or when there are more than three persons aboard, including operator and crew, except for a charter vessel with a commercial vessel permit for Gulf reef fish or South Atlantic snapper-grouper. A charter vessel that has a charter vessel permit for Gulf reef fish and a commercial vessel permit for Gulf reef fish or a charter vessel permit for South Atlantic snapper-grouper and a commercial permit for South Atlantic snapper-grouper (either a South Atlantic snapper-grouper unlimited permit or a 225-lb (102.1-kg) trip limited permit for South Atlantic snapper-grouper) is considered to be operating as a charter vessel when it carries a passenger who pays a fee or when there are more than four persons aboard, including operator and crew. A charter vessel that has a charter vessel permit for Gulf reef fish, a commercial vessel permit for Gulf reef fish, and a valid Certificate of Inspection (COI) issued by the USCG to carry passengers for hire will not be considered to be operating as a charter vessel provided—-

(1) It is not carrying a passenger who pays a fee; and

(2) When underway for more than 12 hours, that vessel meets, but does not exceed the minimum manning requirements outlined in its COI for vessels underway over 12 hours; or when underway for not more than 12 hours, that vessel meets the minimum manning requirements outlined in its COI for vessels underway for not more than 12-hours (if any), and does not exceed the minimum manning requirements outlined in its COI for vessels that are underway for more than 12 hours.

* * * * *

■ 4. In § 622.33, paragraph (c) is removed and reserved and a note is added to paragraph (a) to read as follows:

§ 622.33 Prohibited Species.

(a) * * *

Note to paragraph (a): Nassau grouper in the Gulf EEZ may not be harvested or possessed, as specified in § 622.181(b)(1).

* * * * *

■ 5. In § 622.38, paragraph (b)(2) is revised to read as follows:

§ 622.38 Bag and possession limits.

* * * * *

(b) * * *

(2) *Groupers, combined, excluding goliath grouper*—4 per person per day, but not to exceed 1 speckled hind or 1 warsaw grouper per vessel per day, or 2 gag per person per day. However, no grouper may be retained by the captain or crew of a vessel operating as a charter vessel or headboat. The bag limit for such captain and crew is zero. (Note: Nassau grouper in the Gulf EEZ may not be harvested or possessed, as specified in § 622.181(b)(1).)

* * * * *

■ 6. In § 622.181, paragraph (b)(1) is revised and paragraph (b)(4) is added to read as follows:

§ 622.181 Prohibited Species.

* * * * *

(b) * * *

(1) Goliath grouper may not be harvested or possessed in the South Atlantic EEZ. Goliath grouper taken in the South Atlantic EEZ incidentally by hook-and-line must be released immediately by cutting the line without removing the fish from the water.

* * * * *

(4) Nassau grouper may not be harvested or possessed in the South Atlantic EEZ or the Gulf EEZ. Nassau grouper taken in the South Atlantic EEZ or the Gulf EEZ incidentally by hook-and-line must be released immediately by cutting the line without removing the fish from the water.

* * * * *

■ 7. In § 622.187, paragraphs (b)(2), (b)(5) and (b)(8) are revised to read as follows:

§ 622.187 Bag and possession limits.

* * * * *

(b) * * *

(2) *Grouper and tilefish, combined*—3. Within the 3-fish aggregate bag limit:

(i) No more than one fish may be gag or black grouper, combined;

(ii) No more than one fish per vessel may be a snowy grouper;

(iii) No more than one fish may be a golden tilefish; and

(iv) No goliath grouper or Nassau grouper may be retained.

* * * * *

(5) *Vermilion snapper*—5.

* * * * *

(8) *South Atlantic snapper-grouper, combined*—20. However, excluded from this 20-fish bag limit are tomtate, South Atlantic snapper-grouper ecosystem component species (specified in Table 4 of Appendix A to part 622), and those specified in paragraphs (b)(1) through (7) and paragraphs (b)(9) and (10) of this section.

* * * * *

§ 622.193 [Amended]

■ 7. In § 622.193, paragraph (s) is removed and reserved.

■ 8. In Appendix A to part 622, Table 4 is revised to read as follows:

Appendix A to part 622—Species Tables

* * * * *

Table 4 of Appendix A to Part 622—South Atlantic Snapper-Grouper

Balistidae—Triggerfishes
- Gray triggerfish, *Balistes capriscus*

Carangidae—Jacks
- Bar jack, *Caranx ruber*
- Greater amberjack, *Seriola dumerili*
- Lesser amberjack, *Seriola fasciata*
- Almaco jack, *Seriola rivoliana*
- Banded rudderfish, *Seriola zonata*

Ephippidae—Spadefishes
- Spadefish, *Chaetodipterus faber*

Haemulidae—Grunts
- Margate, *Haemulon album*
- Tomtate, *Haemulon aurolineatum*
- Sailor's choice, *Haemulon parrai*
- White grunt, *Haemulon plumieri*

Labridae—Wrasses
- Hogfish, *Lachnolaimus maximus*

Lutjanidae—Snappers
- Black snapper, *Apsilus dentatus*
- Queen snapper, *Etelis oculatus*
- Mutton snapper, *Lutjanus analis*
- Blackfin snapper, *Lutjanus buccanella*
- Red snapper, *Lutjanus campechanus*
- Cubera snapper, *Lutjanus cyanopterus*
- Gray snapper, *Lutjanus griseus*
- Mahogany snapper, *Lutjanus mahogoni*
- Dog snapper, *Lutjanus jocu*
- Lane snapper, *Lutjanus synagris*
- Silk snapper, *Lutjanus vivanus*
- Yellowtail snapper, *Ocyurus chrysurus*
- Vermilion snapper, *Rhomboplites aurorubens*

Malacanthidae—Tilefishes
- Blueline tilefish, *Caulolatilus microps*
- Golden tilefish, *Lopholatilus chamaeleonticeps*
- Sand tilefish, *Malacanthus plumieri*

Percichthyidae—Temperate basses
- Wreckfish, *Polyprion americanus*

Serranidae—Groupers
- Rock hind, *Epinephelus adscensionis*
- Graysby, *Epinephelus cruentatus*
- Speckled hind, *Epinephelus drummondhayi*
- Yellowedge grouper, *Epinephelus flavolimbatus*
- Coney, *Epinephelus fulvus*
- Red hind, *Epinephelus guttatus*
- Goliath grouper, *Epinephelus itajara*
- Red grouper, *Epinephelus morio*
- Misty grouper, *Epinephelus mystacinus*
- Warsaw grouper, *Epinephelus nigritus*
- Snowy grouper, *Epinephelus niveatus*
- Nassau grouper, *Epinephelus striatus*
- Black grouper, *Mycteroperca bonaci*
- Yellowmouth grouper, *Mycteroperca interstitialis*
- Gag, *Mycteroperca microlepis*
- Scamp, *Mycteroperca phenax*
- Yellowfin grouper, *Mycteroperca venenosa*

Serranidae—Sea Basses
- Black sea bass, *Centropristis striata*

Sparidae—Porgies
- Jolthead porgy, *Calamus bajonado*
- Saucereye porgy, *Calamus calamus*
- Whitebone porgy, *Calamus leucosteus*
- Knobbed porgy, *Calamus nodosus*
- Red porgy, *Pagrus pagrus*
- Scup, *Stenotomus chrysops*

The following species are designated as ecosystem component species:

Cottonwick, *Haemulon melanurum*
Bank sea bass, *Centropristis ocyurus*
Rock sea bass, *Centropristis philadelphica*
Longspine porgy, *Stenotomus caprinus*
Ocean triggerfish, *Canthidermis sufflamen*
Schoolmaster, *Lutjanus apodus*

* * * * *

[FR Doc. 2013–23354 Filed 9–26–13; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[Docket No. 130409354–3354–01]

RIN 0648–BD21

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Revisions to Headboat Reporting Requirements for Species Managed by the South Atlantic Fishery Management Council

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Proposed rule; request for comments.

SUMMARY: NMFS proposes regulations to implement the Joint South Atlantic/Gulf of Mexico Generic Charter Vessel/Headboat Reporting in the South Atlantic Amendment (For-Hire Reporting Amendment). The For-Hire Reporting Amendment amends the following FMPs: the Snapper-Grouper Fishery of the South Atlantic Region and the Dolphin and Wahoo Fishery of the Atlantic, as prepared by the South Atlantic Fishery Management Council (South Atlantic Council); and the Coastal Migratory Pelagic (CMP) Resources of the Gulf and South Atlantic, as prepared by the Gulf of Mexico Fishery Management Council (Gulf Council) and the South Atlantic Council. If implemented, this rule would modify the recordkeeping and reporting requirements for headboat owners and operators who fish for species managed by the South Atlantic Council through the previously mentioned FMPs. These revisions would require fishing records to be submitted electronically (via computer or Internet) on a weekly basis or at intervals shorter than a week if notified by the NMFS' Southeast Fisheries Science Center (SEFSC) Science and Research Director (SRD), and would prohibit headboats from continuing to fish if they are delinquent in submitting reports. The purpose of this rule is to obtain timelier fishing information from headboats to better monitor recreational annual catch limits (ACLs), improve stock assessments, and improve compliance in South Atlantic fisheries.

DATES: Written comments must be received on or before October 28, 2013.

ADDRESSES: You may submit comments on the proposed rule, identified by ''NOAA–NMFS–2013–0080'', by any of the following methods:

- *Electronic submissions:* Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to *www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2013-0080,* click the ''Comment Now!'' icon, complete the required fields, and enter or attach your comments.
- *Mail:* Submit written comments to Karla Gore, Southeast Regional Office, NMFS, 263 13th Avenue South, St. Petersburg, FL 33701.

Instructions: Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by NMFS. All comments received are a part of the public record and will generally be posted for public viewing on *www.regulations.gov*

without change. All personal identifying information (*e.g.,* name, address, etc.), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter ''N/A'' in the required fields if you wish to remain anonymous). Attachments to electronic comments will be accepted in Microsoft Word, Excel, or Adobe PDF file formats only.

Electronic copies of the For-Hire Reporting Amendment, which includes an environmental assessment and a regulatory impact review, may be obtained from the Southeast Regional Office Web site at *http://sero.nmfs.noaa.gov.*

Comments regarding the burden-hour estimates or other aspects of the collection-of-information requirements contained in this proposed rule may be submitted in writing to Anik Clemens, Southeast Regional Office, NMFS, 263 13th Avenue South, St. Petersburg, FL 33701; and OMB, by email at *OIRA Submission@omb.eop.gov,* or by fax to 202–395–7285.

FOR FURTHER INFORMATION CONTACT: Karla Gore, Southeast Regional Office, NMFS, telephone 727–824–5305; email: *Karla.Gore@noaa.gov.*

SUPPLEMENTARY INFORMATION: NMFS and the Councils manage the fisheries for South Atlantic Snapper-Grouper, Atlantic Dolphin and Wahoo, and Gulf and South Atlantic CMP under their respective FMPs. The FMPs were prepared by the Gulf and South Atlantic Councils and are implemented through regulations at 50 CFR part 622 under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

Background

The Magnuson-Stevens Act requires NMFS and regional fishery management councils to prevent overfishing and achieve, on a continuing basis, the optimum yield from federally managed fish stocks. These mandates are intended to ensure that fishery resources are managed for the greatest overall benefit to the nation, particularly with respect to providing food production and recreational opportunities, and protecting marine ecosystems. To further this goal, the Magnuson-Stevens Act requires fishery managers to specify their strategy to rebuild overfished stocks to a sustainable level within a certain time frame, to minimize bycatch and bycatch mortality to the extent practicable, and to establish accountability measures (AMs) for stocks to ensure ACLs are not exceeded.

One of the purposes of this proposed rule is to allow better monitoring of recreational ACLs to reduce the amount of recreational ACL overages. Currently, overages have the potential to result in significant disruption in fishing behavior the following fishing year and to reduce revenue and profit for fishermen. Overages also may decrease the ability of stocks to rebuild when overfished and may lead to overfishing conditions. The management measures contained in this proposed rule, including requiring headboats to report electronically and increasing the frequency of headboat reporting, would help improve monitoring of the recreational ACLs.

The other purposes of this proposed rule are to improve stock assessments and to improve data reporting compliance in South Atlantic fisheries. Headboat landings are an important component of stock assessments. The increased frequency of headboat data reporting and electronic reporting required by this rule would help to improve stock assessments because it would provide a more accurate picture of headboat landings. Headboat owners and operators who are delinquent in submitting reports would not be allowed to fish until all required reports have been submitted. This requirement should help to improve compliance with data reporting within the recreational sector.

Management Measures Contained in the Proposed Rule

This proposed rule would require electronic reporting for headboat vessels in the South Atlantic snapper-grouper, Atlantic dolphin and wahoo, and South Atlantic coastal migratory pelagic fisheries, increase the reporting frequency for the headboat vessels in these fisheries, and prohibit headboats from continuing to fish if they are delinquent in submitting their reports.

Mandatory Electronic Reporting for Headboat Vessels

Currently, a headboat selected to report by the SRD must maintain a fishing record for each trip, or a portion of such trips, as specified by the SRD, and on forms provided by the SRD. Until January 1, 2013, the SRD provided federally-permitted headboats with paper forms to submit their fishing data. However, as of January 1, 2013, the SRD requested federally-permitted headboats to report electronically. This proposed rule would revise the regulations to explicitly require that headboats must submit their fishing information electronically (via computer or internet). NMFS would require headboat owners and operators, who are selected by the SRD, to submit an electronic fishing record of all fish caught through the ''Southeast Region Headboat Survey,'' an electronic reporting system developed by the SEFSC for trips completed, and to submit no fishing reports when no trips are taken.

This electronic logbook (eLog) form is available through a password protected Web site that can be accessed by personal computer, computer tablet, or ''smart'' phone (an application can be downloaded on both Android phones and iPhones). The Southeast Region Headboat Survey Web site can be accessed at *https://selogbook.com,* and an access code is required to log into the Web site. Bluefin Data, the electronic data vendor, requires a current email address for each vessel owner to send access codes and other information regarding the Web site to vessel owners. Once Bluefin Data registers a vessel owner and provides the vessel owner with an access code via email, the vessel owner is able to log into the Web site and create a password for the account. The vessel owner can register more than one vessel and more than one captain using a single account. The vessel owner can allow others to access the account by sharing the password.

The data elements for completed trips that would be required through this rule are consistent with the data elements currently being collected by the SRD. These data include, but are not limited to: Date(s) and duration of fishing; vessel name and official number of vessel; captain name; location of fishing in lat/long; number of anglers; minimum, maximum and primary depth fished; number of fish of each species kept; and number of fish of each species released.

During catastrophic conditions only, this rule would allow headboat owners and operators to use a paper-based system for submitting electronic fishing records. The Regional Administrator (RA) would determine when catastrophic conditions exist, the duration of the catastrophic conditions, and which participants are affected. The RA would provide notice of a paper-based system via notification in the **Federal Register**, NOAA weather radio, fishery bulletins, and other appropriate means and would authorize the use of the paper-based system for the duration of the catastrophic conditions. The paper forms would be available from NMFS. During catastrophic conditions, the RA would have the authority to waive or modify reporting time requirements.

Increase Reporting Frequency for the Headboat Sector

Currently, headboat reporting forms are due on a monthly basis, and must either be made available to a fisheries statistics reporting agent or be postmarked no later than 7 days after the end of each month and sent to the SRD. This proposed rule would modify the frequency of reporting to be on a weekly basis (or intervals shorter than a week if notified by the SRD), with reports due by 11:59 p.m., local time, the Sunday following a reporting week. A reporting week is defined as beginning at 12:01 a.m., local time, on Sunday and ending at 11:59 p.m., local time, the following Saturday. If no fishing activity occurred during a reporting week, an electronic report so stating must be submitted for that reporting week.

Non-Compliance With Reporting Requirement

This rule would prohibit headboat owners and operators who are delinquent in submitting their fishing records from continuing to harvest and possess South Atlantic snapper-grouper, Atlantic dolphin and wahoo, and South Atlantic coastal migratory pelagic fish until all required fishing records have been submitted. The owner and operator are liable for all prohibited harvest and possession onboard the vessel, including that by the crew and/or passengers. This provision would aid in enforcement efforts to ensure that electronic fishing records are submitted in a timely manner.

Classification

Pursuant to section 304(b)(1)(A) of the Magnuson-Stevens Act, the NOAA Assistant Administrator for Fisheries (AA) has determined that this proposed rule is consistent with the three affected FMPs, the For-Hire Reporting Amendment, the Magnuson-Stevens Act, and other applicable law, subject to further consideration after public comment.

This proposed rule has been determined to be not significant for purposes of Executive Order 12866.

The Chief Counsel for Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration that this proposed rule, if implemented, would not have a significant economic impact on a substantial number of small entities. The factual basis for this determination is as follows:

The purpose of this proposed rule is to change the current reporting requirements for headboats that operate in the South Atlantic exclusive economic zone (EEZ) in order to improve data collection methods to help ensure landings of managed fish stocks are recorded accurately and in a timely manner so that recreational ACLs are not exceeded. The Magnuson-Stevens Act provides the statutory basis for this proposed rule.

This proposed rule, if implemented, would be expected to directly affect an estimated 75 headboat for-hire fishing businesses that operate in the South Atlantic EEZ. The average headboat is estimated to receive approximately $201,000 (2012 dollars) in annual gross revenue. NMFS has not identified any other small entities that would be expected to be directly affected by this proposed rule.

The Small Business Administration (SBA) has established size criteria for all major industry sectors in the U.S. including seafood dealers and harvesters. A business involved in the for-hire fishing industry is classified as a small business if it is independently owned and operated, is not dominant in its field of operation (including its affiliates), and has combined annual receipts not in excess of $7.0 million (NAICS code 487210, fishing boat charter operation). The SBA periodically reviews the size criteria and establishes new thresholds when appropriate. The most recent final rule establishing new size criteria was published June 20, 2013 (78 FR 37398). However, the receipts threshold for the for-hire industry was not changed as a result of the latest or other recent review and rulemaking by the SBA. Because the average annual revenue for the headboat businesses expected to be directly affected by this proposed rule is significantly less than the SBA revenue threshold, all these businesses are determined, for the purpose of this analysis, to be small business entities.

This proposed rule, if implemented, would require headboat fishing businesses selected by the SRD to submit weekly records, or at shorter intervals if notified by the SRD, of their fishing activity via computer or Internet (electronic reporting). This requirement would not be expected to require special professional skills. The use of computers, the internet, or other forms of electronic connections and communication is commonplace in the business environment. As a result, all affected small entities would be expected to already have staff with the appropriate skills and training to meet these requirements.

This proposed rule, if implemented, would be expected to have little to no impact on the profits of any of the small entities expected to be directly affected. Although not currently explicitly required by regulation, the SRD has requested electronic reporting since January 1, 2013, for federally-permitted South Atlantic headboats. As a result, most, if not all, South Atlantic headboat businesses are expected to currently be submitting reports of their fishing activity electronically. For any headboat business that may not currently use the electronic reporting system, any increase in operating expenses should be minor. The use of computers and the internet is commonplace and a vital tool in business management. The SBA estimated that in 2010 approximately 94 percent of businesses had a computer and 95 percent of these had internet service. As a result, the majority of the affected entities would not be expected to need to incur new operational expenses to report electronically. For those few entities that might not already be reporting electronically, any new expenses that might need to be incurred would not be expected to constitute a significant increase in business expenses. Computers under $750 are readily available and internet services under $100 per month would be expected to be available in most locations. The estimated average annual revenue for a South Atlantic headboat business is approximately $201,000 (2012 dollars). NMFS estimates the requirement for South Atlantic headboat owners and operators to report electronically would result in a net zero effect on the reporting burden of affected entities compared to paper reporting. The estimated reporting burden under either paper or electronic reporting is 10 minutes per report, or approximately 16.7 hours per entity per year based on an average of 100 reports per year. Assuming an hourly wage rate of $22.42 (2012 dollars, mean hourly wage rate, first-line supervisors of farming, fishing, and forestry workers), the estimated total annual cost to submit 100 reports would be approximately $374. As previously stated, this cost would not be expected to change as a result of the proposed requirement for electronic reporting. Therefore, the proposed requirement for electronic submission of headboat reports would be expected to result in minor to no direct economic effect on most, if not all, South Atlantic headboat businesses.

This proposed rule, if implemented, would also increase the frequency of reporting by South Atlantic headboat businesses selected by the SRD from the current requirement of monthly reports that must be submitted within 7 days of the end of each month to weekly

reporting (7 days after the end of each week ending on Sunday) or at shorter intervals if notified by the SRD. Keeping accurate records is essential to successful business operation. As a result, recording trips as they are completed, or as soon as is practical, is expected to be the common business practice. Electronic recording and reporting would be expected to support additional labor and business management efficiencies because it would be expected to allow better data storage, retrieval, and production of annual performance summaries for use in business planning. Therefore, the proposed increase in the frequency of reporting would be expected to require little, if any, change in business practices or associated operational costs.

Additionally, this proposed rule would prohibit vessels from fishing if required fishing records have not been submitted within the required timeframe. Although a prohibition on fishing could have a significant adverse economic effect on the affected business, depending on the duration of prohibition and revenue from non-fishing activities, failure to submit the required electronic fishing records would not be an economically rational business practice in light of the minimal burden to submit fishing records and potential consequences of non-compliance. As a result, few if any headboat businesses would be expected to experience any reduction in profits as a result of this component of this proposed rule.

Based on the discussion above, NMFS determines that this proposed rule, if implemented, would not have a significant economic effect on a substantial number of small entities. As a result, an initial regulatory flexibility analysis is not required and none has been prepared.

Notwithstanding any other provision of law, no person is required to respond to, nor shall a person be subject to a penalty for failure to comply with, a collection-of-information subject to the requirements of the Paperwork Reduction Act (PRA), unless that collection-of-information displays a currently valid Office of Management and Budget (OMB) control number.

This proposed rule contains collection-of-information requirements subject to the PRA. NMFS is revising the collection-of-information requirements under OMB control number 0648–0016. NMFS estimates the requirement for South Atlantic headboat owners and operators to report electronically would result in a net zero effect on the reporting burden under OMB control number 0648–0016, because headboat owners and operators would continue to report all species harvested, however, now it would be electronically instead of by paper. NMFS estimates the requirement for headboat owners and operators to report more frequently (weekly instead of monthly) would not create more burden on headboat owners and operators, because the headboat owners and operators would still be reporting the same amount of information, they would just be transmitting the data more frequently. These estimates of the public reporting burden include the time for reviewing instructions, gathering and maintaining the data needed, and completing and reviewing the collection-of-information.

These requirements have been submitted to OMB for approval. NMFS seeks public comment regarding: Whether this proposed collection-of-information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; the accuracy of the burden estimate; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the collection-of-information, including through the use of automated collection techniques or other forms of information technology. Send comments regarding the burden estimate or any other aspect of the collection-of-information requirement, including suggestions for reducing the burden, to NMFS and to OMB (see **ADDRESSES**).

List of Subjects in 50 CFR Part 622

Fisheries, Fishing, Headboat, Reporting and recordkeeping requirements, South Atlantic.

Dated: September 20, 2013.

Alan D. Risenhoover,

Director, Office of Sustainable Fisheries, performing the functions and duties of the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

For the reasons set out in the preamble, 50 CFR part 622 is proposed to be amended as follows:

PART 622—FISHERIES OF THE CARIBBEAN, GULF OF MEXICO, AND SOUTH ATLANTIC

■ 1. The authority citation for part 622 continues to read as follows:

Authority: 16 U.S.C. 1801 *et seq.*

■ 2. In § 622.13, paragraph (g) is added to read as follows:

§ 622.13 Prohibitions—general.

* * * * *

(g) Harvest or possess fish if the required headboat reports have not been submitted in accordance with this part.

* * * * *

■ 3. In § 622.176, paragraph (b) is revised to read as follows:

§ 622.176 Recordkeeping and reporting.

* * * * *

(b) *Charter vessel/headboat owners and operators*—(1) *General reporting requirement*—(i) *Charter vessels.* The owner or operator of a charter vessel for which a charter vessel/headboat permit for South Atlantic snapper-grouper has been issued, as required under § 622.170(b)(1), or whose vessel fishes for or lands such snapper-grouper in or from state waters adjoining the South Atlantic EEZ, who is selected to report by the SRD must maintain a fishing record for each trip, or a portion of such trips as specified by the SRD, on forms provided by the SRD and must submit such record as specified in paragraph (b)(2) of this section.

(ii) *Headboats.* The owner or operator of a headboat for which a charter vessel/headboat permit for South Atlantic snapper-grouper has been issued, as required under § 622.170(b)(1), or whose vessel fishes for or lands such snapper-grouper in or from state waters adjoining the South Atlantic EEZ, who is selected to report by the SRD must submit an electronic fishing record for each trip of all fish harvested within the time period specified in paragraph (b)(2)(ii) of this section, via the Southeast Region Headboat Survey.

(iii) *Electronic logbook/video monitoring reporting.* The owner or operator of a vessel for which a charter vessel/headboat permit for South Atlantic snapper-grouper has been issued, as required under § 622.170(b)(1), or whose vessel fishes for or lands such snapper-grouper in or from state waters adjoining the South Atlantic EEZ, who is selected to report by the SRD must participate in the NMFS-sponsored electronic logbook and/or video monitoring program as directed by the SRD. Compliance with the reporting requirements of this paragraph (b)(1)(iii) is required for permit renewal.

(2) *Reporting deadlines*—(i) *Charter vessels.* Completed fishing records required by paragraph (b)(1)(i) of this section for charter vessels must be submitted to the SRD weekly, postmarked no later than 7 days after the end of each week (Sunday). Completed fishing records required by paragraph (b)(1)(iii) of this section for charter vessels may be required weekly or daily, as directed by the SRD. Information to be reported is indicated

on the form and its accompanying instructions.

(ii) *Headboats.* Electronic fishing records required by paragraph (b)(1)(ii) of this section for headboats must be submitted at weekly intervals (or intervals shorter than a week if notified by the SRD) by 11:59 p.m., local time, the Sunday following a reporting week. If no fishing activity occurred during a reporting week, an electronic report so stating must be submitted for that reporting week by 11:59 p.m., local time, the Sunday following a reporting week.

(3) *Catastrophic conditions.* During catastrophic conditions only, NMFS provides for use of paper forms for basic required functions as a backup to the electronic reports required by paragraph (b)(1)(ii) of this section. The RA will determine when catastrophic conditions exist, the duration of the catastrophic conditions, and which participants or geographic areas are deemed affected by the catastrophic conditions. The RA will provide timely notice to affected participants via publication of notification in the Federal Register, NOAA weather radio, fishery bulletins, and other appropriate means and will authorize the affected participants' use of paper forms for the duration of the catastrophic conditions. The paper forms will be available from NMFS. During catastrophic conditions, the RA has the authority to waive or modify reporting time requirements.

(4) *Compliance requirement.* Electronic reports required by paragraph (b)(1)(ii) of this section must be submitted and received by NMFS according to the reporting requirements under this section. A report not received within the time specified in paragraph (b)(2)(ii) is delinquent. A delinquent report automatically results in the owner and operator of a headboat for which a charter vessel/headboat permit for South Atlantic snapper-grouper has been issued being prohibited from harvesting or possessing such species, regardless of any additional notification to the delinquent owner and operator by NMFS. The owner and operator who are prohibited from harvesting or possessing such species due to delinquent reports are authorized to harvest or possess such species only after all required and delinquent reports have been submitted and received by NMFS according to the reporting requirements under this section.

* * * * *

■ 4. In § 622.271, paragraph (b) is revised to read as follows:

§ 622.271 Recordkeeping and reporting.

* * * * *

(b) *Charter vessel/headboat owners and operators*—(1) *General reporting requirement*—(i) *Charter vessels.* The owner or operator of a charter vessel for which a charter vessel/headboat permit for Atlantic dolphin and wahoo has been issued, as required under § 622.270(b)(1), or whose vessel fishes for or lands Atlantic dolphin or wahoo in or from state waters adjoining the Atlantic EEZ, who is selected to report by the SRD must maintain a fishing record for each trip, or a portion of such trips as specified by the SRD, on forms provided by the SRD and must submit such record as specified in paragraph (b)(2) of this section.

(ii) *Headboats.* The owner or operator of a headboat for which a charter vessel/headboat permit for Atlantic dolphin and wahoo has been issued, as required under § 622.270(b)(1), or whose vessel fishes for or lands Atlantic dolphin or wahoo in or from state waters adjoining the South Atlantic EEZ, who is selected to report by the SRD must submit an electronic fishing record for each trip of all fish harvested within the time period specified in paragraph (b)(2)(ii) of this section, via the Southeast Region Headboat Survey.

(2) *Reporting deadlines*—(i) *Charter vessels.* Completed fishing records required by paragraph (b)(1)(i) of this section for charter vessels must be submitted to the SRD weekly, postmarked no later than 7 days after the end of each week (Sunday). Information to be reported is indicated on the form and its accompanying instructions.

(ii) *Headboats.* Electronic fishing records required by paragraph (b)(1)(ii) of this section for headboats must be submitted at weekly intervals (or intervals shorter than a week if notified by the SRD) by 11:59 p.m., local time, the Sunday following a reporting week. If no fishing activity occurred during a reporting week, an electronic report so stating must be submitted for that reporting week by 11:59 p.m., local time, the Sunday following a reporting week.

(3) *Catastrophic conditions.* During catastrophic conditions only, the ACL monitoring program provides for use of paper forms for basic required functions as a backup to the electronic fishing records required by paragraph (b)(1)(ii) of this section. The RA will determine when catastrophic conditions exist, the duration of the catastrophic conditions, and which participants or geographic areas are deemed affected by the catastrophic conditions. The RA will provide timely notice to affected participants via publication of notification in the **Federal Register**, NOAA weather radio, fishery bulletins, and other appropriate means and will authorize the affected participants' use of paper forms for the duration of the catastrophic conditions. The paper forms will be available from NMFS. During catastrophic conditions, the RA has the authority to waive or modify reporting time requirements.

(4) *Compliance requirement.* Electronic reports required by paragraph (b)(1)(ii) of this section must be submitted and received by NMFS according to the reporting requirements under this section. A report not received within the time specified in paragraph (b)(2)(ii) is delinquent. A delinquent report automatically results in the owner and operator of a headboat for which a charter vessel/headboat permit for Atlantic dolphin and wahoo has been issued being prohibited from harvesting or possessing such species, regardless of any additional notification to the delinquent owner and operator by NMFS. The owner and operator who are prohibited from harvesting or possessing such species due to delinquent reports are authorized to harvest or possess such species only after all required and delinquent reports have been submitted and received by NMFS according to the reporting requirements under this section.

* * * * *

■ 5. In § 622.374, paragraph (b) is revised to read as follows:

§ 622.374 Recordkeeping and reporting.

* * * * *

(b) *Charter vessel/headboat owners and operators*—(1) *General reporting requirement*—(i) *Charter vessels.* The owner or operator of a charter vessel for which a charter vessel/headboat permit for Gulf coastal migratory pelagic fish or South Atlantic coastal migratory pelagic fish has been issued, as required under § 622.370(b)(1), or whose vessel fishes for or lands Gulf or South Atlantic coastal migratory fish in or from state waters adjoining the Gulf or South Atlantic EEZ, who is selected to report by the SRD must maintain a fishing record for each trip, or a portion of such trips as specified by the SRD, on forms provided by the SRD and must submit such record as specified in paragraph (b)(2)(i) of this section.

(ii) *South Atlantic headboats.* The owner or operator of a headboat for which a charter vessel/headboat permit for South Atlantic coastal migratory fish has been issued, as required under § 622.370(b)(1), or whose vessel fishes for or lands South Atlantic coastal migratory pelagic fish in or from state waters adjoining the South Atlantic EEZ, who is selected to report by the

SRD must submit an electronic fishing record of each trip of all fish harvested within the time period specified in paragraph (b)(2)(ii) of this section, via the Southeast Region Headboat Survey.

(iii) *Gulf headboats.* The owner or operator of a headboat for which a charter vessel/headboat permit for Gulf coastal migratory pelagic fish has been issued, as required under § 622.370(b)(1), or whose vessel fishes for or lands Gulf coastal migratory fish in or from state waters adjoining the Gulf EEZ, who is selected to report by the SRD must maintain a fishing record for each trip, or a portion of such trips as specified by the SRD, on forms provided by the SRD and must submit such record as specified in paragraph (b)(2)(iii) of this section.

(2) *Reporting deadlines*—(i) *Charter vessels.* Completed fishing records required by paragraph (b)(1)(i) of this section for charter vessels must be submitted to the SRD weekly, postmarked no later than 7 days after the end of each week (Sunday). Information to be reported is indicated on the form and its accompanying instructions.

(ii) *South Atlantic headboats.* Electronic fishing records required by paragraph (b)(1)(ii) of this section for South Atlantic headboats must be submitted at weekly intervals (or intervals shorter than a week if notified by the SRD) by 11:59 p.m., local time, the Sunday following a reporting week. If no fishing activity occurred during a reporting week, an electronic report so stating must be submitted for that reporting week by 11:59 p.m., local time, the Sunday following a reporting week.

(iii) *Gulf headboats.* Completed fishing records required by paragraph (b)(1)(iii) of this section for Gulf headboats must be submitted to the SRD monthly and must be made available to an authorized statistical reporting agent or be postmarked no later than 7 days after the end of each month. Information to be reported is indicated on the form and its accompanying instructions.

(3) *Catastrophic conditions.* During catastrophic conditions only, NMFS provides for use of paper forms for basic required functions as a backup to the electronic reports required by paragraph (b)(1)(ii) of this section. The RA will determine when catastrophic conditions exist, the duration of the catastrophic conditions, and which participants or geographic areas are deemed affected by the catastrophic conditions. The RA will provide timely notice to affected participants via publication of notification in the **Federal Register**, NOAA weather radio, fishery bulletins, and other appropriate means and will authorize the affected participants' use of paper forms for the duration of the catastrophic conditions. The paper forms will be available from NMFS. During catastrophic conditions, the RA has the authority to waive or modify reporting time requirements.

(4) *Compliance requirement.* Electronic reports required by paragraph (b)(1)(ii) of this section must be submitted and received by NMFS according to the reporting requirements under this section. A report not received within the time specified in paragraph (b)(2)(ii) is delinquent. A delinquent report automatically results in the owner and operator of a headboat for which a charter vessel/headboat permit for South Atlantic coastal migratory pelagic fish has been issued being prohibited from harvesting or possessing such species, regardless of any additional notification to the delinquent owner and operator by NMFS. The owner and operator who are prohibited from harvesting or possessing such species due to delinquent reports are authorized to harvest or possess such species only after all required and delinquent reports have been submitted and received by NMFS according to the reporting requirements under this section.

* * * * *

[FR Doc. 2013–23355 Filed 9–26–13; 8:45 am]

BILLING CODE 3510–22–P

Notices

Federal Register

Vol. 78, No. 188

Friday, September 27, 2013

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Grain Inspection, Packers and Stockyards Administration

Opportunity for Designation in Unassigned Areas of Southeast Texas

AGENCY: Grain Inspection, Packers and Stockyards Administration, USDA.

ACTION: Notice.

SUMMARY: The Grain Inspection, Packers and Stockyards Administration (GIPSA) is asking persons or governmental agencies interested in providing official services in unassigned areas of Southeast Texas to submit an application for designation.

DATES: Applications and comments must be received by October 28, 2013.

ADDRESSES: Submit applications and comments concerning this Notice using any of the following methods:

- *Applying for Designation on the Internet:* Use FGISonline (*https://fgis.gipsa.usda.gov/default_home_FGIS.aspx*) and then click on the Delegations/Designations and Export Registrations (DDR) link. You will need to obtain an FGISonline customer number and USDA eAuthentication username and password prior to applying.
- *Submit Comments Using the Internet:* Go to Regulations.gov (*http://www.regulations.gov*). Instructions for submitting and reading comments are detailed on the site.
- *Mail, Courier or Hand Delivery:* Eric J. Jabs, Chief, USDA, GIPSA, FGIS, QACD, QADB, 10383 North Ambassador Drive, Kansas City, MO 64153.
- *Fax:* Eric J. Jabs, 816–872–1257.
- *Email: Eric.J.Jabs@usda.gov.*

Read Applications and Comments: All applications and comments will be available for public inspection at the office above during regular business hours (7 CFR 1.27(c)).

FOR FURTHER INFORMATION CONTACT: Eric J. Jabs, 816–659–8408 or *Eric.J.Jabs@usda.gov.*

SUPPLEMENTARY INFORMATION: Section 79(f) of the United States Grain Standards Act (USGSA) authorizes the Secretary to designate a qualified applicant to provide official services in a specified area after determining that the applicant is better able than any other applicant to provide such official services (7 U.S.C. 79 (f)). Under section 79(g) of the USGSA, designations of official agencies are effective for three years unless terminated by the Secretary, but may be renewed according to the criteria and procedures prescribed in section 79(f) of the USGSA.

Areas Open for Designation

Pursuant to Section 79(f)(2) of the United States Grain Standards Act, the following unassigned area is available for designation.

In Texas

Bounded on the north by northern Lampasas, Coryell, McLennan, Limestone, Freestone, Anderson, Cherokee, Nacogdoches, San Augustine, and Sabine County line east to the Texas State Line.

Bounded on the east by the Eastern Texas State line South to the Southern Texas State Line.

Bounded on the south by the Southern Texas State Line to the Western Refugio County Line.

Bounded on the West by the Western Refugio, Bee, Karnes, Wilson, Bexar, Comal, Blanco, Burnet and Lampasas County Lines.

Excludes export port locations serviced by GIPSA.

Opportunity for Designation

Interested persons or governmental agencies may apply for designation to provide official services in the geographic areas specified above under the provisions of section 79(f) of the USGSA and 7 CFR 800.196. Designation in the specified geographic areas is for a period of no more than three years and will be concurrent with any existing designation. To apply for designation or for more information, contact Eric J. Jabs at the address listed above or visit GIPSA's Web site at *http://www.gipsa.usda.gov.*

Request for Comments

In the designation process, we are particularly interested in receiving comments citing reasons and pertinent data supporting or objecting to the designation of the applicants. Submit all comments to Eric J. Jabs at the above address or at *http://www.regulations.gov.*

We consider applications, comments, and other available information when determining which applicant will be designated.

Authority: 7 U.S.C. 71–87k.

Larry Mitchell,

Administrator, Grain Inspection, Packers and Stockyards Administration.

[FR Doc. 2013–23612 Filed 9–26–13; 8:45 am]

BILLING CODE 3410–KD–P

DEPARTMENT OF COMMERCE

Submission for OMB Review; Comment Request

The Department of Commerce will submit to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

Agency: National Oceanic and Atmospheric Administration (NOAA).

Title: Licensing of Private Remote-Sensing Space Systems.

OMB Control Number: 0648–0174.

Form Number(s): NA.

Type of Request: Regular submission.

Number of Respondents: 18.

Average Hours per Response: License application, 40 hours; data protection plan, 10 hours; plan describing how the licensee will comply with data collection restrictions, 5 hours; operations plan for restricting collection or dissemination of imagery of Israeli territory, data flow diagram and final imaging system specifications document, operational quarterly report, 3 hours each; satellite sub-systems drawings, public summary for a licensed system, preliminary design review, critical design review, foreign agreement notification, spacecraft operational information submitted when a spacecraft becomes operational, notification of deviation in orbit or spacecraft disposition, notification of any operational deviation, notification

of planned purges of information to the National Satellite Land Remote Sensing Data Archive, notification of the demise of a system or a decision to discontinue system operations, 2 hours each; notification of a binding launch services contract and notification of completion of pre-ship review, 1 hour each; license amendment and annual operational audit, 10 hours each; annual compliance audit, 8 hours.

Burden Hours: 552.

Needs and Uses: This request is for an extension of a current information collection.

NOAA has established requirements for the licensing of private operators of remote-sensing space systems. The information in applications and subsequent reports is needed to ensure compliance with the Land Remote-Sensing Policy Act of 1992 and with the national security and international obligations of the United States. The requirements are contained in 15 CFR part 960.

Affected Public: Business or other for-profit organizations.

Frequency: Annually, quarterly and on occasion.

Respondent's Obligation: Mandatory.

OMB Desk Officer: OIRA_Submission@omb.eop.gov.

Copies of the above information collection proposal can be obtained by calling or writing Jennifer Jessup, Departmental Paperwork Clearance Officer, (202) 482–0336, Department of Commerce, Room 6616, 14th and Constitution Avenue NW., Washington, DC 20230 (or via the *Internet at JJessup@doc.gov*).

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *OIRA_Submission@omb.eop.gov.*

Dated: September 24, 2013.

Gwellnar Banks,

Management Analyst, Office of the Chief Information Officer.

[FR Doc. 2013–23558 Filed 9–26–13; 8:45 am]

BILLING CODE 3510–HR–P

DEPARTMENT OF COMMERCE

Submission for OMB Review; Comment Request

The Department of Commerce will submit to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35).

Agency: U.S. Census Bureau.

Title: Current Population Survey November Email Address Collection Test Supplement.

OMB Control Number: None.

Form Number(s): None.

Type of Request: New collection.

Burden Hours: 1,375.

Number of Respondents: 27,500.

Average Hours per Response: 3 minutes.

Needs and Uses: The Census Bureau requests clearance for the collection of data concerning the November 2013 Email Address Collection Test Supplement. The Census Bureau and the Bureau of Labor Statistics (BLS) sponsor the Current Population Survey (CPS) which has been conducted for over 70 years.

The CPS has collected data on household employment for decades. Through the years, survey improvements were made to keep the data quality and survey response rates high. Over the last few years, CPS, like many surveys, has seen response rates declining slowly. A review of paradata has found one of the main reasons for this decline is not just refusals but also respondent avoidance (i.e. the interviewers are unable to make contact with the respondent). This has led to an effort to think of new ways to contact respondents and reduce respondent burden so that they may be more likely to answer CPS over the many months needed.

One of the solutions recommended is to research the possibility of using the Internet as a data collection mode as well as a tool to help increase response rates. We foresee that in the future, we could collect email addresses from our respondents. For those that are eligible, we could then send an email to the respondent with a secure link allowing the respondent to complete the CPS the next month over the Internet and in turn, keep up response rates while lowering costs of interviewing. Internet is not limited to just a survey data collection mode. These emails could be used for other contacts as well. We could allow the respondent to set up a time to meet with the interviewer at their convenience and save on travel costs associated with the multiple personal visits. The email could also serve as a ''Thank You'' with information that lets respondents know their participation is helping improve the quality of our data.

This supplement is the first step in the review of the feasibility of this plan. It will test the ability of collecting email addresses and collecting interest in being contacted by email or answering the survey through the Internet for possible future enhancements to CPS.

The information collected during this field test will primarily be used to determine the ability to collect email addresses for respondents and review characteristics of those respondents. We will review to see what factors or characteristics of the household, respondent or the interview effect the ability to collect a valid address. We will also use the data to see how the respondents respond on interest in other modes. Again, we will look at this data across housing, person and interview characteristics to see if they impact the responses.

The results of this test will inform us whether there are enough respondents willing to do CPS by self-administered web that we could contact through email to pursue the next steps in development and testing of new modes of contact and collection for CPS. The overall combination of results of email address collection and opinions given will be used in determining next steps.

Affected Public: Individuals or households.

Frequency: One time.

Respondent's Obligation: Voluntary.

Legal Authority: Title 13, United States Code, Sections 141, 181, and 182 and Title 29, United States Code, Sections 1–9.

OMB Desk Officer: Brian Harris-Kojetin, (202) 395–7314.

Copies of the above information collection proposal can be obtained by calling or writing Jennifer Jessup, Departmental Paperwork Clearance Officer, (202) 482–0336, Department of Commerce, Room 6616, 14th and Constitution Avenue NW., Washington, DC 20230 (or via the Internet at *jjessup@doc.gov*).

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to Brian Harris-Kojetin, OMB Desk Officer either by fax (202–395–7245) or email (*bharrisk@omb.eop.gov*).

Dated: September 24, 2013.

Glenna Mickelson,

Management Analyst, Office of the Chief Information Officer.

[FR Doc. 2013–23577 Filed 9–26–13; 8:45 am]

BILLING CODE 3510–07–P

DEPARTMENT OF COMMERCE

Bureau of Economic Analysis

Bureau of Economic Analysis Advisory Committee Meeting

AGENCY: Bureau of Economic Analysis.

ACTION: Notice of public meeting.

SUMMARY: Pursuant to the Federal Advisory Committee Act, we are announcing a meeting of the Bureau of Economic Analysis Advisory Committee. The meeting will address ways in which the national economic accounts can be presented more effectively for current economic analysis and recent statistical developments in national accounting.

DATES: Friday, November 8, 2013 the meeting will begin at 9 a.m. and adjourn at 3:30 p.m.

ADDRESSES: The meeting will take place at the Bureau of Economic Analysis at 1441 L St. NW., Washington, DC.

FOR FURTHER INFORMATION CONTACT: Gianna Marrone, Program Analyst, Bureau of Economic Analysis, U.S. Department of Commerce, Washington, DC 20230; telephone number: (202) 606–9633.

Public Participation: This meeting is open to the public. Because of security procedures, anyone planning to attend the meeting must contact Gianna Marrone of BEA at (202) 606–9633 in advance. The meeting is physically accessible to people with disabilities. Requests for foreign language interpretation or other auxiliary aids should be directed to Gianna Marrone at (202) 606–9633.

SUPPLEMENTARY INFORMATION: The Committee was established September 2, 1999. The Committee advises the Director of BEA on matters related to the development and improvement of BEA's national, regional, industry, and international economic accounts, especially in areas of new and rapidly growing economic activities arising from innovative and advancing technologies, and provides recommendations from the perspectives of the economics profession, business, and government. This will be the Committee's twenty-sixth meeting.

Dated: August 23, 2013.

Brian C. Moyer,

Deputy Director, Bureau of Economic Analysis.

[FR Doc. 2013–23490 Filed 9–26–13; 8:45 am]

BILLING CODE 3510–06–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[S–136–2013]

Foreign-Trade Zone 83—Huntsville, Alabama, Application for Subzone, VF Jeanswear, Hackleburg, Alabama

An application has been submitted to the Foreign-Trade Zones Board (the Board) by the Huntsville-Madison County Airport Authority, grantee of FTZ 83, requesting subzone status for the facility of VF Jeanswear located in Hackleburg, Alabama. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a–81u), and the regulations of the Board (15 CFR part 400). It was formally docketed on September 19, 2013.

The proposed subzone (18.6 acres) is located at 35615 U.S. Highway 43 in Hackleburg. No authorization for production activity has been requested at this time. The proposed subzone would be subject to the existing activation limit of FTZ 83.

In accordance with the Board's regulations, Camille Evans of the FTZ Staff is designated examiner to review the application and make recommendations to the Executive Secretary.

Public comment is invited from interested parties. Submissions shall be addressed to the Board's Executive Secretary at the address below. The closing period for their receipt is November 6, 2013. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period to November 21, 2013.

A copy of the application will be available for public inspection at the Office of the Executive Secretary, Foreign-Trade Zones Board, Room 21013, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230–0002, and in the ''Reading Room'' section of the Board's Web site, which is accessible via *www.trade.gov/ftz.* For further information, contact Camille Evans at *Camille.Evans@trade.gov* or at (202) 482–2350.

Dated: September 19, 2013.

Andrew McGilvray,

Executive Secretary.

[FR Doc. 2013–23657 Filed 9–26–13; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[S–114–2013]

Approval of Subzone Status, Hardinger Transfer Co., Erie and Grove City, Pennsylvania

On July 24, 2013, the Executive Secretary of the Foreign-Trade Zones (FTZ) Board docketed an application submitted by the Erie Western Pennsylvania Port Authority, grantee of FTZ 247, requesting subzone status subject to the existing activation limit of FTZ 247, on behalf of Hardinger Transfer Co., in Erie and Grove City, Pennsylvania.

The application was processed in accordance with the FTZ Act and Regulations, including notice in the **Federal Register** inviting public comment (78 FR 45911, 7–30–2013). The FTZ staff examiner reviewed the application and determined that it meets the criteria for approval. Pursuant to the authority delegated to the FTZ Board Executive Secretary (15 CFR Sec. 400.36(f)), the application to establish Subzone 247C is approved, subject to the FTZ Act and the Board's regulations, including Section 400.13, and further subject to FTZ 247's 530-acre activation limit.

Dated: September 23, 2013.

Andrew McGilvray,

Executive Secretary.

[FR Doc. 2013–23656 Filed 9–26–13; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B–55–2013]

Subzone 26G, Authorization of Production Activity, Roper Corporation, (Kitchen Ranges), Lafayette, Georgia

On May 21, 2013, Roper Corporation submitted a notification of proposed production activity to the Foreign-Trade Zones (FTZ) Board for its facility within Subzone 26G, in Lafayette, Georgia.

The notification was processed in accordance with the regulations of the FTZ Board (15 CFR part 400), including notice in the **Federal Register** inviting public comment (78 FR 33809, June 5, 2013). The FTZ Board has determined that no further review of the activity is warranted at this time. The production activity described in the notification is authorized, subject to the FTZ Act and the Board's regulations, including Section 400.14.

Dated: September 18, 2013.

Andrew McGilvray,

Executive Secretary.

[FR Doc. 2013–23653 Filed 9–26–13; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B–53–2013]

Subzone 9F, Authorization of Production Activity, The Gas Company, LLC dba Hawai'i Gas, (Synthetic Natural Gas), Kapolei, Hawaii

On May 22, 2013, The Gas Company, LLC dba Hawai'i Gas submitted a notification of proposed production activity to the Foreign-Trade Zones (FTZ) Board for its facility within Subzone 9F, in Kapolei, Hawaii.

The notification was processed in accordance with the regulations of the FTZ Board (15 CFR part 400), including notice in the **Federal Register** inviting public comment (78 FR 33051–33052, June 3, 2013). The FTZ Board has determined that no further review of the activity is warranted at this time. The production activity described in the notification is authorized, subject to the FTZ Act and the Board's regulations, including Section 400.14.

Dated: September 19, 2013.

Andrew McGilvray,

Executive Secretary.

[FR Doc. 2013–23651 Filed 9–26–13; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Order No. 1916]

Reorganization of Foreign-Trade Zone 40 Under Alternative Site Framework Cleveland, Ohio

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a–81u), the Foreign-Trade Zones Board (the Board) adopts the following Order:

Whereas, the Board adopted the alternative site framework (ASF) (15 CFR 400.2(c)) as an option for the establishment or reorganization of zones;

Whereas, the Cleveland-Cuyahoga County Port Authority, grantee of Foreign-Trade Zone 40, submitted an application to the Board (FTZ Docket B–49–2013, docketed 5–17–2013, amended August 15, 2013) for authority to reorganize under the ASF with a service area of Cuyahoga, Geauga and Lorain Counties, Ohio, in and adjacent to the Cleveland Customs and Border Protection port of entry, FTZ 40's existing Sites 1–22 would be categorized as magnet sites, and existing Site 23 as a usage-driven site;

Whereas, notice inviting public comment was given in the **Federal Register** (78 FR 30863, May 23, 2013) and the application has been processed pursuant to the FTZ Act and the Board's regulations; and,

Whereas, the Board adopts the findings and recommendation of the examiner's report, and finds that the requirements of the FTZ Act and the Board's regulations are satisfied if subject to the sunset limits noted below;

Now, therefore, the Board hereby orders:

The application to reorganize FTZ 40 under the ASF is approved, subject to the FTZ Act and the Board's regulations, including Section 400.13, to the Board's standard 2,000-acre activation limit for the zone. Approval is also subject to a seven-year ASF sunset provision for a magnet site that would terminate authority for Site 16 if not activated by September 30, 2020, to a five-year ASF sunset provision for magnet sites that would terminate authority for Sites 2–15 and 17–22 if not activated by September 30, 2018, and to a three-year ASF sunset provision for usage-driven sites that would terminate authority for Site 23 if no foreign-status merchandise is admitted for a *bona fide* customs purpose by September 30, 2016.

Signed at Washington, DC, this 17th day of September, 2013.

Paul Piquado,

Assistant Secretary of Commerce for Import Administration, Alternate Chairman, Foreign-Trade Zones Board.

Andrew McGilvray,

Executive Secretary.

[FR Doc. 2013–23658 Filed 9–26–13; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Order No. 1917]

Reorganization of Foreign-Trade Zone 65 Under Alternative Site Framework, Panama City, Florida

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a–81u), the Foreign-Trade Zones Board (the Board) adopts the following Order:

Whereas, the Board adopted the alternative site framework (ASF) (15 CFR 400.2(c)) as an option for the establishment or reorganization of zones;

Whereas, the Panama City Port Authority, grantee of Foreign-Trade Zone 65, submitted an application to the Board (FTZ Docket B–63–2013, docketed June 18, 2013) for authority to reorganize under the ASF with a service area of Bay and Washington Counties, adjacent to the Panama City Customs and Border Protection port of entry, to reinstate acreage at Site 3, to remove acreage from Site 4, and to categorize FTZ 65's existing Sites 1, 2, 3 (as modified), 4 (as modified) and 5 as magnet sites;

Whereas, notice inviting public comment was given in the **Federal Register** (78 FR 37784–37785, June 24, 2013) and the application has been processed pursuant to the FTZ Act and the Board's regulations; and,

Whereas, the Board adopts the findings and recommendations of the examiner's report, and finds that the requirements of the FTZ Act and the Board's regulations are satisfied;

Now, therefore, the Board hereby orders:

The application to reorganize FTZ 65 under the ASF is approved, subject to the FTZ Act and the Board's regulations, including Section 400.13, to the Board's standard 2,000-acre activation limit for the overall zone, and to a five-year ASF sunset provision for magnet sites that would terminate authority for Sites 2, 3, 4 and 5 if not activated by September 30, 2018.

Signed at Washington, DC, this 17th day of September, 2013.

Paul Piquado,

Assistant Secretary of Commerce for Import Administration, Alternate Chairman, Foreign-Trade Zones Board.

Andrew McGilvray,

Executive Secretary.

[FR Doc. 2013–23665 Filed 9–26–13; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–522–802]

Certain Frozen Warmwater Shrimp From the Socialist Republic of Vietnam: Initiation of Antidumping Duty New Shipper Review

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

SUMMARY: The Department of Commerce (''the Department'') has determined that a request for a new shipper review (''NSR'') of the antidumping duty order on certain frozen warmwater shrimp from the Socialist Republic of Vietnam (''Vietnam'') meets the statutory and regulatory requirements for initiation.

DATES: Effective September 27, 2013.

FOR FURTHER INFORMATION CONTACT: Katie Marksberry, AD/CVD Operations, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: 202–482–7906.

SUPPLEMENTARY INFORMATION:

Background

The notice announcing the antidumping duty order on shrimp from Vietnam was published in the **Federal Register** on February 1, 2005.[1] On August 30, 2013, pursuant to section 751(a)(2)(B)(i) of the Tariff Act of 1930, as amended (''the Act''), and 19 CFR 351.214, the Department received a timely request to conduct an NSR of the *Order* from Goldenquality Seafood Corporation (''Goldenquality'').[2] Goldenquality has certified that it is the producer and exporter of the subject merchandise upon which the request was based.[3]

Pursuant to section 751(a)(2)(B)(i)(I) of the Act and 19 CFR 351.214(b)(2)(i), Goldenquality certified that it did not export subject merchandise to the United States during the period of investigation (''POI'').[4] In addition, pursuant to section 751(a)(2)(B)(i)(II) of the Act and 19 CFR 351.214(b)(2)(iii)(A), Goldenquality certified that, since the initiation of the investigation, it has never been affiliated with any Vietnam exporter or producer who exported subject merchandise to the United States during the POI, including those respondents not individually examined during the investigation.[5] As required by 19 CFR 351.214(b)(2)(iii)(B), Goldenquality also certified that its export activities were not controlled by the Vietnam central government.[6]

In addition to the certifications described above, pursuant to 19 CFR 351.214(b)(2)(iv), Goldenquality submitted documentation establishing the following: (1) The date on which it first shipped subject merchandise for export to the United States; (2) the volume of its first shipment; and (3) the date of its first sale to an unaffiliated customer in the United States.[7]

Initiation of New Shipper Reviews

Pursuant to section 751(a)(2)(B) of the Act and 19 CFR 351.214(d)(1), we find that Goldenquality's NSR request meets the threshold requirements for initiation of an NSR for the shipment of certain frozen warmwater shrimp from Vietnam produced and exported by Goldenquality.[8] The period of review (''POR'') is February 1, 2013 through July 31, 2013.[9] The Department intends to issue the preliminary results of this NSR no later than 180 days from the date of initiation, and the final results no later than 270 days from the date of initiation.[10]

It is the Department's usual practice, in cases involving non-market economies (''NMEs''), to require that a company seeking to establish eligibility for an antidumping duty rate separate from the NME entity-wide rate provide evidence of *de jure* and *de facto* absence of government control over the company's export activities. Accordingly, we will issue a questionnaire to Goldenquality, which will include a section requesting information with regard to its export activities for separate rate purposes. The NSR will proceed if the response provides sufficient indication that Goldenquality is not subject to either *de jure* or *de facto* government control with respect to its exports of subject merchandise.

We will instruct U.S. Customs and Border Protection to allow, at the option of the importer, the posting, until the completion of the NSR, of a bond or security in lieu of a cash deposit for each entry of the subject merchandise from Goldenquality in accordance with section 751(a)(2)(B)(iii) of the Act and 19 CFR 351.214(e). Because Goldenquality certified that it produced and exported the subject merchandise, the sale of which is the basis for this NSR request, we will apply the bonding privilege to Goldenquality only for subject merchandise which Goldenquality both produced and exported.

Interested parties requiring access to proprietary information in this NSR should submit applications for disclosure under administrative protective order in accordance with 19 CFR 351.305 and 19 CFR 351.306.

This initiation and notice are published in accordance with section 751(a)(2)(B) of the Act and 19 CFR 351.214 and 351.221(c)(1)(i).

Dated: September 18, 2013.

Christian Marsh,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2013–23635 Filed 9–26–13; 8:45 am]

BILLING CODE 3510–DS–P

[1] *See Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Certain Frozen Warmwater Shrimp From the Socialist Republic of Vietnam,* 70 FR 5152 (February 1, 2005) (''*Order*'').

[2] *See, generally,* Goldenquality's NSR request dated August 30, 2013.

[3] *See id.,* at 2.

[4] *See id.,* at 2 and Exhibit 1.

[5] *See id.*

[6] *See id.,* at 2.

[7] *See id.,* at 2–3 and Exhibits 2–4.

[8] *See* ''Memorandum to the File, from James C. Doyle, Director, Office 9, ''Initiation of AD New Shipper Review: Certain Frozen Warmwater Shrimp From the Socialist Republic of Vietnam A–552–802,'' dated concurrently with this notice.

[9] *See* 19 CFR 351.214(g)(1)(i)(B).

[10] *See* section 751(a)(2)(B)(iv) of the Act.

DEPARTMENT OF COMMERCE

International Trade Administration

[A–580–816]

Certain Corrosion-Resistant Carbon Steel Flat Products From the Republic of Korea: Notice of Court Decisions Not in Harmony With Final Results of Administrative Review and Notice of Amended Final Results of Administrative Review; 2006–2007

SUMMARY: On August 8, 2013, the United States Court of International Trade (''CIT'' or ''Court'') enter final judgments sustaining the Department of Commerce's (''Department'') final results of the remand redeterminations [1] relating to the fourteenth administrative review of the antidumping duty order on certain corrosion-resistant carbon steel flat products (''CORE'') from the Republic of Korea (''Korea''), pursuant to the CIT's remand orders in *Union Steel* v. *United States,* 755 F. Supp. 2d 1304 (CIT 2011) (''*Union I*''), and *United States Steel Corp.* v. *United States,* 759 F. Supp. 2d 1349 (Ct. Int'l Trade 2011) (''*U.S. Steel I*''). Consistent with the decision of the United States Court of Appeals for the Federal Circuit (''CAFC'') in *Timken Co.* v. *United States,* 893 F.2d 337 (Fed. Cir. 1990) (''*Timken*''), as clarified by *Diamond Sawblades Mfrs. Coalition* v. *United States,* 626 F.3d 1374 (Fed. Cir. 2010) (''*Diamond Sawblades*''), the Department is notifying the public that the final CIT judgments in this case are not in harmony with the Department's final results of administrative review and is amending its final results of the administrative review of the antidumping duty order on CORE from Korea covering the period of review (''POR'') of August 1, 2006 through July 31, 2007, with respect to the weighted-average dumping margin assigned to Union Steel Manufacturing Co., Ltd. (''Union'').

DATES: *Effective* August 19, 2013.

[1] *See* Final Remand Results of Redetermination Pursuant to Remand, CIT Court No. 09–00130 (July 15, 2011) (''Union Remand Results''); Final Remand Results of Redetermination Pursuant to Remand, CIT Court No. 09–00156 (July 15, 2011) (''U.S. Steel Remand Results'').

FOR FURTHER INFORMATION CONTACT: Christopher Hargett, Office 8, AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–4161.

SUPPLEMENTARY INFORMATION:

Background

The Department published the final results of the fourteenth administrative review of the antidumping duty order on CORE from Korea on March 16, 2009.[2] Union, United States Steel Corporation, and Nucor Corporation respectively filed timely complaints with the CIT to challenge various aspects of the *Final Results*.

On February 15, 2011, the Court remanded for the Department to reconsider its positions with regard to the model-match criteria as applied to Union, the major input adjustment as applied to Union, and certain adjustments to Union's substrate purchases.[3] On July 15, 2011, the Department filed remand redeterminations in which it revised its position with regard to the model-match criteria and purchases of substrate steel and material purchases as applied to Union.[4] Accordingly, the Department recalculated Union's weighted-average margin from 7.56 percent in the *Final Results* to 7.45 percent.[5] On April 25, 2012, the Court sustained the Department's remand redeterminations regarding the model-match criteria and substrate steel and material purchases as applied to Union.[6] On August 8, 2013, after disposition of remaining issues, the Court entered final judgments.[7]

Timken Notice

In its decision in *Timken,* as clarified by *Diamond Sawblades,* the CAFC held that, pursuant to section 516A(c) of the Tariff Act of 1930, as amended (''the Act''), the Department must publish a notice of a court decision that is not ''in harmony'' with a Department determination and must suspend liquidation of entries pending a ''conclusive'' court decision. The CIT's August 8, 2013, judgments in this case constitute final decisions of that court that are not in harmony with the Department's final results of the administrative review. This notice is published in fulfillment of the publication requirements of *Timken*. Accordingly, the Department will continue the suspension of liquidation of the subject merchandise pending expiration of the period of appeal or, if appealed, pending a final and conclusive court decision. Because the antidumping duty order on CORE from Korea has been revoked effective February 14, 2012, cash deposits are no longer in effect.[8]

Amended Final Results

Because there are now final court decisions with respect to this case, the Department is amending its *Final Results* with respect to Union's weighted-average dumping margins for the period August 1, 2006 through July 31, 2007.[9] The revised weighted-average dumping margin is as follows:

Manufacturer/exporter	Weighted-average dumping margin (percent)
Union Steel	7.45

In the event that the CIT's ruling is not appealed, or if appealed, upheld by the CAFC, the Department will instruct CBP to liquidate entries of subject merchandise in accordance with 19 CFR 351.212(b).[10]

This notice is issued and published in accordance with sections 516A(e)(1), 751(a)(1), and 777(i)(1) of the Act.

Dated: September 19, 2013.

Paul Piquado,

Assistant Secretary for Import Administration.

[FR Doc. 2013–23636 Filed 9–26–13; 8:45 am]

BILLING CODE 3510–DS–P

[2] *See Certain Corrosion-Resistant Carbon Steel Flat Products from the Republic of Korea: Notice of Final Results of the Fourteenth Administrative Review and Partial Rescission,* 74 FR 11082 (March 16, 2009) (''*Final Results*''), amended by *Certain Corrosion-Resistant Carbon Steel Flat Products from the Republic of Korea: Notice of Amended Final Results of the Fourteenth Antidumping Duty Administrative Review,* 74 FR 19199 (April 28, 2009) (amending with respect to Dongbu Steel Co., Ltd., Hyundai HYSCO, Pohang Iron & Steel Co., Ltd., and Pohang Coated Steel Co., Ltd.).

[3] *See Union I* and *U.S. Steel I.*

[4] *See* Union Remand Results and U.S. Steel Remand Results.

[5] *Id.*

[6] *See Union Steel* v. *United States,* 836 F. Supp. 2d 1382 (CIT 2012); *United States Steel Corp.* v. *United States,* 844 F. Supp. 2d 1334 (CIT 2012).

[7] *See Union Steel* v. *United States,* Court No. 09–00130, Slip Op. 13–104 (CIT August 8, 2013); *United States Steel Corp.* v. *United States,* Consol. Court No. 09–00156, Slip Op. 13–103 (CIT August 8, 2013).

[8] *See Corrosion-Resistant Carbon Steel Flat Products from Germany and the Republic of Korea: Revocation of Antidumping and Countervailing Duty Orders,* 78 FR 16832 (March 19, 2013)

[9] The remaining weighted-average dumping margins from the *Final Results,* as subsequently amended, remain unchanged.

[10] *See Final Results,* 74 FR 11083.

DEPARTMENT OF COMMERCE

International Trade Administration

[A–580–816]

Certain Corrosion-Resistant Carbon Steel Flat Products From the Republic of Korea: Notice of Court Decision Not in Harmony With Final Results of Administrative Review and Notice of Amended Final Results of Administrative Review; 2005–2006

SUMMARY: On August 8, 2013, the United States Court of International Trade (''CIT'' or ''Court'') entered final judgment sustaining the Department of Commerce's (''Department'') final results of the remand redetermination [1] relating to the thirteenth administrative review of the antidumping duty order on certain corrosion-resistant carbon steel flat products (''CORE'') from the Republic of Korea (''Korea''), pursuant to the CIT's remand order in *Union Steel* v. *United States,* 753 F. Supp. 2d 1317 (CIT 2011) (''*Union II*''). Consistent with the decision of the United States Court of Appeals for the Federal Circuit (''CAFC'') in *Timken Co.* v. *United States,* 893 F.2d 337 (Fed. Cir. 1990) (''*Timken*''), as clarified by *Diamond Sawblades Mfrs. Coalition* v. *United States,* 626 F.3d 1374 (Fed. Cir. 2010) (''*Diamond Sawblades*''), the Department is notifying the public that the final CIT judgment in this case is not in harmony with the Department's final results of administrative review and is amending its final results of the administrative review of the antidumping duty order on CORE from Korea covering the period of review (''POR'') of August 1, 2005 through July 31, 2006, with respect to the weighted-average dumping margin assigned to Union Steel Manufacturing Co., Ltd. (''Union'').

DATES: *Effective* August 19, 2013.

FOR FURTHER INFORMATION CONTACT: Christopher Hargett, Office 8, AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–4161.

SUPPLEMENTARY INFORMATION:

Background

The Department published the final results of the thirteenth administrative review of the antidumping duty order on CORE from Korea on March 17,

[1] *See* Final Remand Results of Redetermination Pursuant to Remand, CIT Court No. 08–00101 (April 11, 2011) (''Second Remand Results'').

2008.[2] Union subsequently filed a timely complaint with the CIT to challenge various aspects of the *Final Results.*

On September 28, 2009, the Court granted the Department's request for voluntary remand to provide additional explanation with regard to the model-match criteria as applied to Union.[3] On December 28, 2009, the Department filed initial remand results providing that explanation, but without changing its methodology or recalculating Union's weighted-average dumping margin.[4] On January 11, 2011, the Court again remanded for the Department to reconsider its position with regard to the model-match criteria as applied to Union.[5] On April 11, 2011, the Department revised its position with regard to the model-match criteria as applied to Union and recalculated Union's weighted-average margin from 4.35 percent in the *Final Results* to 3.59 percent.[6] On November 21, 2011, the Court sustained the Department's remand redetermination regarding the model-match criteria.[7] On August 8, 2013, after disposition of remaining issues, the Court entered final judgment.[8]

Timken Notice

In its decision in *Timken,* as clarified by *Diamond Sawblades,* the CAFC held that, pursuant to section 516A(c) of the Tariff Act of 1930, as amended (''the Act''), the Department must publish a notice of a court decision that is not ''in harmony'' with a Department determination and must suspend liquidation of entries pending a ''conclusive'' court decision. The CIT's August 8, 2013, judgment in this case constitutes a final decision of that court that is not in harmony with the Department's final results of the administrative review. This notice is published in fulfillment of the publication requirements of *Timken.* Accordingly, the Department will continue the suspension of liquidation of the subject merchandise pending expiration of the period of appeal or, if appealed, pending a final and conclusive court decision. Because the antidumping duty order on CORE from Korea has been revoked effective February 14, 2012, cash deposits are no longer in effect.[9]

Amended Final Results

Because there is now a final court decision with respect to this case, the Department is amending its *Final Results* with respect to Union's weighted-average dumping margins for the period August 1, 2005 through July 31, 2006.[10] The revised weighted-average dumping margin is as follows:

Manufacturer/exporter	Weighted-average dumping margin (percent)
Union Steel Manufacturing Co., Ltd.	3.59

In the event that the CIT's ruling is not appealed, or if appealed, upheld by the CAFC, the Department will instruct CBP to liquidate entries of subject merchandise in accordance with 19 CFR 351.212(b).[11]

This notice is issued and published in accordance with sections 516A(e)(1), 751(a)(1), and 777(i)(1) of the Act.

Dated: September 19, 2013.

Paul Piquado,

Assistant Secretary for Import Administration.

[FR Doc. 2013–23643 Filed 9–26–13; 8:45 am]

BILLING CODE 3510–DS–P

[2] *See Certain Corrosion-Resistant Carbon Steel Flat Products from the Republic of Korea: Notice of Final Results of the Thirteenth Administrative Review,* 73 FR 14220 (March 17, 2008) (''*Final Results*'').

[3] *See Union Steel v. United States,* 645 F. Supp. 2d 1298 (CIT 2009).

[4] *See* Final Remand Results of Redetermination Pursuant to Remand, CIT Court No. 08–00101 (December 28, 2009).

[5] *See Union II.*

[6] *See* Second Remand Results.

[7] *See Union Steel* v. *United States,* 804 F. Supp. 2d 1356 (CIT 2011).

[8] *See Union Steel* v. *United States,* Court No. 08–00101, Slip Op. 13–105 (CIT Aug. 8, 2013).

[9] *See Corrosion-Resistant Carbon Steel Flat Products from Germany and the Republic of Korea: Revocation of Antidumping and Countervailing Duty Orders,* 78 FR 16832 (March 19, 2013)

[10] The remaining weighted-average dumping margins from the *Final Results* remain unchanged.

[11] *See Final Results,* 73 FR at 14221.

DEPARTMENT OF COMMERCE

International Trade Administration

Notice of Scope Rulings

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice.

SUMMARY: The Department of Commerce (''Department'') hereby publishes a list of scope rulings and anticircumvention determinations made between April 1, 2013, and June 30, 2013. We intend to publish future lists after the close of the next calendar quarter.

DATES: September 27, 2013.

FOR FURTHER INFORMATION CONTACT: Brenda E. Waters, AD/CVD Operations, Customs Liaison Unit, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: 202–482–4735.

SUPPLEMENTARY INFORMATION:

Background

The Department's regulations provide that the Secretary will publish in the **Federal Register** a list of scope rulings on a quarterly basis.[1] Our most recent notification of scope rulings was published on July 18, 2013.[2] This current notice covers all scope rulings and anticircumvention determinations made by Import Administration between April 1, 2013, and June 30, 2013, inclusive. As described below, subsequent lists will follow after the close of each calendar quarter.

Scope Rulings Made Between April 1, 2013, and June 30, 2013

India

A–533–502: Certain Welded Carbon Steel Standard Pipes and Tubes From India

Requestor: Salem Steel NA, LLC; Certain electric resistance welded (ERW) mechanical tubing and ERW hydraulic tubing, cold drawn and/or drawn over mandrel (CD/DOM), regardless of size, are not within the scope of the antidumping duty order; June 7, 2013 (final).

Italy

A–475–703: Granular Polytetrafluoroethylene Resin From Italy

Requestor: Industrial Plastics and Machine, Inc.; Certain polytetrafluoroethylene (PTFE) resin products made from raw, unfilled PTFE powder from Russia and the People's Republic of China and imported by Industrial Plastics and Machine, Inc. from Guarniflon S.p.A. are not covered by the antidumping duty order; April 26, 2013 (preliminary).

People's Republic of China

A–570–967 and C–570–968: Aluminum Extrusions From the People's Republic of China

Requestor: 5 Diamond Promotions, Inc.; Its aluminum flag pole sets are within the scope of the antidumping and countervailing duty orders because they do not enter the United States with all parts necessary to complete a final

[1] *See* 19 CFR 351.225(o).

[2] *See Notice of Scope Rulings,* 78 FR 42934 (July 18, 2013).

finished flag pole packaged together as a complete set; April 19, 2013.

A–570–941: Certain Kitchen Appliance Shelving and Racks From the People's Republic of China

Requestor: U-Line Corporation; steel shelving units used in wine coolers, beverage coolers and ADA-compliant cooling units are within the scope of the antidumping duty order; April 22, 2013.

A–570–943 and C–570–944: Certain Oil Country Tubular Goods From the People's Republic of China

Requestor: United States Steel Corporation, TMK IPSCO, Wheatland Tube Company, Boomerang Tube LLC, and V&M Star L.P.; certain unfinished oil country tubular goods (including green tubes) produced in the People's Republic of China, regardless of where the finishing of the oil country tubular goods (made to certain grades and specifications) takes place, are within the scope of the antidumping and countervailing duty orders; May 31, 2013 (preliminary).

A–570–891: Hand Trucks and Certain Parts Thereof From the People's Republic of China

Requestor: ACE Hardware Corporation; The ACE Trading Luggage Cart is outside the scope of the antidumping duty order because it does not possess a projecting edge or toe plate that slides under a load for purposes of lifting and/or moving the load; June 14, 2013.

A–570–970 and C–570–971: Multilayered Wood Flooring From the People's Republic of China

Requestor: M-Wave International, LLC; M-Wave's product is outside the scope of the orders because the PVC film is a laminated plastic face layer that obscures the wood grain and texture, as opposed to a wood veneer face layer; June 24, 2013.

A–570–970 and C–570–971: Multilayered Wood Flooring From the People's Republic of China

Requestor: Real Wood Floors, LLC; Engineered multi-layered wood flooring converted in the People's Republic of China from rough lumber owned by Real Wood Floors is within the scope of the antidumping and countervailing duty orders; June 20, 2013 (preliminary).

A–570–875: Non-Malleable Cast Iron Pipe Fittings From the People's Republic of China

Requestor: R.W. Beckett Corporation; All of Beckett's pipe fittings except for those that are not made of cast iron (*i.e.,* three pipe fittings that are made of either aluminum or zinc alloy) are within the scope of the order because they are pipe fittings made of cast iron and, therefore, fit the physical description of the subject merchandise covered by the scope; May 14, 2013.

A–570–504: Petroleum Wax Candles From the People's Republic of China

Requestor: Rite-Lite Ltd.; Chanukah candles are within the scope of the antidumping duty order; April 30, 2013.

A–570–890: Wooden Bedroom Furniture From the People's Republic of China

Requestor: Badger Basket Company; Badger Basket Company's infant changing table with one hamper and three baskets is outside the scope of the order because it is sufficiently distinguishable from dressers and other wooden bedroom furniture that is covered by the order; April 2, 2013.

Russian Federation

A–821–811: Solid Fertilizer Grade Ammonium Nitrate From the Russian Federation

Requestor: KCKK Mineral Fertilizer Plant, OJSC, part of the Uralchem, OJSC group of companies; a fertilizer product identified as NS 30:7 is covered by the antidumping duty order on solid fertilizer grade ammonium nitrate from the Russian Federation; May 17, 2013 (preliminary).

Anti-Circumvention Ruling Made Between April 1, 2013, and June 30, 2013

People's Republic of China

A–570–894: Certain Tissue Paper Products From the People's Republic of China:

Requestor: Seaman Paper Company of Massachusetts, Inc.; exports to the United States of certain tissue paper products produced in India by A.R. Printing & Packaging (India) Pvt. Ltd. from PRC-origin jumbo rolls and/or cut sheets of tissue paper are circumventing the antidumping duty order; June 27, 2013 (final).

Interested parties are invited to comment on the completeness of this list of completed scope and anticircumvention inquiries. Any comments should be submitted to the Deputy Assistant Secretary for AD/CVD Operations, Import Administration, International Trade Administration, 14th Street and Constitution Avenue NW., APO/Dockets Unit, Room 1870, Washington, DC 20230.

This notice is published in accordance with 19 CFR 351.225(o).

Dated: September 20, 2013.

Christian Marsh,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2013–23648 Filed 9–26–13; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

[Docket No. 130508459–3459–01]

Possible Models for the Administration and Support of Discipline-Specific Guidance Groups for Forensic Science

AGENCY: National Institute of Standards and Technology, Department of Commerce.

ACTION: Notice of inquiry.

SUMMARY: The National Institute of Standards and Technology (NIST) invites interested parties to provide their perspectives on the appropriate model for NIST administration and support of discipline-specific Guidance Groups (''Guidance Groups'') to be established pursuant to the Memorandum of Understanding (MOU) between the Department of Justice (DOJ) and the National Institute of Standards and Technology. NIST seeks to identify and understand approaches for the structure of effective and sustainable Guidance Groups. This Notice does not solicit comments or advice on the policies that should be addressed by the Guidance Groups. Responses to this Notice will serve only as input for NIST's consideration of a model to establish and administer the Guidance Groups.

DATES: Comments must be received by November 12, 2013, 11:59 p.m. Eastern Time.

ADDRESSES: Written comments may be submitted by mail to the National Institute of Standards and Technology, c/o Susan Ballou, 100 Bureau Drive, Mailstop 8102, Gaithersburg, MD 20899. Electronic comments may be sent to *susan.ballou@nist.gov.* Electronic submissions may be in any of the following formats: HTML, ASCII, Word, rtf, or PDF. All email messages and comments received are a part of the public record and will be made available to the public generally without change on the NIST Law Enforcement Standards Office Web site; *www.nist.gov/oles/forensics/.* For this reason, comments should not include

confidential, proprietary, or business sensitive information.

FOR FURTHER INFORMATION CONTACT: For questions about this Notice contact: Susan Ballou, Office of Special Programs, National Institute of Standards and Technology, 100 Bureau Drive, Mailstop 8102, Gaithersburg, MD 20899, telephone (301) 975–8750; email *susan.ballou@nist.gov.* Please direct media inquiries to the NIST's Office of Public Affairs, Media Liaison, Ms. Jennifer Huergo, utilizing the email address: *Jennifer.huergo@nist.gov.*

SUPPLEMENTARY INFORMATION:

Background: Forensic science, the application of science within a court of law, is an essential tool in investigations and the administration of justice. Techniques used by forensic scientists often serve as the keystone for investigations into criminal, atrocity, intelligence and homeland security matters, as well as in civil litigation and mass disaster victim identification. Forensic scientists use cutting edge scientific technology and expertise to discover, expose, and explain physical evidence.

NIST and DOJ recently signed a Memorandum of Understanding (MOU) with the intent of supporting the strengthening of forensic science in the United States. The activities undertaken pursuant to the MOU are intended to strengthen the validity and reliability of forensic science by improving coordination across a broad range of forensic science disciplines. The new initiative provides a framework for coordination across forensic science disciplines under Federal leadership, with state and local participation. The MOU provides for the establishment of NIST-administered Guidance Groups intended to develop and propose discipline-specific practice guidance that will become publicly available and may be considered (along with other relevant and publicly-available materials) by Federal agencies and forensic science-related groups. This coordinated effort is designed to standardize national guidance for forensic science practitioners at all levels of government. Additionally, NIST will continue to develop methods for forensic science measurements and will validate select existing forensic science standards.

Pursuant to the MOU, NIST will administer and coordinate all necessary support for the established Guidance Groups. As with the forensic Scientific Working Groups, Guidance Groups will have no authority to make decisions on behalf of, or provide advice directly to, the Federal Government, any Federal agency or officer, or any other entity. Guidance Groups may collaborate with relevant voluntary standards development organizations or professional organizations for the development of consensus guidance before issuing their guidance to the public. Guidance Groups do not report to DOJ or NIST.

The goal of this Notice of Inquiry is to explore the establishment and structure of governance models for the Guidance Groups. It is expected that models of interest would include the following attributes: Transparency/openness, balance of interest of stakeholders, due process for stakeholder input, consensus process for decision making, and an appeals process. These fundamental principles are critical to developing a model that ensures that stakeholder input is actively solicited and valued. NIST may explore additional governance models in the future. Comments submitted in response to this Notice will serve as input for NIST's consideration in developing the processes and structure necessary for the establishment and maintenance of successful Guidance Groups.

The Guidance Groups will be voluntary collaborative organizations of forensic science practitioners and other stakeholders from a wide array of professional disciplines who represent all levels of the government, academia, non-profit sector and industry. The Guidance Groups are intended to provide structured forums for the exchange of ideas among operational, technical, research, and support organizations to improve the nation's use of forensic science and promote best practices and standards among local, state, Federal, and private forensic science service providers. The proposed mission of the Guidance Groups is to support the development and propagation of forensic science consensus documentary standards, monitor research and measurement standards gaps in each forensic discipline, and verify that a sufficient scientific basis exists for each discipline.

Request for Comment: This Notice of Inquiry seeks comment on the possible models for the administration, structure and support of the Guidance Groups. Responses can include information detailing the effective and ineffective aspects of prospective models, as well as the current forensic Scientific Working Groups (SWGs). The questions below are intended to assist in framing the issues and should not be construed as a limitation on comments that parties may submit. NIST invites comment on the full range of issues that may be raised by this Notice. Comments that contain references to studies, research and other empirical data that are not widely published should be accompanied by copies of the referenced materials with the submitted comments, keeping in mind that all submissions will be part of the public record.

1. Structure of the Guidance Groups

- Given the scope and principles of the Guidance Groups outlined here, what are structural models that could best support the Guidance Groups, taking into account the technical, policy, legal, and operational aspects of forensic science?
- What elements or models would facilitate the sharing of best practices and uniform practices across the Guidance Groups?
- Are there public policies or private sector initiatives in other countries that have successfully strengthened the nation's use of forensic science by supporting the development and propagation of forensic science consensus documentary standards, identifying needs of forensic science research and measurement standards, and verifying the scientific basis exists for each discipline? If so, what are they?
- What are the elements which make existing forensic Scientific Working Groups (SWGs) successful? Are there examples of best practices in specific SWGs that ought to be replicated in Guidance Groups? If so, what are they?
- Would partnership with a standards development organization (SDO) in which the standard is issued by the SDO present any obstacle for participation by a broad range of forensics science stakeholders in the development of a standard? If so, why?
- Would partnership with an SDO in which the standard is issued by the SDO present any obstacle to broad adoption of a standard? If so, why?
- Would a fee-based membership model run through a not-for-profit organization (similar to the National Conference of Weights and Measures) present a significant obstacle for participation?
- If the Guidance Groups followed a fee-based membership model, are there appropriately-tiered systems for fees that would prevent ''pricing out'' organizations, including individuals?
- Other than a privatized model, are there other means to maintain a governance or coordinating body in the long term? If possible, please give examples of existing structures and their positive and negative attributes.

2. Impact of Guidance Groups

In its role in administering and supporting the Guidance Groups, NIST's aim is to improve discipline practices by advancing forensic science standards and techniques through a collaborative consensus building process with Federal, state and local community partners. NIST thus seeks comments about the ways in which the structure, function and operation would best support the Guidance Groups by being a catalyst for such improvements.

• Given that the Guidance Groups cannot mandate the adoption of standards, what can they do to best leverage their position and encourage adoption? To what extent does membership and transparency impact possible adoption of guidance at the state and local level?

• Are there best practices or models to consider with regard to a structure that would encourage effective communication with the scientific community to explore research gaps and aid in recognizing research priorities?

• How should NIST researchers engage with the Guidance Groups in support of the goal to strengthen the nation's use of forensic science by supporting the development and propagation of forensic science consensus documentary standards, identifying needs of forensic science research and measurement standards, and verifying the scientific basis exists for each discipline?

3. Representation in the Guidance Groups

Given the diverse, multi-sector set of stakeholders in forensic science, representation in Guidance Groups must be carefully balanced and inclusive.

