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FEDERAL REGISTER

Vol. 79 Thursday,
No. 79 April 24, 2014

Pages 22765–22854

OFFICE OF THE FEDERAL REGISTER

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OFFICE OF PERSONNEL MANAGEMENT

5 CFR Part 532

RIN 3206–AM63

Prevailing Rate Systems; Special Wage Schedules for Nonappropriated Fund Automotive Mechanics

AGENCY: U.S. Office of Personnel Management.

ACTION: Final rule.

SUMMARY: The U.S. Office of Personnel Management is issuing a final rule to establish special wage schedules for the Department of Defense's (DOD's) nonappropriated fund (NAF) automotive mechanics. These special wage schedules will replace the current commission pay practice covering DOD's NAF automotive mechanics with a flat rate pay system. Implementation of a flat rate pay system will better align the pay practice for compensating NAF automotive mechanics with current prevailing pay practices in the private sector.

DATES: *Effective date:* This regulation is effective on April 24, 2014. *Applicability date:* This change applies on the first day of the first applicable pay period beginning on or after June 23, 2014.

FOR FURTHER INFORMATION CONTACT: Madeline Gonzalez, by telephone at (202) 606–2838 or by email at *pay-leave-policy@opm.gov.*

SUPPLEMENTARY INFORMATION: On June 12, 2012, the U.S. Office of Personnel Management (OPM) issued a proposed rule (77 FR 34854) to establish special wage schedules for the Department of Defense's (DOD's) approximately 80 nonappropriated fund (NAF) automotive mechanics. These special wage schedules will replace the current commission pay practice covering DOD's NAF automotive mechanics with a flat rate pay system. The 60-day comment period ended on August 13, 2012. OPM received comments from local management at an auto repair service station.

Local management at the auto repair service station objected to the replacement of the current commission pay practice with a flat rate pay system because they believe that under the flat rate pay system there would be a significant negative effect on the productivity and profitability of their auto repair business. The reason local management believes the flat rate pay system would have a negative effect on productivity and profitability is because automotive mechanics paid under the current commission pay practice are paid more for taking on additional work, while pay under the proposed flat rate pay system is the same regardless of how much work is done.

OPM does not find a compelling reason to continue the commission pay practice currently in effect. Under the current commission pay practice, automotive mechanics are compensated on the basis of a percentage of sales. Management controls the shop labor rate and determines the commission percentage. The automotive mechanic's pay is directly linked to sales generated. Any fluctuation up or down in the shop labor rate impacts the automotive mechanic's earnings.

Different from the commission pay practice, the proposed flat rate pay plan would not be linked to shop labor rates, but would instead take into account local prevailing rates, the mechanic's skill level, and the standard number of hours required to complete a particular job. Since the change would de-link shop labor rates from employee pay rates, it would permit NAF automotive businesses to adjust retail rates as needed without having to adjust employee pay rates.

The Federal Wage System (FWS) is designed to provide common policies and practices and ensure employees are paid at prevailing wage levels. The current commission pay plan for automotive mechanics is no longer the prevailing automotive industry pay practice. Since the implementation of a flat rate pay system will better align the pay practice for compensating NAF automotive mechanics with current prevailing pay practices in the private sector, we have not made any changes in the final regulations based on the comments received. Therefore, OPM is adopting the proposed rule as final. We note that this final rule also uses the 2012 North American Industry Classification System (NAICS) codes published by the Office of Management and Budget.

The Federal Prevailing Rate Advisory Committee (FPRAC), the national labor-management committee responsible for advising OPM on matters concerning the pay of FWS employees, reviewed and recommended that we adopt these changes by majority vote. These changes would apply on the first day of the first applicable pay period beginning on or after 60 days following publication of the final regulations.

The impact of the automotive mechanics flat rate pay plan on recruitment, retention, and workers' earnings will be re-evaluated by FPRAC every 3 years, beginning 3 years after issuance of these final regulations.

Regulatory Flexibility Act

I certify that these regulations will not have a significant economic impact on a substantial number of small entities because they will affect only Federal agencies and employees.

Executive Order 13563 and Executive Order 12866

This rule has been reviewed by the Office of Management and Budget in accordance with Executive Order 13563 and Executive Order 12866.

List of Subjects in 5 CFR Part 532

Administrative practice and procedure, Freedom of information, Government employees, Reporting and recordkeeping requirements, Wages.

U.S. Office of Personnel Management.

Katherine Archuleta,

Director.

Accordingly, the U.S. Office of Personnel Management amends 5 CFR part 532 as follows:

PART 532—PREVAILING RATE SYSTEMS

■ 1. The authority citation for part 532 continues to read as follows:

Authority: 5 U.S.C. 5343, 5346; § 532.707 also issued under 5 U.S.C. 552.