• Who are the stakeholders who should be represented on the Guidance Groups? What steps can NIST take to ensure appropriately broad representation within the Guidance Groups? What does balanced representation mean and how can it be achieved?

• What is the best way to engage organizations playing a role in forensic science, standards development and practice?

• How should interested parties who may not be direct participants in Guidance Groups, engage in a meaningful way to have an impact on issues in front of the Guidance Groups?

• To what extent and in what ways must the Federal government, as well as state, local, tribal and territorial governments be involved at the outset?

4. Scope of the Guidance Groups

• Should all of the current forensic Scientific Working Groups (SWGs) transition to Guidance Groups?

• Are there broader groupings of forensic science disciplines that could form the basis of Guidance Groups than the current group of twenty-one SWGs? If so, what are those groupings?

• Is there a need for a cross-disciplinary functional approach (i.e. statistical analysis) and how could the Guidance Groups be structured to best address that need?

• To what extent do Guidance Groups need to support different forensic science disciplines differently from one another?

Dated: September 24, 2013.

Willie E. May,

Associate Director for Laboratory Programs.

[FR Doc. 2013–23617 Filed 9–26–13; 8:45 am]

BILLING CODE 3510–13–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XC892

Gulf of Mexico Fishery Management Council; Public Meeting

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of a public meeting.

SUMMARY: The Gulf of Mexico Fishery Management Council (Council) will hold a meeting of its Law Enforcement Advisory Panel in conjunction with the Gulf States Marine Fisheries Commission's Law Enforcement Committee.

DATES: The meeting will be held from 8:30 a.m. until 12 noon on Tuesday, October 15, 2013.

ADDRESSES: *Meeting address:* The meeting will be held at the Isla Grand Beach Resort, 500 Padre Boulevard, South Padre Island, TX 78597; telephone: (956) 761–6511.

Council address: Gulf of Mexico Fishery Management Council, 2203 North Lois Avenue, Suite 1100, Tampa, FL 33607.

FOR FURTHER INFORMATION CONTACT: Mr. Steven Atran, Senior Fishery Biologist, Gulf of Mexico Fishery Management Council; telephone: (813) 348–1630; fax: (813) 348–1711; email: *steven.atran@gulfcouncil.org.*

SUPPLEMENTARY INFORMATION: The items of discussion on the agenda are as follows:

1. Adoption of Agenda
2. Approval of Minutes (October 17, 2012 Joint Meeting)
3. Review of the Council's Action Schedule
4. Status of Council FMP Amendments
   a. Framework Action to Define Charter Fishing
   b. *Coastal Migratory Pelagics* Amendment 19 (permit req. and sale of bag limit fish)
   c. *Coastal Migratory Pelagics* Amendment 20 (trip limits, seasons, transit provisions, ACL, modify framework procedure
   d. Reef Fish Amendment 39 (recreational *red snapper* regional management)
   e. Framework Action to Adjust Tier 3 ACLs Using MRIP Data
5. JF Program Activity
   a. *Blue Crab*
   b. *Gulf Menhaden*
   c. *Gulf and Southern Flounder*
6. GSMFC Enforcement Publications
7. JEA Slide Presentation Review
8. State Report Highlights
   a. Florida
   b. Alabama
   c. Mississippi
   d. Louisiana
   e. Texas
   f. USCG
   g. NOAA OLE
   h. USFWS
9. Other Business

The Law Enforcement Advisory Panel consists of principal law enforcement officers in each of the Gulf States, as well as the National Oceanic and Atmospheric Administration (NOAA) Law Enforcement, U.S. Fish and Wildlife Service (FWS), the U.S. Coast Guard, and the NOAA General Counsel for Law Enforcement. A copy of the agenda and related materials can be obtained by calling the Council office at (813) 348–1630.

Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically identified in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Kathy Pereira at

the Council Office (see **ADDRESSES**), at least 5 working days prior to the meeting.

Note: The times and sequence specified in this agenda are subject to change.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: September 24, 2013.

Tracey L. Thompson,

Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2013–23615 Filed 9–26–13; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XC890

Pacific Fishery Management Council; Public Meeting

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of public meeting.

SUMMARY: The Pacific Fishery Management Council (Pacific Council) will hold a work session for the Groundfish Electronic Monitoring Policy Advisory Committee and Groundfish Electronic Monitoring Technical Advisory Committee (GEM Committees), which is open to the public.

DATES: The meeting will be held October 15, 2013, from 9 a.m. until the earlier of 5 p.m. or when business for that day has been completed, and on October 16, from 8 a.m. until the earlier of 5 p.m. or when business for that day has been completed.

ADDRESSES: The meeting will be held at Watertown Hotel Seattle, 4242 Roosevelt Way NE., Seattle, WA 98105; telephone: (206) 826–4242.

Council address: Pacific Council, 7700 NE Ambassador Place, Suite 101, Portland, OR 97220–1384.

FOR FURTHER INFORMATION CONTACT: Mr. Brett Wiedoff, Staff Officer, Pacific Council; telephone: (503) 820–2280.

SUPPLEMENTARY INFORMATION: The primary purpose of the meeting is to discuss and develop potential alternatives for electronic monitoring (EM) for vessels participating in the West Coast groundfish trawl rationalization program for consideration by the Pacific Council, and to develop other recommendations as needed to further the Pacific Council process for considering EM. No management actions will be decided at this meeting. The meeting will include review of current and developing EM programs for other fisheries, and EM reports to guide discussions and the development of alternatives.

Although non-emergency issues not contained in the meeting agenda may come before the GEM Committees for discussion, those issues may not be the subject of formal action during this meeting. The meeting will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the GEM committees' intent to take final action to address the emergency. A meeting report, including potential alternatives, will be prepared by Pacific Council staff for consideration by the Pacific Council at its November 2013 meeting in Costa Mesa, CA.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Mr. Kris Kleinschmidt at (503) 820–2280 at least five days prior to the meeting date.

Dated: September 24, 2013.

Tracey L. Thompson,

Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2013–23613 Filed 9–26–13; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XC888

North Pacific Fishery Management Council; Public Meeting

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of a workshop hosted by the North Pacific Fishery Management Council.

SUMMARY: The North Pacific Fishery Management Council (Council) will host a public workshop for developing possibilities for collaboration in order to survey areas of coral abundance, to identify and develop tools for coral impact reduction, and potential management measures to be considered for conserving areas of coral concentrations and associated fish productivity.

DATES: The workshop will be held on October 15, 2013, 1 p.m. to 5 p.m., and October 16, 2013, 8:30 a.m. to 5 p.m.

ADDRESSES: The workshop will be held at the NMFS Alaska Fishery Science Center Traynor Room, 7600 Sand Point Way, Building 4, Seattle, WA.

Council address: North Pacific Fishery Management Council, 605 W. 4th Ave., Suite 306, Anchorage, AK 99501–2252.

FOR FURTHER INFORMATION CONTACT: Steve MacLean, Council staff, telephone: (907) 271–2809.

SUPPLEMENTARY INFORMATION: The workshop objectives and agenda can be found here: *https://www.alaskafisheries.noaa.gov/npfmc/.* Interested parties also may participate in the workshop via Webex by logging on at *https://npfmc.webex.com.*

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Gail Bendixen at (907) 271–2809 at least 7 working days prior to the meeting date.

Dated: September 24, 2013.

Tracey L. Thompson,

Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2013–23614 Filed 9–26–13; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XC667

Endangered Species; File No. 17304

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Issuance of permit.

SUMMARY: Notice is hereby given that Kristen Hart, Ph.D., U.S. Geological Survey, 3205 College Ave., Davie, Florida, 33314 has been issued a permit to take loggerhead (*Caretta caretta*), hawksbill (*Eretmochelys imbricata*), Kemp's ridley (*Lepidochelys kempii*), and green (*Chelonia mydas*) sea turtles for purposes of scientific research.

ADDRESSES: The permit and related documents are available for review upon written request or by appointment in the following offices:

Permits and Conservation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705,

Silver Spring, MD 20910; phone (301)427–8401; fax (301)713–0376; and

Southeast Region, NMFS, 263 13th Ave South, St. Petersburg, FL 33701; phone (727)824–5312; fax (727)824–5309.

FOR FURTHER INFORMATION CONTACT: Amy Hapeman or Rosa L. González, (301)427–8401.

SUPPLEMENTARY INFORMATION: On May 17, 2013, notice was published in the **Federal Register** (78 FR 29114) that a request for a scientific research permit to take loggerhead, green, hawksbill, and Kemp's ridley sea turtles had been submitted by the above-named individual. The requested permit has been issued under the authority of the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*) and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR parts 222–226).

Permit No. 17304 authorizes researchers to capture 100 green, 100 loggerhead, 90 Kemp's ridley, and 20 hawksbill sea turtles annually by hand or using nets in the northern Gulf of Mexico. Alternative to direct capture, researchers may obtain sea turtles for study that are legally captured during relocation trawling for the U.S. Army Corps of Engineers. Sea turtles may have the following procedures performed before release: Measure; remove epibiota; carapace mark; photograph/video; flipper and passive integrated transponder tag; weigh; skin, fecal, scute and blood sample; stomach lavage; track; and/or attach up to three transmitters. The permit is valid for 5 years beginning October 1, 2013.

Issuance of this permit, as required by the ESA, was based on a finding that such permit (1) Was applied for in good faith, (2) will not operate to the disadvantage of such endangered or threatened species, and (3) is consistent with the purposes and policies set forth in section 2 of the ESA.

Dated: September 24, 2013.

P. Michael Payne,

Chief, Permits and Conservation Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 2013–23544 Filed 9–26–13; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

Patent and Trademark Office

[Docket No. PTO–C–2013–0050]

Performance Review Board

AGENCY: United States Patent and Trademark Office, Commerce.

ACTION: Notice.

SUMMARY: In conformance with the Civil Service Reform Act of 1978, the United States Patent and Trademark Office announces the appointment of persons to serve as members of its Performance Review Board (PRB).

ADDRESSES: Director, Human Capital Management, Office of Human Resources, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313–1450.

FOR FURTHER INFORMATION CONTACT: Karen Karlinchak at (571) 272–8717.

SUPPLEMENTARY INFORMATION: The membership of the United States Patent and Trademark Office Performance Review Board is as follows:

Teresa Stanek Rea, Chair, Deputy Under Secretary of Commerce for Intellectual Property and Deputy Director of the United States Patent and Trademark Office

Frederick W. Steckler, Vice Chair, Chief Administrative Officer, United States Patent and Trademark Office

Margaret A. Focarino, Commissioner for Patents, United States Patent and Trademark Office

Deborah S. Cohn, Commissioner for Trademarks, United States Patent and Trademark Office

Anthony P. Scardino, Chief Financial Officer, United States Patent and Trademark Office

John B. Owens II, Chief Information Officer, United States Patent and Trademark Office

William R. Covey, Acting General Counsel, United States Patent and Trademark Office

Shira Perlmutter, Chief Policy Officer and Director for International Affairs, United States Patent and Trademark Office

Alternates

Mary Boney Denison, Deputy Commissioner for Trademark Operations, United States Patent and Trademark Office

Andrew I. Faile, Deputy Commissioner for Patent Operations, United States Patent and Trademark Office

Dated: September 20, 2013.

Teresa Stanek Rea,

Deputy Under Secretary of Commerce for Intellectual Property and Deputy Director of the United States Patent and Trademark Office.

[FR Doc. 2013–23606 Filed 9–26–13; 8:45 am]

BILLING CODE 3510–16–P

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List; Additions

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Additions to the Procurement List.

SUMMARY: This action adds products and services to the Procurement List that will be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities.

DATES: Effective October 28, 2013.

ADDRESSES: Committee for Purchase From People Who Are Blind or Severely Disabled, 1401 S. Clark Street, Suite 10800, Arlington, Virginia, 22202–4149.

FOR FURTHER INFORMATION CONTACT: Barry S. Lineback, Telephone: (703) 603–7740, Fax: (703) 603–0655, or email *CMTEFedReg@AbilityOne.gov.*

SUPPLEMENTARY INFORMATION:

Additions

On 7/26/2013 (78 FR 45183); 8/9/2013 (78 FR 48656–48657) and 8/16/2013 (78 FR 50040), the Committee for Purchase From People Who Are Blind or Severely Disabled published notices of proposed additions to the Procurement List.

After consideration of the material presented to it concerning capability of qualified nonprofit agencies to provide the products and services and impact of the additions on the current or most recent contractors, the Committee has determined that the products and services listed below are suitable for procurement by the Federal Government under 41 U.S.C. 8501–8506 and 41 CFR 51–2.4.

Regulatory Flexibility Act Certification

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. The action will not result in any additional reporting, recordkeeping or other compliance requirements for small entities other than the small organizations that will furnish the

products and services to the Government.

2. The action will result in authorizing small entities to furnish the products and services to the Government.

3. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 8501–8506) in connection with the products and services proposed for addition to the Procurement List.

End of Certification

Accordingly, the following products and services are added to the Procurement List:

Products

Laundry Net, Synthetic Mesh, 24x36, Locking Drawstring

NSN: 3510–00–NIB–0013—Heavy Duty, 3/16″ Hole Size.
NSN: 3510–00–NIB–0014—Medium Duty, 1/16″ Hole Size.
NPA: Bestwork Industries for the Blind, Inc., Runnemede, NJ.
Contracting Activity: General Services Administration, Fort Worth, TX.
COVERAGE: A-List for the Total Government Requirement as aggregated by the General Services Administration.

Services

Service Type/Location: Facility and Grounds Maintenance Service, US Army Corps of Engineers, Wallisville Lake, 20020 IH–10 East Feeder Road, Wallisville, TX.
NPA: Training, Rehabilitation, & Development Institute, Inc., San Antonio, TX.
Contracting Activity: DEPT OF THE ARMY, W076 ENDIST GALVESTON, GALVESTON, TX.
Service Type/Location: Janitorial and Landscape Service, National and Oceanic Atmospheric Administration, National Weather Service, Radar Operations Center 1200 Westheimer Drive, 1426 Halley Avenue, Norman, OK.
NPA: Trace, Inc., Boise, ID.
Contracting Activity: DEPT OF COMM, NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, BOULDER, CO.
Service Type/Location: Laundry Service, US Coast Guard Base, Portsmouth, VA.
NPA: Louise W. Eggleston Center, Inc., Norfolk, VA
Contracting Activity: DEPT OF HOMELAND SECURITY, U.S. COAST GUARD, BASE PORTSMOUTH, PORTSMOUTH, VA
Service Type/Location: Laundry Service, Federal Bureau of Prisons, FMC Carswell, J Street, Building 3000, Fort Worth, TX.
NPA: Goodwill Industrial Services of Fort Worth, Inc., Fort Worth, TX.
Contracting Activity: FEDERAL PRISON SYSTEM, CARSWELL, FMC, FORT WORTH, TX.

Barry S. Lineback,

Director, Business Operations.

[FR Doc. 2013–23584 Filed 9–26–13; 8:45 am]

BILLING CODE 6353–01–P

DEPARTMENT OF DEFENSE

Department of the Navy

Correction to the Final Environmental Impact Statement/Overseas Environmental Impact Statement for Hawaii-Southern California Training and Testing

AGENCY: Department of the Navy, DoD.

ACTION: Notice.

SUMMARY: This notice announces the availability of a corrected Final Environmental Impact Statement (EIS)/Overseas EIS (OEIS) for Hawaii-Southern California Training and Testing (HSTT), which was filed by the Department of the Navy (DoN) with the U.S. Environmental Protection Agency (USEPA) on September 20, 2013 as required by Council on Environmental Quality regulations pursuant to the National Environmental Policy Act (NEPA) of 1969. The corrected HSTT Final EIS/OEIS includes an 11-page Section E.5 that was inadvertently omitted from Appendix E in the August 23, 2013 filing with the USEPA. To allow the public adequate time to review Section E.5, the DoN is extending the wait period from September 30, 2013 to October 28, 2013, an additional 30 days.

FOR FURTHER INFORMATION CONTACT: Naval Facilities Engineering Command, Southwest, Attention: HSTT EIS/OEIS Project Manager—EV21.CS; 1220 Pacific Highway, Building 1, Floor 3, San Diego, California 92132–5190.

SUPPLEMENTARY INFORMATION: On August 23, 2013, the DoN filed the HSTT Final EIS/OEIS with the USEPA as required pursuant to section 102(2)(c) of NEPA, and regulations implemented by the Council on Environmental Quality regulations (40 Code of Federal Regulations parts 1500–1508). Copies of the Final EIS/OEIS were distributed to the public and posted on the HSTT project Web site. The USEPA published a notice of availability of the Final EIS/OEIS in the **Federal Register** on August 30, 2013 (78 FR 53754). Copies of the Final EIS/OEIS were distributed to the public and posted on the HSTT project Web site. The wait period is scheduled to end on September 30, 2013.

Since filing and distributing the HSTT Final EIS/OEIS, the DoN has identified a need to correct Appendix E to include an 11-page Section E.5, which was inadvertently omitted from the August 23, 2013 filing with the USEPA. Section E.5 includes public comments (and DoN responses) applicable to the HSTT Final EIS/OEIS that were received by the National Marine Fisheries Service during the public review of the Marine Mammal Protection Act Proposed Rule for takes of marine mammals incidental to U.S. Navy Training and Testing Activities in the Hawaii-Southern California Training and Testing Study Area. The corrected HSTT Final EIS/OEIS was filed with the USEPA on September 20, 2013.

With the filing of the corrected HSTT Final EIS/OEIS, the DoN is extending the 30-day wait period from September 30, 2013 to October 28, 2013. This 30-day extension will allow the public adequate time to review Section E.5.

Copies of the corrected HSTT Final EIS/OEIS are available for public review at the following libraries:

1. Lihue Public Library, 4344 Hardy Street, Lihue, Hawaii 96766.

2. Wailuku Public Library, 251 High Street, Wailuku, Hawaii 96793.

3. Hilo Public Library, 300 Waianuenue Avenue, Hilo, Hawaii 96720.

4. Kailua-Kona Public Library, 75–138 Hualalai Road, Kailua-Kona, Hawaii 96740.

5. Hawaii State Library, Hawaii and Pacific Section Document Unit, 478 South King Street, Honolulu, Hawaii 96813.

6. San Diego Central Library, 820 E Street, San Diego, California 92101.

7. Long Beach Main Library, 101 Pacific Avenue, Long Beach, California 90822.

In addition, copies of the corrected HSTT Final EIS/OEIS are available for electronic viewing or download at *http://www.HSTTEIS.com.* A single compact disc of the corrected HSTT Final EIS/OEIS will be made available upon written request by contacting: Naval Facilities Engineering Command, Southwest, Attention: HSTT EIS/OEIS Project Manager—EV21.CS; 1220 Pacific Highway, Building 1, Floor 3, San Diego, CA 92132–5190.

Dated: September 24, 2013.

P.A. Richelmi,

Lieutenant, Office of the Judge Advocate General, U.S. Navy, Alternate Federal Register Liaison Officer.

[FR Doc. 2013–23607 Filed 9–26–13; 8:45 am]

BILLING CODE 3810–FF–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2013–ICCD–0126]

Agency Information Collection Activities; Comment Request; Alternative Student Outcomes for Growth Measures Case Studies

AGENCY: Institute of Education Sciences/ National Center for Education Statistics (IES), Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 3501 *et seq.*), ED is proposing a new information collection.

DATES: Interested persons are invited to submit comments on or before November 26, 2013.

ADDRESSES: Comments submitted in response to this notice should be submitted electronically through the Federal eRulemaking Portal at *http://www.regulations.gov* by selecting Docket ID number ED–2013–ICCD–0126 or via postal mail, commercial delivery, or hand delivery. *Please note that comments submitted by fax or email and those submitted after the comment period will not be accepted.* Written requests for information or comments submitted by postal mail or delivery should be addressed to the Acting Director of the Information Collection Clearance Division, U.S. Department of Education, 400 Maryland Avenue SW., LBJ, Room 2E105, Washington, DC 20202–4537.

FOR FURTHER INFORMATION CONTACT: For questions related to collection activities or burden, please call Kathy Axt, 540–776–7742 or electronically mail *ICDocketMgr@ed.gov.* Please do not send comments here.

SUPPLEMENTARY INFORMATION: The Department of Education (ED), in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the Department's information collection requirements and provide the requested data in the desired format. ED is soliciting comments on the proposed information collection request (ICR) that is described below. The Department of Education is especially interested in public comment addressing the following issues: (1) is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

Title of Collection: Alternative Student Outcomes for Growth Measures Case Studies.

OMB Control Number: 1850–NEW.

Type of Review: A new information collection.

Respondents/Affected Public: Individuals or households.

Total Estimated Number of Annual Responses: 182.

Total Estimated Number of Annual Burden Hours: 364.

Abstract: This submission is a request for approval of data collection activities that will be used to support the Mid-Atlantic Regional Educational Laboratory (REL) Alternative Student Outcomes for Growth Measures Case Studies. The study is being funded by the Institute of Education Sciences (IES) U.S. Department of Education and is being implemented by ICF International and its subcontractor, Mathematica Policy Research. This submission requests approval to recruit districts for the study and conduct in person and telephone interviews with staff in participating districts.

This study aims to fill the gap in information available to districts and policymakers on measures of student growth that do not use state standardized tests via qualitative case studies of up to nine districts that are using alternative measures of student achievement growth in teacher performance ratings. The studies will address what alternative measures of student achievement growth in teacher performance ratings. The case studies will address what alternative outcome measures are used, how the alternative growth measures are implemented, challenges and obstacles in implementation, how the measures are being used. Where possible, the Department will examine the extent of differentiation produced by the measures—specifically, the distribution of teacher performance on the measures, as compared with the distribution of teacher performance on conventional value added measures that are based on state assessments. The Department will conduct semi-structured interviews with district administrators leading teacher evaluation or effectiveness efforts, teacher representatives (such as union leaders), teachers (including both classroom teachers and instructional coaches), and principals. The data collected will be summarized and analyzed using a case study approach.

Dated: September 23, 2013.

Stephanie Valentine,

Acting Director, Information Collection Clearance Division, Privacy, Information and Records Management Services, Office of Management.

[FR Doc. 2013–23535 Filed 9–26–13; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Extension of a Currently Approved Information Collection for the Weatherization Assistance Program

AGENCY: U.S. Department of Energy.

ACTION: Notice and request for comments.

SUMMARY: A 60-day notice and request for comments was published in the **Federal Register** on July 29, 2013 (78 FR 45518). No comments were received in response to this Notice.

This subsequent 30-day notice allows public comment on the final version of the information collection request. WAP was able to confirm, through its annual evaluation, that reducing reporting frequency from quarterly to annually on all new awards would be sufficient to meet the grants management and oversight needs of the program. This reduced the burden from 2,088 hours which was reported in the previous Notice and Request for Comments published on July 29, 2013 (78 FR 45518) to 1160 hours, as reflected below.

The Department of Energy (DOE) invites public comment on an extension of a currently approved collection of information that DOE is developing for submission to the Office of Management and Budget (OMB) pursuant to the Paperwork Reduction Act of 1995. The Department of Energy (DOE) has submitted an information collection request to the OMB for extension under the provisions of the Paperwork Reduction Act of 1995. The information collection requests a three- year extension of its Weatherization Assistance Program, OMB Control Number 1910–5127. The proposed collection will collect information on the status of grantee activities, expenditures, and results, to ensure that program funds are being used appropriately, effectively and expeditiously.

Comments are invited on: (a) Whether the currently approved collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden pertaining to the approved collection of information, including the validity of the methodology and assumptions used; (c) ways to further enhance the quality, utility, and clarity of the information being collected; and (d) ways to further minimize the burden regarding the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Comments regarding this revision to an approved information collection must be received on or before October 28, 2013. If you anticipate difficulty in submitting comments within that period, contact the person listed in **ADDRESSES** as soon as possible.

ADDRESSES: Written comments may be sent to Christine Platt Patrick, EE–2K, U.S. Department of Energy, 1000 Independence Ave. SW., Washington, DC 20585, Email: *Christine.Platt@ee.doe.gov.*

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument and instructions should be directed to: Lauren Hall, EE–2K, U.S. Department of Energy, 1000 Independence Ave. SW., Washington, DC 20585–1290, Phone: (202) 287–1870, Fax: (202) 287–1745, Email: *Lauren.Hall@ee.doe.gov.*

Additional information and reporting guidance concerning the Weatherization Assistance Program (WAP) is available for review at the following Web site: *http://www1.eere.energy.gov/wip/wap.html.*

SUPPLEMENTARY INFORMATION: This information collection request contains: (1) OMB No. 1910–5127; (2) Information Collection Request Title: ''Weatherization Assistance Program (WAP)''; (3) Type of Review: Extension of a Currently Approved Information Collection; (4) Purpose: To collect information on the status of grantee activities, expenditures, and results, to ensure that program funds are being used appropriately, effectively and expeditiously (5) Annual Estimated Number of Respondents: 58; (6) Annual Estimated Number of Total Responses: 290; (7) Annual Estimated Number of Burden Hours: 1,160; (8) Annual Estimated Reporting and Recordkeeping Cost Burden: $46,400.

Statutory Authority: Title V, Subtitle E of the Energy Independence and Security Act (EISA), Pub. L. 110–140 as amended (42 U.S.C. § 17151 et seq.).

Issued in Washington, DC, September 19, 2013.

Robert Adams,

WAP Program Manager, Office of Weatherization and Intergovernmental Programs, Office of Energy Efficiency and Renewable Energy.

[FR Doc. 2013–23594 Filed 9–26–13; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Revision of a Currently Approved Information Collection for the State Energy Program

AGENCY: U.S. Department of Energy.

ACTION: Notice and request for comments.

SUMMARY: A 60-day notice and request for comments was published in the **Federal Register** on July 29, 2013 (78 FR 45517). No comments were received in response to this Notice. This subsequent 30-day notice allows public comment on the final version of the information collection request.

The Department of Energy (DOE) invites public comment on a revision of a currently approved collection of information that DOE is developing for submission to the Office of Management and Budget (OMB) pursuant to the Paperwork Reduction Act of 1995. The information collection requests a revision and three-year extension of its State Energy Program, OMB Control Number 1910–5126.

The proposed collection will collect information on the status of grantee activities, expenditures, and results, to ensure that program funds are being used appropriately, effectively and expeditiously (especially important for Recovery Act programs closing out during this information collection period).

Comments are invited on: (a) Whether the revision of the currently approved collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden pertaining to the approved collection of information, including the validity of the methodology and assumptions used; (c) ways to further enhance the quality, utility, and clarity of the information being collected; and (d) ways to further minimize the burden regarding the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Comments regarding this revision to an approved information collection must be received on or before October 28, 2013. If you anticipate difficulty in submitting comments within that period, contact the person listed in **ADDRESSES** as soon as possible.

ADDRESSES: Written comments may be sent to Christine Platt Patrick, EE–2K, U.S. Department of Energy, 1000 Independence Ave. SW., Washington, DC 20585, Email: *Christine.Platt@ee.doe.gov.*

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument and instructions should be directed to: Pete Davis, U.S. Department of Energy, 1000 Independence Ave. SW., Washington, DC 20585–1290, Phone: (720) 356–1606, Fax: (202) 287–1745, Email: *Pete.Davis@go.doe.gov.*

Additional information and reporting guidance concerning the State Energy Program (SEP) is available for review at the following Web site: *http://www1.eere.energy.gov/wip/sep.html.*

SUPPLEMENTARY INFORMATION: This information collection request contains: (1) *OMB No.:* 1910–5126; (2) *Information Collection Request Title:* State Energy Program; (3) *Type of Review:* Revision of a Currently Approved Information Collection; (4) *Purpose:* To collect information on the status of grantee activities, expenditures, and results, to ensure that program funds are being used appropriately, effectively and expeditiously; (5) *Annual Estimated Number of Respondents:* 56; (6) *Annual Estimated Number of Total Responses:* 228; (7) *Annual Estimated Number of Burden Hours:* 7,740; (8) *Annual Estimated Reporting and Recordkeeping Cost Burden:* $309,600.

Statutory Authority: Title V, Subtitle E of the Energy Independence and Security Act (EISA), Pub. L. 110–140 as amended (42 U.S.C. 17151 et seq.).

Issued in Washington, DC, September 20, 2013.

Gregory Davoren,

SEP Program Manager, Office of Weatherization and Intergovernmental Programs, Office of Energy Efficiency and Renewable Energy.

[FR Doc. 2013–23602 Filed 9–26–13; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Annual Public Meeting of the Interagency Steering Committee on Multimedia Environmental Modeling

AGENCY: Office of Environmental Management, Department of Energy.

ACTION: Notice of meeting.

SUMMARY: The annual public meeting of the Federal Interagency Steering Committee on Multimedia Environmental Modeling (ISCMEM) will convene to discuss the latest developments in environmental modeling applications, tools and frameworks as well as new operational initiatives for FY 2014 among the participating agencies. The meeting will be hosted by the U.S. Nuclear Regulatory Commission (U.S. NRC), one of the participants in the ISCMEM, at its Research Offices at 21 Church Street, Rockville, MD 20850 adjacent to the Rockville METRO Station. The meeting is open to the public and all interested parties may attend.

DATES: October 22, 2013, from 8:30 a.m. to 5:30 p.m., Eastern Standard Time (EST) and October 23, 2013, from 8:30 a.m. to noon, EST.

ADDRESSES: U.S. Nuclear Regulatory Commission, Church Street Building, Room 6–B1, 21 Church Street, Rockville, MD, 20850.

FOR FURTHER INFORMATION CONTACT: Pre-registration may be accomplished through the ISCMEM public Web site: *http://iemhub.org/topics/iscmem.* Instructions for registration through the Web site may be requested by email to *Whelan.Gene@epamail.epa.gov.* Other inquiries and notice of intent to attend the meeting may be emailed to: Dr. Ming Zhu, ISCMEM Chair, U.S. Department of Energy, Office of Environmental Management, 1000 Independence Ave. SW., Washington, DC 20585, Tel 301–903–9240, *Ming.Zhu@em.doe.gov.*

SUPPLEMENTARY INFORMATION:

Background: In 2001, six Federal agencies began formal cooperation under a Memorandum of Understanding (MOU) on the research and development of multimedia (i.e. air, soil, water) environmental models. This MOU established the Federal Interagency Steering Committee on Multimedia Environmental Modeling (ISCMEM). The MOU was revised and renewed in 2006 and again in 2011. The MOU establishes a framework for facilitating cooperation and coordination among research organizations in the participating agencies. So far, seven agencies have signed the current renewal of the MOU: The U.S. Army Corps of Engineers (Engineer Research and Development Center); the U.S. Department of Agriculture (National Resources Conservation Service); the U.S. Department of Energy (Office of Environmental Management); the U.S. Department of the Interior (U.S. Geological Survey); the U.S. Environmental Protection Agency (Office of Research and Development); the U.S. National Science Foundation (Geosciences Directorate); and the U.S. Nuclear Regulatory Commission (Office of Nuclear Regulatory Research). Other agencies are considering signing the revised MOU.

In ISCMEM, agencies cooperate and coordinate in research and development of all aspects of multimedia environmental modeling. This includes development and enhancements of software, databases, and interoperability, and applications and assessment of site specific, generic, and process-oriented multimedia environmental models as they pertain to human and environmental health risk assessment. Multimedia environmental model development and simulation supports interagency interests in risk assessment, uncertainty analyses, management of geologic, hydrologic, atmospheric, terrestrial, and ecological resources, and decision making. The theme of this year's annual public meeting is ''How environmental modeling plays a role in decision making''. The topics to be discussed focus on: (1) Citizen science, crowd sourcing, and social media; (2) environmental evaluation and remediation; (3) energy/water nexus; (4) climate change; and (5) water resources management.

Purpose of the Public Meeting: The annual public meeting provides an opportunity for the scientific community, ISCMEM members and other Federal and State agencies, and the public to discuss ISCMEM activities and their initiatives for the upcoming year, and to discuss technological advancements in multimedia environmental modeling.

Proposed Agenda: The ISCMEM Chair will open the meeting with a brief overview of the goals of the MOU and an update on current activities and future plans of ISCMEM. This introduction will be followed by a series of invited technical presentations for the remainder of the first day, focusing on topics of mutual interest to ISCMEM participants. The steering committee will hold an open business session on the morning of the second day. A detailed agenda with presentation titles and speakers will be posted on the ISCMEM public Web site: *http://iemhub.org/topics/iscmem.* The agenda and instructions for registration will also be available through the list of public meetings on the US Nuclear Regulatory Commission Web site at *http://www.nrc.gov/public-involve/public-meetings.html.*

Meeting Access: The meeting location at the U.S. NRC is located at 21 Church Street, Rockville, MD, 20850 in Room 6–B1, adjacent to the Rockville METRO station. Directions to the U.S. NRC's Research Offices can be found on its Web site at *http://www.nrc.gov/about-nrc/locations/hq.html.* Limited pay parking is available below the building. The meeting facility is wheel-chair accessible. Please allow time to register with U.S. NRC security on the sixth floor and bring two photo IDs. Direct access to the meeting room is on the same level as the visitor security check-in. Please pre-register through the Web site listed above under **FOR FURTHER INFORMATION CONTACT**.

Ming Zhu,

Chair, Federal Interagency Steering, Committee on Multimedia Environmental Modeling.

[FR Doc. 2013–23603 Filed 9–26–13; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following electric corporate filings:

Docket Numbers: EC13–151–000.

Applicants: Capital Power Investments LLC.

Description: Joint Application for Authorization of Disposition of Securities and Facilities Under Section 203 of the Federal Power Act, Request for Expedited Consideration and Waivers, and Request for Privileged Treatment of Capital Power Investments LLC.

Filed Date: 9/19/13.

Accession Number: 20130919–5161.

Comments Due: 5 p.m. ET 10/10/13.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER10–1569–006; ER12–21–011; ER10–2783–007; ER10–2784–007; ER11–2855–011; ER10–2791–007; ER10–2792–007; ER10–1564–007; ER10–1565–007; ER10–2795–007; ER10–2798–007; ER10–1575–005; ER10–2799–007; ER13–1745–002; ER10–2888–007; ER10–2880–007;

ER10–2879–007; ER10–2878–007; ER10–2876–007; ER10–1581–009; ER10–1568–007; ER10–2875–007; ER13–1136–005; ER10–2871–005; ER12–261–006; ER10–2846–007; ER12–1711–007; ER11–4307–007; ER11–2863–005; ER11–2508–006; ER10–2843–005; ER10–1291–008; ER10–2812–006; ER11–2062–007; ER12–2413–005; ER10–1566–007; ER11–3727–007; ER13–1803–003; ER13–1788–002; ER13–1789–002; ER13–1790–003; ER10–2896–007; ER10–2913–007; ER13–1791–002; ER13–1792–002; ER13–1746–004; ER10–2947–007; ER11–2857–011; ER13–2050–002; ER13–2020–002: ER13–2107–002; ER11–2856–011; ER10–1580–009; ER10–3143–008; ER10–2914–007; ER13–1799–002; ER13–1801–002; ER13–1802–002; ER10–2916–007; ER10–2915–007; ER12–1525–007; ER12–2019–006; ER10–1582–006; ER12–2398–006; ER11–3459–006; ER10–2931–007; ER13–1965–002; ER10–2969–007; ER11–4308–007; ER11–2805–006.

Applicants: NRG Power Marketing LLC, Agua Caliente Solar, LLC, Arthur Kill Power LLC, Astoria Gas Turbine Power LLC, Avenal Park LLC, Bayou Cove Peaking Power LLC, Big Cajun I Peaking Power LLC, Cabrillo Power I LLC, Cabrillo Power II LLC, Conemaugh Power LLC, Connecticut Jet Power LLC, CottonWood Energy Company LP, DEVON POWER LLC, Dunkirk Power LLC, El Segundo Energy Center LLC, El Segundo Power, LLC, Energy Alternatives Wholesale, LLC, Energy Plus Holdings LLC, GenConn Devon LLC, GenConn Energy LLC, GenConn Middletown LLC, GenOn Energy Management, LLC, GenOn Mid-Atlantic, LLC, Green Mountain Energy Company, High Plains Ranch II, LLC, Huntley Power LLC, Independence Energy Group LLC, Indian River Power LLC, Ivanpah Master Holdings, LLC, Keystone Power LLC, Long Beach Generation LLC, Long Beach Peakers LLC, Louisiana Generating LLC, MIDDLETOWN POWER LLC, Montville Power LLC, NEO Freehold-Gen LLC, Norwalk Power LLC, NRG Bowline LLC, NRG California South LP, NRG Canal LLC, NRG Chalk Point LLC, NRG Delta LLC, NRG Energy Center Dover LLC, NRG Energy Center Paxton LLC, NRG Florida LP, NRG Kendall LLC, NRG Marsh Landing LLC, NRG New Jersey Energy Sales LLC, NRG Potomac River LLC, NRG Power Midwest LP, NRG REMA LLC, NRG Rockford LLC, NRG Rockford II LLC, NRG Solar Alpine LLC, NRG Solar Avra Valley LLC, NRG Solar Blythe LLC, NRG Solar Borrego I LLC, NRG Solar Roadrunner LLC, NRG Sterlington Power LLC, NRG Wholesale Generation LP, OSWEGO HARBOR POWER LLC, Reliant Energy Northeast LLC, RRI Energy Services, Inc., Sabine Cogen, LP, Saguaro Power Company, A Limited Partner, Sand Drag LLC, Solar Partners I, LLC, Solar Partners II, LLC, Solar Partners VIII, LLC, Sun City Project LLC, Vienna Power LLC.

Description: Notice of Non-Material Change in Status of NRG MBR Entities.

Filed Date: 9/19/13.

Accession Number: 20130919–5166.

Comments Due: 5 p.m. ET 10/10/13.

Docket Numbers: ER13–75–003.

Applicants: Public Service Company of Colorado.

Description: 2013–09–20–OATT Order No. 1000 Compliance Filing to be effective 12/31/9998.

Filed Date: 9/20/13.

Accession Number: 20130920–5022.

Comments Due: 5 p.m. ET 10/21/13.

Docket Numbers: ER13–2403–000.

Applicants: Tucson Electric Power Company.

Description: Cancellation of WestConnect Experimental Tariff to be effective 11/18/2013.

Filed Date: 9/19/13.

Accession Number: 20130919–5069.

Comments Due: 5 p.m. ET 10/10/13.

Docket Numbers: ER13–2404–000.

Applicants: Shared Facilities Agreement between Desert Sunlight 250, 300, and Holdings to be effective 10/1/2013.

Filed Date: 9/19/13.

Accession Number: 20130919–5138.

Comments Due: 5 p.m. ET 10/10/13.

Docket Numbers: ER13–2405–000.

Applicants: Southwest Power Pool, Inc.

Description: Day-Ahead Virtual Energy Transaction Fee Revisions to be effective 3/1/2014.

Filed Date: 9/19/13.

Accession Number: 20130919–5159.

Comments Due: 5 p.m. ET 10/10/13.

Docket Numbers: ER13–2406–000.

Applicants: Next Utility Energy LLC.

Description: Next Utility Energy Market Based Rate Tariff to be effective 9/19/2013.

Filed Date: 9/19/13.

Accession Number: 20130919–5160.

Comments Due: 5 p.m. ET 10/10/13.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: September 20, 2013.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2013–23571 Filed 9–26–13; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Filings Instituting Proceedings

Docket Numbers: RP09–427–000.

Applicants: Southern Natural Gas Company, L.L.C.

Description: Report/Form of Southern Natural Gas Company, L.L.C.

Filed Date: 9/3/13.

Accession Number: 20130903–5037.

Comments Due: 5 p.m. ET 9/16/13.

Docket Numbers: RP13–1331–000.

Applicants: El Paso Marketing Company, L.L.C., Gazprom Marketing & Trading USA, Inc.

Description: Joint Petition for Temporary Waivers of Commission Policies, Capacity Release Regulations, and Related Pipeline Tariff Provisions of El Paso Marketing Company, L.L.C. and Gazprom Marketing & Trading USA, Inc.

Filed Date: 9/17/13.

Accession Number: 20130917–5113.

Comments Due: 5 p.m. ET 9/24/13.

Docket Numbers: RP13–1332–000.

Applicants: Discovery Gas Transmission LLC.

Description: 2013 Tariff Revisions—Kinetica Interconnect to be effective 10/1/2013.

Filed Date: 9/18/13.

Accession Number: 20130918–5035.

Comments Due: 5 p.m. ET 9/30/13.

Docket Numbers: RP13–1333–000.

Applicants: Dominion Transmission, Inc.

Description: DTI—September 18, 2013 Negotiated Rate Agreements and Nonconforming SA to be effective 11/1/2013.

Filed Date: 9/18/13.
Accession Number: 20130918–5073.
Comments Due: 5 p.m. ET 9/30/13.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: September 19, 2013.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2013–23592 Filed 9–26–13; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following electric corporate filings:

Docket Numbers: EC13–150–000.
Applicants: Noble Great Plains Windpark, LLC.
Description: Application for Authorization for Disposition of Jurisdictional Facilities and Requests for Waivers, Confidential Treatment, and Expedited Consideration of Noble Great Plains Windpark, LLC. On 9/19/13 submitted an Errata to September 18, 2013 Application for Authorization for Disposition of Jurisdictional Facilities.
Filed Date: 9/18/13; 9/19/13.
Accession Number: 20130918–5079; 20130919–5081.
Comments Due: 5 p.m. ET 10/9/13.

Take notice that the Commission received the following exempt wholesale generator filings:

Docket Numbers: EG13–58–000.
Applicants: NRG Delta LLC.
Description: Notice of NRG Delta LLC for Self-Certification of Exempt Wholesale Generator Status.
Filed Date: 9/19/13.
Accession Number: 20130919–5089.
Comments Due: 5 p.m. ET 10/10/13.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER12–1195–001; ER10–2310–002; ER10–2314–002; ER10–2311–002; ER10–2312–002; ER10–2313–002; ER10–2315–002; ER10–2316–002; ER10–2318–002; ER10–2321–002.
Applicants: Camden County Energy Recovery Associates, L.P., Covanta Delaware Valley, L.P., Covanta Energy Marketing LLC, Covanta Essex Company, Covanta Hempstead Company, Covanta Maine, LLC, Covanta Niagara, L.P., Covanta Plymouth Renewable Energy Limited Partnership, Covanta Power LLC, Covanta Union, Inc.
Description: Notice of Change in Status of the Covanta MBR Entities.
Filed Date: 9/18/13.
Accession Number: 20130918–5084.
Comments Due: 5 p.m. ET 10/9/13.

Docket Numbers: ER13–1819–001.
Applicants: Southwest Power Pool, Inc.
Description: Southwest Power Pool, Inc. submits 1534R3 Kansas Municipal Energy Agency NITSA and NOA—Compliance Filing to be effective 6/1/2013.
Filed Date: 9/19/13.
Accession Number: 20130919–5048.
Comments Due: 5 p.m. ET 10/10/13.

Docket Numbers: ER13–2400–000.
Applicants: Southern California Edison Company.
Description: Notices of Cancellation with SunEdison Utility Solutions, LLC to be effective 3/13/2013.
Filed Date: 9/19/13.
Accession Number: 20130919–5001.
Comments Due: 5 p.m. ET 10/10/13.

Docket Numbers: ER13–2401–000.
Applicants: ITC Midwest LLC.
Description: Filing of Letter Agreement with AECI to be effective 11/18/2013.
Filed Date: 9/19/13.
Accession Number: 20130919–5021.
Comments Due: 5 p.m. ET 10/10/13.

Docket Numbers: ER13–2402–000.
Applicants: PJM Interconnection, L.L.C.
Description: Queue Position Y1–084; Original Service Agreement No. 3637 to be effective 8/20/2013.
Filed Date: 9/19/13.
Accession Number: 20130919–5038.
Comments Due: 5 p.m. ET 10/10/13.

Take notice that the Commission received the following open access transmission tariff filings:

Docket Numbers: OA13–8–000.
Applicants: Genesis Solar, LLC.
Description: Genesis Solar, LLC Petition for Waiver from Order Nos. 888, 889 and 890, and Request for Waiver of the 60-Day Rule.
Filed Date: 9/18/13.
Accession Number: 20130918–5094.
Comments Due: 5 p.m. ET 10/9/13.

Take notice that the Commission received the following qualifying facility filings:

Docket Numbers: QF13–540–000.
Applicants: Tech Park Solar, LLC.
Description: Refund Report of Tech Park Solar, LLC.
Filed Date: 9/19/13.
Accession Number: 20130919–5040.
Comments Due: 5 p.m. ET 10/10/13.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: September 19, 2013.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2013–23570 Filed 9–26–13; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Filings Instituting Proceedings

Docket Numbers: RP13–1330–000.
Applicants: Laclede Gas Company, Southern Union Company.
Description: Joint Petition For Temporary Waivers of Capacity Release Regulations and Request for Expedited Action of Laclede Gas Company and Southern Union Company.
Filed Date: 9/17/13.
Accession Number: 20130917–5112.
Comments Due: 5 p.m. ET 9/30/13.

Docket Numbers: RP13–1334–000.

Applicants: Natural Gas Pipeline Company of America.
Description: Macquarie LPS RO to be effective 9/19/2013.
Filed Date: 9/19/13.
Accession Number: 20130919–5072.
Comments Due: 5 p.m. ET 10/1/13.

Docket Numbers: RP13–1335–000.
Applicants: Natural Gas Pipeline Company of America.
Description: NJR Neg Rate to be effective 9/19/2013.
Filed Date: 9/19/13.
Accession Number: 20130919–5073.
Comments Due: 5 p.m. ET 10/1/13.

Docket Numbers: RP13–1336–000.
Applicants: Natural Gas Pipeline Company of America.
Description: NJR Negotiated Rate to be effective 9/19/2013.
Filed Date: 9/19/13.
Accession Number: 20130919–5074.
Comments Due: 5 p.m. ET 10/1/13.

Docket Numbers: RP13–1337–000.
Applicants: Natural Gas Pipeline Company of America.
Description: Renaissance LPS RO to be effective 9/19/2013.
Filed Date: 9/19/13.
Accession Number: 20130919–5151.
Comments Due: 5 p.m. ET 10/1/13.

Docket Numbers: RP13–1338–000.
Applicants: Enable Mississippi River Transmission, L.
Description: Enable Mississippi River Transmission, LLC's 2013 Annual Report of Penalty Revenue Credits.
Filed Date: 9/19/13.
Accession Number: 20130919–5170.
Comments Due: 5 p.m. ET 10/1/13.

Docket Numbers: RP13–1339–000.
Applicants: Enable Gas Transmission, LLC.
Description: Fuel Tracker Filing Effective November 2013 to be effective 11/1/2013.
Filed Date: 9/20/13.
Accession Number: 20130920–5031.
Comments Due: 5 p.m. ET 10/2/13.

Docket Numbers: RP13–1340–000.
Applicants: Natural Gas Pipeline Company of America.
Description: Tenaska's LPS RO to be effective 9/20/2013.
Filed Date: 9/20/13.
Accession Number: 20130920–5033.
Comments Due: 5 p.m. ET 10/2/13.

Docket Numbers: RP13–1341–000.
Applicants: Natural Gas Pipeline Company of America.
Description: Tenaska's Negotiated Rate LPS RO to be effective 9/20/2013.
Filed Date: 9/20/13.
Accession Number: 20130920–5044.
Comments Due: 5 p.m. ET 10/2/13.

Docket Numbers: RP13–1342–000.
Applicants: Natural Gas Pipeline Company of America.
Description: Castleton LPS RO to be effective 9/20/2013.
Filed Date: 9/20/13.
Accession Number: 20130920–5047.
Comments Due: 5 p.m. ET 10/2/13.

Docket Numbers: RP13–1343–000.
Applicants: Cheniere Creole Trail Pipeline, L.P.
Description: Miscellaneous Tariff Filing to be effective 11/1/2013.
Filed Date: 9/20/13.
Accession Number: 20130920–5091.
Comments Due: 5 p.m. ET 10/2/13.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

Filings in Existing Proceedings

Docket Numbers: RP13–1216–001.
Applicants: Columbia Gulf Transmission, LLC.
Description: ACA 2013 Errata to be effective 10/1/2013.
Filed Date: 9/20/13.
Accession Number: 20130920–5117.
Comments Due: 5 p.m. ET 10/2/13.

Any person desiring to protest in any of the above proceedings must file in accordance with Rule 211 of the Commission's Regulations (18 CFR 385.211) on or before 5:00 p.m. Eastern time on the specified comment date.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: September 23, 2013.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2013–23593 Filed 9–26–13; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #2

Take notice that the Commission received the following electric corporate filings:

Docket Numbers: EC13–152–000.
Applicants: Capital Power Investments LLC, Rumford Power Inc., Emera Incorporated.
Description: Joint Application for Authorization of Disposition of Securities and Facilities Under Section 203 of the Federal Power Act, Request for Expedited Consideration and Waivers, and Request for Privileged Treatment of Capital Power, et al.
Filed Date: 9/20/13.
Accession Number: 20130920–5051.
Comments Due: 5 p.m. ET 10/11/13.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER13–77–002.
Applicants: Tucson Electric Power Company.
Description: OATT Order No. 1000 Regional Compliance Filing (September 2013) to be effective 12/31/9998.
Filed Date: 9/20/13.
Accession Number: 20130920–5065.
Comments Due: 5 p.m. ET 10/21/13.

Docket Numbers: ER13–78–002.
Applicants: UNS Electric, Inc.
Description: OATT Order No. 1000 Regional Compliance Filing (September 2013) to be effective 12/31/9998.
Filed Date: 9/20/13.
Accession Number: 20130920–5066.
Comments Due: 5 p.m. ET 10/21/13.

Docket Numbers: ER13–79–002.
Applicants: Public Service Company of New Mexico.
Description: Order 1000 IntraRegional Compliance Filing to be effective 12/31/9998.
Filed Date: 9/20/13.
Accession Number: 20130920–5032.
Comments Due: 5 p.m. ET 10/21/13.

Docket Numbers: ER13–82–002.
Applicants: Arizona Public Service Company.
Description: OATT Order No. 1000 Compliance Filing to be effective 12/31/9998.
Filed Date: 9/20/13.
Accession Number: 20130920–5064.
Comments Due: 5 p.m. ET 10/21/13.

Docket Numbers: ER13–1225–001.
Applicants: Midcontinent Independent System Operator, Inc.
Description: 09–20–2013 Sch 43B Harbor Beach Comp Filing to be effective 10/1/2012.
Filed Date: 9/20/13.
Accession Number: 20130920–5062.
Comments Due: 5 p.m. ET 10/11/13.
Docket Numbers: ER13–2169–000.
Applicants: Goal Line L.P.
Description: Supplement to August 16, 2013 Goal Line L.P. tariff filing.
Filed Date: 9/20/13.
Accession Number: 20130920–5055.

Comments Due: 5 p.m. ET 10/11/13.

Docket Numbers: ER13–2408–000.

Applicants: ISO New England Inc., Bangor Hydro Electric Company.

Description: BHE and ISO–NE Filing of New LSAs to be effective 9/19/2013.

Filed Date: 9/20/13.

Accession Number: 20130920–5063.

Comments Due: 5 p.m. ET 10/11/13.

Take notice that the Commission received the following electric securities filings:

Docket Numbers: ES13–56–000.

Applicants: Transource Missouri, LLC.

Description: Application of Transource Missouri, LLC for Authorization Under Section 204(A) of the Federal Power Act to Borrow Up to $350 Million.

Filed Date: 9/20/13.

Accession Number: 20130920–5059.

Comments Due: 5 p.m. ET 10/11/13.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: September 20, 2013.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2013–23572 Filed 9–26–13; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Western Area Power Administration

Transmission Infrastructure Program; Proposed Transmission Infrastructure Program Updates and Request for Comments

AGENCY: Western Area Power Administration, DOE.

ACTION: Notice and request for comments.

SUMMARY: The Western Area Power Administration (''Western'') hereby announces updates to its Transmission Infrastructure Program (''the Program'' or TIP). The Program implements Section 402 of the American Recovery and Reinvestment Act of 2009 (''Recovery Act'') regarding loans for the purpose of: (1) Constructing, financing, facilitating, planning, operating, maintaining, or studying construction of new or upgraded electric power transmission lines and related facilities with at least one terminus within Western's service territory, and (2) delivering or facilitating the delivery of power generated by renewable energy resources constructed, or reasonably expected to be constructed, after the date that the Recovery Act was enacted.

Through this **Federal Register** notice (FRN), Western seeks public comment on proposed updates to the Program. The proposed updates will create a more efficient and transparent process to screen and evaluate potential projects, improve communications with project applicants, promote additional interest from potential applicants that seek Western's assistance to develop a project and use Western's Recovery Act borrowing authority, and integrate the DOE Loan Programs Office into the process. The FRN also identifies the principles Western will continue using to ensure (1) that the Program is separate and distinct from Western's power marketing functions, and (2) that each eligible TIP project stands on its own for repayment purposes.

DATES: The comment period begins September 27, 2013 and ends October 28, 2013. Western will accept written comments at any time during the consultation and comment period but no later than October 28, 2013.

ADDRESSES: Send written comments to: Transmission Infrastructure Program, Western Area Power Administration, P.O. Box 281213, Lakewood, CO 80228–8213, email *TXRFI@wapa.gov.* Western will post information about Program developments on its Web site at *http://ww2.wapa.gov/sites/western/recovery/Pages/default.aspx,* including written comments received in response to this FRN after the close of the comment period.

FOR FURTHER INFORMATION CONTACT: Please contact Mr. John Kral, Transmission Infrastructure Program, Western Area Power Administration, P.O. Box 281213, Lakewood, CO 80228, telephone (720) 962–7710, email *TXRFI@wapa.gov.* This FRN is also available on Western's Web site at *http://ww2.wapa.gov/sites/western/recovery/Pages/default.aspx.*

SUPPLEMENTARY INFORMATION:

Background

Western markets and transmits wholesale hydroelectric power generated at Federal dams across the western United States. Western's transmission system was developed to deliver Federal hydroelectric power to preference customers. Western owns and operates a transmission system with more than 17,000 circuit-mile, high-voltage lines and also markets power across 15 western states and a 1.3 million square-mile service area. Western's service area encompasses all of the following states: Arizona, California, Colorado, Nebraska, Nevada, New Mexico, North Dakota, South Dakota, Utah and Wyoming; and parts of Iowa, Kansas, Montana, Minnesota, and Texas.

Western markets excess capacity on its transmission system consistent with the policies and procedures outlined in its Open Access Transmission Tariff (OATT) on file with the Federal Energy Regulatory Commission. Western offers nondiscriminatory access to its transmission system, including requests to interconnect new generating resources to its transmission system, under its OATT.

The Program implements Section 402 of the Recovery Act, which amends Section 301 of the Hoover Power Plant Act of 1984. The Program uses the authority granted under these statutes to borrow up to $3.25 billion from the U.S. Department of the Treasury to develop new or upgraded electric power transmission lines and related facilities, with at least one terminus within Western's service territory, that delivers or facilitates the delivery of power generated by renewable energy resources.

Western sought public comment on the policies it proposed to use to implement its Recovery Act borrowing authority as announced in a March 4, 2009 **Federal Register** notice (74 FR 9391). A public comment forum was held in Lakewood, Colorado, on March 23, 2009, and a transcript and meeting video were made available through Western's Web site. Western received comments from 40 customers and other stakeholders. All comments were reviewed and, where appropriate, incorporated into the Program. Western announced the TIP on May 14, 2009 (74 FR 22732) (''the May 2009 Notice''). In the May 2009 Notice, Western established policies on project funding, project evaluation, project development, operations and maintenance, and project rates and repayment.

Proposed Action

The proposed action is to implement updates to the Program as set forth in this FRN.

Since 2012, Western has engaged in an internal review of the Program to evaluate its current project development and financing practices and to identify areas where the Program could be improved. As a result of this process Western seeks to achieve: (1) More efficient screening of projects, (2) increased transparency of the process used to review and evaluate projects, (3) improved communications with project applicants, and (4) additional interest from potential applicants that seek Western's assistance to develop a project and use Western's borrowing authority to obtain project funding.

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VI. Reaffirmation of Project Development, Operations & Maintenance, and Project Rates and Repayment

I. Definitions

Advanced Funding Agreement (AFA): The document that sets forth the terms by which the Project Applicant provides advance funds to Western for development work on an Eligible Project. An AFA is executed after TIP has reviewed and accepted a Project Applicant's Business Plan Proposal.

Business Plan Proposal: The document prepared by the Project Applicant that articulates project development, commercial, and financial plans supported by Financial Model projections. The Business Plan Proposal is a preliminary plan that identifies the conditions precedent required for a Project Applicant to apply for financing. Submitted after Western and the Project Applicant have entered into a Memorandum of Understanding, a Business Plan Proposal is a detailed, comprehensive document that will mature and be revised by the Project Applicant prior to submission of a loan application.

Project Development Phase: The phase of the project that precedes the Project Finance Phase and construction of the project. The Project Development Phase begins when a Project Applicant submits a Statement of Interest and concludes when a Project Applicant submits an application for the use of Western's borrowing authority. The Project Development Phase may include activities associated with facilities studies, Western Electricity Coordinating Council (WECC) path rating, environmental review, design of facilities, obtaining necessary permits, negotiation and execution of commercial agreements, acquisition of external financing, and any other activity that must be completed prior to the start of construction. The Program offers Project Applicants assistance during this phase.

DOE Loan Programs Office (LPO): A program within the Department of Energy. DOE LPO performs underwriting and loan monitoring and administration functions.

Eligible Project: A project that: (1) Delivers or facilitates the delivery of renewable energy resources, (2) has one terminus in Western's service territory, (3) can demonstrate a reasonable expectation of repayment, (4) will not adversely impact system reliability or operations, and (5) is in the public interest.

Financial Model: A model that includes a simulation of relevant costs, benefits, values, and risks that will be assessed when making financial decisions affecting a project. Financial Models submitted to TIP must be in Microsoft Excel and use standard industry conventions or templates provided by Western.

Project Finance Phase: The Project Finance Phase involves the underwriting, financing, and loan monitoring and servicing for an Eligible Project. With few exceptions, it follows completion of the Project Development Phase. The DOE LPO is responsible for administering the Project Finance Phase.

Memorandum of Understanding (MOU): The standard document that sets forth an understanding between Western and a Project Applicant after Western has approved the applicant's Statement of Interest. An MOU precedes the applicant's submission of a Business Plan Proposal.

Project Applicant: Term used to refer to an entity that submits a Statement of Interest and Business Plan Proposal.

Statement of Interest (SOI): The document submitted by a Project Applicant that outlines its proposed project. The first step in the TIP Development Phase, an SOI is limited to 10 pages. An SOI must, at a minimum, include a detailed description of the proposed project (including transmission route information, if applicable, and a preliminary business model), the proposed role that TIP would play in project development, and sufficient information to demonstrate that the project meets or is reasonably expected to meet Western's Project Evaluation Criteria.

II. Principles

In the May 2009 Notice, Western identified the principles it would use to guide implementation of its borrowing authority. Application of the Program-related principles ensures, among other things, that the Program is separate and distinct from Western's power marketing functions and that each project stands on its own for loan repayment purposes. Western hereby reaffirms the Program-related principles set forth in the May 2009 Notice. For convenience, the Program-related principles are set forth below.

Consistent with its borrowing authority, Western will be guided by the following Program related principals:

1. Provide opportunities, where appropriate, for participation by other entities in constructing, financing, owning, facilitating, planning, operating, maintaining or studying construction of new or upgraded electric power transmission lines and related facilities.

2. Use revenue from an individual project developed under the Program as the only source to:

a. repay the project loan made by Western;

b. pay project-related ancillary services and operation and maintenance expenses; and

c. pay for ancillary services provided by an existing Federal power system.

3. Use appropriate accounting controls to treat each transmission line and related facility that receives borrowing authority separately and distinctly from each other and all other Western power and transmission facilities.

4. Ensure project beneficiaries repay project costs.

III. Project Evaluation Criteria

Consistent with the requirements set forth in the Recovery Act, Western will use the following criteria in evaluating projects:

1. Facilitates the delivery to market of power generated by renewable resources constructed or reasonably expected to be constructed.

2. Has at least one terminus within Western's service territory.

3. Establishes the reasonable expectation that the project will generate enough transmission service revenue to repay the principle investment, all operating costs including overhead, and accrued interest by the end of the project's service life.

4. Will not adversely impact system reliability or operations, or other statutory obligations.

5. Is in the public interest.

IV. Project Life-Cycle Overview

Based on its experience to date, the Program anticipates that the majority of Eligible Projects will require some project development (e.g., environmental permitting, establishment of WECC path rating, and technical design work) before a loan can be issued using Western's borrowing authority. With this in mind, Western's involvement in each project is divided into two general phases—the Project Development Phase and the Project Finance Phase. Though there may be exceptions (e.g., a project that needs no development work), the expectation is that each project will complete the Project Development Phase and the underwriting and execution stages of the Project Finance Phase before it receives funding under the borrowing authority. Projects that receive funding under the borrowing authority enter a loan monitoring stage until all payments and other amounts due have been repaid.

A. Project Development Phase

The Project Development Phase involves the origination and development work for a potential project. This phase is divided into three parts: (1) Project introduction, which involves the initial intake and evaluation of an SOI; (2) project initiation, which involves the development of a more substantial business proposal and initiation of due diligence for each project that advances beyond an SOI; and (3) project development, which involves a review of the proposed baseline project plan and budget as well as the development of major project decision milestones for each project that advances beyond the business proposal stage. The elements of the Project Development Phase and relevant procedures are explained below.

1. Statement of Interest

The review process begins when a Project Applicant submits an SOI. Western will post instructions on submitting SOIs on its Web site. On or about the beginning of each quarter (approximately January 1, April 1, July 1, and October 1), Western will screen SOIs received during the previous quarter for purposes of determining whether or not each proposed project meets or is reasonably expected to meet the Project Evaluation Criteria (see Section III above). Western may contact Project Applicants for clarifications during the review period, but will not engage in material discussions about an SOI. Western will make its determination no later than 30 days after the beginning of each quarter.

If Western determines that an SOI does not or is not expected to meet all of the Project Evaluation Criteria, it will inform the Project Applicant in writing of the proposal's deficiencies and take no further action on the proposal. Project Applicants who submit an SOI that does not comport with the Project Evaluation Criteria will be invited to submit a revised SOI as early as the next quarterly review if they so choose. If Western determines that an SOI meets the Project Evaluation Criteria, the proposed project will be deemed an Eligible Project and will be assigned to the development queue, and the Project Applicant will be offered the opportunity to enter into an MOU with Western. Because projects will possess varying degrees of maturity, a project may remain in the development queue until Western—after engaging in discussions with the Project Applicant—determines that the project is sufficiently developed to proceed to the Business Plan Proposal stage.

The Project Applicant is responsible for the costs associated with Western's review of an SOI. Those costs are addressed in Section V below.

2. Memorandum of Understanding

Project Applicants who submit an SOI that meets or is reasonably expected to meet the Project Evaluation Criteria will be offered the opportunity to enter into an MOU with Western. The MOU is a standard document that, among other things, establishes the relationship among the parties, funding obligations for the submission of a Business Plan Proposal, confidentiality provisions, and the making of public statements regarding a project. The execution of an MOU does not imply that Western has approved a project for use of Western's borrowing authority. It does, however, represent Western's intent to move forward with its review and evaluation of the project for purposes of determining whether or not to participate in project development activities. Upon entering into an MOU, either party may terminate the document for any reason.

Western will post a model MOU on its Web site. A Project Applicant may take up to six months to enter into an MOU with Western after receiving confirmation that its SOI has been approved.

3. Business Plan Proposal

The Business Plan Proposal explains a project's development, commercial, and financial plans supported by Financial Model projections. A Business Plan Proposal is a preliminary plan that may lead to the determination that a project is financially, technically, commercially, and legally viable and thus, appropriate to proceed on to development. A Business Plan Proposal also addresses anticipated conditions precedent that a commercial lender would require in a loan application. It is expected that a Business Plan Proposal submitted for development assistance will mature and be revised by the Project Applicant prior to submission of a loan application.

At a minimum, it is expected that a Business Plan Proposal will include the following information:

- A comprehensive project description that includes the history of the project to date.
- The names of all investors, partners, joint ventures, and other entities with a financial or legal interest in the proposed project.
- The status of all efforts to obtain project funding from other sources.
- Information to assess the financial viability of the proposed project, including audited financial statements and reports of the Project Applicant and any other investors in the project and detailed Financial Models.
- The Project Applicant's recent and relevant experience in developing projects of similar size and scope.
- A plan for how the Project Applicant expects to generate revenue from the project to:

(1) Repay principal and interest associated with a loan from Western's borrowing authority, and

(2) pay for project-related ancillary services and operations and maintenance expenses.

- A detailed analysis of any impact that the proposed project may have on the reliability of the integrated electrical grid.
- An explanation of how the project will obtain and deliver generation-related ancillary services (if appropriate).
- An independent analysis of any new technologies to be employed as part of the project.
- All known material economic, legal, and other risks that may have an effect on the project.
- A listing of all TIP development-related services that the Project Applicant seeks to obtain.
- Relevant information concerning required approvals, permits, licenses,

land rights, and other permissions that must be obtained on behalf of the project.

- Detailed project technical specifications and designs.
- Required interconnections and path ratings.

Western will perform a due diligence review of a Business Plan Proposal to determine if the proposal is deficient in these or any other material respects. It will notify the Project Applicant in writing and work with the applicant to remedy any deficiencies. When Western determines that the Business Plan Proposal adequately addresses all technical, commercial, and financial aspects of a proposed project and contains the requisite Financial Models, it will invite the Project Applicant to enter into an AFA.

A Project Applicant may take up to 12 months to submit a Business Plan Proposal after signing an MOU with Western. Due to the varying nature and complexity of Business Plan Proposals, Western will not establish a firm fixed time frame for reviewing such documents but will endeavor to complete its review expeditiously while keeping the Project Applicant apprised of its progress.

The Project Applicant is responsible for the costs associated with Western's review of a Business Plan Proposal. Those costs are addressed in Section V below.

4. Advance Funding Agreement

An AFA is an agreement that sets forth the terms under which Western will participate in the development of a project. The terms of an AFA call upon a Project Applicant to advance a mutually-agreed amount to cover costs Western incurs in performing project development activities as set forth in the document. No work will commence without receipt of advance payment. The AFA also provides that if there are insufficient funds to cover Western's project-related development expenses, Western will inform the Project Applicant of the insufficiency and request additional funding.

TIP will post a model AFA on its Web site.

5. Project Development

Once an AFA is executed, the parties begin to perform project development-related activities. These activities often include facilities studies and designs; establishment of a WECC path rating; environmental, cultural, endangered species, and other assessments; negotiation and execution of commercial agreements; acquisition of external financing for construction; negotiation of the project ownership structure; any needed interconnection agreements; and Western's continued performance of due diligence as it relates to the project and any other activity that must be completed prior to the start of construction. Depending on the nature of the project and the amount of development that has already occurred, the Project Development Phase is likely to vary in length from less than a year to several years.

B. Transition From Project Development Phase to Project Finance Phase

Western, in consultation with LPO, will determine when a project has completed the Project Development Phase and will coordinate with LPO regarding the transition of a project from the Project Development Phase to the Project Finance Phase.

C. Project Finance Phase

The Project Finance Phase involves the underwriting, financing, and loan monitoring and servicing for a project. This phase can generally be divided into three parts: (1) Project underwriting, which involves submission by an applicant of a completed loan application and business plan, the completion of extensive due diligence and financial modeling by LPO and its advisors, and negotiation of a term sheet and conditional commitment containing the material business and legal terms of a possible financing transaction; (2) for any project that proceeds beyond underwriting, project execution, which involves the negotiation and documentation of definitive loan documents and any other agreements and instruments required for the financing of the project, as well as the closing of such financing; and (3) for any project that achieves execution, project implementation, which involves the actual implementation and funding disbursements in accordance with the loan documents as well as loan servicing and monitoring activities.

V. Funding During the Project Development Phase

A. Policies and Procedures

1. Accounting Principles

Western will use generally accepted accounting principles and practices in recording and tracking all expenses and revenue transactions for each project.

2. Program Funding

The Program must be financially self-sustaining. As such, expenses incurred by Western in reviewing SOIs and evaluating Business Plan Proposals must be borne by Project Applicants. Similarly, Project Applicants must provide adequate advance funding for services performed by Program personnel or contractors during the Project Development Phase.

3. Allocation of Expenses—SOI

a. Based on Western's experience, it estimates that it will cost approximately $50,000 to review and screen an SOI. Therefore, Project Applicants shall make a one-time $50,000 payment to the Program at the time an SOI is submitted to cover costs related to the SOI review. Project Applicants should contact the TIP office to make arrangements for this payment. Failure to make this payment will result in Western taking no action to review and screen the SOI.

b. If, in the course of reviewing the SOI, Western determines that there are insufficient funds to cover its anticipated expenses, Western will promptly inform the Project Applicant of the insufficiency and request adequate additional funding to complete its review. If an SOI does not meet or is reasonably expected to not meet all of the Project Evaluation Criteria, leading Western to conclude that no further action on the project proposal is required, any funds paid by the Project Applicant in excess of actual costs incurred by Western in reviewing the proposal will be returned to the Project Applicant.

4. Allocation of Expenses—Business Plan Proposal

a. Based on its experience, Western estimates that it will cost approximately $250,000 to review and evaluate a Business Plan Proposal. Therefore, Project Applicants shall make a one-time $250,000 payment to Western at the time a Business Plan Proposal is submitted to cover costs related to the Business Plan Proposal review and evaluation. Failure to include this payment with the submission of a Business Plan Proposal will result in Western taking no action to review and evaluate the proposal. Project Applicants should contact the TIP office to make arrangements for making this advance. The Project Applicant may elect to apply funds remaining (if any) from its $50,000 SOI submission payment that are in Western's control to the $250,000 Business Plan Proposal charge.

b. If, in the course of reviewing and evaluating the Business Plan Proposal, Western determines that there are insufficient funds to cover Western's anticipated project-related expenses, Western will inform the Project Applicant of the insufficiency and request adequate additional funding to

complete its review. If a Business Plan Proposal does not lead to the determination that a project is financially, technically, and commercially viable and ready to proceed to development, Western will notify the Project Applicant and any funds paid by the Project Applicant in excess of actual costs incurred by Western in evaluating the proposal will be returned to the Project Applicant.

5. Allocation of Expenses—AFA

As part of the AFA, Western and the Project Applicant will mutually agree on an amount to cover costs associated with project development activities performed by Western. The Project Applicant may elect to apply funds remaining (if any) from its $250,000 Business Plan Proposal payment that are in Western's control to the mutually agreed upon amount.

VI. Reaffirmation of Project Development and Operations & Maintenance, and Project Rates and Repayment Policies and Practices

Western reaffirms the Project Development and Operations & Maintenance, and Project Rates and Repayment Policies and Practices set forth in the May 2009 Notice.

Environmental Compliance

In compliance with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321, et seq.), the Council on Environmental Quality Regulations for implementing NEPA (40 CFR parts 1500–1508), and the DOE NEPA Implementing Procedures and Guidelines (10 CFR part 1021), Western has determined that this action fits within category A13, Procedural Documents, of Appendix A to Subpart D of Part 1021 and is categorically excluded from NEPA analysis. Future actions under this authority will undergo appropriate NEPA analysis.

Dated: September 6, 2013.

Mark A. Gabriel,

Administrator.

[FR Doc. 2013–23604 Filed 9–26–13; 8:45 am]

BILLING CODE 6450–01–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPPT–2012–0674; FRL–9533–2]

Information Collection Request Submitted to OMB for Review and Approval; Comment Request; Notification of Substantial Risk of Injury to Health and the Environment Under TSCA Section 8(e)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency has submitted an information collection request (ICR), ''Notification of Substantial Risk of Injury to Health and the Environment under TSCA Section 8(e)'' (EPA ICR No. 0794.13, OMB Control No. 2070–0046) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*). This is a renewal of the ICR that is currently approved through June 30, 2013. Public comments were previously requested via the **Federal Register** (77 FR 71415) on November 30, 2012, during a 60-day comment period. The ICR, which is abstracted below, describes the nature of the information collection activity and its expected burden and costs. Copies of the ICR and related documents are available in the docket.

DATES: Additional comments may be submitted on or before October 28, 2013.

ADDRESSES: Submit your comments, referencing Docket ID Number EPA–HQ–OPPT–2012–0674, to (1) EPA online using *http://www.regulations.gov* (our preferred method), by email to *oppt.ncic@epa.gov* or by mail to: EPA Docket Center, Environmental Protection Agency, Mail Code 28221T, 1200 Pennsylvania Ave. NW., Washington, DC 20460, and (2) OMB via email to *oira_submission@omb.eop.gov.* Address comments to OMB Desk Officer for EPA.

EPA's policy is that all comments received will be included in the public docket without change including any personal information provided, unless the comment includes profanity, threats, information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

FOR FURTHER INFORMATION CONTACT: Pamela Myrick, Deputy Director, Environmental Assistance Division, Office of Pollution Prevention and Toxics, Mail code: 7408–M, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460; telephone number: 202–554–1404; fax number: 202–564–8251; email address: *TSCA-Hotline@epa.gov.*

SUPPLEMENTARY INFORMATION:

Supporting documents which explain in detail the information that the EPA will be collecting are available in the public docket for this ICR. The docket can be viewed online at *http://www.regulations.gov* or in person at the EPA Docket Center, EPA West, Room 3334, 1301 Constitution Ave. NW., Washington, DC. The telephone number for the Docket Center is 202–566–1744. For additional information about EPA's public docket, visit *http://www.epa.gov/dockets.*

Abstract: Section 8(e) of the Toxic Substances Control Act (TSCA) requires that any person who manufactures, imports, processes or distributes in commerce a chemical substance or mixture and which obtains information that reasonably supports the conclusion that such substance or mixture presents a substantial risk of injury to health or the environment must immediately inform EPA of such information. EPA routinely disseminates TSCA section 8(e) data it receives to other Federal agencies to provide information about newly discovered chemical hazards and risks. This information collection addresses the burden associated with industry reporting of such notifications. The respondent may claim all or part of a notice confidential. EPA will disclose information that is covered by a claim of confidentiality only to the extent permitted by, and in accordance with, the procedures in TSCA and 40 CFR Part 2.

Form Numbers: None.

Respondents/affected entities: Entities potentially affected by this action are companies that manufacture, process, import or distribute in commerce a chemical substance or mixture and that obtain information that reasonably supports the conclusion that such substance or mixture presents a substantial risk of injury to health or the environment.

Respondent's obligation to respond: mandatory; see 15 USC 2607(e).

Estimated number of respondents: 555 (total).

Frequency of response: On occasion.

Total estimated burden: 19,659 hours per year. Burden is defined at 5 CFR 1320.03(b).

Total estimated burden cost: $1,366,491 per year, includes $0 annualized capital or operation and maintenance costs.

Changes in the Estimates: There is a decrease of 10,856 hours in the total

estimated respondent burden compared with the ICR currently approved by OMB. This decrease represents changes in the number of estimated submissions based on EPA's recent experience with TSCA section 8(e) notices plus the effects of optional electronic reporting. This change involves both a program change (electronic reporting) and an adjustment. The Supporting Statement provides additional detail concerning the change in burden estimate.

Dated: September 19, 2013.

Richard T. Westlund,

Acting Director, Collection Strategies Division.

[FR Doc. 2013–23676 Filed 9–26–13; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OECA–2013–0339; FRL—9536–6]

Information Collection Request Submitted to OMB for Review and Approval; Comment Request; NESHAP for Boat Manufacturing (Renewal)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency has submitted an information collection request (ICR), ''NESHAP for Boat Manufacturing (40 CFR Part 63, Subpart VVVV) (Renewal)'' (EPA ICR No. 1966.05, OMB Control No. 2060–0546), to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq*). This is a proposed extension of the ICR, which is currently approved through October 31, 2013. Public comments were previously requested via the **Federal Register** (78 *FR* 33409) on June 4, 2013, during a 60-day comment period. This notice allows for an additional 30 days for public comments. A fuller description of the ICR is given below, including its estimated burden and cost to the public. An Agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

DATES: Additional comments may be submitted on or before October 28, 2013.

ADDRESSES: Submit your comments, referencing Docket ID Number EPA–HQ–OECA–2013–0339, to: (1) EPA online, using *www.regulations.gov* (our preferred method), by email to: *docket.oeca@epa.gov,* or by mail to: EPA Docket Center, Environmental Protection Agency, Mail Code 28221T, 1200 Pennsylvania Ave. NW., Washington, DC 20460; and (2) OMB via email to *oira_submission@omb.eop.gov.* Address comments to OMB Desk Officer for EPA.

EPA's policy is that all comments received will be included in the public docket without change including any personal information provided, unless the comment includes profanity, threats, information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

FOR FURTHER INFORMATION CONTACT: Learia Williams, Monitoring, Assistance, and Media Programs Division, Office of Compliance, Mail Code 2227A, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460; telephone number: (202) 564–4113; fax number: (202) 564–0050; email address: *williams.learia@epa.gov.*

SUPPLEMENTARY INFORMATION: Supporting documents which explain in detail the information that the EPA will be collecting are available in the public docket for this ICR. The docket can be viewed online at *www.regulations.gov* or in person at the EPA Docket Center, WJC West, Room 3334, 1301 Constitution Ave. NW., Washington, DC. The telephone number for the Docket Center is 202–566–1744. For additional information about EPA's public docket, visit: *http://www.epa.gov/dockets.*

Abstract: The NESHAP for Boat Manufacturing (40 CFR Part 63, Subpart VVVV) covers resin and gel coat operations at fiberglass boat manufacturers, paint and coating operations at aluminum boat manufacturers, and carpet and fabric adhesive operations at all boat manufacturers. Owners or operators of boat manufacturing facilities are required to submit initial notification, performance tests, and periodic reports. Respondents are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Semiannual reports are also required. These notifications, reports, and records are essential in determining compliance; and are required, in general, of all sources subject to NESHAP.

Form Numbers: None.

Respondents/affected entities: Boat manufacturing.

Respondent's obligation to respond: Mandatory (40 CFR part 63, subpart VVVV).

Estimated number of respondents: 144 (total).

Frequency of response: Initially, quarterly, and semiannually.

Total estimated burden: 23,543 hours (per year). ''Burden'' is defined at 5 CFR 1320.3(b).

Total estimated cost: $2,303,583 (per year), includes $800 annualized capital or operation & maintenance costs.

Changes in the Estimates: There is no change in labor hours in this ICR compared to the previous ICR. This is due to two considerations: (1) The regulations have not changed over the past three years and are not anticipated to change over the next three years; and (2) the growth rate for the industry is very low, negative or non-existent, so there is no significant change in the overall burden. However, there is an adjustment increase in the respondent burden costs due to an increase in labor rate. This ICR uses updated labor rates from the Bureau of Labor Statistics to calculate burden costs.

Richard T. Westlund,

Acting Director, Collection Strategies Division.

[FR Doc. 2013–23559 Filed 9–26–13; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OECA–2013–0345; FRL–9536–7]

Information Collection Request Submitted to OMB for Review and Approval; Comment Request; NESHAP for Metal Can Manufacturing Surface Coating (Renewal)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency has submitted an information collection request (ICR), ''NESHAP for Metal Can Manufacturing Surface Coating (40 CFR Part 63, Subpart KKKK) (Renewal)'' (EPA ICR No. 2079.05, OMB Control No. 2060–0541), to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq*). This is a proposed extension of the ICR, which is currently approved through October 31, 2013. Public comments were previously requested via the **Federal Register** (78 *FR* 33409) on June 4, 2013 during a 60-day comment period. This notice allows for an additional 30 days for public

comments. A fuller description of the ICR is given below, including its estimated burden and cost to the public. An Agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

DATES: Additional comments may be submitted on or before October 28, 2013.

ADDRESSES: Submit your comments, referencing Docket ID Number EPA–HQ–OECA–2013–0345, to: (1) EPA online, using *www.regulations.gov* (our preferred method), by email to: *docket.oeca@epa.gov*, or by mail to: EPA Docket Center, Environmental Protection Agency, Mail Code 28221T, 1200 Pennsylvania Ave. NW., Washington, DC 20460; and (2) OMB via email to *oira_submission@omb.eop.gov*. Address comments to OMB Desk Officer for EPA.

EPA's policy is that all comments received will be included in the public docket without change including any personal information provided, unless the comment includes profanity, threats, information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

FOR FURTHER INFORMATION CONTACT: Learia Williams, Monitoring, Assistance, and Media Programs Division, Office of Compliance, Mail Code 2227A, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460; telephone number: (202) 564–4113; fax number: (202) 564–0050; email address: *williams.learia@epa.gov.*

SUPPLEMENTARY INFORMATION:

Supporting documents which explain in detail the information that the EPA will be collecting are available in the public docket for this ICR. The docket can be viewed online at *www.regulations.gov* or in person at the EPA Docket Center, WJC West, Room 3334, 1301 Constitution Ave. NW., Washington, DC. The telephone number for the Docket Center is 202–566–1744. For additional information about EPA's public docket, visit: *http://www.epa.gov/dockets.*

Abstract: The affected entities are subject to the General Provisions of the NESHAP for Metal Can Manufacturing Surface Coating at 40 CFR part 63, subpart A, and any changes, or additions, to the Provisions specified at 40 CFR part 63, subpart KKKK. Owners or operators of the affected facilities must submit a one-time-only report of any physical or operational changes, initial performance tests, and periodic reports and results. Owners or operators are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Reports are required semiannually at a minimum.

Form Numbers: None.

Respondents/affected entities: Metal can manufacturing facilities with surface coating operations.

Respondent's obligation to respond: Mandatory (40 CFR part 63, subpart KKKK).

Estimated number of respondents: 71 (total).

Frequency of response: Initially, occasionally, and semiannually

Total estimated burden: 27,517 hours (per year). ''Burden'' is defined at 5 CFR 1320.3(b).

Total estimated cost: $3,258,800 (per year), includes $85,200 annualized capital or operation & maintenance costs.

Changes in the Estimates: There is no change in the labor hours in this ICR compared to the previous ICR. This is due to two considerations: (1) The regulations have not changed over the past three years and are not anticipated to change over the next three years; and (2) the growth rate for the respondents is very low, negative or non-existent. Therefore, the labor hours in the previous ICR reflect the current burden to the respondents and are reiterated in this ICR. However, there is an adjustment increase in the respondent cost due to labor rate increases.

Richard T. Westlund,

Acting Director, Collection Strategies Division.

[FR Doc. 2013–23569 Filed 9–26–13; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OW–2012–0803; FRL–9901–52–OW]

Draft National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges From Industrial Activities

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA's Regions 1, 2, 3, 5, 6, 7, 8, 9, and 10 are today proposing for public comment the draft 2013 National Pollutant Discharge Elimination System (NPDES) general permit for stormwater discharges from industrial activity, also referred to as the Multi-Sector General Permit (MSGP). This draft permit, once finalized, will replace the existing permit covering stormwater discharges from industrial facilities in EPA's Regions 1, 2, 3, 5, 6, 9, and 10 that will expire September 29, 2013, and will provide coverage for industrial facilities in areas where EPA is the NPDES permitting authority in EPA's Regions 7 and 8. This draft permit is similar to the existing permit and will authorize the discharge of stormwater in accordance with the terms and conditions described therein. EPA proposes to issue this permit for five (5) years. EPA seeks comment on the draft permit and on the accompanying fact sheet.

DATES: Comments on the draft general permit must be received on or before November 26, 2013.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–HQ–OW–2012–0803, by one of the following methods:

1. *http://www.regulations.gov:* Follow the online instructions for submitting comments.
2. *Email: ow-docket@epa.gov*
3. *Mail to:* Water Docket, U.S. Environmental Protection Agency, EPA Docket Center, Attention: Docket ID No. EPA–HQ–OW–2012–0803, Mail Code: 28221T, 1200 Pennsylvania Avenue NW., Washington, DC 20460. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

Instructions: Direct your comments to Docket ID No. EPA–HQ–OW–2012–0803. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at *http://www.regulations.gov,* including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through *http://www.regulations.gov* or email. The *http://www.regulations.gov* Web site is an ''anonymous access'' system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to EPA without going through *www.regulations.gov* your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit

an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD–ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For additional information about EPA's public docket visit the EPA Docket Center homepage at *http://www.epa.gov/epahome/dockets.htm*.