■ 2. Add § 532.287 to subpart B to read as follows:

§ 532.287 Special wage schedules for nonappropriated fund automotive mechanics.

(a) The Department of Defense (DOD) will establish a flat rate pay system for nonappropriated fund (NAF) automotive mechanics. This flat rate pay system will take into account local prevailing rates, the mechanic's skill level, and the standard number of hours required to complete a particular job.

(b) DOD will issue special wage schedules for NAF automotive mechanics who are covered by the flat rate pay system. These special schedules will provide rates of pay for nonsupervisory, leader, and supervisory employees. These special schedule positions will be identified by pay plan codes XW (nonsupervisory), XY (leader), and XZ (supervisory), grades 8–10, and will use the Federal Wage System occupational code 5823.

(c) DOD will issue special wage schedules for NAF automotive mechanics based on annual special flat rate surveys of similar jobs conducted in each special schedule wage area.

(1) The survey area for these special surveys will include the same counties as the regular NAF survey area.

(2) The survey jobs used will be Automotive Worker and Automotive Mechanic.

(3) The special surveys will include data on automotive mechanics that are paid under private industry flat rate pay plans as well as those paid by commission.

(4) In addition to all standard North American Industry Classification System (NAICS) codes currently used on the regular surveys, the industries surveyed will include—

2012 NAICS Codes	2012 NAICS Industry titles
441110	New car dealers.
441310	Automotive parts and accessory stores.
811111	General automotive repair.
811191	Automotive oil change and lubrication shops.

(5) The surveys will cover establishments with a total employment of eight or more.

(6) The special schedules for NAF automotive mechanics will be effective on the same dates as the regular wage schedules in the NAF FWS wage area.

(d) New employees will be hired at step 1 of the position under the flat rate pay system. Current employees will be moved to these special wage schedules on a step-by-step basis. Pay retention will apply to any employee whose rate of basic pay would otherwise be reduced as a result of placement in these new special schedules.

[FR Doc. 2014–09338 Filed 4–23–14; 8:45 am]

BILLING CODE 6325–39–P

DEPARTMENT OF AGRICULTURE

Food and Nutrition Service

7 CFR Part 274

[FNS–2012–0028]

RIN 0584–AE26

Supplemental Nutrition Assistance Program: Trafficking Controls and Fraud Investigations

AGENCY: Food and Nutrition Service (FNS), USDA.

ACTION: Affirmation of interim rule as final rule.

SUMMARY: The Food and Nutrition Service (FNS) is issuing this affirmation of a final rule, without change, of an interim rule that amended Supplemental Nutrition Assistance Program (SNAP) regulations, to require State agencies to monitor electronic benefit transfer (EBT) card replacement requests and send notices to those clients who have requested four cards within a 12-month period. The State agency shall be exempt from sending this notice if it chooses to exercise the card withholding option, in accordance with SNAP regulations, and sends the first warning notice upon the household's fourth card replacement request.

DATES: *Effective Date:* On April 24, 2014, the Department is adopting as a final rule the amendments to 7 CFR 274.6 in the interim rule published at 78 FR 51649, dated August 21, 2013.

FOR FURTHER INFORMATION CONTACT: Jane Duffield, Chief, State Administration Branch, Food and Nutrition Service, USDA, 3101 Park Center Drive, Room 818, Alexandria, Virginia 22302. Ms. Duffield may be reached by telephone at 703–605–4385 or via email at *Jane.Duffield@fns.usda.gov.*

SUPPLEMENTARY INFORMATION:

Background

On August 21, 2013, FNS published an interim rule provision at 7 CFR 274.6(b)(6), that requires State agencies to monitor EBT card replacements and issue excessive replacement card notices to clients who have requested four card replacements in a 12-month period. FNS' decision to issue the interim rule was based on a comment received in response to the proposed rule: *Supplemental Nutrition Assistance Program: Trafficking Controls and Fraud Investigations,* published on May 30, 2012, at 77 FR 31738. The commenter suggested that FNS propose a method for handling multiple card requests that includes monitoring EBT card replacements and sending warning notices to those clients requesting an excessive amount of EBT cards. This process, initiated by North Carolina and implemented by the majority of States, has proven to be efficient and cost effective. FNS agreed with the comment and amended the regulations in the same section, to require that all States implement this method for handling multiple card requests. Since the majority of States currently monitor EBT card replacement requests and subsequently issue warning notices for four or more requests, FNS does not believe this provision will create a substantial burden for States overall.

FNS believes that all State agencies should be monitoring card replacement activity and that the requirement to issue an excessive replacement card notice provides an important tool for State agencies to use in monitoring and preventing trafficking of EBT cards. Based on current data, the number of clients requesting five or more cards has decreased nationally since many States adopted this practice.

FNS provided the opportunity for comment through the interim rule process because the provision was not included in the proposed rule. Comments were solicited for 60 days with an extension, ending November 6, 2013, due to the government shutdown.

FNS received five comments on the interim rule. Two commenters requested clarification on the starting point for the 12-month timeframe for calculating the number of requests for replacement EBT cards and whether clients should receive additional notices for subsequent 12-month periods. The 12-month timeframe refers to any four cards replacements that fall within the past 12-month period. State agencies must monitor card replacement requests, and send warning notices to clients who request four cards within the past twelve months. State agencies should continue to monitor and re-notify clients who request additional EBT cards beyond a 12-month period. If trafficking is suspected, the State agency must refer cases to the State's fraud investigation unit. In all cases, if State agency staff suspects that the client's lack of understanding is the reason for requesting excessive replacement cards, they must educate the client on how to manage the card, rather than refer the case for investigation. FNS believes

regulatory language for this provision is sufficiently clear and is not making any modifications.

Two commenters stated that States should be allowed to implement their own systems for monitoring and managing excessive EBT card request and set their own standards for calculating excessive requests for replacement cards.

Motivated by the need to come up with a consistent national policy, FNS used statistical analysis of SNAP EBT transaction records to arrive at the decision to send a warning notice after four EBT card requests within 12 months. EBT card transaction activity indicates that, after the fourth replacement card, a household's shopping behavior is three times more likely to be flagged as potential trafficking by FNS' fraud detection system. States have the flexibility to set their own policies for EBT card requests beyond this threshold. States may also initiate the process sooner than the threshold if a household is suspected of committing fraud.

FNS received one comment indicating that the requirement will create an additional burden for caseworkers who must conduct further investigations without clear guidelines on what constitutes compliance. The commenter further stated that the regulation should specify what constitutes an appropriate client explanation and whether State agencies can determine what constitutes an appropriate explanation. Since 98 percent of SNAP households use three or fewer cards within a year, with most (79 percent) using only one card, FNS does not expect the warning notice requirement contained in this regulation to create a significant burden for State agencies. Additionally, most States already monitor card replacements and provide warning notices for excessive replacement requests. This regulation does not require households to contact the State agency and provide an explanation. FNS explains in the preamble for the final regulation that contains the card withholding option, that FNS is not specifying which household explanations are suspicious and which are satisfactory. FNS believes that State agencies are in the best position to determine which cases should be referred for investigation based on a client's explanation, lack of explanation or suspicious behavior.

FNS adopts the interim rule as a final rule without change because FNS did not receive any comments that indicate a need for change to the interim regulation. A summary of comments for the interim regulation have been provided in this preamble.

List of Subjects in 7 CFR Part 274

Food stamps, Grant programs—social programs, Reporting and recordkeeping requirements.

PART 274—ISSUANCE AND USE OF PROGRAM BENEFITS

Accordingly, the Department is adopting as a final rule, without change, the interim rule that amended 7 CFR 274.6(b)(6) and was published at 78 FR 51649 on August 21, 2013.

Dated: April 18, 2014.

Yvette S. Jackson,

Acting Administrator, Food and Nutrition Service.

[FR Doc. 2014–09334 Filed 4–23–14; 8:45 am]

BILLING CODE 3410–30–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2013–0806; Airspace Docket No. 13–ASO–21]

Amendment of Class D and Class E Airspace, and Establishment of Class E Airspace; Tri-Cities, TN

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends Class D and Class E Airspace, and establishes Class E airspace at Tri-Cities Regional Airport, Tri-Cities, TN. Airspace reconfiguration is necessary to alleviate traffic issues in the surrounding area for Johnson City Airport and Edwards Heliport so aircraft can navigate in and out of their respective airports in Visual Flight Rules conditions under 700 feet. This action enhances the safety and airspace management of aircraft within the Tri-Cities, TN area.

DATES: Effective 0901 UTC, July 24, 2014. The Director of the Federal Register approves this incorporation by reference action under title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

FOR FURTHER INFORMATION CONTACT: John Fornito, Operations Support Group, Eastern Service Center, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305–6364.

SUPPLEMENTARY INFORMATION:

History

On February 12, 2014, the FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM) to amend Class D airspace and Class E surface area airspace, and establish Class E airspace designated as an extension to Class D airspace at Tri-Cities Regional Airport, Tri-Cities, TN. (79 FR 8360). 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 D and E airspace designations are published in paragraphs 5000, 6002, and 6004, respectively 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 D and Class E airspace designations listed in this document will be published subsequently in the Order.