Docket: All documents in the docket are listed in the *http://www.regulations.gov* index. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hardcopy. Publicly available docket materials are available either electronically in *www.regulations.gov* or in hard copy at a docket facility. The Office of Water (OW) Docket Center is open from 8:30 until 4:30 p.m., Monday through Friday, excluding legal holidays. The OW Docket Center telephone number is (202) 566–2426, and the Docket address is OW Docket, WJC West Building, Room 3334, 1301 Constitution Avenue NW., Washington, DC 20004. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566–1744.

FOR FURTHER INFORMATION CONTACT: For further information on the draft NPDES general permit, contact the appropriate EPA Regional office listed in Section I.F of this notice, or Bryan Rittenhouse, EPA Headquarters, Office of Water, Office of Wastewater Management at tel.: 202–564–0577 or email: *rittenhouse.bryan@epa.gov*.

SUPPLEMENTARY INFORMATION: This supplementary information is organized as follows:

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I. General Information

A. Does this action apply to me?

This draft MSGP regulates stormwater discharges from industrial facilities in the 30 sectors shown below:

Sector A—Timber Products.
Sector B—Paper and Allied Products Manufacturing.
Sector C—Chemical and Allied Products Manufacturing.
Sector D—Asphalt Paving and Roofing Materials Manufactures and Lubricant Manufacturers.
Sector E—Glass, Clay, Cement, Concrete, and Gypsum Product Manufacturing.
Sector F—Primary Metals.
Sector G—Metal Mining (Ore Mining and Dressing).
Sector H—Coal Mines and Coal Mining-Related Facilities.
Sector I—Oil and Gas Extraction and Refining.
Sector J—Mineral Mining and Dressing.
Sector K—Hazardous Waste Treatment Storage or Disposal.
Sector L—Landfills and Land Application Sites.
Sector M—Automobile Salvage Yards.
Sector N—Scrap Recycling Facilities.
Sector O—Steam Electric Generating Facilities.
Sector P—Land Transportation.
Sector Q—Water Transportation.
Sector R—Ship and Boat Building or Repairing Yards.
Sector S—Air Transportation Facilities.
Sector T—Treatment Works.
Sector U—Food and Kindred Products.
Sector V—Textile Mills, Apparel, and other Fabric Products Manufacturing.
Sector W—Furniture and Fixtures.
Sector X—Printing and Publishing.
Sector Y—Rubber, Miscellaneous Plastic Products, and Miscellaneous Manufacturing Industries.
Sector Z—Leather Tanning and Finishing.
Sector AA—Fabricated Metal Products.
Sector AB—Transportation Equipment, Industrial or Commercial Machinery.
Sector AC—Electronic, Electrical, Photographic and Optical Goods.
Sector AD—Reserved for Facilities Not Covered Under Other Sectors and Designated by the Director.

Coverage under this draft MSGP is available to operators of eligible facilities located in areas where EPA is the permitting authority and has made this general permit available for use. A list of eligible areas is included in Appendix C of the draft MSGP. Eligibility for coverage is limited to new dischargers and existing dischargers, as defined in Appendix A of the draft permit, and new owner/operators of an existing discharger. EPA notes that coverage is also available to facilities that have commenced discharging prior to the date this permit issued, but were not covered under the 2008 MSGP or another NPDES permit.

B. How can I get copies of these documents and other related information?

1. *Docket.* EPA has established an official public docket for this action under Docket ID No. EPA–HQ–OW–2012–0803. The official public docket is the collection of materials that is available for public viewing at the Water Docket in the EPA Docket Center, (EPA/DC) WJC West Building, Room 3334, 1301 Constitution Ave. NW., Washington, DC 20460. Although all documents in the docket are listed in an index, some information is not publicly available, i.e., Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Publicly available docket materials are available in hard copy at the EPA Docket Center Public Reading Room, open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566–1744 and the telephone number for the Water Docket is (202) 566–2426.

2. *Electronic Access.* You may access this **Federal Register** document electronically through the United States government on-line source for Federal regulations at *http://www.regulations.gov*. Electronic versions of this final permit and fact sheet are available on EPA's NPDES Web site at *http://www.epa.gov/npdes/stormwater/msgp*.

An electronic version of the public docket is available through the EPA's electronic public docket and comment system, EPA Dockets. You may use EPA Dockets at *http://www.regulations.gov* to submit or view public comments, access the index listing of the contents of the official public docket, and to access those documents in the public docket that are available electronically. For additional information about EPA's public docket, visit the EPA Docket Center homepage at *http://www.epa.gov/dockets*. Although not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the Docket Facility identified in Section I.B.1.

C. What should I consider as I prepare my comments for EPA?

1. *Submitting CBI.* Do not submit this information to EPA through regulations.gov or email. Clearly mark all of the information that you claim to be CBI. For CBI information on computer disks mailed to EPA, mark the surface of the disk as CBI. Also identify electronically the specific information contained in the disk or that you claim is CBI. In addition to one complete version of the specific information claimed as CBI, you must submit a copy that does not contain the information claimed as CBI for inclusion in the public document. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

For public commenters, it is important to note that EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing in EPA's electronic public docket as EPA receives them and without change, unless the comment contains copyrighted material, CBI, or other information whose disclosure is restricted by statute. When EPA identifies a comment containing copyrighted material, EPA will provide a reference to that material in the version of the comment that is placed in EPA's electronic public docket. The entire printed comment, including the copyrighted material, will be available in the public docket.

Public comments submitted on computer disks that are mailed or delivered to the docket will be transferred to EPA's electronic public docket. Public comments that are mailed or delivered to the docket will be scanned and placed in EPA's electronic public docket. Where practical, physical objects will be photographed, and the photograph will be placed in EPA's electronic public docket along with a brief description written by the docket staff.

2. *Tips for Preparing Your Comments.* When submitting comments, remember to:

- Identify this permit by docket number and other identifying information (subject heading, **Federal Register** date, and page number).
- Where possible, respond to specific questions or organize comments by referencing a section or part of the permit.
- Explain why you agree or disagree, suggest alternatives, and suggest substitute language for your requested changes.
- Describe any assumptions and provide any technical information and/or data that you used.
- If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.
- Provide specific examples to illustrate your concerns, and suggest alternatives.
- Explain your views as clearly as possible.
- To ensure that EPA can read, understand, and therefore properly respond to comments, the Agency would prefer that commenters cite, where possible, the paragraph(s) or section in the fact sheet or permit to which each comment refers.
- Make sure to submit your comments by the comment period deadline identified.

D. Will public hearings be held on this action?

EPA has not scheduled any public hearings to receive public comment concerning the draft permit. All persons will continue to have the right to provide written comments during the public comment period. However, interested persons may request a public hearing pursuant to 40 CFR 124.12 concerning the draft permit. Requests for a public hearing must be sent or delivered in writing to the same address as provided above for public comments prior to the close of the comment period. Requests for a public hearing must state the nature of the issues proposed to be raised in the hearing. Pursuant to 40 CFR 124.12, EPA shall hold a public hearing if it finds, on the basis of requests, a significant degree of public interest in a public hearing on the draft permit. If EPA decides to hold a public hearing, a public notice of the date, time and place of the hearing will be made at least 30 days prior to the hearing. Any person may provide written or oral statements and data pertaining to the draft permit at the public hearing.

E. What process will EPA follow to finalize the permit?

After the close of the public comment period, EPA intends to issue a final permit to replace the current 2008 MSGP, which expires September 29, 2013. This permit will not be issued until all significant comments have been considered and appropriate changes made to the permit. EPA's responses to public comments received will be included in the docket as part of the final permit issuance. Once the final permit becomes effective, eligible operators of industrial facilities may seek authorization under the new MSGP. Any industrial facility operator obtaining permit coverage prior to the expiration date of the 2008 MSGP will automatically remain covered under that permit until the earliest of:

- The operator is authorized for coverage under a reissued permit or a replacement version of the permit following the timely submittal of a complete and accurate NOI requesting coverage under the new permit; or
- The operator submits a Notice of Termination; or
- EPA issues an individual permit for the facility's stormwater discharges; or
- EPA formally decides not to reissue the general permit, at which time EPA will identify a reasonable time period for covered dischargers to seek coverage under an alternative general permit or an individual permit. Coverage under the permit will cease at the end of this time period.

F. Who are the EPA regional contacts for this final permit?

For EPA Region 1, contact David Gray at tel.: (617) 918–1577 or email at *gray.davidj@epa.gov.*

For EPA Region 2, contact Sergio Bosques at tel.: (787) 977–5838 or email at *bosques.sergio@epa.gov.*

For EPA Region 3, contact Kaitlyn Bendik at tel.: 215–814–2709 or email at *bendik.kaitlyn@epa.gov.*

For EPA Region 5, contact Brian Bell at tel.: (312) 886–0981 or email at *bell.brianc@epa.gov.*

For EPA Region 6, contact Nelly Smith at tel.: (214) 665–7109 or email at *smith.nelly@epa.gov.*

For EPA Region 7, contact Mark Matthews at tel.: 913–551–7635 or email at *matthews.mark@epa.gov.*

For EPA Region 8, contact Gregory Davis at tel.: (303) 312–6314 or email at *davis.gregory@epa.gov.*

For EPA Region 9, contact Eugene Bromley at tel.: (415) 972–3510 or email at *bromley.eugene@epa.gov.*

For EPA Region 10, contact Margaret McCauley at tel.: (206) 553–1772 or email at *mccauley.margaret@epa.gov.*

II. Background

Section 405 of the Water Quality Act of 1987 (WQA) added section 402(p) of the Clean Water Act (CWA), which directed the Environmental Protection Agency (EPA) to develop a phased approach to regulate stormwater discharges under the National Pollutant Discharge Elimination System (NPDES) program. EPA published a final regulation on the first phase on this program on November 16, 1990, establishing permit application requirements for ''stormwater

discharges associated with industrial activity.'' See 55 FR 48063. EPA defined the term ''stormwater discharge associated with industrial activity'' in a comprehensive manner to cover a wide variety of facilities. See 40 CFR 122.26(b)(14). EPA proposes to issue the MSGP under this statutory and regulatory authority. This draft permit, once finalized, will replace the existing permit covering stormwater discharges from industrial facilities in EPA's Regions 1, 2, 3, 5, 6, 9 and 10 that will expire September 29, 2013, and will provide coverage for industrial facilities in areas where EPA is the NPDES permitting authority in EPA's Regions 7 and 8.

III. Scope and Applicability of the Multi-Sector General Permit

A. Geographic Coverage

This draft permit provides coverage for sectors of industrial point source discharges that occur in areas not covered by an approved state NPDES program. The geographic coverage of this permit is listed in Appendix C of the permit. EPA notes that, unlike the 2008 MSGP, facilities located in EPA Regions 7 and 8 will be covered by the permit.

B. Categories of Facilities Covered

This permit regulates stormwater discharges from industrial facilities in 30 sectors, as shown above in section I.A.

C. Summary of Significant Proposed Changes From the 2008 Multi-Sector General Permit

The proposed MSGP, once finalized, will replace the 2008 MSGP, which was issued for a five-year term on September 29, 2008 (see 73 FR 56572). The draft permit is similar to the existing permit, and is structured in nine (9) parts: General requirements that apply to all facilities (e.g., eligibility of discharges, effluent limitations, stormwater pollution prevention plan (SWPPP) requirements, monitoring and reporting requirements) (Parts 1–7), industrial sector-specific conditions (Part 8), and specific requirements applicable to facilities within individual states or Indian Country (Part 9). Additionally, the appendices provide draft forms for the Notice of Intent (NOI), the Notice of Termination (NOT), the Conditional No Exposure Exclusion, Discharge Monitoring Report (DMR), and the annual report, as well as step-by-step procedures for determining eligibility with respect to protecting historic properties and endangered species, and for calculating site-specific, hardness-dependent benchmarks.

This draft MSGP includes several new or modified requirements from the 2008 MSGP. These proposed changes are summarized below and are discussed in more detail in the draft MSGP fact sheet.

1. NEPA Review for Dischargers Subject to any New Source Performance Standards (NSPS). Previous versions of the MSGP required those facilities constructed after the promulgation of their industry's New Source Performance Standards (NSPS) to determine and document in their SWPPP either ''No Significant Impact'' under the National Environmental Policy Act (NEPA), or to complete an Environmental Impact Statement in accordance with an environmental review conducted by EPA. For the 2013 MSGP, EPA plans to prepare an Environmental Assessment (EA) to analyze the potential environmental impacts of the permit. The EA will consider the potential environmental impacts from the discharge of pollutants in stormwater discharges from new sources associated with industrial facilities where EPA is the permitting authority to determine whether to prepare an Environmental Impact Statement (EIS). Therefore, under the proposed 2013 MSGP, industrial discharges subject to NSPS do not have to independently make such a determination.

2. Electronic Reporting. The draft MSGP requires that all NOIs, NOTs, annual reports, Discharge Monitoring Reports (DMRs), and certain other reporting information be submitted electronically, unless the operator has received one of the following waivers from the EPA Regional office: (1) The operator's headquarters is physically located in a geographic area (i.e., zip code or census tract) that is identified as under-served for broadband Internet access in the most recent report from the Federal Communications Commission; or (2) the industrial owner/operator has limitations regarding available computer access or computer capability. An operator who wishes to use paper submittals must contact the appropriate EPA Region to obtain a waiver from submitting reports electronically. Waivers are only granted for a one-time use for a single information submittal, i.e., an initial waiver does not apply for the entire term of the permit. If information needs to submit information on paper after the first waiver, the operator must apply for a new waiver.

3. Allowable Non-Stormwater Discharges. Previous MSGP versions authorized any washwater to be discharged as long as there were no detergents or toxic/hazardous spill material present in the discharge. In addition to detergents, hazardous cleaning products have been specifically prohibited from being discharged under the 2013 MSGP. The 2013 draft permit also prohibits the discharge of wash waters that have come into contact with oil and grease deposits or any other toxic or hazardous materials, unless the deposits have been cleaned up using dry clean-up methods. Additionally, because the act of washing (especially power washing) by its very nature tends to mobilize particulates and other potential pollutants present on pavement, specific effluent limits have been included to ensure particulates and other potential pollutants mobilized by pavement washing are controlled via treatment controls before they are discharged, unless the pavement wash waters were treated by the control measures in Part 2.1.2.

4. Endangered Species Requirements. The draft 2013 MSGP incorporates changes to the procedures operators are required follow to establish their eligibility with regard to protection of threatened and endangered species and critical habitat (Appendix E and Part 1.1.4.5) as a result of EPA's consultation under Section 7 of the Endangered Species Act. These changes are to better ensure that the criteria chosen are adequately protective of threatened and endangered species and their critical habitats and consistent with the Endangered Species Act. Using the same decision making process to determine the operator's eligibility criteria when threatened and endangered species are in proximity to the industrial facility (i.e., its ''action area), EPA is now requiring the process be documented by filling out and submitting a worksheet. Because the criteria and the procedures operators are required to follow in making their eligibility determination in Appendix E have changed, all operators seeking coverage under the 2013 MSGP must make their Part 1.1.4.5 eligibility determination in accordance with the requirements in the new permit (i.e., operators cannot check the same criteria they selected in the 2008 MSGP without following the procedures in Appendix E).

5. Historic Properties Preservation. The procedures for determining operator eligibility regarding historic properties were also revised in the draft 2013 MSGP Appendix F as a result of EPA's consultation under Section 106 of the National Historic Preservation Act. EPA has included a more detailed set of steps to help operators more conclusively determine whether historic

properties are within the industrial facility's ''area of potential effect''. This may include greater interaction with knowledgeable sources such as state or tribal historic preservation authorities or a qualified consultant in the historical or archeological fields. The eligibility criteria were also slightly revised for the proposal. All operators seeking coverage under the 2013 MSGP must make their Part 1.1.4.6 eligibility determination in accordance with the requirements in the new permit (i.e., operators cannot check the same criteria they selected in the 2008 MSGP without following the procedures in Appendix F).

6. SWPPP and Its Availability. To provide greater access to the SWPPP to the public and other stakeholders, the draft MSGP requires that permittees either provide a uniform resource locator (URL) for the SWPPP on the NOI form, or provide selected information from the SWPPP on the NOI form. The information from the SWPPP that would have to be added to the NOI includes: A description of onsite industrial activities exposed to stormwater, including potential spill and leak areas; the pollutants associated with each industrial activity exposed to stormwater and/or authorized non-stormwater; a description of control measures employed to comply with the non-numeric technology-based effluent limits in Part 2.1.2 and Part 8, and any other measures taken to comply with the requirements in Part 2.2; and a schedule for good housekeeping and maintenance and schedule for all inspections required in Part 4. EPA has also identified certain effluent limit requirements that can be copied verbatim into the SWPPP without providing additional documentation because they do not involve the site-specific selection of a control measure or are specific activity requirements.

7. Effluent Limit Clarifications. Several of the effluent limits in Part 2 of the draft MSGP include a greater level of specificity in order to make the requirements more clearly articulated, transparent, and enforceable. EPA believes that these clarifications will help permittees to better understand how to comply with the effluent limits. The effluent limits in Part 2 for which EPA has made clarifications include requirements for minimizing exposure, good housekeeping, maintenance, spill prevention and response procedures, and employee training.

8. Corrective Action. The draft MSGP includes additional specificity with regard to what is considered to be an adequate corrective action. The corrective action deadlines in the proposed MSGP are similar to the corresponding deadlines in Part 3.3 of the 2008 MSGP, but have been modified to further specify what actions must be taken by the deadlines. The draft permit now requires that corrective action steps be taken immediately (i.e., on the same day the condition was found) in order to ensure that pollutant discharges are minimized and that a permanent solution is implemented expeditiously. The draft MSGP also requires that subsequent action must be taken to install a new or modified control and make operational, or complete the repair, before the next storm event if possible, and within 14 calendar days from the discovery of the condition.

9. Annual Reports and Routine Inspections. Annual reporting in the draft MSGP has been changed to submitting a summary of the past year's routine facility inspections and quarterly visual assessments of discharges, instead of a summary of the results of the single comprehensive site assessment, as required in the previous permit. EPA has eliminated the comprehensive site assessment requirement and instead will rely on the four required routine facility inspections, which are similar to the comprehensive site assessment requirements in the 2008 MSGP. Corrective action reporting in the draft permit remains unchanged from the 2008 MSGP.

10. Benchmark Values for Saline Waters. The draft MSGP has included additional non-hardness dependent metals benchmarks for facilities that discharge into saline waters. The addition of these benchmarks was necessary to provide an appropriate indicator of the performance of the measures undertaken to meet the effluent limitations contained in the permit where stormwater is discharged into saline waters. Benchmark values in the 2008 MSGP for these metals were based on acute or chronic aquatic life freshwater criteria. These additional saline benchmark values are based on available acute ambient water quality criteria for arsenic, cadmium, copper, cyanide, lead, mercury, nickel, selenium, silver and zinc.

11. Industry Sector-specific Requirements. The draft MSGP includes changes to the several of the sector-specific requirements in Part 8 as summarized below.

- Sector G, Metal Mining; Sector H, Coal Mining; and Sector J, Mineral Mining and Dressing—Consistent with the 2008 MSGP, the draft 2013 MSGP enables operators for these sectors to include coverage for construction and exploration activities under this permit, instead of being separately covered under the Construction General Permit (CGP). The draft MSGP includes updated sector-specific requirements for these sectors that are consistent with the reissued 2012 CGP.
- Sector S, Air Transportation—The draft MSGP includes added sector-specific requirements for Sector S that are based on the final Effluent Limitation Guidelines (ELG) for airplane and airport deicing operations.

12. Discharges to a CERCLA Site. The draft MSGP makes facilities discharging to CERCLA sites as defined in Appendix A and listed in Appendix P ineligible for coverage under the permit unless the applicable EPA Regional Office is first notified and has determined that the facility is eligible for permit coverage. In determining eligibility for coverage, the EPA Regional Office may evaluate whether the facility has included appropriate controls and implementation procedures designed to ensure that the discharge will not lead to recontamination of aquatic media at the CERCLA Site.

EPA has also included in the fact sheet a request for comment on potential permit requirements for certain toxic pollutants in industrial stormwater discharges. EPA is concerned that current 2008 and draft 2013 Multi-Sector General Permit requirements may not adequately prevent certain, particularly problematic toxic pollutants in stormwater discharges from causing sediment contamination and recontamination of Superfund cleanup sites and/or presenting an imminent and substantial endangerment to human health or welfare or the environment. One approach under consideration is to identify and list in the permit certain toxic pollutants of concern that are especially problematic and to make ineligible under the MSGP any discharge of these pollutants above the detection limit. The industrial operator would have to either eliminate such discharges or apply for an individual permit. EPA requests comment on this approach where highly toxic pollutants in stormwater discharges are linked to sediment contamination that may recontaminate or over time create future Superfund sites or that present or may present an imminent and substantial endangerment to human health, or welfare, or the environment. EPA also solicits comment on what criteria should be used to identify the toxic pollutants that would be subject to such a provision. Additionally, EPA solicits comments on alternative approaches to address this problem.

IV. Executive Orders 12866 and 13563

Under Executive Order (EO) 12866 (58 FR 51735 (October 4, 1993)) this action is a ''significant regulatory action.'' Accordingly, EPA submitted this action to the Office of Management and Budget (OMB) for review under Executive Orders 12866 and 13563 and any changes made in response to OMB recommendations have been documented in the docket for this action.

V. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments

In compliance with Executive Order 13175, EPA has consulted with tribal officials to gain an understanding of and, where necessary, to address tribal implications of the draft MSGP. In the course of this consultation, EPA undertook the following activities:

- December 11, 2012—EPA presented an overview of the current MSGP and potential changes in the draft 2013 MSGP to the National Tribal Caucus.
- December 12, 2012—EPA presented an overview of the current MSGP and potential changes in the draft 2013 MSGP to the National Tribal Water Council.
- *December 12, 2012*—EPA mailed out notification letters out to Tribal Leaders initiating consultation and coordination on the renewal of the MSGP. The initiation letter was posted on the tribal portal Web site at *http://www.epa.gov/tribal/consultation.*
- *January 15, 2013*—EPA held an informational teleconference open to all tribal representatives, and reserved the last part of the teleconference for official consultation comments. EPA also invited tribes to submit written comments on the permit renewal. The presentation was posted on the tribal portal Web site at *http://www.epa.gov/tribal/consultation.*

EPA also encourages tribes to participate in the public review process by submitting comments through regulations.gov.

VI. Analysis of Economic Impacts

EPA expects the economic impact on entities covered under this permit, including small businesses, to be minimal. A copy of EPA's economic analysis, titled, ''Cost Impact Analysis for the Multi-Sector General Permit (MSGP)'' is available in the docket for this permit. The economic impact analysis indicates that while there will be some incremental increase in the costs of complying with the new permit, these costs will not have a significant economic impact on a substantial number of small entities.

Authority: Clean Water Act, 33 U.S.C. 1251 et seq.

Dated: September 17, 2013.

Michael Kenyon,

Acting Deputy Regional Administrator, EPA Region 1.

Dated: September 17, 2013.

Jose C. Font,

Director, Caribbean Environmental Protection Division, EPA Region 2.

Dated: September 17, 2013.

Jon M. Capacasa,

Director, Water Protection Division, EPA Region 3.

Dated: September 17, 2013.

Tinka G. Hyde,

Director, Water Division, EPA Region 5.

Dated: September 16, 2013.

William K. Honker,

Director, Water Quality Protection Division, EPA Region 6.

Dated: September 16, 2013.

Karen Flournoy,

Director, Water, Wetlands, and Pesticides Division, EPA Region 7.

Dated: September 16, 2013.

Derrith R. Watchman-Moore,

Assistant Regional Administrator, Office of Partnerships and Regulatory Assistance, EPA Region 8.

Dated: September 13, 2013.

John Kemmerer,

Acting Director, Water Division, EPA Region 9.

Dated: September 17, 2013.

Daniel D. Opalski,

Director, Office of Water and Watersheds, EPA Region 10.

[FR Doc. 2013–23660 Filed 9–26–13; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[ER–FRL–9011–4]

Environmental Impacts Statements; Notice of Availability

Responsible Agency: Office of Federal Activities, General Information (202) 564–7146 or *http://www.epa.gov/compliance/nepa/.*

Weekly receipt of Environmental Impact Statements.

Filed 09/16/2013 Through 09/20/2013.

Pursuant to 40 CFR 1506.9.

Notice

Section 309(a) of the Clean Air Act requires that EPA make public its comments on EISs issued by other Federal agencies. EPA's comment letters on EISs are available at: *http://www.epa.gov/compliance/nepa/eisdata.html*

EIS No. 20130278, Final EIS, EPA, LA, Designation of the Atchafalaya River Bar Channel Ocean Dredged Material Disposal Site, Review Period Ends: 10/28/2013, Contact: Jessica Franks 214–665–8335.

EIS No. 20130279, Draft EIS, BLM, ND, North Dakota Greater Sage-Grouse Draft Resource Management Plan Amendment, Comment Period Ends: 12/26/2013, Contact: Ruth Miller 406–896–5023.

EIS No. 20130280, Draft EIS, BLM, NV, 3 Bars Ecosystem and Landscape Restoration Project, Comment Period Ends: 11/12/2013, Contact: Chad Lewis 775–635–4000.

EIS No. 20130281, Final EIS, USFS, MT, Kootenai National Forest Land Management Plan Revision, Review Period Ends: 11/26/2013, Contact: Paul Bradford 406–293–6211.

EIS No. 20130282, Final EIS, USFS, WY, Clinker Mining Addition Project, Medicine Bow-Routt National Forests and Thunder Basin National Grassland, Review Period Ends: 11/04/2013, Contact: Misty Hays 307–358–4690. The above project was inadvertently omitted from the **Federal Register** Notice published on 09/20/2013.

EIS No. 20130283, Draft EIS, WAPA, USFS, 00, Reauthorization of Permits, Maintenance, and Vegetation Management on Western Area Power Administration Transmission Lines on Forest Service Lands, Comment Period Ends: 11/12/2013, Contact: Jim Hartman 720–962–7255. The U.S. Department of Energy's Western Area Power Administration and the U.S. Department of Agriculture's Forest Service are joint lead agencies for the above project.

EIS No. 20130284, Draft Supplement, GSA, CA, San Ysidro Land Port of Entry Improvements Project, Comment Period Ends: 11/12/2013, Contact: Osmahn Kadri 415–522–3617.

EIS No. 20130285, Final EIS, FHWA, FL, St. Johns River Crossing, Review Period Ends: 10/28/2013, Contact: Cathy Kendal 850–553–2225.

EIS No. 20130286, Final EIS, FHWA, FL, US 301 (SR 200) from CR 227 to CR 233, Review Period Ends: 10/29/2013, Contact: Joseph Sullivan 850–553–2248.

Amended Notices

EIS No. 20130148, Draft Supplement, USACE, FL, Jacksonville Harbor Navigation, Comment Period Ends: 10/24/2013, Contact: Paul Stodola 904–232–3271 Revision to FR Notice Published 08/09/2013; Extending

Comment Period from 09/30/2013 to 10/24/2013.

EIS No. 20130252, Final EIS, USN, CA, Hawaii-Southern California Training and Testing, Review Period Ends: 10/28/2013, Contact: Cory Scott 808–472–1420 Revision to FR Notice Published 08/30/2013; Extending the Review Period from 09/30/2013 to 10/28/2013, due to pages inadvertently omitted from the original filing.

EIS No. 20130259, Final EIS, FTA, MD, Purple Line Draft Section 4(f) Evaluation, Review Period Ends: 10/21/2013, Contact: Daniel Koenig 202–219–3528 Revision to FR Notice Published 09/06/2013; Extending Review Period from 10/07/2013 to 10/21/2013.

Dated: September 24, 2013.

Cliff Rader,

Director, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. 2013–23652 Filed 9–26–13; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–9901–43–OA]

Notification of Two Public Teleconferences of the Chartered Science Advisory Board

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The EPA Science Advisory Board (SAB) Staff Office announces two public teleconferences of the Chartered Science Advisory Board Panel to discuss information about EPA actions provided in the Spring 2013 Unified (Regulatory) Agenda.

DATES: The public teleconferences will be held on Friday, October 25, 2013 from 1:30 p.m. to 5:00 p.m. (Eastern Time) and on Wednesday, October 30, 2013 from 1:30 p.m. to 5:00 p.m. (Eastern Time).

Location: The public teleconference will be conducted by telephone only.

FOR FURTHER INFORMATION CONTACT: Any member of the public wishing to obtain information concerning the public teleconferences may contact Dr. Angela Nugent, Designated Federal Officer (DFO), EPA Science Advisory Board Staff Office (1400R), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue NW., Washington, DC 20460; by telephone/voice mail at (202) 564–2218 or at *nugent.angela@epa.gov*. General information about the SAB as well as any updates concerning the teleconferences announced in this notice may be found on the EPA Web site at *http://www.epa.gov/sab*.

SUPPLEMENTARY INFORMATION: The SAB was established pursuant to the Environmental Research, Development, and Demonstration Authorization Act (ERDDAA), codified at 42 U.S.C. 4365, to provide independent scientific and technical advice to the Administrator on the technical basis for Agency positions and regulations. The SAB is a Federal Advisory Committee chartered under the Federal Advisory Committee Act (FACA), 5 U.S.C., App. 2. The SAB will comply with the provisions of FACA and all appropriate SAB Staff Office procedural policies. Pursuant to FACA and EPA policy, notice is hereby given that the SAB will hold two public teleconferences to discuss and deliberate on the topic below.

As part of the EPA's effort to routinely inform the SAB about proposed and planned agency actions that have a scientific or technical basis, the agency provided notice to the SAB that the Office of Management and Budget published the ''Unified (Regulatory) Agenda'' on the Web on July 3, 2013 (*http://www.reginfo.gov/public/do/eAgendaMain*).

During the October 25, 2013 teleconference, the SAB will discuss whether it should provide advice and comment on the adequacy of the scientific and technical basis for EPA actions included in the Agenda. The October 30, 2013 teleconference will be held only if the chartered SAB has not completed its deliberations at the close of the October 25, 2013 discussion.

Availability of Meeting Materials: Agendas and materials in support of these teleconferences will be placed on the EPA Web site at *http://www.epa.gov/sab* in advance of the teleconferences.

Procedures for Providing Public Input: Public comment for consideration by EPA's federal advisory committees and panels has a different purpose from public comment provided to EPA program offices. Therefore, the process for submitting comments to a federal advisory committee is different from the process used to submit comments to an EPA program office.

Federal advisory committees and panels, including scientific advisory committees, provide independent advice to EPA. Members of the public can submit comments for a federal advisory committee to consider as it develops advice for EPA. Input from the public to the SAB will have the most impact if it provides specific scientific or technical information or analysis for SAB panels to consider or if it relates to the clarity or accuracy of the technical information. Members of the public wishing to provide comment should contact the Designated Federal Officer directly. *Oral Statements:* In general, individuals or groups requesting an oral presentation at a teleconference will be limited to three minutes. Each person making an oral statement should consider providing written comments as well as their oral statement so that the points presented orally can be expanded upon in writing. Interested parties should contact Dr. Angela Nugent, DFO, in writing (preferably via email) at the contact information noted above by October 18, 2013, to be placed on the list of public speakers. *Written Statements:* Written statements should be supplied to the DFO via email at the contact information noted above by October 18, 2013 so that the information may be made available to the Board members for their consideration. Written statements should be supplied in one of the following electronic formats: Adobe Acrobat PDF, MS Word, MS PowerPoint, or Rich Text files in IBM–PC/Windows 98/2000/XP format. It is the SAB Staff Office general policy to post written comments on the Web page for the advisory meeting or teleconference. Submitters are requested to provide an unsigned version of each document because the SAB Staff Office does not publish documents with signatures on its Web sites. Members of the public should be aware that their personal contact information, if included in any written comments, may be posted to the SAB Web site. Copyrighted material will not be posted without explicit permission of the copyright holder.

Accessibility: For information on access or services for individuals with disabilities, please contact Dr. Angela Nugent at (202) 564–2218 or *nugent.angela@epa.gov*. To request accommodation of a disability, please contact Dr. Nugent preferably at least ten days prior to the teleconference to give EPA as much time as possible to process your request.

Dated: September 19, 2013.

Thomas H. Brennan,

Deputy Director, EPA Science Advisory Staff Office.

[FR Doc. 2013–23677 Filed 9–26–13; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPPT–2012–0724; FRL–9400–5]

Antimony Trioxide TSCA Chemical Risk Assessment; Notice of Public Meetings and Opportunity To Comment

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA's contractor, The Scientific Consulting Group (SCG), Inc., has identified a panel of scientific experts to conduct a peer review of EPA's draft Toxic Substances Control Act (TSCA) chemical risk assessment, ''TSCA Workplan Chemical Risk Assessment for Antimony Trioxide.'' EPA will hold three peer review meetings by web connect and teleconference. EPA invites the public to register to attend the meetings as observers and/or speakers providing oral comments during any or all of the peer review meetings as discussed in this notice. The public may also provide comment on whether they believe the appearance of conflict of interest exists for any proposed peer review panel expert.

DATES: *Meetings.* The peer review meetings will be held on Wednesday, October 16, 2013, from 10:30 a.m. to 12:30 p.m., EDT; Thursday, October 31, 2013, from noon to 5:00 p.m., EDT; and Wednesday, November 14, 2013, from noon to 2:00 p.m., EST.

Conflict of interest comments. Comments on the appearance of a conflict of interest for any proposed peer review panel expert must be submitted on or before October 18, 2013.

Comments. Written comments must be submitted on or before November 7, 2013, to be sure they are contained in the peer review record and are available to the peer reviewers.

Registration for meetings: To participate in any of the public peer review meetings, you must register no later than 11:59 p.m., EDT, on October 13, 2013.

ADDRESSES: *Meetings.* Meetings will be held via web connect and teleconferencing. See Unit III.C. in **SUPPLEMENTARY INFORMATION.**

Registration. See Unit III. in **SUPPLEMENTARY INFORMATION.**

Comments. Submit your comments, identified by docket identification (ID) number EPA–HQ–OPPT–2012–0724, by one of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Mail:* Document Control Office (7407M), Office of Pollution Prevention and Toxics (OPPT), Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460–0001.
- *Hand Delivery:* OPPT Document Control Office (DCO), EPA William Jefferson Clinton Complex East, Rm. 6428, 1201 Constitution Ave. NW., Washington, DC. ATTN: Docket ID Number EPA–HQ–OPPT–2012–0724. The DCO is open from 8 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The telephone number for the DCO is (202) 564–8930. Such deliveries are only accepted during the DCO's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

Instructions: Direct your comments to docket ID number EPA–HQ–OPPT–2012–0724. EPA's policy is that all comments received will be included in the docket without change and may be made available online at *http://www.regulations.gov,* including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through regulations.gov or email. The regulations.gov Web site is an ''anonymous access'' system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to EPA without going through regulations.gov, your email address will be automatically captured and included as part of the comment that is placed in the docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD–ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

Docket: All documents in the docket are listed in the docket index available at *http://www.regulations.gov.* Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either in the electronic docket at *http://www.regulations.gov,* or, if only available in hard copy, at the OPPT Docket. The OPPT Docket is located in the EPA Docket Center (EPA/DC) at Rm. 3334, EPA William Jefferson Clinton Complex West, 1301 Constitution Ave. NW., Washington, DC. The EPA/DC Public Reading Room hours of operation are 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number of the EPA/DC Public Reading Room is (202) 566–1744, and the telephone number for the OPPT Docket is (202) 566–0280. Docket visitors are required to show photographic identification, pass through a metal detector, and sign the EPA visitor log. All visitor bags are processed through an X-ray machine and subject to search. Visitors will be provided an EPA/DC badge that must be visible at all times in the building and returned upon departure.

FOR FURTHER INFORMATION CONTACT: *For technical information contact:* Stan Barone, Jr., Risk Assessment Division (7403M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460–0001; telephone number: (202) 564–1169; email address: *barone.stan@epa.gov.*

For peer review meeting logistics or registration contact: Susie Warner, Scientific Consulting Group (SCG), Inc., 656 Quince Orchard Rd., Suite 210, Gaithersburg, MD 20878–1409; telephone number: (301) 670–4990, ext. 227; fax number: (301) 670–3815; email address: *SWARNER@scgcorp.com.*

For general information contact: The TSCA-Hotline, ABVI-Goodwill, 422 South Clinton Ave., Rochester, NY 14620; telephone number: (202) 554–1404; email address: *TSCA-Hotline@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

This action is directed to the public in general, and may be of interest to a wide range of stakeholders including those interested in environmental and human health assessment, the chemical industry, chemical users, consumer product companies, and members of the public interested in the assessment of chemical risks. Since others also may be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action.

B. What should I consider as I prepare my comments for EPA?

1. *Submitting CBI.* Do not submit this information to EPA through regulations.gov or email. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD–ROM that you mail to EPA, mark the outside of the disk or CD–ROM as CBI and then identify electronically within the disk or CD–ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for preparing your comments.* When submitting comments, remember to:

i. Identify the document by docket ID number and other identifying information (subject heading, **Federal Register** date and page number).

ii. Follow directions. The Agency may ask you to respond to specific questions or organize comments by referencing a Code of Federal Regulations (CFR) part or section number.

iii. Explain why you agree or disagree; suggest alternatives and substitute language for your requested changes.

iv. Describe any assumptions and provide any technical information and/or data that you used.

v. If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.

vi. Provide specific examples to illustrate your concerns and suggest alternatives.

vii. Explain your views as clearly as possible, avoiding the use of profanity or personal threats.

viii. Make sure to submit your comments by the comment period deadline identified.

II. Background

On January 9, 2013, EPA published a notice in the **Federal Register** (78 FR 1856) (FRL–9375–1) on the availability of five draft TSCA chemical risk assessments for public comment. The Agency also asked for nominations for external experts to conduct peer reviews of the draft TSCA risk assessments, including one titled, ''TSCA Workplan Chemical Risk Assessment for Antimony Trioxide (ATO).'' Antimony trioxide (CASRN 1309–64–4) is one of 83 chemicals identified for review and assessment in EPA's TSCA Workplan, which was released on March 1, 2012, at *http://www.epa.gov/oppt/existingchemicals/pubs/workplans.html.*

This information is distributed solely for the purpose of pre-dissemination peer review under applicable information quality guidelines. It has not been formally disseminated by EPA. It does not represent and should not be construed to represent any Agency determination or policy.

The draft ATO TSCA risk assessment is being peer reviewed consistent with guidelines for the peer review of influential scientific information and highly influential scientific assessments. EPA asked a contractor, SCG, to assemble a panel of experts to evaluate the draft ATO TSCA risk assessment report for specific uses of ATO. SCG evaluated 4 candidates that were nominated as peer reviewers by the February 8, 2013 deadline established in the January 9, 2013 **Federal Register** notice and evaluated over 100 additional experts before submitting the proposed peer review panel members. The proposed peer review panel was vetted by the contractor for conflict of interest and the appearance of bias according to Agency peer review guidance as detailed in the contract. This proposed peer review panel includes: Anne Fairbrother (chair), Vincent Rudigar Battersby, Jim Deyo, Bruce Hope, Larry Kapustka, Wayne Landis, David Ostrach, Daniel Schlenk, Erik Smolders, and Maria Soledad Supelveda.

The biographies are available in the docket (docket ID number EPA–HQ–OPPT–2012–0724). The public may provide comments to the same docket for the draft ATO TSCA risk assessment on the appearance of a conflict of interest for any proposed peer review panel member. This comment period on the peer review panel membership closes on October 18, 2013. The final list of peer review panel members will be available on the SCG's Web site at *http://www.scgcorp.com.*

The peer review panel is responsible for the review of the scientific and technical merit of the draft ATO TSCA risk assessment, which is available through *http://www.regulations.gov* and at h*ttp://www.epa.gov/oppt/existingchemicals/pubs/workplans.html.* The peer review panel will not address potential policy implications or risk management options that may result from the draft ATO TSCA risk assessment. Members of the public may register to attend any or all three meetings as observers and may also register to offer oral comments on each day of the meetings. A registered speaker is encouraged to focus on issues directly relevant to science-based aspects of the draft ATO TSCA risk assessment.

The first peer review meeting on October 16, 2013, will be dedicated to hearing registered speakers' oral comments on the draft ATO TSCA risk assessment and reviewing the charge to the peer reviewers. Each speaker is allowed between 3–5 minutes, depending on the number of registered speakers. Given time constraints, a maximum of 30 speakers will be allowed to offer comments. If more than 30 speakers register to provide oral comments, speakers will be selected by SCG in a manner designed to optimize representation from all organizations, affiliations, and present a balance of science issues relevant to the Agency's TSCA risk assessment. Peer review panel members will have access to written comments and materials and electronic materials submitted to the docket by November 7, 2013. Registered observers and speakers will not be allowed to distribute any written comments or materials or electronic materials directly to the peer review panel members. To submit written comments, please follow one of the methods outlined in **ADDRESSES**. The public comment period closes on October 23, 2013.

The second peer review panel meeting on October 31, 2013, will be devoted to deliberations of the draft ATO TSCA risk assessment by the peer review panel, guided by the charge questions to the peer review panel.

The third and final peer review panel meeting on November 14, 2013, will focus on the peer review panel's discussion of its draft ATO TSCA risk assessment recommendations to EPA, which will be posted on the contractor Web site prior to the final peer review meeting. The final peer review panel report will be prepared by SCG and made available to the public according to the Agency peer review guidance at *http://www.epa.gov/peerrevie*w. EPA will consider SCG's peer review panel report of the comments and recommendations from the three peer review meetings, as well as written comments and materials and electronic materials in the docket at *http://www.regulations.gov,* as it proceeds to finalize the ATO TSCA risk assessment.

If potential risks are indicated in the revised risk assessment following peer review and public comment, the Agency will take the necessary risk reduction efforts as warranted. If no risks are identified in the revised risk assessment following revision in response to peer

review, then the Agency may conclude its work on the chemical being assessed.

III. How can I request to participate in these meetings?

A. Registration

To attend the peer review meetings, you must register for the meeting no later than 11:59 p.m., EDT, on October 13, 2013. To register for the meeting, go to *www.scgcorp.com/ATO2013,* complete the online registration form, and submit the required information. You may also register through the U.S. Postal Service or by overnight/priority mail by sending the necessary registration information (see Unit III.B.) to the SCG Meeting Coordinator, Ms. Susie Warner. The U.S. Postal Service or overnight/priority mail address is: The Scientific Consulting Group, Inc., 656 Quince Orchard Rd., Suite 210, Gaithersburg, MD 20878–1409. For questions or additional information, contact Ms. Warner by: Telephone number: (301) 670–4990, ext. 227; fax: (301) 670–3815; or email: *SWARNER@scgcorp.com.* Registrations sent via U.S. Postal Service or overnight/priority mail must be received no later than 11:59 p.m., EDT, on September 23, 2013. There will be no on-site registration, so members of the public who do not register by 11:59 p.m., EDT, on October 13, 2013, using one of the methods described in this unit, may not receive web access information in time to attend the first peer review meeting.

B. Required Registration Information

Members of the public may register to attend any or all three meetings as observers, or register to speak if planning to offer oral comments during the scheduled public comment session of a meeting. To register for the meetings online or by mail, you must provide your full name, organization or affiliation, and contact information. You must also indicate which meetings you plan to attend and if you would like to speak during the scheduled public comment session of a meeting. If you register to speak, you must also indicate if you have any special requirements related to your oral comments (e.g., translation).

If you indicate that you wish to speak, you will be asked to select one category most closely reflecting the content of your oral comments. These comment categories related to the charge questions are:

1. General comments on the risk assessment document.
2. Comments on the exposure assessment.
3. Comments on the hazard assessment.
4. Comments on the risk characterization.
5. Other issues.

Should more than 30 speakers register for a single meeting, these categories will be used to ensure that a balance of substantive science issues relevant to the assessment is heard. Additional information on the selection of speakers and speaking times will be sent out by SCG 3 days prior to each peer review meeting to all individuals registered to speak.

To accommodate as many registered speakers as possible, registered speakers may present oral comments only, without visual aids or written material. Peer review panel members will have access to any written comments and materials and electronic materials previously submitted to the docket. Registered observers and speakers will not be allowed to distribute any written comments and materials or electronic materials directly to the peer review panel members.

C. Web Meeting Access

Each peer review meeting will be held via web connect and teleconferencing. SCG will provide all registered participants with information on how to participate in advance of the first peer review meeting.

List of Subjects

Environmental protection, Antimony trioxide, Chemicals, Peer review, Risk assessments.

Dated: September 18, 2013.

Wendy C. Hamnett,

Director, Office of Pollution Prevention and Toxics.

[FR Doc. 2013–23634 Filed 9–24–13; 4:15 pm]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–9901–45-Region2]

New York State Prohibition of Discharges of Vessel Sewage; Receipt of Petition and Tentative Affirmative Determination

AGENCY: Environmental Protection Agency (EPA).

ACTION: Receipt of petition and tentative affirmative determination.

SUMMARY: Notice is hereby given that, pursuant to Clean Water Act Section 312(f)(3), the State of New York has determined that the protection and enhancement of the quality of the New York State (NYS or the State) area of Lake Erie requires greater environmental protection, and has petitioned the United States Environmental Protection Agency, Region 2, for a determination that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for those waters, so that the State may completely prohibit the discharge from all vessels of any sewage, whether treated or not, into such waters.

NYS has proposed to establish a ''Vessel Waste No Discharge Zone'' for the NYS area of Lake Erie stretching from the Pennsylvania-New York State boundary to include the upper Niagara River to Niagara Falls. The proposed No Discharge Zone encompasses approximately 593 square miles and 84 linear shoreline miles, including the navigable portions of the Upper Niagara River and numerous other tributaries and harbors, embayments of the Lake including Barcelona Harbor, Dunkirk Harbor and Buffalo Outer Harbor, and other formally designated habitats and waterways of local, state, and national significance.

On December 6, 2012, the EPA completed the review of NYS's petition and issued a tentative affirmative determination in the **Federal Register** that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels for such waters are reasonably available. During the 30-day public comment period, the EPA received significant comments regarding the availability of adequate pumpouts for commercial vessels. Specifically, two commenters submitted that the December 6, 2012 notice did not contain adequate information about the availability of pumpout facilities for large commercial vessels. Therefore, the EPA and New York State collected additional information to demonstrate the reasonable availability of pumpout services for commercial vessels that use the New York area of Lake Erie. The EPA hereby republishes its tentative affirmative determination with the additional information included.

DATES: Comments regarding this tentative determination are due by October 28, 2013.

Petition: The Lake Erie No Discharge Zone Petition is available at: *http://www.epa.gov/region2/water/permits.html.*

ADDRESSES: You may submit comments by any of the following methods:

- *Email: chang.moses@epa.gov.* Include ''Comments on Tentative Affirmative Decision for NYS Lake Erie NDZ'' in the subject line of the message.
- *Fax:* 212–637–3891.
- *Mail and Hand Delivery/Courier:* Moses Chang, U.S. EPA Region 2, 290

Broadway, 24th Floor, New York, NY 10007–1866. Deliveries are only accepted during the Regional Office's normal hours of operation (8 a.m. to 5 p.m., Monday through Friday, excluding federal holidays.)

FOR FURTHER INFORMATION CONTACT: Moses Chang, (212) 637–3867, email address: *chang.moses@epa.gov.*

SUPPLEMENTARY INFORMATION: Notice is hereby given that the State of New York has petitioned the United States Environmental Protection Agency, Region 2, (EPA) pursuant to section 312(f)(3) of Public Law 92–500 as amended by Public Law 95–217 and Public Law 100–4, that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for the NYS area of Lake Erie.

New York State's Certification of Need

The New York State Department of Environmental Conservation (DEC) developed its petition in collaboration with the New York State Department of State (DOS) and the New York State Environmental Facilities Corporation (EFC) in order to establish a vessel waste No Discharge Zone (NDZ) on the open waters, tributaries, harbors and embayments of the New York State area of Lake Erie, and has submitted a Certification of the Need for Greater Protection and Enhancement of Lake Erie waters. Below is a summary of the basis for New York's certification.

The Great Lakes are the largest group of freshwater lakes on Earth, containing 95% of the fresh surface water in the United States and acting as the largest single reservoir on Earth. The glacial history and the influence of the Lakes themselves create unique conditions that support a wealth of biological diversity, including over 200 globally rare plants and animals and more than 40 species that are found nowhere else in the world.

Lake Erie is the smallest and shallowest of the Great Lakes, with depths that range from an approximate average of 24 feet in the western basin, to 82 feet in the deeper eastern basin. Because of its shallowness, it warms quickly in the spring and summer and cools quickly in the fall. As a result, Lake Erie is the most biologically productive of the Great Lakes.

The Lake Erie watershed is also home to approximately one-third of the total human population of the Great Lakes basin—11.6 million people (10 million in the U.S. and 1.6 million in Canada), including 17 metropolitan areas with more than 50,000 residents. The majority, 11 million people, receive their drinking water from the Lake. Of all the Great Lakes, Lake Erie is exposed to the greatest stress from urbanization, industrialization and agriculture. Because the Lake Erie basin supports the largest population, it also surpasses all the other Great Lakes in the amount of effluent discharged from sewage treatment plants.

There are 18 designated Significant Coastal Fish and Wildlife Habitats in the two counties that comprise New York's Lake Erie shoreline including: Cattaraugus Creek, Dunkirk Harbor, Buckhorn Island Wetlands and Grand Island Tributaries. These habitats are essential to the survival of a large portion of lake fish or wildlife population and support populations of species which are of special concern and which have significant commercial, recreational, and educational value.

The New York State shoreline and waters of Lake Erie also host a variety of swimming, boating and recreational activities. These recreational activities act as a source of revenue to the regional economy by bringing people to the shoreline, where they patronize local businesses.

Virtually all of Lake Erie is classified by New York State as Class A waters. This classification means that the best uses of these waters are for drinking, culinary or food processing purposes, recreation and fishing, and that the waters shall be suitable for fish, shellfish, and wildlife propagation and survival. Also, when the water in the Lake is used as a source of drinking water, it must comply with the New York State Department of Health's (DOH) drinking water safety standards. There are currently six New York municipal and community water supplies, including Buffalo and Erie County, that draw water from Lake Erie to serve approximately 275,000 people.

In summary, as one of the nation's premier water bodies, Lake Erie supports several important uses, including drinking water supplies, valuable habitats, commercial shipping, recreational boating and other recreational activities, and serves as an economic engine for the region. The protection and enhancement of the open waters, tributaries, harbors and embayments of the New York State area of Lake Erie require greater protection than is afforded by applicable federal standards. An NDZ designation covering the NYS waters of the Lake represents one component of a comprehensive approach to water quality management, which also includes initiatives to control point and non-point source pollution, including pollution associated with municipal discharges, combined sewer overflows, and storm water runoff.

Adequacy and Availability of Sewage Pumpout Facilities

Adequate pumpout facilities for recreational vessels are defined, under the Clean Vessel Act, as one pumpout station for every 300—600 boats. *See* Clean Vessel Act: Pumpout Station and Dump Station Technical Guidelines (**Federal Register**, Vol. 59, No. 47, March 10, 1994). Two major sources of information were consulted to develop a reasonable estimate of recreational vessel population. The first was DOS's Clean Vessel Act Plan (''Statewide Plan''), released in 1996. Using data from the Statewide Plan, the estimated number of recreational vessels in each of the counties bordering Lake Erie is 2,029. The second source for the State's estimate of the recreational vessel population is boater registrations, obtained through the New York State Office of Parks, Recreation and Historic Preservation's 2010 Boating Report (OPRHP Report) for the counties of Erie and Chautauqua (all of which have shoreline on Lake Erie). The data in the OPRHP Report yields an estimate of 2,204 vessels with marine sanitation devices (MSDs) in the respective counties, which are assumed to operate in Lake Erie.

The State provided sufficient information about fifteen pumpout facilities that are publicly available for use by recreational and small commercial vessels in the New York State area of Lake Erie, and which either discharge to a holding tank, to a municipal wastewater treatment plant or to an on-site septic system. All fifteen were created through funding provided by the Clean Vessel Assistance Program (CVAP), and are thus required to be open to the public. Nine additional marinas are located along Lake Erie in New York State, including five at which CVAP funding could support the development of future pumpout facilities for recreational and small commercial vessels. However, only the fifteen CVAP funded facilities were considered in determining the adequacy and availability of pumpout facilities for those vessels. Those facilities are summarized in Table 1, below. Using those fifteen facilities, and the most conservative estimate of small vessel usage of the NYS area of the Lake, the ratio of pumpout facilities to recreational vessels is 15:2,204, or 1:147. This ratio falls well within the range recommended in the Clean Vessel Act guidance, and therefore demonstrates that adequate pumpout facilities for the safe and sanitary

removal and treatment of sewage for recreational and small commercial vessels are reasonably available for the New York State area of Lake Erie.

Lake Erie is also used by large commercial vessels. The commercial vessel population was estimated using data from the National Ballast Information Clearinghouse, which records ballast water discharge reports for ships arriving, among other places, at the commercial ports in Buffalo and Lackawanna. In 2010, ballast manifests showed 62 vessels arriving at the Port of Buffalo and one arriving at the Gateway Metroport, in Lackawanna. The majority (58) of these vessels were bulkers, with two passenger ship arrivals and one more listed as ''other.'' The single arrival in Lackawanna was also a bulker. Two commenters representing commercial vessel operators submitted comments stating that more than 62 large commercial vessels use the New York State area of Lake Erie. One commenter estimated that the number was closer to 80, while the other commenter estimated that the number was ''over a hundred.''

Although there is no fixed commercial vessel pumpout facility at either the Port of Buffalo or the Port of Lackawanna, information submitted in the petition, and by companies that provide mobile pumpout services, demonstrates that at least four companies are available and qualified to provide pumpout services to large commercial vessels at either port. In addition to commenting on the number of commercial vessels using the NYS area of Lake Erie, the two commenters submitted criteria they believe are necessary for determining whether a pumpout truck is able to service their vessels. Those criteria were taken into consideration, and were partially incorporated into the list of final criteria the EPA used to determine the reasonable availability of those services. In addition, one commenter confirmed that, while large commercial vessels can hold multiple thousands of gallons of wastewater, it is more likely that when these vessels discharge sewage, their holding tanks contain less than 4,000 gallons of wastewater. Based on all of this information, the EPA had determined that four mobile pumpout companies, with approximately ten pumpout trucks (listed in Table 2, below), are able to provide pumpout services to large commercial vessels at the ports of Buffalo and Lackawanna. Assuming, conservatively, that 100 large commercial vessels use the NYS area of Lake Erie and given that at least four companies with as many as ten pumpout trucks are able to provide pumpout services to these vessels at both New York ports, the ratio of pumpout facilities to commercial vessels is at least 4:100, or 1:25. While the Clean Vessel Act guidance applies, by its terms, only to recreational vessels, the ratio it recommends is instructive for purposes of determining the reasonable availability of pumpout services for large commercial vessels as well. In light of the relatively low ratio of pumpout companies to large commercial vessels (and the even lower ratio of pumpout *trucks* to large commercial vessels), adequate pumpout facilities for the safe and sanitary removal of sewage for large commercial vessels are reasonably available for the New York State area of Lake Erie.

TABLE 1—LIST OF SEWAGE PUMPOUT STATIONS IN THE PROPOSED LAKE ERIE NDZ SERVING RECREATIONAL AND SMALL COMMERCIAL VESSELS

No.	Name	Location	Contact information	Days and hours of operation	Water depth (feet)	Fee
1	City of Dunkirk—Municipal Dock.	Dunkirk Harbor	716–366–9882	April 1–November 15, 6 a.m.–6 p.m..	6′–7′	$5.00
2	Niagara Frontier Trans. Authority—Small Boat Harbor.	Buffalo Harbor and Buffalo River.	716–855–7230	May 15–October 15, 7:00 a.m.–10:30 p.m..	6′–8′	0.00
3	RCR Yachts Skyway Marina.	Buffalo Harbor and Buffalo River.	716–856–6314	April 1–November 30, 8:30 a.m.–5:30 p.m..	12′	5.00
4	City of Buffalo—Erie Basin Marina.	Buffalo Harbor and Buffalo River.	716–851–5389	May 1–October 15, 7:00 a.m.–7:00 p.m..	10′	6.50
5	Rich Marine Sales, Inc	Buffalo Harbor and Buffalo River.	716–873–4060	May 1–November 1, 9:00 a.m.–5:00 p.m..	6′	5.00
6	Harbour Place Marine Sales, Inc.	Buffalo Harbor and Buffalo River.	716–876–5944	April 15–October 31, 24 Hours.	12′	5.00
7	NYSOPRHP—Beaver Island State Park Transient Marina.	Grand Island	716–278–1775	May 15–October 15, 24 Hours.	10′	5.00
8	Blue Water Marine	Grand Island	716–773–7884	May 1–November 1, 9:00 a.m.–7:00 p.m..	5′	0.00
9	Mid River Marina Inc	Tonawanda Creek	716–875–7447	April 1–September 30, 9:00 a.m.–6:00 p.m..	5′	5.00
10	Collins Marine Inc	Tonawanda Creek	716–875–6000	April 1–November 1, 24 Hours.	6′	5.00
11	The Shores/Placid Harbor Marine—Tonawanda Marine Develop Corp..	Tonawanda Creek	716–625–8235	April 15–October 15, 9:00 a.m.–9:00 p.m..	12′	5.00
12	Niagara River Yacht Club	Tonawanda Creek	716–693–2882	May 1–November 1, Dusk–Dawn.	NA	3.00
13	Smith Boys of North Tonawanda—Upgrade.	Tonawanda Creek	716–695–3472	April–November, 24 Hours.	8′	0.00
14	East Pier Marine, Inc	Tonawanda Creek	716–693–6604	May 1–November 15, 9:00 a.m.–8:00 p.m..	5′	5.00
15	NYSOPRHP—Big Six Mile Creek State Marina.	Grand Island	716–278–1775	May 1–November 1, 24 Hours.	10′	5.00

TABLE 2—LIST OF SEWAGE PUMPOUT SERVICES CAPABLE OF SERVING LARGE COMMERCIAL VESSELS IN THE PROPOSED LAKE ERIE NDZ

No.	Name of company	Location & contact information	# of sewage hauler pumpout trucks/holding capacity	Days and hours of operation	Hose fittings & length (feet)	Head pump pressure to reach 46.5 Ft	Truck serve the port area	Fee/cost per 1,000 gal
1	Macken Services, Inc.	22 Simme Road, Lancaster, NY 14086, Tel—716–683–0704.	3 sewage trucks—2 4,000 gal and 1—2,500 gal.	Mon–Fri 7:00 a.m.–5:00 p.m.; or by appointment.	Flexible 100 ft	Yes	Yes	$ 230
2	Meyer Septic Service.	7130 Olean Road, South Wales, NY 14139, Tel—716–652–0553.	3 sewage trucks—3,500 gal each.	Mon–Fri 8:00 a.m.–2:00 p.m.; or by appointment.	Flexible up to 175 ft.	Yes	Yes	255
3	Western New York Septic Tank Cleaning Service.	3045 Daniels Road, Wilson, NY 14172, Tel—716–751–9611.	2 sewage trucks—4,000 gal each.	Mon–Fri 7:00 a.m.–5:00 p.m.; or by appointment.	Flexible up to 200 ft.	Yes	Yes	350
4	Ball Toilet & Septic Service.	3725 Jeffrey Blvd., Blasdell, NY14219, Tel—716–823–3606.	2 sewage trucks—1,000 gal and 5,000 gal.	Mon–Fri 6:00 a.m.–4:30 p.m.; or by appointment.	Flexible up to 200 ft.	Yes	Yes	230

Based on the above, the EPA hereby proposes to make an affirmative determination that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are available for the waters of the New York State area of Lake Erie. A 30 day period for public comment has been opened on this matter, and the EPA invites any comments relevant to its proposed determination. If, after the public comment period ends, the EPA makes a final affirmative determination that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for the New York State area of Lake Erie, the State may completely prohibit the discharge from all vessels of any sewage, whether treated or not, into such waters.

Dated: September 17, 2013.

Judith A. Enck,

Regional Administrator, Region 2.

[FR Doc. 2013–23688 Filed 9–26–13; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–9901–48–OGC]

Proposed Settlement Agreement

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of proposed settlement agreement; request for public comment.

SUMMARY: In accordance with section 113(g) of the Clean Air Act, as amended (''Act''), notice is hereby given of a proposed settlement agreement to address a lawsuit filed by the American Forest & Paper Association, Inc. and American Wood Council (''Petitioners'') in the United States Court of Appeals for the District of Columbia: *American Forest and Paper Association, Inc. and American Wood Council* v. *EPA,* No. 12–1452 (D.C. Cir.). Petitioners filed a petition for review challenging EPA's final rule entitled ''Mandatory Reporting of Greenhouse Gases; Final Rule,'' (Oct. 30, 2009) (''GHG Reporting Rule''). Under the terms of the proposed settlement agreement, Petitioners would dismiss their claims if, at the conclusion of a rulemaking process that has included notice and an opportunity for public comment, EPA promulgates in final form an amendment to the GHG Reporting Rule that includes changes that are substantially the same substance as set forth in Attachment A to the proposed settlement agreement. Nothing in the proposed settlement agreement limits or modifies EPA's discretion under the Clean Air Act.

DATES: Written comments on the proposed settlement agreement must be received by October 28, 2013.

ADDRESSES: Submit your comments, identified by Docket ID number EPA–HQ–OGC–2013–0181, online at *www.regulations.gov* (EPA's preferred method); by email to *oei.docket@epa.gov;* by mail to EPA Docket Center, Environmental Protection Agency, Mailcode: 2822T, 1200 Pennsylvania Ave. NW., Washington, DC 20460–0001; or by hand delivery or courier to EPA Docket Center, EPA West, Room 3334, 1301 Constitution Ave. NW., Washington, DC, between 8:30 a.m. and 4:30 p.m. Monday through Friday, excluding legal holidays. Comments on a disk or CD–ROM should be formatted in Word or ASCII file, avoiding the use of special characters and any form of encryption, and may be mailed to the mailing address above.

FOR FURTHER INFORMATION CONTACT: Ragan Tate, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460; telephone: (202) 564–7382; fax number (202) 564–5603; email address: *tate.ragan@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. Additional Information About the Proposed Settlement Agreement

The proposed settlement agreement would resolve a lawsuit filed by the American Forest & Paper Association, Inc. and American Wood Council seeking to compel the Agency to

promulgate a proposed rule on the issue of whether the GHG Reporting Rule should be amended by the inclusion of proposed amendments of the same substance as set forth in Attachment A to the proposed settlement agreement. Under the proposed settlement agreement, Petitioners would dismiss their claims if EPA promulgates in final form an amendment to the GHG Reporting Rule that includes changes that are substantially the same substance as set forth in Attachment A to the proposed settlement agreement. The proposed settlement agreement further states that in the event not all such changes are made that are substantially the same substance as set forth in Attachment A to the proposed settlement agreement, the Petitioners would file a stipulation of dismissal for the issues that correspond to such changes that were made, and for those issues that were not resolved, with the creation of a new docket for those issues that were not resolved.

Nothing in the proposed settlement agreement limits or modifies EPA's discretion under the Clean Air Act in either the related notice and comment rulemaking process or otherwise. The EPA reserves the discretion to promulgate a final rule relating to any amendment to or revision of the GHG Reporting Rule and by this proposed settlement agreement has not obligated itself to issue any final rule which includes the proposed changes contained in Attachment A to the proposed settlement agreement.

For a period of thirty (30) days following the date of publication of this notice, the Agency will accept written comments relating to the proposed settlement agreement from persons who were not named as parties or intervenors to the litigation in question. EPA or the Department of Justice may withdraw or withhold consent to the proposed settlement agreement if the comments disclose facts or considerations that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act. Unless EPA or the Department of Justice determines that consent to this settlement agreement should be withdrawn, the terms of the agreement will be affirmed.

II. Additional Information About Commenting on the Proposed Settlement Agreement

A. How can I get a copy of the settlement agreement?

The official public docket for this action (identified by Docket ID No. EPA–HQ–OGC–2013–0181) contains a copy of the proposed settlement agreement. The official public docket is available for public viewing at the Office of Environmental Information (OEI) Docket in the EPA Docket Center, EPA West, Room 3334, 1301 Constitution Ave. NW., Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566–1744, and the telephone number for the OEI Docket is (202) 566–1752.

An electronic version of the public docket is available through *www.regulations.gov.* You may use the *www.regulations.gov* to submit or view public comments, access the index listing of the contents of the official public docket, and to access those documents in the public docket that are available electronically. Once in the system, key in the appropriate docket identification number then select ''search''.

It is important to note that EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing online at *www.regulations.gov* without change, unless the comment contains copyrighted material, CBI, or other information whose disclosure is restricted by statute. Information claimed as CBI and other information whose disclosure is restricted by statute is not included in the official public docket or in the electronic public docket. EPA's policy is that copyrighted material, including copyrighted material contained in a public comment, will not be placed in EPA's electronic public docket but will be available only in printed, paper form in the official public docket. Although not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the EPA Docket Center.

B. How and to whom do I submit comments?

You may submit comments as provided in the **ADDRESSES** section. Please ensure that your comments are submitted within the specified comment period. Comments received after the close of the comment period will be marked ''late.'' EPA is not required to consider these late comments.

If you submit an electronic comment, EPA recommends that you include your name, mailing address, and an email address or other contact information in the body of your comment and with any disk or CD ROM you submit. This ensures that you can be identified as the submitter of the comment and allows EPA to contact you in case EPA cannot read your comment due to technical difficulties or needs further information on the substance of your comment. Any identifying or contact information provided in the body of a comment will be included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment.

Use of the *www.regulations.gov* Web site to submit comments to EPA electronically is EPA's preferred method for receiving comments. The electronic public docket system is an ''anonymous access'' system, which means EPA will not know your identity, email address, or other contact information unless you provide it in the body of your comment. In contrast to EPA's electronic public docket, EPA's electronic mail (email) system is not an ''anonymous access'' system. If you send an email comment directly to the Docket without going through *www.regulations.gov,* your email address is automatically captured and included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket.

Dated: September 20, 2013.

Lorie J. Schmidt,

Associate General Counsel.

[FR Doc. 2013–23690 Filed 9–26–13; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPP–2013–0152; FRL–9399–2]

Registration Review; Draft Human Health and Ecological Risk Assessment; Notice of Availability

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces the availability of EPA's draft human health and ecological risk assessments for the registration review for 2-(decylthio) ethanamine hydrochloride (DTEA–HCl), flumetsulam, paclobutrazol, and trinexapac-ethyl, and opens a public comment period on these documents. Registration review is EPA's periodic review of pesticide registrations to ensure that each pesticide continues to satisfy the statutory standard for registration, that is, the pesticide can

perform its intended function without unreasonable adverse effects on human health or the environment. As part of the registration review process, the Agency has completed comprehensive draft risk assessments for each of the subject chemicals and is making them available for public comment. After reviewing comments received during the public comment period, EPA will issue revised risk assessments, if appropriate, explain any changes to the draft risk assessments, and respond to comments and may request public input on risk mitigation before completing a proposed registration review decision for each of the subject chemicals. Through this program, EPA is ensuring that each pesticide's registration is based on current scientific and other knowledge, including its effects on human health and the environment.

DATES: Comments must be received on or before November 26, 2013.

ADDRESSES: Submit your comments, identified by docket identification (ID) number for the specific pesticide of interest provided in Table 1 in Unit III.A., by one of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.
- *Mail:* OPP Docket, Environmental Protection Agency Docket Center (EPA/DC), (28221T), 1200 Pennsylvania Ave. NW., Washington, DC 20460–0001.
- *Hand Delivery:* To make special arrangements for hand delivery or delivery of boxed information, please follow the instructions at *http://www.epa.gov/dockets/contacts.html.*

Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at *http://www.epa.gov/dockets.*

FOR FURTHER INFORMATION CONTACT: *For pesticide specific information contact:* The Chemical Review Manager listed in Table 1 in Unit III.A. for the pesticide of interest.

For general questions on the registration review program, contact: Jane Robbins, Pesticide Re-evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460–0001; telephone number: (703) 308–0048; fax number: (703) 305–8005; email address: *robbins.jane@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

This action is directed to the public in general, and may be of interest to a wide range of stakeholders including environmental, human health, farm worker, and agricultural advocates; the chemical industry; pesticide users; and members of the public interested in the sale, distribution, or use of pesticides. Since others also may be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action. If you have any questions regarding the applicability of this action to a particular entity, consult the Chemical Review Manager listed in Table 1 in Unit III.A. for the pesticide of interest.

B. What should I consider as I prepare my comments for EPA?

1. *Submitting CBI.* Do not submit this information to EPA through regulations.gov or email. Clearly mark the part or all of the information that you claim to be CBI. For CBI in a disk or CD–ROM that you mail to EPA, mark the outside of the disk or CD–ROM as CBI and then identify electronically within the disk or CD–ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for preparing your comments.* When submitting comments, remember to:

i. Identify the document by docket ID number and other identifying information (subject heading, **Federal Register** date and page number).

ii. Follow directions. The Agency may ask you to respond to specific questions or organize comments by referencing a Code of Federal Regulations (CFR) part or section number.

iii. Explain why you agree or disagree; suggest alternatives and substitute language for your requested changes.

iv. Describe any assumptions and provide any technical information and/or data that you used.

v. If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.

vi. Provide specific examples to illustrate your concerns and suggest alternatives.

vii. Explain your views as clearly as possible, avoiding the use of profanity or personal threats.

viii. Make sure to submit your comments by the comment period deadline identified.

3. *Environmental justice.* EPA seeks to achieve environmental justice, the fair treatment and meaningful involvement of any group, including minority and/or low income populations, in the development, implementation, and enforcement of environmental laws, regulations, and policies. To help address potential environmental justice issues, the Agency seeks information on any groups or segments of the population who, as a result of their location, cultural practices, or other factors, may have a typical or disproportionately high and adverse human health impacts or environmental effects from exposure to the pesticides discussed in this document, compared to the general population.

II. Authority

EPA is conducting its registration review of the pesticides identified in this document pursuant to section 3(g) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and the Procedural Regulations for Registration Review at 40 CFR part 155, subpart C. Section 3(g) of FIFRA provides, among other things, that the registrations of pesticides are to be reviewed every 15 years. Under FIFRA, a pesticide product may be registered or remain registered only if it meets the statutory standard for registration given in FIFRA section 3(c)(5). When used in accordance with widespread and commonly recognized practice, the pesticide product must perform its intended function without unreasonable adverse effects on the environment; that is, without any unreasonable risk to man or the environment, or a human dietary risk from residues that result from the use of a pesticide in or on food.

III. Registration Reviews

A. What action is the agency taking?

As directed by FIFRA section 3(g), EPA is reviewing the pesticide registrations for 2-(decylthio) ethanamine hydrochloride (DTEA–HCl), flumetsulam, paclobutrazol, and trinexapac-ethyl to ensure they continue to satisfy the FIFRA standard for registration—that is, that these pesticides can still be used without unreasonable adverse effects on human health or the environment.

At this stage in the registration review process, consistent with the changes to the registration review process

announced on March 27, 2013, jointly developed with the U.S. Department of Agriculture, the National Marine Fisheries Service, and the U.S. Fish and Wildlife Service (''the Services'') to enhance opportunities for stakeholder input during pesticide registration reviews and endangered species consultations, draft environmental risk assessments include an evaluation of the potential risks to federally listed endangered and threatened species (hereafter referred to as ''listed species''). EPA intends to complete refined assessments of potential risks to individual listed species, as needed. The refined listed species assessments will be based on the recommendations of the National Research Council (NRC), which has been tasked with providing advice on ecological risk assessment tools and scientific approaches in developing listed species risk assessments that are compliant with both FIFRA and the Endangered Species Act (ESA). The NRC report, issued April 30, 2013, provides recommendations to ensure scientific soundness and maximize the utility of risk assessment refinements for listed species. Additional information can be found at the following Web site: *http://www8.nationalacademies.org/cp/projectview.aspx?key=49396.*

Revisions to risk assessments will likely reflect Agency review of the report and any associated methodology and science policy based on the report's recommendations. Refinements to the listed species assessments may include, but not be limited to, the following:

- More detailed, species-specific ecological and biological data.
- More detailed and accurate information on chemical use patterns.
- Sub-county level spatial proximity data depicting the co-occurrence of potential effects areas and listed species and any designated critical habitat.

In the event that a draft risk assessment shows risks of concern to human health or the environment for a specific chemical, EPA reserves the right to initiate mitigation at this stage of registration review. This effort to mitigate a chemical's risks early in the registration review process is consistent with the Agency's approach for registration review. Where risks are identified early in the registration review process and opportunities for early mitigation exist, the Agency may pursue those opportunities as they arise, rather then waiting for completion of a chemical's registration review in order to mitigate risks. The public comment period for the draft risk assessments allows members of the public to provide comments and suggestions for revising the draft risk assessments and for reducing risks.

Pursuant to 40 CFR 155.53(c), EPA is providing an opportunity, through this notice of availability, for interested parties to provide comments and input concerning the Agency's draft human health and ecological risk assessments for 2-(decylthio) ethanamine hydrochloride (DTEA–HCl), flumetsulam, paclobutrazol, and trinexapac-ethyl. Such comments and input could address, among other things, the Agency's risk assessment methodologies and assumptions, as applied in these draft risk assessments. The Agency will consider all comments received during the public comment period and make changes, as appropriate, to the draft human health and ecological risk assessments. EPA will then issue revised risk assessments, if appropriate, explain any changes to the draft risk assessment, and respond to comments. In the **Federal Register** notice announcing the availability of the revised risk assessments, if the revised risk assessments indicate risks of concern, the Agency may provide a comment period for the public to submit suggestions for mitigating the risks identified in those revised risk assessments before developing proposed registration review decisions on flumetsulam, paclobutrazol, and 2-(decylthio) ethanamine hydrochloride (DTEA–HCl) trinexapac-ethyl. At present, EPA is releasing registration review draft risk assessments for the pesticide cases identified in the following table and further described in this unit.

TABLE 1—REGISTRATION REVIEW DRAFT RISK ASSESSMENTS

Registration review case name and No.	Pesticide docket identification (ID) No.	Chemical review manager, telephone number, and email address
2-(Decylthio) ethanamine hydrochloride (DTEA–HCl), Case No. 5029.	EPA–HQ–OPP–2009–0336	Seiichi Murasaki, (703) 347–0163, *murasaki.seiichi@epa.gov.*
Flumetsulam, Case No. 7229	EPA–HQ–2008–0625	Katherine St. Clair, (703) 347–8778, *Katherine.StClair@epa.gov.*
Paclobutrazol, Case No. 7002	EPA–HQ–OPP–2006–0109	Khue Nguyen, (703) 347–0248, *Nguyen.khue@epa.gov.*
Trinexapac-ethyl, Case No. 7228	EPA–HQ–OPP–2008–0657	Kaitlin Keller, (703) 308–8172, *Keller.kaitlin@epa.gov.*

- *2-(decylthio) ethanamine hydrochloride (DTEA–HCl).* The registration review docket for 2-(decylthio) ethanamine hydrochloride (DTEA–HCl) (EPA–HQ–OPP–2009–0336) opened in the **Federal Register** issue of June 24, 2009 (74 FR 30070) (FRL–8421–8). DTEA–HCl is registered for use in recirculating cooling water systems to control bacterial, fungal and algal slimes. Examples of DTEA–HCl use sites include evaporative condenser water systems, heat exchange water systems, commercial and industrial cooling towers, influent systems such as flow-through filters and lagoons, industrial scrubbing systems, and brewery pasteurizer water systems. The Agency has conducted a qualitative human health risk assessment for the dietary (food and drinking water) pathway. The residential and occupational exposure pathways were not assessed because these exposures are not expected to occur. The Agency has conducted a quantitative ecological risk assessment, which includes a screening-level listed species assessment. EPA acknowledges that further refinements to the listed species assessment will be completed in future revisions and requests public comment on specific areas that will reduce the uncertainties associated with the characterization of risk to listed species identified in the current assessment.
- *Flumetsulam.* The registration review docket for flumetsulam (EPA–HQ–OPP–2008–0625) opened in the **Federal Register** issue of September 15, 2008 (73 FR 53244) (FRL–8381–3). Flumetsulam is a sulfonanilide herbicide belonging to the triazolopyrimidine chemical class. Flumetsulam is marketed in water dispersible granule (WDG), emulsifiable concentrate (EC), and wettable powder (WP) products intended for use in agriculture to control broadleaf weeds in field corn and soybeans. There are no residential or public recreational uses of

flumetsulam. The Agency has conducted a human health risk assessment for both dietary (food and drinking water) and occupational exposure pathways. The Agency also has conducted a quantitative ecological risk assessment, which includes a screening-level listed species assessment. EPA acknowledges that further refinements to the listed species assessment will be completed in future revisions and requests public comment on specific areas that will reduce the uncertainties associated with the characterization of risk to listed species identified in the current assessment.

• *Paclobutrazol.* The registration review docket for paclobutrazol (EPA–HQ–OPP–2006–0109) opened in the **Federal Register** issue of March 28, 2007 (72 FR 14548) (FRL–8118–3). Paclobutrazol is a plant growth regulator and is registered for use on a variety of ornamental flowers and trees, golf course turf, ornamental turf, outdoor residential areas, and rights-of-way. The Agency has conducted a human health risk assessment for dietary (drinking water only), residential, and occupational exposure pathways. The Agency has conducted a quantitative ecological risk assessment, which includes a screening-level listed species assessment. EPA acknowledges that further refinements to the listed species assessment will be completed in future revisions and requests public comment on specific areas that will reduce the uncertainties associated with the characterization of risk to listed species identified in the current assessment.

• *Trinexapac-ethyl.* The registration review docket for trinexapac-ethyl (EPA–HQ–OPP–2008–0657) opened in the **Federal Register** issue of September 15, 2008 (73 FR 53244) (FRL–8381–3). Trinexapac-ethyl is a plant growth regulator and is registered for use by homeowners and professional applicators to manage growth of warm and cool season turfgrass on golf courses, sod farms, residential lawns, and other areas. It is also registered for use on cereals grains (barley, oats, triticale, and wheat), and grasses grown for seed (forage and hay) for yield protection and lodging prevention, and on sugarcane for internode shortening and harvest extension. The Agency has conducted a human health risk assessment for dietary (drinking water only), residential, and occupational exposure pathways. The Agency has conducted a quantitative ecological risk assessment, which includes a screening-level listed species assessment.

EPA acknowledges that further refinements to the listed species assessment will be completed in future revisions and requests public comment on specific areas that will reduce the uncertainties associated with the characterization of risk to listed species identified in the current assessment.

1. *Other related information.* Additional information for 2-(decylthio) ethanamine hydrochloride (DTEA–HCl), flumetsulam, paclobutrazol, and trinexapac-ethyl are available on the chemical pages for these pesticides in Chemical Search, *http://www.epa.gov/pesticides/chemicalsearch,* and in each chemical's individual docket listed in Table 1 in Unit III.A. Information on the Agency's registration review program and its implementing regulation is available at *http://www.epa.gov/oppsrrd1/registration_review.*

2. *Information submission requirements.* Anyone may submit data or information in response to this document. To be considered during a pesticide's registration review, the submitted data or information must meet the following requirements:

i. To ensure that EPA will consider data or information submitted, interested persons must submit the data or information during the comment period. The Agency may, at its discretion, consider data or information submitted at a later date.

ii. The data or information submitted must be presented in a legible and useable form. For example, an English translation must accompany any material that is not in English and a written transcript must accompany any information submitted as an audiographic or videographic record. Written material may be submitted in paper or electronic form.

iii. Submitters must clearly identify the source of any submitted data or information.

iv. Submitters may request the Agency to reconsider data or information that the Agency rejected in a previous review. However, submitters must explain why they believe the Agency should reconsider the data or information in the pesticide's registration review.

As provided in 40 CFR 155.58, the registration review docket for each pesticide case will remain publicly accessible through the duration of the registration review process; that is, until all actions required in the final decision on the registration review case have been completed.

List of Subjects

Environmental protection, 2-(decylthio) ethanamine hydrochloride (DTEA–HCl), Flumetsulam, Paclobutrazol, Pesticides and pest, and Trinexapac-ethyl.

Dated: September 19, 2013.

Richard P. Keigwin, Jr.,

Director, Pesticide Re-Evaluation Division, Office of Pesticide Programs.

[FR Doc. 2013–23689 Filed 9–26–13; 8:45 am]

BILLING CODE 6560–50–P

EXPORT-IMPORT BANK OF THE UNITED STATES

[Public Notice: 2013–0049]

Application for Final Commitment for a Long-Term Loan or Financial Guarantee in Excess of $100 Million: AP088292XX & AP088292XA

AGENCY: Export-Import Bank of the United States.

ACTION: Notice.

SUMMARY: This Notice is to inform the public, in accordance with Section 3(c)(10) of the Charter of the Export-Import Bank of the United States (''Ex-Im Bank''), that Ex-Im Bank has received an application for final commitment for a long-term loan or financial guarantee in excess of $100 million (as calculated in accordance with Section 3(c)(10) of the Charter). Comments received within the comment period specified below will be presented to the Ex-Im Bank Board of Directors prior to final action on this Transaction.

DATES: Comments must be received on or before October 22, 2013 to be assured of consideration before final consideration of the transaction by the Board of Directors of Ex-Im Bank.

ADDRESSES: Comments may be submitted through Regulations.gov at *WWW.REGULATIONS.GOV.* To submit a comment, enter EIB–2013–0049 under the heading ''Enter Keyword or ID'' and select Search. Follow the instructions provided at the Submit a Comment screen. Please include your name, company name (if any) and EIB–2013–0049 on any attached document.

SUPPLEMENTARY INFORMATION:

Reference: AP088292XX & AP088292XA.

Purpose and Use

Brief description of the purpose of the transaction:

To support the export of U.S.-manufactured cargo aircraft to the Republic of Korea.

Brief non-proprietary description of the anticipated use of the items being exported:

To be used for the transportation of air cargo between the Republic of Korea and other countries.

To the extent that Ex-Im Bank is reasonably aware, the item(s) being

exported may be used to produce exports or provide services in competition with the exportation of goods or provision of services by a United States industry.

Parties

Principal Supplier: The Boeing Company.

Obligor: Korean Air Lines Co., Ltd.

Guarantor(s): None.

Description of Items Being Exported

B747 and B777 cargo aircraft.

Information on Decision: Information on the final decision for this transaction will be available in the ''Summary Minutes of Meetings of Board of Directors'' on *http://exim.gov/newsandevents/boardmeetings/board/.*

Confidential Information: Please note that this notice does not include confidential or proprietary business information; information which, if disclosed, would violate the Trade Secrets Act; or information which would jeopardize jobs in the United States by supplying information that competitors could use to compete with companies in the United States.

Cristopolis Dieguez,

Program Specialist, Office of the General Counsel.

[FR Doc. 2013–23533 Filed 9–26–13; 8:45 am]

BILLING CODE 6690–01–P

FEDERAL ELECTION COMMISSION

Sunshine Act Meeting

AGENCY: Federal Election Commission.

FEDERAL REGISTER CITATION OF PREVIOUS ANNOUNCMENT—78 FR 59031 (SEPTEMBER 25, 2013)

DATE AND TIME: *Tuesday, September 24, 2013 and its Continuation on September 26, 2013 at 10:00 a.m.*

PLACE: 999 E Street NW., Washington, DC.

STATUS: This meeting will be closed to the public.

CHANGES IN THE MEETING: The Thursday, September 26, 2013 meeting has been canceled.

PERSON TO CONTACT FOR INFORMATION: Judith Ingram, Press Officer, Telephone: (202) 694–1220.

Shawn Woodhead Werth,

Secretary and Clerk of the Commission.

[FR Doc. 2013–23714 Filed 9–25–13; 11:15 am]

BILLING CODE 6715–01–P

FEDERAL RESERVE SYSTEM

Change in Bank Control Notices; Acquisitions of Shares of a Bank or Bank Holding Company

The notificants listed below have applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire shares of a bank or bank holding company. The factors that are considered in acting on the notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal Reserve Bank indicated. The notices also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for that notice or to the offices of the Board of Governors. Comments must be received not later than October 15, 2013.

A. Federal Reserve Bank of Kansas City (Dennis Denney, Assistant Vice President) 1 Memorial Drive, Kansas City, Missouri 64198–0001:

1. *D. Frank Plater, Jr.,* Oklahoma City, Oklahoma; to acquire voting shares of FSB Investments, LLC, and thereby indirectly acquire voting shares of The First State Bank, both in Oklahoma City, Oklahoma.

Board of Governors of the Federal Reserve System, September 24, 2013.

Margaret McCloskey Shanks,

Deputy Secretary of the Board.