The Rule

This amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 amends Class D airspace and Class E surface area airspace, and establishes Class E airspace designated as an extension to a Class D surface area at Tri Cities Regional Airport, Tri-Cities, TN. Both the Class D airspace area and Class E surface area airspace is reduced from a 6.8-mile radius of the airport to within a 4.3-mile radius of the airport. This action also establishes Class E airspace designated as an extension to a Class D surface area within a 4.3-mile radius of Tri-Cities Airport, with a segment extending from the 4.3-mile radius of the airport to 6.8 miles northeast of the airport. This action alleviates congestion for aircraft traveling to/from two neighboring airports, Edwards Heliport and Johnson City Airport in Visual Flight Rules conditions under 700 feet.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current, is non-controversial and unlikely to result in adverse or negative comments. It, therefore, (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 that 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 United States Code. Subtitle I, Section 106 describes 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 amends controlled airspace in the Tri-Cities, TN, area.

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.

Lists 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 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 Federal Aviation Administration Order 7400.9X, Airspace Designations and Reporting Points, dated August 7, 2013, effective September 15, 2013, is amended as follows:

Paragraph 5000 Class D Airspace.

* * * * *

ASO TN D Tri-Cities, TN [Amended]

Tri-Cities Regional Airport, TN/VA
(Lat. 36°28′31″ N., long. 82°24′27″ W.)

That airspace extending upward from the surface to and including 4,000 feet MSL within a 4.3-mile radius of Tri-Cities Regional Airport. This Class D airspace area is effective during the specific days and times established in advance by a Notice to Airmen. The effective days and times will thereafter be continuously published in the Airport/Facility Directory.

Paragraph 6002 Class E Airspace Designated as Surface Areas.

* * * * *

ASO TN E2 Tri-Cities, TN [Amended]

Tri-Cities Regional Airport, TN/VA
(Lat. 36°28′31″ N., long. 82°24′27″ W.)

That airspace extending upward from the surface within a 4.3-mile radius of Tri-Cities Regional Airport. This Class E airspace area is effective during the specific days and times established in advance by a Notice to Airmen. The effective days and times will thereafter be continuously published in the Airport/Facility Directory.

Paragraph 6004 Class E Airspace Designated as an Extension to a Class D Surface Area.

* * * * *

ASO TN E4 Tri-Cities, TN [New]

Tri-Cities Regional Airport, TN/VA
(Lat. 36°28′31″ N., long. 82°24′27″ W.)

That airspace extending from the surface within 2.5-miles either side of the 043° bearing from Tri-Cities Regional Airport, extending from the 4.3-mile radius to 6.8-miles northeast of the airport. This Class E airspace area is effective during specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

Issued in College Park, Georgia, on April 14, 2014.

Myron A. Jenkins,

Manager, Operations Support Group, Eastern Service Center, Air Traffic Organization.

[FR Doc. 2014–09152 Filed 4–23–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2014–0025; Airspace Docket No. 14–ANE–1]

Amendment of Class E Airspace; Greenville, ME

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends Class E Airspace at Greenville, ME, as the Squaw Non-Directional Beacon (NDB) has been decommissioned, requiring airspace redesign at Greenville Municipal Airport. This enhances the safety and management of aircraft operations at the airport. This action also updates the geographic coordinates of the airport.

DATES: Effective 0901 UTC, July 24, 2014. The Director of the Federal Register approves this incorporation by reference action under title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

FOR FURTHER INFORMATION CONTACT: John Fornito, Operations Support Group, Eastern Service Center, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305–6364.

SUPPLEMENTARY INFORMATION:

History

On February 12, 2014, the FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM) to amend Class E airspace at Greenville Municipal Airport, Greenville, ME, (79 FR 8362). 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 the Order.

The Rule

This amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 amends Class E airspace extending upward from 700 feet above the surface within a 9.4-mile radius of Greenville Municipal Airport, with a segment extending from the 9.4-mile radius to 14 miles northwest of the airport.

Airspace reconfiguration is necessary due to the decommissioning of the Squaw NDB and cancellation of the NDB approach, and for continued safety and management of IFR operations at the airport. The geographic coordinates of the airport also are adjusted to be in concert with FAA's aeronautical database.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current, is non-controversial and

unlikely to result in adverse or negative comments. It, therefore, (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 that 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 United States Code. Subtitle I, Section 106 describes 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 amends controlled airspace at Greenville Municipal Airport, Greenville, ME.

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.

Lists 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 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 Federal Aviation Administration Order 7400.9X, Airspace Designations and Reporting Points, dated August 7, 2013, 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.

* * * * *

ANE ME E5 Greenville, ME [Amended]

Greenville Municipal Airport, ME
(Lat. 45°27′46″ N., long. 69°33′06″ W.)

That airspace extending upward from 700 feet above the surface within a 9.4-mile radius of Greenville Municipal Airport, and within 2 miles each side of the 320° bearing of the airport extending from the 9.4-mile radius to 14 miles northwest of the airport.

Issued in College Park, Georgia, on April 14, 2014.

Myron A. Jenkins,

Manager, Operations Support Group, Eastern Service Center, Air Traffic Organization.

[FR Doc. 2014–09142 Filed 4–23–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2013–0439; Airspace Docket No. 13–ASO–9]

Amendment of Class E Airspace; Sylva, NC

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends Class E Airspace at Sylva, NC, to accommodate a new Area Navigation (RNAV) Global Positioning System (GPS) Standard Instrument Approach Procedure (SIAP) serving Jackson County Airport. This enhances the safety and management of aircraft operations at the airport.

DATES: Effective 0901 UTC, July, 24, 2014. The Director of the Federal Register approves this incorporation by reference action under title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

FOR FURTHER INFORMATION CONTACT: John Fornito, Operations Support Group, Eastern Service Center, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305–6364.

SUPPLEMENTARY INFORMATION:

History

On February 12, 2014, the FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM) to amend Class E airspace at Jackson County Airport, Sylva, NC, (79 FR 8363). 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 the Order.

The Rule

This amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 amends Class E airspace extending upward from 700 feet above the surface within a 14-mile radius of Jackson County Airport, Sylva, NC. Airspace reconfiguration is necessary due to the development of the RNAV (GPS) RWY 33 approach and for continued safety and management of IFR operations at the airport.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current, is non-controversial and unlikely to result in adverse or negative comments. It, therefore, (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 that 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 United States Code. Subtitle I, Section 106 describes 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 amends controlled airspace at Jackson County Airport, Sylva, NC.

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

Lists 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 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 Federal Aviation Administration Order 7400.9X, Airspace Designations and Reporting Points, dated August 7, 2013, 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.

* * * * *

ASO NC E5 Sylva, NC [Amended]

Jackson County Airport, NC

(Lat. 35°19′02″ N., long. 83°12′35″ W.)

That airspace extending upward from 700 feet above the surface within a 14-mile radius of Jackson County Airport.

Issued in College Park, Georgia, on April 14, 2014.

Myron A. Jenkins,

Manager, Operations Support Group, Eastern Service Center, Air Traffic Organization.

[FR Doc. 2014–09154 Filed 4–23–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2012–1086; Airspace Docket No. 12–ASO–40]

Establishment of Class E Airspace; Geneva, AL

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action establishes Class E Airspace at Geneva, AL, to accommodate a new Area Navigation (RNAV) Global Positioning System (GPS) Standard Instrument Approach Procedure (SIAP) serving Geneva Municipal Airport. This action enhances the safety and management of Instrument Flight Rules (IFR) operations at the airport.

DATES: Effective 0901 UTC, July 24, 2014. The Director of the Federal Register approves this incorporation by reference action under title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

FOR FURTHER INFORMATION CONTACT: John Fornito, Operations Support Group, Eastern Service Center, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305–6364.

SUPPLEMENTARY INFORMATION:

History

On February 12, 2014, the FAA published in the **Federal Register** a notice of proposed rulemaking to establish Class E airspace at Geneva, AL (79 FR 8364) Docket No. FAA–2012–1086. 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 the Order.

The Rule

This amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 establishes the Class E airspace extending upward from the surface within a 7.3-mile radius at Geneva Municipal Airport, providing the controlled airspace required to accommodate the new RNAV (GPS) Standard Instrument Approach Procedures developed at the airport. This action provides for the safety and management of IFR operations at the airport.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current, is non-controversial and unlikely to result in adverse or negative comments. It, therefore, (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 that 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 United States Code. Subtitle I, Section 106 describes 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 Geneva Municipal Airport, Geneva, AL.

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.

Lists 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 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 Federal Aviation Administration Order 7400.9X, Airspace Designations and Reporting Points, dated August 7, 2013, 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.

* * * * *

ASO AL E5 Geneva, AL [New]

Geneva Municipal Airport, AL
(Lat. 31°03′09″ N., long. 85°52′08″ W.)

That airspace extending upward from 700 feet above the surface within a 7.3-mile radius of Geneva Municipal Airport.

Issued in College Park, Georgia, on April 14, 2014.

Myron A. Jenkins,

Manager, Operations Support Group, Eastern Service Center, Air Traffic Organization.

[FR Doc. 2014–09145 Filed 4–23–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2013–0932; Airspace Docket No. 13–ASO–24]

Establishment of Class E Airspace; Nashville, TN

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action establishes Class E Airspace at Nashville, TN, to accommodate a new Area Navigation (RNAV) Global Positioning System (GPS) Standard Instrument Approach Procedure (SIAP) serving Nashville International Airport. This action enhances the safety and management of Instrument Flight Rules (IFR) operations at the airport.

DATES: Effective 0901 UTC, July 24, 2014. The Director of the Federal Register approves this incorporation by reference action under title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

FOR FURTHER INFORMATION CONTACT: John Fornito, Operations Support Group, Eastern Service Center, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305–6364.