[FR Doc. 2013–23589 Filed 9–26–13; 8:45 am]

BILLING CODE 6210–01–P

FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR Part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The applications will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act (12 U.S.C. 1843). Unless otherwise noted, nonbanking activities will be conducted throughout the United States.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than October 21, 2013.

A. Federal Reserve Bank of Atlanta (Chapelle Davis, Assistant Vice President) 1000 Peachtree Street NE., Atlanta, Georgia 30309:

1. *Hamilton State Bancshares, Inc.,* Hoschton, Georgia; to merge with Cherokee Banking Company, and thereby indirectly acquire Cherokee Bank, N.A., both in Canton, Georgia.

B. Federal Reserve Bank of Chicago (Colette A. Fried, Assistant Vice President) 230 South LaSalle Street, Chicago, Illinois 60690–1414:

1. *Mercantile Bank Corporation,* Grand Rapids, Michigan; to merge with Firstbank Corporation, Alma, Michigan, and thereby indirectly acquire Firstbank, Mount Pleasant, Michigan and Keystone Community Bank, Kalamazoo, Michigan.

Board of Governors of the Federal Reserve System, September 23, 2013.

Margaret McCloskey Shanks,

Deputy Secretary of the Board.

[FR Doc. 2013–23514 Filed 9–26–13; 8:45 am]

BILLING CODE 6210–01–P

FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR Part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank

indicated. The applications will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act (12 U.S.C. 1843). Unless otherwise noted, nonbanking activities will be conducted throughout the United States.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than October 24, 2013.

A. Federal Reserve Bank of Kansas City (Dennis Denney, Assistant Vice President) 1 Memorial Drive, Kansas City, Missouri 64198–0001:

1. *First Okmulgee Corporation,* Okmulgee, Oklahoma, Coffeyville Bancorp, Inc., and Community State Bank, both in Coffeyville, Kansas; to acquire 100 percent of the voting shares of, and merge with Coffeyville Financial Corporation, Omaha, Nebraska, and thereby indirectly acquire voting shares of Condon Bank & Trust, Coffeyville, Kansas.

Board of Governors of the Federal Reserve System, September 24, 2013.

Margaret McCloskey Shanks,

Deputy Secretary of the Board.

[FR Doc. 2013–23590 Filed 9–26–13; 8:45 am]

BILLING CODE 6210–01–P

FEDERAL TRADE COMMISSION

[File No. 131 0058]

Nielsen Holdings N.V., a Corporation and Aribtron Inc., a Corporation; Analysis of Agreement Containing Consent Order To Aid Public Comment

AGENCY: Federal Trade Commission.

ACTION: Proposed consent agreement.

SUMMARY: The consent agreement in this matter settles alleged violations of federal law prohibiting unfair or deceptive acts or practices or unfair methods of competition. The attached Analysis to Aid Public Comment describes both the allegations in the draft complaint and the terms of the consent order—embodied in the consent agreement—that would settle these allegations.

DATES: Comments must be received on or before October 21, 2013.

ADDRESSES: Interested parties may file a comment at *https://ftcpublic.commentworks.com/ftc/nielsenarbitronconsent* online or on paper, by following the instructions in the Request for Comment part of the **SUPPLEMENTARY INFORMATION** section below. Write ''Nielsen Arbitron, File No. 131 0058'' on your comment and file your comment online at *https://ftcpublic.commentworks.com/ftc/nielsenarbitronconsent* by following the instructions on the web-based form. If you prefer to file your comment on paper, mail or deliver your comment to the following address: Federal Trade Commission, Office of the Secretary, Room H–113 (Annex D), 600 Pennsylvania Avenue NW., Washington, DC 20580.

FOR FURTHER INFORMATION CONTACT: Catherine M. Sanchez (202–326–3326), FTC, Bureau of Competition, 600 Pennsylvania Avenue NW., Washington, DC 20580.

SUPPLEMENTARY INFORMATION: Pursuant to Section 6(f) of the Federal Trade Commission Act, 15 U.S.C. 46(f), and FTC Rule 2.34, 16 CFR 2.34, notice is hereby given that the above-captioned consent agreement containing a consent order to cease and desist, having been filed with and accepted, subject to final approval, by the Commission, has been placed on the public record for a period of thirty (30) days. The following Analysis to Aid Public Comment describes the terms of the consent agreement, and the allegations in the complaint. An electronic copy of the full text of the consent agreement package can be obtained from the FTC Home Page (for September 20, 2013), on the World Wide Web, at *http://www.ftc.gov/os/actions.shtm.* A paper copy can be obtained from the FTC Public Reference Room, Room 130–H, 600 Pennsylvania Avenue NW., Washington, DC 20580, either in person or by calling (202) 326–2222.

You can file a comment online or on paper. For the Commission to consider your comment, we must receive it on or before October 21, 2013. Write ''Nielsen Arbitron, File No. 131 0058'' on your comment. Your comment—including your name and your state—will be placed on the public record of this proceeding, including, to the extent practicable, on the public Commission Web site, at *http://www.ftc.gov/os/publiccomments.shtm.* As a matter of discretion, the Commission tries to remove individuals' home contact information from comments before placing them on the Commission Web site.

Because your comment will be made public, you are solely responsible for making sure that your comment does not include any sensitive personal information, like anyone's Social Security number, date of birth, driver's license number or other state identification number or foreign country equivalent, passport number, financial account number, or credit or debit card number. You are also solely responsible for making sure that your comment does not include any sensitive health information, like medical records or other individually identifiable health information. In addition, do not include any ''[t]rade secret or any commercial or financial information which . . . is privileged or confidential,'' as discussed in Section 6(f) of the FTC Act, 15 U.S.C. 46(f), and FTC Rule 4.10(a)(2), 16 CFR 4.10(a)(2). In particular, do not include competitively sensitive information such as costs, sales statistics, inventories, formulas, patterns, devices, manufacturing processes, or customer names.

If you want the Commission to give your comment confidential treatment, you must file it in paper form, with a request for confidential treatment, and you have to follow the procedure explained in FTC Rule 4.9(c), 16 CFR 4.9(c).[1] Your comment will be kept confidential only if the FTC General Counsel, in his or her sole discretion, grants your request in accordance with the law and the public interest.

Postal mail addressed to the Commission is subject to delay due to heightened security screening. As a result, we encourage you to submit your comments online. To make sure that the Commission considers your online comment, you must file it at *https://ftcpublic.commentworks.com/ftc/nielsenarbitronconsent* by following the instructions on the web-based form. If this Notice appears at *http://www.regulations.gov/#!home.* you also may file a comment through that Web site.

If you file your comment on paper, write ''Nielsen Arbitron, File No. 131 0058'' on your comment and on the envelope, and mail or deliver it to the following address: Federal Trade Commission, Office of the Secretary, Room H–113 (Annex D), 600 Pennsylvania Avenue NW., Washington, DC 20580. If possible, submit your paper comment to the Commission by courier or overnight service.

Visit the Commission Web site at *http://www.ftc.gov* to read this Notice and the news release describing it. The

[1] In particular, the written request for confidential treatment that accompanies the comment must include the factual and legal basis for the request, and must identify the specific portions of the comment to be withheld from the public record. *See* FTC Rule 4.9(c), 16 CFR 4.9(c).

FTC Act and other laws that the Commission administers permit the collection of public comments to consider and use in this proceeding as appropriate. The Commission will consider all timely and responsive public comments that it receives on or before October 21, 2013. You can find more information, including routine uses permitted by the Privacy Act, in the Commission's privacy policy, at *http://www.ftc.gov/ftc/privacy.htm*.

Analysis of Agreement Containing Consent Order To Aid Public Comment

Introduction

The Federal Trade Commission (''Commission'') has accepted, subject to final approval, an Agreement Containing Consent Order (''Consent Agreement'') from Nielsen Holdings N.V. (''Nielsen'') and Arbitron Inc. (''Arbitron''). The purpose of the proposed Consent Agreement is to remedy the anticompetitive effects that would otherwise result from Nielsen's acquisition of Arbitron. Under the terms of the proposed Consent Agreement, Nielsen is required to divest and/or license certain technological assets (including intellectual property) and data to an acquirer approved by the Commission (''Acquirer''), enabling the Acquirer to develop and provide a national syndicated cross-platform audience measurement service.

The proposed Consent Agreement has been placed on the public record for 30 days to solicit comments from interested persons. Comments received during this period will become part of the public record. After 30 days, the Commission will again review the proposed Consent Agreement and the comments received, and will decide whether it should withdraw from the proposed Consent Agreement or make it final.

Pursuant to an Agreement and Plan of Merger dated December 17, 2012, Nielsen proposes to acquire Arbitron for approximately $1.26 billion. The Commission's complaint alleges that the proposed acquisition, if consummated, would violate Section 7 of the Clayton Act, as amended, 15 U.S.C. 18, and Section 5 of the Federal Trade Commission Act, as amended, 15 U.S.C. 45, by lessening competition in the market for national syndicated cross-platform audience measurement services.

The Parties

Nielsen, headquartered in New York, New York and Diemen, the Netherlands, is a leading global media measurement and research company. In the United States, Nielsen provides television, online, mobile, and cross-platform audience measurement services to media companies, advertisers, and advertising agencies. Nielsen is the dominant provider of television audience measurement services [2] in the United States. In 2012, Nielsen generated global sales of $5.6 billion, about half of which it derived from business in the United States.

Arbitron, headquartered in Columbia, Maryland, is a leading media measurement and research company. Arbitron's radio ratings, which also estimate listenership size and demographic composition, are the standard metric used by radio broadcasters and advertisers to buy and sell radio advertising. Arbitron also offers products that measure television, online, mobile and cross-platform audiences. Almost all of Arbitron's 2012 revenue of $449 million was derived from business within the United States.

The Relevant Product and Structure of the Market

The proposed acquisition would harm competition for national syndicated cross-platform audience measurement services. The proliferation of personal computers, smartphones and tablets has dramatically changed the way in which U.S. consumers are exposed to advertising and programming. As a result, advertisers and media companies desire cross-platform audience measurement services that measure audiences across multiple media platforms, as opposed to services that report audiences for a single media platform, such as television, in isolation. Cross-platform audience measurement services report the overall unduplicated audience size (i.e., reach) and frequency of exposure for programming content and advertisements across multiple media platforms, with corresponding individual-level audience demographic data. A syndicated national cross-platform audience measurement service is one that provides all subscribers with the same universe of data, showing the relative audiences across platforms for various programming content and advertising.

To be competitively viable, a national syndicated cross-platform audience measurement service must include two key features. First, it must have an accurate and widely-accepted television audience measurement component, as television viewing represents the vast majority of media consumption and accounts for the majority of advertising dollars. Second, a national syndicated cross-platform audience measurement service must report individual-level demographic data. Advertisers need individual-level demographic data in order to determine which programming content is most likely to deliver audiences within their desired category of potential customers and to make advertising campaign placement and media buying decisions. Similarly, media companies need individual-level demographic data to assess the value of their own advertising inventory and to inform programming decisions.

Although there is no national syndicated cross-platform audience measurement service today, demand for such a service by advertisers and media companies is increasing rapidly. Nielsen and Arbitron are developing national syndicated cross-platform audience measurement services. Nielsen currently provides Cross-Platform Campaign Ratings on a custom-basis and plans to launch a similar Cross-Platform Program Ratings service in the coming year. Arbitron partnered with comScore Inc. (''comScore'') to provide customized cross-platform audience measurement services to ESPN, widely known as ''Project Blueprint.'' Although these services are currently custom projects and/or customer-sponsored beta tests, Nielsen and Arbitron are developing national syndicated offerings.

Nielsen and Arbitron are the best-positioned firms to develop (or partner with others to develop) a national syndicated cross-platform audience measurement service because of their existing audience measurement panels and proven audience measurement technology assets. Large, representative panels, like those used by Nielsen and Arbitron for their respective television and radio audience measurement businesses, are considered the most accurate and preferred sources of individual-level demographic data for audience measurement purposes. Only Nielsen and Arbitron maintain large, representative panels capable of measuring television with the required individual-level demographics. Other firms working to develop cross-platform audience measurement services are not as well positioned to compete with Nielsen and Arbitron to develop a national syndicated cross-platform audience measurement service because they lack the representative panels, existing audience measurement technology assets of the quality and character of Nielsen's and Arbitron's, and strong brands in audience measurement.

[2] Nielsen's television audience ratings provide the size and demographic composition of the audiences for television programming, and are the primary currency by which the buying and selling of commercial airtime is negotiated.

The United States is the appropriate geographic market in which to analyze the competitive effects of the proposed transaction. Purchasers of U.S. cross-platform audience measurement services require these services to assist them in making decision about buying and selling advertising inventory aimed at U.S. consumers. National U.S. cross-platform audience measurement services provide U.S. customers with data on U.S. audiences and require a significant presence in the United States to gather such audience data.

Entry

Sufficient and timely entry or expansion into the market for national syndicated cross-platform audience measurement services is unlikely to deter or counteract the anticompetitive effects of the proposed acquisition. In order to offer national syndicated cross-platform audience measurements, a firm must have access to television audience data with individual-level demographic data. Establishing the infrastructure to recruit and maintain a representative panel of individuals needed to provide the television audience measurement component of a national syndicated cross-platform audience measurement service requires substantial upfront and on-going investments. New entrants would also have to develop or license technology capable of collecting and generating the underlying data needed to provide a national syndicated cross-platform audience measurement service. Further, in order to attract customers, a new entrant must establish a strong reputation for quality and reliability in audience measurement. These significant barriers ensure that entry would not be timely, likely, or sufficient to counteract the anticompetitive effects of the proposed acquisition for several years at a minimum.

Effects of the Acquisition

The acquisition is likely to cause significant competitive harm in the market for national syndicated cross-platform audience measurement services. Nielsen and Arbitron are the best-positioned firms to develop (or partner with others to develop) national syndicated cross-platform audience measurement services. Both companies expect their respective cross-platform audience measurement services to become national syndicated offerings. The elimination of future competition between Nielsen and Arbitron would likely cause U.S. customers to pay higher prices for national syndicated cross-platform audience measurement services and result in less innovation for cross platform measurement services.

The Consent Agreement

The proposed Consent Agreement resolves the Acquisition's likely anticompetitive effects in the market for national syndicated cross-platform audience measurement services by requiring the divestiture of assets related to Arbitron's cross-platform audience measurement business, including data from its representative panel, to an Acquirer within three months of executing the consent agreement.

Pursuant to the proposed Consent Agreement, the Acquirer will receive the assets necessary to replicate Arbitron's participation in the development of a national syndicated cross-platform audience measurement service. Among other things, the Consent Agreement requires Nielsen to provide the Acquirer with a perpetual, royalty-free license to data, including individual-level demographic data, and technology related to Arbitron's cross-platform audience measurement business for a period of no less than eight years. Nielsen will also be required to make improvements and enhancements to the Arbitron panels at the request and expense of the Acquirer that will further the Acquirer's ability to offer a national syndicated cross-platform audience measurement service. With respect to Arbitron personnel involved in cross-platform services, the Consent Agreement removes impediments that might otherwise deter certain Key Arbitron Employees from accepting employment with the Acquirer. It also requires that Nielsen provide the Acquirer with certain technical assistance, at the request of the Acquirer to facilitate the Acquirer's ability to replicate Arbitron's position in the cross-platform audience measurement market. Collectively, these provisions are intended to enable the Acquirer to develop and provide a national syndicated cross-platform audience measurement service to its customers. The Consent Agreement is designed to ensure that the benefits of competition that would have been realized from Arbitron's provision of cross-platform audience measurement services, are not lost as a result of the acquisition.

The Commission has appointed a monitor to oversee Nielsen's compliance with all of its obligations and performance of its responsibilities pursuant to the Commission's Decision and Order (the ''Order''). The monitor is required to file periodic reports with the Commission to ensure that the Commission remains informed about efforts to accomplish the divestiture and Nielsen's compliance with its ongoing obligations and responsibilities pursuant to the Order until the Order terminates.

Finally, the proposed Consent Agreement contains provisions that allow the Commission to appoint a divestiture trustee if any or all of the above remedies are not accomplished within the time frames required by the Consent Agreement. The divestiture trustee may be appointed to accomplish any and all of the remedies required by the proposed Consent Agreement that have not yet been fulfilled upon expiration of the time period allotted.

The purpose of this analysis is to facilitate public comment on the proposed Consent Agreement, and it is not intended to constitute an official interpretation of the proposed Decision and Order or to modify its terms in any way.

Statement of the Federal Trade Commission [3]

Today, the Commission is taking remedial action concerning the proposed acquisition of Arbitron Inc. by Nielsen Holdings N.V. We believe Nielsen's acquisition of Arbitron is likely to deprive media companies and advertisers of the benefits of competition between two firms that are currently developing, and are most likely to be effective suppliers of, syndicated cross-platform audience measurement services.[4] Our remedy is tailored to counteract the likely anticompetitive effects of the proposed acquisition while leaving intact any efficiencies that might be gained from the combination of the two companies. The remedy is consistent with the analytical framework through which we evaluate the effects of all mergers that come before us, whether those effects are likely to occur immediately or in the foreseeable future.

Nielsen and Arbitron are best known for their respective single-platform TV and radio audience measurement services. Nielsen ratings are the industry benchmark for determining the size and demographics of television audiences. Nielsen maintains a national panel of 20,000 households, comprising nearly 50,000 individuals whose television programming consumption is monitored on a continual basis. Arbitron provides radio ratings for traditional, or

[3] This statement reflects the majority view of Chairwoman Ramirez and Commissioner Brill. Commissioner Ohlhausen is recused and took no part in the decision on this matter.

[4] A syndicated cross-platform audience measurement product is one that provides all subscribers with each programmer's unduplicated audience across platforms.

''terrestrial,'' radio that are similar to Nielsen's television ratings. Arbitron's panel covers 48 local markets and consists of approximately 70,000 people whose exposure to programming is captured by its proprietary Personal People Meter (''PPM'') technology. In addition to measuring radio consumption, Arbitron measures panelists' television consumption and provides out-of-home audience measurement data to television broadcasters.

As television viewership has shifted from traditional television screens to mobile devices, tablets, and personal computers, traditional television measurement is capturing a decreasing portion of the total viewing audience. As a result, media companies and advertisers are now seeking measurement services that account for the entire audience. Specifically, they seek a cross-platform solution that measures audiences across multiple platforms as well as determines the extent of audience duplication (e.g., whether the same individual is watching a program on both traditional TV and on the Internet). Media companies and advertisers would then use those measurements to determine the relative value of advertising inventory. This type of cross-platform measurement product has yet to be developed and marketed. But there is wide consensus among media companies and advertisers that Nielsen and Arbitron are best-positioned to provide this service because they are the only two companies that operate large and demographically representative panels that are capable of reporting television programming viewership, which is critical to developing a cross-platform product that meets likely customer demand. While other companies provide estimates of aggregate cross-platform viewership, only Nielsen and Arbitron provide individual demographic data, such as age and gender information, for television and, hence, cross-platform measurement.

The Commission also has reason to believe that Nielsen and Arbitron are the best-positioned firms to develop (or partner with others to develop) such a service. Nielsen already offers several products that provide audience measurement across different media platforms, including its Extended Screen and Cross-Platform Campaign Ratings (''XCR'') products. Extended Screen measures television and online viewing for a subset of its national panel. XCR is an advertising campaign measurement tool that combines online viewership data with Nielsen's national television measurement product. Nielsen is in the process of introducing a product targeted at programmers, called Digital Program Ratings, that will measure the audiences for television programs that appear on line, and plans to launch a cross-platform measurement product, Cross-Platform Program Ratings, next year.

Arbitron is also developing a cross-platform audience measurement solution. Last year, it began a collaboration with comScore known as ''Project Blueprint'' to develop a product for ESPN. Arbitron is contributing in-home and out-of-home television audience demographic data sourced from its PPM radio panel, radio audience data, and a ''calibration'' panel recruited from its PPM panel to measure audience duplication across platforms. comScore is providing online measurement and set-top box data. Arbitron has stated that Project Blueprint is ''a major jumping off point'' toward a ''syndicable type [cross-platform] service,'' and both ESPN and comScore are enthusiastic about the project. There is considerable industry interest in participating in the next phase of Project Blueprint.

Networks and advertisers believe that any syndicated cross-platform measurement services of Nielsen and Arbitron would compete directly. The proposed transaction would eliminate that competition. Although this is a future market, with an amount of concomitant uncertainty, effective merger enforcement always requires a forward-looking analysis of likely competitive effects. On the evidence here, the Commission has reason to believe that the proposed remedy is necessary to address the likely competitive harm that would result from the acquisition.

The proposed Consent Order is designed to address these specific competitive concerns by requiring divestiture of assets relating to Arbitron's cross-platform audience measurement services business, including audience data with individual-level demographic information and related technology, software, and intellectual property. The Consent Agreement also requires that the combined firm provide the acquirer with any needed technical assistance, and provide the acquirer with the tools and ability to expand the PPM panel to obtain additional data it deems necessary. With the divested assets, the acquirer will be well-positioned to step into Arbitron's shoes and replace the future competition between Nielsen and Arbitron that will be lost as a result of the proposed acquisition.

We agree with Commissioner Wright that the analysis of a merger's competitive effects in any market, including markets where the products are still in the development phase, must always be strongly rooted in the evidence. Where the product at issue is not yet on the market, it can be difficult to develop the evidence necessary to predict accurately the nature and extent of competition. Nevertheless, the 2010 Guidelines specifically indicate that the agencies will consider whether the merging firms have been or likely will become ''substantial head-to-head competitors'' absent the merger. § 2.1.4.[5]

Here, there is considerable evidence from which to predict that an anticompetitive effect is likely to occur if these two companies are allowed to merge without a remedy. Both companies meet the standard to be considered actual potential entrants.[6] As evidenced in both internal documents and statements they have made publicly and to potential customers, Nielsen and Arbitron (with comScore) both have invested significant time and resources to develop a national syndicated cross-platform audience measurement service. There is extensive evidence from customers that Nielsen and Arbitron are best positioned to compete in this area given their ability to provide individual-level demographic data. This forms the basis for our concern that there would be anticompetitive consequences from the combination, despite the fact that others are trying to develop cross-platform measurement services of their own. Customer views that Nielsen and Arbitron would be by far the two strongest competitors are supported by Nielsen and Arbitron statements about the products they are each developing and, in some cases, already beta testing with customers.

As with any transaction, the Commission does not merely accept a remedy because it is able to obtain one. We have accepted this consent because we have reason to believe that the transaction will harm competition, and because it is in the public interest to do so.

[5] In particular, the 2010 Horizontal Merger Guidelines explain that ''[m]ost merger analysis is necessarily predictive, requiring an assessment of what will likely happen if a merger proceeds as compared to what will likely happen if it does not. Given this inherent need for prediction, these Guidelines reflect the congressional intent that merger enforcement should interdict competitive problems in their incipiency, and that certainty about anticompetitive effect is seldom possible and not required for a merger to be illegal.'' § 1.

[6] Commissioner Wright cites *B.A.T Indus.,* 104 F.T.C. 852 (1984), as the applicable standard for actual potential entry. Most federal courts have applied a less stringent standard.

We recognize that the overall combination of Nielsen and Arbitron could yield efficiencies outside of the market that concerns us. The proposed consent does not affect those efficiencies. We also took into account the parties' predictions that national syndicated cross-platform measurement services were likely to have relatively modest sales for some time. Weighing these considerations and the evidence of likely harm, we have concluded that the public interest is best served by allowing the transaction to proceed while remedying the competitive concerns. The remedy proposed in this matter does just that.

By direction of the Commission, Commissioner Ohlhausen recused, and Commissioner Wright dissenting.

Donald S. Clark,

Secretary.

Dissenting Statement of Commissioner Joshua D. Wright

The Commission has voted to issue a Complaint and Decision & Order (''Order'') against Nielsen Holdings N.V. (''Nielsen'') to remedy the allegedly anticompetitive effects of Nielsen's proposed acquisition of Arbitron Inc. (''Arbitron''). I dissented from the Commission's decision because the evidence is insufficient to provide reason to believe Nielsen's acquisition will substantially lessen competition in the future market for national syndicated cross-platform audience measurement services in violation of Section 7 of the Clayton Act. I want to commend staff for conducting a thorough investigation. Staff has worked diligently to collect and analyze a substantial quantity of documentary and testimonial evidence, and has provided thoughtful analysis of the transaction's potential effects. Based upon this evidence and analysis, I conclude there is no reason to believe the transaction violates Section 7 of the Clayton Act.[7] It follows, in my view, that the Commission should close the investigation and allow the parties to complete the merger without imposing a remedy.

I. Predicting Competitive Effects in Future Markets

Nielsen and Arbitron do not currently compete in the sale of national syndicated cross-platform audience measurement services. In fact, there is no commercially available national syndicated cross-platform audience measurement service today.[8] The Commission thus challenges the proposed transaction based upon what must be acknowledged as a novel theory—that is, that the merger will substantially lessen competition in a market that does not today exist. The Commission asserts that, in the absence of the merger, Nielsen and Arbitron would invest heavily in the development of national syndicated cross-platform audience measurement services, and that the products ultimately yielded by those efforts would compete directly against one another to the benefit of consumers. The Commission therefore has required Nielsen to license Arbitron's television audience measurement service to a third party in hopes of allowing the third party to one day offer national syndicated cross-platform measurement services in competition with Nielsen.

A future market case, such as the one alleged by the Commission today, presents a number of unique challenges not confronted in a typical merger review or even in ''actual potential competition'' cases. For instance, it is inherently more difficult in future market cases to define properly the relevant product market, to identify likely buyers and sellers, to estimate cross-elasticities of demand or understand on a more qualitative level potential product substitutability, and to ascertain the set of potential entrants and their likely incentives.[9] Although all merger review necessarily is forward looking, it is an exceedingly difficult task to predict the competitive effects of a transaction where there is insufficient evidence to reliably answer these basic questions upon which proper merger analysis is based.[10] Without these critical inputs, our current economic toolkit provides little basis from which to answer accurately the question of whether a merger implicating a future market will result in a substantial lessening of competition.

The Commission of course already routinely engages in predictive merger analysis that seeks to compare present competitive activities to future market conditions.[11] For instance, the Horizontal Merger Guidelines (''Merger Guidelines'') call upon the antitrust agencies to take into account efficiencies claimed by the parties, the likelihood of successful entry, and the possibility of a failing firm defense.[12] Significantly, however, each of these predictions about the evolution of a market is based upon a fact-intensive analysis rather than relying upon a general presumption that economic theory teaches that an increase in market concentration implies a reduced incentive to invest in innovation.[13] For example, when parties seek to show that a proposed transaction has efficiencies that mitigate the anticompetitive concerns, they must provide the agencies with clear evidence showing that the claimed efficiencies are cognizable, merger-specific, and verifiable.[14] Similarly, when assessing whether future entry would counteract a proposed transaction's competitive concerns, the agencies evaluate a number of facts—such as the history of entry in the relevant market and the costs a future entrant would need to incur to be able to compete effectively—to determine whether entry is ''timely, likely, and sufficient.'' [15] Likewise, to prove a failing firm defense successfully, the parties must show

[7] 15 U.S.C. 21(b) (2006) (''Whenever the Commission . . . vested with jurisdiction thereof shall have reason to believe that any person is violating or has violated any of the provisions of sections 13, 14, 18, and 19 of this title, it shall issue and serve upon such person and the Attorney General a complaint stating its charges in that respect. . . .'').

[8] Complaint ¶ 10, Nielsen Holdings N.V., FTC File No. 131–0058 (Sept. 20, 2013).

[9] Somewhere between typical merger cases and future market cases are ''actual potential competition'' cases. Competitive effects in such cases typically are less difficult to predict than in future market cases because the Commission at least can identify the relevant product market and interview current buyers and sellers. Nevertheless, competitive effects in actual potential competition cases still are more difficult, on balance, to assess than typical merger cases because the agency must predict whether a party is likely to enter the relevant market absent the merger. It is because of this uncertainty and the potential for conjecture that the courts and agencies have cabined the actual potential competition doctrine by, for instance, applying a heightened standard of proof for showing a firm likely would enter the market absent the merger. *See e.g.,* B.A.T. Indus., 104 F.T.C. 852, 926–28 (1984) (applying a ''clear proof'' standard).

[10] *See* Douglas H. Ginsburg & Joshua D. Wright, *Dynamic Analysis and The Limits of Antitrust Institutions,* 78 Antitrust L.J. 1, 15–17 (2012) (describing some difficulties associated with further incorporating dynamic analysis into merger review).

[11] *See id.* at 8–10 (identifying areas in the merger context where the antitrust agencies have been able to predict confidently effects on future competition).

[12] U.S. Dep't of Justice & Fed. Trade Comm'n, Horizontal Merger Guidelines §§ 9–11 (2010), *available at http://www.justice.gov/atr/public/guidelines/hmg-2010.html* [hereinafter 2010 Merger Guidelines].

[13] The link between market structure and incentives to innovate remains inconclusive. *See, e.g.,* Ginsburg & Wright, *supra* note 4, at 4–5 (''To this day, the complex relationship between static product market competition and the incentive to innovate is not well understood.''); Richard J. Gilbert, *Competition and Innovation, in* 1 ABA Section of Antitrust Law, Issues in Competition Law and Policy 577, 583 (W. Dale Collins ed., 2008) (''[E]conomic theory does not provide unambiguous support either for the view that market power generally threatens innovation by lowering the return to innovative efforts nor the Schumpeterian view that concentrated markets generally promote innovation.'').

[14] 2010 Merger Guidelines, *supra* note 6, at § 10.

[15] *Id.* at § 9.

several specific facts, such as an inability to meet financial obligations in the near future or to reorganize in bankruptcy, to allow the agencies to predict that the firm would fail absent the merger.[16]

I believe the Commission is at its best when it relies upon such fact-intensive analysis, guided by well-established and empirically grounded economic theory, to predict the competitive effects of a proposed merger.[17] When the Commission's antitrust analysis comes unmoored from such fact-based inquiry, tethered tightly to robust economic theory, there is a more significant risk that non-economic considerations, intuition, and policy preferences influence the outcome of cases. Consequently, in merger cases where only limited or ambiguous evidence exists upon which to base our predictive conclusions, I believe the Commission will be best served by acknowledging these institutional limitations rather than challenging the transaction. Although future market cases may warrant investigation under certain circumstances, the inherent difficulties associated with analyzing the competitive effects of a transaction where the market does not yet exist, and the present inability of economic theory and evidence to support confident and reliable prediction, each suggest such cases typically will not warrant an enforcement action.

II. The Evidence Does Not Provide a Reason To Believe the Transaction Will Result in a Substantial Lessening of Competition in the National Syndicated Cross-Platform Audience Measurement Market

At the outset, it is important to recognize that our task is not simply to assess whether Nielsen and Arbitron are the firms best positioned today to develop national syndicated cross-platform audience measurement services. They very well may be when compared to other options available today. However, our task is decidedly different and requires us to evaluate instead whether the merger will result in a substantial lessening of competition in a relevant product market. I have not been presented evidence sufficient to provide a reason to believe the proposed merger will substantially reduce future competition in the sale of national syndicated cross-platform audience measurement services. My decision is based primarily upon the absence of answers to key questions that are necessary to draw reliable conclusions about the merger's likely competitive effects.

For example, we do not know whether each of the parties could and would develop a cross-platform product for the relevant market (however defined) absent the merger. For instance, if syndication ultimately is required for a successful cross-platform service, we do not know whether this is something both parties could offer. Furthermore, if the parties were to develop cross-platform products, we do not know the ultimate attributes of these products and whether, and to what extent, they would be substitutable by consumers. For example, we do not know if the parties would offer daily ratings or monthly ratings, and whether consumers would consider monthly and daily ratings to be complements or substitutes. Finally, we also do not know how the market will evolve, what other potential competitors might exist, and whether and to what extent these competitors might impose competitive constraints upon the parties.

Further, because cross-platform products are at best at the nascent stages of development, it is difficult even to define the relevant product market.[18] Indeed, the investigation has uncovered that ''cross-platform services'' means very different things to different industry participants. As with likely competitive effects from the transaction, there are also a number of questions we simply cannot reliably answer at this time with respect to defining the future market in which the competitive effects will allegedly occur. For example, across how many platforms must the product provide audience measurement in order to be competitive? Does the product need to be syndicated or do cross-platform products impose competitive constraints upon one another irrespective of syndication? Does the product truly need to be national and to what extent? Will customers require Nielsen's ''currency'' measurement to be a component or will something less suffice? Will radio audience measurement be a necessary component for a cross-platform audience measurement service to be successful? Depending upon the answers to these questions, the proper relevant product market unsurprisingly may be defined quite differently than it is defined in the Commission's Complaint.

It is true that the same concerns arising from predicting future anticompetitive effects also provide a challenge to predicting any cognizable efficiencies arising from the transaction. However, even assuming away the uncertainty discussed above, the evidence suggests that any anticompetitive effects arising from the transaction would be relatively small. One reason for this is that the alleged relevant market would constitute a small fraction of the value of the overall deal. Indeed, there is no reason to believe the prospect of supracompetitive profits in the national syndicated cross-platform audience measurement services market motivated the transaction. A substantial fraction of the potentially cognizable efficiencies from the transaction arise in markets that already exist—that is, outside the alleged relevant market. While out-of-market efficiencies are generally discounted by the agencies, the Merger Guidelines' analysis rejects the view that form should trump substance when assessing competitive effects. Indeed, the Merger Guidelines suggest that the Commission will consider out-of-market efficiencies when they are ''inextricably linked'' with the transaction as a whole and are likely to be large relative to any likely anticompetitive effects.[19] This appears to be precisely such a case. To be clear, I do not base my disagreement with the Commission today on the possibility that the potential efficiencies arising from the transaction would offset any anticompetitive effect. As discussed above, I find no reason to believe the transaction is likely to substantially lessen competition because the evidence does not support the conclusion that it is likely to generate anticompetitive effects in the alleged relevant market.

For these reasons, I dissent from the Commission's conclusion that there is reason to believe the proposed transaction will substantially lessen competition in the alleged relevant market.

III. Ensuring Consent Agreements Are in the Public Interest

Nielsen and Arbitron have agreed to certain concessions in a Consent Agreement with the Commission despite the lack of evidence supporting the conclusion that the proposed transaction will result in a substantial

[16] *Id.* at § 11.

[17] *See generally* Joshua D. Wright, Comm'r, Fed. Trade Comm'n, Evidence-Based Antitrust Enforcement in the Technology Sector (Feb. 23, 2013), Remarks at the Competition Law Center *available at http://www.ftc.gov/speeches/wright/130223chinaevidence.pdf.*

[18] Although the Merger Guidelines provide that the agencies need not begin their merger analysis by defining the relevant product market—that is to say, defining the relevant product market before assessing effects, the Merger Guidelines do not dispense with market definition because it is important to understanding where those effects ultimately might occur.

[19] 2010 Merger Guidelines, *supra* note 6, § 10 n. 14.

lessening of competition in the market for national syndicated cross-platform audience measurement services. Some may conclude that there can be no harm in the Commission entering into a consent agreement and issuing a Complaint and Order imposing a remedy with sophisticated and willing parties. That of course need not be true. Nor does that view logically follow from the Commission's mission to prevent anticompetitive conduct and to promote consumer welfare.

Whether parties to a transaction are willing to enter into a consent agreement will often have little to do with whether the agreed upon remedy actually promotes consumer welfare. The Commission's ability to obtain concessions instead reflects the weighing by the parties of the private costs and private benefits of delaying the transaction and potentially litigating the merger against the private costs and private benefits of acquiescing to the proposed terms.[20] Indeed, one can imagine that where, as here, the alleged relevant product market is small relative to the overall deal size, the parties would be happy to agree to concessions that cost very little and finally permit the deal to close. Put simply, where there is no reason to believe a transaction violates the antitrust laws, a sincerely held view that a consent decree will improve upon the post-merger competitive outcome or have other beneficial effects does not justify imposing those conditions. Instead, entering into such agreements subtly, and in my view harmfully, shifts the Commission's mission from that of antitrust enforcer to a much broader mandate of ''fixing'' a variety of perceived economic welfare-reducing arrangements.

Consents can and do play an important and productive role in the Commission's competition enforcement mission. Consents can efficiently address competitive concerns arising from a merger by allowing the Commission to reach a resolution more quickly and at less expense than would be possible through litigation. However, consents potentially also can have a detrimental impact upon consumers. The Commission's consents serve as important guidance and inform practitioners and the business community about how the agency is likely to view and remedy certain mergers.[21] Where the Commission has endorsed by way of consent a willingness to challenge transactions where it might not be able to meet its burden of proving harm to competition, and which therefore at best are competitively innocuous, the Commission's actions may alter private parties' behavior in a manner that does not enhance consumer welfare.[22] Because there is no judicial approval of Commission settlements, it is especially important that the Commission take care to ensure its consents are in the public interest.[23]

[FR Doc. 2013–23547 Filed 9–26–13; 8:45 am]

BILLING CODE 6750–01–P

[20] *See* Douglas H. Ginsburg & Joshua D. Wright, *Antitrust Settlements: The Culture of Consent, in* 1 William E. Kovacic: An Antitrust Tribute—Liber Amicorum 177, 179–80 (2012).

[21] *See, e.g.,* Deborah L. Feinstein, Bureau of Competition Dir., Fed. Trade Comm'n, The Significance of Consent Orders in the Federal Trade Commission's Competition Enforcement Efforts, Remarks at GCR Live, 4–5 (Sept. 17, 2013), *available at http://www.ftc.gov/speeches/dfeinstein/130917gcrspeech.pdf.*

[22] *See* Ginsburg & Wright, *supra* note 14, at 179.

[23] 15 U.S.C. 45(b) (2006); *see also* J. Thomas Rosch, Comm'r, Fed. Trade Comm'n, Consent Decrees: Is the Public Getting Its Money's Worth (Apr. 7, 2011), Remarks at the XVIIIth St. Gallen International Competition Law Forum, *available at http://www.ftc.gov/speeches/rosch/110407roschconsentdecrees.pdf* (stating that ''we at the Commission are responsible for conducting our own public interest inquiry before accepting proposed consent decrees, and this inquiry operates as a check on the 'wide discretion' that we otherwise wield to combat methods, acts and practices that violate the antitrust and consumer protection laws'').

GENERAL SERVICES ADMINISTRATION

[Notice-MG–2013–02; Docket No: 2013–0002; Sequence 26]

Leased Asset Energy and GHG Reporting Interpretive Guidance

AGENCY: Office of Government-Wide Policy, U.S. General Services Administration (GSA).

ACTION: Notice.

SUMMARY: This notice announces guidance on estimating and voluntarily reporting leased asset energy use and greenhouse gas (GHG) emissions data. The guidance contains a practical set of guidelines and best practices for agencies developing their own policies and processes for leasing, energy data collection and estimation, and GHG reporting and may be found at *www.gsa.gov/hpgb.* It is not federal policy for energy reporting or GHG accounting.

DATES: September 27, 2013.

FOR FURTHER INFORMATION CONTACT: Ms. Kinga Porst, Office of Federal High Performance Green Buildings (MG), Office of Government-Wide Policy, GSA, at 202–501–0762 or via email at *kinga.porst@gsa.gov.* Please cite Notice-MK–2013–02.

SUPPLEMENTARY INFORMATION: This notice announces guidance on estimating and voluntarily reporting leased asset energy use and greenhouse gas (GHG) emissions data. The guidance contains a practical set of guidelines and best practices for agencies developing their own policies and processes for leasing, energy data collection and estimation, and GHG reporting and may be found at *www.gsa.gov/hpgb.* It is not federal policy for energy reporting or GHG accounting.

Dated: September 23, 2013.

Kevin Kampschroer,

Federal Director, Office of Federal High Performance Green Buildings, Office of Government-wide Policy.

[FR Doc. 2013–23581 Filed 9–26–13; 8:45 am]

BILLING CODE 6820–14–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the Secretary

[Document Identifier HHS–OS–20584–60D]

Agency Information Collection Activities; Proposed Collection; Public Comment Request

AGENCY: Office of the Secretary, HHS.

ACTION: Notice.

SUMMARY: In compliance with section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Office of the Secretary (OS), Department of Health and Human Services, announces plans to submit a new Information Collection Request (ICR), described below, to the Office of Management and Budget (OMB). Prior to submitting that ICR to OMB, Office of the Secretary, OS seeks comments from the public regarding the burden estimate, below, or any other aspect of the ICR.

DATES: Comments on the ICR must be received on or before November 26, 2013.

ADDRESSES: Submit your comments to *Information.CollectionClearance@hhs.gov* or by calling (202) 690–6162.

FOR FURTHER INFORMATION CONTACT: Information Collection Clearance staff, *Information.CollectionClearance@hhs.gov* or (202) 690–6162.

SUPPLEMENTARY INFORMATION: When submitting comments or requesting information, please include the document identifier HHS–OS–20584–60D for reference. *Information Collection Request Title:* Survey on

Long-Term Care Awareness and Planning.

Abstract: The Office of the Assistant Secretary for Planning and Evaluation (ASPE) is requesting approval from the Office of Management and Budget (OMB) to conduct a survey of adults between the ages of 40 and 70 on long-term care awareness, how people plan for retirement and their preferences for long-term care financing options. Long-term care includes helping people with daily activities, such as bathing, dressing, taking medications, and preparing meals over a long period of time. Long-term care can be provided in nursing homes, assisted living facilities, adult day care programs, and individual homes. Most people with disabilities are elderly, but people of all ages may need long-term care (Kaye, Harrington, & LaPlante, 2010).

The goal of this project is to contribute to the knowledge base regarding how people plan for the possibility of needing long-term care and for retirement in general and assess their preferences about long-term care insurance. Information about long-term care and retirement planning will be obtained from a large sample of individuals 40–70 years of age who are part of an ongoing Internet panel maintained by GfK Custom Research, LLC. Prior to the development of the survey instrument, a thorough review of the literature was conducted and conceptual framework prepared. A survey instrument was developed with contributions of a Technical Expert Panel (TEP), which provided guidance on the content and methodology of the survey instrument and comprised experts on survey methodology and long-term care and long-term care insurance. Part of the survey is a discrete choice experiment (DCE) designed to elicit respondent preferences on features of long-term care insurance. The survey was cognitively assessed and revised based on revised based on the results of the testing. GfK will administer the survey; RTI International will analyze the survey. Both GfK and RTI have experience doing similar work for HHS/ASPE and other government clients.

Need and Proposed Use of the Information: To determine how adults between the ages of 40 and 70 plan for retirement and their preferences for long-term care financing options.

Likely Respondents: Adults between the ages of 40 and 70

Burden Statement: Burden in this context means the time expended by persons to generate, maintain, retain, disclose or provide the information requested. This includes the time needed to review instructions, to develop, acquire, install and utilize technology and systems for the purpose of collecting, validating and verifying information, processing and maintaining information, and disclosing and providing information, to train personnel and to be able to respond to a collection of information, to search data sources, to complete and review the collection of information, and to transmit or otherwise disclose the information. The total annual burden hours estimated for this ICR are summarized in the table below.

TOTAL ESTIMATED ANNUALIZED BURDEN—HOURS

Form name	Number of respondents	Number of responses per respondent	Average burden per response (in hours)	Total burden hours
Self-administered, Web-based questionnaire	15,000	1	0.75	11,250
Total				11,250

Office of the Secretary, OS specifically requests comments on (1) the necessity and utility of the proposed information collection for the proper performance of the agency's functions, (2) the accuracy of the estimated burden, (3) ways to enhance the quality, utility, and clarity of the information to be collected, and (4) the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

Darius Taylor,

Deputy Information Collection Clearance Officer.

[FR Doc. 2013–23588 Filed 9–26–13; 8:45 am]

BILLING CODE 4150–05–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Solicitation for Applications From Individuals Interested in Being Appointed to the Chronic Fatigue Syndrome Advisory Committee

AGENCY: Department of Health and Human Services, Office of the Secretary, Office of the Assistant Secretary for Health.

ACTION: Notice.

SUMMARY: The Office of the Assistant Secretary for Health (OASH), within the Department of Health and Human Services (HHS), is seeking nominations of qualified candidates to be considered for appointment as a member of the Chronic Fatigue Syndrome Advisory Committee (CFSAC). CFSAC provides advice and recommendations to the Secretary of HHS, through the Assistant Secretary for Health (ASH), on a broad range of issues and topics related to myalgic encephalomyelitis/chronic fatigue syndrome (ME/CFS). The appointments of several Committee members are scheduled to end during the 2014 calendar year. Nominations of qualified candidates are being sought to fill the positions that are scheduled to be vacated.

Authority: 42 U.S.C. 217a, section 222 of the Public Health Service (PHS) Act, as amended.

The Committee is governed by the provisions of Public Law 92–463, as amended (5 U.S.C. App 2), which sets forth standards for the formation and use of advisory committees.

DATES: Applications for individuals to be considered for appointment to the Committee must be received no later than 5 p.m. EDT on October 28, 2013 at the address listed below.

ADDRESSES: All nominations should be mailed or delivered to Martha Duncan Bond, Alternate Designated Federal Officer, Chronic Fatigue Syndrome Advisory Committee, Office on Women's Health, Office of the Assistant Secretary for Health, Department of Health and Human Services, 200

Independence Avenue SW., Room 719E, Washington, DC 20201. Nomination materials, including attachments, may be submitted electronically to *cfsac@hhs.gov.*

FOR FURTHER INFORMATION CONTACT: Martha Duncan Bond, Alternate Designated Federal Officer, Chronic Fatigue Syndrome Advisory Committee, Office on Women's Health, Office of the Assistant Secretary for Health, Department of Health and Human Services, 200 Independence Ave. SW., Room 719E, Washington, DC 20201. Inquiries may also be made to *cfsac@hhs.gov.*

SUPPLEMENTARY INFORMATION: CFSAC was established on September 5, 2002. The purpose of the CFSAC is to provide advice and recommendations to the Secretary of HHS, through the ASH, on issues related to ME/CFS. CFSAC advises and makes recommendations on a broad range of topics including: (1) The current state of knowledge and research; the relevant gaps in knowledge and research about the epidemiology, etiologies, biomarkers, and risk factors relating to ME/CFS; and potential opportunities in these areas; (2) impact and implications of current and proposed diagnostic and treatment methods for ME/CFS; (3) development and implementation of programs to inform the public, health care professionals, and the biomedical, academic, and research communities about ME/CFS advances; and (4) strategies to improve the quality of life of ME/CFS patients. Management and support services for Committee activities are provided by staff from the Office on Women's Health, which is a program office within the OASH. The CFSAC charter is available at *http://www.hhs.gov/advcomcfs/charter/index.html.*

Nominations: OASH is requesting nominations to fill CFSAC positions that are scheduled to be vacated during 2014. The Committee composition consists of seven scientists with demonstrated expertise in biomedical research applicable to ME/CFS, four individuals with demonstrated expertise in health care delivery, private health care services, insurance, or voluntary organizations concerned with the problems of individuals living with ME/CFS. The vacant positions are in the biomedical research, health care services, and delivery categories. Individuals selected for appointment to the Committee will serve as voting members. Individuals selected for appointment to the Committee can be invited to serve terms of up to four years. As Special Government Employees, committee members receive a stipend for attending Committee meetings. Committee members also are authorized to receive per diem and reimbursement for travel expenses incurred for conducting Committee business. To qualify for consideration of appointment to the Committee, an individual must possess demonstrated experience and knowledge in the designated fields or disciplines, as well as expert knowledge of the broad issues and topics pertinent to ME/CFS.

Nomination materials should be typewritten, 12-point type, and double-spaced. If mailed, please submit original documents. The nomination materials should be submitted (postmarked or received) no later than 5:00 p.m. EDT on the date specified under DATES. The following information must be part of the nomination package submitted for each individual being nominated: (1) A letter of nomination that clearly states the name and affiliation of the nominee, the basis for the nomination (i.e., specific attributes which qualify the nominee for service in this capacity), and a statement that the nominee is willing to serve as a member of the Committee; (2) the nominator's name, address, and daytime telephone number, and the home and/or work address, telephone number, and email address of the individual being nominated; and (3) a current copy of the nominee's curriculum vitae. Federal employees should not be nominated for consideration of appointment to this Committee. An individual may self-nominate.

Electronic submissions: Nomination materials, including attachments, may be submitted electronically to *cfsac@hhs.gov.*

Telephone and facsimile submissions cannot be accepted.

Regular, Express, or Overnight Mail: Written documents may be submitted to the following addressee only: Martha Duncan Bond, Alternate Designated Federal Officer, CFSAC, Office on Women's Health, Office of the Assistant Secretary for Health, Department of Health and Human Services, 200 Independence Ave. SW., Room 719E, Washington, DC 20201.

The Department makes every effort to ensure that the membership of Federal advisory committees is fairly balanced in terms of points of view represented and the committee's function. Every effort is made to ensure that a broad representation of geographic areas, females, ethnic and minority groups, and people with disabilities are given consideration for membership on Federal advisory committees. Appointment to this Committee shall be made without discrimination on the basis of age, race, ethnicity, gender, sexual orientation, disability, and cultural, religious, or socioeconomic status. Nominations must state that the nominee is willing to serve as a member of CFSAC and appears to have no conflict of interest that would preclude membership. Potential candidates are required to provide detailed information concerning such matters as financial holdings, consultancies, and research grants or contracts for an ethics analysis to be conducted to identify potential conflicts of interest.

Dated: September 12, 2013.

Nancy C. Lee,

Designated Federal Officer, Chronic Fatigue Syndrome Advisory Committee.

[FR Doc. 2013–23678 Filed 9–26–13; 8:45 am]

BILLING CODE 4150–42–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Solicitation of Nominations for Membership on the Secretary's Advisory Committee on Human Research Protections

AGENCY: Department of Health and Human Services, Office of the Secretary, Office of the Assistant Secretary for Health, Office for Human Research Protections.

ACTION: Notice.

Authority: 42 U.S.C. 217a, Section 222 of the Public Health Service Act, as amended. The Committee is governed by the provisions of Public Law 92–463, as amended (5 U.S.C. Appendix 2), which sets forth standards for the formation and use of advisory committees.

SUMMARY: The Office for Human Research Protections (OHRP), a program office in the Office of the Assistant Secretary for Health, Department of Health and Human Services (HHS), is seeking nominations of qualified candidates to be considered for appointment as members of the Secretary's Advisory Committee on Human Research Protections (SACHRP). SACHRP provides advice and recommendations to the Secretary, HHS, and the Assistant Secretary for Health on matters pertaining to the continuance and improvement of functions within the authority of HHS directed toward protections for human subjects in research. SACHRP was established by the Secretary, HHS, on October 1, 2002. OHRP is seeking nominations of qualified candidates to fill three positions on the Committee membership

that will be vacated during the 2014 calendar year.

DATES: Nominations for membership on the Committee must be received no later than October 28, 2013.

ADDRESSES: Nominations should be mailed or delivered to Dr. Jerry Menikoff, Director, Office for Human Research Protections, Department of Health and Human Services, 1101 Wootton Parkway, Suite 200, Rockville, MD 20852. Nominations will not be accepted by email or by facsimile.

FOR FURTHER INFORMATION CONTACT: Julia Gorey, Executive Director, SACHRP, Office for Human Research Protections, 1101 Wootton Parkway, Suite 200, Rockville, MD 20852, telephone: 240–453–8141. A copy of the Committee charter and list of the current members can be obtained by contacting Ms. Gorey, accessing the SACHRP Web site at *www.hhs.gov/ohrp/sachrp,* or requesting via email at *sachrp@osophs.dhhs.gov.*

SUPPLEMENTARY INFORMATION: The Committee provides advice on matters pertaining to the continuance and improvement of functions within the authority of HHS directed toward protections for human subjects in research. Specifically, the Committee provides advice relating to the responsible conduct of research involving human subjects with particular emphasis on special populations such as neonates and children, prisoners, the decisionally impaired, pregnant women, embryos and fetuses, individuals and populations in international studies, investigator conflicts of interest and populations in which there are individually identifiable samples, data or information.

In addition, the Committee is responsible for reviewing selected ongoing work and planned activities of the OHRP and other offices/agencies within HHS responsible for human subjects protection. These evaluations may include, but are not limited to, a review of assurance systems, the application of minimal research risk standards, the granting of waivers, education programs sponsored by OHRP, and the ongoing monitoring and oversight of institutional review boards and the institutions that sponsor research.

Nominations: The OHRP is requesting nominations to fill three positions for voting members of SACHRP that are scheduled to become vacant during 2014. Nominations of potential candidates for consideration are being sought from a wide array of fields, including, but not limited to: Public health and medicine, behavioral and social sciences, health administration, and biomedical ethics. To qualify for consideration of appointment to the Committee, an individual must possess demonstrated experience and expertise in any of the several disciplines and fields pertinent to human subjects protection and/or clinical research.

The individuals selected for appointment to the Committee can be invited to serve a term of up to four years. Committee members receive a stipend and reimbursement for per diem and any travel expenses incurred for attending Committee meetings and/or conducting other business in the interest of the Committee. Interested applicants may self-nominate. Nominations may be retained and considered for future vacancies.

Nominations should be typewritten. The following information should be included in the package of material submitted for each individual being nominated for consideration: (1) A letter of nomination that clearly states the name and affiliation of the nominee, the basis for the nomination (i.e., specific attributes which qualify the nominee for service in this capacity), and a statement that the nominee is willing to serve as a member of the Committee; (2) the nominator's name, address, daytime telephone number, and the home and/or work address, telephone number, and email address of the individual being nominated; and (3) a current copy of the nominee's curriculum vitae. Federal employees should not be nominated for consideration of appointment to this Committee.

The Department makes every effort to ensure that the membership of HHS Federal advisory committees is fairly balanced in terms of points of view represented and the committee's function. Every effort is made to ensure that individuals from a broad representation of geographic areas, women and men, ethnic and minority groups, and the disabled are given consideration for membership on HHS Federal advisory committees. Appointment to this Committee shall be made without discrimination on the basis of age, race, ethnicity, gender, sexual orientation, disability, and cultural, religious, or socioeconomic status.

Individuals who are selected to be considered for appointment will be required to provide detailed information regarding their financial holdings, consultancies, and research grants or contracts. Disclosure of this information is necessary in order to determine if the selected candidate is involved in any activity that may pose a potential conflict with the official duties to be performed as a member of SACHRP.

Dated: September 24, 2013.

Jerry Menikoff,

Director, Office for Human Research Protections, Executive Secretary, Secretary's Advisory Committee on Human Research Protections.

[FR Doc. 2013–23672 Filed 9–26–13; 8:45 am]

BILLING CODE 4150–36–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the Secretary

Office of Minority Health: Statement of Organization, Functions and Delegations of Authority

This notice amends Part A, Office of the Secretary, Statement of Organization, Functions, and Delegations of Authority for the U.S. Department of Health and Human Services, at Chapter AC, Office of the Assistant Secretary for Health, as last amended at 60 FR 56605–06 (November 9, 1995), 60 FR 18418—19 (April 11, 1995), 60 FR 471—473 (January 4, 1995), 58 FR 7140 (February 4, 1993), and 57 FR 13750–51 (April 7, 1992) and as established at 50 FR 50847–48 (December 12, 1985). This amendment establishes the Deputy Assistant Secretary for Minority Health as reporting directly to the Secretary and administratively supported by the Assistant Secretary for Health. The change is as follows:

I. Under Part A, Chapter AC.20, ''Functions,'' Section C, ''Office of Minority Health,'' delete the first paragraph, which begins with ''The Deputy Assistant Secretary for Minority Health serves,'' and replace with the following:

The Deputy Assistant Secretary for Minority Health serves as the Director of the Office of Minority Health and principal advisor to the Secretary for health program activities that address minority populations, develops policies for the improvement of the health status of minority populations, and coordinates all PHS minority health activities. The Deputy Assistant Secretary for Minority Health reports directly to the Secretary and is administratively supported by the ASH.

II. Delegations of Authority: All delegations and re-delegations of authority made to officials and employees of affected organizational components will continue in them or their successors pending further redelegations.

Dated: September 19, 2013.

Kathleen Sebelius,

Secretary.

[FR Doc. 2013–23680 Filed 9–26–13; 8:45 am]

BILLING CODE 4151–17–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[30Day–13–0852]

Agency Forms Undergoing Paperwork Reduction Act Review

The Centers for Disease Control and Prevention (CDC) publishes a list of information collection requests under review by the Office of Management and Budget (OMB) in compliance with the Paperwork Reduction Act (44 U.S.C. Chapter 35). To request a copy of these requests, call (404) 639–7570 or send an email to *omb@cdc.gov.* Send written comments to CDC Desk Officer, Office of Management and Budget, Washington, DC 20503 or by fax to (202) 395–5806. Written comments should be received within 30 days of this notice.

Proposed Project

Prevalence Survey of Healthcare-Associated Infections (HAIs) and Antimicrobial Use in U.S. Acute Care Hospitals—Reinstatement—(0920–0852 exp 5/31/13)—National Center for Emerging and Zoonotic Infectious Diseases, Centers for Disease Control and Prevention (CDC).

Background and Brief Description

Preventing healthcare-associated infections (HAIs) is a CDC priority. An essential step in reducing the occurrence of HAIs is to estimate accurately the burden of these infections in U.S. hospitals, and to describe the types of HAIs and causative organisms. The scope and magnitude of HAIs in the United States were last directly estimated in the 1970s in which comprehensive data were collected from a sample of 338 hospitals; 5% of hospitalized patients acquired an infection not present at the time of admission. Because of the substantial resources necessary to conduct hospital-wide surveillance in an ongoing manner, most of the more than 4,500 hospitals now reporting to the CDC's current HAI surveillance system, the National Healthcare Safety Network (NHSN 0920–0666 expiration 1/31/15), focus instead on device-associated and procedure-associated infections in selected patient locations, and do not report data on all types of HAIs occurring hospital-wide. Periodic assessments of the magnitude and types of HAIs occurring in all patient populations within acute care hospitals are needed to inform decisions by local and national policy makers and by hospital infection control personnel regarding appropriate targets and strategies for HAI prevention.

During 2008–2009 in the previous project period, CDC developed a pilot protocol for HAI point prevalence survey, conducted over a 1-day period at each of nine acute care hospitals in one U.S. city. This pilot phase was followed in 2010 by a phase 2, limited roll-out HAI and antimicrobial use prevalence survey, conducted during July and August in 22 hospitals across 10 Emerging Infections Program (EIP) sites (in California, Colorado, Connecticut, Georgia, Maryland, Minnesota, New Mexico, New York, Oregon, and Tennessee). Experience gained in the phase 1 and phase 2 surveys was used to conduct a full-scale, phase 3 survey in 2011, involving 183 hospitals in the 10 EIP sites. Over 11,000 patients were surveyed, and analysis of HAI and antimicrobial use data is ongoing at this time.

This reinstatement is sought, to allow a repeat HAI and antimicrobial use prevalence survey to be performed in 2014. A repeat survey will allow further refinement of survey methodology and assessment of changes over time in prevalence, HAI distribution, and pathogen distribution. It will also allow for a re-assessment of the burden of antimicrobial use, at a time when antimicrobial stewardship is an area of active engagement in many acute care hospitals. The 2014 survey will be performed in a sample of up to 500 acute care hospitals, drawn from the acute care hospital populations in each of the 10 EIP sites (and including participation from many hospitals that participated in prior phases of the survey). Infection prevention personnel in participating hospitals and EIP site personnel will collect demographic and clinical data from the medical records of a sample of eligible patients in their hospitals on a single day in 2014, to identify CDC-defined HAIs. The surveys will provide data for CDC to make estimates of the prevalence of HAIs across this sample of U.S. hospitals as well as the distribution of infection types and causative organisms. These data can be used to work toward reducing and eliminating healthcare-associated infections—a Department of Health and Human Services (DHHS) Healthy People 2020 objective (*http://www.healthypeople.gov/2020/topicsobjectives2020/overview.aspx?topicid=17*). This survey project also supports the CDC Winnable Battle goal of improving national surveillance for healthcare-associated infections (*http://www.cdc.gov/winnablebattles/Goals.html*).

There are no costs to respondents other than their time. The estimated annualized burden is 6,325 hours.

Respondents	Form name	Number of respondents	Number of responses per respondent	Average burden per response (in hours)
Infection Preventionist	Healthcare Facility Assessment (HCA)	500	1	45/60
Infection Preventionist	Patient Information Form (PIF)	500	42	17/60

Kimberly S. Lane,

Deputy Director, Office of Scientific Integrity, Office of the Associate Director for Science, Office of the Director, Centers for Disease Control and Prevention.

[FR Doc. 2013–23534 Filed 9–26–13; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[CMS–6023–N3]

Medicare Program; Approval of Accrediting Organization for Suppliers of Advanced Diagnostic Imaging Supplier Accreditation Program

AGENCY: Centers for Medicare & Medicaid Services (CMS), HHS.

ACTION: Notice.

SUMMARY: This notice announces our approval of RadSite™, a national accreditation organization to accredit suppliers seeking to furnish the technical component (TC) of advanced diagnostic imaging services under the Medicare program.

FOR FURTHER INFORMATION CONTACT: Sandra Bastinelli (410) 786–3630.

SUPPLEMENTARY INFORMATION:

I. Background

Section 135(a) of the Medicare Improvements for Patients and Providers Act of 2008 (MIPPA) added section 1834(e) to the Social Security Act (the Act) requiring the Secretary to designate organizations that accredit suppliers furnishing the technical component (TC) of advanced diagnostic imaging (ADI) service and establish procedures to ensure that the criteria used by an accreditation organization are specific to each imaging modality. Section 1834(e)(1)(B) of the Act defines advanced diagnostic imaging services as—

(i) [D]iagnostic magnetic resonance imaging, computed tomography, and nuclear medicine (including positron emission tomography); and

(ii) [S]uch other diagnostic imaging services, including services described in section 1848(b)(4)(B) (excluding X-ray, ultrasound, and fluoroscopy), as specified by the Secretary in consultation with physician specialty organizations and other stakeholders.

Section 1848(b)(4)(B) of the Act defines imaging services as ''imaging and computer-assisted imaging services,'' including x-ray, ultrasound (including echocardiography), nuclear medicine (including positron emission tomography), magnetic resonance imaging, computed tomography, and fluoroscopy, but excluding diagnostic and screening mammography. Suppliers, which include physicians, non-physician practitioners and physician and non-physician organizations, of the TC of advanced diagnostic imaging services for which payment is made under the fee schedule established under section 1848(b) of the Act, were required to be accredited by an accreditation organization designated by the Secretary beginning January 1, 2012.

The application requirements for accrediting organizations were finalized in the Calendar Year 2010 Physician Fee Schedule final rule published on November 25, 2009 (74 FR 61738), as corrected in the November 30, 2009 correcting document (74 FR 62579) and set forth as application criteria in a November 25, 2009 **Federal Register** notice (74 FR 62189), as corrected in the November 30, 2009 correction notice (74 FR 62579).

In the January 26, 2010, **Federal Register** (75 FR 4088), we announced the approval of the American College of Radiology (ACR), the Intersocietal Accreditation Commission (IAC), and The Joint Commission (TJC) as designated accreditation organizations to accredit suppliers furnishing the technical component of the following advanced diagnostic imaging modalities: Computerized tomography, nuclear medicine, positron emission tomography, and magnetic resonance imaging.

II. Application Requirements, Review, and Approval

We received the completed application from RadSite™ to be considered as a designated accreditation organization for advanced diagnostic imaging services on January 18, 2011. An internal professional panel reviewed and compared the standards contained in the application with our requirements in 42 CFR 414.68. Accordingly, to be considered for approval as a designated accreditation organization, the accreditation organization had to furnish the following information specified in 42 CFR 414.68(c):

- A list of the categories of advanced diagnostic imaging services for which the organization is requesting approval.
- A description of the accrediting organization's duration of accreditation (annual, biannual, and triennial), to include a summary of activities that occur at each cycle.
- A detailed description of how the organization's accreditation criteria satisfy the statutory standards at section 1834(e)(3) of the Act, including the following:

++ Qualifications of medical personnel who are not physicians and who furnish the TC of advanced diagnostic imaging services.

++ Qualifications and responsibilities of medical directors and supervising physicians, such as training in advanced diagnostic imaging services in a residency program, expertise obtained through experience or continuing medical education courses.

++ Procedures to ensure the safety of persons who furnish the TC of advanced diagnostic imaging services and individuals to whom such services are furnished.

++ Procedures to ensure the reliability, clarity, and accuracy of the technical quality of diagnostic images produced by the supplier.

++ Procedures to assist the beneficiary in obtaining the beneficiary's imaging records on request.

++ Procedures to notify CMS of any changes to the modalities subsequent to the organization's accreditation decision.

- An agreement to conform accreditation requirements to any changes in Medicare statutory requirements authorized by 1834(e) of the Act.
- An agreement to maintain or adopt standards that are equal to, or more stringent than, those of Medicare.
- Information that demonstrates the accreditation organization's knowledge and experience in the advanced diagnostic imaging arena.
- A plan for reducing the burden and cost of accreditation to small and rural suppliers that include—

++ The organization's proposed fees for accreditation for each modality in which the organization intends to offer accreditation; and

++ Any specific documentation requirements and attestations requested by CMS as a condition of designation.

- A detailed description of the organization's survey process, to include the following:

++ Type and frequency of the surveys performed.

++ The ability of the organization to conduct timely reviews of accreditation applications.

++ Description of the organization's audit procedures, including random site visits; site audits or other strategies for ensuring suppliers accredited by the organization maintain compliance throughout the period of accreditation.

++ Procedures for performing unannounced site surveys.

++ Copies of the organization's survey forms.

++ A description of the accreditation survey review process and the accreditation status decision-making process, including the process for addressing identified deficiencies with the accreditation requirements, and the procedures used to monitor the correction of deficiencies found during an accreditation survey.

++ Procedures for coordinating surveys with another accrediting organization (when the organization does not accredit all modalities) provided by an applicant for accreditation which the supplier provided.

++ Comprehensive information about the individuals who perform evaluations for the accreditation organization, including all of the following information:

—Detailed information about the size and composition of accreditation teams for each category of advanced medical imaging service supplier accredited.
—The number of professional and technical staff that are available for survey.
—The education, current employment and experience requirements surveyors must meet.
—The content and length of any orientation program.
—The frequency and types of in-service training provided to survey personnel.
—The evaluation systems used to monitor the performance of individual surveyors and survey teams.
—Policies and procedures regarding an individual's participation in the survey or accreditation decision process of any organization with which the individual is professionally or financially affiliated.

++ Policies and procedures used when an organization has a dispute regarding survey findings or an adverse decision.

• A description of the organization's data management and analysis capabilities in support of its surveys and accreditation decisions, including the kinds of reports, tables, and other displays generated by that system.

• The organization's procedures for investigating and responding to complaints against accredited facilities, including policies and procedures regarding coordination of these activities with relevant licensing bodies and CMS.

• A description of the organization's policies and procedures for withholding or removal of accreditation status for facilities that fail to meet the organization's accreditation standards and other actions taken by the organization in response to noncompliance with its accreditation criteria. These policies and procedures must include notifying CMS of facilities that fail to meet the requirements of the accrediting organization as required by CMS.

• The information submitted for notification of these organizations include—

++ A list of all accredited suppliers that the accrediting organization has accredited to include the type and category of accreditation currently held by each supplier, and the expiration date of each supplier's current accreditation; and

++ A list of all accreditation surveys scheduled to be performed by the organization;

• The accreditation organization must also submit the following supporting documentation:

++ A written presentation that demonstrates the organization's ability to furnish us with electronic data in ASCII comparable code.

++ A resource analysis that demonstrates that the organization's staffing, funding, and other resources are adequate to perform the required surveys and related activities.

++ A statement acknowledging that, as a condition for approval the organization will agree to the following:

—Provide a statement agreeing to notify us, in writing, of any supplier that had its accreditation revoked, withdrawn, revised, or any other remedial or adverse action taken against it by the accreditation organization within 30 calendar days of any such action taken.
—Notify all accredited suppliers within 10 calendar days of our withdrawal of the organization's approval of designation authority.
—Notify us, in writing, at least 30 calendar days in advance of the effective date of any proposed changes in accreditation requirements.
—Permit its surveyors to serve as witnesses if we take an adverse action based on accreditation findings.
—Notify us, in writing, within 2 calendar days of a deficiency identified in any accreditation entity where the deficiency poses an immediate jeopardy to the supplier's beneficiaries or a hazard to the general public.
—Provide, on an annual basis, summary data specified by us that relates to the past years' accreditations and trends.
—Attest that the organization will not perform any accreditation surveys of Medicare participating suppliers with which it has a financial relationship with or interest.

(For further information regarding the application requirements see the November 25, 2009 (74 FR 62189) and November 30, 2009 (74 FR 62579) notices.)

We have complete our review and believe that RadSite™ has provided us with demonstrated evidence of their qualifications and ability to accredit the categories of advanced diagnostic imaging services to include computerized tomography, nuclear medicine, positron emission tomography, and magnetic resonance imaging as defined in sections 1834(e)(1)(B) and 1848(b)(4)(B) of the Act. Therefore this notice announces our approval of RadSite™ to accredit suppliers furnishing the TC of all advanced imaging modalities (that is, computerized tomography, nuclear medicine, positron emission tomography, and magnetic resonance imaging) on or after September 27, 2013.

Authority: Section 1834(e) of the Act.

(Catalog of Federal Domestic Assistance Program No. 93.774, Medicare-Supplementary Medical Insurance Program)

Dated: September 19, 2013.

Marilyn Tavenner,

Administrator, Centers for Medicare & Medicaid Services.

[FR Doc. 2013–23664 Filed 9–26–13; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[CMS–4167–N]

Medicare Program; Medicare Appeals: Adjustment to the Amount in Controversy Threshold Amounts for Calendar Year 2014

AGENCY: Centers for Medicare & Medicaid Services (CMS), HHS.

ACTION: Notice.

SUMMARY: This notice announces the annual adjustment in the amount in controversy (AIC) threshold amounts for Administrative Law Judge (ALJ) hearings and judicial review under the Medicare appeals process. The adjustment to the AIC threshold amounts will be effective for requests for ALJ hearings and judicial review filed on or after January 1, 2014. The calendar year 2014 AIC threshold

amounts are $140 for ALJ hearings and $1,430 for judicial review.

DATES: This notice is effective on January 1, 2014.

FOR FURTHER INFORMATION CONTACT: Liz Hosna (*Katherine.Hosna@cms.hhs.gov*), (410) 786–4993.

SUPPLEMENTARY INFORMATION:

I. Background

Section 1869(b)(1)(E) of the Social Security Act (the Act), as amended by section 521 of the Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act of 2000 (BIPA), established the amount in controversy (AIC) threshold amounts for Administrative Law Judge (ALJ) hearing requests and judicial review at $100 and $1,000, respectively, for Medicare Part A and Part B appeals. Section 940 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (MMA), amended section 1869(b)(1)(E) of the Act to require the AIC threshold amounts for ALJ hearings and judicial review to be adjusted annually. The AIC threshold amounts are to be adjusted, as of January 2005, by the percentage increase in the medical care component of the consumer price index (CPI) for all urban consumers (U.S. city average) for July 2003 to July of the year preceding the year involved and rounded to the nearest multiple of $10. Section 940(b)(2) of the MMA provided conforming amendments to apply the AIC adjustment requirement to Medicare Part C/Medicare Advantage (MA) appeals and certain health maintenance organization and competitive health plan appeals. Health care prepayment plans are also subject to MA appeals rules, including the AIC adjustment requirement. Section 101 of the MMA provides for the application of the AIC adjustment requirement to Medicare Part D appeals.

A. Medicare Part A and Part B Appeals

The statutory formula for the annual adjustment to the AIC threshold amounts for ALJ hearings and judicial review of Medicare Part A and Part B appeals, set forth at section 1869(b)(1)(E) of the Act, is included in the applicable implementing regulations, 42 CFR 405.1006(b) and (c). The regulations require the Secretary of the Department of Health and Human Services (the Secretary) to publish changes to the AIC threshold amounts in the **Federal Register** (§ 405.1006(b)(2)). In order to be entitled to a hearing before an ALJ, a party to a proceeding must meet the AIC requirements at § 405.1006(b). Similarly, a party must meet the AIC requirements at § 405.1006(c) at the time judicial review is requested for the court to have jurisdiction over the appeal (§ 405.1136(a)).

B. Medicare Part C/MA Appeals

Section 940(b)(2) of the MMA applies the AIC adjustment requirement to Medicare Part C appeals by amending section 1852(g)(5) of the Act. The implementing regulations for Medicare Part C appeals are found at 42 CFR part 422, subpart M. Specifically, § 422.600 and § 422.612 discuss the AIC threshold amounts for ALJ hearings and judicial review. Section 422.600 grants any party to the reconsideration, except the MA organization, who is dissatisfied with the reconsideration determination, a right to an ALJ hearing as long as the amount remaining in controversy after reconsideration meets the threshold requirement established annually by the Secretary. Section 422.612 states, in part, that any party, including the MA organization, may request judicial review if the AIC meets the threshold requirement established annually by the Secretary.

C. Health Maintenance Organizations, Competitive Medical Plans, and Health Care Prepayment Plans

Section 1876(c)(5)(B) of the Act states that the annual adjustment to the AIC dollar amounts set forth in section 1869(b)(1)(E) of the Act applies to certain beneficiary appeals within the context of health maintenance organizations and competitive medical plans. The applicable implementing regulations for Medicare Part C appeals are set forth in 42 CFR part 422, subpart M, and as discussed previously, apply to these appeals. The Medicare Part C appeals rules also apply to health care prepayment plan appeals.

D. Medicare Part D (Prescription Drug Plan) Appeals

The annually adjusted AIC threshold amounts for ALJ hearings and judicial review that apply to Medicare Parts A, B, and C appeals also apply to Medicare Part D appeals. Section 101 of the MMA added section 1860D–4(h)(1) of the Act regarding Part D appeals. This statutory provision requires a prescription drug plan sponsor to meet the requirements set forth in sections 1852(g)(4) and (g)(5) of the Act, in a similar manner as MA organizations. As noted previously, the annually adjusted AIC threshold requirement was added to section 1852(g)(5) of the Act by section 940(b)(2)(A) of the MMA. The implementing regulations for Medicare Part D appeals can be found at 42 CFR part 423, subparts M and U. The regulations at § 423.562(c) prescribe that, unless the Part D appeals rules provide otherwise, the Part C appeals rules (including the annually adjusted AIC threshold amount) apply to Part D appeals to the extent they are appropriate. More specifically, § 423.1970 and § 423.1976 of the Part D appeals rules discuss the AIC threshold amounts for ALJ hearings and judicial review. Section 423.1970(a) grants a Part D enrollee, who is dissatisfied with the independent review entity (IRE) reconsideration determination, a right to an ALJ hearing if the amount remaining in controversy after the IRE reconsideration meets the threshold amount established annually by the Secretary. Sections 423.1976(a) and (b) allow a Part D enrollee to request judicial review of an ALJ or MAC decision if, in part, the AIC meets the threshold amount established annually by the Secretary.

II. Annual AIC Adjustments

A. AIC Adjustment Formula and AIC Adjustments

As previously noted, section 940 of the MMA requires that the AIC threshold amounts be adjusted annually, beginning in January 2005, by the percentage increase in the medical care component of the CPI for all urban consumers (U.S. city average) for July 2003 to July of the year preceding the year involved and rounded to the nearest multiple of $10.

B. Calendar Year 2014

The AIC threshold amount for ALJ hearing requests will remain at $140 and the AIC threshold amount for judicial review will rise to $1,430 for CY 2014. These amounts are based on the 42.754 percent increase in the medical care component of the CPI, which was at 297.600 in July 2003 and rose to 424.836 in July 2013. The AIC threshold amount for ALJ hearing requests changes to $142.75 based on the 42.754 percent increase over the initial threshold amount of $100 established in 2003. In accordance with section 1869(b)(1)(E)(iii) of the Act, the adjusted threshold amounts are rounded to the nearest multiple of $10. Therefore, the CY 2014 AIC threshold amount for ALJ hearings is $140.00. The AIC threshold amount for judicial review changes to $1,427.54 based on the 42.754 percent increase over the initial threshold amount of $1,000. This amount was rounded to the nearest multiple of $10, resulting in the CY 2014 AIC threshold amount of $1,430.00 for judicial review.

C. Summary Table of Adjustments in the AIC Threshold Amounts

In the following table we list the CYs 2010 through 2014 threshold amounts.

	CY 2010	CY 2011	CY 2012	CY 2013	CY 2014
ALJ Hearing	$130	$130	$130	$140	$140
Judicial Review	1,260	1,300	1,350	1,400	1,430

III. Collection of Information Requirements

This document does not impose information collection and recordkeeping requirements. Consequently, it need not be reviewed by the Office of Management and Budget under the authority of the Paperwork Reduction Act of 1995 (44 U.S.C. 35).

(Catalog of Federal Domestic Assistance Program No. 93.773 Medicare—Hospital Insurance Program; and No. 93.774, Medicare—Supplementary Medical Insurance Program)

Dated: September 23, 2013.

Marilyn Tavenner,

Administrator, Centers for Medicare & Medicaid Services.

[FR Doc. 2013–23655 Filed 9–26–13; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[CMS–3111–N]

Medicare, Medicaid, and CLIA Programs; Clinical Laboratory Improvement Amendments of 1988 Exemption of Laboratories Licensed by the State of Washington

AGENCY: Centers for Medicare & Medicaid Services (CMS), HHS.

ACTION: Notice.

SUMMARY: This notice announces that laboratories located in and licensed by the State of Washington that possess a valid license under the Medical Test Site law, Chapter 70.42 of the Revised Code of Washington, are exempt from the requirements of the Clinical Laboratory Improvement Amendments of 1988 (CLIA) for a period of 6 years.

DATES: The exemption granted by this notice is effective from September 27, 2013 to September 27, 2019.

FOR FURTHER INFORMATION CONTACT: Sandra Farragut, (410) 786–3531.

SUPPLEMENTARY INFORMATION:

I. Background and Legislative Authority

Section 353 of the Public Health Service Act (PHSA), as amended by the Clinical Laboratory Improvement Amendments of 1988 (CLIA) (Pub. L. 100–578), which was enacted on October 31, 1988, generally provides that no laboratory may perform tests on human specimens for the diagnosis, prevention or treatment of any disease or impairment of, or assessment of the health of, human beings unless it has a certificate to perform that category of tests issued by the Secretary of the Department of Health and Human Services (HHS). Under section 1861(s) of the Social Security Act (the Act), the Medicare program will only pay for laboratory services if the laboratory has a CLIA certificate. Section 1902(a)(9)(C) of the Act requires that state Medicaid plans pay only for laboratory services furnished by CLIA-certified laboratories. Thus, although subject to specified exemptions and exceptions, laboratories generally must have a current and valid CLIA certificate to test human specimens for medical purposes noted above to be eligible for payment for those tests from the Medicare or Medicaid programs. Regulations implementing section 353 of the PHSA are contained in 42 CFR part 493.

Section 353(p) of the PHSA provides for the exemption of laboratories from CLIA requirements in states that enact legal requirements that are equal to or more stringent than CLIA's statutory and regulatory requirements. Section 353(p) of the PHSA is implemented in subpart E of our regulations at 42 CFR part 493. Sections 493.551 and 493.553 provide that we may exempt from CLIA requirements, for a period not to exceed 6 years, all state-licensed or -approved laboratories in a state if the state licensure program meets the specified conditions. Section 493.559 provides that we will publish a notice in the **Federal Register** when we grant exemption to an approved state licensure program. It also provides that the notice will include the following:

- The basis for granting the exemption.
- A description of how the laboratory requirements are equal to or more stringent than those of CLIA.
- The term of approval, not to exceed 6 years.

State of Washington's Application for CLIA Exemption of Its Laboratories

The State of Washington has applied for exemption of its laboratories from CLIA program requirements. The State of Washington submitted all of the applicable information and attestations required by § 493.551, § 493.553, and § 493.557 for state licensure programs seeking exemption of their licensed laboratories from CLIA program requirements.

Examples of documents and information submitted include: a comparison of its laboratory licensure requirements with comparable CLIA condition-level requirements (that is, a crosswalk); and a description of the following: Its inspection process; its proficiency testing monitoring process; its data management and analysis system; its investigative and response procedures for complaints received against laboratories; and its policy regarding announced and unannounced inspections.

CMS Analysis of Washington's Application and Supporting Documentation

To determine whether we should grant a CLIA exemption to laboratories licensed by a state, we review the application and additional documentation that the state submits to us and conducts a detailed and in-depth comparison of the state licensure program and CLIA's statutory and regulatory requirements to determine whether the state program meets the requirements at subpart E of part 493.

In summary, the state generally must demonstrate that:

- It has state laws in effect that provide for a state licensure program that has requirements that are equal to or more stringent than CLIA condition-level requirements for laboratories.
- It has implemented a state licensure program with requirements that are equal to or more stringent than the CLIA condition-level requirements such that a

laboratory licensed by the state program would meet the CLIA condition-level requirements if it were inspected against those requirements.

• The requirements under that state licensure program meet or exceed the requirements of § 493.553, § 493.555, and § 493.557(b) and is suitable for approval by us under § 493.551. For example, among other things, the program would need to:

++ Demonstrate that it has enforcement authority and administrative structures and resources adequate to enforce its laboratory requirements.

++ Permit us or our agents to inspect laboratories within the state.

++ Require laboratories within the state to submit to inspections by us or our agents as a condition of licensure.

++ Agree to pay any costs associated with our activities to validate their state licensure program as well as the state's pro rata share of the general overhead to develop and implement CLIA as specified in § 493.645(a), § 493.646(b), and § 493.557(b).

++ Take appropriate enforcement action against laboratories found by us or our agents out of compliance with requirements comparable to CLIA condition-level requirements, as specified in § 493.557(b).

As specified in our regulations at § 493.555 and § 493.557(b), our review of a state licensure program includes (but is not necessarily limited to) an evaluation of the following:

• Whether the state's requirements for laboratories are equal to or more stringent than the CLIA condition-level requirements.

• The state's inspection process requirements to determine the following:

++ The comparability of the full inspection and complaint inspection procedures to those of CMS.

++ The state's enforcement procedures for laboratories found to be out of compliance with its requirements.

• The ability of the state to provide us with electronic data and reports with the adverse or corrective actions resulting from proficiency testing (PT) results that constitute unsuccessful participation in CMS-approved PT programs and with other data we determine to be necessary for validation review and assessment of the state's inspection process requirements.

• The state's agreement with us to ensure that the agreement obligates the state to do the following:

++ Notify us within 30 days of the action taken against any CLIA-exempt laboratory that has had its licensure or approval withdrawn or revoked or been in any way sanctioned.

++ Notify us within 10 days of any deficiency identified in a CLIA-exempt laboratory in cases when the deficiency poses an immediate jeopardy to the laboratory's patients or a hazard to the general public.

++ Notify each laboratory licensed by the state under its approved state licensure program within 10 days of a withdrawal of our approval of the state's licensure program, and the resulting loss of the laboratory's exemption from CLIA based on its licensure under that program.

++ Provide us with written notification of any changes in the state's licensure (or approval) and inspection requirements.

++ Disclose to us or our agent any laboratory's PT results in accordance with the state's confidentiality requirements.

++ Take appropriate enforcement action against laboratories that we or our agents find to be out of compliance with CLIA condition-level requirements in a validation survey, and report these enforcement actions to us.

++ Notify us of all newly licensed laboratories, and any changes in the specialties and subspecialties for which any laboratory performs testing, within 30 days.

++ Provide us, as requested, inspection schedules for validation purposes.

In keeping with the process described above, we evaluated the application and supporting materials that were submitted by Washington State to verify that the laboratories licensed through its program will meet or exceed the requirements of the following subparts of part 493: Subpart H, Participation in Proficiency Testing for Laboratories Performing Nonwaived Testing; Subpart J, Facility Administration for Nonwaived Testing; Subpart K, Quality Systems for Nonwaived Testing, Subpart M, Personnel for Nonwaived Testing; Subpart Q, Inspection; and Subpart R, Enforcement Procedures.

We found that Washington State's laboratory licensure program requirements mapped to all the CLIA condition-level requirements. Its licensure program's inspection process and proficiency testing monitoring processes were adequate. Other materials that were submitted demonstrated compliance with the other above-referenced requirements of subpart E of part 493. As a result, we concluded that the submitted documents supported exempting laboratories licensed under that program from the CLIA program requirements. Furthermore, a review of our validation inspections conducted by our regional office in Seattle, Washington, supported this conclusion.

The federal validation inspections of CLIA-exempt laboratories, as specified in § 493.563, were conducted on a representative sample basis, as well as in response to any substantial allegations of noncompliance (complaint inspections). The outcome of those validation inspections has been, and will continue to be our principal tool for verifying that the laboratories located in, and licensed by the state are in compliance with CLIA requirements.

Our regional office in Seattle, Washington, has conducted validation inspections of a representative sample (approximately 5 percent) of the laboratories inspected by the Washington State Office of Laboratory Quality Assurance (LQA). The validation inspections were primarily of the concurrent type; that is, our surveyors accompanied Washington State's inspectors, each inspecting against his or her agency's respective regulations. Analysis of the validation data revealed no significant differences between the state and federal findings. The validation surveys verified that the State of Washington inspection process covers all CLIA conditions applicable to each laboratory being inspected and also verified that the state laboratory licensure requirements meet or exceed CLIA condition-level requirements. Our validation surveys found the state inspectors highly skilled and qualified. The LQA inspected laboratories in a timely fashion; that is, all laboratories were inspected within the required 24-month cycle. All parameters monitored by our Seattle office to date indicate that the State of Washington is meeting all requirements for approval of CLIA exemption. This federal monitoring will continue as an on-going process.

Conclusion

Based on review of the documents submitted by the Washington state licensure program pursuant to the requirements of subpart E of part 493, as well as the outcome of the validation inspections conducted by our regional office in Seattle, we find that the State of Washington's licensure program meets the requirements of 42 CFR 493.551(a), and that, as a result, we may exempt from CLIA program requirements all state-licensed or -approved laboratories.

Approval of the CLIA exemption for laboratories located in and licensed by the State of Washington laboratory licensure program is subject to removal if we determine that the outcome of a

comparability review or a validation review inspection is not acceptable, as described under § 493.573 and § 493.575, or if the State of Washington fails to pay the required fee every 2 years as required under § 493.646.

Laboratory Data

In accordance with our regulations at § 493.557(b)(8), the approval of this exemption for laboratories located in and licensed by the State of Washington is conditioned on the State of Washington's continued compliance with the assertions made in its application, especially the provision of information to us about changes to a laboratory's specialties or subspecialties based on the state's survey, and changes to a laboratory's certification status, such as a change from a CLIA certificate of compliance to a CLIA certificate of waiver.

Required Administrative Actions

CLIA is a user-fee funded program. The registration fee paid by laboratories is intended to cover the cost of the development and administration of the program. However, when a state's application for exemption is approved, we do not charge a fee to laboratories in the state. The state's share of the costs associated with CLIA must be collected from the state, as specified in § 493.645.

The State of Washington must pay for the following:

- Costs of federal inspections of laboratories in the state to verify that Washington State's laboratory licensure program requirements are equivalent to or more stringent than those in the CLIA program, and that they are enforced in an appropriate manner. The average federal hourly rate is multiplied by the total hours required to perform federal validation surveys within the state.
- Costs incurred for federal surveys, including investigations of complaints that are substantiated. We will bill the State of Washington on a semiannual basis.
- The State of Washington's proportionate share of the costs associated with establishing, maintaining, and improving the CLIA computer system, based on the portion of those services from which the State of Washington received direct benefit or which contributed to the CLIA program in the state. Thus, the State of Washington is being charged for a portion of our direct and indirect costs of administering the CLIA program. Such costs will be incurred by CMS, the Centers for Disease Control and Prevention (CDC), the Food and Drug Administration (FDA) and contractors working on behalf of these respective agencies.

To estimate the State of Washington's proportionate share of the general overhead costs to develop and implement CLIA, we determined the ratio of laboratories in the state to the total number of laboratories nationally. Approximately 1.5 percent of the registered laboratories are in the State of Washington. We determined that a corresponding percentage of the applicable CMS, CDC, FDA, and their respective contractor costs should be borne by the State of Washington.

The State of Washington has agreed to pay the state's pro rata share of the anticipated overhead costs and costs of actual validation (including complaint investigation surveys). A final reconciliation for all laboratories and all expenses will be made. We will reimburse the state for any overpayment or bill it for any balance.

II. Approval

In light of the foregoing, we grant approval of the State of Washington's laboratory licensure program under subpart E. All laboratories located in and licensed by the State of Washington under the Medical Test Site law, Chapter 70.42 of the Revised Code of Washington, are CLIA-exempt for all specialties and subspecialties until September 27, 2019.

Authority: Section 353(p) of the Public Health Service Act (42 U.S.C. 263a).

Dated: August 8, 2013.

Marilyn Tavenner,

Administrator, Centers for Medicare & Medicaid Services.

[FR Doc. 2013–23659 Filed 9–26–13; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2008–N–0656]

Secure Supply Chain Pilot Program; Correction

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice; correction.

SUMMARY: The Food and Drug Administration (FDA) is correcting a document that appeared in the **Federal Register** of August 20, 2013 (78 FR 51192). The document announced the start of the Secure Supply Chain Pilot Program (SSCPP). The document was published with an incorrect email address for the SSCPP mailbox. This document corrects that error.

FOR FURTHER INFORMATION CONTACT: Katharine Neckers, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Building 51, Rm. 4259, 301–796–3339, email: *Katharine.Neckers@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION: In FR Doc. 2013–20215, appearing on page 51192 in the **Federal Register** of August 20, 2013, the following correction is made:

On page 51194, in the second column, under ''IV. Process for Applying to Participate in the Pilot,'' in the third full paragraph, the sentence that reads ''For communications other than the submission of the SSCPP application (Form FDA 3676), please contact the CDER SSCPP mailbox at *SSCPPMailbox@fda.hhs.gov*'' is corrected to read ''For communications other than the submission of the SSCPP application (Form FDA 3676), please contact the CDER SSCPP mailbox at *CDERSSCPP@fda.hhs.gov*.''

Dated: September 24, 2013.

Leslie Kux,

Assistant Commissioner for Policy.

[FR Doc. 2013–23563 Filed 9–26–13; 8:45 am]

BILLING CODE 4160–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Proposed Collection; 30-Day Comment Request; Evaluation of a Kidney Disease Education and Awareness Program in the Hispanic Community

SUMMARY: Under the provisions of Section 3507(a)(1)(D) of the Paperwork Reduction Act of 1995, the National Institutes of Health (NIH) has submitted to the Office of Management and Budget (OMB) a request for review and approval of the information collection listed below. This proposed information collection was previously published in the **Federal Register** on July 19, 2013, Volume 78, pages 43214–43215, and allowed 60-days for public comment. One public comment was received. The purpose of this notice is to allow an additional 30 days for public comment. The National Kidney Disease Education Program, the National Institute of Diabetes and Digestive and Kidney Diseases, the National Institutes of Health (NIH), may not conduct or sponsor, and the respondent is not required to respond to, an information collection that has been extended, revised, or implemented on or after October 1, 1995, unless it displays a currently valid OMB control number.

Direct Comments to OMB: Written comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time, should be directed to the Office of Management and Budget, Office of Regulatory Affairs, *OIRA_submission @ omb.eop.gov* or by fax to 202–395–6974, Attention: NIH Desk Officer. To obtain a copy of the data collection plans and instruments, submit comments in writing, or request more information on the proposed project, contact: Eileen Newman, Associate Director, National Kidney Disease Education Program, OCPL, NIDDK, NIH, Building 31, Room 9A06, 9000 Rockville Pike, Bethesda, MD 20892, or call non-toll-free number (301) 435–8116 or Email your request, including your address to: *Eileen.newman@nih.gov.* Formal requests for additional plans and instruments must be requested in writing.

Comment Due Date: Comments regarding this information collection are best assured of having their full effect if received within 30 days of the date of this publication.

Proposed Collection: Evaluation of a Kidney Disease Education Program with Promotores in the Hispanic Community, 0925—NEW, National Kidney Disease Education Program, National Institute of Diabetes and Digestive and Kidney Diseases (NIDDK), National Institutes of Health (NIH).

Need and Use of Information Collection: NKDEP is developing a kidney disease education program to raise awareness among the Hispanic community at risk for kidney disease. Since diabetes is the most common cause of kidney disease, the program is being developed for inclusion in existing diabetes programs being conducted by ''promotores de salud'' (Spanish/English-speaking community health workers). A pilot evaluation will assess: (a) Overall quality of the program from the client and promotor/a perspective, including strengths and weaknesses of the program and the training, and areas for program improvement; (b) effectiveness of the program on the clients (the community members being educated); and (c) effectiveness of materials and training, including promotores' ability to deliver education to the client and administer the client pre-test/post-test surveys. The pilot study will deliver strategic and actionable guidance for refining the educational and training materials for national dissemination. Based on outcomes from the pilot study, a national evaluation is planned that will use the client pre-test/post-test surveys to assess: (a) Knowledge gains about kidney disease, (b) awareness of NKDEP resources and importance of kidney health, (c) reported behavior change outcomes and (d) reported health status.

OMB approval is requested for 3 years. There are no costs to respondents other than their time. The total estimated annualized burden hours are 101 (see table below).

ESTIMATED ANNUALIZED BURDEN HOURS

Type of respondent	Form name	Number of respondents	No. of responses per respondent	Response burden (hours)	Total burden hours
Pilot study collection:					
Promotores	Promotores training pre-test, post-test, and qualitative in-depth interview post client session (Attachment 1 and 2).	12	1	5/60	1
Promotores	Administer client pre-test, post-test, and second post-tests for experimental and control groups (Attachment 3).	20	17	15/60	85
Client Group	Client pre-test, post-test, second post-test for experimental and control groups (Attachment 3).	85	1	10/60	14
Client Group (partial)	Client qualitative in-depth interview post-client session (Attachment 4).	4	1	10/60	1
Total		121			101

Dated: September 23, 2013.

Camille M. Hoover,

Executive Officer, NIDDK, NIH.

[FR Doc. 2013–23673 Filed 9–26–13; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Allergy and Infectious Diseases; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Allergy and Infectious Diseases Special Emphasis Panel; HIV Vaccine Research and Design.

Date: October 21–22, 2013.

Time: 8:00 a.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Hilton Washington/Rockville, Regency Ballroom, 1750 Rockville Pike, Rockville, MD 20852.

Contact Person: Kelly Y. Poe, Ph.D., Scientific Review Officer, Scientific Review Program, DEA/NIAID/NIH/DHHS, 6700–B Rockledge Drive, MDS–7616, Bethesda, MD 20892, 301–451–2639, *poeky@niaid.nih.gov.*

Name of Committee: National Institute of Allergy and Infectious Diseases Special Emphasis Panel; NIAID Peer Review Meeting.

Date: October 21–23, 2013.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate contract proposals.

Place: Residence Inn Bethesda, Montgomery I & II, 7335 Wisconsin Avenue, Bethesda, MD 20814.

Contact Person: Maja Maric, Ph.D., Scientific Review Officer, Scientific Review Program, Division of Extramural Activities, DHHS/NIH/NIAID, 6700B Rockledge Drive,

Room 3266, Bethesda, MD 20892–7616, 301–451–2634, *maja.maric@nih.gov.*

Name of Committee: National Institute of Allergy and Infectious Diseases Special Emphasis Panel; NIAID Peer Review Meeting.

Date: October 28–29, 2013.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate contract proposals.

Place: Sheraton—Silver Spring, Cedar Room, 8777 Georgia Avenue, Silver Spring, MD 20910.

Contact Person: Maryam Feili-Hariri, Ph.D., Scientific Review Officer, Scientific Review Program, DHHS/NIH/NIAID, 6700B Rockledge Drive, MSC 7616, Bethesda, MD 20892, 301–594–3243, *haririmf@niaid.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.855, Allergy, Immunology, and Transplantation Research; 93.856, Microbiology and Infectious Diseases Research, National Institutes of Health, HHS)

Dated: September 23, 2013.

David Clary,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2013–23526 Filed 9–26–13; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Dental and Craniofacial Research; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Dental and Craniofacial Research Special Emphasis Panel; Clinical Trial or Biomarker Clinical Evaluation Study Planning Grant and Clinical Trial Implementation or Biomarker Clinical Evaluation Study Cooperative Agreement Applications Review Panel.

Date: October 21, 2013.

Time: 9:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Two Democracy Plaza, 701, 6707 Democracy Boulevard, Bethesda, MD 20892.

Contact Person: Victor Henriquez, Ph.D., Scientific Review Officer, DEA/SRB/NIDCR, 6701 Democracy Blvd., Room 668, Bethesda, MD 20892–4878, 301–451–2405, *henriquv@nidcr.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.121, Oral Diseases and Disorders Research, National Institutes of Health, HHS)

Dated: September 23, 2013.

David Clary,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2013–23527 Filed 9–26–13; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Prospective Grant of Exclusive Commercialization License: The Use of Cysteamine for the Treatment of Pancreatic Cancer, Breast Cancer and Hepatocellular Cancer

AGENCY: National Institutes of Health, HHS.

ACTION: Notice.

SUMMARY: This notice, in accordance with 35 U.S.C. 209 and 37 CFR part 404, indicates that the National Institutes of Health, Department of Health and Human Services, is contemplating the grant of an exclusive commercialization license to practice the inventions embodied in technology family E–219–2013/0, including U.S. patent application 61/814,010 entitled ''A Novel Role of Cysteamine in Suppression of Cancer Invasion and Metastasis and Prolonging Survival of Host Through Inhibition of Matrix Metalloproteinases in Human Cancer'' [HHS Ref. E–219–2013/0–US–01], Canadian patent application 2,813,514 entitled ''Use of Cysteamine and Derivatives Thereof to Suppress Tumor Metastases'' [HHS Ref. E–219–2013/0–CA–02], South Korean patent application 10–2013–43713 entitled ''Use of Cysteamine and Derivatives Thereof to Suppress Tumor Metastases''[HHS Ref. E–219–2013/0–KR–03], Australian patent application 2013205350 entitled ''Use of Cysteamine and Derivatives Thereof to Suppress Tumor Metastases'' [HHS Ref. E–219–2013/0–AU–04], and Mexican patent application MX/a/2013/004423 entitled ''Use of Cysteamine and Derivatives Thereof to Suppress Tumor Metastases'' [HHS Ref. E–219–2013/0–MX–05]; and all related continuing and foreign patents/patent applications for these technology families, to Raptor Pharmaceuticals, Inc. The patent rights in these inventions have been assigned to and/or exclusively licensed to the Government of the United States of America.

The prospective exclusive commercialization license territory may be worldwide, and the field of use may be limited to:

The treatment of pancreatic cancer, breast cancer and hepatocellular carcinoma (HCC) by using compositions containing cysteamine.

DATES: Only written comments and/or applications for a license which are received by the NIH Office of Technology Transfer on or before October 28, 2013 will be considered.

ADDRESSES: Requests for copies of the patent application, inquiries, comments, and other materials relating to the contemplated exclusive commercialization license should be directed to: David A. Lambertson, Ph.D., Senior Licensing and Patenting Manager, Office of Technology Transfer, National Institutes of Health, 6011 Executive Boulevard, Suite 325, Rockville, MD 20852–3804; Telephone: (301) 435–4632; Facsimile: (301) 402–0220; Email: *lambertsond@mail.nih.gov.*

SUPPLEMENTARY INFORMATION: Cysteamine is a naturally occurring degradation product of the amino acid cysteine that is most commonly used for the treatment of cystinosis. The inventors on this technology have demonstrated that cysteamine suppresses the activity of matrix metalloproteinases (MMPs), enzymes that have been implicated in tumor invasion and metastasis. Importantly, administration of cysteamine was able to reduce invasion and metastasis in mouse xenograft tumor models for pancreatic cancer, prolonging the survival of the mice while having no adverse side effects. Based on these findings, cysteamine could represent a novel therapeutic treatment of cancer with fewer side-effects than current therapies.

The prospective exclusive commercialization license will comply with the terms and conditions of 35 U.S.C. 209 and 37 CFR part 404. The prospective exclusive license may be granted unless the NIH receives written evidence and argument that establishes that the grant of the license would not be consistent with the requirements of 35 U.S.C. 209 and 37 CFR part 404 within thirty (30) days from the date of this published notice.

Complete applications for a license in the field of use filed in response to this notice will be treated as objections to the grant of the contemplated exclusive license. Comments and objections

submitted to this notice will not be made available for public inspection and, to the extent permitted by law, will not be released under the Freedom of Information Act, 5 U.S.C. 552.

Dated: September 20, 2013.

Richard U. Rodriguez,

Director, Division of Technology Development & Transfer, Office of Technology Transfer, National Institutes of Health.

[FR Doc. 2013–23528 Filed 9–26–13; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–5681–N–39]

Federal Property Suitable as Facilities To Assist the Homeless

AGENCY: Office of the Assistant Secretary for Community Planning and Development, HUD.

ACTION: Notice.

SUMMARY: This Notice identifies unutilized, underutilized, excess, and surplus Federal property reviewed by HUD for suitability for use to assist the homeless.

FOR FURTHER INFORMATION CONTACT: Juanita Perry, Department of Housing and Urban Development, 451 Seventh Street SW., Room 7266, Washington, DC 20410; telephone (202) 402–3970; TTY number for the hearing- and speech-impaired (202) 708–2565 (these telephone numbers are not toll-free), or call the toll-free Title V information line at 800–927–7588.

SUPPLEMENTARY INFORMATION: In accordance with 24 CFR part 581 and section 501 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11411), as amended, HUD is publishing this Notice to identify Federal buildings and other real property that HUD has reviewed for suitability for use to assist the homeless. The properties were reviewed using information provided to HUD by Federal landholding agencies regarding unutilized and underutilized buildings and real property controlled by such agencies or by GSA regarding its inventory of excess or surplus Federal property. This Notice is also published in order to comply with the December 12, 1988 Court Order in *National Coalition for the Homeless* v. *Veterans Administration,* No. 88–2503–OG (D.D.C.).

Properties reviewed are listed in this Notice according to the following categories: Suitable/available, suitable/unavailable, and suitable/to be excess, and unsuitable. The properties listed in the three suitable categories have been reviewed by the landholding agencies, and each agency has transmitted to HUD: (1) Its intention to make the property available for use to assist the homeless, (2) its intention to declare the property excess to the agency's needs, or (3) a statement of the reasons that the property cannot be declared excess or made available for use as facilities to assist the homeless.

Properties listed as suitable/available will be available exclusively for homeless use for a period of 60 days from the date of this Notice. Where property is described as for ''off-site use only'' recipients of the property will be required to relocate the building to their own site at their own expense. Homeless assistance providers interested in any such property should send a written expression of interest to HHS, addressed to Theresa Ritta, Office of Enterprise Support Programs, Program Support Center, HHS, room 12–07, 5600 Fishers Lane, Rockville, MD 20857; (301) 443–2265. (This is not a toll-free number.) HHS will mail to the interested provider an application packet, which will include instructions for completing the application. In order to maximize the opportunity to utilize a suitable property, providers should submit their written expressions of interest as soon as possible. For complete details concerning the processing of applications, the reader is encouraged to refer to the interim rule governing this program, 24 CFR part 581.

For properties listed as suitable/to be excess, that property may, if subsequently accepted as excess by GSA, be made available for use by the homeless in accordance with applicable law, subject to screening for other Federal use. At the appropriate time, HUD will publish the property in a Notice showing it as either suitable/available or suitable/unavailable.

For properties listed as suitable/unavailable, the landholding agency has decided that the property cannot be declared excess or made available for use to assist the homeless, and the property will not be available.

Properties listed as unsuitable will not be made available for any other purpose for 20 days from the date of this Notice. Homeless assistance providers interested in a review by HUD of the determination of unsuitability should call the toll free information line at 1–800–927–7588 for detailed instructions or write a letter to Ann Marie Oliva at the address listed at the beginning of this Notice. Included in the request for review should be the property address (including zip code), the date of publication in the **Federal Register**, the landholding agency, and the property number.

For more information regarding particular properties identified in this Notice (i.e., acreage, floor plan, existing sanitary facilities, exact street address), providers should contact the appropriate landholding agencies at the following addresses: *Army:* Ms. Veronica Rines, Office of the Assistant Chief of Staff for Installation Management, Department of Army, Room 5A128, 600 Army Pentagon, Washington, DC 20310, (571) 256–8145; *COE:* Mr. Scott Whiteford, Army Corps of Engineers, Real Estate, CEMP–CR, 441 G Street NW., Washington, DC 20314; (202) 761–5542; (These are not toll-free numbers).

Dated: September 19, 2013.

Mark Johnston,

Deputy Assistant Secretary for Special Needs.

TITLE V, FEDERAL SURPLUS PROPERTY PROGRAM FEDERAL REGISTER REPORT FOR 09/27/2013

Suitable/Available Properties

Building

Arkansas

Beaver Reservoir Operational Facility
2256/2258 N. 2nd Street
Rogers AR 72756
Landholding Agency: COE
Property Number: 31201330006
Status: Unutilized
Directions: 2256 (1,750 sq. ft.); 2258 (1,430 sq. ft)
Comments: Off-site removal only; no future agency use; residential; fair conditions; contact COE for more info.

Unsuitable Properties

Building

Kentucky

875
Fort Campbell
Fort Campbell KY 42223
Landholding Agency: Army
Property Number: 21201330059
Status: Unutilized
Directions: Only building 875 has the 20-day holding period from the Sept. 27 FR
Comments: Public access denied & no alternative to gain access w/out compromising nat'l security.
Reasons: Secured Area

[FR Doc. 2013–23341 Filed 9–26–13; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS–R8–MB–2013–N138; FXMB12320100000P2–123–FF01M01000]

Golden Eagles; Programmatic Take Permit Application; Draft Environmental Assessment; Shiloh IV Wind Project, Solano County, California

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability; request for comment.

SUMMARY: The U.S. Fish and Wildlife Service announces the availably of a draft Environmental Assessment (DEA) under the National Environmental Policy Act (NEPA) for the issuance of a take permit for golden eagles pursuant to the Bald and Golden Eagle Protection Act (Eagle Act), in association with the operation of the Shiloh IV Wind Project in Solano County, California. The DEA was prepared in response to an application from Shiloh IV Wind Project, LLC (applicant), an affiliate of EDF Renewable Development, Incorporated, for a 5-year programmatic take permit for golden eagles (*Aquila chrysaetos*) under the Eagle Act. The applicant would implement a conservation program to avoid, minimize, and compensate for the project's impacts to eagles, as described in the applicant's Eagle Conservation Plan (ECP). We invite public comment on the DEA, which evaluates alternatives for this permit.

DATES: To ensure consideration, written comments must be received on or before November 12, 2013.

ADDRESSES: *Obtaining Documents:* You may download copies of the DEA on the Internet at: *http://www.fws.gov/cno/conservation/migratorybirds.html.* Alternatively, you may use one of the methods below to request a CD–ROM of the document.

Submitting Comments: You may submit comments or requests for copies or more information by one of the following methods.

- *Email: ShilohIV_comments@fws.gov.*
- *U.S. Mail:* Heather Beeler, Migratory Bird Program, U.S. Fish and Wildlife Service, Pacific Southwest Regional Office, 2800 Cottage Way, W–2605, Sacramento, CA 95825.
- *Fax:* Heather Beeler, Migratory Bird Program, 916–414–6486, Attn: Shiloh IV Wind Project DEA Comments.

FOR FURTHER INFORMATION CONTACT: Heather Beeler, Migratory Bird Program, at the address shown above or at (916) 414–6651 (telephone).

SUPPLEMENTARY INFORMATION:

Introduction

The U.S. Fish and Wildlife Service is considering an application under the Bald and Golden Eagle Protection Act (16 U.S.C. 668a–d; Eagle Act) for a programmatic golden eagle (*Aquila chrysaetos*) take permit from the Shiloh IV Wind Project LLC, (applicant) an affiliate of EDF Renewable Development, Incorporated, for a 5-year programmatic take permit for golden eagles. The Shiloh IV Wind Project is an existing, operational wind facility in the Montezuma Hills Wind Resource Area (WRA) within Solano County, California. The application includes an Eagle Conservation Plan (ECP) as the foundation of the applicant's permit application, as well as a Bird and Bat Conservation Strategy (BBCS). The ECP and BBCS describe actions taken and proposed future actions to avoid, minimize, and mitigate adverse effects on eagles, birds, and bats.

We have prepared this DEA to evaluate the impacts of several alternatives associated with this permit application for compliance with our Eagle Act permitting regulations in the Code of Federal Regulations (CFR) at 50 CFR 22.26, as well as impacts of implementation of the supporting ECP, which is included as an appendix to the DEA.

Background

The Eagle Act allows us to authorize bald eagle and golden eagle programmatic take (take that is recurring, is not caused solely by indirect effects, and that occurs over the long term or in a location or locations that cannot be specifically identified). Such take must be incidental to actions that are otherwise lawful. The Eagle Act's implementing regulations define ''take'' as to ''pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, destroy, molest, or disturb'' individuals, their nests and eggs (50 CFR 22.3); and ''disturb'' is further defined as ''to agitate or bother a bald or golden eagle to a degree that causes . . . (1) injury to an eagle, . . . (2) a decrease in its productivity, . . . or (3) nest abandonment'' (50 CFR 22.3). The Shiloh IV Wind Project will result in recurring eagle mortalities over the life of the project, so the appropriate type of take permit is the programmatic permit under 50 CFR 22.26.

We may consider issuance of programmatic eagle take permits if: (1) The incidental take is necessary to protect legitimate interests; (2) the take is compatible with the preservation standard of the Eagle Act—providing for stable or increasing breeding populations; (3) the take has been avoided and minimized to the degree achievable though implementation of Advanced Compensation Practices (ACPs), and the remaining take is unavoidable; and (4) compensatory mitigation will be provided for any remaining take. The Service must determine that the direct and indirect effects of the take and required mitigation, together with the cumulative effects of other permitted take and additional factors affecting eagle populations, are compatible with the preservation of bald eagles and golden eagles.

Applicant's Proposal

The permit applicant, Shiloh IV, is operating a 100-megawatt (MW) commercial wind-energy facility, consisting of 50 wind turbines, each with a 2–MW generation capacity, in the Montezuma Hills WRA of Solano County, California. This project was constructed adjacent to other existing wind-energy-producing facilities. The recently constructed (December 2012) Shiloh IV Wind Project was a repowering and infill project entailing the decommissioning and removal of approximately 230 Kennetech wind turbines originally constructed in the late 1980s.

The applicant submitted an ECP on August 3, 2012 that was developed following recommendations provided by the Service and consistent with our January 2011 Draft Eagle Conservation Plan Guidance (*http://www.fws.gov/windenergy/docs/ECP_draft_guidance_2_10_final_clean_omb.pdf*). As recommended in the Service's draft guidance, the applicant's plan outlines avoidance and minimization measures, contains a risk assessment, includes experimental advanced conservation practices, and adaptive management. The applicant submitted the ECP as part of the permit application, and if we issue the permit following the National Environmental Policy Act (NEPA) process, then the conservation commitments would become conditions of the permit.

The Service independently evaluated the risk of eagle fatalities from project operations and compared that risk to the conservation measures to which the applicant has committed. This is an essential step in the Service's evaluation of an application for a permit for programmatic take of eagles because issuing criteria require permitted take to comply with the Eagle Acts's preservation standard. The Service has

interpreted this standard to require maintenance of stable or increasing breeding populations of eagles (74 FR 46836; September 11, 2009). We evaluate the risk and offsetting conservation measures, and the implications for direct, indirect, and cumulative effects under four alternatives in the DEA.

Next Steps

The public process for the proposed Federal permit action will be completed after the public comment period, at which time we will evaluate the permit application and comments submitted thereupon to determine whether the application meets the permitting requirements under the Eagle Act, applicable regulations, and NEPA requirements. Upon completion of that evaluation, we will select our course of action. We will make the final permit decision no sooner than 30 days after the close of the public comment period.

Public Comments

We invite public comment on the proposed DEA. If you wish, you may submit comments by any one of the methods discussed above under **ADDRESSES**.

Public Availability of Comments

We will consider public comments on the DEA when making the final determination on NEPA compliance and permit issuance. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Authority

We provide this notice under Section 668a of the Eagle Act (16 U.S.C. 668–668c) and NEPA regulations (40 CFR 1506.6).

Dated: September 24, 2013.

Alexandra Pitts,

Deputy Regional Director, Pacific Southwest, Sacramento, California.

[FR Doc. 2013–23732 Filed 9–26–13; 8:45 am]

BILLING CODE 4310–55–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLWO300000.L14300000.xx0000]

Renewal of Approved Information Collection

AGENCY: Bureau of Land Management, Interior.

ACTION: 60-Day notice and request for comments.

SUMMARY: In compliance with the Paperwork Reduction Act, the Bureau of Land Management (BLM) invites public comments on, and plans to request approval to continue, the collection of information from individuals, private entities, and State or local governments seeking leases, permits, and easements for the use, occupancy, or development of public lands administered by the BLM. The Office of Management and Budget (OMB) has assigned control number 1004–0009 to this information collection.

DATES: Please submit comments on the proposed information collection by November 26, 2013.

ADDRESSES: Comments may be submitted by mail, fax, or electronic mail.

Mail: U.S. Department of the Interior, Bureau of Land Management, 1849 C Street NW., Room 2134LM, Attention: Jean Sonneman, Washington, DC 20240.

Fax: to Jean Sonneman at 202–245–0050.

Electronic mail: Jean_Sonneman@blm.gov.

Please indicate ''Attn: 1004–0009'' regardless of the form of your comments.

FOR FURTHER INFORMATION CONTACT: Jeff Holdren at 202–912–7335. Persons who use a telecommunication device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339, to leave a message for Mr. Holdren.

SUPPLEMENTARY INFORMATION: OMB regulations at 5 CFR 1320, which implement provisions of the Paperwork Reduction Act, 44 U.S.C. 3501–3521, require that interested members of the public and affected agencies be given an opportunity to comment on information collection and recordkeeping activities (see 5 CFR 1320.8 (d) and 1320.12(a)). This notice identifies an information collection that the BLM plans to submit to OMB for approval. The Paperwork Reduction Act provides that an agency may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number. Until OMB approves a collection of information, you are not obligated to respond.

The BLM will request a 3-year term of approval for this information collection activity. Comments are invited on: (1) The need for the collection of information for the performance of the functions of the agency; (2) the accuracy of the agency's burden estimates; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the information collection burden on respondents, such as use of automated means of collection of the information. A summary of the public comments will accompany our submission of the information collection requests to OMB.

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

The following information is provided for the information collection:

Title: Land Use Application and Permit (43 CFR Part 2920).

OMB Control Number: 1004–0009.

Summary: Section 302 of the Federal Land Policy and Management Act of 1976 (FLPMA) (43 U.S.C. 1732) and regulations at 43 CFR part 2920 authorize the issuance of leases, permits, and easements for the use, occupancy, or development of public lands administered by the BLM. A variety of land uses are permissible. The burdens to respondents also can vary.

Frequency of Collection: On occasion.

Forms: Form 2920–1, Land Use Application and Permit.

Description of Respondents: Individuals, private entities, and State or local governments seeking leases, permits, and easements for the use, occupancy, or development of public lands.

Estimated Annual Responses: 407.

Estimated Annual Burden Hours: 1,597.

Estimated Annual Non-Hour Costs: $131,760.

The following table itemizes the estimated annual burdens for respondents:

Type of response A.	Number of responses annually B.	Time for each response (hours) C.	Annual hour burden (column B × column C) (hours) D.
Land Use Application and Permit, 43 CFR Part 2920 Form 2920–1, Individuals	66	1	66
Land Use Application and Permit, 43 CFR Part 2920, Form 2920–1, State and Local Governments	45	1	45
Land Use Application and Permit, 43 CFR Part 2920, Form 2920–1, Private Sector/Typical	286	1	286
Land Use Application and Permit, 43 CFR Part 2920, Form 2920–1, Private Sector/Complex	10	120	1,200
Totals	407		1,597

Jean Sonneman,

Bureau of Land Management, Information Collection Clearance Officer.

[FR Doc. 2013–23483 Filed 9–26–13; 8:45 am]

BILLING CODE 4310–84–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLNVB00000.LF3100000. DD0000.LFHFJF500000; 13–08807; MO# 4500053474]

Notice of Availability of the Draft Environmental Impact Statement for the 3 Bars Ecosystem and Landscape Restoration Project in Eureka County, NV

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of availability.

SUMMARY: In accordance with the National Environmental Policy Act of 1969, as amended, the Bureau of Land Management (BLM), Battle Mountain District, Mount Lewis Field Office, has prepared a Draft Environmental Impact Statement (EIS) for the 3 Bars Ecosystem and Landscape Restoration Project (3 Bars Project) and by this notice is announcing the opening of the comment period.

DATES: To ensure that comments will be considered, the BLM must receive written comments on the 3 Bars Project Draft EIS within 45 days following the date the Environmental Protection Agency publishes its Notice of Availability in the **Federal Register**. The BLM will announce future meetings or hearings and any other public involvement activities at least 15 days in advance through media releases, Web site postings and/or mailings.

ADDRESSES: You may submit comments related to the 3 Bars Project by any of the following methods:

- *Email: 3Bars_Project@blm.gov.*
- *Fax:* 775–635–4034 Attn: Chad Lewis, 3 Bars Project.
- *Mail:* BLM, Attn: Chad Lewis, 3 Bars Project, 50 Bastian Road, Battle Mountain, NV 89820.

Copies of the Draft EIS are available at the BLM Battle Mountain District Office in Battle Mountain, Nevada. The document can also be downloaded from the 3 Bars Project Web site that can be accessed through a link on the Battle Mountain District's Web page at: *http://www.blm.gov/nv/st/en/fo/battle_mountain_field.html.*

FOR FURTHER INFORMATION CONTACT: Chad Lewis, 3 Bars Project Manager, telephone: 775–635–4102; address: 50 Bastian Road, Battle Mountain, NV 89820; or email: *3Bars_Project@blm.gov.* Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 to contact the above individual during normal business hours. The FIRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: The 3 Bars Project area in central Eureka County, Nevada, spans approximately 750,000 acres and includes all or portions of three major mountain ranges (Roberts Mountain, Simpson Park Range, and Sulphur Spring Range). Many factors are contributing to an overall downward trend in land condition within this area, including an increasing incidence and severity of wildfire, increasing expansion of downy brome (cheatgrass), increasing expansion and densification of pinyon pine and Utah juniper woodlands, and increasing human impacts.

The BLM is proposing a comprehensive treatment program for dramatically improving the health of the 3 Bars Project area and for reducing the risks that are contributing to its decline. The proposed project focuses on restoration at the landscape level. The proposed treatments would range from several acres to several thousand acres, depending on specific treatment and management goals and desired objectives for each resource area. Possible treatment methods would include manual, mechanical, and biological control treatments, prescribed fire or wildland fire for resource benefit, and other management actions.

In order to implement the proposed 3 Bars Project, the BLM has developed the All Available Methods Alternative, which is the preferred alternative, with treatments and treatment objectives that meet previously identified resource management goals. These goals are consistent with the 1986 Shoshone-Eureka Resource Management Plan which currently guides land management activities within the 3 Bars Project area. These goals pertain to wildlife and habitat enhancement, fire and fuels management, control of weeds, woodland and rangeland values, wetland and riparian restoration, wild horse protection, Native American concerns, and cultural resources. The BLM has identified site-specific treatment projects that it would like to implement to restore and manage the 3 Bars Project Area. Treatment projects were identified through an iterative process involving the BLM and other Federal and State agencies. Treatments would focus on four priority vegetation management concerns:

- Riparian—treatments in riparian habitats would focus on restoring functionality in areas where structural integrity (incised channel, headcuts, knickpoints, developments, and diversions) and/or appropriate species composition are compromised.
- Aspen—treatments in quaking aspen management habitats would focus on improving the health of aspen stands by stimulating aspen stand suckering and sucker survival.
- Pinyon-juniper—treatments in singleleaf pinyon pine and Utah juniper habitats would focus on thinning historic pinyon-juniper communities to promote woodland health and removing pinyon-juniper where it encroaches into

riparian areas and upland habitats, including sagebrush habitat.

• Sagebrush—treatments in sagebrush habitats would focus on restoring the sagebrush community by removing encroaching pinyon-juniper, promoting the reestablishment of native forbs and grasses in sagebrush communities, and promoting the development of sagebrush in areas where it occurred historically.

The proposed 3 Bars Project has been identified by the BLM as a major Federal action and is appropriately analyzed by an EIS. The 3 Bars Project Draft EIS identifies and evaluates treatment alternatives to implement the proposed project to meet resource management goals. In addition to the All Available Methods Alternative, three other alternatives are analyzed in the Draft EIS. The No Fire Use Alternative would target the same treatment areas, but the methods of treatment would not include prescribed fire or wildland fire for resource benefit. The Minimal Land Disturbance Alternative also targets the same areas for treatment, but further limits the methods of treatment to exclude fire use, mechanical treatments, and non-classical biological controls. The BLM anticipates that more acres would be treated under the preferred alternative due to the lower cost of some of the treatment methods that would not be available under the other alternatives. A No Action alternative has also been included for comparison purposes with existing management conditions. Three additional alternatives were considered but eliminated from detailed analysis.

The BLM has prepared the Draft EIS in conjunction with its three cooperating agencies: The Nevada Department of Wildlife, Eureka County Board of Commissioners, and the National Park Service—National Trails Intermountain Region.

On January 25, 2010, the BLM published a Notice of Intent (75 FR 3916) to initiate scoping for the preparation of the EIS. The scoping period ended March 10, 2010. Public scoping meetings were held in Battle Mountain, Nevada, on February 22 and Eureka, Nevada on February 23, 2010. The BLM received 24 scoping comment letters on the proposed 3 Bars Project. In addition, comments were recorded during informal discussions with the public at the public scoping meetings. Based on written and oral comments given during the scoping period, 637 catalogued individual comments were recorded during scoping for the 3 Bars Project EIS.

Vegetation treatment planning and management and vegetation treatment methods were the primary topics of concern to the public. Respondents were also concerned with the impacts that treatment actions would have on the spread of invasive species, the viability of wild horses and livestock, preservation of old growth woodlands, and protection of habitat for wildlife and special status species. All relevant issues identified through public scoping have been analyzed in this EIS to the extent practicable. The Draft EIS describes and analyzes the proposed project's site-specific impacts (including cumulative) on all affected resources. Three action alternatives (including the preferred alternative) were analyzed in addition to the No-Action Alternative and three alternatives were considered but eliminated from further analysis.

Please note that public comments and information submitted including names, street addresses, and email addresses of persons who submit comments will be available for public review and disclosure at the above address during regular business hours (8 a.m. to 4 p.m.), Monday through Friday, except holidays.

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Authority: 40 CFR 1506.6, 40 CFR 1506.10.

Christopher J. Cook,

Field Manager, Mount Lewis Field Office.

[FR Doc. 2013–23484 Filed 9–26–13; 8:45 am]

BILLING CODE 4310–HC–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLMT923000 L16100000.DP0000]

Notice of Availability of the North Dakota Greater Sage-Grouse Draft Resource Management Plan Amendment and Draft Environmental Impact Statement

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of Availability.

SUMMARY: In accordance with the National Environmental Policy Act of 1969, as amended (NEPA), and the Federal Land Policy and Management Act of 1976, as amended, the Bureau of Land Management (BLM) has prepared a North Dakota Greater Sage-Grouse (GRSG) Draft Resource Management Plan (RMP) Amendment and Draft Environmental Impact Statement (EIS) for the North Dakota Field Office and by this notice is announcing the opening of the comment period.

DATES: To ensure that comments will be considered, the BLM must receive written comments on the Draft RMP Amendment/Draft EIS within 90 days after the date the Environmental Protection Agency publishes its notice of the Draft RMP Amendment/Draft EIS in the **Federal Register**. The BLM will announce future meetings or hearings and any other public participation activities at least 15 days in advance through public notices, media releases, and/or mailings.

ADDRESSES: You may submit comments related to the North Dakota GRSG Draft RMP Amendment/Draft EIS by any of the following methods:

• *Web site: http://www.blm.gov/mt/st/en/fo/north_dakota_field.html.*

• *Email: blm_mt_nd_sage_grouse@blm.gov.*

• *Fax:* 406–896–5293.

• *Mail:* BLM—North Dakota Greater Sage-Grouse EIS, 5001 Southgate Drive, Billings MT 59101.

Copies of the North Dakota GRSG Draft RMP Amendment/Draft EIS are available at the North Dakota Field Office at: 99 23rd Ave. W., Dickinson, ND, or on the Web site at: *http://www.blm.gov/mt/st/en/fo/north_dakota_field.html.*

FOR FURTHER INFORMATION CONTACT: Ruth Miller, Team Lead, telephone 406–896–5023; see address and email above. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–253–4093 to contact the above individual during normal business hours. The FIRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: The BLM prepared the North Dakota GRSG Draft RMP Amendment and Draft EIS to address a range of alternatives focused on specific conservation measures across the North Dakota range of the GRSG. This Draft RMP Amendment/Draft EIS is one of 15 separate planning efforts that are being undertaken as part of the BLM's and U.S. Forest Service's (USFS) National GRSG Planning Strategy. The Draft RMP Amendment/

Draft EIS proposes to amend the North Dakota RMP. The current management decisions for resources are described in the North Dakota RMP (1988).

The planning area includes approximately 963,017 acres of BLM, USFS, U.S. Fish and Wildlife Service, State, and private lands located in southwestern North Dakota, in three counties (Bowman, Slope, and Golden Valley). Within the decision area, the BLM administers approximately 33,030 surface acres and 396,053 acres of Federal mineral (subsurface) estate. Surface management decisions made as a result of this Draft RMP Amendment/Draft EIS will apply only to the BLM-administered lands in the decision area. The decision area is defined as those BLM-administered lands and Federal mineral estate within the Planning Area, which includes two categories of habitat identified by the BLM and North Dakota Game and Fish (NDG&F):

- Preliminary Priority Habitat (PPH)—Areas identified as having the highest conservation value to maintaining sustainable GRSG populations; includes all leks in North Dakota.
- Preliminary General Habitat (PGH)—Areas of historic sage-grouse habitat, which still has some use by sage-grouse.

The formal public scoping process for the RMP Amendment/EIS began on December 9, 2011, with the publication of a Notice of Intent in the **Federal Register** (76 FR 77008), and ended on March 23, 2012. The BLM held one scoping open house in North Dakota in January 2011. The BLM used public scoping comments to help identify planning issues that directed the formulation of alternatives and framed the scope of analysis in the Draft RMP Amendment/Draft EIS. The scoping process was also used to introduce the public to preliminary planning criteria, which set limits on the scope of the Draft RMP Amendment/Draft EIS.

Major issues considered in the Draft RMP Amendment/Draft EIS include special status species management (GRSG specifically), energy development, lands and realty (including transmission), and livestock grazing.

The Draft RMP Amendment/Draft EIS evaluates four alternatives in detail, including the No Action Alternative (Alternative A) and three action alternatives (Alternatives B, C and D). The BLM identified Alternative D as the preferred alternative. Identification of this alternative, however, does not represent final agency direction, and the Proposed RMP Amendment may reflect changes or adjustments based on information received during public comment, from new information, or from changes in BLM policies or priorities. The Proposed RMP may include objectives and actions described in the other analyzed alternatives or otherwise within the spectrum of alternatives analyzed.

Alternative A would retain the current management goals, objectives, and direction specified in the current RMP. Alternative B includes conservation measures from the Sage-Grouse National Technical Team Report. Alternative C includes conservation measures various conservation groups submitted to the BLM. Alternative D includes conservation measures the BLM developed with the cooperating agencies.

Pursuant to 43 CFR 1610.7–2(b), this notice announces a concurrent public comment period on proposed Areas of Critical Environmental Concern (ACEC). One ACEC is proposed in Alternative C. The Sage-Grouse Habitat ACEC (approximately 32,900 acres) would include the following resource use limitations if it were formally designated:

- Close to fluid mineral leasing;
- Designate as a Right-of-Way exclusion area;
- Reduce livestock grazing;
- No roads constructed within 4 miles of a lek;
- Allow vegetation treatments only for the benefit of GRSG; and
- Recommend for withdrawal from mineral entry.

Please note that public comments and information submitted including names, street addresses and email addresses of persons who submit comments will be available for public review and disclosure at the above address during regular business hours (8 a.m. to 4 p.m.), Monday through Friday, except holidays.

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Authority: 40 CFR 1506.6, 40 CFR 1506.10, 43 CFR 1610.2.

Theresa M. Hanley,

Acting BLM Montana/Dakotas State Director.

[FR Doc. 2013–23485 Filed 9–26–13; 8:45 am]

BILLING CODE 4310–DN–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLAK910000 L13100000.DB0000 LXSINSSI0000]

Notice of Public Meeting, North Slope Science Initiative—Science Technical Advisory Panel

AGENCY: Bureau of Land Management, Alaska State Office, North Slope Science Initiative, Interior.

ACTION: Notice of public meeting.

SUMMARY: In accordance with the Federal Land Policy and Management Act (FLPMA) and the Federal Advisory Committee Act of 1972 (FACA), the U.S. Department of the Interior, North Slope Science Initiative (NSSI)—Science Technical Advisory Panel (STAP) will meet as indicated below.

DATES: The meeting will be held October 28–31, 2013 in Fairbanks, Alaska. The meetings will begin at 9:00 a.m. in the Akasofu Building, International Arctic Research Center (IARC), Room 401, North Koyukuk Drive, University of Alaska Fairbanks. Public comment will be received between 3:00 and 4:00 p.m. on Wednesday, October 30, 2013.

FOR FURTHER INFORMATION CONTACT: John F. Payne, Executive Director, North Slope Science Initiative, AK–910, c/o Bureau of Land Management, 222 W. Seventh Avenue, #13, Anchorage, AK 99513, (907) 271–3431 or email *jpayne@blm.gov.* Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 to contact the above individual during normal business hours. The FIRS is available 24 hours a day, seven days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: The NSSI STAP provides advice and recommendations to the NSSI Oversight Group regarding priority information needs for management decisions across the North Slope of Alaska. These priority information needs may include recommendations on inventory, monitoring, and research activities that contribute to informed resource management decisions. This meeting will include continued dialog for developing scenario models for the North Slope and adjacent marine environments. Additionally, the STAP will review the progress on a long-term monitoring strategy for the North Slope. An interactive session on remote

sensing-derived monitoring products for the Arctic will provide participants an opportunity to generate a requirements document that defines remote sensing needs for the Arctic.

All meetings are open to the public. The public may present written comments to the Science Technical Advisory Panel through the Executive Director, North Slope Science Initiative. Each formal meeting will also have time allotted for hearing public comments. Depending on the number of persons wishing to comment and time available, the time for individual oral comments may be limited. Individuals who plan to attend and need special assistance, such as sign language interpretation, transportation, or other reasonable accommodations, should contact the Executive Director, North Slope Science Initiative. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Dated: September 20, 2013.

Bud C. Cribley,

State Director.

[FR Doc. 2013–23586 Filed 9–26–13; 8:45 am]

BILLING CODE 1310–JA–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLCON06000–L16100000–DQ0000]

Notice of Resource Advisory Council Meetings for the Dominguez-Escalante National Conservation Area Advisory Council

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of public meetings

SUMMARY: In accordance with the Federal Land Policy and Management Act of 1976 and the Federal Advisory Committee Act of 1972, notice is hereby given that the U.S. Department of the Interior, Bureau of Land Management (BLM) Dominguez-Escalante National Conservation Area (NCA) Advisory Council (Council) is scheduled to meet as indicated below.

DATES: The meetings will be held on October 22, 2013, and October 24, 2013. The meetings begin at 3 p.m. and will normally adjourn at 6 p.m. Any adjustments to the meetings will be advertised on the Dominguez-Escalante NCA Resource Management Plan (RMP) Web site, *http://www.blm.gov/co/st/en/nca/denca/denca_rmp.html.*

ADDRESSES: The meeting on October 22 will be held at the Bill Heddles Recreation Center, 530 Gunnison River Drive, Delta, CO 81416. The meeting on October 24 will be held at the Whitman Educational Center, 248 S. 4th St., Grand Junction, CO 81501.

FOR FURTHER INFORMATION CONTACT: Collin Ewing, Advisory Council Designated Federal Official, 2815 H Road, Grand Junction, CO 81506. Phone: (970) 244–3049. Email: *cewing@blm.gov.* Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 to contact the above individual during normal business hours. The FIRS is available 24 hours a day, seven days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: The 10-member Council advises the Secretary of the Interior, through the BLM, on a variety of planning and management issues associated with the RMP process for the Dominguez-Escalante NCA and Dominguez Canyon Wilderness.

Topics of discussion during the meetings may include informational presentations from various resource specialists working on the RMP, as well as Council reports on the following topics: recreation, fire management, land-use planning process, invasive species management, travel management, wilderness, land exchange criteria, cultural resource management and other resource management topics of interest to the Council raised during the planning process.

These meetings are anticipated to occur monthly, and may occur as frequently as every two weeks during intensive phases of the planning process. Dates, times and agendas for additional meetings may be determined at future Council meetings, and will be published in the **Federal Register**, announced through local media and on the BLM's Web site for the Dominguez-Escalante planning effort, *www.blm.gov/co/st/en/nca/denca/denca_rmp.html.*

These meetings are open to the public. The public may present written comments to the Council. Each formal Council meeting will have time allocated at the middle and end of each meeting to hear public comments. Depending on the number of persons wishing to comment and time available, the time for individual, oral comments may be limited at the discretion of the chair.

Helen M. Hankins,

BLM Colorado State Director.

[FR Doc. 2013–23445 Filed 9–26–13; 8:45 am]

BILLING CODE 4310–JB–P

DEPARTMENT OF THE INTERIOR

Bureau of Ocean Energy Management

[MMAA104000; Lease Sale 237]

Outer Continental Shelf (OCS), Alaska OCS Region, Chukchi Sea Planning Area, Proposed Oil and Gas Lease Sale 237

AGENCY: Bureau of Ocean Energy Management (BOEM), Interior.

ACTION: Call for Information and Nominations.

SUMMARY: This Call for Information and Nominations (''Call'') is the initial step in the prelease process for Lease Sale 237 in the Chukchi Sea Planning Area, scheduled to be held in 2016, as included in the Proposed Final OCS Oil and Gas Leasing Program 2012–2017 (''Five Year Program''). The purpose of this Call is to obtain nominations and information on oil and gas leasing, exploration, and development that might result from an OCS oil and gas lease sale for the Chukchi Sea Planning Area. The lease sale area addressed in this Call (''Program Area'') is located offshore Alaska in the Chukchi Sea Planning Area. As identified in the Five Year Program, the Program Area is a sub-area of the larger Chukchi Sea Planning Area.

DATES: All responses to the Call must be received no later than November 12, 2013.

FOR FURTHER INFORMATION CONTACT: Michael S. Rolland, Chief, Leasing Section, BOEM, Alaska OCS Region, 3801 Centerpoint Drive, Suite 500, Anchorage, Alaska 99503–5823, or at (907) 334–5271.

SUPPLEMENTARY INFORMATION: The Five Year Program states: While BOEM has determined that it is appropriate to continue areawide leasing in the GOM. . . . BOEM will not be conducting areawide leasing in the Arctic, consistent with rigorous internal analysis as well as a number of outside recommendations to develop alternative leasing approaches for Arctic areas. Rather, potential sales are deliberately set late in the five year program schedule to allow for further analysis and information-gathering. These would be geographically targeted in scope, in

order to achieve an appropriate balance between making resources available while limiting conflicts with environmentally sensitive areas and subsistence use by making certain determinations from the outset about which blocks within the planning areas are most suitable for leasing. *See,* Proposed Final Outer Continental Shelf Oil and Gas Leasing Program 2012–2017, page 94.

In light of the targeted leasing strategy for the Arctic in the current Five Year Program, this Call differs in two ways from Calls issued in the Gulf of Mexico and in earlier Calls issued in the Alaska OCS Region under previous Five Year Programs: (1) Because the leasing will not be areawide, BOEM is requesting more specific nominations within the Program Area (as defined below), including specific support of those nominations in terms of geological and geophysical data, and (2) this Call is not accompanied by a Notice of Intent to Prepare an Environmental Impact Statement (NOI). After BOEM identifies the area for the proposed lease sale based upon the information and nominations received from this Call, BOEM will initiate the formal National Environmental Policy Act (NEPA) process through publication of an NOI. By proceeding in this order, BOEM will be able to use the information obtained through this Call in developing the proposed action and possible alternatives to be identified and scoped in the NOI.

In addition to seeking area nominations, this Call is requesting information concerning geological conditions, including bottom hazards; archaeological sites on the seabed or nearshore; multiple uses of the Program Area, including navigation, recreation, and fisheries; and other socioeconomic, biological, and environmental information, including but not limited to, information regarding oil and gas resource potential, sensitive habitats, subsistence use, unique conditions, and important other uses of the Program Area. This Call and targeted leasing strategy also embraces the principles of an Integrated Arctic Management (IAM) approach as defined by the Interagency Working Group on Coordination of Domestic Energy Development and Permitting in Alaska in its Report to the President: Managing for the Future in a Rapidly Changing Arctic dated March 2013. The IAM approach was also adopted as a key component of the President's National Strategy for the Arctic Region, dated May 2013.

Call for Information and Nominations

1. Authority

This Call is published pursuant to the Outer Continental Shelf Lands Act (OCSLA), as amended (43 U.S.C. 1331–1356), and the regulations issued thereunder (30 CFR part 556).

2. Purpose of This Call

The purpose of this Call is to gather information to determine the Area Identification under 30 CFR 556.26 for Lease Sale 237 in the Program Area. BOEM seeks information and nominations on oil and gas leasing, exploration, development, and production in the Program Area from all interested parties. This early planning and consultation step is important to ensure that all interests and concerns are communicated to the U.S. Department of the Interior for consideration in future decisions in the leasing process pursuant to OCSLA and the regulations at 30 CFR part 556.

3. Description of Program Area

The Program Area is located offshore Alaska in the Chukchi Sea Planning Area. The Chukchi Sea Planning Area extends from the 3-nautical mile (4.8-kilometer) limit of State of Alaska waters, northward from approximately latitude 68° 30′ N to latitude 75° N, and from longitude 156° W (roughly north of the village of Barrow) on the east to the United States-Russia Provisional Maritime Boundary on the west at longitude 168° 58′ 37″ W. As identified in the Five Year Program, the Program Area is a sub-area of the larger Chukchi Sea Planning Area. As depicted on the page-size map accompanying this Call, the southern boundary of the Program Area generally begins about 25 nautical miles offshore along the coastline, except near Barrow, where it begins approximately 50 nautical miles offshore. The northern boundary of the Program Area is approximately 300 nautical miles from shore. Water depths vary from approximately 65 feet (20 meters) to more than 13,100 feet (4,000 meters) in the Program Area. This Program Area consists of approximately 10,128 whole and partial blocks (about 55.16 million acres, or 22.32 million hectares). A larger scale Call map showing the boundaries and blocks of the Program Area is available without charge on the BOEM Web site at *http://www.boem.gov/leasesale237*. Copies of Official Protraction Diagrams also are available without charge on the Web site at *http://www.boem.gov/Oil-and-Gas-Energy-Program/Mapping-and-Data/Alaska.aspx*.

4. Nominations on This Call

Written nominations must be received no later than November 12, 2013. In their letters of nomination, interested parties should describe explicitly their interest by ranking the areas nominated according to priority using five interest classifications: (1) Critical interest, (2) high interest, (3) general interest, (4) low interest, or (5) no interest. The area(s) nominated must be described accurately and shown on the large-scale Call map available at *http://www.boem.gov/leasesale237.* An interested party nominating areas for inclusion in the sale must provide a detailed explanation of the basis for classifying each nominated area as (1) through (5), including a summary of the relevant geologic, geophysical, and economic information. Interested parties are encouraged to be as specific as possible in prioritizing blocks and supporting nominations of specific blocks in the Program Area with detailed data and/or information. Interested parties should be prepared to discuss their range of interest classifications and anticipated activity regarding the nominated area(s). Interested parties are requested to provide the telephone number and name of the individual to contact. BOEM's Alaska OCS Region office will contact this individual to set up a mutually agreeable meeting date and time to review more fully the interested parties level of interest where an area is classified as critical interest or high interest, and possibly as general interest. Submittals should indicate ''Nominations to Call for Chukchi Sea Lease Sale 237.''

To avoid inadvertent release of proprietary information, interested parties should mark all documents and every page containing such information with ''Confidential—Contains Proprietary Information.'' To the extent a document contains a mix of proprietary and nonproprietary information, interested parties should mark clearly which portion of the document is proprietary and which is not. The OCSLA states that the ''Secretary shall maintain the confidentiality of all privileged or proprietary data or information for such period of time as is provided for in this subchapter, established by regulation, or agreed to by the parties'' (43 U.S.C. 1344(g)). BOEM considers each interested parties written nominations of specific blocks to be proprietary, and it will not release such information to the public.

5. Exclusion Areas and Other Comments

BOEM is seeking recommendations either to exclude specific blocks or areas from oil and gas leasing, or to be leased under special conditions due to conflicting values, uses or environmental concerns (hereinafter referred to as ''proposed exclusion areas''). Interested parties should indicate proposed exclusion areas on the large-scale Call map available at *http://www.boem.gov/leasesale237.* Interested parties also may use the interactive map tool for the Arctic at *http://www.boem.gov/Oil-and-Gas-Energy-Program/Leasing/Five-Year-Program/Lease-Sale-Schedule/Interactive-Maps.aspx.* Interested parties are encouraged to be as specific as possible in explaining why the area should be excluded or leased under special conditions, provide supporting information, and be prepared to discuss the proposed exclusion areas with BOEM. Interested parties are requested to provide the telephone number and name of the individual to contact. BOEM's Alaska OCS Region office may contact this individual to set up a mutually agreeable meeting date and time to review more fully the proposed exclusion areas.

BOEM also is seeking comments and information from all interested parties regarding areas that should receive more detailed consideration and analysis; geological conditions, including bottom hazards; archaeological sites on the seabed or nearshore; other uses of the Program Area, including navigation and subsistence; and other socioeconomic, biological, or environmental information. BOEM previously had received comments on the Program Area as part of the Five Year Program process. Those comments included information on the importance of Hanna Shoal and Herald Shoal. While already excluded from the Program Area, comments were also received on the Pt. Barrow area, Kaseguluk Lagoon, Peard Bay, the nearshore lead system, and the bowhead whale migration area. While BOEM will consider information submitted previously on the Five Year Program, BOEM also encourages interested parties who submitted comments on the Five Year Program to refine their earlier comments and provide greater detail or new information, where appropriate, concerning the importance of these areas or associated activities.

6. Submissions of Nominations, Requests for Exclusion Areas, and Other Comments

Interested parties who are requesting area(s) for inclusion in the sale should send their recommendations, along with an explanation of the basis of their interest priority, including a summary of the relevant geologic, geophysical, and economic information supporting their nomination, to: Chief, Leasing Section, BOEM, Alaska OCS Region, 3801 Centerpoint Drive, Suite 500, Anchorage, Alaska 99503–5823.

Requests for proposed exclusion areas or general proposed inclusion areas (absent a formal nomination) and all other comments to this Call, including general information from interested parties, Federal agencies, state and local governments, tribes, and other interested parties, will be accepted only through *http://www.regulations.gov,* using docket designation BOEM–2013–0015. All comments received via this Web site, including names and addresses of the commenter, are public and will be posted for public review. BOEM will not consider anonymous comments. BOEM will make available all nonproprietary submissions in their entirety on *http://www.regulations.gov.*

7. Tracking Table and Interactive Map

In the Five Year Program, BOEM established a mitigation/program tracking table (hereinafter referred to as the ''Table''), which is designed to track the history and treatment of suggestions for inclusion or exclusion of acreage, temporal deferrals, and/or mitigation from the Five Year Program stage through the lease sale stage to the plan stage. This Table will allow commenters to see how and where their concerns are considered, while ensuring that a reasonable concern not suitable for consideration during one stage will be considered at an appropriate subsequent stage. The Table may be viewed at *http://www.boem.gov/Oil-and-Gas-Energy-Program/Leasing/Five-Year-Program/Lease-Sale-Schedule/Tracking-Table.aspx.* Appropriate suggestions collected during the comment period on this Call will be added to the Table and tracked throughout the process.

Additionally, BOEM has created an interactive map through the Multipurpose Marine Cadastre (MMC) Web site for Alaska at *http://www.boem.gov/Oil-and-Gas-Energy-Program/Leasing/Five-Year-Program/Lease-Sale-Schedule/Interactive-Maps.aspx.* The MMC is an integrated marine information system that provides a more comprehensive look at geospatial data and ongoing activities and studies occurring in the area being considered. If interested parties believe that a data layer should be added for consideration, they should provide this information by following the commenting instructions above. Questions about the interactive map may be addressed to Donna Dixon, Chief, Leasing Division, at (703) 787–1215.

8. Use of Information From This Call

BOEM is undertaking a strategy of targeted leasing, whereby the BOEM Director will use the information provided in response to this Call to make an Area Identification decision. BOEM will consider nominations, proposed exclusion areas, and areas proposed to receive special consideration and analysis, in light of resource estimates, information regarding exploratory drilling, environmental reviews, and other relevant information. Using this information, BOEM plans to target leasing by proactively determining which specific portions of the Program Area offer greater resource potential, while minimizing potential conflicts with environmental subsistence considerations.

Information submitted in response to this Call will be used to:

- Determine the Area Identification under 30 CFR 556.26(a) and (b);
- Develop potential lease terms and conditions;
- Identify potential use conflicts and potential mitigation measures; and
- Assist in planning the NEPA scoping process.

9. Existing Information

An extensive Environmental Studies Program, including environmental, social, and economic studies in the Chukchi Sea Planning Area, has been underway in the Alaska OCS Region since 1976. The emphasis has been on environmental characterization of biologically sensitive habitats, marine mammals, physical oceanography, ocean-circulation modeling, subsistence uses, and ecological and sociocultural effects of oil and gas activities. Information on the BOEM Environmental Studies Program, completed studies, and a program status report for continuing studies in this area is available on the BOEM Web site at *http://www.boem.gov/akstudies,* or it may be obtained from the Chief, Environmental Sciences Management Section, Alaska OCS Region, by telephone request at (907) 334–5200.

NEPA analyses were prepared for previous OCS lease sales held in the Chukchi Sea Planning Area. Previous

NEPA analyses for Chukchi Sea lease sales and other actions are available at *http://www.boem.gov/About-BOEM/BOEM-Regions/Alaska-Region/Environment/Environmental-Analysis/Environmental-Impact-Statements-and--Major-Environmental-Assessments.aspx.* Currently, there are 460 active OCS oil and gas leases in the Chukchi Sea Planning Area, encompassing an area of approximately 2.7 million acres (1.0 million hectares). Information on the leases and other lease-related activities is available at *http://www.boem.gov/About-BOEM/BOEM-Regions/Alaska-Region/Leasing-and-Plans/Index.aspx.*

Dated: September 23, 2013.

Tommy P. Beaudreau,

Director, Bureau of Ocean Energy Management.

[FR Doc. 2013–23670 Filed 9–26–13; 8:45 am]

BILLING CODE 4310–MR–P

DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Consent Decree Under the Clean Air Act

On September 19, 2013, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the Southern District of Texas in the lawsuit entitled *United States* v *CITGO Petroleum Corporation, Case No. 4:13-cv-02762.*

The Consent Decree resolves the claims of the United States set forth in the complaint against *CITGO Petroleum Corporation* for violations of Section 211 of the Clean Air Act, 42 U.S.C. 7445, and the regulations promulgated thereunder at 40 CFR part 80 (the ''fuels regulations''), during production of gasoline at its Lake Charles, Louisiana, and Lemont, Illinois refineries. Under the proposed Consent Decree, CITGO has agreed to pay a civil penalty of $737,000 and to perform environmental mitigation projects valued at $500,000.

The publication of this notice opens a period for public comment on the Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States of America* v. *CITGO Petroleum Corporation,* D.J. Ref. No. 90–5–2–1–10162. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

To submit comments:	*Send them to:*
By e-mail	*pubcomment-ees.enrd@usdoj.gov.*
By mail	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

During the public comment period, the Consent Decree may be examined and downloaded at this Justice Department Web site: *http://www.usdoj.gov/enrd/Consent_Decrees.html.* We will provide a paper copy of the Consent Decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

Please enclose a check or money order for $9.00 (25 cents per page reproduction cost) payable to the United States Treasury.

Thomas P. Carroll,

Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 2013–23620 Filed 9–26–13; 8:45 am]

BILLING CODE 4410–15–P

DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Settlement Agreement Under the Comprehensive Environmental Response, Compensation, and Liability Act

On September 2, 2013, a proposed Settlement Agreement was lodged with the United States Bankruptcy Court for the Central District of California in the case entitled *In re Halaco Engineering Company,* Case No. 9:02–bk–12255–RR (Bankr. C.D. Cal.).

In 2006, the United States, on behalf of the U.S. Environmental Protection Agency (''EPA''), the National Oceanic and Atmospheric Administration of the Department of Commerce (''NOAA''), and the Fish and Wildlife Service of the Department of Interior (''FWS'') filed in the above bankruptcy action a Proof of Claim for environmental response costs, natural resource damages, and natural resource damage assessment costs pursuant to Section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act (''CERCLA''), 42 U.S.C. 9607, relating to the Halaco Superfund Site in Oxnard, California. In 2010, the United States filed a Request for Payment of Environmental Response Costs as Chapter 7 Administrative Expenses and Updated Proof of Claim. Under the Settlement Agreement, the Chapter 7 Bankruptcy Trustee has agreed to provide to EPA an allowed $335,686 Chapter 7 administrative priority claim and an allowed $52,593,544 general unsecured claim; to NOAA, an allowed $487,199 general unsecured claim; and to FWS, an allowed $329,267 general unsecured claim. The Settlement Agreement further provides the United States with a judgment for the allowed claims above and an assignment of insurance rights and policies owned by the debtor, Halaco Engineering Company. The Settlement Agreement separately resolves non-CERCLA state-law claims asserted in the bankruptcy action by the California Regional Water Quality Control Board, Los Angeles Region, and the California State Water Quality Control Board.

The publication of this notice opens a period for public comment on the proposed settlement agreement. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *In re Halaco Engineering Company,* Case No. 9:02–bk–12255–RR (Bankr. C.D. Cal.), D.J. Ref. No. 90–11–2–08829. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

To submit comments:	*Send them to:*
By e-mail	*pubcomment-ees.enrd@usdoj.gov.*
By mail	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

During the public comment period, the proposed consent decree may be examined and downloaded at this Justice Department Web site: *http://www.usdoj.gov/enrd/Consent_Decrees.html.* We will provide a paper copy of the proposed consent decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

Please enclose a check or money order for $12.75 (25 cents per page reproduction cost) payable to the United States Treasury.

Henry Friedman,

Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 2013–23500 Filed 9–26–13; 8:45 am]

BILLING CODE 4410–15–P

DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Settlement Agreement Under The Comprehensive Environmental Response, Compensation, and Liability Act

On September 24, 2013, the Department of Justice lodged a proposed Settlement Agreement with the United States Bankruptcy Court for the District of Delaware in the case entitled *In re Apco Liquidating Trust,* Case No. 05–12355 (BLS), Adv. Pro. No. 07–51670 (Bankr. D. Del.).

The United States filed a proof of claim in February 2006, in this bankruptcy action for costs incurred and to be incurred in connection with the Oklahoma Refining Company Superfund Site (''Site''), located in Cyril, Caddo County, Oklahoma, pursuant to Section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act (''CERCLA''), *42 U.S.C. 9607.* Under the Settlement Agreement, the Apco Liquidating Trust agrees to pay the United States, on behalf of EPA, $14 million in satisfaction of the United States' allow claim that will be used to finance and perform the work at the Site, and to reimburse the United States for past costs incurred at the Site. The Apco Liquidating Trust also agrees to dismiss with prejudice its adversary proceeding against the General Services Administration in connection with the Site.

The publication of this notice opens a period for public comment on the proposed settlement agreement. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *In re Apco Liquidating Trust,* Case No. 05–12355 (BLS), Adv. Pro. No. 07–51670 (Bankr. D. Del.). All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

To submit comments:	*Send them to:*
By email	*pubcomment-ees.enrd@usdoj.gov.*
By mail	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

Under Section 7003(d) of the Resource Conservation and recovery Act (''RCRA''), a commenter may request an opportunity for a public meeting in the affected area.

During the public comment period, the proposed settlement agreement may be examined and downloaded at this Justice Department Web site: *http://www.usdoj.gov/enrd/Consent_Decrees.html.* We will provide a paper copy of the proposed settlement agreement upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

Please enclose a check or money order for $11.00 (25 cents per page reproduction cost) payable to the United States Treasury.

Thomas P. Carroll,

Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 2013–23633 Filed 9–26–13; 8:45 am]

BILLING CODE 4410–15–P

DEPARTMENT OF JUSTICE

Bureau of Alcohol, Tobacco, Firearms, and Explosives

[OMB Number 1140–0032]

Agency Information Collection Activities: Proposed Collection; Comments Requested; Records of Acquisition and Disposition, Collectors of Firearms

ACTION: 30-Day notice.

The Department of Justice (DOJ), Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) submitted the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. This proposed information collection was previously published in the **Federal Register** Volume 78, Number 144, page 45276 on July 26, 2013, allowing for a 60 day comment period.

The purpose of this notice is to allow for an additional 30 days for public comment until October 28, 2013. This process is conducted in accordance with 5 CFR 1320.10.

Written comments concerning this information collection should be sent to the Office of Information and Regulatory Affairs, Office of Management and Budget, Attn: DOJ Desk Officer. The best way to ensure your comments are received is to email them to *oira_submission@omb.eop.gov* or fax them to 202–395–7285. All comments should reference the eight digit OMB number or the title of the collection.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

—Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

—Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

—Enhance the quality, utility, and clarity of the information to be collected; and

—Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Summary of Information Collection

(1) *Type of Information Collection:* Extension of a Currently Approved Collection.

(2) *Title of the Form/Collection:* Records of Acquisition and Disposition, Collectors of Firearms.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form Number: None. Bureau of Alcohol, Tobacco, Firearms and Explosives.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract: Primary:* Individuals or households. Other: none.

Need for Collection

The recordkeeping requirement is for the purpose of facilitating ATF's authority to inquire into the disposition of any firearm in the course of a criminal investigation.

(5) An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond: It is estimated to take 3 hours per year for line by line entry and that 64,327 licensees will participate.

(6) An estimate of the total burden (in hours) associated with the collection: There are an estimated 192,981 annual total burden hours associated with this collection.

If additional information is required contact: Jerri Murray, Department

Clearance Officer, Policy and Planning Staff, Justice Management Division, Department of Justice, Two Constitution Square, 145 N Street NE., Room 3W–1407B, Washington, DC 20530.

Dated: September 24, 2013.

Jerri Murray,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2013–23596 Filed 9–26–13; 8:45 am]

BILLING CODE 4410–FY–P

DEPARTMENT OF JUSTICE

Bureau of Alcohol, Tobacco, Firearms and Explosives

[OMB Number 1140–0053]

Agency Information Collection Activities: Proposed Collection; Comments Requested; Training Registration Request for Non-ATF Employees

ACTION: 30-Day notice.

The Department of Justice (DOJ), Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. This proposed information collection was previously published in the **Federal Register** Volume 78, Number 144, page 45275 on July 26, 2013, allowing for a 60 day comment period.

The purpose of this notice is to allow for an additional 30 days for public comment until October 28, 2013. This process is conducted in accordance with 5 CFR 1320.10.

Written comments concerning this information collection should be sent to the Office of Information and Regulatory Affairs, Office of Management and Budget, Attn: DOJ Desk Officer. The best way to ensure your comments are received is to email them to *oira_submission@omb.eop.gov* or fax them to 202–395–7285. All comments should reference the eight digit OMB number or the title of the collection.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

—Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

—Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

—Enhance the quality, utility, and clarity of the information to be collected; and

—Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Summary of Information Collection

(1) *Type of Information Collection:* Extension of a currently approved collection.

(2) *Title of the Form/Collection:* Training Registration Request for Non-ATF Employees.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form Number: ATF F 6400.1. Bureau of Alcohol, Tobacco, Firearms and Explosives.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: State, Local, or Tribal Government. Other: None.

Need for Collection

The Bureau of Alcohol, Tobacco, Firearms and Explosives provides arson and explosive investigative techniques training to State and local investigators. The registration request form will be used by prospective students.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* It is estimated that 500 respondents will complete a 6 minute form.

(6) *An estimate of the total burden (in hours) associated with the collection:* There are an estimated 50 annual total burden hours associated with this collection.

If additional information is required contact: Jerri Murray, Department Clearance Officer, Policy and Planning Staff, Justice Management Division, Department of Justice, Two Constitution Square, 145 N Street NE., Room 3W–1407B, Washington, DC 20530.

Dated: September 24, 2013.

Jerri Murray,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2013–23600 Filed 9–26–13; 8:45 am]

BILLING CODE 4410–FY–P

DEPARTMENT OF JUSTICE

Bureau of Alcohol, Tobacco, Firearms and Explosives

[OMB Number 1140—NEW]

Agency Information Collection Activities: Proposed Collection; Comments Requested: Application for Alternate Means of Identification of Firearms (Marking Variance)

ACTION: 30-Day Notice.

The Department of Justice (DOJ), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. This proposed information collection was previously published in the **Federal Register** Volume 78, Number 144, page 45274 on July 26, 2013, allowing for a 60 day comment period.

The purpose of this notice is to allow for an additional 30 days for public comment until October 28, 2013. This process is conducted in accordance with 5 CFR 1320.10.

Written comments concerning this information collection should be sent to the Office of Information and Regulatory Affairs, Office of Management and Budget, Attn: DOJ Desk Officer. The best way to ensure your comments are received is to email them to *oira_submission@omb.eop.gov* or fax them to 202–395–7285. All comments should reference the eight digit OMB number or the title of the collection.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

—Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

—Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information,

including the validity of the methodology and assumptions used;
—Enhance the quality, utility, and clarity of the information to be collected; and
—Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Summary of Information Collection

(1) *Type of Information Collection:* New collection.

(2) *Title of the Form/Collection:* Application for Alternate Means of Identification of Firearms (Markings Variance).

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form Number: ATF Form 3311.4. Bureau of Alcohol, Tobacco, Firearms and Explosives.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Business or other for-profit. Other: None.

Need for Collection

Licensed firearms manufacturers and licensed firearms importers must legibly mark firearms manufactured or imported with specific identifying information. ATF may authorize other means of identification (marking variance) upon receipt of a letter application showing that such other identification is reasonable and will not hinder the effective administration of the firearms regulations. ATF Form 3311.4 will be used as a letter application for licensed Federal importers and manufacturers to request approval to use an alternate means for identifying firearms.

(5) An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond: It is estimated that 1,282 respondents will take 30 minutes to complete the form.

(6) An estimate of the total public burden (in hours) associated with the collection: There are an estimated 641 annual total burden hours associated with this collection.

If additional information is required contact: Jerri Murray, Department Clearance Officer, Policy and Planning Staff, Justice Management Division, Department of Justice, Two Constitution Square, 145 N Street NE., Room 1407B,Washington, DC 20530.

Dated: September 24, 2013.

Jerri Murray,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2013–23599 Filed 9–26–13; 8:45 am]

BILLING CODE 4410–FY–P

DEPARTMENT OF JUSTICE

Bureau of Alcohol, Tobacco, Firearms and Explosives

[OMB Number 1140–0012]

Agency Information Collection Activities: Proposed Collection; Comments Requested; Notice of Firearms Manufactured or Imported

ACTION: 30-Day Notice.

The Department of Justice (DOJ), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. This proposed information collection was previously published in the **Federal Register** Volume 78, Number 144, page 45274 on July 26, 2013, allowing for a 60 day comment period.

The purpose of this notice is to allow for an additional 30 days for public comment until October 28, 2013. This process is conducted in accordance with 5 CFR 1320.10.

Written comments concerning this information collection should be sent to the Office of Information and Regulatory Affairs, Office of Management and Budget, Attn: DOJ Desk Officer. The best way to ensure your comments are received is to email them to *oira_submission@omb.eop.gov* or fax them to 202–395–7285. All comments should reference the eight digit OMB number or the title of the collection.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:
—Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
—Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
—Enhance the quality, utility, and clarity of the information to be collected; and
—Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Summary of Information Collection

(1) *Type of Information Collection:* Extension of a currently approved collection.

(2) *Title of the Form/Collection:* Notice of Firearms Manufactured or Imported.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form Number: ATF F 2 (5320.2). Bureau of Alcohol, Tobacco, Firearms and Explosives.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Business or other for-profit. Other: Federal Government, State, Local, or Tribal Government.

Need for Collection

ATF F 2 (5320.2) is used by a federally qualified firearms manufacturer or importer to report firearms manufactured or imported and to have these firearms registered in the National Firearms Registration and Transfer Record as proof of the lawful existence of the firearm.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* It is estimated that 2,991 respondents will complete the form within approximately 30 minutes.

(6) *An estimate of the total burden (in hours) associated with the collection:* There are an estimated 4,487 annual total burden hours associated with this collection.

If additional information is required contact: Jerri Murray, Department Clearance Officer, Policy and Planning Staff, Justice Management Division, Department of Justice, Two Constitution Square, 145 N Street NE., Room 3W–1407B, Washington, DC 20530.

Dated: September 24, 2013.

Jerri Murray,

Department Clearance Officer, PRA, U.S. Department of Justice.

[FR Doc. 2013–23595 Filed 9–26–13; 8:45 am]

BILLING CODE 4410–FY–P

DEPARTMENT OF JUSTICE

Bureau of Alcohol, Tobacco, Firearms and Explosives

[OMB Number 1140–0080]

Agency Information Collection Activities: Proposed Collection; Comments Requested; Notification of Change of Mailing or Premise Address

ACTION: 30-Day notice.

The Department of Justice (DOJ), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. This proposed information collection was previously published in the **Federal Register** Volume 78, Number 144, page 45275 on July 26, 2013, allowing for a 60 day comment period.

The purpose of this notice is to allow for an additional 30 days for public comment until October 30, 2013. This process is conducted in accordance with 5 CFR 1320.10.

Written comments concerning this information collection should be sent to the Office of Information and Regulatory Affairs, Office of Management and Budget, Attn: DOJ Desk Officer. The best way to ensure your comments are received is to email them to *oira_submission@omb.eop.gov* or fax them to 202–395–7285. All comments should reference the eight digit OMB number or the title of the collection.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

—Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

—Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

—Enhance the quality, utility, and clarity of the information to be collected; and

—Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Summary of Collection

(1) *Type of Information Collection:* Extension of a currently approved collection.

(2) *Title of the Form/Collection:* Notification of Change of Mailing or Premise Address.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form Number: None. Bureau of Alcohol, Tobacco, Firearms and Explosives.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Not-for-profit Institutions. Other: Business or other for-profit.

Need for Collection

Licensees and permittees whose mailing address will change must notify the Chief, Federal Explosives Licensing Center, at least 10 days before the change. The information is used by ATF to identify correct locations of storage of explosives licensees/permittees and location of storage of explosive materials for purposes of inspection, as well as to notify permittee/licensees of any change in regulations or laws that may affect their business activities.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* It is estimated that 1,000 respondents will take 10 minutes to respond via letter to the Federal Explosives Licensing Center.

(6) *An estimate of the total burden (in hours) associated with the collection:* There are an estimated 170 annual total burden hours associated with this collection.

If additional information is required contact: Jerri Murray, Department Clearance Officer, Policy and Planning Staff, Justice Management Division, U.S. Department of Justice, Two Constitution Square, 145 N Street NE., Room 3W–1407B, Washington, DC 20530.

Dated: September 24, 2013.

Jerri Murray,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2013–23598 Filed 9–26–13; 8:45 am]

BILLING CODE 4410–FY–P

DEPARTMENT OF JUSTICE

Bureau of Alcohol, Tobacco, Firearms and Explosives

[OMB Number 1140–0038]

Agency Information Collection Activities: Proposed Collection; Comments Requested; Application for Federal Firearms License (Collector of Curios and Relics)

ACTION: 30-Day notice.

The Department of Justice (DOJ), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. This proposed information collection was previously published in the **Federal Register** Volume 78, Number 144, page 45273 on July 26, 2013, allowing for a 60 day comment period.

The purpose of this notice is to allow for an additional 30 days for public comment until October 28, 2013. This process is conducted in accordance with 5 CFR 1320.10.

Written comments concerning this information collection should be sent to the Office of Information and Regulatory Affairs, Office of Management and Budget, Attn: DOJ Desk Officer. The best way to ensure your comments are received is to email them to *oira_submission@omb.eop.gov* or fax them to 202–395–7285. All comments should reference the eight digit OMB number or the title of the collection.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

—Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

—Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

—Enhance the quality, utility, and clarity of the information to be collected; and

—Minimize the burden of the collection of information on those who are to respond, including through the

use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Summary of Information Collection

(1) *Type of Information Collection:* Extension of a currently approved collection.

(2) *Title of the Form/Collection:* Application for Federal Firearms License (Collector of Curios and Relics).

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form Number: ATF F 7CR (5310.16). Bureau of Alcohol, Tobacco, Firearms and Explosives.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Individuals or households. Other: None.

Need for Collection

The form is used by the public when applying for a Federal firearms license to collect curios and relics to facilitate a personal collection in interstate and foreign commerce. The information requested on the form establishes eligibility for the license.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* It is estimated that 8,817 respondents will complete a 15 minute form.

(6) *An estimate of the total burden (in hours) associated with the collection:* There are an estimated 2,204 annual total burden hours associated with this collection.

If additional information is required contact: Jerri Murray, Department Clearance Officer, Policy and Planning Staff, Justice Management Division, Department of Justice, Two Constitution Square, 145 N Street NE., Room 3W–1407B, Washington, DC 20530.

Dated: September 24, 2013.

Jerri Murray,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2013–23597 Filed 9–26–13; 8:45 am]

BILLING CODE 4410–FY–P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petitions for Modification of Application of Existing Mandatory Safety Standards

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Notice.

SUMMARY: Section 101(c) of the Federal Mine Safety and Health Act of 1977 and 30 CFR Part 44 govern the application, processing, and disposition of petitions for modification. This notice is a summary of petitions for modification submitted to the Mine Safety and Health Administration (MSHA) by the parties listed below to modify the application of existing mandatory safety standards codified in Title 30 of the Code of Federal Regulations.

DATES: All comments on the petitions must be received by the Office of Standards, Regulations and Variances on or before October 28, 2013.

ADDRESSES: You may submit your comments, identified by ''docket number'' on the subject line, by any of the following methods:

1. *Electronic Mail: zzMSHA-comments@dol.gov.* Include the docket number of the petition in the subject line of the message.

2. *Facsimile:* 202–693–9441.

3. *Regular Mail or Hand Delivery:* MSHA, Office of Standards, Regulations and Variances, 1100 Wilson Boulevard, Room 2350, Arlington, Virginia 22209–3939, Attention: George F. Triebsch, Director, Office of Standards, Regulations and Variances. Persons delivering documents are required to check in at the receptionist's desk on the 21st floor. Individuals may inspect copies of the petitions and comments during normal business hours at the address listed above.

MSHA will consider only comments postmarked by the U.S. Postal Service or proof of delivery from another delivery service such as UPS or Federal Express on or before the deadline for comments.

FOR FURTHER INFORMATION CONTACT: Barbara Barron, Office of Standards, Regulations and Variances at 202–693–9447 (Voice), *barron.barbara@dol.gov* (Email), or 202–693–9441 (Facsimile). [These are not toll-free numbers.]

SUPPLEMENTARY INFORMATION:

I. Background

Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) allows the mine operator or representative of miners to file a petition to modify the application of any mandatory safety standard to a coal or other mine if the Secretary of Labor determines that:

1. An alternative method of achieving the result of such standard exists which will at all times guarantee no less than the same measure of protection afforded the miners of such mine by such standard; or

2. That the application of such standard to such mine will result in a diminution of safety to the miners in such mine.

In addition, the regulations at 30 CFR 44.10 and 44.11 establish the requirements and procedures for filing petitions for modification.

II. Petitions for Modification

Docket Number: M–2013–045–C.

Petitioner: Bowie Resources, LLC, Three Gateway Center, Suite 1500, 401 Liberty Avenue, Pittsburgh, Pennsylvania 15222–1000.

Mines: No. 2 Mine, MSHA I.D. No. 05–04591, located in Delta County, Colorado.

Regulation Affected: 30 CFR 75.507–1(a) (Electric equipment other than power-connection points; outby the last open crosscut; return air; permissibility requirements).