SUPPLEMENTARY INFORMATION:

History

On February 12, 2014, the FAA published in the **Federal Register** a notice of proposed rulemaking to establish Class E airspace at Nashville, TN (79 FR 8367) Docket No. FAA–2013–0932. 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 6003 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 the Order.

The Rule

This amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 establishes the Class E airspace as an extension to a Class C surface area at Nashville, TN, providing the controlled airspace required to support the new RNAV (GPS) standard instrument approach procedures for Nashville International Airport. Accordingly, a segment of controlled airspace would extend from the 5-mile radius of the airport to 11.7-miles south of the airport, and a segment would extend from the 5-mile radius of the airport to 8.9 miles southwest of the airport. This action provides for the safety and management of IFR operations at the airport. Also, an editorial change is made to the Class E airspace designation 6003 title to include wording omitted in the NPRM.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current, is non-controversial and unlikely to result in adverse or negative comments. It, therefore, (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 that 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 United States Code. Subtitle I, Section 106 describes 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 Nashville International Airport, Nashville, TN. Except for the editorial change stated above, this rule is the same as published in the NPRM.

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.

Lists 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 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 Federal Aviation Administration Order 7400.9X, Airspace Designations and Reporting Points, dated August 7, 2013, effective September 15, 2013, is amended as follows:

Paragraph 6003 Class E Airspace Designated as an Extension to a Class C Surface Area.

* * * * *

ASO TN E3 Nashville, TN [New]

Nashville International Airport, TN
(Lat. 36°07′31″ N., long. 86°40′35″ W.)
Nashville VORTAC
(Lat. 36°07′62″ N., long. 86°40′95″ W.)

That airspace extending upward from the surface extending from the 5-mile radius of Nashville International Airport to an 11.7-mile radius southeast of the airport, from the Nashville VORTAC 161° radial clockwise to the 195° radial, and to an 8.9-mile radius southwest of the airport from the 195° radial of the VORTAC clockwise to the 231° radial of the VORTAC.

Issued in College Park, Georgia, on April 14, 2014.

Myron A. Jenkins,

Manager, Operations Support Group, Eastern Service Center, Air Traffic Organization.

[FR Doc. 2014–09155 Filed 4–23–14; 8:45 am]

BILLING CODE 4910–13–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R08–OAR–2013–0801; FRL–9907–58–Region 8]

Approval and Promulgation of Air Quality Implementation Plans; Colorado; Prevention of Significant Deterioration; Greenhouse Gas Tailoring Rule Revisions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving revisions and additions to the Colorado State Implementation Plan (SIP) submitted by the Colorado Department of Public Health and the Environment (CDPHE) to EPA on May 25, 2011. The SIP revision to Colorado Regulation Number 3 and the Common Provisions Regulation addresses the permitting of sources of greenhouse gases (GHGs). Specifically, we are approving revisions to portions of Parts A, B and D of Regulation Number 3 to incorporate the provisions of EPA's 2010 Prevention of Significant Deterioration (PSD) and Title V Greenhouse Gas Tailoring Rule. The SIP revisions establish emission thresholds for determining which new stationary sources and modifications to existing stationary sources become subject to Colorado's PSD permitting requirements for their GHG emissions. EPA is approving the May 25, 2011 SIP revision to the Colorado PSD permitting program as being consistent with federal requirements for PSD permitting. EPA is also approving several grammar and punctuation changes to Regulation Number 3 made by the State and included in the May 25, 2011 submittal. EPA is finalizing this action under section 110 and part C of the Clean Air Act (the Act or CAA).

DATES: This final rule is effective May 27, 2014.

ADDRESSES: EPA has established a docket for this action under Docket Identification No. EPA–R08–OAR–2013–0801. All documents in the docket are listed in the *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 hard copy. Publicly available docket materials are available either electronically in *www.regulations.gov* or in hard copy at the Air Program, Environmental Protection Agency (EPA), Region 8, 1595 Wynkoop St., Denver, Colorado 80202–1129. EPA requests that if at all possible, you contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section to view the hard copy of the docket. You may view the hard copy of the docket Monday through Friday, 8:00 a.m. to 4:00 p.m., excluding Federal holidays.

FOR FURTHER INFORMATION CONTACT: Jody Ostendorf, Air Program, Mailcode 8P–AR, Environmental Protection Agency (EPA), Region 8, 1595 Wynkoop St., Denver, Colorado 80202–1129, (303) 312–7814, *ostendorf.jody@epa.gov*.

SUPPLEMENTARY INFORMATION:

Definitions

For the purpose of this document, the following definitions apply:

(i) The words or initials *Act* or *CAA* mean or refer to the federal Clean Air Act, unless the context indicates otherwise.