Modification Request: The petitioner requests a modification of the existing standard to permit an alternative method of compliance to allow the use of battery-powered nonpermissible surveying equipment in return airways, including, but not limited to, portable battery-operated mine transits, total station surveying equipment, distance meters, and data loggers. The petitioner states that:

(1) To comply with requirements for mine ventilation maps and mine maps in 30 CFR 75.372 and 75.1200, use of the most practical and accurate surveying equipment is necessary.

(2) Application of the existing standard would result in a diminution of safety to the miners. Underground mining, by its nature and size and the complexity of mine plans, requires that accurate and precise measurements be completed in a prompt and efficient manner. The petitioner proposes the following as an alternative to the existing standard:

(a) Nonpermissible electronic surveying equipment may be used. Such nonpermissible surveying equipment includes portable battery-operated total station surveying equipment, mine transits, distance meters, and data loggers.

(b) All nonpermissible electronic surveying equipment to be used in return airways will be examined by surveying personnel prior to use to ensure the equipment is being maintained in a safe operating condition. These examinations will include:

(i) Checking the instrument for any physical damage and the integrity of the case.

(ii) Removing the battery and inspecting for corrosion.

(iii) Inspecting the contact points to ensure a secure connection to the battery.

(iv) Reinserting the battery and powering up and shutting down to ensure proper connections.

(v) Checking the battery compartment cover to ensure that it is securely fastened.

(c) The results of such examinations will be recorded and retained for one year and made available to MSHA on request.

(d) A qualified person as defined in 30 CFR 75.151 will continuously monitor for methane immediately before and during the use of nonpermissible surveying equipment in return airways.

(e) Nonpermissible surveying equipment will not be used if methane is detected in concentrations at or above one percent for the area being surveyed. When methane is detected at such levels while the nonpermissible surveying equipment is being used, the equipment will be deenergized immediately and the nonpermissible electronic equipment withdrawn out of the return airways.

(f) All hand-held methane detectors will be MSHA-approved and maintained in permissible and proper operating condition as defined in 30 CFR 75.320.

(g) Batteries in the surveying equipment will be changed out or charged in fresh air out of the return.

(h) Qualified personnel who use surveying equipment will be properly trained to recognize the hazards and limitations associated with the use of nonpermissible surveying equipment in areas where methane could be present.

(i) The nonpermissible surveying equipment will not be put into service until MSHA has initially inspected the equipment and determined that it is in compliance with all the terms and conditions in this petition.

The petitioner asserts that the proposed alternative method will at all times guarantee no less than the same measure of protection as that afforded by the existing standard.

Docket Number: M–2013–046–C.

Petitioner: Bowie Resources, LLC, Three Gateway Center, Suite 1500, 401 Liberty Avenue, Pittsburgh, Pennsylvania 15222–1000.

Mine: No. 2 Mine, MSHA I.D. No. 05–04591, located in Delta County, Colorado.

Regulation Affected: 30 CFR 75.1002(a) (Installation of electric equipment and conductors; permissibility).

Modification Request: The petitioner requests a modification of the existing standard to permit an alternative method of compliance to allow the use of battery-powered nonpermissible surveying equipment within 150 feet of pillar workings, including, but not limited to, portable battery-operated mine transits, total station surveying equipment, distance meters, and data loggers. The petitioner states that:

(1) To comply with requirements for mine ventilation maps and mine maps in 30 CFR 75.372, and 75.1200, use of the most practical and accurate surveying equipment is necessary. To ensure the safety of the miners in active mines and to protect miners in future mines that may mine in close proximity to these same active mines, it is necessary to determine the exact location and extent of the mine workings.

(2) Application of the existing standard would result in a diminution of safety to the miners. Underground mining by its nature and size, and the complexity of mine plans, requires that accurate and precise measurements be completed in a prompt and efficient manner. The petitioner proposes the following as an alternative to the existing standard:

(a) Nonpermissible electronic surveying equipment will be used when equivalent permissible electronic surveying equipment is not available. Such nonpermissible surveying equipment includes portable battery-operated total station surveying equipment, mine transits, distance meters, and data loggers.

(b) All nonpermissible electronic surveying equipment to be used within 150 feet of pillar workings will be examined prior to use to ensure the equipment is being maintained in a safe operating condition. These examinations will include:

(i) Checking the instrument for any physical damage and the integrity of the case.

(ii) Removing the battery and inspecting for corrosion.

(iii) Inspecting the contact points to ensure a secure connection to the battery.

(iv) Reinserting the battery and powering up and shutting down to ensure proper connections.

(v) Checking the battery compartment cover to ensure that it is securely fastened.

(c) The results of such examinations will be recorded and retained for one year and made available to MSHA on request.

(d) A qualified person as defined in 30 CFR 75.151 will continuously monitor for methane immediately before and during the use of nonpermissible surveying equipment within 150 feet of pillar workings.

(e) Nonpermissible surveying equipment will not be used if methane is detected in concentrations at or above one percent for the area being surveyed. When methane is detected at such levels while the nonpermissible surveying equipment is being used, the equipment will be deenergized immediately and the nonpermissible electronic equipment withdrawn further than 150 feet from pillar workings.

(f) All hand-held methane detectors will be MSHA-approved and maintained in permissible and proper operating condition as defined in 30 CFR 75.320.

(g) Batteries in the surveying equipment will be changed out or charged in fresh air more than 150 feet from pillar workings.

(h) Qualified personnel who use surveying equipment will be properly trained to recognize the hazards and limitations associated with the use of nonpermissible surveying equipment in areas where methane could be present.

(i) The nonpermissible surveying equipment will not be put into service until MSHA has initially inspected the equipment and determined that it is in compliance with all the terms and conditions in this petition.

The petitioner asserts that the proposed alternative method will at all times guarantee no less than the same measure of protection as that afforded by the existing standard.

Docket Number: M–2013–010–M

Petitioner: U.S. Silica Company, 105 Burkett Switch Road, Jackson, Tennessee 38301.

Mine: Jackson Plant, MSHA I.D. No. 40–02937, located in Madison County, Tennessee.

Regulation Affected: 30 CFR 56.13020 (Use of compressed air).

Modification Request: The petitioner requests a modification of the existing standard to permit an alternative method for implementing a clothes cleaning process that uses regulated compressed air for cleaning miners' dust-laden clothing. The petitioner states that:

1. The alternative method provides a direct reduction of miners' exposure to respirable dust, thus reducing their health risks while providing no less than the same degree of safety provided by the existing standard.

2. The alternative method has been jointly developed between Unimin Corporation and the National Institute for Occupational Safety and Health (NIOSH) and successfully tested by NIOSH.

3. Only miners trained in the operation of the clothes cleaning booth will be permitted to use the booth to clean their clothes.

4. The petitioner will incorporate the NIOSH Clothes Cleaning Process and Manufacturer's Instruction Manuals into their MSHA Part 46 Training Plan and train affected miners in the process.

5. Miners entering the booth will examine valves and nozzles for damage or malfunction and will close the door fully before opening the air valve. Any defects will be repaired prior to the booth being used.

6. Miners entering the booth will wear eye protection; ear plugs or muffs for hearing protection; and, a full-face or half-mask respirator that meets or exceeds the minimum requirements of a N95 filter to which the miner has been fit-tested. As an alternative, the use of a full-face respirator will meet the requirement for eye protection. A sign will be conspicuously posted requiring the use of personal protective equipment when entering the booth.

7. Airflow through the booth will be at least 2,000 cubic feet per minute to maintain negative pressure during use of the cleaning system to prevent contamination of the environment outside the booth. Airflow will be in a downward direction to move contaminants away from the miner's breathing zone.

8. Air pressure through the spray manifold will be limited to 30 pounds per square inch or less. A lock box with a single key controlled by the plant manager will be used to prevent regulator tampering.

9. The air spray manifold will consist of a schedule 80 steel pipe that has a failure pressure of 1,300 pounds per square inch, be capped at the base and actuated by an electrically controlled ball valve at the top.

10. Air nozzles will not exceed 30 pounds per square inch gauge.

11. The uppermost spray of the spray manifold will be located below the booth users' breathing zone. Deflection covers will be used over the upper air nozzles if necessary to meet the specific height of the user.

12. Air nozzles will be guarded to eliminate the possibility of incidental contact that could create mechanical damage to the air nozzles during the clothes cleaning process.

13. The petitioner will conduct periodic maintenance checks of the booth according to the recommendations contained in the Manufacturer's Instruction Manual.

14. The air receiver tank supplying air to the manifold system will be of sufficient volume to permit no less than 20 seconds of continuous clothes cleaning time.

15. An appropriate hazard warning sign will be posted on the booth to state, at a minimum, ''Compressed Air'' and ''Respirable Dust''.

16. A pressure relief valve designed for the booth's air reservoir will be installed.

17. The mine will exhaust dust-laden air from the booth into a local exhaust ventilation system or duct outside the facility while ensuring there is no re-entrainment back into the structure.

The petitioner asserts that the proposed alternative method will at all times guarantee no less than the same measure of protection afforded by the existing standard.

Dated: September 24, 2013.

George F. Triebsch,

Director, Office of Standards, Regulations and Variances.

[FR Doc. 2013–23568 Filed 9–26–13; 8:45 am]

BILLING CODE 4510–43–P

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. OSHA–2010–0008]

Construction Fall Protection Systems Criteria and Practices, and Training Requirements; Extension of the Office of Management and Budget's (OMB) Approval of Information Collection (Paperwork) Requirements

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Request for public comments.

SUMMARY: OSHA solicits public comments concerning its proposal to extend OMB approval of the information collection requirements contained in the Construction Standards on Fall Protection Systems Criteria and Practices (29 CFR 1926.502), and Training Requirements (29 CFR 1926.503).

DATES: Comments must be submitted (postmarked, sent, or received) by November 26, 2013.

ADDRESSES: *Electronically:* You may submit comments and attachments electronically at *http://www.regulations.gov,* which is the Federal eRulemaking Portal. Follow the instructions online for submitting comments to Docket No. OSHA–2010–0008.

Facsimile: If your comments, including attachments, are not longer than 10 pages, you may fax them to the OSHA Docket Office at (202) 693–1648.

Mail, hand delivery, express mail, messenger, or courier service: When using this method, you must submit a copy of your comments and attachments to the OSHA Docket Office, Docket No. OSHA–2010–0008, OSHA, U.S. Department of Labor, Room N–2625, 200 Constitution Avenue NW., Washington, DC 20210. Deliveries (hand, express mail, messenger, and courier service) are accepted during the Department of Labor's and Docket Office's normal business hours, 8:15 a.m. to 4:45 p.m., e.t.

Instructions: All submissions must include the Agency name and OSHA docket number for this Information Collection Request (ICR) (Docket No. OSHA–2010–0008). All comments, including any personal information you provide, are placed in the public docket without change, and may be made available online at *http://www.regulations.gov*. For further information on submitting comments, see the ''Public Participation'' heading in the section of this notice titled **SUPPLEMENTARY INFORMATION**.

Docket: To read or download comments or other material in the docket, go to *http://www.regulations.gov* or the OSHA Docket Office at the address above. All documents in the docket (including this **Federal Register** notice) are listed in the *http://www.regulations.gov* index; however, some information (e.g., copyrighted material) is not publicly available to read or download through the Web site. All submissions, including copyrighted material, are available for inspection and copying at the OSHA Docket Office. You may also contact Theda Kenney, Directorate of Standards and Guidance, U.S. Department of Labor, Room N–3621, 200 Constitution Avenue NW., Washington, DC 20110; (202) 693–2044, to obtain a copy of the ICR.

FOR FURTHER INFORMATION CONTACT: Eric Kampert, Office of Construction Services, Directorate of Construction, OSHA, U.S. Department of Labor, Room N–3476, 200 Constitution Avenue NW., Washington, DC 20210; telephone (202) 693–2020.

SUPPLEMENTARY INFORMATION:

I. Background

The Department of Labor, as part of its continuing effort to reduce paperwork and respondent (i.e., employer) burden, conducts a preclearance consultation program to provide the public with an opportunity to comment on proposed and continuing information collection requirements in accord with the Paperwork Reduction Act of 1995 (44 U.S.C. 3506(c)(2)(A)). This program

ensures that information is in the desired format, reporting burden (time and costs) is minimal, collection instruments are understandable, and OSHA's estimate of the information collection burden is correct. The Occupational Safety and Health Act of 1970 (the OSH Act) authorizes information collection by employers as necessary or appropriate for enforcement of the OSH Act, or for developing information regarding the causes and prevention of occupational injuries, illnesses, and accidents (29 U.S.C. 657).

The Standards on Construction Fall Protection Systems Criteria and Practices (29 CFR 1926.502) and Training Requirements (29 CFR 1926.503) ensure that employers provide the required fall protection for their workers. Accordingly, these standards have the following paperwork requirements: Paragraphs (c)(4)(ii) and (k) of 29 CFR 1926.502, which specify certification of safety nets and development of fall protection plans, respectively, and paragraph (b) of 29 CFR 1926.503, which requires employers to certify training records. The training certification requirement specified in paragraph (b) of 29 CFR 1926.503 documents the training provided to workers potentially exposed to fall hazards in construction. A competent person must train these workers to recognize fall hazards and in the use of procedures and equipment that minimize these hazards. An employer must verify compliance with this training requirement by preparing and maintaining a written certification record that contains the name or other identifier of the worker receiving the training, the date(s) of the training, and the signature of the competent person who conducted the training, or of the employer.

II. Special Issues for Comment

OSHA has a particular interest in comments on the following issues:

- Whether the proposed information collection requirements are necessary for the proper performance of the Agency's functions, including whether the information is useful;
- The accuracy of OSHA's estimate of the burden (time and costs) of the information collection requirements, including the validity of the methodology and assumptions used;
- The quality, utility, and clarity of the information collected; and
- Ways to minimize the burden on employers who must comply; for example, by using automated or other technological information collection and transmission techniques.

III. Proposed Actions

OSHA is requesting that OMB extend its approval of the collection of information requirements contained in the Construction Standards on Fall Protection Systems Criteria and Practices (29 CFR 1926.502) and Training Requirements (29 CFR 1926.503). OSHA is requesting a 33,076 burden hour reduction, from 457,108 hours to 424,032, as a result of decreasing the number of affected workers based on more recent data. The Agency will summarize the comments submitted in response to this notice and will include this summary in the request to OMB.

Type of Review: Extension of a currently approved collection.

Title: Construction Fall Protection Systems Criteria and Practices (29 CFR 1926.502) and Training Requirements (29 CFR 1926.503).

OMB Control Number: 1218–0197.

Affected Public: Business or other for-profits; Federal Government; State, Local, or Tribal Government.

Number of Responses: 5,291,439.

Frequency of Recordkeeping: On occasion, annually.

Average Time per Response: Time per response ranges from 5 minutes (.08 hour) to certify a safety net to 1 hour to develop a fall protection plan.

Estimated Total Burden Hours: 424,032.

Estimated Cost (Operation and Maintenance): $0.

IV. Public Participation—Submission of Comments on This Notice and Internet Access to Comments and Submissions

You may submit comments in response to this document as follows: (1) Electronically at *http://www.regulations.gov,* which is the Federal eRulemaking Portal; (2) by facsimile (fax); or (3) by hard copy. All comments, attachments, and other material must identify the Agency name and the OSHA docket number for this ICR (Docket No. OSHA–2010–0008). You may supplement electronic submissions by uploading document files electronically. If you wish to mail additional materials in reference to an electronic or facsimile submission, you must submit them to the OSHA Docket Office (see the section of this notice titled **ADDRESSES**). The additional materials must clearly identify your electronic comments by your full name, date, and the docket number so the Agency can attach them to your comments.

Because of security procedures, the use of regular mail may cause a significant delay in the receipt of comments. For information about security procedures concerning the delivery of materials by hand, express delivery, messenger, or courier service, please contact the OSHA Docket Office at (202) 693–2350, (TTY (877) 889–5627).

Comments and submissions are posted without change at *http://www.regulations.gov.* Therefore, OSHA cautions commenters about submitting personal information such as social security numbers and dates of birth. Although all submissions are listed in the *http://www.regulations.gov* index, some information (e.g., copyrighted material) is not publicly available to read or download through this Web site. All submissions, including copyrighted material, are available for inspection and copying at the OSHA Docket Office. Information on using the *http://www.regulations.gov* Web site to submit comments and access the docket is available at the Web site's ''User Tips'' link. Contact the OSHA Docket Office for information about materials not available through the Web site, and for assistance in using the Internet to locate docket submissions.

V. Authority and Signature

David Michaels, Ph.D., MPH, Assistant Secretary of Labor for Occupational Safety and Health, directed the preparation of this notice. The authority for this notice is the Paperwork Reduction Act of 1995 (44 U.S.C. 3506 *et seq.*) and Secretary of Labor's Order No. 1–2012 (77 FR 3912).

Signed at Washington, DC, on September 24, 2013.

David Michaels,

Assistant Secretary of Labor for Occupational Safety and Health.

[FR Doc. 2013–23626 Filed 9–26–13; 8:45 am]

BILLING CODE 4510–26–P

OFFICE OF MANAGEMENT AND BUDGET

Interim Final Appendix D of OMB Circular No. A–123, ''Management's Responsibility for Internal Control,'' and Suspension of Application of OMB Circular No. A–127, ''Financial Management Systems''

September 27, 2013.

ACTION: Notice.

SUMMARY: OMB Circular No. A–123, ''Management's Responsibility for Internal Control,'' defines management's responsibility for internal control in Federal agencies. OMB Circular No. A–127,''Financial Management Systems,'' previously prescribed policies and

standards for executive departments and agencies to follow in developing, operating, evaluating, and reporting on financial management systems. OMB is issuing this interim final version of a new appendix, Appendix D, to Circular A–123, to provide a framework for determining compliance with the Federal Financial Management Improvement Act (FFMIA) of 1996, bringing financial systems policy into greater alignment with financial management policy in Circular A–123 and with general IT guidance contained in OMB Circular No. A–130, ''Management of Federal Information Resources.'' The new appendix to Circular A–123 supersedes, and makes it no longer necessary to maintain, Circular A–127. Accordingly, OMB is suspending application of Circular A–127.

DATES: The interim final version of Appendix D to OMB Circular No. A–123 is effective October 1, 2013. Comments on the interim final revision must be received on or before October 31, 2013.

ADDRESSES: Comments must be submitted electronically at *www.regulations.gov.* In submitting comments, please search for recent submissions, which includes the full text of the new appendix to Circular A–123, and submit comments there.

To View This Issuance: The complete text of Appendix D of Circular A–123 is available on the OMB Web site at *http://www.whitehouse.gov/sites/default/files/omb/memoranda/2013/m-13-23.pdf* under ''Memoranda 2013.'' Copies of the OMB Circulars that are discussed in this notice are available on OMB's Web site at *http://www.whitehouse.gov/omb/circulars_default/.*

FOR FURTHER INFORMATION CONTACT: For further information about this interim final action, contact Michael S. Wetklow, Chief, Accountability, Performance, and Reporting Branch within OMB's Office of Federal Financial Management (*mwetklow@omb.eop.gov*).

SUPPLEMENTARY INFORMATION: OMB is issuing a new appendix, Appendix D, to Circular A–123. The new appendix states new requirements for determining compliance with the FFMIA. In particular, the new appendix:

- Replaces ''check the box'' compliance approaches with an outcome based approach to assess FFMIA compliance and establishes a series of financial management goals that are common to all Federal agencies;
- Removes unnecessary financial management system requirements that drive complexity and cost and focuses on requirements that emphasize the Federal Government's business and information needs;
- Eliminates the lengthy and resource intense financial system software test and certification program as well as the requirement that financial management system requirements be met through a single technology product and emphasizes the deployment of newer, cost-effective technology through shared service approaches; and
- Solidifies the Department of the Treasury's role in achieving Government-wide financial systems policy goals by adding responsibilities (1) to develop and maintain, in coordination with OMB and Federal agencies, Federal financial management system requirements and (2) to publish the requirements in the *Treasury Financial Manual.*

The new appendix builds on recent policies, including OMB Memorandum M–10–26 of June 28, 2010, *Immediate Review of Financial Systems IT Projects* (*http://www.whitehouse.gov/sites/default/files/omb/assets/memoranda_2010/m-10-26.pdf*), and Memorandum M–13–08 of March 25, 2013, *Improving Financial Systems through Shared Services* (*http://www.whitehouse.gov/sites/default/files/omb/memoranda/2013/m-13-08.pdf*).

The new appendix is effective October 1, 2013. The new appendix supersedes, and makes it unnecessary to maintain, Circular A–127. Accordingly, OMB is suspending application of Circular A–127.

Norman S. Dong,

Deputy Controller.

[FR Doc. 2013–23548 Filed 9–26–13; 8:45 am]

BILLING CODE P

NATIONAL SCIENCE FOUNDATION

Agency Information Collection Activities: Comment Request

AGENCY: National Science Foundation.

ACTION: Submission for OMB review; comment request.

SUMMARY: The National Science Foundation (NSF) has submitted the following information collection requirement to OMB for review and clearance under the Paperwork Reduction Act of 1995. This is the second notice for public comment; the first was published in the **Federal Register** at 78 FR 40518, and no comments were received. NSF is forwarding the proposed submission to the Office of Management and Budget (OMB) for clearance simultaneously with the publication of this second notice. The full submission (including comments) may be found at: *http://www.reginfo.gov/public/do/PRAMain.*

DATES: Comments regarding these information collections are best assured of having their full effect if received within 30 days of this notification. Copies of the submission(s) may be obtained by calling 703–292–7556.

NSF may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

SUPPLEMENTARY INFORMATION: *Comments:* Comments regarding (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology should be addressed to: Office of Information and Regulatory Affairs of OMB, Attention: Desk Officer for National Science Foundation, 725—17th Street NW., Room 10235, Washington, DC 20503, and to Suzanne H. Plimpton, Reports Clearance Officer, National Science Foundation, 4201 Wilson Boulevard, Suite 1265, Arlington, Virginia 22230 or send email to *splimpto@nsf.gov.* Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339, which is accessible 24 hours a day, 7 days a week, 365 days a year (including Federal holidays).

Title of Collection: Grantee Reporting Requirements for Partnerships for Research and Education in Materials (PREM).

OMB Number: 3145—NEW

Type of Request: Intent to seek approval to establish an information collection.

Overview of This Information Collection

NSF has standing authority to support activities to improve the participation of women and minorities in science and engineering under the Science and Engineering Equal Opportunities Act (Pub. L. 96–516), and authority to collect data on those issues.

The Partnerships for Research and Education in Materials (PREM) aims to enhance diversity in materials research and education by stimulating the development of formal, long-term, collaborative research and education relationships between minority-serving colleges and universities and centers, institutes and facilities supported by the NSF Division of Materials Research (DMR). With this collaborative model PREMs build intellectual and physical infrastructure within and between disciplines, weaving together knowledge creation, knowledge integration, and knowledge transfer. PREMs conduct world-class research through partnerships of academic institutions, national laboratories, industrial organizations, and/or other public/private entities. New knowledge thus created is meaningfully linked to society, with an emphasis on enhancing diversity.

PREMs enable and foster excellent education, integrate research and education, and create bonds between learning and inquiry so that discovery and creativity more fully support the learning process. PREMs capitalize on diversity through participation and collaboration in center activities and demonstrate leadership in the involvement of groups underrepresented in science and engineering.

PREMs will be required to submit annual reports on progress and plans, which will be used as a basis for performance review and determining the level of continued funding. To support this review and the management of the award PREMs will be required to develop a set of management and performance indicators for submission annually to NSF via the Research Performance Project Reporting module in Research.gov and an external technical assistance contractor that collects programmatic data electronically. These indicators are both quantitative and descriptive and may include, for example, the characteristics of personnel and students; sources of financial support and in-kind support; expenditures by operational component; research activities; education activities; patents, licenses; publications; degrees granted to students involved in PREM activities; descriptions of significant advances and other outcomes of the PREM effort.

Each PREM's annual report will address the following categories of activities: (1) Research, (2) education, (3) knowledge transfer, (4) partnerships, (5) diversity, (6) management, and (7) budget issues.

For each of the categories the report will describe overall objectives for the year, problems the PREM has encountered in making progress towards goals, anticipated problems in the following year, and specific outputs and outcomes.

PREMs are required to file a final report through the RPPR and external technical assistance contractor. Final reports contain similar information and metrics as annual reports, but are retrospective.

Use of the Information: NSF will use the information to continue funding of PREMs, and to evaluate the progress of the program.

Estimate of Burden: 44 hours per PREM for 15 PREMs for a total of 660 hours.

Respondents: Non-profit institutions.

Estimated Number of Responses per Report: One from each of the fifteen PREMs.

Dated: September 23, 2013.

Suzanne H. Plimpton,

Reports Clearance Officer, National Science Foundation.

[FR Doc. 2013–23538 Filed 9–26–13; 8:45 am]

BILLING CODE 7555–01–P

NATIONAL SCIENCE FOUNDATION

Notice of Permit Applications Received Under the Antarctic Conservation Act of 1978

AGENCY: National Science Foundation.

ACTION: Notice.

SUMMARY: The National Science Foundation (NSF) is required to publish a notice of permit applications received to conduct activities regulated under the Antarctic Conservation Act of 1978. NSF has published regulations under the Antarctic Conservation Act at Title 45 Part 670 of the Code of Federal Regulations. This is the required notice of permit applications received.

DATES: Interested parties are invited to submit written data, comments, or views with respect to this permit application by October 28, 2013. This application may be inspected by interested parties at the Permit Office, address below.

ADDRESSES: Comments should be addressed to Permit Office, Room 755, Division of Polar Programs, National Science Foundation, 4201 Wilson Boulevard, Arlington, Virginia 22230.

FOR FURTHER INFORMATION CONTACT: Adrian Dahood, ACA Permit Officer, at the above address or *ACApermits@nsf.gov* or (703) 292–7149.

SUPPLEMENTARY INFORMATION: The National Science Foundation, as directed by the Antarctic Conservation Act of 1978 (Pub. L. 95–541), as amended by the Antarctic Science, Tourism and Conservation Act of 1996, has developed regulations for the establishment of a permit system for various activities in Antarctica and designation of certain animals and certain geographic areas a requiring special protection. The regulations establish such a permit system to designate Antarctic Specially Protected Areas.

Application Details

Permit Application: 2014–020

1. *Applicant* Scott Borg, National Science Foundation, Arlington Virginia.

Activity for Which Permit Is Requested

The National Science Foundation funds numerous science projects to be conducted in Antarctica. The Program Officers sometimes need to experience the area where the work is conducted, observe the scientists at work or inspect facilities to help inform funding decisions.

Visits to the ASPAs listed in this application will be limited as operational, scientific conditions and the availability of transportation permit. Visits will take place in conjunction with scientific activities or with maintenance activities undertaken by the contractor (ASC).

Program officers visiting an ASPA will be accompanied by an escort. The escort will be either a scientist or staff hired by the contractor (ASC) who is currently working in the ASPA. The escort will be very familiar with the area and the management plan and will ensure that the requirements contained in the ASPA management plans and the Antarctic Conservation Act are followed.

Location

ASPA 124: Cape Crozier, Ross Island.

Dates

November 1, 2013 to March 31, 2018.

Nadene G. Kennedy,

Polar Coordination Specialist, Division of Polar Programs.

[FR Doc. 2013–23582 Filed 9–26–13; 8:45 am]

BILLING CODE 7555–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2012–0218]

Final Comparative Environmental Evaluation of Alternatives for Handling Low-Level Radioactive Waste Spent Ion Exchange Resins From Commercial Nuclear Power Plants

AGENCY: Nuclear Regulatory Commission.

ACTION: Final report; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is issuing the Final Comparative Environmental Evaluation of Alternatives for Handling Low-Level Radioactive Waste Spent Ion Exchange Resins from Commercial Nuclear Power Reactors (Final Report).

ADDRESSES: Please refer to Docket ID NRC–2012–0218 when contacting the NRC about the availability of information regarding this document. You may access publicly-available information related to this action by the following methods:

- Federal Rulemaking Web site: Go to *http://www.regulations.gov* and search for Docket ID NRC–2012–0218. Address questions about NRC dockets to Carol Gallagher; telephone: 301–287–3422; email: *Carol.Gallagher@nrc.gov.* For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- NRC's Agencywide Documents Access and Management System (ADAMS):

You may access publicly available documents online in the NRC Library at *http://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''ADAMS Public Documents'' and then select ''Begin Web-based ADAMS Search.'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to *pdr.resource@nrc.gov.* The Final Report is available in ADAMS under Accession No. ML13263A276.

- NRC's PDR: You may examine and purchase copies of public documents at the NRC's PDR, Room O1–F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.
- NRC's Blending of Low-Level Radioactive Waste Web site: The Final Report is available online, at *http://www.nrc.gov/waste/llw-disposal/llw-pa/llw-blending.html.*

FOR FURTHER INFORMATION CONTACT: Mr. Stephen Lemont, Office of Federal and State Materials and Environmental Management Programs, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–5163; email: *Stephen.Lemont@nrc.gov.*

SUPPLEMENTARY INFORMATION:

Background Information

In the Final Report, the NRC staff identifies and compares potential environmental impacts of six alternatives for managing low-level radioactive waste (LLRW) spent ion exchange resins (IERs) generated at commercial nuclear power plants (NPPs). This comparative environmental evaluation has been conducted consistent with Option 2 in the NRC staff's paper for the Commission, SECY–10–0043, ''Blending of Low-Level Radioactive Waste,'' April 7, 2010 (ADAMS Accession No. ML090410246), which identified policy, safety, and regulatory issues associated with LLRW blending, provided options for an NRC blending position, and proposed that the NRC staff revise the Commission position on blending to be risk-informed and performance based. Option 2 of SECY–10–0043 was approved by the Commission in the October 13, 2010, Staff Requirements Memorandum, SRM–SECY–10–0043, ''Staff Requirements—SECY–10–0043—Blending of Low-Level Radioactive Waste'' (ADAMS Accession No. ML102861764) and instructed staff on addressing blending in the rulemaking setting; this is not a licensing action.

Additionally, in consideration of stakeholder concerns expressed regarding potential environmental impacts associated with the blending of certain LLRW, as documented in the NRC's Official Transcript of its January 14, 2010, ''Public Meeting on Blending of Low-Level Radioactive Waste'' (ADAMS Accession No. ML100220019), in SECY–10–0043, Option 2, the NRC staff also proposed that ''. . . disposal of blended ion exchange resins from a central processing facility would be compared to direct disposal of the resins, onsite storage of certain wastes when disposal is not possible and further volume reduction of the Class B and C concentration resins.'' The Final Report addresses this comparison of IER waste handling alternatives. The six alternatives evaluated in the report include the four identified by the NRC staff in SECY–10–0043, plus two additional alternatives that represent variations on the disposal of blended ion exchange resins from a central processing facility and volume reduction of the Class B and C concentration resins alternatives. The assumptions and methodologies used in the staff's evaluation and the evaluation results are documented in the report. Additional information regarding the Final Report is presented in the ''Final Report Overview'' section of this document.

On September 20, 2012 (77 FR 58416), the NRC staff published a notice in the **Federal Register** requesting public comments on the Draft Comparative Environmental Evaluation of Alternatives for Handling Low-Level Radioactive Waste Spent Ion Exchange Resins from Commercial Nuclear Power Plants (Draft Report) (ADAMS Accession No. ML12256A965). The 120-day public comment period ended on January 18, 2013. The NRC received comments from six commenters in response to the notice, including one governmental agency, four nongovernmental organizations, and one member of the general public. Appendix B of the Final Report presents all of the comments received and the staff's response to each of those comments. The Final Report has been prepared in consideration of all the comments received, and includes revisions to the Draft Report based on some of these comments.

Final Report Overview

In the comparative environmental evaluation presented in the Final Report, the alternatives are described and potential environmental impacts of the alternatives are: (1) Identified for a range of resource or impact areas (e.g., air quality, ecological resources, public and occupational health, transportation, waste management, water resources); and (2) compared in terms of their relative potential effects on human health and the environment. For reasons discussed in the report, the six alternatives are generic and not location-specific, and the comparative environmental evaluation of the alternatives is largely qualitative. An exception is that potential transportation impacts are assessed both quantitatively and qualitatively.

Furthermore, the evaluation is based on conservative, often bounding assumptions regarding the alternatives and various aspects of the analysis. This approach is consistent with the assessment of generic, non-location-specific alternatives, for which exact data and information would not be

available. Consequently, the staff used its professional knowledge, experience, and judgment to establish reasonable technical considerations, estimations, and approximations with regard to how the alternatives were described, would be implemented, and would potentially affect human health and the environment. The NRC staff also took care not to underestimate potential environmental effects and instead worked to bound the possible range of outcomes in most cases. Thus, the potential impacts of the six alternatives, if implemented in actual practice, would be expected to be of lesser magnitude than described in the report.

Ion exchange resins are powdered or small, bead-like materials used at commercial NPPs to capture radioactive contaminants dissolved in water used in plant operations. Over time, the IERs lose their ability to remove the contaminants from the water and the resins become ''spent'' and must be removed and replaced. The NRC defines three classes of LLRW—Class A, Class B, and Class C—in its regulations in § 61.55 of Title 10 of the *Code of Federal Regulations* (10 CFR), ''Waste classification.'' Of the three classes, Class A LLRW is the least hazardous and Class C is usually the most hazardous and contains the highest activity. Disposal facilities for LLRW are licensed to accept one or more of these classes of waste. Waste that exceeds the Class C limits is not generally acceptable for near-surface disposal. Licensees do not allow IERs to exceed the Class C limits, and waste at greater-than-Class C limits is not considered in the Final Report. Spent IERs are managed as LLRW, and are classified as Class A, Class B, or Class C when shipped for disposal, depending on the concentrations and radioactivity levels of radionuclides present.

Currently, there are four licensed, operating LLRW disposal facilities in the United States. One of these facilities is licensed to dispose of, and could accept, Class A LLRW from all 50 states. Two facilities are licensed to dispose of Class A, B, and C LLRW, but can accept these wastes only from a limited number of states. Finally, the fourth facility can accept Class A, B, and C LLRW from Texas and Vermont and from individual generators outside the Texas compact on a case-by-case basis and subject to annual limits. As a result, all 65 U.S. commercial operating NPPs (which currently include 104 operating nuclear reactors at 65 NPP locations) can dispose of their Class A LLRW spent IERs, and potentially have access to a disposal facility for their Class B and C LLRW spent IERs at this time. Note, however, that the scope of the evaluation presented in the Final Report was established at an earlier time when the majority of NPPs had no access, or limited access, to Class B and C disposal.

LLRW processing and waste disposal companies are exploring alternatives for managing Class B and C concentration spent IERs. One of these alternatives is to use a centralized processing facility to blend small volumes of higher-activity Class B and C concentration spent IERs with larger volumes of low activity Class A concentration spent IERs to produce Class A waste. Potential environmental impacts of this alternative, as compared to potential impacts of the other alternatives, are described in the report.

Specifically, the six alternatives evaluated in the Final Report are:

- Alternative 1A—Direct disposal of blended Class A, B, and C spent IER LLRW from a central processing facility where mechanical mixing would be used to blend the spent IERs to produce Class A waste;
- Alternative 1B—Direct disposal of blended Class A, B, and C spent IER LLRW from a central processing facility where thermal processing would be used to blend the spent IERs to produce Class A waste;
- Alternative 2—Direct disposal of the Class A, B, and C spent IER LLRW (without blending);
- Alternative 3—Direct disposal of the Class A spent IERs, with long-term onsite storage of the Class B and C concentration spent IERs at the NPPs (including construction to expand the existing waste storage facilities at the NPPs), followed by disposal of the Class B and C spent IERs at the end of the long-term storage period;
- Alternative 4A—Direct disposal of the Class A spent IERs, with volume reduction (by thermal processing) of the Class B and C concentration spent IERs, followed by long-term storage of the volume-reduced Class B and C concentration spent IERs (including construction of a storage facility at an existing LLRW disposal site), and then disposal at the end of the long-term storage period; and
- Alternative 4B—Direct disposal of the Class A spent IERs, with volume reduction (by thermal processing) of the Class B and C concentration spent IERs, then disposal of the volume-reduced Class B and C spent IERs.

As mentioned earlier, the comparative environmental evaluation is based on a number of assumptions. For example, the baseline for the evaluation is current land use. This means that, with the exception of the construction of the long-term waste storage facilities considered in Alternatives 3 and 4A, the evaluation assumes that no new spent IER handling, processing, and disposal facilities will be constructed and, therefore, does not revisit the impacts of construction of any of these facilities. In addition, the evaluation assumes that these facilities operate under licenses from the NRC or an Agreement State, and that all activities conducted in the alternatives would be in compliance with all applicable Federal, State, and local legal and regulatory requirements.

Additionally, each alternative is considered individually in the evaluation (i.e., each alternative is assumed to be implemented at the exclusion of all the other alternatives). There is no mix of alternatives, and all spent IERs generated at all 65 NPPs are assumed to be managed under each alternative. The NRC staff recognizes that Agreement State requirements and other factors could prevent some NPPs from using some alternatives, and that in actual practice, all spent IERs generated at all 65 NPPs would not be managed under any single alternative. Therefore, the assumption that all spent IERs are managed under each alternative results in conservative estimates of the potential impacts of each alternative.

The assumptions used in this evaluation, such as those previously described, are reasonable and consistent with SECY–10–0043, Option 2, which established the basis for the comparative environmental evaluation.

The potential environmental effects of the six alternatives were evaluated for the following resource or impact areas: Air quality, ecological resources, historic and cultural resources, noise, public and occupational health, soil, transportation, waste management, and water resources. The following resource and impact areas were eliminated from detailed consideration for reasons discussed in the report: Accidents and other off-normal conditions, environmental justice, geology and minerals, land use, socioeconomics, and visual and scenic resources. In addition, to the extent practicable, the evaluation of potential environmental impacts identifies and accounts for generally accepted impact mitigation measures in each resource or impact area that would typically be employed in general industry practice. In accordance with the standard of significance that has been established by the NRC for assessing environmental impacts, using the standards of the Council on Environmental Quality's regulations in 40 CFR 1508.27 as a basis, each impact for each alternative was assigned one of the following three significance levels:

• Small. The environmental effects are not detectable or are so minor that they would neither destabilize nor noticeably alter any important attribute of the resource.

• Moderate. The environmental effects are sufficient to noticeably alter, but not destabilize important attributes of the resource.

• Large. The environmental effects are clearly noticeable and are sufficient to destabilize important attributes of the resource.

The evaluation concludes that the potential environmental impacts of all six alternatives in all resource and impact areas would be Small, with the exception of potential impacts on historic and cultural resources from construction of long-term waste storage facilities in Alternatives 3 and 4A, which could be Small to Moderate. Reasons for the mostly Small impacts, by resource or impact area, are discussed in the report.

Dated at Rockville, Maryland, this 20th day of September 2013.

For the Nuclear Regulatory Commission.

Aby Mohseni,

Deputy Director, Environmental Protection and Performance Directorate, Division of Waste Management and Environmental Protection, Office of Federal and State Materials and Environmental Management Programs.

[FR Doc. 2013–23611 Filed 9–26–13; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 40–3392; NRC–2011–0143]

License Amendment Request for Closure of Calcium Fluoride Ponds at Honeywell Metropolis Works, Honeywell International, Inc.

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of availability of environmental assessment and finding of no significant impact.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is considering the issuance of a license amendment to Source Materials License SUA–526 issued to Honeywell International, Inc. (Honeywell) for its Metropolis Works Facility (MWF) in Metropolis, Illinois. The license amendment would approve Honeywell's proposed Decommissioning Plan for Surface Impoundments B, C, D, and E at the MWF. The NRC has prepared an Environmental Assessment (EA) for this proposed action in accordance with its regulations. Based on the EA, the NRC has concluded that a Finding of No Significant Impact (FONSI) is appropriate with respect to the proposed action. The amendment will be issued following the publication of this document.

ADDRESSES: Please refer to Docket ID NRC–2011–0143 when contacting the NRC about the availability of information regarding this document. You may access publicly-available information related to this document using any of the following methods:

• Federal Rulemaking Web site: Go to *http://www.regulations.gov* and search for Docket ID NRC–2011–0143. Address questions about NRC dockets to Carol Gallagher; telephone: 301–287–3422; email: *Carol.Gallagher@nrc.gov.*

• NRC's Agencywide Documents Access and Management System (ADAMS): You may access publicly-available documents online in the NRC Library at *http://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''*ADAMS Public Documents*'' and then select ''*Begin Web-based ADAMS Search.''* For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to *pdr.resource@nrc.gov.* The ADAMS accession numbers for the documents related to this notice are: (1) License Amendment Request Report NRC License Number SUB–526, Closure of Retention Ponds B, C, D, and E (ML103420434, ML103400458, ML103400459, and ML103400517); (2) Additional Information provided by Honeywell, February 13, 2012 (ML12060A115); and (3) Environmental Assessment and Finding of No Significant Impact (ML12338A057).

• NRC's PDR: You may examine and purchase copies of public documents at the NRC's PDR, Room O1–F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

FOR FURTHER INFORMATION CONTACT: Mary T. Adams, Senior Environmental Engineer; Conversion, De-conversion, and MOX Branch; Division of Fuel Cycle Safety and Safeguards; Office of Nuclear Material Safety and Safeguards; U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone: 301–287–9146; email: *Mary.Adams@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Introduction

By letter dated November 22, 2010, the NRC received a license amendment application from Honeywell Metropolis Works (Honeywell, MTW, or the licensee), pertaining to its proposed closure plan for four ponds located on the MTW plant site. Honeywell holds NRC License No. SUB–526, which authorizes the licensee to possess and use source material at its uranium conversion facility located in Metropolis, Illinois. Honeywell seeks an amendment to license SUB–526, pursuant to Section 40.44 of Title 10 of the *Code of Federal Regulations* (10 CFR) to approve the closure of the calcium fluoride ponds in-place, by stabilization of the contents and construction of a cover system over the stabilized ponds. After the closure plan is successfully implemented, Honeywell will seek release of the ponds area from SUB–526 for unrestricted use in accordance with 10 CFR 20.1402, ''Radiological criteria for unrestricted use.''

On July 7, 2011, the NRC issued a notice of amendment request and opportunity to request a hearing (76 FR 39918) on the license amendment request. No requests for hearing were received. An Environmental Report was included in the license amendment request. The NRC relied upon the information provided in the license amendment request; additional information provided by Honeywell on February 13, 2012; and other sources identified in the environmental assessment (EA) in preparing the EA. A draft of the EA was sent to the Illinois Emergency Management Agency, the Illinois Environmental Protection Agency, and the U.S. Environmental Protection Agency for review.

II. Environmental Assessment Summary

As required by 10 CFR 51.30, the EA describes the proposed action and four alternatives to the proposed action, including a no-action alternative; describes the need for the proposed action; and assesses the environmental impacts of the proposed action and alternatives. The EA evaluates environmental impacts in the following resource areas: Land use; transportation; geology, soils and seismology; hydrology; ecological resources; air quality, meteorology, climatology; noise; historic and cultural resources; visual and scenic resources; demography and socioeconomics; public health; and waste management. The EA concluded that the impacts on all of these resource areas are small, based on significance criteria set forth in NUREG–1748, ''Environmental Review Guidance for Licensing Actions Associated with NMSS Programs'' (Adams Accession No. ML032450279). The EA also includes a list of agencies and persons consulted, and identification of sources used in preparing the EA.

In accordance with 10 CFR 51.31(a), upon completion of the EA, and consideration of the small environmental impacts on the environmental resource areas, the NRC Deputy Director of the Division of Fuel Cycle Safety and Safeguards has determined that a finding of no significant impact is appropriate.

III. Finding of No Significant Impact

On the basis of the EA, the NRC has concluded that there are no significant environmental impacts from the proposed action, and that the issuance of a license amendment to approve the ponds decommissioning plan does not warrant the preparation of an Environmental Impact Statement. Accordingly, the NRC has determined that a Finding of No Significant Impact is appropriate.

Dated at Rockville, Maryland, this 20th day of September 2013.

For the Nuclear Regulatory Commission.

James W. Andersen,

Deputy Director, Division of Fuel Cycle Safety and Safeguards, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 2013–23608 Filed 9–26–13; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2013–0041]

Revisions to Design of Structures, Components, Equipment, and Systems

AGENCY: Nuclear Regulatory Commission.

ACTION: Standard review plan, sections; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is issuing final revisions to the following sections in Chapter 3, ''Design of Structures, Components, Equipment and Systems'' of NUREG–0800, ''Standard Review Plan for the Review of Safety Analysis Reports for Nuclear Power Plants: LWR Edition,'' Section 3.7.2, ''Seismic System Analysis,'' Section 3.7.3, ''Seismic Subsystem Analysis,'' Section 3.8.1, ''Concrete Containment,'' Section 3.8.3, ''Concrete and Steel Internal Structures of Steel or Concrete Containments,'' Section 3.8.4, ''Other Seismic Category I Structures,'' and Section 3.8.5, ''Foundations.''

DATES: The effective date of this Standard Review Plan (SRP) update is October 28, 2013.

ADDRESSES: Please refer to Docket ID NRC–2013–0041 when contacting the NRC about the availability of information regarding this document. You may access publicly-available information related to this action by the following methods:

- *Federal Rulemaking Web site:* Go to *http://www.regulations.gov* and search for Docket ID NRC–2013–0041. Address questions about NRC dockets to Carol Gallagher; telephone: 301–287–3422; email: *Carol.Gallagher@nrc.gov.* For technical questions, contact the individual(s) listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may access publicly available documents online in the NRC Library at *http://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''ADAMS Public Documents'' and then select ''Begin Web-based ADAMS Search.'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to *pdr.resource@nrc.gov.* The ADAMS accession number for each document referenced in this notice (if that document is available in ADAMS) is provided the first time that a document is referenced. The final revision for Section 3.7.2, ''Seismic System Analysis,'' (Accession No. ML13198A223); Section 3.7.3, ''Seismic Subsystem Analysis,'' (Accession No. ML13198A239); Section 3.8.1, ''Concrete Containment,'' (Accession No. ML13198A245); Section 3.8.3, ''Concrete and Steel Internal Structures of Steel or Concrete Containments,'' (Accession No. ML13198A250); Section 3.8.4, ''Other Seismic Category I Structures,'' (Accession No. ML13198A258); and Section 3.8.5, ''Foundations,'' (Accession No. ML13198A267) are available in ADAMS. The staff also prepared the redline versions of these Chapter 3 sections showing the differences between the proposed and the final SRP sections for Section 3.7.2 (Accession No. ML13214A076); Section 3.7.3 (Accession No. ML13214A078); Section 3.81 (ADAMS Accession No. ML13214A081); Section, 3.8.3 (Accession No. ML13214A083); Section 3.8.4, (Accession No. ML13214A088); and Section 3.8.5, (Accession No. ML13214A096).

The NRC posts its issued staff guidance on the NRC's external Web page: *http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr0800/*

FOR FURTHER INFORMATION CONTACT: Mr. Jonathan DeGange, Office of New Reactors, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–6992; email: *Jonathan.DeGange@nrc.gov.*

SUPPLEMENTARY INFORMATION: On March 1, 2013 (73 FR 13911), the NRC published for public comment the proposed revisions to sections in Chapter 3, ''Design of Structures, Components, Equipment, and Systems'' and solicited public comment on NUREG–0800, ''Standard Review Plan for the Review of Safety Analysis Reports for Nuclear Power Plants: LWR Edition,'' Section 3.7.1, ''Seismic Design Parameters,'' Section 3.7.2, ''Seismic System Analysis,'' Section 3.7.3, ''Seismic Subsystem Analysis,'' Section 3.8.1, ''Concrete Containment,'' Section 3.8.3, ''Concrete and Steel Internal Structures of Steel Or Concrete Containments,'' Section 3.8.4, ''Other Seismic Category I Structures,'' and Section 3.8.5, ''Foundations.'' The NRC staff received comments on the suggested revisions, and the comments are documented in a public comment resolution matrix in ADAMS under Accession No. ML13198A234. The guidance is now being issued final for use. The nature of how public comments were addressed in the final revision can be seen in the changes suggested in the ''NRC Staff Resolution'' column of the public comment table. Details of specific changes between current SRP guidance and the final guidance being issued here are included at the end of each of the revised sections themselves under the ''Description of Changes'' sections.

Due to a high number of public comments received on SRP Section 3.7.1, ''Seismic Design Parameters,'' the NRC staff made many changes to this section. This section will be re-issued for draft public comment at a later date.

Backfitting and Issue Finality

These SRP section revisions provide guidance to the staff for reviewing applications for a construction permit and an operating license under part 50 of Title 10 of the *Code of Federal Regulations* (10 CFR) with respect to seismic system analysis, seismic subsystem analysis, concrete containment, concrete and steel internal structures of steel or concrete containments, other seismic Category I structures, and foundations. The SRP also provides guidance for reviewing an application for a standard design approval, a standard design certification, a combined license, and a manufacturing license under 10 CFR part 52 with respect to those same subject matters.

Issuance of these SRP section revisions does not constitute backfitting as defined in 10 CFR 50.109 (the Backfit

Rule) nor is it inconsistent with the issue finality provisions in 10 CFR part 52. The NRC's position is based upon the following considerations.

1. *The SRP positions would not constitute backfitting, inasmuch as the SRP is internal guidance to NRC staff.*

The SRP provides internal guidance to the NRC staff on how to review an application for NRC regulatory approval in the form of licensing. Changes in internal staff guidance are not matters for which either nuclear power plant applicants or licensees are protected under either the Backfit Rule or the issue finality provisions of 10 CFR part 52.

2. *The NRC staff has no intention to impose the SRP positions on existing licensees either now or in the future.*

The NRC staff does not intend to impose or apply the positions described in the SRP to existing licenses and regulatory approvals. Hence, the issuance of this SRP—even if considered guidance within the purview of the issue finality provisions in 10 CFR part 52—does not need to be evaluated as if it were a backfit or as being inconsistent with issue finality provisions. If, in the future, the NRC staff seeks to impose a position in the SRP on holders of already issued licenses in a manner that does not provide issue finality as described in the applicable issue finality provision, then the staff must make the showing as set forth in the Backfit Rule or address the criteria for avoiding issue finality as described in the applicable issue finality provision.

3. *Backfitting and issue finality do not—with limited exceptions not applicable here—protect current or future applicants.*

Applicants and potential applicants are not, with certain exceptions, protected by either the Backfit Rule or any issue finality provisions under 10 CFR part 52. Neither the Backfit Rule nor the issue finality provisions under 10 CFR part 52—with certain exclusions—were intended to apply to every NRC action that substantially changes the expectations of current and future applicants. The exceptions to the general principle are applicable whenever an applicant references a 10 CFR part 52 license (e.g., an early site permit) or NRC regulatory approval (e.g., a design certification rule) with specified issue finality provisions. The NRC staff does not, at this time, intend to impose the positions represented in the SRP in a manner that is inconsistent with any issue finality provisions. If, in the future, the staff seeks to impose a position in the SRP section in a manner that does not provide issue finality as described in the applicable issue finality provision, then the staff must address the criteria for avoiding issue finality as described in the applicable issue finality provision.

Congressional Review Act

In accordance with the Congressional Review Act, the NRC has determined that this action is not a major rule and has verified this determination with the Office of Information and Regulatory Affairs of the Office of Management and Budget.

Dated at Rockville, Maryland, this 18th day of September 2013.

For the Nuclear Regulatory Commission.

Joseph Colaccino,

Chief, Policy Branch, Division of Advanced Reactors and Rulemaking, Office of New Reactors.

[FR Doc. 2013–23610 Filed 9–26–13; 8:45 am]

BILLING CODE 7590–01–P

POSTAL REGULATORY COMMISSION

[Docket No. MC2013–60; Order No. 1838]

New Postal Product

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is noticing a recently-filed Postal Service request to add Private Address Forwarding service to the market dominant product list. This notice informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* October 16, 2013. *Reply Comments are due:* November 13, 2013.

ADDRESSES: Submit comments electronically via the Commission's Filing Online system at *http://www.prc.gov.* Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

FOR FURTHER INFORMATION CONTACT: Stephen L. Sharfman, General Counsel, at 202–789–6820.

SUPPLEMENTARY INFORMATION: *Notice of filing.* Pursuant to 39 U.S.C. 3642 and 39 CFR 3020.50 *et seq.,* a mail user (Petitioner) has filed a request to add a new product, Private Address Forwarding (PAF) service, to the market dominant product list within the Mail Classification Schedule (MCS).[1] The Request has been assigned Docket No. MC2013–60.

Product description. The proposed service would permit a customer to apply to the Postal Service for a unique, random, nine-character, alphanumeric identifier, known as a PAF ID.[2] Request at 1–2. The Postal Service would maintain a database linking the PAF ID to the identity and address of the customer who purchased the service. *Id.* at 2. The proposed service would permit a customer to have mail that is addressed to a PAF ID delivered to a physical address that is specified by the customer. *Id.* at 1. This would allow a customer with a PAF ID to receive mail from third parties without disclosing the customer's identity or physical address. *Id.* at 4. The third-party sender would address the mail to the PAF ID. *Id.* at 1. On receipt of the mail, the Postal Service would look up the physical address specified by the owner and forward the mail to that address. *Id.* Customers with PAF IDs could, by visiting a post office and presenting identification, request that mail addressed to a PAF ID that they control be forwarded to a new destination address.[3] Petitioner also provides suggested rules regarding conditions for obtaining and using PAF service, for obtaining multiple PAF IDs, on disclosure of customer identity, on the cost of shipping to PAF customers, as well as a suggested pricing structure for the service. *Id.* at 2–4.

Product classification. Petitioner believes that because PAF service would add a new address format option and because the Postal Service would maintain a centralized, private database of PAF ID destination addresses, the Postal Service would have a ''*de facto* monopoly'' for this product, and the product would therefore be appropriately classified as a market dominant product of general applicability. *Id.* at 4. However, Petitioner defers to the Postal Service and the Commission regarding the appropriate classification of PAF service. *Id.*

Proceedings. Section 3642 allows for users of the mail to request that the Commission change the list of market dominant products under section 3621 or the list of competitive products under

[1] Request to the Postal Regulatory Commission under 39 U.S.C. 3642 & 39 CFR 3020.50 to add Private Address Forwarding to the Mail Classification Schedule, September 18, 2013 (Request). The Petitioner proposes to add the product as a Special Service. *Id.* at 1.

[2] Petitioner provides the following as an example of a PAF ID: ''13JS–00EG–C.'' *Id.* at 2.

[3] Petitioner also proposes that the Postal Service, on accepting the customer's initial PAF ID application, issue a user name and password. *Id.* at 2. The user name and password would permit the customer to manage their PAF ID account online, including permitting the customer to designate a new destination address.

section 3631 by adding new products to either list. 39 U.S.C. 3642(a). This is the first Request made by a user of the mails pursuant to section 3642 and the Commission's rules, 39 CFR 3020 subpart B.

The Commission establishes Docket No. MC2013–60 to consider the instant Request. Pursuant to 39 CFR 3020.54, the Postal Service has 28 days from the date of the filing of the Request to provide its preliminary views regarding the Request. Accordingly, its preliminary views are due no later than October 16, 2013.

Interested persons may submit comments on the merits of the Request, including whether it is consistent with the policies of 39 U.S.C. 3642 and 39 CFR 3020.50 *et seq.* no later than October 16, 2013.[4]

Interested persons, including the Postal Service, may submit reply comments no later than November 13, 2013. The public portions of these filings can be accessed via the Commission's Web site (*http://www.prc.gov*). Following receipt of comments, the Commission will take action pursuant to 39 CFR 3020.55.

The Commission appoints James Waclawski to represent the interests of the general public in this proceeding.

It is ordered:

1. The Commission establishes Docket No. MC2013–60 to consider the issues raised by the request to add Private Address Forwarding to the Mail Classification Schedule.

2. The Commission appoints James Waclawski to represent the interests of the general public in this proceeding.

3. The Postal Service shall submit its preliminary views no later than October 16, 2013.

4. Interested persons may submit comments no later than October 16, 2013.

5. Reply comments may be submitted no later than November 13, 2013.

6. The Secretary shall arrange for the publication of this order in the **Federal Register**.

By the Commission.

Ruth Ann Abrams,

Acting Secretary.

[FR Doc. 2013–23605 Filed 9–26–13; 8:45 am]

BILLING CODE 7710–FW–P

[4] The Commission's rules do not specify the length of the public comment period in proceedings brought pursuant to 39 CFR 3020.50 *et. seq.* Petitioner asks that the public comment period extend to one month after the Postal Service provides its preliminary views so to ''permit the public to consider both this proposal and the [Postal Service's] response. . . .'' Request at 5.

POSTAL REGULATORY COMMISSION

[Docket No. MC2013–62 and CP2013–82; Order No. 1837]

New Postal Product

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is noticing a recent Postal Service filing concerning the addition of Priority Mail Contract 64 to the competitive product list. This notice informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* September 30, 2013.

ADDRESSES: Submit comments electronically via the Commission's Filing Online system at *http://www.prc.gov.* Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

FOR FURTHER INFORMATION CONTACT: Stephen L. Sharfman, General Counsel, at 202–789–6820.

SUPPLEMENTARY INFORMATION:

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III. Ordering Paragraphs

I. Introduction

In accordance with 39 U.S.C. 3642 and 39 CFR 3020.30 *et seq.,* the Postal Service filed a request and associated supporting information to add Priority Mail Contract 64 to the competitive product list.[1] It asserts that Priority Mail Contract 64 is a competitive product ''not of general applicability'' within the meaning of 39 U.S.C. 3632(b)(3). Request at 1. The Request has been assigned Docket No. MC2013–62.

The Postal Service contemporaneously filed a redacted contract related to the proposed new product. *Id.* Attachment B. The instant contract has been assigned Docket No. CP2013–82.

Request. To support its Request, the Postal Service filed six attachments as follows:

- Attachment A—a redacted copy of Governors' Decision No. 11–6, authorizing the new product;
- Attachment B—a redacted copy of the contract;
- Attachment C—proposed changes to the Mail Classification Schedule competitive product list with the addition underlined;
- Attachment D—a Statement of Supporting Justification as required by 39 CFR 3020.32;
- Attachment E—a certification of compliance with 39 U.S.C. 3633(a); and
- Attachment F—an application for non-public treatment of materials to maintain redacted portions of the contract and related financial information under seal.

In the Statement of Supporting Justification, Dennis R. Nicoski, Manager, Field Sales Strategy and Contracts, asserts that the contract will cover its attributable costs and increase contribution toward the requisite 5.5 percent of the Postal Service's total institutional costs. *Id.* Attachment D at 1. Mr. Nicoski contends that there will be no issue of market dominant products subsidizing competitive products as a result of this contract. *Id.*

Related contract. The Postal Service included a redacted version of the related contract with the Request. *Id.* Attachment B. The contract is scheduled to become effective one business day after the Commission issues all necessary regulatory approval. *Id.* at 3. The contract will expire 3 years from the effective date unless, among other things, either party terminates the agreement upon 30 days' written notice to the other party. *Id.* The contract also allows two 90-day extensions of the agreement if the preparation of a successor agreement is active and the Commission is notified.[2] The Postal Service represents that the contract is consistent with 39 U.S.C. 3633(a).[3]

The Postal Service filed much of the supporting materials, including the related contract, under seal. *Id.* Attachment F. It maintains that the redacted portions of the Governors' Decision, contract, customer-identifying information, and related financial information should remain confidential.

[1] Request of the United States Postal Service to Add Priority Mail Contract 64 to Competitive Product List and Notice of Filing (Under Seal) of Unredacted Governors' Decision, Contract, and Supporting Data, September 20, 2013 (Request).

[2] *Id.* at 3–4. In Docket Nos. MC2013–54 and CP2013–70, the Postal Service clarified that identical language in Priority Mail Contract 60 ''contemplates the Postal Service filing any notices of extension with the Commission at least one week prior to the 3-year expiration date or the extended expiration date.'' *See* Docket Nos. MC2013–54 and CP2013–70, Order No. 1773, Order Adding Priority Mail Contract 60 to the Competitive Product List, July 8, 2013, at 3; *see also* Docket Nos. MC2013–54 and CP2013–70, Response of the United States Postal Service to Chairman's Information Request No. 1, July 1, 2013, at question 2.

[3] Although the Request appears to state that the certification only pertains to paragraphs (1) and (3) of 39 U.S.C. 3633(a), the certification itself contains an assertion that the prices are in compliance with 39 U.S.C. 3633 (a)(1), (2), and (3). Request at 2; Attachment E.

Id. at 3. This information includes the price structure, underlying costs and assumptions, pricing formulas, information relevant to the customer's mailing profile, and cost coverage projections. *Id.* The Postal Service asks the Commission to protect customer-identifying information from public disclosure indefinitely. *Id.* at 7.

II. Notice of Filings

The Commission establishes Docket Nos. MC2013–62 and CP2013–82 to consider the Request pertaining to the proposed Priority Mail Contract 64 product and the related contract, respectively.

Interested persons may submit comments on whether the Postal Service's filings in the captioned dockets are consistent with the policies of 39 U.S.C. 3632, 3633, or 3642, 39 CFR 3015.5, and 39 CFR part 3020, subpart B. Comments are due no later than September 30, 2013. The public portions of these filings can be accessed via the Commission's Web site (*http://www.prc.gov*).

The Commission appoints Curtis E. Kidd to serve as Public Representative in these dockets.

III. Ordering Paragraphs

It is ordered:

1. The Commission establishes Docket Nos. MC2013–62 and CP2013–82 to consider the matters raised in each docket.

2. Pursuant to 39 U.S.C. 505, Curtis E. Kidd is appointed to serve as an officer of the Commission (Public Representative) to represent the interests of the general public in these proceedings.

3. Comments by interested persons in these proceedings are due no later than September 30, 2013.

4. The Secretary shall arrange for publication of this order in the **Federal Register**.

By the Commission.

Ruth Ann Abrams,

Acting Secretary.

[FR Doc. 2013–23536 Filed 9–26–13; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 30693; File No. 812–14143]

The KP Funds and Callan Associates Inc., et al.; Notice of Application

September 23, 2013.

AGENCY: Securities and Exchange Commission (''Commission'').

ACTION: Notice of an application under section 6(c) of the Investment Company Act of 1940 (''Act'') for an exemption from section 15(a) of the Act and rule 18f–2 under the Act, as well as from certain disclosure requirements.

SUMMARY OF APPLICATION: Applicants request an order that would permit them to enter into and materially amend subadvisory agreements with Wholly-Owned Subadvisors (as defined below) and non-affiliated subadvisors without shareholder approval and would grant relief from certain disclosure requirements.

APPLICANTS: The KP Funds (the ''Trust'') and Callan Associates Inc. (''Callan'').

FILING DATES: The application was filed on April 3, 2013, and amended on August 21, 2013 and September 19, 2013.

HEARING OR NOTIFICATION OF HEARING: An order granting the application will be issued unless the Commission orders a hearing. Interested persons may request a hearing by writing to the Commission's Secretary and serving applicants with a copy of the request, personally or by mail. Hearing requests should be received by the Commission by 5:30 p.m. on October 18, 2013, and should be accompanied by proof of service on applicants, in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the writer's interest, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by writing to the Commission's Secretary.

ADDRESSES: Elizabeth M. Murphy, Secretary, U.S. Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090. Applicants: The Trust, One Freedom Valley Drive, Oaks, PA 19456; and Callan, 101 California Street, Suite 3500, San Francisco, CA 94111.

FOR FURTHER INFORMATION CONTACT: Laura J. Riegel, Senior Counsel, at (202) 551–6873, or Mary Kay Frech, Branch Chief, at (202) 551–6821 (Division of Investment Management, Exemptive Applications Office).

SUPPLEMENTARY INFORMATION: The following is a summary of the application. The complete application may be obtained via the Commission's Web site by searching for the file number or an applicant using the Company name box, at *http://www.sec.gov/search/search.htm* or by calling (202) 551–8090.

Applicants' Representations

1. The Trust is organized as a Massachusetts business trust and is registered under the Act as an open-end management investment company. The Trust currently intends to offer 14 series (each, a ''Fund'' and collectively, the ''Funds''), each with its own distinct investment objectives, policies and restrictions.[1] Callan is organized as a California corporation and is registered as an investment adviser under the Investment Advisers Act of 1940 (''Advisers Act''). Each Fund has, or will have, as its investment adviser, Callan or another entity controlling, controlled by or under common control with Callan or its successors (collectively, the ''Advisor'').[2] Any future Advisor will be registered as an investment adviser under the Advisers Act.[3]

2. Each Fund will enter into an investment advisory agreement with the Advisor (the ''Advisory Agreement''). The Advisory Agreement with Callan has been approved by the board of trustees of the Trust (the ''Board''),[4] including a majority of the members of the Board who are not ''interested persons,'' as defined in section 2(a)(19) of the Act, of the Trust, the relevant Fund, or the Advisor (''Independent Trustees'') and will be approved by the initial shareholder of the relevant Fund as required by sections 15(a) and 15(c) of the Act and rule 18f–2 thereunder. The terms of the Advisory Agreement will comply with section 15(a) of the Act.

3. Under the terms of the Advisory Agreement, the Advisor, subject to the authority of the Board, is responsible for the overall management of a Fund's business affairs and selecting the Fund's investments in accordance with the Fund's investment objectives, policies,

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[1] The Funds that currently intend to rely on the requested order are KP Large Cap Equity Fund, KP Small Cap Equity Fund, KP International Equity Fund, and KP Fixed Income Fund.

[2] For purposes of the requested order, ''successor'' is limited to any entity that results from a reorganization into another jurisdiction or a change in the type of business organization.

[3] Applicants request that the relief apply to applicants, as well as to any existing or future series of the Trust and any other existing or future registered open-end management investment company or series thereof that: (a) Is advised by the Advisor; (b) uses the manager of managers structure (''Manager of Managers Structure'') described in the application, and (c) complies with the terms and conditions of the application (included in the term ''Funds''). The only existing registered open-end management investment company that currently intends to rely on the requested order is named as an applicant. If the name of any Fund contains the name of a Subadvisor (as defined below), the name of the Advisor that serves as the primary adviser to the Fund will precede the name of the Subadvisor.

[4] The term ''Board'' also includes the board of directors or trustees of a future Fund.

and restrictions. For the investment advisory services that it provides to a Fund, the Advisor receives the fee specified in the Advisory Agreement based on the Fund's average daily net assets. The Advisory Agreement also permits the Advisor to enter into investment subadvisory agreements (''Subadvisory Agreements'') with one or more subadvisors (each, a ''Subadvisor'') for the purpose of managing a Fund's investments.[5] Each Subadvisory Agreement will be approved by the Board, including by a majority of the Independent Trustees, and the initial shareholder of the Fund in accordance with sections 15(a) and 15(c) of the Act and rule 18f–2 under the Act. Each Subadvisor is or will be registered as an investment adviser under the Advisers Act or not subject to such registration. The Advisor will supervise, evaluate and allocate assets to the Subadvisors, and make recommendations to the Board about their hiring, retention or release. The Advisor will compensate each Subadvisor out of the fee paid to the Advisor under the Advisory Agreement or the Fund will be responsible for paying subadvisory fees directly to the Subadvisor.[6]

4. Applicants request an order to permit the Advisor, subject to the approval of the Board, including a majority of the Independent Trustees, to, without obtaining shareholder approval: (a) Select Subadvisors to manage all or a portion of the assets of a Fund and enter into Subadvisory Agreements with the Subadvisors; and (b) materially amend Subadvisory Agreements with the Subadvisors.[7] The requested relief will not extend to any subadvisor, other than a Wholly-Owned Subadvisor, who is an affiliated person, as defined in section 2(a)(3) of the Act, of the Fund or the Advisor, other than by reason of serving as a subadvisor to one or more of the Funds (''Affiliated Subadvisor'').

5. Funds will inform shareholders of the hiring of a new Subadvisor pursuant to the following procedures (''Modified Notice and Access Procedures''): (a) Within 90 days after a new Subadvisor is hired for any Fund, that Fund will send its shareholders either a Multi-manager Notice or a Multi-manager Notice and Multi-manager Information Statement;[8] and (b) the Fund will make the Multi-manager Information Statement available on the Web site identified in the Multi-manager Notice no later than when the Multi-manager Notice (or Multi-manager Notice and Multi-manager Information Statement) is first sent to shareholders, and will maintain it on that Web site for at least 90 days.

6. Applicants also request an order exempting the Funds from certain disclosure obligations that may require each Fund to disclose fees paid by the Advisor to each Subadvisor. Applicants seek relief to permit each Fund to disclose (both as a dollar amount and as a percentage of the Fund's net assets): (a) The aggregate fees paid to the Advisor and any Wholly-Owned Subadvisors; and (b) the aggregate fees paid to Non-Affiliated Subadvisors (collectively, the ''Aggregate Fee Disclosure''). The Aggregate Fee Disclosure for a Fund also will include separate disclosure of any subadvisory fees paid to any Affiliated Subadvisor.

Applicants' Legal Analysis

1. Section 15(a) of the Act states, in part, that it is unlawful for any person to act as an investment adviser to a registered investment company ''except pursuant to a written contract, which contract, whether with such registered company or with an investment adviser of such registered company, has been approved by the vote of a majority of the outstanding voting securities of such registered company.'' Rule 18f–2 under the Act provides that each series or class of stock in a series investment company affected by a matter must approve that matter if the Act requires shareholder approval.

2. Form N–1A is the registration statement used by open-end management investment companies. Item 19(a)(3) of Form N–1A requires a registered open-end management investment company to disclose in its statement of additional information, with respect to each investment adviser, the method of calculating the advisory fee payable by the investment company, including the total dollar amounts paid to each adviser for the last three fiscal years.

3. Rule 20a–1 under the Act requires proxies solicited with respect to a registered investment company to comply with Schedule 14A under the Exchange Act. Items 22(c)(1)(ii), 22(c)(1)(iii), 22(c)(8) and 22(c)(9) of Schedule 14A, taken together, require a proxy statement for a shareholder meeting at which the advisory contract will be voted upon to include the ''rate of compensation of the investment adviser,'' the ''aggregate amount of the investment adviser's fee,'' a description of the ''terms of the contract to be acted upon,'' and, if a change in the advisory fee is proposed, the existing and proposed fees and the difference between the two fees.

4. Regulation S–X sets forth the requirements for financial statements required to be included as part of a registered investment company's registration statement and shareholder reports filed with the Commission. Sections 6–07(2)(a), (b), and (c) of Regulation S–X require a registered investment company to include in its financial statement information about the investment advisory fees.

5. Section 6(c) of the Act provides that the Commission by order upon application may conditionally or unconditionally exempt any person, security, or transaction or any class or classes of persons, securities, or transactions from any provisions of the Act, or from any rule thereunder, if such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act. Applicants

[5] A ''Subadvisor'' to a Fund is: (a) An indirect or direct ''wholly-owned subsidiary'' (as such term is defined in the Act) of the Advisor for that Fund; (b) a sister company of the Advisor for that Fund that is an indirect or direct ''wholly-owned subsidiary'' (as such term is defined in the Act) of the same company that, indirectly or directly, wholly owns the Advisor (each of (a) and (b), a ''Wholly-Owned Subadvisor'' and collectively, the ''Wholly-Owned Subadvisors''); or (c) an investment subadvisor for that Fund that is not an ''affiliated person'' (as such term is defined in section 2(a)(3) of the Act) of the Fund or the Advisor, except to the extent that an affiliation arises solely because the subadvisor serves as a subadvisor to a Fund (each, a ''Non-Affiliated Subadvisor'').

[6] To the extent a Fund pays subadvisory fees directly from its assets, any changes to a Subadvisory Agreement that would result in an increase in the total management and advisory fees payable by the Fund will be required to be approved by the shareholders of that Fund.

[7] Shareholder approval will continue to be required for any other subadvisor change (not otherwise permitted by rule or other action of the Commission or its staff) and material amendments to an existing Subadvisory Agreement with any subadvisor other than a Non-Affiliated Subadvisor or a Wholly-Owned Subadvisor (all such changes referred to as ''Ineligible Subadvisor Changes'').

[8] A ''Multi-manager Notice'' will be modeled on a Notice of Internet Availability as defined in rule 14a–16 under the Securities Exchange Act of 1934 (''Exchange Act''), and specifically will, among other things: (a) Summarize the relevant information regarding the new Subadvisor; (b) inform shareholders that the Multi-manager Information Statement is available on a Web site; (c) provide the Web site address; (d) state the time period during which the Multi-manager Information Statement will remain available on that Web site; (e) provide instructions for accessing and printing the Multi-manager Information Statement; and (f) instruct the shareholder that a paper or email copy of the Multi-manager Information Statement may be obtained, without charge, by contacting the Fund.

A ''Multi-manager Information Statement'' will meet the requirements of Regulation 14C, Schedule 14C and Item 22 of Schedule 14A under the Exchange Act for an information statement, except as modified by the order to permit Aggregate Fee Disclosure (as defined below). Multi-manager Information Statements will be filed with the Commission via the EDGAR system.

state that their requested relief meets this standard for the reasons discussed below.

6. Applicants assert that the shareholders expect the Advisor, subject to the review and approval of the Board, to select the Subadvisors who are in the best position to achieve the Fund's investment objective. Applicants assert that, from the perspective of the shareholder, the role of the Subadvisor is substantially equivalent to the role of the individual portfolio managers employed by an investment adviser to a traditional investment company. Applicants believe that permitting the Advisor to perform the duties for which the shareholders of the Funds are paying the Advisor—the selection, supervision and evaluation of the Subadvisors—without incurring unnecessary delays or expenses is appropriate in the interest of the Fund's shareholders and will allow such Funds to operate more efficiently. Applicants state that each Advisory Agreement will continue to be fully subject to section 15(a) of the Act and rule 18f–2 under the Act.

7. Applicants assert that disclosure of the individual fees that the Advisor would pay to the Subadvisors of Funds that operate under the Manager of Managers Structure would not serve any meaningful purpose. Applicants contend that the primary reasons for requiring disclosure of individual fees paid to Subadvisors are to inform shareholders of expenses to be charged by a particular Fund and to enable shareholders to compare the fees to those of other comparable investment companies. Applicants believe that the requested relief satisfies these objectives because the advisory fee paid to the Advisor will be fully disclosed and, therefore, shareholders will know what the Funds' fees and expenses are and will be able to compare the advisory fees a Fund is charged to those of other investment companies. Applicants assert that the requested disclosure relief would benefit shareholders of the Funds because it would improve the Advisor's ability to negotiate the fees paid to Subadvisors. Applicants state that the Advisor may be able to negotiate rates that are below a Subadvisor's ''posted'' amounts if the Advisor is not required to disclose the Subadvisors' fees to the public. Applicants submit that the relief requested to use Aggregate Fee Disclosure will encourage Subadvisors to negotiate lower subadvisory fees with the Advisor if the lower fees are not required to be made public.

Applicants' Conditions

Applicants agree that any order granting the requested relief will be subject to the following conditions:

1. Before a Fund may rely on the requested order, the operation of the Fund in the manner described in the application, including the hiring of Wholly-Owned Subadvisors, will be approved by a majority of the Fund's outstanding voting securities as defined in the Act, or, in the case of a Fund whose public shareholders purchase shares on the basis of a prospectus containing the disclosure contemplated by condition 2 below, by the initial shareholder(s) before offering that Fund's shares to the public.

2. Each Fund relying on the requested order will disclose in its prospectus, the existence, substance, and effect of any order granted pursuant to the application. Each Fund will hold itself out to the public as utilizing the Manager of Managers Structure. The prospectus will prominently disclose that the Advisor has ultimate responsibility (subject to oversight by the Board) to oversee the Subadvisors and recommend their hiring, termination, and replacement.

3. A Fund will inform shareholders of the hiring of a new Subadvisor within 90 days after the hiring of the new Subadvisor pursuant to the Modified Notice and Access Procedures.

4. A Fund will not make any Ineligible Subadvisor Changes without the approval of the shareholders of the applicable Fund.

5. At all times, at least a majority of the Board will be Independent Trustees, and the selection and nomination of new or additional Independent Trustees will be placed within the discretion of the then-existing Independent Trustees.

6. Whenever a subadvisor change is proposed for a Fund with an Affiliated Subadvisor or a Wholly-Owned Subadvisor, the Board, including a majority of the Independent Trustees, will make a separate finding, reflected in the applicable Board minutes, that such change is in the best interests of the Fund and its shareholders, and does not involve a conflict of interest from which the Advisor or the Affiliated Subadvisor or Wholly-Owned Subadvisor derives an inappropriate advantage.

7. Independent legal counsel, as defined in rule 0–1(a)(6) under the Act, will be engaged to represent the Independent Trustees. The selection of such counsel will be within the discretion of the then-existing Independent Trustees.

8. The Advisor will provide general management services to a Fund, including overall supervisory responsibility for the general management and investment of the Fund's assets, and subject to review and approval of the Board, will: (a) Set a Fund's overall investment strategies; (b) evaluate, select and recommend Subadvisors to manage all or a part of a Fund's assets; (c) allocate and, when appropriate, reallocate a Fund's assets among one or more Subadvisors; (d) monitor and evaluate the performance of Subadvisors; and (e) implement procedures reasonably designed to ensure that the Subadvisors comply with a Fund's investment objective, policies and restrictions.

9. No trustee or officer of a Trust or of a Fund, or director, manager, or officer of the Advisor, will own, directly or indirectly (other than through a pooled investment vehicle that is not controlled by such person), any interest in a subadvisor to a Fund, except for: (a) Ownership of interests in the Advisor or any entity that controls, is controlled by, or is under common control with the Advisor; or (b) ownership of less than 1% of the outstanding securities of any class of equity or debt of any publicly traded company that is either a Subadvisor or an entity that controls, is controlled by, or is under common control with a Subadvisor.

10. Each Fund will disclose in its registration statement the Aggregate Fee Disclosure.

11. In the event the Commission adopts a rule under the Act providing substantially similar relief to that in the order requested in the application, the requested order will expire on the effective date of that rule.

12. For any Fund that pays subadvisory fees directly from its assets, any changes to a Subadvisory Agreement that would result in an increase in the total management and advisory fees payable by the Fund will be required to be approved by the shareholders of that Fund.

13. Whenever a subadvisor is hired or terminated, the Advisor will provide the Board with information showing the expected impact on the profitability of the Advisor.

14. The Advisor will provide the Board, no less frequently than quarterly, with information about the profitability of the Advisor on a per Fund basis. The information will reflect the impact on profitability of the hiring or termination of any subadvisor during the applicable quarter.

For the Commission, by the Division of Investment Management, under delegated authority.

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2013–23541 Filed 9–26–13; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

Left Behind Games, Inc., File No. 500–1; Order of Suspension of Trading

September 25, 2013.

It appears to the Securities and Exchange Commission that there is a lack of current and accurate information concerning the securities of Left Behind Games, Inc. (''Left Behind'') because it has not filed a periodic report since it filed its Form 10–Q for the period ending September 30, 2011, filed on November 21, 2011.

The Commission is of the opinion that the public interest and the protection of investors require a suspension of trading in the securities of Left Behind. Therefore, it is ordered, pursuant to Section 12(k) of the Securities Exchange Act of 1934, that trading in the securities of Left Behind is suspended for the period from 9:30 a.m. EDT, September 25, 2013 through 11:59 p.m. EDT, on October 8, 2013.

By the Commission.

Jill M. Peterson,

Assistant Secretary.

[FR Doc. 2013–23728 Filed 9–25–13; 11:15 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–70472; File No. SR–PHLX–2013–93]

Self-Regulatory Organizations; The NASDAQ OMX PHLX LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Make a Minor Modification To Pricing Incentive Programs

September 23, 2013.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on September 10, 2013, NASDAQ OMX PHLX LLC (''Phlx'' or ''Exchange'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

I. Self-Regulatory Organization's Statement of the Terms of the Substance of the Proposed Rule Change

The Exchange proposes to make a minor modification to pricing incentive programs under PHLX's schedule of fees and credits applicable to options trading on PHLX. Specifically, PHLX is proposing to exclude from volume-based pricing calculations any trading day on which PHLX is closed for trading due to early closing or a market-wide trading halt. This exclusion exists today for the trading of equities on PSX, the equities trading facility of PHLX.

The text of the proposed rule change is available on the Exchange's Web site at *http://nasdaqomxphlx.cchwallstreet.com,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

PSX, the PHLX facility for trading equities, offers pricing for the trading of equities that is based on average daily volume of trading. The applicable fee schedule for equities trading on PSX contains language excluding from such volume calculations any day on which the market is not open the entire trading day. PHLX Pricing Schedule, Section VIII, entitled ''Order Routing and Execution,'' footnote to subsection (a)(4) states that ''For purposes of determining average daily volume hereunder, any day that the market is not open for the entire trading day will be excluded from such calculation.'' As a result, when trading ends early, as for trading days preceding certain federal holidays, or when there is a material market-wide disruption, PHLX excludes that day from the calculation of average daily volume.

The PHLX pricing schedule for options also contains pricing programs based on average daily volume. PHLX has determined to make this practice uniform for both equities and options trading on PHLX by moving the relevant language to the preamble of the PHLX Fee Schedule. In other words, for purposes of calculating any pricing based on average daily volumes for both equities and options trading any day that the market is not open for the entire trading day should be excluded from such calculation. As it currently does for equities, this formulation would exclude days on which the market closes early for holiday observance. It would also exclude days where PHLX declares a trading halt in all securities or honors a market-wide trading halt declared by another market. This would apply to the market-wide trading halt of approximately three hours on August 22, 2013, which PHLX plans to exclude from Customer Rebate Tiers for the month of August.

This change will affect several fees described in PHLX Pricing Schedule, Section B, which contains pricing incentive programs that are designed to encourage member participation in PHLX options trading by increasing rebates or reducing fees for firms that trade on PHLX in increasingly higher volumes. For example, PHLX currently has four Customer Rebate Tiers by which it determines the rebate per share for Customer[3] orders in Multiply Listed Options (including SPY) that are electronically-delivered and executed. The Customer Rebate Tier thresholds are based upon a percentage of national volume of Customer Orders in certain options on a monthly basis. The rebates range from $0.00 to $0.15 per contract for Simple Orders[4] and from $0.00 to

[3] The term ''Customer'' applies to any transaction that is identified by a member or member organization for clearing in the Customer range at The Options Clearing Corporation (''OCC'') which is not for the account of broker or dealer or for the account of a ''Professional'' (as that term is defined in Rule 1000(b)(14)).

[4] These ''Category A Rebates'' are paid to members executing electronically-delivered Customer Simple Orders in Penny Pilot Options and Customer Simple Orders in Non-Penny Pilot Options in Section II symbols. Rebates are paid on Customer PIXL Orders in Section II symbols that execute against non-Initiating Order interest, except in the case of Customer PIXL Orders that are greater than 999 contracts. All Customer PIXL Orders that are greater than 999 contracts will be paid a rebate regardless of the contra-party to the transaction.

$0.17 per contract for Complex Orders as follows [5]

Customer rebate tiers	Percentage thresholds of national customer volume in multiply-listed equity and ETF options classes, excluding SPY options (monthly)	Category A	Category B
Tier 1	0.00–0.75	$0.00	$0.00
Tier 2	Above 0.75–1.60	0.12	0.17
Tier 3	Above 1.60–2.60	0.14	0.17
Tier 4	Above 2.60	0.15	0.17

If the Exchange did not exclude aberrant low volume days when calculating ADV for the month, as a result of the decreased trading volume, the numerator for the calculation (e.g., trading volume) would be correspondingly lower, but the denominator for the threshold calculations (e.g., the number of trading days) would not be decreased. This would result in an effective cost increase.

[sic] Addition to the Customer Rebate Tiers, the proposed change will also impact additional volume based options pricing related to the Electronic Firm Fee Discount,[6] the QCC Rebate Schedule [7] and a discount related to PIXL Initiating Orders (Section II) [8] The proposed change does not impact the calculation of fees and rebated [sic] set forth under Section VIII., Order Routing and Execution, subsection (a)(1); the exclusion currently applies to those fees and it will continue to apply unchanged. Nor does the proposal does not [sic] apply to other transaction fees or rebates that do not include an average daily volume component.

Absent the authority to exclude days that the market is not open for the entire trading day, members will experience an effective increase in fees or decrease in rebates. The artificially low volumes of trading on such days reduce the average daily activity of PHLX members both daily and monthly. Accordingly, excluding such days from the monthly calculation will diminish the likelihood of an effective increase in the cost of trading on PHLX, a result that is unintended and undesirable to PHLX and to PHLX members.

2. Statutory Basis

PHLX believes that the proposed rule change is consistent with the provisions of Section 6 of the Act,[9] in general, and with Sections 6(b)(4) and 6(b)(5) of the Act,[10] in particular, in that it provides for the equitable allocation of reasonable dues, fees and other charges among members and issuers and other persons using any facility or system which PHLX operates or controls, and is not designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

PHLX believes that the proposed change provides for equitable and reasonable allocation of fees because it simply extends to options trading a rule that currently applies in equities trading. Moreover, it is equitable and reasonable to eliminate from the calculation days on which the market is not open the entire trading day because it preserves PHLX's full intent behind adopting volume-based pricing. The proposed change is non-discriminatory because it applies equally to all members and to all volume tiers on all asset classes traded on PHLX. PHLX will continue to monitor the operation of the proposed rule change and, in the event that PHLX identifies a disparate impact on one or another volume tier in the future, PHLX may determine to modify that volume tier via an additional proposed rule change.

B. Self-Regulatory Organization's Statement on Burden on Competition

PHLX does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act, as amended. PHLX notes that it operates in a highly competitive market in which market participants can readily favor competing venues if they deem fee levels at a particular venue to be excessive, or rebate opportunities available at other venues to be more favorable. In such an environment, PHLX must continually adjust its fees to remain competitive with other exchanges and with alternative trading systems that have been exempted from compliance with the statutory standards applicable to exchanges. Because competitors are free to modify their own fees in response, and because market participants may readily adjust their order routing practices, PHLX believes that the degree to which fee changes in this market may impose any burden on competition is extremely limited.

PHLX does not believe the proposed rule change will have an adverse impact on competition because there has been no adverse impact from imposing this rule in the context of equities treading. Moreover, in this instance, the proposed rule change should not impact competition because it merely preserves the full intent of PHLX's already-filed prices, which have not been deemed inconsistent with the Exchange Act or been found to impose an undue burden on competition. Moreover, the proposed rule change regarding days on which the

[5] These ''Category B Rebates'' are paid to members executing electronically-delivered Customer Complex Orders in Penny Pilot Options and Non-Penny Pilot Options in Section II symbols. Rebates are paid on Customer PIXL Complex Orders in Section II symbols that execute against non-Initiating Order interest, except in the case of Customer PIXL Complex Orders that are greater than 999 contracts. All Customer PIXL Complex Orders that are greater than 999 contracts will be paid a rebate regardless of the contra-party to the transaction.

[6] Firm electronic Options Transaction Charges in Penny Pilot and non-Penny Pilot Options are reduced to $0.17 per contract for a given month provided that a Firm has volume greater than 500,000 electronically-delivered contracts in a month (''Electronic Firm Fee Discount''). The Electronic Firm Fee Discount applies per member organization when such members are trading in their own proprietary account.

[7] The QCC Rebate Schedule comprises 5 tiers as follows: Tier 1 (0 to 299,999 contracts in a month) receives $0.00 rebate per contract; Tier 2 (300,000 to 499,999 contracts in a month) receives $0.07 rebate per contract; Tier 3 (500,000 to 699,999 contracts in a month) receives $0.08 rebate per contract; Tier 4 (700,000 to 999,999 contracts in a month) receives $0.09 rebate per contract; and Tier 5 (Over 1,000,000 contracts in a month) receives $0.11 rebate per contract. The maximum QCC Rebate to be paid in a given month will not exceed $375,000.

[8] The PIXL Initiating Order (Section II) pricing is as follows: $0.07 per contract or $0.05 per contract if Customer Rebate Program Threshold Volume defined in Section B is greater than 100,000 contracts per day in a month. Any member or member organization under Common Ownership with another member or member organization that qualifies for a Customer Rebate Tier discount in Section B will receive the PIXL Initiating Order discount as described above. The Initiating Order Fee for Professional, Firm, Broker-Dealer, Specialist and Market Maker orders that are contra to a Customer PIXL Order will be reduced to $0.00 if the Customer PIXL Order is greater than 999 contracts.

[9] 15 U.S.C. 78f.

[10] 15 U.S.C. 78f(b)(4) and (5).

market is not open the entire trading day will result in an effective reduction of fees or increase in rebates such that the total cost of trading on PHLX should decline. This is evidence that a proposed rule change is pro-competitive rather than anti-competitive.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act [11] and subparagraph (f)(6) of Rule 19b–4 thereunder.[12]

A proposed rule change filed under Rule 19b–4(f)(6) [13] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b–4(f)(6)(iii),[14] the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposal may become operative immediately upon filing. The Commission believes that waiving the 30-day operative delay is consistent with the protection of investors and the public interest. Waiver will allow the Exchange to immediately implement the proposed change, thereby reducing the potential for confusion among member organizations and the public about how the Exchange will calculate thresholds related to billing for activity on the Exchange during August 2013. Therefore, the Commission hereby waives the 30-day operative delay and designates the proposal operative upon filing.[15]

At any time within 60 days of the filing of such proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings under Section 19(b)(2)(B) [16] of the Act to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–PHLX–2013–93 on the subject line.

Paper Comments

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

All submissions should refer to File Number SR–PHLX–2013–93. 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 Web site (*http://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 Web site viewing and printing in the Commission's Public Reference Room on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of such filing also will be available for inspection and copying at the principal offices of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–PHLX–2013–93, and should be submitted on or before October 18, 2013.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[17]

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2013–23540 Filed 9–26–13; 8:45 am]

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[11] 15 U.S.C. 78s(b)(3)(A).

[12] 17 CFR 240.19b–4(f)(6).

[13] 17 CFR 240.19b–4(f)(6).

[14] 17 CFR 240.19b–4(f)(6)(iii).

[15] For purposes only of waiving the 30-day operative delay, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[16] 15 U.S.C. 78s(b)(2)(B).

[17] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–70470; File No. SR–NASDAQ–2013–117]

Self-Regulatory Organizations; the NASDAQ Stock Market LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Make Minor Modifications To Pricing Incentive Programs Under NASDAQ's Schedule of Fees and Credits Applicable To Trading on the NASDAQ Options Market

September 23, 2013.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on September 9, 2013, The NASDAQ Stock Market LLC (''NASDAQ'' or the ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') a proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of the Substance of the Proposed Rule Change

NASDAQ is proposing to make minor modifications to pricing incentive programs under NASDAQ's schedule of fees and credits applicable to trading on the NASDAQ Options Market (''NOM''). Specifically, NASDAQ is proposing to exclude from volume-based pricing calculations any trading day on which NOM is closed for trading due to early closing or a market-wide trading halt. This exclusion exists today for the

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

trading of [sic] on NASDAQ's equities trading facility.[3]

The text of the proposed rule change is available at *http://nasdaq.cchwallstreet.com,* at NASDAQ's principal office, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, NASDAQ included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

NASDAQ Options Rule Chapter XV, Section 2 contains a number of pricing incentive programs that are designed to encourage member participation in NOM by increasing rebates or reducing fees for firms that trade on NOM in increasingly higher volumes.

NASDAQ has determined for purposes of calculating Monthly Volume Tiers under Chapter XV, Section 2, any day that the market is not open for the entire trading day should be excluded from such calculation. This formulation would exclude, for example, days on which the market closes early for holiday observances. It would also exclude days where NOM declares a trading halt in all securities or honors a market-wide halt initiated by another market. This would apply to the market-wide trading halt of approximately three hours on August 22, 2013, which NOM plans to exclude from Monthly Volume Tiers for the month of August.

The proposed rule change will impacted [sic] billing rates for all eight Monthly Volume Tiers by which NOM determines the rebate per share for firms that add Customer and/or Professional liquidity based on increasing percentages of total industry customer equity and ETF option average daily volume (''ADV'') contracts per day in a month (Tiers 1 through 4). It would also apply to the calculation of Average Daily Volume for a specific member (Tiers 5 through 8). The rebates range from $0.25 to $0.48 per contract:

Tier 1	Participant adds Customer and/or Professional liquidity of up to 0.20% of total industry customer equity and ETF option average daily volume (''ADV'') contracts per day in a month.	$0.25
Tier 2	Participant adds Customer and/or Professional liquidity of 0.21% to 0.30% of total industry customer equity and ETF option ADV contracts per day in a month.	$0.40
Tier 3	Participant adds Customer and/or Professional liquidity of 0.31% to 0.49% of total industry customer equity and ETF option ADV contracts per day in a month.	$0.43
Tier 4	Participant adds Customer and/or Professional liquidity of 0.5% or more of total industry customer equity and ETF option ADV contracts per day in a month.	$0.45
Tier 5	Participant adds (1) Customer and/or Professional liquidity of 25,000 or more contracts per day in a month, (2) the Participant has certified for the Investor Support Program set forth in Rule 7014, and (3) the Participant executed at least one order on NASDAQ's equity market.	$0.42
Tier 6	Participant has Total Volume of 115,000 or more contracts per day in a month, of which 25,000 or more contracts per day in a month must be Customer and/or Professional liquidity.	$0.45
Tier 7	Participant has Total Volume of 150,000 or more contracts per day in a month, of which 50,000 or more contracts per day in a month must be Customer and/or Professional liquidity.	$0.47
Tier 8	Participant (1) has Total Volume of 325,000 or more contracts per day in a month, or (2) Participant has Total Volume of 200,000 or more contracts per day in a month, of which 70,000 or more contracts per day in a month must be Customer and/or Professional liquidity or (3) adds Customer and/or Professional liquidity of 1.00% or more of national customer volume in multiply-listed equity and ETF options classes in a month.	$0.48

If the Exchange did not exclude aberrant low volume days when calculating ADV for the month, as a result of the decreased trading volume, the numerator for the calculation (e.g., trading volume) would be correspondingly lower, but the denominator for the threshold calculations (e.g., the number of trading days) would not be decreased. This would result in an effective cost increase.

The proposed rule change would also apply to the monthly volume tiers NOM uses to determine the Rebate to Add Liquidity:

Monthly volume		Rebate to add liquidity
Tier 1	Participant adds NOM Market Maker liquidity in Penny Pilot Options of up to 39,999 contracts per day in a month.	$0.25.
Tier 2	Participant adds NOM Market Maker liquidity in Penny Pilot Options of 40,000 to 69,999 contracts per day in a month.	$0.30.
Tier 3	Participant adds NOM Market Maker liquidity in Penny Pilot Options of 70,000 to 99,999 contracts per day in a month.	$0.32.
Tier 4	Participant adds NOM Market Maker liquidity in Penny Pilot Options of 100,000 or more contracts per day in a month.	$0.32 or $0.38 in the following symbols BAC, GLD, IWM, QQQ and VXX or $0.40 in SPY.

[3] NASDAQ is not proposing to exclude trading on the day of the Russell Reconstitution from the calculation of volume-based pricing for the trading of options. The Russell Reconstitution has little or no impact on options trading because the options market does not operate a closing cross such as occurs on the equities market. Thus, there is little or no impact on the volume of options trades.

The proposal does not apply to other transaction fees or rebates in Section 2, or to other fees on the pricing schedule outside of Section 2.

Absent the authority to exclude days that the market is not open for the entire trading day, members will experience an effective increase in fees or decrease in rebates. The artificially low volumes of trading on such days reduce the average daily activity of NOM members both daily and monthly. Accordingly, excluding such days from the monthly calculation will diminish the likelihood of an effective increase in the cost of trading on NOM, a result that is unintended and undesirable to NOM and to NOM members.

2. Statutory Basis

NASDAQ believes that the proposed rule change is consistent with the provisions of Section 6 of the Act,[4] in general, and with Sections 6(b)(4) and 6(b)(5) of the Act,[5] in particular, in that it provides for the equitable allocation of reasonable dues, fees and other charges among members and issuers and other persons using any facility or system which NASDAQ operates or controls, and is not designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

NASDAQ believes that the proposed change to eliminate from the calculation days on which the market is not open the entire trading day is reasonable because it preserves NASDAQ's full intent behind adopting volume-based pricing. The proposed change is equitable and non-discriminatory because it applies equally to all members and to all volume tiers. In the event that NASDAQ identifies a disparate impact on one or another volume tier in the future, NASDAQ may determine to modify that volume tier via an additional proposed rule change.

B. Self-Regulatory Organization's Statement on Burden on Competition

NASDAQ does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act, as amended. NASDAQ notes that it operates in a highly competitive market in which market participants can readily favor competing venues if they deem fee levels at a particular venue to be excessive, or rebate opportunities available at other venues to be more favorable. In such an environment, NASDAQ must continually adjust its fees to remain competitive with other exchanges and with alternative trading systems that have been exempted from compliance with the statutory standards applicable to exchanges. Because competitors are free to modify their own fees in response, and because market participants may readily adjust their order routing practices, NASDAQ believes that the degree to which fee changes in this market may impose any burden on competition is extremely limited.

In this instance, the proposed rule change should not impact competition because it merely preserves the full intent of NASDAQ's already-filed prices. Moreover, the proposed rule change regarding days on which the market is not open the entire trading day will result in an effective reduction of fees or increase in rebates such that the total cost of trading on NOM should decline. This is evidence that a proposed rule change is pro-competitive rather than anti-competitive.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act[6] and subparagraph (f)(6) of Rule 19b–4 thereunder.[7]

A proposed rule change filed under Rule 19b–4(f)(6)[8] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b–4(f)(6)(iii),[9] the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposal may become operative immediately upon filing.

The Commission believes that waiving the 30-day operative delay is consistent with the protection of investors and the public interest. NASDAQ wishes to exclude August 22, 2013, from the calculation of volume-based pricing for August of 2013. Waiver will allow the Exchange to immediately implement the proposed rule change, thereby reducing the potential for confusion among member organizations and the public about how the Exchange will calculate volume-based pricing for August of 2013. Therefore, the Commission hereby waives the 30-day operative delay and designates the proposal operative upon filing.[10]

At any time within 60 days of the filing of such proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings under Section 19(b)(2)(B)[11] of the Act to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov*. Please include File Number SR–NASDAQ–2013–117 on the subject line.

Paper Comments

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

All submissions should refer to File Number SR–NASDAQ–2013–117. 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 Web site (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent

[4] 15 U.S.C. 78f.

[5] 15 U.S.C. 78f(b)(4) and (5).

[6] 15 U.S.C. 78s(b)(3)(A).

[7] 17 CFR 240.19b–4(f)(6).

[8] 17 CFR 240.19b–4(f)(6).

[9] 17 CFR 240.19b–4(f)(6)(iii).

[10] For purposes only of waiving the 30-day operative delay, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[11] 15 U.S.C. 78s(b)(2)(B).

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 Web site viewing and printing in the Commission's Public Reference Room on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of such filing also will be available for inspection and copying at the principal offices of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–NASDAQ–2013–117, and should be submitted on or before October 18, 2013.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[12]

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2013–23539 Filed 9–26–13; 8:45 am]

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[12] 17 CFR 200.30–3(a)(12).

DEPARTMENT OF STATE

[Public Notice 8486]

Bureau of Consular Affairs; Registration for the Diversity Immigrant (DV–2015) Visa Program

AGENCY: Department of State.

ACTION: Notice.

SUMMARY: This public notice provides information on how to apply for the DV–2015 Program and is issued pursuant to 22 CFR 42.33(b)(3), implementing sections 201(a)(3), 201(e), 203(c), and 204(a)(1)(I) of the Immigration and Nationality Act, as amended, (8 U.S.C. 1151, 1153, and 1154(a)(1)(I)).

Instructions for the 2015 Diversity Immigrant Visa Program (DV–2015)

Program Overview

The congressionally mandated Diversity Immigrant Visa Program is administered annually by the Department of State. Section 203(c) of the Immigration and Nationality Act (INA) provides for a class of immigrants known as ''diversity immigrants,'' from countries with historically low rates of immigration to the United States. For fiscal year 2015, 50,000 diversity visas (DVs) will be available. There is no cost to register for the DV Program.

Applicants who are selected in the lottery (''selectees'') must meet simple, but strict, eligibility requirements in order to qualify for a diversity visa. Selectees are chosen through a randomized computer drawing. Diversity visas are distributed among six geographic regions and no single country may receive more than seven percent of the available DVs in any one year.

For DV–2015, natives of the following countries are not eligible to apply, because more than 50,000 natives of these countries immigrated to the United States in the previous five years:

BANGLADESH, BRAZIL, CANADA, CHINA (mainland-born), COLOMBIA, DOMINICAN REPUBLIC, ECUADOR, EL SALVADOR, HAITI, INDIA, JAMAICA, MEXICO, NIGERIA, PAKISTAN, PERU, PHILIPPINES, SOUTH KOREA, UNITED KINGDOM (except Northern Ireland) and its dependent territories, and VIETNAM.

Persons born in Hong Kong SAR, Macau SAR and Taiwan are eligible.

Changes in eligibility this year: For DV–2015, natives of Nigeria are no longer eligible.

Eligibility

Requirement #1: Individuals born in countries (listed below) whose natives qualify may be eligible to enter.

If you were not born in an eligible country, there are two other ways you might be able to qualify.

- Was your spouse born in a country whose natives are eligible? If yes, you can claim your spouse's country of birth—provided that both you and your spouse are named on the selected entry, are issued diversity visas, and enter the United States simultaneously.
- Were you born in a country whose natives are ineligible, but in which neither of your parents was born or legally resident at the time of your birth? If yes, you may claim nativity in one of your parents' countries of birth if it is a country whose natives are eligible for the DV–2015 program. For more details on what this means, see the Frequently Asked Questions.

Requirement #2: In addition, to meet the education/work experience requirement of the DV program, you must have either:

- A high school education or its equivalent, defined as successful completion of a 12-year course of elementary and secondary education; or
- Two years of work experience within the past five years in an occupation requiring at least two years of training or experience to perform. The U.S. Department of Labor's *O*Net Online* database will be used to determine qualifying work experience.

For more information about qualifying work experience for the principal DV applicant, see the Frequently Asked Questions.

Do not submit an entry to the DV program unless you meet both of these requirements.

Entry Period

Entries for the DV–2015 DV program must be submitted electronically at *www.dvlottery.state.gov* between noon, Eastern Daylight Time (EDT) (GMT–4), Tuesday, October 1, 2013, and noon, Eastern Daylight Time (EDT) (GMT–4), Saturday, November 2, 2013. Do not wait until the last week of the registration period to enter, as heavy demand may result in Web site delays. No late entries or paper entries will be accepted. The law allows only one entry by or for each person during each registration period. The Department of State uses sophisticated technology to detect multiple entries. If you submit more than one entry you will be disqualified.

Completing Your Electronic Entry for the DV–2014 Program

Submit your Electronic Diversity Visa Entry Form (E–DV Entry Form or DS–5501), online at *www.dvlottery.state.gov*. Incomplete entries will be disqualified. There is no cost to register for the DV Program.

You are strongly encouraged to complete the entry form yourself, without a ''Visa Consultant,'' ''Visa Agent,'' or other facilitator who offers to help. If somebody else helps you, you should be present when your entry is prepared so that you can provide the correct answers to the questions and retain the confirmation page and your unique confirmation number. It is extremely important that you retain your confirmation page and unique confirmation number. Without this information, you will not be able to access the online system that will inform you of the status of your entry. Think carefully if someone else offers to keep this information for you. See the Frequently Asked Questions for more information about Diversity Visa scams.

After you submit a complete entry, you will see a confirmation screen containing your name and a unique confirmation number. Print this confirmation screen for your records.

Starting May 1, 2014, you will be able to check the status of your entry by returning to *www.dvlottery.state.gov,* clicking on *Entrant Status Check,* and entering your unique confirmation number and personal information. *Entrant Status Check* will be the sole means of informing you of your selection for DV–2015, providing instructions on how to proceed with your application, and notifying you of your appointment for your immigrant visa interview. Please review the Frequently Asked Questions for more information about the selection process.

You must provide the following information to complete your E–DV entry:

1. Name—last/family name, first name, middle name—exactly as on your passport.
2. Birth date—day, month, year.
3. Gender—male or female.
4. City where you were born.
5. Country where you were born—Use the name of the country currently used for the place where you were born.
6. Country of eligibility for the DV Program—Your country of eligibility will normally be the same as your country of birth. Your country of eligibility is not related to where you live. If you were born in a country that is not eligible, please review the Frequently Asked Questions to see if there is another way you may be eligible.
7. Entrant photograph(s)—Recent photographs of yourself, your spouse and all your children listed on your entry. See Submitting a Digital Photograph for compositional and technical specifications. You do not need to include a photograph for a spouse or child who is already a U.S. citizen or a Lawful Permanent Resident, but you will not be penalized if you do.

Group photographs will not be accepted; you must submit a photograph for each individual. Your entry may be disqualified or visa refused if the photographs are not recent, have been manipulated in any way, or do not meet the specifications explained below. See Submitting a Digital Photograph for more information.

8. Mailing Address—In Care Of
Address Line 1
Address Line 2
City/Town
District/Country/Province/State
Postal Code/Zip Code
Country
9. Country where you live today.
10. Phone number (optional).
11. Email address—An email address to which you have direct access. If your entry is selected and you respond to the notification of your selection through the *Entrant Status Check,* you will receive follow-up email communication from the Department of State notifying you that details of your immigrant visa interview are available on *Entrant Status Check*. The Department of State will never send you an email telling you that you have been selected for the DV program. See the Frequently Asked Questions for more information about the selection process.
12. Highest level of education you have achieved, as of today: (1) Primary school only, (2) Some high school, no diploma, (3) High school diploma, (4) Vocational school, (5) Some university courses, (6) University degree, (7) Some graduate-level courses, (8) Master's degree, (9) Some doctoral—level courses, and (10) Doctorate. See the Frequently Asked Questions for more information about educational requirements.
13. Current marital status—Unmarried, married, divorced, widowed, or legally separated. Enter the name, date of birth, gender, city/town of birth, country of birth of your spouse, and a photograph of your spouse meeting the same technical specifications as your photo.

Failure to list your eligible spouse will result in disqualification of the principal applicant and refusal of all visas in the case at the time of the visa interview. You must list your spouse here even if you plan to be divorced before you apply for a visa. A spouse who is already a U.S. citizen or a Lawful Permanent Resident will not require or be issued a DV visa, though you will not be penalized if you list them on your entry form. See the Frequently Asked Questions for more information about family members.

14. Number of children—List the Name, date of birth, gender, city/town of birth, and country of birth for all living unmarried children under 21 years of age, regardless of whether or not they are living with you or intend to accompany or follow to join you should you immigrate to the United States. Submit individual photographs of each of your children using the same technical specifications as your own photograph.

Be sure to include:

- all living natural children;
- all living children legally adopted by you; and,
- all living step-children who are unmarried and under the age of 21 on the date of your electronic entry, even if you are no longer legally married to the child's parent, and even if the child does not currently reside with you and/or will not immigrate with you.

Married children and children over the age of 21 are not eligible for the DV. However, the Child Status Protection Act protects children from ''aging out'' in certain circumstances. If your DV entry is made before your unmarried child turns 21, and the child turns 21 before visa issuance, he/she may be treated as though he/she were under 21 for visa-processing purposes.

A child who is already a U.S. citizen or a Lawful Permanent Resident is not eligible for a Diversity visa, and you will not be penalized for either including or omitting such family members from your entry.

Failure to list all children who are eligible will result in disqualification of the principal applicant and refusal of all visas in the case at the time of the visa interview. See the Frequently Asked Questions for more information about family members.

See the Frequently Asked Questions for more information about Completing your Electronic Entry for the DV–2015 Program.

Selection of Applicants

Based on the allocations of available visas in each region and country, individuals will be randomly selected by computer from among qualified entries. All DV–2015 entrants will be required to go to the *Entrant Status Check* using the unique confirmation number saved from their DV–2015 online entry registration to find out whether their entry has been selected in the DV program. *Entrant Status Check* will be available on the E–DV Web site at *www.dvlottery.state.gov* starting May 1, 2014, through at least September 30, 2015.

If your entry is selected, you will be directed to a confirmation page that will provide further instructions, including information on fees connected with immigration to the United States. *Entrant Status Check* will be the only means by which selectees will be notified of their selection for DV–2015. The Department of State will not mail out notification letters or notify selectees by email. U.S. embassies and consulates will not provide a list of selectees. Individuals who have not been selected also will be notified only through *Entrant Status Check.* You are strongly encouraged to access *Entrant Status Check* yourself and not to rely on someone else to check and inform you.

If you are selected, in order to receive a DV to immigrate to the United States, you still must meet all eligibility requirements under U.S. law. These requirements may significantly increase the level of scrutiny required and time necessary for processing for natives of

some countries listed in this notice including, but not limited to, countries identified as state sponsors of terrorism.

All processing of entries and issuance of DVs to selectees meeting eligibility requirements and their eligible family members must be completed by midnight on September 30, 2015. Under no circumstances can DVs be issued or adjustments approved after this date, nor can family members obtain DVs to follow-to-join the principal applicant in the United States after this date. See the Frequently Asked Questions for more information about the selection process.

Submitting a Digital Photograph (Image)

You can take a new digital photograph or scan a photographic print with a digital scanner, as long as it meets the compositional and technical specifications listed below. Test your photos through the photo validation link on the E–DV Web site, which provides additional technical advice on photo composition and examples of acceptable and unacceptable photos.

Photographs must be in 24-bit color depth. If you are using a scanner, the settings must be for True Color or 24-bit color mode. See the additional scanning requirements below.

Compositional Specifications

▪ Head Position: The subject must directly face the camera. The subject's head should not be tilted up, down, or to the side. The head height or facial region size (measured from the top of the head, including the hair, to the bottom of the chin) must be between 50 percent and 69 percent of the image's total height. The eye height (measured from the bottom of the image to the level of the eyes) should be between 56 percent and 69 percent of the image's height.

▪ Light-colored Background: The subject should be in front of a neutral, light-colored background.

▪ Focus: The photograph must be in focus.

▪ No Decorative Items: The subject must not wear sunglasses or other items that detract from the face.

▪ No Head Coverings or Hats: Head coverings or hats worn for religious beliefs are acceptable, but the head covering may not obscure any portion of the face. Tribal or other headgear not religious in nature may not be worn. Photographs of military, airline, or other personnel wearing hats will not be accepted.

Technical Specifications

• Taking a New Digital Image. If you take a new digital image, it must meet the following specifications:

Image File Format: The miage must be in the Joint Photographic Experts Group (JPEG) format.

Image File Size: The maximum image file size is 240 kilobytes (240 KB).

Image Resolution and Dimensions: Minimum acceptable dimensions are 600 pixels (width) × 600 pixels (height). Image pixel dimensions must be in a square aspect ration (meaning the height must be equal to the width).

Image Color Depth: Image must be in color (24 bits per pixel). 24-bit black and white or 8-bit images will not be accepted.

• Scanning a Submitted Photograph. Before you scan a photographic print, make sure it meets the color and compositional specifications listed above. Scan the print using the following scanner specifications:

Scanner Resolution: Scanned at a resolution of at least 300 dots per inch (dpi).

Image File Format: The image must be in the Joint Photographic Experts Group (JPEG) format.

Image File Size: The maximum image file size is 240 kilobytes (240 KB).

Image Resolution: 600 by 600 pixels.

Image Color Depth: 24-bit color [Note that black and white, monochrome, or grayscale images will not be accepted.]

Frequently Asked Questions (FAQs)

Eligibility

1. WHAT DO THE TERMS ''NATIVE'' AND ''CHARGEABILITY'' MEAN?

''Native'' ordinarily means someone born in a particular country, regardless of the individual's current country of residence or nationality. ''Native'' can also mean someone who is entitled to be charged to a country other than the one in which he/she was born under the provisions of Section 202(b) of the Immigration and Nationality Act.

Because a numerical limitation is placed on immigrants entering from a country or geographic region, each individual is ''charged'' to a country. Your ''chargeability'' refers to the country whose limitation you count towards.

2. CAN I STILL APPLY IF I WAS NOT BORN IN A QUALIFYING COUNTRY?

There are two circumstances in which you still might be eligible to apply. First, if your derivative spouse was born in an eligible country, you may claim chargeability to that country. As your eligibility is based on your spouse, you will only be issued a DV–1 immigrant visa if your spouse is also eligible for and issued a DV–2 visa. Both of you must enter the United States together using your DVs. Similarly, your minor dependent child can be ''charged'' to a parent's country of birth.

Second, you can be ''charged'' to the country of birth of either of your parents as long as neither of your parents was born in or a resident of your country of birth at the time of your birth. People are not generally considered residents of a country in which they were not born or legally naturalized, if they were only visiting, studying in the country temporarily, or stationed temporarily for business or professional reasons on behalf of a company or government from a different country other than the one in which you were born.

If you claim alternate chargeability through either of the above, you must provide an explanation on the E–DV Entry Form, in question #6.

Listing an incorrect country of eligibility or chargeability (i.e., one to which you cannot establish a valid claim) may disqualify your entry.

3. WHY DO NATIVES OF CERTAIN COUNTRIES NOT QUALIFY FOR THE DV PROGRAM?

DVs are intended to provide an immigration opportunity for persons who are not from ''high admission'' countries. The law defines ''high admission countries'' as those from which a total of 50,000 persons in the Family-Sponsored and Employment-Based visa categories immigrated to the United States during the previous five years. Each year, U.S. Citizenship and Immigration Services (USCIS) tallies the family and employment immigrant admission and adjustment of status figures for the previous five years to identify the countries that are considered ''high admission'' and whose natives will therefore be ineligible for the annual diversity visa program. Since this calculation is made annually, the list of countries whose natives are eligible or not eligible may change from one year to the next.

4. HOW MANY DV–2015 VISAS WILL GO TO NATIVES OF EACH REGION AND ELIGIBLE COUNTRY?

United States Citizenship and Immigration Services (USCIS) determines the regional DV limits for each year according to a formula specified in Section 203(c) of the INA. USCIS will announce these numbers once these calculations are completed. The number of visas that will eventually be issued to natives of each country will depend on the regional limits established, how many entrants come from each country, and how many of the selected entrants are found eligible for the visa. No more than seven percent of

the total visas available can go to natives of any one country.

5. WHAT ARE THE REQUIREMENTS FOR EDUCATION OR WORK EXPERIENCE?

U.S. immigration law and regulations require that every DV entrant must have at least a high school education or its equivalent or have two years of work experience within the past five years in an occupation requiring at least two years of training or experience. A ''high school education or equivalent'' is defined as successful completion of a 12 year course of elementary and secondary education in the United States OR the successful completion in another country of a formal course of elementary and secondary education comparable to a high school education in the United States. Only formal courses of study meet this requirement; correspondence programs or equivalency certificates (such as the General Equivalency Diploma G.E.D.) are not acceptable. Documentary proof of education or work experience must be presented to the consular officer at the time of the visa interview.

6. WHAT OCCUPATIONS QUALIFY FOR THE DV PROGRAM?

The U.S. Department of Labor's (DOL) O*Net OnLine database (*http://online.onetcenter.org/*) will be used to determine qualifying work experience. The O*Net Online Database groups job experience into five ''job zones.'' While many occupations are listed on the DOL Web site, not all occupations qualify for the DV Program. To qualify for a DV on the basis of your work experience, you must have, within the past five years, two years of experience in an occupation that is designated as Job Zone 4 or 5, classified in a Specific Vocational Preparation (SVP) range of 7.0 or higher.

7. HOW CAN I FIND THE QUALIFYING DV OCCUPATIONS IN THE DEPARTMENT OF LABOR'S O*NET ONLINE DATABASE?

When you are in O*Net OnLine, follow these steps to find out if your occupation qualifies:

1. Under ''Find Occupations'' select ''Job Family'' from the pull down;
2. Browse by ''Job Family'', make your selection, and click ''GO'';
3. Click on the link for your specific occupation.
4. Select the tab ''Job Zone'' to find the designated Job Zone number and Specific Vocational Preparation (SVP) rating range.

As an example, select Aerospace Engineers. At the bottom of the Summary Report for Aerospace Engineers, under the Job Zone section, you will find the designated Job Zone 4, SVP Range, 7.0 to < 8.0. Using this example, Aerospace Engineering is a qualifying occupation.

For additional information, see the Diversity Visa—List of Occupations Web page (*http://travel.state.gov/visa/immigrants/types/types_1319.html*).

8. IS THERE A MINIMUM AGE TO APPLY FOR THE E DV PROGRAM?

There is no minimum age to apply, but the requirement of a high school education or work experience for each principal applicant at the time of application will effectively disqualify most persons who are under age 18.

Completing Your Electronic Entry for the DV Program

9. WHEN CAN I SUBMIT MY ENTRY?

The DV–2015 entry period will run from 12:00 p.m. (noon), Eastern Daylight Time (EDT) (GMT–4), Tuesday, October 1, 2013, until 12:00 p.m. (noon), Eastern Daylight Time (EDT) (GMT–4), Saturday, November 2, 2013. Each year, millions of people submit entries. Holding the entry period on these dates ensures that selectees are notified in a timely manner and gives both the visa applicants and our embassies and consulates time to prepare and complete cases for visa issuance.

You are strongly encouraged to enter early during the registration period. Excessive demand at end of the registration period may slow the system down. No entries will be accepted after noon EDT Saturday, November 2, 2013.

10. I AM IN THE UNITED STATES. CAN I ENTER THE DV PROGRAM?

Yes, an applicant may be in the United States or in another country, and the entry may be submitted from anywhere.

11. CAN I ONLY ENTER ONCE DURING THE REGISTRATION PERIOD?

Yes, the law allows only one entry by or for each person during each registration period. The Department of State uses sophisticated technology to detect multiple entries. If you submit more than one entry you will be disqualified.

12. MAY MY SPOUSE AND I EACH SUBMIT A SEPARATE ENTRY?

Yes, a husband and a wife may each submit one entry if each meets the eligibility requirements. If either spouse is selected, the other is entitled to apply as a derivative dependent.

13. WHAT FAMILY MEMBERS MUST I INCLUDE IN MY DV ENTRY?

Spouse: You must list your spouse (husband or wife) regardless of whether or not he/she is living with you or intends to immigrate to the United States. You must list your spouse even if you are currently separated from him/her, unless you are legally separated (i.e., there is a written agreement recognized by a court or a court order). If you are legally separated, you do not have to list your spouse, though you will not be penalized if you do so. If you are divorced or your spouse is deceased, you do not have to list your former spouse.

Children: You must list ALL your living children who are unmarried and under 21 years of age at the time of your initial E–DV entry, whether they are your natural children, your stepchildren (even if you are now divorced from that child's parent), your spouse's children, or children you have formally adopted in accordance with the laws of your country. List all children under 21 years of age at the time of your electronic entry, even if they no longer reside with you or you do not intend for them to immigrate under the DV program. You are not required to list children who are already U.S. citizens or Lawful Permanent Residents, though you will not be penalized if you do include them.

Parents and siblings of the entrant are ineligible to receive DV visas as dependents, and should not be included in your entry.

If you list family members on your entry, they are not required to apply for a visa or to immigrate or travel with you. However, if you fail to include an eligible dependent on your original entry and later list them on your visa application forms, your case will be disqualified and none of you will be eligible for a visa. This only applies to those who were family members at the time the original application was submitted, not those acquired at a later date. Your spouse, if eligible to enter, may still submit a separate entry even though he or she is listed on your entry, as long as both entries include details on all dependents in your family (see FAQ #12 above).

14. MUST I SUBMIT MY OWN ENTRY, OR CAN SOMEONE ELSE DO IT FOR ME?

You are encouraged to prepare and submit your own entry, but you may have someone submit the entry for you. Regardless of whether you submit your own entry, or an attorney, friend, relative, or someone else submits it on your behalf, only one entry may be submitted in your name. You, as the entrant, are responsible for ensuring that information in the entry is correct and complete; entries that are not correct or complete may be disqualified. Entrants should keep their own confirmation number so that they are able to independently check the status of their entry using Entrant Status Check at *www.dvlottery.state.gov.*

15. I'M ALREADY REGISTERED FOR AN IMMIGRANT VISA IN ANOTHER CATEGORY. CAN I STILL APPLY FOR THE DV PROGRAM?

Yes.

16. WHEN WILL E–DV BE AVAILABLE ONLINE?

You can enter online during the registration period beginning at 12:00 p.m. (noon) Eastern Daylight Time (EDT) (GMT–4) on Tuesday, October 1, 2013, and ending at 12:00 p.m. (noon) Eastern Daylight Time (EDT) (GMT–4) on Saturday, November 2, 2013.

17. CAN I DOWNLOAD AND SAVE THE E–DV ENTRY FORM INTO A WORD PROCESSING PROGRAM AND FINISH IT LATER?

No, you will not be able to save the form into another program for completion and submission later. The E–DV Entry Form is a Web form only. You must fill in the information and submit it while online.

18. CAN I SAVE THE FORM ONLINE AND FINISH IT LATER?

No. The E–DV Entry Form is designed to be completed and submitted at one time. You will have sixty (60) minutes starting from when you download the form to complete and submit your entry through the E–DV Web site. If you exceed the sixty minute limit and have not electronically submitted your complete entry, any information already entered is discarded. The system deletes any partial entries so that they are not accidentally identified as duplicates of a later, complete entry. Read the DV instructions completely before you start to complete the form online, so that you know exactly what information you will need.

19. I DON'T HAVE A SCANNER. CAN I SEND PHOTOGRAPHS TO SOMEONE IN THE U.S. TO SCAN THEM, SAVE THEM, AND MAIL THEM BACK TO ME SO I CAN USE THEM IN MY ENTRY?

Yes, as long as the photograph meets the requirements in the instructions and is electronically submitted with, and at the same time as, the E–DV online entry. You must already have the scanned photograph file when you submit the entry online; it cannot be submitted separately from the online application. The entire entry (photograph and application together) can be submitted electronically from the United States or from overseas.

20. ACCORDING TO THE PROCEDURES, THE SYSTEM WILL REJECT MY E–DV ENTRY FORM IF MY PHOTOS DON'T MEET THE SPECIFICATIONS. CAN I RESUBMIT MY ENTRY?

Yes. If your photo(s) did not meet the specifications, your entry will not be accepted by the E–DV Web site, so you will not receive a confirmation notice. However, given the unpredictable nature of the Internet, you may not receive the rejection notice immediately. If you can correct the photo(s) and re-send the Form Part One or Two within sixty (60) minutes, you may be able to successfully submit the entry. Otherwise, you will have to restart the entire entry process. You can try to submit an application as many times as is necessary until a complete application is received and the confirmation notice sent. Once you have received a confirmation notice, your entry is complete and you should not submit any additional entries.

21. HOW SOON AFTER I SUBMIT MY ENTRY WILL I RECEIVE THE ELECTRONIC CONFIRMATION NOTICE?

You should receive the confirmation notice immediately, including a confirmation number that you must record and keep. However, interruptions in your Internet connection can result in delays. You can hit the ''Submit'' button as many times as is necessary until a complete application is received and the confirmation notice sent. However, once you receive a confirmation notice, do not resubmit your information.

Selection

22. HOW DO I KNOW IF I AM SELECTED?

You must use your confirmation number to access the Entrant Status Check available on the E–DV Web site at *www.dvlottery.state.gov* starting May 1, 2014 through at least September 2015. Entrant Status Check is the sole means by which you will be notified if you are selected, provided further instructions on your visa application, and notified of your immigrant visa interview appointment date and time. The only authorized Department of State Web site for official online entry in the Diversity Visa Program and Entrant Status Check is *www.dvlottery.state.gov.*

The Department of State will not contact you to tell you that you have been selected (see FAQ #23).

23. HOW WILL I KNOW IF I AM NOT SELECTED? WILL I BE NOTIFIED?

You may check the status of your DV–2015 entry through the Entrant Status Check on the E–DV Web site at *www.dvlottery.state.gov* starting May 1, 2014, until September 30, 2015. Keep your confirmation number until at least September 30, 2015. (Status information for the previous year's DV program, DV–2014, is available online from May 1, 2013, through September 30, 2014.) If your entry is not selected, you will not receive any additional instructions.

24. WHAT IF I LOSE MY CONFIRMATION NUMBER?

You must have your confirmation number to access Entrant Status Check. A tool is now available in Entrant Status Check (ESC) on the eDV Web site that will allow you to retrieve your confirmation number via the email address you registered with by entering certain personal information to confirm your identity.

U.S. Embassies and Consulates and the Kentucky Consular Center are unable to check your selection status for you or provide your confirmation number to you directly (other than through the ESC retrieval tool). The Department of State is NOT able to provide a list of those selected to continue the visa process.

25. WILL I RECEIVE INFORMATION FROM THE DEPARTMENT OF STATE BY EMAIL OR BY POSTAL MAIL?

The Department of State will not send you a notification letter. The U.S. government has never sent emails to notify individuals that they have been selected, and there are no plans to use email for this purpose for the DV–2015 program. If you are a selectee, you will only receive email communications regarding your visa appointment after you have responded to the notification instructions on Entrant Status Check. These emails will not contain information on the actual appointment date and time; they will simply tell you that appointment details are available and you must then access Entrant Status Check for details.

Only Internet sites that end with the ''.gov'' domain suffix are official U.S. government Web sites. Many other Web sites (e.g., with the suffixes ''.com,'' ''.org,'' or ''.net'') provide immigration and visa-related information and services. The Department of State does not endorse, recommend, or sponsor any information or material on these other Web sites.

You may receive emails from Web sites trying to trick you into sending money or providing your personal information. You may be asked to pay for forms and information about immigration procedures, all which are available free on the Department of State Web site or through U.S. Embassy or Consulate Web sites. Additionally, organizations or Web sites may try to steal your money by charging fees for DV-related services. If you send money to one of these scams, you will likely never see it again. Also, do not send personal information to these Web sites, as it may be used for identity fraud/theft.

26. HOW MANY INDIVIDUALS WILL BE SELECTED FOR DV–2015?

For DV–2015, 50,000 DV visas are available. Because it is likely that some of the first 50,000 persons who are selected will not qualify for visas or pursue their cases to visa issuance, more than 50,000 entries will be selected to ensure that all of the available DV visas are issued. However, this also means that there may not be a sufficient number of visas for all those who are initially selected

You can check the E–DV Web site's Entrant Status Check to see if you have been selected for further processing and your place on the list. Interviews for the DV–2015 program will begin in October 2014 for selectees who have submitted all pre-interview paperwork and other information as requested in the notification instructions. Selectees who provide all required information will be informed of their visa interview appointment through the E–DV Web site's Entrant Status Check four to six weeks before the scheduled interviews with U.S. consular officers at overseas posts.

Each month, visas will be issued to those applicants who are ready for issuance during that month, visa-number availability permitting. Once all of the 50,000 DV visas have been issued, the program will end. In principle, visa numbers could be finished before September 2015. Selected applicants who wish to receive visas must be prepared to act promptly on their cases. Being randomly chosen as a selectee does not guarantee that you will receive a visa. Selection merely means that you are eligible to apply for a Diversity Visa, and if qualified, be issued a Diversity Visa. Only the first 50,000 selected applicants to qualify may be issued visas.

27. HOW WILL SUCCESSFUL ENTRANTS BE SELECTED?

Official notifications of selection will be made through Entrant Status Check, available starting May 1, 2014, through at least September 30, 2015, on the E–DV Web site *www.dvlottery.state.gov.* The Department of State does not send selectee notifications or letters by regular postal mail or by email. Any email notification or mailed letter stating that you have been selected to receive a DV does not come from the Department of State and is not legitimate. Any email communication you receive from the Department of State will direct you to review Entrant Status Check for new information about your application. The Department of State will never ask you to send money by mail or by services such as Western Union.

All entries received from each region are individually numbered, and at the end of the entry period, a computer will randomly select entries from among all the entries received for each geographic region. Within each region, the first entry randomly selected will be the first case registered; the second entry selected will be the second case registered, etc. All entries received within each region during the entry period will have an equal chance of being selected. When an entry has been selected, the entrant will be notified of his/her selection through the Entrant Status Check available starting May 1, 2014, on the E–DV Web site *www.dvlottery.state.gov.* If you are selected and you respond to the instructions provided online via Entrant Status Check, the Department of State's Kentucky Consular Center (KCC) will process the case until those selected are instructed to appear for visa interviews at a U.S. Embassy or Consulate or until those in the United States who are applying to adjust status apply at a domestic USCIS office.

28. I AM ALREADY IN THE UNITED STATES. IF SELECTED, MAY I ADJUST MY STATUS WITH USCIS?

Yes, provided you are otherwise eligible to adjust status under the terms of Section 245 of the INA, you may apply to USCIS for adjustment of status to permanent resident. You must ensure that USCIS can complete action on your case, including processing of any overseas spouse or children under 21 years of age, before September 30, 2015, since on that date your eligibility for the DV–2015 program expires. No visa numbers or adjustments of status for the DV–2015 program will be approved after midnight EDT on September 30, 2015, under any circumstances.

29. IF I AM SELECTED, FOR HOW LONG AM I ENTITLED TO APPLY FOR A DIVERSITY VISA?

If you are selected in the DV–2015 program, you are entitled to apply for visa issuance only during U.S. Government Fiscal Year 2015, which spans from October 1, 2014, through September 30, 2015.

Without exception, all selected and eligible applicants must obtain their visa or adjust status by the end of the fiscal year. There is no carry-over of DV benefits into the next year for persons who are selected but who do not obtain visas by September 30, 2015 (the end of the fiscal year). Also, spouses and children who derive status from a DV–2015 registration can only obtain visas in the DV category between October 1, 2014 and September 30, 2015. Applicants who apply overseas will receive an appointment notification from the Department through Entrant Status Check on the E–DV Web site four to six weeks before the scheduled appointment.

30. IF A DV SELECTEE DIES, WHAT HAPPENS TO THE CASE? If a DV selectee dies at any point before they have traveled to the United States, the DV case is automatically revoked. Any eligible derivative spouse and/or children of the deceased selectee will no longer be entitled to a DV visa.

Fees

31. HOW MUCH DOES IT COST TO ENTER THE E DV PROGRAM?

There is currently no fee charged for submitting an electronic entry. However, if you are selected and apply for a Diversity Visa, you must pay all required visa fees at the time of visa application and interview directly to the consular cashier at the U.S. Embassy or Consulate. If you are a selectee already in the United States and you apply to USCIS to adjust status, you will pay all required fees directly to USCIS. If you are selected, you will receive details of required DV and immigrant visa application fees with the instructions provided through the E–DV Web site at *www.dvlottery.state.gov.*

32. HOW AND WHERE DO I PAY DV AND IMMIGRANT VISA FEES IF I AM SELECTED?

If you are a randomly selected entrant, you will receive instructions for the DV visa application process through Entrant Status Check at *www.dvlottery.state.gov.* You will pay all DV and immigrant visa fees in person only at the U.S. Embassy or Consulate at the time of the visa application. The consular cashier will immediately give you a U.S. government receipt for payment. Do not send money for DV fees to anyone through the mail, Western Union, or any other delivery service if you are applying for an immigrant visa at a U.S. Embassy or Consulate.

If you are selected and you are already present in the United States and plan to file for adjustment of status with USCIS, the instructions page accessible through Entrant Status Check at *www.dvlottery.state.gov* contains separate instructions on how to mail DV fees to a U.S. bank.

33. IF I APPLY FOR A DV, BUT DON'T QUALIFY TO RECEIVE ONE, CAN I GET A REFUND OF THE VISA FEES I PAID?

No. Visa fees cannot be refunded. You must meet all qualifications for the visa as detailed in these instructions. If a consular officer determines you do not meet requirements for the visa, or you are otherwise ineligible for the DV under U.S. law, the officer cannot issue a visa and you will forfeit all fees paid.

Ineligibilities

34. AS A DV APPLICANT, CAN I RECEIVE A WAIVER OF ANY GROUNDS OF VISA INELIGIBILITY? DOES MY WAIVER APPLICATION RECEIVE ANY SPECIAL PROCESSING?

No; DV applicants are subject to all grounds of ineligibility for immigrant visas specified in the Immigration and Nationality Act (INA). There are no special provisions for the waiver of any ground of visa ineligibility aside from those ordinarily provided in the INA, nor is there special processing for waiver requests. Some general waiver provisions for people with close relatives who are U.S. Citizens or Lawful Permanent Resident aliens may be available to DV applicants in some cases, but the time constraints in the DV program may make it difficult for applicants to benefit from such provisions.

DV Fraud Warning and Scams

35. HOW CAN I REPORT INTERNET FRAUD OR UNSOLICITED EMAIL??

Please visit the *www.econsumer.gov* Web site, hosted by the Federal Trade Commission in cooperation with consumer-protection agencies from 17 nations. You may also report fraud to the Federal Bureau of Investigation (FBI) Internet Crime Complaint Center (*http://www.ic3.gov*). To file a complaint about unsolicited email, visit the Department of Justice Contact Us page (*http://www.usdoj.gov/spam.htm*).

DV Statistics

36. HOW MANY VISAS WILL BE ISSUED IN DV–2015?

By law, a maximum of 55,000 visas are available each year to eligible persons. However, in November 1997, the U.S. Congress passed the Nicaraguan Adjustment and Central American Relief Act (NACARA), which stipulates that beginning as early as DV–1999, and for as long as necessary, up to 5,000 of the 55,000 annually-allocated DVs will be made available for use under the NACARA program. The actual reduction of the limit began with DV–2000 and will remain in effect through the DV–2015 program, so 50,000 visas remain for the DV program described in these instructions.

Miscellaneous

37. IF I RECEIVE A VISA THROUGH THE DV PROGRAM, WILL THE U.S. GOVERNMENT PAY FOR MY AIRFARE TO THE UNITED STATES, HELP ME FIND HOUSING AND EMPLOYMENT, AND/OR PROVIDE HEALTHCARE OR ANY SUBSIDIES UNTIL I AM FULLY SETTLED?

No. The U.S. government will not provide any of these services to you if you receive a visa through the DV program. If you are selected to apply for a DV, you will be required to provide evidence that you will not become a public charge in the United States before being issued a visa. This evidence may be in the form of a combination of your personal assets, an Affidavit of Support (Form I–134) submitted by a relative or friend residing in the United States, an offer of employment from an employer in the United States, or other evidence.

List of Countries/Areas by Region Whose Natives Are Eligible for DV–2015

The list below shows the countries whose natives are eligible for DV–2015, grouped by geographic region. Dependent areas overseas are included within the region of the governing country. The countries whose natives are not eligible for the DV–2015 program were identified by USCIS, according to the formula in Section 203(c) of the INA. The countries whose natives are not eligible for the DV program (because they are the principal source countries of Family-Sponsored and Employment-Based immigration or ''high-admission'' countries) are noted after the respective regional lists.

Africa

Algeria
Angola
Benin
Botswana
Burkina Faso
Burundi
Cameroon
Cape Verde
Central African Republic
Chad
Comoros
Congo
Congo, Democratic Republic of the
Cote D'Ivoire (Ivory Coast)
Djibouti
Egypt*
Equatorial Guinea
Eritrea
Ethiopia
Gabon
Gambia, The
Ghana
Guinea
Guinea-Bissau
Kenya
Lesotho
Liberia
Libya
Madagascar
Malawi
Mali
Mauritania
Mauritius
Morocco
Mozambique
Namibia
Niger
Rwanda
Sao Tome and Principe
Senegal
Seychelles
Sierra Leone
Somalia
South Africa
South Sudan
Sudan
Swaziland
Tanzania
Togo
Tunisia
Uganda
Zambia
Zimbabwe

* Persons born in the areas administered prior to June 1967 by Israel, Jordan, Syria, and Egypt are chargeable, respectively, to Israel, Jordan, Syria, and Egypt. Persons born in the Gaza Strip are chargeable to Egypt; persons born in the West Bank are chargeable to Jordan; persons born in the Golan Heights are chargeable to Syria.

In Africa, natives of Nigeria are not eligible for this year's diversity program.

Asia

Afghanistan
Bahrain
Bhutan
Brunei
Burma
Cambodia
Hong Kong Special Administrative Region**
Indonesia
Iran
Iraq
Israel*
Japan
Jordan*
Kuwait
Laos
Lebanon
Malaysia
Maldives
Mongolia
Nepal
North Korea
Oman
Qatar
Saudi Arabia
Singapore
Sri Lanka
Syria*
Taiwan**
Thailand
Timor-Leste
United Arab Emirates
Yemen

*Persons born in the areas administered prior to June 1967 by

Israel, Jordan, Syria, and Egypt are chargeable, respectively, to Israel, Jordan, Syria, and Egypt. Persons born in the Gaza Strip are chargeable to Egypt; persons born in the West Bank are chargeable to Jordan; persons born in the Golan Heights are chargeable to Syria.

**Natives of the following Asia Region countries are not eligible for this year's diversity program: Bangladesh, China (mainland-born), India, Pakistan, South Korea, Philippines, and Vietnam. Hong Kong S.A.R. (Asia region), Macau S.A.R. (Europe region), and Taiwan (Asia region) do qualify and are listed here.

Europe

Albania
Andorra
Armenia
Austria
Azerbaijan
Belarus
Belgium
Bosnia and Herzegovina
Bulgaria
Croatia
Cyprus
Czech Republic
Denmark (including components and dependent areas overseas)
Estonia
Finland
France (including components and dependent areas overseas)
Georgia
Germany
Greece
Hungary
Iceland
Ireland
Italy
Kazakhstan
Kosovo
Kyrgyzstan
Latvia
Liechtenstein
Lithuania
Luxembourg
Macau Special Administrative Region**
Macedonia
Malta
Moldova
Monaco
Montenegro
Netherlands (including components and dependent areas overseas)
Northern Ireland**
Norway
Poland
Portugal (including components and dependent areas overseas)
Romania
Russia
San Marino
Serbia
Slovakia
Slovenia
Spain
Sweden
Switzerland
Tajikistan
Turkey
Turkmenistan
Ukraine
Uzbekistan
Vatican City

**Natives of the following European countries are not eligible for this year's DV program: Great Britain (United Kingdom). Great Britain (United Kingdom) includes the following dependent areas: Anguilla, Bermuda, British Virgin Islands, Cayman Islands, Falkland Islands, Gibraltar, Montserrat, Pitcairn, St. Helena, and Turks and Caicos Islands. Note that for purposes of the diversity program only, Northern Ireland is treated separately; Northern Ireland does qualify and is listed among the qualifying areas.

Macau S.A.R. does qualify and is listed above.

North America

The Bahamas

In North America, natives of Canada and Mexico are not eligible for this year's diversity program.

Oceania

Australia (including components and dependent areas overseas)
Fiji
Kiribati
Marshall Islands
Micronesia, Federated States of
Nauru
New Zealand (including components and dependent areas overseas)
Palau
Papua New Guinea
Solomon Islands
Tonga
Tuvalu
Vanuatu
Samoa

South America, Central America, and the Caribbean

Antigua and Barbuda
Argentina
Barbados
Belize
Bolivia
Chile
Costa Rica
Cuba
Dominica
Grenada
Guatemala
Guyana
Honduras
Nicaragua
Panama
Paraguay
Saint Kitts and Nevis
Saint Lucia
Saint Vincent and the Grenadines
Suriname
Trinidad and Tobago
Uruguay
Venezuela

Countries in this region whose natives are not eligible for this year's diversity program: Brazil, Colombia, Dominican Republic, Ecuador, El Salvador, Haiti, Jamaica, Mexico, and Peru.

Dated: September 10, 2013.

Janice L. Jacobs,

Assistant Secretary, Bureau of Consular Affairs, Department of State.

[FR Doc. 2013–23624 Filed 9–26–13; 8:45 am]

BILLING CODE 4710–06–P

DEPARTMENT OF STATE

[Public Notice 8487]

Culturally Significant Objects Imported for Exhibition Determinations: ''Isa Genzken: Retrospective''

SUMMARY: Notice is hereby given of the following determinations: Pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.;* 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236–3 of August 28, 2000 (and, as appropriate, Delegation of Authority No. 257 of April 15, 2003), I hereby determine that the objects to be included in the exhibition ''Isa Genzken: Retrospective,'' imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to loan agreements with foreign owners or custodians. I also determine that the exhibition or display of the exhibit objects at The Museum of Modern Art, New York, NY, from on or about November 23, 2013, until on or about March 10, 2014; the Museum of Contemporary Art, Chicago, Il, from on or about April 12, 2014, until on or about August 3, 2014; the Dallas Museum of Art, from on or about September 14, 2014, until on or about January 4, 2015, and at possible additional exhibitions or venues yet to be determined, is in the national interest. I have ordered that Public Notice of these Determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: For further information, including a list of the exhibit objects, contact Julie

Simpson, Attorney-Adviser, Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6467). The mailing address is U.S. Department of State, SA–5, L/PD, Fifth Floor (Suite 5H03), Washington, DC 20522–0505.

Dated: September 20, 2013.

Lee Satterfield,

Deputy Assistant Secretary for Professional and Cultural Exchanges, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2013–23628 Filed 9–26–13; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF STATE

[Public Notice 8484]

In the Matter of the Designation of Fahd Mohammed Ahmed al-Quso as a Specially Designated Global Terrorist Pursuant to Section 1(b) of Executive Order 13224, as Amended

In accordance with section 1(b) of Executive Order 13224 of September 23, 2001, as amended (''the Order''), I hereby determine that the individual known as Fahd Mohammed Ahmed al-Quso, also known as other aliases and transliterations, no longer meets the criteria for designation under the Order, and therefore I hereby revoke the designation of the aforementioned individual as a Specially Designated Global Terrorist pursuant to section 1(b) of the Order.

This notice shall be published in the **Federal Register**.

Dated: September 20, 2013.

John F. Kerry,

Secretary of State.

[FR Doc. 2013–23629 Filed 9–26–13; 8:45 am]

BILLING CODE 4710–10–P

DEPARTMENT OF STATE

[Public Notice 8485]

Designation of Badruddin Haqqani as a Specially Designated Global Terrorist Pursuant to Section 1(b) of Executive Order 13224, as Amended

In accordance with section 1(b) of Executive Order 13224 of September 23, 2001, as amended (''the Order''), I hereby determine that the individual known as Badruddin Haqqani, also known as other aliases and transliterations, no longer meets the criteria for designation under the Order, and therefore I hereby revoke the designation of the aforementioned individual as a Specially Designated Global Terrorist pursuant to section 1(b) of the Order.

This notice shall be published in the **Federal Register**.

Dated: September 20, 2013.

John F. Kerry,

Secretary of State.

[FR Doc. 2013–23632 Filed 9–26–13; 8:45 am]

BILLING CODE 4710–10–P

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

Transportation Infrastructure Financing and Innovation Act (TIFIA) Program; Agency Information Collection Activities and Request for Comments

AGENCY: Office of the Secretary of Transportation (OST).

SUMMARY: The Department of Transportation (DOT) invites public comments on a request to the Office of Management and Budget (OMB) to renew an Information Collection Request in accordance with the requirements of the Paperwork Reduction Act of 1995 (Pub. L. 104–13, 44 USC 3501 *et seq*).

On July 6, 2012, the President of the United States signed the Moving Ahead for Progress in the 21st Century Act of 2012 (MAP–21). MAP–21 authorized $750 million in FY 2013 and $1 billion in FY 2014 for the Transportation Infrastructure Financing and Innovation Act (TIFIA) program to pay the subsidy cost of supporting Federal credit. The TIFIA program will provide Federal credit assistance in the form of direct loans, loan guarantees, and standby lines of credit to eligible surface transportation projects. This information collection relates to the collection of information from entities interested in TIFIA credit assistance and assists DOT in evaluating projects and project sponsors for program eligibility and creditworthiness.

DATES: Written comments should be submitted by November 23, 2013.

ADDRESSES: Comments are invited on: (a) The need for the proposed collection of information for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) The accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) Ways to enhance the quality, utility, and clarity of the information to be collected; and (d) Ways to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques. You may submit comments identified by Docket No. DOT–OST–2013–0173 through one of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Fax:* 1–202–493–2251.
- *Mail or Hand Delivery:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building, Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

FOR FURTHER INFORMATION CONTACT: The TIFIA program manager via email at *TIFIACredit@dot.gov.*

SUPPLEMENTARY INFORMATION:

Title: Transportation Infrastructure Financing and Innovation Act program or TIFIA program.

OMB Control Number: 2105–0569.

Affected Public: State and local governments, transit agencies, railroad companies, special authorities, special districts, and private entities.

Estimated Total Annual Number of Responses: 50 letters of interest and 50 applications.

Estimated Total Annual Burden Hours: 6,000 hours. Based on the number and type of interested stakeholders that have contacted the Department about this program, OST estimates that it will receive 50 applications and letters of interest and that it will generally not take applicants more than 100 person-hours to assemble individual applications and 20 person-hours to assemble individual letters of interest. Therefore, the total annual hour burden of this collection of applications is 6,000 hours.

Frequency of Collection: The Department expects that this information collection will occur on a rolling basis as interested entities seek TIFIA credit assistance.

Background: This is an existing information collection that was originally approved through the emergency approval process on August 7, 2013. DOT has published a notice in the **Federal Register** (also available at: *http://www.fhwa.dot.gov/ipd/pdfs/tifia/fy2013_tifia_nofa_073112.pdf*) to give project sponsors an opportunity to submit Letters of Interest and applications for the newly authorized funding as soon as possible. However, in addition to authorizing more funding for TIFIA credit assistance, MAP–21 made some significant changes to the TIFIA program's structure, including the terms and conditions pursuant to which

DOT can provide TIFIA credit assistance. DOT is required to solicit letters of interest and applications for TIFIA credit assistance from interested applicants. DOT has developed forms that provide a way for interested applicants to submit information required by DOT in order for DOT to evaluate that interested applicant's application for TIFIA credit assistance. The forms for the letter of interest and application are available for review at *http://www.fhwa.dot.gov/ipd/tifia/guidance_applications/tifia_applications.htm.* DOT will use the collected information to evaluate and select recipients for credit assistance as authorized under MAP–21. Applicants may be asked to provide additional supporting evidence or to quantify details during the review and negotiation process on a case-by-case basis.

MAP–21 establishes a multi-step application process for TIFIA credit assistance. This process begins with the submission of a letter of interest and determination of eligibility. Only after a project sponsor has submitted a letter of interest and met all statutory eligibility requirements will the project sponsor be invited to submit an application.

The letter of interest must (i) describe the project and the location, purpose, and cost of the project, (ii) outline the proposed financial plan, including the requested credit assistance and the proposed obligor; (iii) provide a status of environmental review; and (iv) provide information regarding satisfaction of other eligibility requirements of the TIFIA credit program. Letters of Interest will be submitted using the form on the TIFIA Web site: *http://www.fhwa.dot.gov/ipd/tifia/guidance_applications/index.htm.* DOT has revised the form for the letter of interest to reflect changes made to the TIFIA program by MAP–21. The letter of interest form requires project sponsors to provide information demonstrating satisfaction (or expected satisfaction if permitted by the statute) of each of the eligibility requirements included in MAP–21. DOT estimates that the letter of interest would require approximately 20 hours in each instance to complete.

If a project sponsor is invited to submit an application, DOT estimates that each application will require approximately 100 hours to complete. DOT uses the application to seek a project sponsor's contact information for the applicant entity; project information including name, location, description, rural project description (if applicable), purpose (quantitative/qualitative details), cost and TIFIA credit assistance request, project management and compliance monitoring plan, maintenance and operations plan. DOT also expects project sponsors to submit information confirming that the project satisfies eligibility requirements including creditworthiness (rate covenant, coverage requirements, investment grade rating(s)), fosters partnerships that attract public and private investment, demonstrates that TIFIA assistance would enable the project to proceed at an earlier date or with reduced lifecycle costs and that TIFIA assistance would reduce the contribution of Federal grant assistance.

Sponsors also must report in the application the status of project environmental review (NEPA), permits and approvals, transportation planning and programming process approvals (STIP and TIP), construction contracting process readiness, and expected project schedule. Project sponsors are required to produce a financial plan including estimated capital project cost, amount and type of credit assistance requested, amount of TIFIA assistance requested, a summary table detailing sources and uses of funds, cash flow pro forma, a supplementary narrative detailing other borrowed funds and revenue sources (including pledged repayment source).

Finally, a project sponsor must indicate in the application the proposed terms for the requested TIFIA credit instrument, reasons for selecting the proposed type(s) of credit instrument, flexibility in financial plan to support a reduced percentage-share of TIFIA credit assistance, risks and mitigation strategies, details on the applicant's organizational structure, including background information and legal authority, organization and management, identity of the entity that will serve as the applicant (public-sector agency or private-sector firm),whether the applicant the same entity as the borrower (detail project team members), prior experience, financial condition, and litigation and/or conflicts.

Issued in Washington, DC, on September 23, 2013.

Sylvia I. Garcia,

Acting Chief Financial Officer and Assistant Secretary for Budget and Programs.

[FR Doc. 2013–23512 Filed 9–26–13; 8:45 am]

BILLING CODE 4910–9X–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of a Record of Decision

AGENCY: Federal Aviation Administration (FAA).

ACTION: Notice of availability of Record of Decision (ROD).

SUMMARY: The FAA is issuing this notice to advise the public that it has issued a ROD for the Final Environmental Impact Statement (Final EIS) that evaluated the effects of proposed improvements to runway safety areas at the Kodiak Airport. This ROD constitutes the final decision of the FAA regarding the proposed action and summarizes the Final EIS analyses and selected mitigation measures.

ADDRESSES: Copies of the ROD may be viewed online or during regular business hours at the following locations:

1. Online at *www.kodiakairporteis.com.*

2. Holmes Johnson Memorial Library, 319 Lower Mill Bay Road, Kodiak, AK 99615. (907) 486–8680.

3. Federal Aviation Administration, Airports Division, 222 W. 7th Avenue, Anchorage, AK 99513–7504. (907) 271–5453.

FOR FURTHER INFORMATION CONTACT: Leslie Grey, Environmental Protection Specialist, FAA, Alaskan Region, Airports Division, address 222 W. 7th Avenue Box #14, Anchorage, AK 99513. Ms. Grey may be contacted during business hours at (907) 271–5453 (telephone) and (907) 271–2851 (fax), or by email at *Leslie.Grey@faa.gov.*

SUPPLEMENTARY INFORMATION: In the ROD, the FAA selected the following alternatives for implementation:

- Runway 07/25 Alternative 2 which involves the placement of fill off Runway end 25 and installation of an EMAS bed on the newly constructed landmass.

- Runway 18/36 Alternative 7 which involves a landmass extension to the south beyond Runway end 36, shifting the runway to the south, and placing an Engineered Material Arresting System (EMAS) bed to the north beyond Runway end 18.

Authority: 42 U.S.C. 4321 et seq., 40 CFR Parts 1500–1508.

Issued in Anchorage, Alaska, on September 18, 2013.

Byron K. Huffman,

Manager, Airports Division, Alaskan Region.

[FR Doc. 2013–23518 Filed 9–26–13; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Summary Notice No. PE–2013–46]

Petition for Exemption; Summary of Petition Received

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of petition for exemption received.

SUMMARY: This notice contains a summary of a petition seeking relief from specified requirements of 14 CFR. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. 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 October 17, 2013.

ADDRESSES: You may send comments identified by Docket Number FAA–2013–0779 using any of the following methods:

- *Government-wide rulemaking Web site:* Go to *http://www.regulations.gov* and follow the instructions for sending your comments electronically.
- *Mail:* Send comments to the Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12–140, Washington, DC 20590.
- *Fax:* Fax comments to the Docket Management Facility at 202–493–2251.
- *Hand Delivery:* Bring comments to the Docket Management Facility in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Privacy: We will post all comments we receive, without change, to *http://www.regulations.gov,* including any personal information you provide. Using the search function of our docket Web site, anyone can find and read the comments received into any of our dockets, including the name of the individual sending the comment (or signing the comment for an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477–78).

Docket: To read background documents or comments received, go to *http://www.regulations.gov* at any time or to the Docket Management Facility in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Keira Jones (202) 267–4024, Office of Rulemaking, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591.

This notice is published pursuant to 14 CFR 11.85.

Lirio Liu,

Director, Office of Rulemaking.

Petition for Exemption

Docket No.: FAA–2013–0779.

Petitioner: Orbital Science Corporation.

Section of 14 CFR Affected: 14 CFR part 60.

Description of Relief Sought: Orbital Science Corporation requests relief to extend the expiration date of its current qualification for an additional 8 months in order to relocate and restore its simulator in preparation for requalification.

[FR Doc. 2013–23513 Filed 9–26–13; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Public Notice for Waiver of Aeronautical Land-Use Assurance

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of intent of waiver with respect to land; O'Hare International Airport, Chicago, Illinois.

SUMMARY: The FAA is considering a proposal to change 1.07 acres of airport land from aeronautical use to non-aeronautical use and to authorize the sale of airport property located at O'Hare International Airport, Chicago, Illinois.

The property is located at the southeast corner of Berteau Avenue and George Street in Schiller Park, Illinois, and is currently vacant. There have been no federal investments in the parcel. The parcel is not needed for aeronautical purposes due to its remote location relative to the airfield. The proposed non aeronautical use of the property (to become effective after the sale to the Village of Schiller Park) is to be incorporated into a joint storm water detention/compensatory storage facility. The City of Chicago (City) will reserve an easement in the property for compensatory storage of storm water.

DATES: Comments must be received on or before October 28, 2013.

ADDRESSES: Documents are available for review by prior appointment at the FAA Airports District Office, Richard M. Kula, Chicago Metropolitan and Gary/Chicago International Airport Program Manager, 2300 E Devon Ave., Des Plaines, IL 60018 Telephone: (847) 294–7507/Fax: (847)-294–7046 and Jonathan Leach, Chicago Department of Aviation, 10510 West Zemke Road, Chicago, IL 60666 Telephone: (773) 686–3587. Written comments on the Sponsor's request must be delivered or mailed to: Richard M. Kula, Chicago Metropolitan and Gary/Chicago International Airport Program Manager, Federal Aviation Administration, Airports District Office, 2300 E Devon Ave., Des Plaines, IL 60018, Telephone Number: (847) 294–7507/FAX Number: (847)-294–7046.

FOR FURTHER INFORMATION CONTACT: Richard M. Kula, Chicago Metropolitan and Gary/Chicago International Airport Program Manager, Federal Aviation Administration, Airports District Office, 2300 E Devon Ave., Des Plaines, IL 60018, Telephone Number: (847) 294–7507/FAX Number: (847) 294–7046.

SUPPLEMENTARY INFORMATION: In accordance with section 47107(h) of Title 49, United States Code, this notice is required to be published in the **Federal Register** 30 days before modifying the land-use assurance that requires the property to be used for an aeronautical purpose.

The property is currently vacant and was acquired in 1959 with non-federal City of Chicago funds. The proposed use is to be incorporated into a joint storm water detention/compensatory storage facility. Compensation is $255,481 for fee simple conveyance subject to reserved storm water easement. This is established by appraisals obtained by the seller and purchaser.

The disposition of proceeds from the sale of the airport property will be in accordance with FAA's Policy and Procedures Concerning the Use of Airport Revenue, published in the **Federal Register** on February 16, 1999 (64 FR 7696).

This notice announces that the FAA is considering the release of the subject airport property at the O'Hare International Airport, Chicago, Illinois from all federal land covenants. Approval does not constitute a commitment by the FAA to financially assist in the disposal of the subject airport property nor a determination of eligibility for grant-in-aid funding from the FAA.

Legal description: The South 150 feet of the North 158.98 feet (except the West 20 feet thereof) of Lot 7 in the Subdivision of the West half of the Southwest quarter of Section 16, Township 40 North, Range 12 East of the Third Principal Meridian (except that part lying Northerly of Irving Park Road) situated in Cook County, Illinois.

Issued in Chicago Airport District Office, Chicago, IL, on September 19, 2013.

James G. Keefer,

Manager, Chicago Airports District Office, FAA, Great Lakes Region.

[FR Doc. 2013–23671 Filed 9–26–13; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Notice of Final Federal Agency Actions on the Proposed U.S. 50 Study Crossing Over Sinepauxent Bay in the Town of Ocean City, Worcester County, Maryland

Correction

In notice document 2013–22541 appearing on page 58382 in the issue of Monday, September 23, 2013, make the following correction:

On page 58382 in the second column, in the eighteenth line, ''February 20, 2013'' should read ''February 20, 2014''.

[FR Doc. C1–2013–22541 Filed 9–26–13; 8:45 am]

BILLING CODE 1505–01–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA–2013–0095]

Notice of Application for Approval of Discontinuance or Modification of a Railroad Signal System

In accordance with Part 235 of Title 49 Code of Federal Regulations and 49 U.S.C. 20502(a), this document provides the public notice that by a document dated August 1, 2013, the Grenada Railway, LLC (GRYR) petitioned the Federal Railroad Administration (FRA) seeking approval for the discontinuance or modification of a signal system. FRA assigned the petition Docket Number FRA–2013–0095.

Applicant: Grenada Railway, LLC, Ms. Rhonda Nicoloff, Managing Member, 1505 South Redwood Road, Salt Lake City, UT 84104.

GRYR seeks approval of the proposed discontinuance and removal of the automatic block signal (ABS) system between Southaven, MS, Milepost (MP) 403.0, and Grenada, MS, MP 617.4.

The reasons given for the proposed changes are that GRYR only operates one train a day at any given time, under track warrant control, making the ABS system redundant as well as expensive to maintain, with replacement parts becoming hard to acquire.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at *www.regulations.gov* and in person at the U.S. Department of Transportation's (DOT) Docket Operations Facility, 1200 New Jersey Avenue SE., W12–140, Washington, DC 20590. The Docket Operations Facility is open from 9 a.m. to 5 p.m., Monday through Friday, except Federal Holidays.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted by any of the following methods:

- *Web site: http://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., W12–140, Washington, DC 20590.
- *Hand Delivery:* 1200 New Jersey Avenue SE., Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

Communications received by November 12, 2013 will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable.

Anyone is able to search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). See *http://www.regulations.gov/#!privacyNotice* for the privacy notice of regulations.gov or interested parties may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477).

Robert C. Lauby,

Deputy Associate Administrator for Regulatory and Legislative Operations.

[FR Doc. 2013–23573 Filed 9–26–13; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA–2013–0088]

Notice of Application for Approval of Railroad Safety Program Plan and Product Safety Plan

In accordance with Part 236 of Title 49 Code of Federal Regulations and 49 U.S.C. 20502(a), this document provides the public notice that by a document dated May 26, 2013, the Alabama and Tennessee River Railway (ATN) petitioned the Federal Railroad Administration (FRA) for approval of a Railroad Safety Program Plan (RSPP) and Product Safety Plan (PSP) for the Railsoft TrackAccess System. FRA assigned the petition Docket Number FRA–2013–0088.

The TrackAccess System is a processor-based dispatch system developed to be operated in autonomous mode (without dispatcher intervention) for low-density rail lines. The system provides a processor-based methodology of requesting and issuing track authority to either qualified train crewmembers or roadway workers. It does so while increasing railroad productivity and significantly improving the safety of train operations, roadway workers, and other railway equipment. FRA is providing public notice that the ATN RSPP Version 1, dated April 12, 2013, and related documents have been placed in Docket Number FRA–2013–0088 and are available for public inspection. FRA is not accepting public comment on the RSPP documents; notice regarding these documents is provided for information only.

FRA is accepting comments on the ATN PSP Version 1, dated July, 15, 2013, which is available in Docket Number FRA–2013–0088 for public inspection. The ATN asserts that the ATN RSPP Version 1, dated April 12, 2013, and the ATN PSP Version 1, dated July 15, 2013, contain the same information and analysis as the Marquette Rail RSPP Version 3.0, dated February 16, 2009, and the Marquette Rail PSP Version 4.0, dated March 15, 2012. The Marquette Rail RSPP Version 3.0 and the Marquette Rail PSP Version

4.0 were previously approved by FRA on the respective dates of May 15, 2009 (Docket FRA–2009–0017), and February 9, 2013 (Docket FRA–2011–0055).

ATN's PSP provides descriptions of the TrackAccess System itself. ATN states that in the case of Marquette Rail, FRA found that the PSP demonstrates that the TrackAccess System was designed in a highly safe manner and was sufficiently tested to verify that fact. Based on this, FRA approved the use of the Railsoft TrackAccess System in autonomous mode for the Marquette Rail. ATN asserts that since ATN's RSPP Version 1.0 and PSP Version 1.0 contain the same programmatic and technical information as the previously approved Marquette Rail RSPP Version 3.0 and the Marquette Rail PSP Version 4.0, authorizing autonomous TrackAccess operations, the ATN should also be allowed to use TrackAccess in an autonomous mode.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at *www.regulations.gov* and in person at the U.S. Department of Transportation's (DOT) Docket Operations Facility, 1200 New Jersey Avenue SE., W12–140, Washington, DC 20590. The Docket Operations Facility is open from 9 a.m. to 5 p.m., Monday through Friday, except Federal holidays.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request. All communications concerning these proceedings should identify the appropriate docket number and may be submitted by any of the following methods:

- *Web site: www.regulations.gov.* Follow the online instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., W12–140, Washington, DC 20590.
- *Hand Delivery:* 1200 New Jersey Avenue SE., Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Communications received by November 12, 2013 will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable.

Anyone is able to search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). See *http://www.regulations.gov/#!privacyNotice* for the privacy notice of regulations.gov or interested parties may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477).

Robert C. Lauby,

Deputy Associate Administrator for Regulatory and Legislative Operations.

[FR Doc. 2013–23574 Filed 9–26–13; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA–2003–15012]

Petition for Waiver of Compliance

In accordance with Part 211 of Title 49 Code of Federal Regulations (CFR), this document provides the public notice that by a document dated June 28, 2013, Canadian National Railway (CN) has petitioned the Federal Railroad Administration (FRA) for an extension of its existing waiver of compliance from certain provisions of the Federal railroad safety regulations contained at Title 49 Code of Federal Regulations (CFR) Part 241—United States Locational Requirements for Dispatching of United States Rail Operations. FRA assigned the petition Docket Number FRA–2003–15012.

In its petition, CN requests an extension of its existing waiver of compliance, pursuant to 49 CFR 241.7(c), to allow the continuation of Canadian dispatching of that part of the Sprague Subdivision located in the United States, extending between Baudette and International Boundary, MN, approximately 43.8 miles; and on those parts of the Strathroy and Flint Subdivisions located in the United States, forming a continuous line between Sarnia, ON, Canada, through the St. Clair River Tunnel, and Port Huron, MI, approximately 3.1 miles, as defined in Appendix A to Part 241. This request formalizes the request for waiver requirement contained in Part 241, specifically § 241.7(c)(3), which refers to territory that was previously grandfathered in the exceptions to extraterritorial dispatching contained in FRA's interim final rule *(see* 66 FR 63942, December 11, 2001).

In this regard, the track segments identified in the interim final rule remain the same as identified above. With respect to the Sprague Subdivision, this is part of a continuous line extending between Rainy River, ON, and Navin, MB, Canada, a distance of 145.2 miles, a portion of which cuts across a corner of the State of Minnesota, from the U.S./Canadian border near Baudette, MN (Milepost 1.1), and the U.S./Canadian border at a point identified as International Boundary, MN (Milepost 44.9), a distance of 43.8 miles. Approximately 15 trains per day are operated over this segment. Each train that traverses this territory is operated by the same crew. The entire Sprague Subdivision is single track and is operated under a centralized traffic control system, controlled from a single dispatching desk at CN's Rail Traffic Control Center in Edmonton, AB, Canada. The Strathroy and Flint Subdivisions are part of a continuous line extending between London, ON, Canada, and Port Huron, MN, a distance of 61.7 miles, a 3.1-mile portion of which is located in the United States. Approximately 26 trains per day are operated over this segment. Each train that traverses this territory is operated by the same crew. This segment consists of a single track for approximately 1.1 miles, and two main tracks for the remaining 2.0 miles, and is operated under a centralized traffic control system, controlled from a single dispatching desk at CN's Rail Traffic Control Center in Toronto, ON, Canada. Dispatching of all trackage of the Sprague Subdivision and the Strathroy and Flint Subdivisions is an entirely English operation and fully dispatched in English. Canadian Rail Operating Rules (CROR) and CN's Timetable and Special Instructions govern train operations on this trackage. CN uses English (or Imperial) units for all aspects of railroad operations, including distance, speed, and location.

The CN dispatchers are covered under their company drug and alcohol policies and their dispatching office is under 24-hour security. The Transport Canada Rail Safety Directorate has legislative safety jurisdiction over CN, in accordance with the provisions contained in Transport Canada's Railway Safety Act, over all federally regulated railways operating in Canada.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at *www.regulations.gov* and in person at the U.S. Department of Transportation's (DOT) Docket Operations Facility, 1200

New Jersey Avenue SE., W12–140, Washington, DC 20590. The Docket Operations Facility is open from 9 a.m. to 5 p.m., Monday through Friday, except Federal Holidays.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted by any of the following methods:

- *Web site: http://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., W12–140, Washington, DC 20590.
- *Hand Delivery:* 1200 New Jersey Avenue SE., Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

Communications received by November 12, 2013 will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable.

Anyone is able to search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). See *http://www.regulations.gov/#!privacyNotice* for the privacy notice of regulations.gov or interested parties may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477).

Robert C. Lauby,

Deputy Associate Administrator for Regulatory and Legislative Operations.

[FR Doc. 2013–23576 Filed 9–26–13; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA–2009–0065]

Petition for Waiver of Compliance

In accordance with Part 211 of Title 49 Code of Federal Regulations (CFR), this document provides the public notice that by a letter dated September 5, 2013, BNSF Railway Company (BNSF) and the Brotherhood of Locomotive Engineers and Trainmen (BLET) have jointly petitioned the Federal Railroad Administration (FRA) for an extension of their waiver of compliance from certain provisions of the Federal hours of service laws contained at 49 U.S.C. 21103(a)(4). FRA assigned the petition Docket Number FRA–2009–0065.

In their petition, BNSF and BLET seek relief from 49 U.S.C. 21103(a)(4), which, in part, requires a train employee to receive 48 hours off duty after initiating an on-duty period each day for 6 consecutive days. Specifically, BNSF and BLET seek an extension of the waiver to allow a train employee to initiate an on-duty period each day for 6 consecutive days followed by 24 hours off duty at the 17 locations identified in their petition. In support of the request, BNSF provided the results from an analysis of its safety data to demonstrate that there is no difference in the rate of human factors incidents between the jobs working under the waiver and similar jobs working without the waiver.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at *www.regulations.gov* and in person at the U.S. Department of Transportation's Docket Operations Facility, 1200 New Jersey Avenue SE., W12–140, Washington, DC 20590. The Docket Operations Facility is open from 9 a.m. to 5 p.m., Monday through Friday, except Federal Holidays.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted by any of the following methods:

- *Web site: http://www.regulations.gov/.* Follow the online instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., W12–140, Washington, DC 20590.
- *Hand Delivery:* 1200 New Jersey Avenue SE., Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

Communications received by November 12, 2013 will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable.

Anyone is able to search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). See *http://www.regulations.gov/#!privacyNotice* for the privacy notice of regulations.gov or interested parties may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477).

Robert C. Lauby,

Deputy Associate Administrator for Regulatory and Legislative Operations.

[FR Doc. 2013–23575 Filed 9–26–13; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF THE TREASURY

Submission for OMB Review; Comment Request

September 24, 2013.

The Department of the Treasury will submit the following information collection requests to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, Public Law 104–13, on or after the date of publication of this notice.

DATES: Comments should be received on or before October 28, 2013 to be assured of consideration.

ADDRESSES: Send comments regarding the burden estimate, or any other aspect of the information collection, including suggestion for reducing the burden, to (1) Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for Treasury, New Executive Office Building, Room 10235, Washington, DC 20503, or email at *OIRA_Submission@OMB.EOP.GOV* and (2) Treasury PRA Clearance Officer, 1750 Pennsylvania

Ave. NW., Suite 8140, Washington, DC 20220, or email at *PRA@treasury.gov.*

FOR FURTHER INFORMATION CONTACT: Copies of the submission(s) may be obtained by calling (202) 927–5331, email at *PRA@treasury.gov,* or the entire information collection request may be found at *www.reginfo.gov.*

Alcohol and Tobacco Tax and Trade Bureau (TTB)

OMB Number: 1513–0086.

Type of Review: Extension without change of a currently approved collection.

Title: Marks on Equipment and Structures (TTB REC 5130/3) and Marks and Labels on Containers of Beer (TTB REC 5130/4).

Abstract: Marks, signs, and calibrations are necessary on equipment and structures for identifying major equipment for accurate determination of tank contents, and segregation of taxpaid and nontaxpaid beer. Marks and labels on containers or beer are necessary to inform consumers of container contents, and to identify the brewer and place of production.

Affected Public: Private sector: Businesses or other for-profits.