(ii) The initials *CDPHE* mean or refer to the Colorado Department of Public Health and the Environment.

(iii) The words *EPA, we, us* or *our* mean or refer to the United States Environmental Protection Agency.

(iv) The initials *GHG* mean or refer to Greenhouse Gas.

(v) The initials *NSR* mean or refer to New Source Review.

(vi) The initials *PSD* mean or refer to Prevention of Significant Deterioration.

(vii) The initials *SIP* mean or refer to State Implementation Plan.

(viii) The words *State* or CO mean the State of Colorado, unless the context indicates otherwise.

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I. Background for Our Final Action

The May 25, 2011 SIP submittal includes PSD permitting provisions that establish (1) GHG as a regulated pollutant under the PSD program, and (2) emission thresholds for determining which new stationary sources and modification projects become subject to Colorado's PSD permitting requirements for their GHG emissions consistent with EPA's GHG Tailoring Rule. The background for today's final rule and EPA's national actions pertaining to GHGs is discussed in detail in our proposal (see 79 FR 2144, January 13, 2014). The comment period was open for 30 days and we received no written comments.

II. What final action is EPA taking?

Colorado has adopted and submitted regulations that are substantively similar to the federal requirements for the permitting of GHG-emitting sources subject to PSD. EPA is approving the May 25, 2011 submittal for incorporation into the SIP. The submitted revisions establish thresholds for determining which stationary sources and modification projects become subject to permitting requirements for GHG emissions under Colorado's New Source Review (NSR) PSD program. Specifically, EPA is approving revisions to Regulation Number 3 Parts A, B and D and the Common Provisions Regulation. EPA has determined that these May 25, 2011 revisions are approvable into Colorado's SIP because they are consistent with the requirements of 40 CFR 51.166, in particular requirements set out in EPA's final GHG Tailoring Rule.

Minor grammatical and capitalization changes made throughout the May 25, 2011 submittal are also approved. These include minor changes to Parts A, B and D of Regulation Number 3. The changes do not revise the regulatory meaning in Regulation Number 3 and are, therefore, approved without specific reference in this notice. We are not acting on grammatical revisions to Part C of Regulation Number 3 since this is the State's Title V operating permit program and it is not part of the SIP.

III. Statutory and Executive Orders Review

Under the Clean Air Act, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. Accordingly, this final action merely approves state law that meets federal requirements and disapproves state law that does not meet federal requirements; when finalized, this action would not impose additional requirements beyond those imposed by state law. For that reason, this action:

- Is not a ''significant regulatory action'' subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- does not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the Clean Air Act; and
- does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, this rule does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because the SIP is not approved to apply in Indian country located in the state, and EPA notes that it will not impose substantial direct costs on tribal governments or preempt tribal law.

The Congressional Review Act, 5 U.S.C. 801 *et seq.,* as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this action and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register.** A major rule cannot take effect until 60 days after it is published in the **Federal Register.** This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by June 23, 2014. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See CAA section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Authority: 42 U.S.C. 7401 *et seq.*

Dated: February 24, 2014.

Howard M. Cantor,

Acting Regional Administrator, Region 8.

40 CFR part 52 is amended to read as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

■ 1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart G—Colorado

■ 2. Section 52.320 is amended by adding paragraph (c)(128) to read as follows:

§ 52.320 Identification of plan.

* * * * *

(c) * * *

(128) On May 25, 2011, the State of Colorado submitted revisions to 5 CCR 1001–5, Regulation 3, *Stationary Source Permitting and Air Pollutant Emission Notice Requirements,* parts A, B, and D. The May 25, 2011 submittal addresses the permitting of sources of greenhouse gases (GHGs). The revisions to portions of parts A, B, and D incorporate the provisions of the Prevention of Significant Deterioration (PSD) and Title V Greenhouse Gas Tailoring Rule. The revisions establish thresholds for determining which new stationary sources and modifications to existing stationary sources become subject to Colorado's PSD permitting requirements for their GHG emissions. These revisions are consistent with federal requirements for PSD permitting.

(i) Incorporation by reference.

(A) 5 CCR 1001–5, Regulation Number 3, *Stationary Source Permitting and Air Pollutant Emission Notice Requirements,* Part A, *Concerning General Provisions Applicable to Reporting and Permitting,* I.B., *Definitions,* I.B.10, *Carbon Dioxide Equivalent (CO2e);* I.B.23., *Greenhouse Gas (GHG);* I.B.25., *Major Source,* I.B.25b; and I.B.44., *Subject to Regulation;* VI., *Fees,* VI.D., *Fee Schedule;* Part B, *Concerning Construction Permits,* II.A.4. and II.A.7; Part D, *Concerning Major Stationary Source New Source Review and Prevention of Significant Deterioration,* II., *Definitions,* II.A., introductory paragraph, II.A.8, *Best Available Control Technology (BACT);* II.A.22., *Major Modification;* II.A.24., *Major Stationary Source;* II.A.24.a., introductory paragraph, II.A.24.a.(ii); II.A.24.b.; II.A.38., *Regulated NSR Pollutant,* II.A.38.e. and II.A.38.f.; adopted October

21, 2010 and effective December 15, 2010.