Estimated Annual Burden Hours: 1.

OMB Number: 1513–0117.

Type of Review: Revision of a currently approved collection.

Title: Pay.gov User Agreement.

Form: TTB F 5000.31.

Abstract: The Pay.gov User Agreement will be used to identify, validate, approve, and register qualified users to allow for submission of electronic forms using the Pay.gov system.

Affected Public: Private sector: Businesses or other for-profits.

Estimated Total Burden Hours: 117.

Dawn D. Wolfgang,

Treasury PRA Clearance Officer.

[FR Doc. 2013–23553 Filed 9–26–13; 8:45 am]

BILLING CODE 4810–31–P

DEPARTMENT OF THE TREASURY

Submission for OMB Review; Comment Request

September 24, 2013.

The Department of the Treasury will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, Public Law 104–13, on or after the date of publication of this notice.

DATES: Comments should be received on or before October 28, 2013 to be assured of consideration.

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FOR FURTHER INFORMATION CONTACT: Copies of the submission(s) may be obtained by calling (202) 927–5331, email at *PRA@treasury.gov,* or the entire information collection request may be found at *www.reginfo.gov.*

Bureau of the Fiscal Service

OMB Number: 1510–0012.

Type of Review: Revision of a currently approved collection.

Title: Annual Financial Statements of Surety Companies—Schedule F.

Form: FMS 6314.

Abstract: The Schedule F provides a listing of Treasury authorized and unauthorized reinsurers for purposes of determining an amount of unauthorized ceded reinsurance that may be offset against a company's net worth in determining the company's treasury underwriting limitations. The collection is to assure that a currently certified company is solvent and able to carry out its contracts.

Affected Public: Private Sector: Businesses or other for-profits.

Estimated Annual Burden Hours: 6,724.

Dawn D. Wolfgang,

Treasury PRA Clearance Officer.

[FR Doc. 2013–23549 Filed 9–26–13; 8:45 am]

BILLING CODE 4810–35–P

DEPARTMENT OF THE TREASURY

Submission for OMB Review; Comment Request

SUMMARY: The Department of the Treasury will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, Public Law 104–13, on or after the date of publication of this notice.

DATES: Comments should be received on or before October 28, 2013 to be assured of consideration.

ADDRESSES: Send comments regarding the burden estimate, or any other aspect of the information collection, including suggestion for reducing the burden, to (1) Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for Treasury, New Executive Office Building, Room 10235, Washington, DC 20503, or email at *OIRA_Submission@OMB.EOP.GOV* and (2) Treasury PRA Clearance Officer, 1750 Pennsylvania Ave. NW., Suite 8140, Washington, DC 20220, or email at *PRA@treasury.gov.*

FOR FURTHER INFORMATION CONTACT: Copies of the submission(s) may be obtained by calling (202) 927–5331, email at *PRA@treasury.gov,* or the entire information collection request may be found at *www.reginfo.gov.*

Community Development Financial Institutions (CDFI) Fund

OMB Number: 1559–0032.

Type of Review: Extension without change of a currently approved collection.

Title: BEA Program Award Report Form.

Abstract: The BEA Program provides incentives to insured depository institutions to increase their support of CDFIs and their activities in economically distressed communities. The CDFI Fund requires BEA awards to be used for BEA Qualified Activities, as defined under the BEA Program regulations. Data is collected by the CDFI Fund from Awardees who receive awards above a certain threshold (currently $50,000) and/or made a commitment to serve Persistent Poverty Counties (PPC). Awardees are required to complete and electronically submit a Uses of BEA Program Award Report.

Affected Public: Private Sector: Businesses or other for-profits, Not-for-profit institutions.

Estimated Annual Burden Hours: 40.

Dawn D. Wolfgang,

Treasury PRA Clearance Officer.

[FR Doc. 2013–23554 Filed 9–26–13; 8:45 am]

BILLING CODE 4810–70–P

DEPARTMENT OF THE TREASURY

Submission for OMB Review; Comment Request

The Department of the Treasury will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, Public Law 104–13, on or after the date of publication of this notice.

DATES: Comments should be received on or before October 28, 2013 to be assured of consideration.

ADDRESSES: Send comments regarding the burden estimate, or any other aspect of the information collection, including suggestion for reducing the burden, to (1) Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for Treasury, New Executive Office Building, Room 10235, Washington, DC 20503, or email at *OIRA_Submission@OMB.EOP.GOV* and (2) Treasury PRA Clearance Officer, 1750 Pennsylvania Ave. NW., Suite 8140, Washington, DC 20220, or email at *PRA@treasury.gov.*

FOR FURTHER INFORMATION CONTACT: Copies of the submission(s) may be obtained by calling (202) 927–5331, email at *PRA@treasury.gov,* or the entire information collection request maybe found at *www.reginfo.gov.*

Office of Financial Stability

OMB Number: 1505–0222.

Type of Review: Extension without change of a currently approved collection.

Title: Troubled Asset Relief Program (TARP)—Capital Purchase Program (CPP) Participants Use of Funds Survey.

Abstract: Authorized under the Emergency Economic Stabilization Act (EESA) of 2008 (Pub. L. 110–343), the Department of the Treasury has implemented several aspects of the Troubled Asset Relief Program (TARP). The TARP includes several components including a voluntary Capital Purchase Program (CPP) under which the Department has purchased qualifying capital in U.S. banking organizations. The CPP is an important part of the Department's efforts to restore confidence in our financial system and ensure that credit continues to be available to consumers and businesses. As an essential part of restoring confidence, the Treasury has committed to determining the effectiveness of the CPP. Additionally, American taxpayers are particularly interested in knowing how banks have used the money that Treasury has invested through the CPP. Consequently, the Treasury is seeking responses from banking institutions that have received CPP funds regarding: how the CPP investment has affected the banks' operations, how these institutions have used CPP funds, and how their usage of CPP funds has changed over time. The information will be used to gauge how participants in the CPP are utilizing TARP capital.

Affected public: Private Sector: Businesses or other for-profits.

Estimated Annual Burden Hours: 51,200.

Dawn D. Wolfgang,

Treasury PRA Clearance Officer.

[FR Doc. 2013–23587 Filed 9–26–13; 8:45 am]

BILLING CODE 4810–25–P

DEPARTMENT OF THE TREASURY

Submission for OMB Review; Comment Request

The Department of the Treasury will submit the following information collection requests to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, Public Law 104–13, on or after the date of publication of this notice.

DATES: Comments should be received on or before October 28, 2013 to be assured of consideration.

ADDRESSES: Send comments regarding the burden estimate, or any other aspect of the information collection, including suggestion for reducing the burden, to (1) Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for Treasury, New Executive Office Building, Room 10235, Washington, DC 20503, or email at *OIRA_Submission@OMB.EOP.GOV* and (2) Treasury PRA Clearance Officer, 1750 Pennsylvania Ave. NW., Suite 8140, Washington, DC 20220, or email at *PRA@treasury.gov.*

FOR FURTHER INFORMATION CONTACT: Copies of the submission(s) may be obtained by calling (202) 927–5331, email at *PRA@treasury.gov,* or the entire information collection request maybe found at *www.reginfo.gov.*

Internal Revenue Service (IRS)

OMB Number: 1545–0004.

Type of Review: Extension without change of a currently approved collection.

Title: Determination of Worker Status for Purposes of Federal Employment Taxes and Income Tax Withholding.

Form: SS–8 & SS–8 (PR).

Abstract: Form SS–8 is used by employers and workers to furnish information to IRS in order to obtain a determination as to whether a worker is an employee for purposes of Federal employment taxes and income tax withholding. IRS uses this information to make the determination. Form SS–8(PR) is the Spanish version for use in Puerto Rico of form SS–8 Determination of Worker Status for Purposes of Federal Employment Taxes and Income Tax Withholding. IRS uses this information to make the determination.

Affected Public: Private sector: Businesses and other for-profits.

Estimated Annual Burden Hours: 143,816.

OMB Number: 1545–0008.

Type of Review: Revision of a currently approved collection.

Title: Wage and Tax Statements.

Form: W–2/W–3 Series.

Abstract: Section 6051 of the Internal Revenue Code requires employers to furnish income and withholding statements to employees and to the IRS. Employers report income and withholding information on Form W–2. Forms W–2AS, W–2GU, and W–2VI are variations of the W–2 for use in U.S. possessions. The W–3 series forms transmit W–2 series forms to SSA for processing. The W–2C and W–3C series are used to correct previously filed forms.

Affected Public: Private sector: Businesses and other for-profits.

Estimated Annual Burden Hours: 1.

OMB Number: 1545–0041.

Type of Review: Extension without change of a currently approved collection.

Title: Corporation Dissolution or Liquidation.

Form: 966.

Abstract: Form 966 is filed by a corporation whose shareholders have agreed to liquidate the corporation. As a result of the liquidation, the shareholders receive the property of the corporation in exchange for their stock. The IRS uses Form 966 to determine if the liquidation election was properly made and if any taxes are due on the transfers of property.

Affected Public: Private sector: Businesses and other for-profits.

Estimated Annual Burden Hours: 209,820.

OMB Number: 1545–0092.

Type of Review: Extension without change of a currently approved collection.

Title: U.S. Income Tax Return for Estates and Trusts.

Form: 1041 and related schedules.

Abstract: IRC section 6012 requires that an annual income tax return be filed for estates and trusts. Data is used to determine that the estates, trusts, and beneficiaries filed the proper returns and paid the correct tax. IRC section 59 requires the fiduciary to re-compute the distributable net income on a minimum tax basis.

Affected Public: Private sector: Businesses and other for-profits.

Estimated Annual Burden Hours: 375,796,476.

OMB Number: 1545–0134.
Type of Review: Extension without change of a currently approved collection.
Title: Application to Adopt, Change, or Retain a Tax Year.
Form: 1128.
Abstract: Form 1128 is needed in order to process taxpayers' request to change their tax year. All information requested is used to determine whether the application should be approved. Respondents are taxable and nontaxable entities including individuals, partnerships, corporations, estates, tax-exempt organizations and cooperatives.
Affected Public: Private sector: Businesses and other for-profits.
Estimated Annual Burden Hours: 232,066.

OMB Number: 1545–0170.
Type of Review: Extension without change of a currently approved collection.
Title: Corporation Application for Quick Refund of Overpayment of Estimated Tax.
Form: 4466.
Abstract: Form 4466 is used by a corporation to file for an adjustment (quick refund) of overpayment of estimated income tax for the tax year. This information is used to process the claim, so the refund can be issued.
Affected Public: Private sector; Businesses or other for-profits.
Estimated Annual Burden Hours: 76,433.
OMB Number: 1545–0181.
Type of Review: Extension without change of a currently approved collection.
Title: Application for Extension of Time to File a Return and/or Pay U.S. Estate (and Generation-Skipping Transfer) Taxes.
Form: 4768.
Abstract: Form 4768 is used by estates to request an extension of time to file an estate (and GST) tax return and/or to pay the estate (and GST) taxes and to explain why the extension should be granted. IRS uses the information to decide whether the extension should be granted.
Affected Public: Individuals or households.
Estimated Annual Burden Hours: 30,710.

OMB Number: 1545–0232.
Type of Review: Extension without change of a currently approved collection.
Title: Information Return of Nontaxable Energy Grants or Subsidized Energy Financing.
Form: 6497.
Abstract: Section 6050D of the Internal Revenue Code requires an information return to be made by any person who administers a Federal, state, or local program providing nontaxable grants or subsidized energy financing. Form 6497 is used for making the information return. The IRS uses the information from the form to ensure that recipients have not claimed tax credits or other benefits with respect to the grants or subsidized financing.
Affected Public: Private sector; Businesses or other for-profits.
Estimated Annual Burden Hours: 810.

OMB Number: 1545–0242.
Type of Review: Extension without change of a currently approved collection.
Title: Gas Guzzler Tax.
Form: 6197.
Abstract: Form 6197 is used to compute the gas guzzler tax on automobiles whose fuel economy does not meet certain standard for fuel economy. The tax is reported quarterly of Form 720. Form 6197 is filed each quarter with Form 720 for manufacturers. Individuals can make a one-time filing if they import a gas guzzler auto for personal use. The IRS uses the information to verify computation of the tax and compliance with the law.
Affected Public: Private sector; businesses or other for-profits.
Estimated Annual Burden Hours: 4,659.
OMB Number: 1545–0582.
Type of Review: Extension without change of a currently approved collection.
Title: Corporation Application for Tentative Refund.
Form: 1139.
Abstract: Form 1139 is filed by corporations that expect to have a net operating loss, net capital loss, or unused general business credits carried back to a prior tax year. IRS uses Form 1139 to determine if the amount of the loss or unused credits is proper.
Affected Public: Private sector; businesses or other for-profits.
Estimated Annual Burden Hours: 165,938.

OMB Number: 1545–0685.
Type of Review: Extension without change of a currently approved collection.
Title: Export Exemption Certificate.
Form: 1363.
Abstract: IRC section 4272(b)(2) excepts exported property from the excise tax on transportation of property. Regulation section 49.4271–1(d)(2) authorizes the filing of Form 1363 by the shipper to request exemption for a shipment, or a series of shipments. The form is filed with the carrier. It is used by IRS as proof of tax exempt status of each shipment.
Affected Public: Private sector; businesses or other for-profits.
Estimated Annual Burden Hours: 425,000.

OMB Number: 1545–0704.
Type of Review: Extension without change of a currently approved collection.
Title: Information Return of U.S. Persons With Respect To Certain Foreign Corporations.
Form: 5471 and related schedules.
Abstract: Form 5471 and related schedules are used by U.S. persons that have an interest in a foreign corporation. The form is used to report income from the foreign corporation. The form and schedules are used to satisfy the reporting requirements of sections 6035, 6038 and 6046 and the regulations there under pertaining to the involvement of U.S. persons with certain foreign corporations.
Affected Public: Private sector: Businesses and other for-profits.
Estimated Annual Burden Hours: 3,153,586.

OMB Number: 1545–0720.
Type of Review: Extension without change of a currently approved collection.
Title: Information Return for Tax-Exempt Private Activity Bond Issues (Form 8038), Information Return for Tax-Exempt Governmental Obligation (Form 8038–G), and Information Return for Small Tax-Exempt Governmental Bond Issues, Leases, and Installment Sales (Form 8038–GC).
Form: 8038, 8038–G, and 8038–GC.
Abstract: Issuers of state or local bonds must comply with certain information reporting requirements contained in Internal Revenue Code section 149 to qualify for tax exemption. The information must be reported by the issuers about bonds issued by them during each preceding calendar quarter. Forms 8038, 8038–G, and 8038–GC are used to provide the IRS with the information required by Code section 149 and to monitor the requirements of Code sections 141 through 150.
Affected Public: State, Local and Tribal Governments; Private sector: Businesses and other for-profits.
Estimated Annual Burden Hours: 845,394.
OMB Number: 1545–0732.
Type of Review: Extension without change of a currently approved collection.
Title: TD 8251—Credit for Increasing Research Activity (LR–236–81).
Abstract: This regulation provides rules for the credit for increasing

research activities. Internal Revenue Code section 41(f) provides that commonly controlled groups of taxpayers shall compute the credit as if they are single taxpayer. The credit allowed to a member of the group is a portion of the group's credit. Section 1.41–8(d) of the regulation permits a corporation that is a member of more than one group to designate which controlled group they will be aggregated with the purposes of Code section 41(f).

Affected Public: Private sector: Businesses and other for-profits.

Estimated Annual Burden Hours: 63.

OMB Number: 1545–0754.

Type of Review: Extension without change of a currently approved collection.

Title: LR–255–81 (Final) Substantiation of Charitable Contributions.

Abstract: Congress intended that the IRS prescribe rules and requirements to assure substantiation and verification of charitable contributions. The regulations serve these purposes.

Affected Public: Private sector: Businesses and other for-profits.

Estimated Annual Burden Hours: 2,158,000.

OMB Number: 1545–0763.

Type of Review: Extension without change of a currently approved collection.

Title: TD 8069—Qualified Conservation Contributions (LR–200–76).

Abstract: The information is necessary to comply with various substantive requirements of section 170(h), which describes situations in which a taxpayer is entitled to an income tax deduction for a charitable contribution for conservation purposes of a partial interest in real property.

Affected Public: Private sector: Businesses and other for-profits.

Estimated Annual Burden Hours: 1,250.

OMB Number: 1545–0782.

Type of Review: Extension without change of a currently approved collection.

Title: TD 6629—Limitation on Reduction in Income Tax Liability Incurred to the Virgin Islands (LR–7).

Abstract: The Tax Reform Act of 1986 repealed the mandatory reporting and recordkeeping requirements of section 934(d)(1954 Code). The prior exception to the general rule of section 934 (1954 Code) to prevent the Government of the U.S. Virgin Islands from granting tax rebates with regard to taxes attributable to income derived from sources within the U.S. was contingent upon the taxpayer's compliance with the reporting requirements of section 934(d).

Affected Public: Individuals or households.

Estimated Annual Burden Hours: 185.

OMB Number: 1545–0874.

Type of Review: Extension without change of a currently approved collection.

Title: Carryforward Election of Unused Private Activity Bond Volume Cap.

Form: 8328.

Abstract: Section 146(f) of the Internal Revenue Code requires that issuing authorities of certain types of tax-exempt bonds must notify the IRS if they intend to carry forward the unused limitation for specific projects. The IRS uses the information to complete the required study of tax-exempt bonds (required by Congress).

Affected Public: Private sector: Businesses and other for-profits.

Estimated Annual Burden Hours: 132,200.

OMB Number: 1545–0908.

Type of Review: Extension without change of a currently approved collection.

Title: Form 8282, Donee Information Return (Sale, Exchange or Other Disposition of Donated Property); Form 8283, Noncash Charitable Contributions.

Form: 8282, 8283.

Abstract: Internal Revenue Code section 170(a)(1) and regulation section 1.170A–13(c) require donors of property valued over $5,000 to file certain information with their tax return in order to receive the charitable contribution deduction. Form 8283 is used to report the required information. Code section 6050L requires donee organizations to file an information return with the IRS if they dispose of the property received within two years. Form 8282 is used for this purpose.

Affected Public: Private sector; businesses or other for-profits.

Estimated Annual Burden Hours: 7,805,692.

OMB Number: 1545–0959.

Type of Review: Extension without change of a currently approved collection.

Title: TD 8095—Estate and Gift Taxes; Qualified Disclaimers of Property (LR–213–76).

Abstract: Title 26 USC Section 2518 allows a person to disclaim an interest in property received by gift or inheritance. The interest is treated as if the dis-claimant never received or transferred such interest for Federal gift tax purposes. A qualified disclaimer must be in writing and delivered to the transferor or trustee.

Affected Public: Individuals or households.

Estimated Annual Burden Hours: 1,000.

OMB Number: 1545–0990.

Type of Review: Extension without change of a currently approved collection.

Title: Annual Low-Income Housing Credit Agencies Report; Schedule A, Carryover Allocation of Low-Income Housing Credit.

Form: 8610; Schedule A (Form 8610).

Abstract: State housing credit agencies (Agencies) are required by Code section 42(l)(3) to report annually the amount of low-income housing credits that they allocated to qualified buildings during the year. Agencies report the amount allocated to the building owners and to the IRS in Part I of Form 8609. Carryover allocations are reported to the Agencies in carryover allocation documents. The Agencies report the carryover allocations to the IRS on Schedule A (Form 8610). Form 8610 is a transmittal and reconciliation document for Forms 8609, Schedule A (Form 8610), binding agreements, and election statements.

Affected Public: State, Local, and Tribal Government.

Estimated Annual Burden Hours: 6,529.

OMB Number: 1545–1036.

Type of Review: Extension without change of a currently approved collection.

Title: Election to Have a Tax Year Other Than a Required Tax Year.

Form: 8716.

Abstract: Form 8716 is filed by partnerships, S Corporations, and personal service corporations, under section 444(a), to elect to retain or to adopt a tax year that is not a required tax year. The form provides the IRS with information to determine that the section 444(a) election is properly made and identifies the tax year to be retained, changed, or adopted.

Affected Public: Private sector; businesses or other for-profits.

Estimated Annual Burden Hours: 204,400.

OMB Number: 1545–1038.

Type of Review: Extension without change of a currently approved collection.

Title: Annual Certification of a Qualified Residential Rental Project.

Form: 8703.

Abstract: Operators of qualified residential projects will use this form to certify annually that their projects meet the requirements of IRC section 142(d). Operators are required to file this

certification under section 142(d)(7). Operators must indicate on the form the specific ''set-aside'' test the bond issuer elected under 26 U.S.C. 142(d) for the project period. They must also indicate the percentage of low-income units in the residential rental project.

Affected Public: Private sector: Businesses and other for-profits.

Estimated Annual Burden Hours: 76,620.

OMB Number: 1545–1070.

Type of Review: Extension without change of a currently approved collection.

Title: TD 8223—Temporary, Branch Tax; TD 8432—Final and Temporary, Branch Profits Tax; and TD 8657—Final and Temporary, Regulations on Effectively Connected Income and the Branch Profits Tax.

Abstract: The regulations explain how to comply with section 884, which imposes a tax on the earnings of a foreign corporation's branch that are removed from the branch and which subjects interest paid by the branch, and certain interest deducted by the foreign corporation to tax.

Affected Public: Private sector: Businesses and other for-profits.

Estimated Annual Burden Hours: 12,694.

OMB Number: 1545–1117.

Type of Review: Extension without change of a currently approved collection.

Title: Notice 89–61, Imported Substances; Rules for Filing a Petition.

Abstract: Section 4671 of the Internal Revenue Code imposes a tax on the sale or use of certain imported taxable substances by the importer. Code section 4672 provides an initial list of taxable substances and provides that importers and exporters may petition the Secretary of the Treasury to modify the list. Notice 89–61 sets forth the procedures to be followed in petitioning the Secretary.

Affected Public: Private sector: Businesses and other for-profits.

Estimated Annual Burden Hours: 100.

OMB Number: 1545–1132.

Type of Review: Extension without change of a currently approved collection.

Title: TD 8300—Registration Requirements with Respect to Certain Debt Obligations; Application of Repeal of 30 Percent Withholding by the Tax Reform Act of 1984 (INTL–536–89).

Abstract: The Internal Revenue Service needs the information in order to ensure that purchasers of bearer obligations are not U.S. persons (other than those permitted to hold obligations under section 165(j) and to ensure that U.S. persons holding bearer obligations properly report income and gain on such obligations.

Affected Public: Private sector: Businesses and other for-profits.

Estimated Annual Burden Hours: 850.

OMB Number: 1545–1212.

Type of Review: Extension without change of a currently approved collection.

Title: U.S. Estate Tax Return for Qualified Domestic Trusts.

Form: 706–QDT.

Abstract: Form 706–QDT is used by the trustee or the designated filer to compute and report the Federal estate tax imposed on qualified domestic trusts by C section 2056A. IRS uses the information to enforce this tax and to verify that the tax has been properly computed.

Affected Public: Individuals or households.

Estimated Annual Burden Hours: 357.

OMB Number: 1545–1226.

Type of Review: Extension without change of a currently approved collection.

Title: FI–59–89 (Final) Proceeds of Bonds Used for Reimbursement.

Abstract: This regulation clarifies when the allocation of bond proceeds to reimburse expenditures previously made by an issuer of the bond is treated as an expenditure of the bond proceeds. The issuer must express a reasonable official intent, on or prior to the date of payment, to reimburse the expenditure in order to assure that the reimbursement is not a device to evade requirements imposed by the Internal Revenue Code with respect to tax exempt bonds.

Affected Public: State, Local, and Tribal Governments.

Estimated Annual Burden Hours: 6,000.

OMB Number: 1545–1578.

Type of Review: Extension without change of a currently approved collection.

Title: TD 9032—Election to Treat Trust as Part of an Estate (REG–106542–98).

Abstract: TD 9032 and Rev. Proc. 98–13 relate to an election to have certain revocable trusts treated and taxed as part of an estate, and provides the procedures and requirements for making the section 645 election.

Affected Public: Individuals or households.

Estimated Annual Burden Hours: 5,000.

OMB Number: 1545–1588.

Type of Review: Extension without change of a currently approved collection.

Title: TD 8847—Adjustments Following Sales of Partnership Interests.

Abstract: Partnerships, with a section 754 election in effect, are required to adjust the basis of partnership property following certain transfers of partnership interests. The regulations require the partnership to attach a statement to its partnership return indicating the adjustment and how it was allocated among the partnership property.

Affected Public: Private sector; businesses or other for-profits.

Estimated Annual Burden Hours: 904,000.

OMB Number: 1545–1589.

Type of Review: Extension without change of a currently approved collection.

Title: Revenue Procedure 98–19, Exceptions to the notice and reporting requirements of section 6033(e)(1) and the tax imposed by section 6033(e)(2).

Abstract: Revenue Procedure 98–19 provides guidance to organizations exempt from taxation under section 501(a) of the Internal Revenue Code of 1986 on certain exceptions from the reporting and notice requirements of section 6033(e)(1) and the tax imposed by section 6033(e)(2).

Affected Public: Private sector: Not-for-profit institutions.

Estimated Annual Burden Hours: 150,000.

OMB Number: 1545–1592.

Type of Review: Extension without change of a currently approved collection.

Title: Revenue Procedure 2007–12, Certification for No Information Reporting on the Sale of a Principal Residence.

Abstract: This revenue procedure supersedes Rev. Proc. 98–20, 98–1 C.B. 549, and provides the written assurances that are acceptable to the Service for exempting a real estate reporting person from information reporting requirements for the sale of a principal residence under section 6045(e)5) of the Internal Revenue Code.

Affected Public: Individuals or households.

Estimated Annual Burden Hours: 420,500.

OMB Number: 1545–1595.

Type of Review: Extension without change of a currently approved collection.

Title: Revenue Procedure 98–25, Automatic Data Processing.

Abstract: Rev. Proc. 98–25 specifies the basic requirements that the IRS considers to be essential in cases where a taxpayer's records are maintained

within an Automatic Data Processing System (ADP). If machine-sensible records are lost, stolen, destroyed, or materially inaccurate, the Rev. Proc. requires that a taxpayer promptly notify its District Director and submit a plan to replace the affected records. The District Director will notify the taxpayer of any objection(s) to the taxpayer's plan. Also, the Rev. Proc. provides that a taxpayer who maintains machine-sensible records may request to enter into a Record Retention Limitation Agreement (RRLA) with its District Director.

Affected Public: Private sector; businesses or other for-profits.

Estimated Annual Burden Hours: 120,000.

OMB Number: 1545–1625.

Type of Review: Extension without change of a currently approved collection.

Title: TD 8943 & TD 9104—Credit for Increasing Research Activities; Revocation of Election.

Abstract: These final regulations relate to the computation of the credit under section 41(c) and the definition of qualified research under section 41(d). These regulations are intended to provide (1) guidance concerning the requirements necessary to qualify for the credit for increasing research activities, (2) guidance in computing the credit for increasing research activities, and (3) rules for electing and revoking the election of the alternative incremental credit.

Affected Public: Private sector; businesses or other for-profits.

Estimated Annual Burden Hours: 250.

OMB Number: 1545–1668.

Type of Review: Extension without change of a currently approved collection.

Title: Return of U.S. Persons With Respect to Certain Foreign Partnerships.

Form: 8865 and related schedules.

Abstract: The Taxpayer Relief Act of 1997 significantly modified the information reporting requirements with respect to foreign partnerships. The Act made the following three changes (1) expanded section 6038B to require U.S. persons transferring property to foreign partnerships in certain transactions to report those transfers; (2) expanded section 6038 to require certain U.S. Partners of controlled foreign partnerships to report information about the partnerships; and (3) modified the reporting required under section 6046A with respect to acquisitions and dispositions of foreign partnership interests.

Affected Public: Private sector; businesses or other for-profits.

Estimated Annual Burden Hours: 245,074.

OMB Number: 1545–1669.

Type of Review: Extension without change of a currently approved collection.

Title: REG–108639–99 (Final) Retirement Plans; Cash or Deferred Arrangements Under Section 401(k) and Matching Contributions or Employee Contributions Under Section 401(m); Notice 2000–3.

Abstract: The regulations provide guidance for qualified retirement plans containing cash or deferred arrangements under section 401(k) and providing matching contributions or employee contributions under section 401(m). The IRS needs this information to insure compliance with sections 401(k) and 401(m).

Affected Public: Private sector; businesses or other for-profits.

Estimated Annual Burden Hours: 26,500.

OMB Number: 1545–1708.

Type of Review: Extension without change of a currently approved collection.

Title: Publication 1345, Handbook for Authorized IRS e-file Providers.

Abstract: This publication provides important information for Authorized IRS e-file Providers of Individual Income Tax Returns, including information regarding return submission, record keeping requirements, payment options, and refunds.

Affected Public: Private sector; businesses or other for-profits.

Estimated Annual Burden Hours: 6,023,762.

OMB Number: 1545–1709.

Type of Review: Extension without change of a currently approved collection.

Title: Application for Extension of Time to File an Exempt Organization Return.

Form: 8868.

Abstract: Title 26 U.S.C. 6081 of the Internal Revenue Code grants a reasonable extension of time for filing any return. This form is used by fiduciaries and certain exempt organizations, to request an extension of time to file their returns. The information is used to determine whether the extension should be granted.

Affected Public: Private sector: Not-for-profit institutions.

Estimated Annual Burden Hours: 1,291,497.

OMB Number: 1545–1715.

Type of Review: Extension without change of a currently approved collection.

Title: Tip Rate Determination Agreement (for use by employers in the food and beverage industry).

Abstract: Information is required by the Internal Revenue Service in its tax compliance efforts to assist employers and their employees in understanding and complying with section 26 U.S.C. 6053(a), which requires employees to report all their tips monthly to their employers.

Affected Public: Private sector: Businesses and other for-profits.

Estimated Annual Burden Hours: 1,737.

OMB Number: 1545–1716.

Type of Review: Extension without change of a currently approved collection.

Title: Notice 2001–1, Employer-Designed Tip Reporting Program for the Food and Beverage Industry (EmTRAC).

Abstract: Information is required by the Internal Revenue Service in its compliance efforts to assist employers and their employees in understanding and complying with section 6053(a), which requires employees to report all their tips monthly to their employers.

Affected Public: Private sector: Businesses and other for-profits.

Estimated Annual Burden Hours: 870.

OMB Number: 1545–1729.

Type of Review: Extension without change of a currently approved collection.

Title: TD 9114 (Final) Electronic Payee Statements.

Abstract: Congress intended that the IRS prescribe rules and requirements to assure substantiation and verification of charitable contributions. The regulations serve these purposes.

Affected Public: Private sector: Businesses and other for-profits.

Estimated Annual Burden Hours: 2,844,950.

OMB Number: 1545–1730.

Type of Review: Extension without change of a currently approved collection.

Title: TD 8941—Obligations of States and Political Subdivisions.

Abstract: Section 142(f)(4) of the Internal Revenue Code of 1986 permits a person engaged in the local furnishing of electric energy or gas that uses facilities financed with exempt facility bonds under section 142(a)(8) and that expands it service area in a manner inconsistent with the requirements of sections 142(a)(8) and 142(f) to make an election to ensure that those bonds will continue to be treated as tax-exempt bonds. The final regulations (1.142(f)–1) set forth the required time and manner of making this statutory election.

Affected Public: Private sector: Businesses and other for-profits.

Estimated Annual Burden Hours: 15.

OMB Number: 1545–1733.

Type of Review: Extension without change of a currently approved collection.

Title: Carrier Summary Report.

Form: 720–CS.

Abstract: Representatives of the motor fuel industry, state governments, and the Federal government are working to ensure compliance with excise taxes on motor fuels. This joint effort has resulted in a system to track the movement of all products to and from terminals. Form 720–CS is an information return that will be used by carriers to report their monthly deliveries and receipts of products to and from terminals.

Affected Public: Private sector: Businesses and other for-profits.

Estimated Annual Burden Hours: 183,027.

OMB Number: 1545–1734.

Type of Review: Extension without change of a currently approved collection.

Title: Terminal Operator Report.

Form: 720–TO.

Abstract: Representatives of the motor fuel industry, state governments, and the Federal government are working to ensure compliance with excise taxes on motor fuels. This joint effort has resulted in a system to track the movement of all products to and from terminals. Form 720–TO is an information return that will be used by terminal operators to report their monthly receipts and disbursements of products.

Affected Public: Private sector: Businesses and other for-profits.

Estimated Annual Burden Hours: 2,347,020.

OMB Number: 1545–1735.

Type of Review: Extension without change of a currently approved collection.

Title: Revenue Procedure 2001–20, Voluntary Compliance on Alien Withholding Program (VCAP).

Abstract: The revenue procedure will improve voluntary compliance of colleges and universities in connection with their obligations to report, withhold and pay taxes due on compensation paid to foreign students and scholars (nonresident aliens). The revenue procedure provides an optional opportunity for colleges and universities which have not fully complied with their tax obligations concerning nonresident aliens to self-audit and come into compliance with applicable reporting and payment requirements.

Affected Public: Private sector; not-for-profit institutions.

Estimated Annual Burden Hours: 346,500.

OMB Number: 1545–1736.

Type of Review: Extension without change of a currently approved collection.

Title: Revenue Procedure 2001–24, Advanced Insurance Commissions.

Abstract: A taxpayer that wants to obtain automatic consent to change its method of accounting for cash advances on commissions paid to its agents must agree to the specified terms and conditions under the revenue procedure. This agreement is ratified by attaching the required statement to the federal income tax return for the year of change.

Affected Public: Private sector: Businesses and other for-profits.

Estimated Annual Burden Hours: 1,318.

OMB Number: 1545–1836.

Type of Review: Extension without change of a currently approved collection.

Title: Support Schedule for Advance Ruling Period.

Form: 8734.

Abstract: Form 8734 is used by charitable exempt organizations to furnish financial information supporting its qualification of public charity status under 26 U.S.C. 509 and that the IRS can use to classify a charity as a public charity.

Affected Public: Private sector; not-for-profit institutions.

Estimated Annual Burden Hours: 97,411.

OMB Number: 1545–1859.

Type of Review: Extension without change of a currently approved collection.

Title: Notice 2004–11, Recordkeeping Agreement Pilot Program Involving Credit for Increasing Research Activities.

Abstract: This notice announces a pilot program in which the Internal Revenue Service and large and mid-size business taxpayers may enter into research credit record keeping agreements (RCRAs). If the taxpayer complies with the terms of the RCRA, the Service will deem the taxpayer to satisfy the record keeping requirements of section 6001 for purposes of the credit for increasing research activities under section 41 of the Internal Revenue Code.

Affected Public: Private sector; businesses or other for-profits.

Estimated Annual Burden Hours: 1,170.

OMB Number: 1545–1869.

Type of Review: Extension without change of a currently approved collection.

Title: Information Return for Acquisition of Control or Substantial Change in Capital Structure.

Form: 8806.

Abstract: Form 8806 is used to report information regarding transactions involving acquisition of control or substantial change in capital structure under section 6043.

Affected Public: Private sector; businesses or other for-profits.

Estimated Annual Burden Hours: 113.

OMB Number: 1545–1872.

Type of Review: Extension without change of a currently approved collection.

Title: Request for Transcript of Tax Return.

Form: 4506–T.

Abstract: Internal Revenue Code section 7513 allows taxpayers to request a copy of a tax return or related products. Form 4506–T is used to request all products except copies of returns. The information provided will be used to search the taxpayers account and provide the requested information and to ensure that the requestor is the taxpayer or someone authorized by the taxpayer to obtain the documents requested.

Affected Public: Individuals or households.

Estimated Annual Burden Hours: 555,600.

OMB Number: 1545–1875.

Type of Review: Extension without change of a currently approved collection.

Title: Revenue Procedure 2004–12, Health Insurance Costs of Eligible Individuals.

Abstract: Revenue Procedure 2004–12 informs states how to elect a health program to be qualified health insurance for purposes of the health coverage tax credit (HCTC) under section 35 of the Internal Revenue Code. The collection of information is voluntary. However, if a state does not make an election, eligible residents of the state may be impeded in their efforts to claim the HCTC.

Affected Public: State, Local, and Tribal Governments.

Estimated Annual Burden Hours: 26.

OMB Number: 1545–1877.

Type of Review: Extension without change of a currently approved collection.

Title: Revenue Procedure 2004–18, Average Area Purchase Price Safe Harbors and Nationwide Purchase Prices under section 143.

Abstract: Revenue Procedure 2004–18 provides issuers of qualified mortgage

bonds, as defined in section 143(a) of the Internal Revenue Code, and issuers of mortgage credit certificates, as defined in section 25(c), with (1) nationwide average purchase prices for residences located in the United States, and (2) average area purchase price safe harbors for residences located in statistical areas in each state, the District of Columbia, Puerto Rico, the Northern Mariana Islands, American Samoa, the Virgin Islands, and Guam.

Affected Public: State, Local, and Tribal Governments.

Estimated Annual Burden Hours: 15.

OMB Number: 1545–1908.

Type of Review: Extension without change of a currently approved collection.

Title: TD 9495—Qualified Zone Academy Bonds: Obligations of States and Political Subdivision (REG–121475–03).

Abstract: The regulations that provide guidance to state and local governments that issue qualified zone academy bonds and to banks, insurance companies, and other taxpayers that holds those bonds on the program requirements for qualified zone academy bonds. The final regulations implement the amendments to section 1397E and provide guidance on the maximum term, permissible use of proceeds, and remedial actions for qualified zone academy bonds. *Affected Public:* State, Local, and Tribal Governments.

Estimated Annual Burden Hours: 3.

OMB Number: 1545–1979.

Type of Review: Extension without change of a currently approved collection.

Title: Energy Efficient New Home Credit.

Form: 8908.

Abstract: Eligible contractors will use Form 8908 to claim the credit for new energy efficient homes that are acquired by sale or lease by an individual from that contractor during the tax year for use as a residence.

Affected Public: Private sector: Businesses and other for-profits.

Estimated Annual Burden Hours: 512,820.

OMB Number: 1545–2040.

Type of Review: Extension without change of a currently approved collection.

Title: Revenue Procedure 2006–42—Granting Automatic Consent to Change Certain Elections Relating to the Apportionment of Interest Expense and Research and Experimental Expenditures.

Abstract: This revenue procedure sets forth the administrative procedures for taxpayers to obtain automatic approval to change certain elections relating to the apportionment of interest expense under §§ 1.861–8T(c)(2) and 1.861–9(i)(2) and research and experimental expenditures (R&E) under § 1.861–17(e). A taxpayer complying with this revenue procedure will be deemed to have obtained the approval of the Commissioner of the Internal Revenue Service to change those elections.

Affected Public: Private sector: Businesses and other for-profits.

Estimated Annual Burden Hours: 100.

OMB Number: 1545–2042.

Type of Review: Extension without change of a currently approved collection.

Title: IRS e-file Signature Authorization for Form 1065.

Form: 8879–PE.

Abstract: Form 8879–PE, IRS e-file Signature Authorization for Form 1065, was developed for modernized e-file for partnerships under Internal Revenue Code sections 6109 and 6103.

Affected Public: Private sector: Businesses and other for-profits.

Estimated Annual Burden Hours: 2,635.

OMB Number: 1545–2050.

Type of Review: Extension without change of a currently approved collection.

Title: Notice 2006–109 –Interim Guidance Regarding Supporting Organizations and Donor Advised Funds.

Abstract: Notice 2006–109 provides interim guidance regarding application of new or revised requirements under sections 1231 and 1241–1244 of the Pension Protection Act of 2006. It also provides interim relief from application of new excise taxes on private foundation grants to supporting organizations and on sponsoring organizations of donor advised funds.

Affected Public: Private sector; not-for-profit institutions.

Estimated Annual Burden Hours: 612,294.

OMB Number: 1545–2079.

Type of Review: Extension without change of a currently approved collection.

Title: TD 9334—Disclosure Requirements With Respect to Prohibited Tax Shelter Transactions.

Abstract: This document contains final regulations that provide guidance under section 4965 of the Internal Revenue Code (Code), relating to excise taxes with respect to prohibited tax shelter transactions to which tax-exempt entities are parties, and sections 6033(a)(2) and 6011(g) of the Code, relating to certain disclosure obligations with respect to such transactions.

Affected Public: Private sector: Businesses and other for-profits.

Estimated Annual Burden Hours: 98,500.

OMB Number: 1545–2160.

Type of Review: Extension without change of a currently approved collection.

Title: Information Return for Tax Credit Bonds.

Form: 8038–TC.

Abstract: Form 8038–TC will be used by issuers of qualified tax-exempt credit bonds, including tax credit bonds enacted under the American Recovery and Reinvestment Act of 2009, to capture information required by IRC section 149(e) using a schedule approach. For applicable types of bond issues, filers will use this form instead of Form 8038, Information Return for Tax-Exempt Private Activity Bond Issues.

Affected Public: State, Local, and Tribal Governments.

Estimated Annual Burden Hours: 20,294.

OMB Number: 1545–2163.

Type of Review: Extension without change of a currently approved collection.

Title: HCTC—Family Member Eligibility Form.

Form: 14116.

Abstract: This form will be used by the family members of Health Coverage Tax Credit (HCTC) eligible individuals under circumstances where the original candidate has died or become divorced from the family member. This form allows family member to begin the HCTC registration process by verifying the family member's eligibility.

Affected Public: Individuals or households.

Estimated Annual Burden Hours: 30.

OMB Number: 1545–2194.

Type of Review: Extension without change of a currently approved collection.

Title: Rev. Proc. 2011–34—Rules for Certain Rental Real Estate Activities.

Abstract: This Revenue Procedure grants relief under Section 1.469–9(g) for certain taxpayers to make late elections to treat all interests in rental real estate as a single rental real estate activity.

Affected Public: Individuals or Households.

Estimated Annual Burden Hours: 1,000.

OMB Number: 1545–2222.

Type of Review: Extension without change of a currently approved collection.

Title: VITA/TCE Volunteer Program.

Form: 8653, 8654, 13715, 13260, 14024, and 14310.

Abstract: The Internal Revenue Service offers free assistance with tax return preparation and tax counseling using specially trained volunteers. The Volunteer Income Tax Assistance (VITA) and Tax Counseling for the Elderly (TCE) programs assist seniors and individuals with low to moderate incomes, those with disabilities, and those for whom English is a second language.

Affected Public: Individuals or households.

Estimated Annual Burden Hours: 16,097.

OMB Number: 1545–2241.

Type of Review: Extension without change of a currently approved collection.

Title: Offshore Voluntary Disclosure Program (OVDP).

Abstract: The information provided on the submission form will be used to assist in timely determination of acceptance into the Voluntary Disclosure Program. Taxpayers with undisclosed foreign accounts or entities should make a voluntary disclosure because it enables them to become compliant, avoid substantial civil penalties and generally eliminate the risk of criminal prosecution, including penalty sections 6651, 6035, 6038, 6046, 6048, and 6662.

Affected Public: Individuals or households.

Estimated Annual Burden Hours: 456,000.

Dawn D. Wolfgang,

Treasury PRA Clearance Officer.

[FR Doc. 2013–23583 Filed 9–26–13; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Alcohol and Tobacco Tax and Trade Bureau

Proposed Information Collections; Comment Request

AGENCY: Alcohol and Tobacco Tax and Trade Bureau; Treasury.

ACTION: Notice and request for comments.

SUMMARY: As part of our continuing effort to reduce paperwork and respondent burden, and as required by the Paperwork Reduction Act of 1995, we invite comments on the proposed or continuing information collections listed below in this notice.

DATES: We must receive your written comments on or before November 26, 2013.

ADDRESSES: You may send comments to Rita D. Butler, Alcohol and Tobacco Tax and Trade Bureau, at any of these addresses:

- *U.S. mail:* 1310 G Street NW., Box 12, Washington, DC 20005;
- *Hand delivery/courier in lieu of mail:* 1310 G Street NW., Suite 200E, Washington, DC 20005;
- 202–453–2794 (facsimile); or
- *formcomments@ttb.gov* (email).

Please send separate comments for each specific information collection listed below. You must reference the information collection's title, form or recordkeeping requirement number, and OMB number (if any) in your comment. If you submit your comment via facsimile, please send no more than five 8.5 x 11 inch pages in order to ensure that our equipment is not overburdened.

FOR FURTHER INFORMATION CONTACT: To obtain additional information, copies of the information collection and its instructions, or copies of any comments received, contact Rita D. Butler, Alcohol and Tobacco Tax and Trade Bureau, 1310 G Street, NW., Box 12, Washington, DC 20005; or telephone 202–453–1039, ext. 101.

SUPPLEMENTARY INFORMATION:

Request for Comments

The Department of the Treasury and its Alcohol and Tobacco Tax and Trade Bureau (TTB), as part of their continuing effort to reduce paperwork and respondent burden, invite the general public and other Federal agencies to comment on the proposed or continuing information collections listed below in this notice, as required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Comments submitted in response to this notice will be included or summarized in our request for Office of Management and Budget (OMB) approval of the relevant information collection. All comments are part of the public record and subject to disclosure. Please do not include any confidential or inappropriate material in your comments.

We invite comments on: (a) Whether this information collection is necessary for the proper performance of the agency's functions, including whether the information has practical utility; (b) the accuracy of the agency's estimate of the information collection's burden; (c) ways to enhance the quality, utility, and clarity of the information collected; (d) ways to minimize the information collection's burden on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide the requested information.

Information Collections Open for Comment

Currently, we are seeking comments on the following TTB forms and recordkeeping requirements:

Title: Signing Authority for Corporate Officials.

OMB Control Number: 1513–0036.

TTB Form Number: 5100.1.

Abstract: TTB F 5100.1 is used to document the authority of an individual or office to sign for the corporation in TTB matters. The form identifies the corporation/LLC and the individual or office authorized to sign, and documents the authorization.

Current Actions: We are submitting this information collection as a revision. The estimated number of respondents and the estimated total annual burden hours have increased due to an increase in the number of industry members submitting this form.

Type of Review: Revision of a currently approved collection.

Affected Public: Business or other for-profit.

Estimated Number of Respondents: 4,200.

Estimated Total Annual Burden Hours: 910.

Title: Monthly Report of Processing Operations.

OMB Control Number: 1513–0041.

TTB Form Number: 5110.28.

TTB Recordkeeping Number: 5110/03.

Abstract: The information collected accounts for and verifies the processing of distilled spirits in bond. It is used to monitor proprietor activities, in auditing plant operations, and for compiling statistics.

Current Actions: We are submitting this information collection as a revision. Changes to the supporting statement reflect changes to regulatory section numbers contained in the final rule that revised 27 CFR Part 19, Distilled Spirits Plants (see T.D. TTB–92, February 16, 2011, 76 FR 9080). The estimated total annual burden hours have increased as a result of an increase in the number of industry members submitting this form.

Type of Review: Revision of a currently approved collection.

Affected Public: Business or other for-profit.

Estimated Number of Respondents: 935.

Estimated Total Annual Burden Hours: 22,440.

Title: Application for Registration for Tax-Free Transactions Under 26 U.S.C. 4221.

OMB Control Number: 1513–0095.

TTB Form Number: 5300.28.

Abstract: Businesses and State and local governments apply for registration to sell or purchase firearms or ammunition tax-free on this form. TTB uses this form to determine if a transaction is qualified for tax-free status.

Current Actions: We are submitting this information collection request as a revision. The estimated total annual burden hours have decreased as a result of a decrease in the number of industry members submitting this form.

Type of Review: Revision of a currently approved collection.

Affected Public: Business or other for-profit; State, local, and Tribal Government.

Estimated Number of Responses: 60.

Estimated Total Annual Burden Hours: 150.

Dated: September 24, 2013.

Rochelle E. Stern,

Director, Regulations and Rulings Division.

[FR Doc. 2013–23644 Filed 9–26–13; 8:45 am]

BILLING CODE 4810–31–P

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

[Case ID NPW–3360]

Actions Taken Pursuant to Executive Order 13382

AGENCY: Office of Foreign Assets Control, Treasury Department.

ACTION: Notice.

SUMMARY: The Treasury Department's Office of Foreign Assets Control (''OFAC'') is publishing on OFAC's list of Specially Designated Nationals and Blocked Persons (''SDN List'') one new alias in connection to Tidewater Middle East Company, whose property and interests in property are blocked pursuant to Executive Order 13382 of June 28, 2005, ''Blocking Property of Weapons of Mass Destruction Proliferators and Their Supporters.'' The update by the Director of OFAC, pursuant to Executive Order 13382, was effective on September 19, 2013.

DATES: The update by the Director of OFAC, pursuant to Executive Order 13382, was effective on September 19, 2013.

FOR FURTHER INFORMATION CONTACT: Assistant Director, Sanctions Compliance & Evaluation, Office of Foreign Assets Control, Department of the Treasury, Washington, DC 20220, Tel.: 202/622–2490.

SUPPLEMENTARY INFORMATION:

Electronic and Facsimile Availability

This document and additional information concerning OFAC are available from OFAC's Web site (*www.treasury.gov/ofac*) or via facsimile through a 24-hour fax-on-demand service, Tel.: 202/622–0077.

Background

On June 28, 2005, the President, invoking the authority, *inter alia,* of the International Emergency Economic Powers Act (50 U.S.C. 1701–1706) (''IEEPA''), issued Executive Order 13382 (70 FR 38567, July 1, 2005) (the ''Order''), effective at 12:01 a.m. eastern daylight time on June 29, 2005. In the Order, the President took additional steps with respect to the national emergency described and declared in Executive Order 12938 of November 14, 1994, regarding the proliferation of weapons of mass destruction and the means of delivering them.

Section 1 of the Order blocks, with certain exceptions, all property and interests in property that are in the United States, or that hereafter come within the United States or that are or hereafter come within the possession or control of United States persons, of: (1) The persons listed in the Annex to the Order; (2) any foreign person determined by the Secretary of State, in consultation with the Secretary of the Treasury, the Attorney General, and other relevant agencies, to have engaged, or attempted to engage, in activities or transactions that have materially contributed to, or pose a risk of materially contributing to, the proliferation of weapons of mass destruction or their means of delivery (including missiles capable of delivering such weapons), including any efforts to manufacture, acquire, possess, develop, transport, transfer or use such items, by any person or foreign country of proliferation concern; (3) any person determined by the Secretary of the Treasury, in consultation with the Secretary of State, the Attorney General, and other relevant agencies, to have provided, or attempted to provide, financial, material, technological or other support for, or goods or services in support of, any activity or transaction described in clause (2) above or any person whose property and interests in property are blocked pursuant to the Order; and (4) any person determined by the Secretary of the Treasury, in consultation with the Secretary of State, the Attorney General, and other relevant agencies, to be owned or controlled by, or acting or purporting to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to the Order.

On September 19, 2013, the Director of OFAC, in consultation with the Departments of State, Justice, and other relevant agencies, updated the SDN listing of one entity whose property and interests in property are blocked pursuant to Executive Order 13382.

The listing of an additional alias for Tidewater Middle East Company is as follows:

1. Faraz Royal Qeshm LLC [NPWMD] [IRGC].

Dated: September 19, 2013.

John Smith,

Acting Director, Office of Foreign Assets Control.

[FR Doc. 2013–23441 Filed 9–26–13; 8:45 am]

BILLING CODE P

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

Additional Designations, Foreign Narcotics Kingpin Designation Act

AGENCY: Office of Foreign Assets Control, Treasury.

ACTION: Notice.

SUMMARY: The U.S. Department of the Treasury 's Office of Foreign Assets Control (''OFAC'') is publishing the names of seven individuals and five entities whose property and interests in property have been blocked pursuant to the Foreign Narcotics Kingpin Designation Act (''Kingpin Act'').

DATES: The designation by the Director of OFAC of the seven individuals and five entities identified in this notice pursuant to section 805(b) of the Kingpin Act is effective on September 19, 2013.

FOR FURTHER INFORMATION CONTACT: Assistant Director, Sanctions Compliance & Evaluation, Office of Foreign Assets Control, U.S. Department of the Treasury, Washington, DC 20220, Tel: (202) 622–2490.

SUPPLEMENTARY INFORMATION:

Electronic and Facsimile Availability

This document and additional information concerning OFAC are available on OFAC's Web site at *http://www.treasury.gov/ofac* or via facsimile through a 24-hour fax-on-demand service at (202) 622–0077.

Background

The Kingpin Act (21 U.S.C. 1901–1908, 8 U.S.C. 1182) became law on December 3, 1999. The Kingpin Act establishes a program targeting the activities of significant foreign narcotics

traffickers and their organizations on a worldwide basis. It provides a statutory framework for the imposition of sanctions against significant foreign narcotics traffickers and their organizations on a worldwide basis, with the objective of denying their businesses and agents access to the U.S. financial system and the benefits of trade and transactions involving U.S. companies and individuals.

The Kingpin Act blocks all property and interests in property, subject to U.S. jurisdiction, owned or controlled by significant foreign narcotics traffickers as identified by the President. In addition, the Secretary of the Treasury, in consultation with the Attorney General, the Director of the Central Intelligence Agency, the Director of the Federal Bureau of Investigation, the Administrator of the Drug Enforcement Administration, the Secretary of Defense, the Secretary of State, and the Secretary of Homeland Security may designate and block the property and interests in property, subject to U.S. jurisdiction, of persons who are found to be: (1) Materially assisting in, or providing financial or technological support for or to, or providing goods or services in support of, the international narcotics trafficking activities of a person designated pursuant to the Kingpin Act; (2) owned, controlled, or directed by, or acting for or on behalf of, a person designated pursuant to the Kingpin Act; or (3) playing a significant role in international narcotics trafficking.

On September 19, 2013, the Director of OFAC designated the following seven individuals and five entities whose property and interests in property are blocked pursuant to section 805(b) of the Kingpin Act.

Individuals

1. LIRA JIRON, Bismarck Antonio (a.k.a. JIRON LIRA, Bismarck Antonio), Residencial Altos de Santo Domingo, Las Cuatro Esquinas, Managua, Nicaragua; 1 Cine Leon, 3 Cuadras al Norte 1/2 Cuadra al Oeste, Monsenor Lezcano, Managua, Nicaragua; Achuapa, Leon, Nicaragua; Petronic El Carmen, 7 C al Oeste y 2 1/2 C al Sur, Barrio Williams Fonseca, Esteli, Nicaragua; DOB 27 Apr 1973; POB Esteli, Nicaragua; Cedula No. 288–270473–0002Y (Nicaragua) (individual) [SDNTK].
2. MARADIAGA LOPEZ, Esperanza Caridad, San Pedro Sula, Cortes, Honduras; DOB 30 Sep 1950; POB San Esteban, Olancho, Honduras; Numero de Identidad 1517–1950–00095 (Honduras) (individual) [SDNTK].
3. RIVERA CARDONA, Santos Isidro, Tocoa, Colon, Honduras; DOB 15 May 1949; POB Tocoa, Colon, Honduras; Numero de Identidad 0209–1949–00019 (Honduras) (individual) [SDNTK].
4. RIVERA MARADIAGA, Javier Eriberto (a.k.a. ''CACHIRO, Javier''; a.k.a. ''EL CACHIRO''; a.k.a. ''RIVERA, Javier''), Barrio La Ceiba, Calle Principal, Casa 234, Tocoa, Colon, Honduras; DOB 20 Apr 1972; POB Tocoa, Colon, Honduras; Numero de Identidad 0209–1972–00282 (Honduras) (individual) [SDNTK].
5. RIVERA MARADIAGA, Devis Leonel (a.k.a. ''CACHIRO, Lionel''; a.k.a. ''EL CACHIRO''; a.k.a. ''RIVERA, Leonel''), Barrio La Ceiba, Calle Principal, Tocoa, Colon, Honduras; DOB 28 Mar 1977; POB Tocoa, Colon, Honduras; Numero de Identidad 0209–1977–00375 (Honduras) (individual) [SDNTK].
6. RIVERA MARADIAGA, Santos Isidro (a.k.a. RIVERA MARADIAGA, Isidro; a.k.a. ''CACHIROS''), Barrio Municipal, Colonia El Country, Bloque 1, Casa N–6, San Pedro Sula, Cortes, Honduras; San Manuel, Cortes, Honduras; DOB 05 Jun 1985; POB Tocoa, Colon, Honduras; Numero de Identidad 0209–1985–02347 (Honduras) (individual) [SDNTK].
7. RIVERA MARADIAGA, Maira Lizeth (a.k.a. RIVERA, Mayra), Tocoa, Colon, Honduras; DOB 17 Dec 1975; alt. DOB 17 Dec 1976; POB Tocoa, Colon, Honduras; Numero de Identidad 0209–1976–00026 (Honduras) (individual) [SDNTK].

Entities

8. GANADEROS AGRICULTORES DEL NORTE, S. DE R.L. DE C.V. (a.k.a. ''GAN''), Bo Las Flores, Frente al Salon Latino, No. 15, Tocoa, Colon, Honduras; 6 St 11 Ave, Morazan Boulevard, San Pedro Sula, Cortes, Honduras; Montanuela, Choloma, Cortes, Honduras; 6 Calle, El Barrio Morazan, San Pedro Sula, Cortes, Honduras; RTN 05019005483678 (Honduras) [SDNTK].
9. INMOBILIARIA RIVERA MARADIAGA, S.A. DE C.V. (a.k.a. INRIMAR), Florencia Norte, Plaza America, Av Roble 201, Distrito Central, Francisco Morazan, Honduras; Barrio Los Laureles, Carretera Panamericana Norte contiguo a DIPPSA, Tocoa, Colon, Honduras; Barrio El Centro, Tocoa, Colon, Honduras; RTN 08019009234360 (Honduras) [SDNTK].
10. INVERSIONES TURISTICAS JOYA GRANDE, S.A. DE C.V. (a.k.a. JOYA GRANDE; a.k.a. JOYA GRANDE ZOOLOGICO Y ECOPARQUE; a.k.a. ZOO JOYA GRANDE; a.k.a. ZOOLOGICO JOYA GRANDE; a.k.a. ZOOLOGICO Y ECO–PARQUE JOYA GRANDE), Colonia Moderna, San Pedro Sula, Cortes, Honduras; Km. 9 despues de Santa Cruz de Yojoa, San Pedro Sula, Cortes, Honduras; RTN 08019011356332 (Honduras) [SDNTK].
11. MINERA MI ESPERANZA, S.A., Honduras; Col. Las Hadas, Cont. a Aldeas S.O.S., No. 7501, Distrito Central, Francisco Morazan, Honduras; RTN 08019011419066 (Honduras) [SDNTK].
12. PALMA DEL BAJO AGUAN, S.A. (a.k.a. PALBASA; a.k.a. PALMAS DEL BAJO AGUAN; a.k.a. ''PALMEROS DEL BAJO AGUAN''), Tocoa, Colon, Honduras; El Centro Principal, 1 Ave 2 Cll, No. 13, Tocoa, Colon, Honduras; Chacalpa, Bajo Aguan, Colon, Honduras; RTN 05019007109210 (Honduras) [SDNTK].

Dated: September 19, 2013.

John E. Smith,

Acting Director, Office of Foreign Assets Control.

[FR Doc. 2013–23591 Filed 9–26–13; 8:45 am]

BILLING CODE 4810–AL–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Proposed Information Collection; Comment Request

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice and request for comments.

SUMMARY: The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104–13 (44 U.S.C. 3506(c)(2)(A)).

DATES: Written comments should be received on or before November 26, 2013 to be assured of consideration.

ADDRESSES: Direct all written comments to Yvette B. Lawrence, Internal Revenue Service, Room 6129, 1111 Constitution Avenue NW., Washington, DC 20224.

Please send separate comments for each specific information collection listed below. You must reference the information collection's title, form number, reporting or record-keeping requirement number, and OMB number (if any) in your comment.

FOR FURTHER INFORMATION CONTACT: To obtain additional information, or copies of the information collection and instructions, or copies of any comments received, contact Elaine Christophe, at (202) 622–3179, or at Internal Revenue Service, Room 6129, 1111 Constitution Avenue NW., Washington, DC 20224, or through the Internet, at *Elaine.H.Christophe@irs.gov.*

SUPPLEMENTARY INFORMATION:

Request for Comments

The Department of the Treasury and the Internal Revenue Service, as part of their continuing effort to reduce paperwork and respondent burden, invite the general public and other Federal agencies to take this opportunity to comment on the proposed or continuing information collections listed below in this notice, as required by the Paperwork Reduction Act of 1995, (44 U.S.C. 3501 *et seq.*).

Request for Comments: Comments submitted in response to this notice will be summarized and/or included in our request for Office of Management and Budget (OMB) approval of the relevant information collection. All comments will become a matter of public record. Please do not include any confidential or inappropriate material in your comments.

We invite comments on: (a) Whether the collection of information is necessary for the proper performance of the agency's functions, including whether the information has practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide the requested information.

Currently, the IRS is seeking comments concerning the following forms, and reporting and recordkeeping requirements:

Title: Summary of Archer MSAs.

OMB Number: 1545–1743.

Form Number: 8851.

Abstract: Internal Revenue Code section 220(j)(4) requires trustees, who establish medical savings accounts, to report the following: (a) Number of medical savings accounts established before July 1 of the taxable year (beginning January 1, 2001), (b) name and taxpayer identification number of each account holder and, (c) number of accounts which are accounts of previously uninsured individuals. Form 8851 is used for this purpose.

Current Actions: There are no changes being made to the form at this time.

Type of Review: Extension of a currently approved collection.

Affected Public: Business or other for-profit organizations.

Estimated Number of Respondents: 200,000.

Estimated Time per Respondent: 7 hours, 42 minutes.

Estimated Total Annual Burden Hours: 1,540,000.

Title: Affordable Care Act Internal Claims and Appeals and External review Disclosures.

OMB Number: 1545–2182.

Regulation Project Number: REG–125592–10 [RIN 1545–BJ63].

Abstract: Section 2719 of the Public Health Service Act, incorporated into Code section 9815 by section 1563(f) of the Patient Protection and Affordable Care Act, Public Law 111–148, requires group health plans and issuers of group health insurance coverage, in connection with internal appeals of claims denials, to provide claimants free of charge with any evidence relied upon in deciding the appeal that was not relied on in making the initial denial of the claim. This is a third party disclosure requirement. Individuals appealing a denial of a claim should be able to respond to any new evidence the plan or issuer relies on in the appeal, and this disclosure requirement is essential so that the claimant knows of the new evidence.

Current Actions: There is no change to this existing regulation.

Type of Review: Extension of a currently approved collection.

Affected Public: Business or other for-profit organizations.

Estimated Number of Respondents: 62,000.

Estimated Total Annual Burden Hours: 150 Hours.

The following paragraph applies to all of the collections of information covered by this notice:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

Approved: September 19, 2013.

Yvette B. Lawrence,

IRS Reports Clearance Officer.

[FR Doc. 2013–23562 Filed 9–26–13; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[CO–88–90]

Proposed Collection; Comment Request for Regulation Project

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice and request for comments.

SUMMARY: The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104–13(44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning an existing final regulation, CO–88–90 (TD 8530), Limitation on Net Operating Loss Carryforwards and Certain Built-In Losses Following Ownership Change; Special Rule for Value of a Loss Corporation Under the Jurisdiction of a Court in a Title 11 Case (Section 1.382–9).

DATES: Written comments should be received on or before November 26, 2013 to be assured of consideration.

ADDRESSES: Direct all written comments to Yvette Lawrence, Internal Revenue Service, room 6129, 1111 Constitution Avenue NW., Washington, DC 20224.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the regulations should be directed to Sara Covington at Internal Revenue Service, Room 6129, 1111 Constitution Avenue NW., Washington, DC 20224, or through the Internet at *Sara.L.Covington@irs.gov.*

SUPPLEMENTARY INFORMATION:

Title: Limitation on Net Operating Loss Carryforwards and Certain Built-In Losses Following Ownership Change; Special Rule for Value of a Loss Corporation Under the Jurisdiction of a Court in a Title 11 Case.

OMB Number: 1545–1324.

Regulation Project Number: CO–88–90 (TD 8530).

Abstract: This regulation provides guidance on determining the value of a loss corporation following an ownership change to which section 382(1)(6) of the Internal Revenue Code applies. Under Code sections 382 and 383, the value of the loss corporation, together with certain other factors, determines the rate at which certain pre-change tax attributes may be used to offset post-change income and tax liability.

Current Actions: There is no change to this existing regulation.

Type of Review: Extension of a currently approved collection.

Affected Public: Business or other for-profit organizations.

Estimated Number of Respondents: 3,250.

Estimated Time per Respondent: 15 minuites.

Estimated Total Annual Burden Hours: 813.

The following paragraph applies to all of the collections of information covered by this notice:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

Request for Comments: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Approved: September 11, 2013.

Allan Hopkins,

IRS Tax Analyst.

[FR Doc. 2013–23557 Filed 9–26–13; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0782]

Agency Information Collection (Veterans Benefits Administration (VBA) Voice of the Veteran (VOV) Line of Business Tracking Study); Activity Under OMB Review

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–21), this notice announces that the Veterans Benefits Administration (VBA), Department of Veterans Affairs, will submit the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden and it includes the actual data collection instrument.

DATES: Comments must be submitted on or before October 28, 2013.

ADDRESSES: Submit written comments on the collection of information through *www.Regulations.gov,* or to Office of Information and Regulatory Affairs, Office of Management and Budget, Attn: VA Desk Officer; 725 17th St. NW., Washington, DC 20503 or sent through electronic mail to *oira_submission@omb.eop.gov.* Please refer to ''OMB Control No. 2900–0782'' in any correspondence.

For Further Information or a Copy of the Submission Contact: Crystal Rennie, Enterprise Records Service (005R1B), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420, (202) 632–7492 or email: *crystal.rennie@va.gov.* Please refer to ''OMB Control No. 2900–0782.''

SUPPLEMENTARY INFORMATION:

Title: Veterans Benefits Administration (VBA) Voice of the Veteran (VOV) Line of Business Tracking Study.

a. Compensation and Pension (C&P) Service Surveys

J.D. Power will be fielding three survey instruments for the Compensation and Pension (C&P) Service line of business. Based on the numerous interviews conducted, JDPA has separated the Veterans experience with C&P into two categories—Enrollment in a Benefit and Servicing of a Benefit. There will be one survey instrument for the Enrollment category that will be used for both compensation and pension claimants; compensation beneficiaries and pension beneficiaries will receive separate Servicing instruments. The Enrollment questionnaire will include factors relating to benefit eligibility and the application process, benefit entitlement, benefit information, and VA personnel. The Servicing questionnaires will include the same factors as Enrollment, with the exception of benefit eligibility and the application process factor. The results of the continuous measurement will be used to track and measure beneficiary satisfaction and to provide insights that will enable VA/VBA leadership to identify opportunities for improvement and measure the impact of improvement initiatives.

The survey pool for the C&P Enrollment questionnaire will include individuals who have received a decision on a compensation or pension benefit claim within 30 days prior to the fielding period. The sample will be stratified as follows: (1) Type of benefit (i.e., Compensation, Pension) (2) claimants who were found eligible (3) claimants who were found ineligible and are not appealing their claim. The survey pool for the Compensation servicing questionnaire will include individuals who received a decision and have been receiving compensation benefits. The survey pool for the Pension servicing questionnaire will include individuals who have been receiving pension benefits for at least 6 months prior to the field period.

b. Education (EDU) Service Surveys

J.D. Power will be fielding two survey instruments for the Education (EDU) Service line of business. Based on the numerous interviews conducted, JDPA has separated the Veterans experience with Education into two categories—Enrollment in a Benefit and Servicing of a Benefit. There will be one survey instrument for the Enrollment category and one survey instrument for the Servicing category. The Enrollment questionnaire will include factors relating to benefit eligibility and the application process, benefit entitlement, benefit information, and VA personnel. The Servicing questionnaire will include the same factors as Enrollment, with the exception of benefit eligibility and the application process factor. The results will be used to track and

measure beneficiary satisfaction and to provide insights that will enable VA/VBA leadership to identify opportunities for improvement and measure the impact of improvement initiatives.

The survey pool for the Education Enrollment questionnaire will include individuals who have received a decision on their education benefit application within 90 days (i.e., the original end-product has been cleared within the past 90 days) prior to the fielding period. The sample will be stratified as follows: (1) Accepted and enrolled, and (2) accepted and not enrolled. The survey pool for the Education Servicing questionnaire will include beneficiaries who have been enrolled and receiving education benefit payments for at least 2 consecutive school terms prior to the fielding period.

c. Loan Guaranty (LGY) Service Surveys

J.D. Power will be fielding two survey instruments for the Loan Guaranty (LGY) Service line of business. Based on the numerous interviews conducted, JDPA has separated the Veterans experience with Loan Guaranty into two categories—Home Loan Enrollment and Processing, and Specially Adapted Housing Servicing (Assessment and Grant Process). There will be one survey instrument for the Home Loan category, and one survey instrument for the Specially Adapted Housing category. The Home Loan Enrollment questionnaire will include factors relating to benefit eligibility and the application process, benefit entitlement, benefit information, and VA personnel. Additionally, the Home Loan questionnaire will address areas specific to the Loan Process. The Specially Adapted Housing Servicing questionnaire will include the same factors as Home Loan, but will address the grant process rather than the loan process. The results o will be used to track and measure beneficiary satisfaction and to provide insights that will enable VA/VBA leadership to identify opportunities for improvement and measure the impact of improvement initiatives.

The survey pool for the LGY Enrollment questionnaire will include individuals who closed a VA home loan in the 90 days prior to the fielding period. The sample will be stratified as follows: (1) Those who closed on purchase loans, (2) those who received loans for interest rate reductions, and (3) those who obtained cash out or other refinancing. The survey pool for the SAH servicing questionnaire will include individuals who are eligible for a specially adapted housing grant and in the past 12 months have: (1) Received an approval on their grant and are currently somewhere post-approval, (2) those who have had all their funds dispersed and final accounting is not yet complete, and (3) those who have had all of their funds dispersed and final accounting is complete. i.

d. Vocational Rehabilitation and Employment (VR&E) Service Surveys

J.D. Power will be fielding three survey instruments for the Vocational Rehabilitation and Employment (VR&E) Service line of business. Based on the numerous interviews conducted, JDPA has separated the Veterans experience with Education into three categories—Enrollment in a Benefit, Servicing of a Benefit, and Non-Participants. There will be one survey instrument for the Enrollment category, one survey instrument for the Servicing category, and one survey instrument for the Non-Participant category. The Enrollment questionnaire will include factors relating to benefit eligibility and the application process, benefit entitlement, benefit information, and VA personnel. The Servicing questionnaire will include the same factors as Enrollment, with the exception of benefit eligibility and the application process factor. The Non-Participant questionnaire will include similar factors to Enrollment and Servicing, however, the questionnaire will address the experience that is unique to potential beneficiaries who applied for the benefit but decided not to pursue the benefit or services provided, including the reasons why they chose not to continue with the benefit application process or the VR&E program. The results will be used to track and measure beneficiary satisfaction and to provide insights that will enable VA/VBA leadership to identify opportunities for improvement and measure the impact of improvement initiatives.

The survey pool for the VR&E Enrollment questionnaire will include individuals who had an initial meeting with their VR&E counselor and were granted a decision regarding their entitlement in the past 30 days prior to the fielding period. The sample will be stratified as follows by those who applied/applied and showed up for the initial appointment and: (1) Were found entitled to and decided to pursue the program, (2) were found entitled to and decided not to pursue the program, and (3) t were not found entitled to the program. The survey pool for the VR&E Servicing questionnaire will include individuals who have entered and been enrolled in one of the five tracks for at least 60 days prior to the fielding period. The sample will be stratified as follows: (1) Veterans who have been rehabilitated, and (2) Veterans who have reached maximum rehabilitation gain and could not proceed in the program. The survey pool for the VR&E Non-Participant questionnaire will include individuals who dropped out of the program prior to completing a rehabilitation plan. The sample will be stratified as follows: (1) Applicants who never attended the initial meeting with a counselor, and (2) applicants who started, but did not complete rehabilitation (i.e., negative closures).

OMB Control Number: 2900–0782.

Type of Review: Revision of an approved collection.

Abstract:

In 2008, VBA recognized a need to develop and design an integrated, comprehensive Voice of the Veteran (VOV) measurement program for its lines of business. This continuous measurement program will help VBA understand what is important to Veterans relative to VBA services and will provide VA/VBA leadership with actionable and timely customer feedback on how VBA is performing against those metrics. Insights will help identify opportunities for improvement and measure the impact of improvement initiatives.

The program started with numerous interviews with stakeholders at various levels within the VBA organization and Veterans Service Organizations to identify information needs and perceived gaps in current processes. Surveys are designed to address those needs.

VBA has engaged J.D. Power and Associates to conduct this survey initiative. The questionnaires are drafted in accordance with the J.D. Power and Associates Index Model—the cornerstone of all proprietary and syndicated research studies conducted by J.D. Power. The model will allow J.D. Power to quantify, based on the survey data, what is most important and least important with regard to satisfying our nation's Veterans.

All survey instruments for each line of business, Compensation and Pension Service, Education Service, Vocational Rehabilitation and Employment Service, and Loan Guaranty Service, will contain common factors to allow VBA to compare scores across lines of business. In addition, JDPA will be in a position to provide VBA with an Overall Satisfaction score for their experience across all benefits provided by VBA.

An agency may not conduct or sponsor, and a person is not required to respond to a collection of information

unless it displays a currently valid OMB control number. The **Federal Register** Notice with a 60-day comment June 20, 2013, at pages 37278–37279.

Affected Public: Individuals and households.

Estimated Annual Burden: 32,701 hours.

Estimated Average Burden per Respondent: 15 minutes.

Frequency of Response: Once Annually (Respondents will not be surveyed more than once in a given year.)

Estimated Number of Respondents: 130,800.

Dated: September 24, 2013.

By direction of the Secretary.

Crystal Rennie,

VA Clearance Officer, U.S. Department of Veterans Affairs.

[FR Doc. 2013–23564 Filed 9–26–13; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0613]

Proposed Information Collection (Recordkeeping at Flight Schools); Comment Request

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: The Veterans Benefits Administration (VBA), Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed revision of a currently approved collection, and allow 60 days for public comment in response to this notice. This notice solicits comments on the information needed to determine if courses offered by a flight school should be approved.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before November 26, 2013.

ADDRESSES: Submit written comments on the collection of information through Federal Docket Management System (FDMS) at *www.Regulations.gov* or to Nancy J. Kessinger, Veterans Benefits Administration (20M35), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420 or email *nancy.kessinger@va.gov.* Please refer to ''OMB Control No. 2900–0613'' in any correspondence. During the comment period, comments may be viewed online through the FDMS.

FOR FURTHER INFORMATION CONTACT: Nancy J. Kessinger at (202) 632–8924 or fax (202) 632–8925.

SUPPLEMENTARY INFORMATION: Under the PRA of 1995 (Pub. L. 104–13; 44 U.S.C. 3501–3521), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VBA invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of VBA's functions, including whether the information will have practical utility; (2) the accuracy of VBA's estimate of the burden of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Title: Recordkeeping at Flight Schools (38 U.S.C. 21.4263 (h)(3).

OMB Control Number: 2900–0613.

Type of Review: Revision of a previously approved collection.

Abstract: Flight schools are required to maintain records on students to support continued approval of their courses. VA uses the data collected to determine whether the courses and students meet the requirements for flight training benefits and to properly pay students.

Affected Public: Business or other for-profit and Not -for-profit institutions.

Estimated Annual Burden: 189 hours.

Estimated Average Burden per Respondent: 20 minutes.

Frequency of Response: On occasion.

Estimated Number of Respondents: 272.

Estimated Annual Responses: 567.

Dated: September 24, 2013.

By direction of the Secretary.

Crystal Rennie,

VA Clearance Officer, U.S. Department of Veterans Affairs.

[FR Doc. 2013–23556 Filed 9–26–13; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0474]

Proposed Information Collection (Create Payment Request for the VA Funding Fee Payment System (VA FFPS); a Computer Generated Funding Fee Receipt) Activity: Comment Request

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: The Veterans Benefits Administration (VBA), Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed revision of a currently approved collection, and allow 60 days for public comment in response to the notice. This notice solicits comments on information needed to determine whether funding fees for VA guaranteed loans were paid.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before November 26, 2013.

ADDRESSES: Submit written comments on the collection of information through the Federal Docket Management System (FDMS) at *www.Regulations.gov* or to Nancy J. Kessinger, Veterans Benefits Administration (20M35), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420 or email *nancy.kessinger@va.gov.* Please refer to ''OMB Control No. 2900–0474'' in any correspondence. During the comment period, comments may be viewed online through FDMS.

FOR FURTHER INFORMATION CONTACT: Nancy J. Kessinger at (202) 632–8924 or fax (202) 632–8925.

SUPPLEMENTARY INFORMATION: Under the PRA of 1995 (Pub. L. 104–13; 44 U.S.C. 3501–3521), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VBA invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of VBA's

functions, including whether the information will have practical utility; (2) the accuracy of VBA's estimate of the burden of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Title: Create Payment Request for the VA Funding Fee Payment System (VA FFPS); A Computer Generated Funding Fee Receipt, VA Form 26–8986.

OMB Control Number: 2900–0474.

Type of Review: Revision of a currently approved collection.

Abstract: Veterans obtaining a VA-guaranteed home loan must pay a funding fee to VA before the loan can be guaranteed. The only exceptions are loans made to Veterans receiving VA compensation for service-connected disabilities, (or Veterans whom, but for receipt of retirement pay, would be entitled to receive compensation) and unmarried surviving spouses of Veterans who died in active military service or from service-connected disability regardless of whether the spouse has his or her own eligibility.

Affected Public: Business or other for profit.

Estimated Annual Burden: 9,167 hours.

Estimated Average Burden per Respondent: 2 minutes.

Frequency of Response: One-time.

Estimated Number of Respondents: 275,000.

Dated: September 24, 2013.

By direction of the Secretary.

Crystal Rennie,

VA Clearance Officer, U.S. Department of Veterans Affairs.

[FR Doc. 2013–23555 Filed 9–26–13; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0708]

Proposed Information Collection (Evidence for Transfer of Entitlement of Education Benefits) Activity: Comment Request

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: The Veterans Benefits Administration (VBA) is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed revision of a currently approved collection, and allow 60 days for public comment in response to the notice. This notice solicits comments on information needed to transfer a servicemember's educational assistance benefits to his or her dependents.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before November 26, 2013.

ADDRESSES: Submit written comments on the collection of information through Federal Docket Management System (FDMS) at *www.Regulations.gov* or to Nancy J. Kessinger, Veterans Benefits Administration (20M35), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420 or email *nancy.kessinger@va.gov.* Please refer to ''OMB Control No. 2900–0708'' in any correspondence. During the comment period, comments may be viewed online through the FDMS.

FOR FURTHER INFORMATION CONTACT: Nancy J. Kessinger at (202) 632–8924 or fax (202) 632–8925.

SUPPLEMENTARY INFORMATION: Under the PRA of 1995 (Pub. L. 104–13; 44 U.S.C. 3501–3521), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VBA invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of VBA's functions, including whether the information will have practical utility; (2) the accuracy of VBA's estimate of the burden of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Title: Evidence for Transfer of Entitlement of Education Benefits (38 CFR 21.7080).

OMB Control Number: 2900–0708.

Type of Review: Revision of a currently approved collection.

Abstract: Servicemembers on active duty may request to designate their educational assistance entitlement to their spouse, one or more of their children, or a combination of the spouse and children. VA will accept DOD Form 2366–1 or information electronically as evidence that the servicemember was approved by the military to transfer entitlement. The servicemember must submit in writing to VA, the name of each dependent, the number of months of entitlement transferred to each dependent, and the period (beginning date or ending date) for which the transfer will be effective for each designated dependent. VA will use the information provided by DOD Form 2366–1 to determine whether the dependent qualifies to receive education benefits under the transfer of entitlement provision of law.

Affected Public: Individuals or households.

Estimated Annual Burden: 14,476.

Estimated Average Burden per Respondent: 5 minutes.

Frequency of Response: Once.

Estimated Number of Respondents: 173,709.

Dated: September 24, 2013.

By direction of the Secretary.

Crystal Rennie,

VA Clearance Officer, U.S. Department of Veterans Affairs.

[FR Doc. 2013–23561 Filed 9–26–13; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0055]

Proposed Information Collection (Request for Determination of Loan Guaranty Eligibility—Unmarried Surviving Spouses); Comment Request

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: The Veterans Benefits Administration (VBA), Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed revision of a currently approved

collection, and allow 60 days for public comment in response to the notice. This notice solicits comments on information needed to determine surviving spouse of a Veteran eligibility for a VA home loan.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before November 26, 2013.

ADDRESSES: Submit written comments on the collection of information through Federal Docket Management System (FDMS) at *www.Regulations.gov* or to Nancy J. Kessinger, Veterans Benefits Administration (20M35), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420 or email *nancy.kessinger@va.gov.* Please refer to ''OMB Control No. 2900–0055'' in any correspondence. During the comment period, comments may be viewed online through the FDMS.

FOR FURTHER INFORMATION CONTACT: Nancy J. Kessinger at (202) 632–8924 or fax (202) 632–8925.

SUPPLEMENTARY INFORMATION: Under the PRA of 1995 (Pub. L. 104–13; 44 U.S.C. 3501–3521), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VBA invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of VBA's functions, including whether the information will have practical utility; (2) the accuracy of VBA's estimate of the burden of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Title: Request for Determination of Loan Guaranty Eligibility—Unmarried Surviving Spouses, VA Form 26–1817.

OMB Control Number: 2900–0055.

Type of Review: Revision of a currently approved collection.

Abstract: Unmarried surviving spouse of a Veteran whose death occurred while serving on active duty or was a direct result of service-connected disabilities completes VA Form 26–1817 to request a certificate of eligibility for home loan benefits. VA uses the data collected to verify the Veteran's service-connected death and to determine the applicant's eligibility for home loan benefits.

Affected Public: Individuals or households.

Estimated Annual Burden: 1,250 hours.

Estimated Average Burden per Respondent: 15 minutes.

Frequency of Response: One time.

Estimated Number of Respondents: 5,000.

Dated: September 24, 2013.

By direction of the Secretary.

Crystal Rennie,

VA Clearance Officer, U.S. Department of Veterans Affairs.

[FR Doc. 2013–23551 Filed 9–26–13; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0045]

Proposed Information Collection (VA Request for Determination of Reasonable Value) Activity: Comment Request

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: The Veterans Benefits Administration (VBA), Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed revision of a currently approved collection, and allow 60 days for public comment in response to the notice. This notice solicits comments for information needed to determine the reasonable value of properties for guaranteed or direct home loans.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before November 26, 2013.

ADDRESSES: Submit written comments on the collection of information through the Federal Docket Management System (FDMS) at *www.Regulations.gov* or to Nancy J. Kessinger, Veterans Benefits Administration (20M35), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420 or email *nancy.kessinger@va.gov.* Please refer to ''OMB Control No. 2900–0045'' in any correspondence. During the comment period, comments may be viewed online through FDMS.

FOR FURTHER INFORMATION CONTACT: Nancy J. Kessinger at (202) 632–8924 or Fax (202) 632–8925.

SUPPLEMENTARY INFORMATION: Under the PRA of 1995 (Pub. L. 104–13; 44 U.S.C. 3501–3521), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VBA invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of VBA's functions, including whether the information will have practical utility; (2) the accuracy of VBA's estimate of the burden of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Title: VA Request for Determination of Reasonable Value, VA Form 26–1805 and 26–1805–1.

OMB Control Number: 2900–0045.

Type of Review: Revision of a currently approved collection.

Abstract: VA Forms 26–1805 and 26–1805–1 are used to identify properties to be appraised and to make assignments to an appraiser. VA home loans cannot be guaranteed or made unless the nature and conditions of the property is suitable for dwelling purposes is determined; the loan amount to be paid by the Veteran for such property for the cost of construction, repairs, or alterations does not exceed the reasonable value; or if the loan is for repair, alteration, or improvements of property, the work substantially protects or improves the basic livability of the property. VA or the lender's participating in the lender appraisal processing program issues a notice of values to notify the Veteran and requester of the determination of reasonable value and any conditional requirements.

Affected Public: Individuals or households.

Estimated Annual Burden: 51,400 hours.

Estimated Average Burden per Respondent: 12 minutes.

Frequency of Response: On occasion.

Estimated Number of Respondents: 25,000.

Dated: September 24, 2013.

By direction of the Secretary.

Crystal Rennie,

VA Clearance Officer, U.S. Department of Veterans Affairs.

[FR Doc. 2013–23550 Filed 9–26–13; 8:45 am]

BILLING CODE 8320–01–P

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