[FR Doc. 2014–09251 Filed 4–23–14; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R01–OAR–2012–0951; FRL–9800–2]

Approval and Promulgation of Air Quality Implementation Plans; Massachusetts; Revisions to Fossil Fuel Utilization Facilities and Source Registration Regulations and Industrial Performance Standards for Boilers

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving several State Implementation Plan (SIP) revisions submitted by the Commonwealth of Massachusetts. The revisions add new monitoring, inspection, maintenance and testing requirements for certain fossil fuel utilization facilities, rename and clarify stationary source emission reporting requirements, and establish compliance and certification standards for new boilers. The intended effect of this action is to approve the Commonwealth's revised ''Fossil Fuel Utilization Facility'' regulation, ''Source Registration'' regulation, and new ''Industrial Performance Standards for Boilers.'' This action is being taken under the Clean Air Act.

DATES: This rule is effective on May 27, 2014.

ADDRESSES: EPA has established a docket for this action under Docket Identification Number EPA–R01–OAR–2012–0951. All documents in the docket are listed on the *www.regulations.gov* Web site. Although listed in the index, some information is not publicly available, i.e., 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 electronically through *www.regulations.gov* or in hard copy at the U.S. Environmental Protection Agency, EPA New England Regional Office, Office of Ecosystem Protection, Air Permits, Toxics and Indoor Programs Unit, 5 Post Office Square—Suite 100, Boston, MA. EPA requests that if at all possible, you contact the contact listed in the **FOR FURTHER INFORMATION CONTACT** section to schedule your inspection. The Regional Office's official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m., excluding legal holidays.

Copies of the documents relevant to this action are also available for public inspection during normal business hours, by appointment at the Division of Air Quality Control, Department of Environmental Protection, One Winter Street, 8th Floor, Boston, MA 02108.

FOR FURTHER INFORMATION CONTACT: Brendan McCahill, Air Permits, Toxics and Indoor Programs Unit, Office of Ecosystem Protection, U.S. Environmental Protection Agency Region 1, 5 Post Office Square—Suite 100, (Mail code OEP05–2), Boston, MA 02109–3912, Telephone number (617) 918–1652, Fax number (617) 918–0652, Email *McCahill.Brendan@EPA.GOV.*

SUPPLEMENTARY INFORMATION: Throughout this document whenever ''we,'' ''us,'' or ''our'' is used, we mean EPA.

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II. What portions of the SIP submittals will EPA incorporate into the SIP?
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I. What action is EPA approving in this document?

On February 7, 2013 (78 FR 9016), EPA published a Notice of Proposed Rulemaking (NPR) for the Commonwealth of Massachusetts.

The NPR proposed approval of the following SIP submittals:

- A June 28, 1990 and a July 11, 2001 SIP amendment revising 310 CMR 7.04 entitled, ''U Fossil Fuel Utilization Facilities,''
- A July 11, 2001 SIP amendment revising 310 CMR 7.12 entitled, ''U Source Registration,''
- A September 14, 2006 SIP amendment adopting 310 CMR 7.26(30)–(37) entitled, ''Industrial Performance Standards—U Boiler,'' and
- A February 13, 2008 SIP amendment that, among other things, revises 310 CMR 7.04, corrects several typographical errors, clarifies certain requirements to 310 CMR 7.12 and 310 CMR 7.26(30)–(37) and updates the list of Massachusetts cities in 310 CMR 7.00.

The specific requirements of four SIP submittals and the rationale for EPA's proposed action are explained in the NPR and will not be restated here. EPA did not receive any public comments on the NPR.

II. What portions of the SIP submittals will EPA incorporate into the SIP?

On January 18, 2013, the Massachusetts Department of Environmental Protection (MassDEP) issued a letter to EPA withdrawing outdated and obsolete submittals and replacing them with SIP submittals containing effective versions of the regulations for approval into the SIP. The letter included two attachments. Attachment I identified the regulations that MassDEP requests EPA to approve into the SIP. The attachment includes struck out versions of those regulations MassDEP is withdrawing from consideration and the final version of the regulations (without strikeout) that MassDEP requests to be included in the SIP.

Attachment 2 includes a list of regulations previously submitted to EPA for approval. The list indicates the regulation name and CMR regulation number, CMR page number, the MassDEP disposition of the rule (i.e., whether to withdraw it or have EPA act upon it), and the reason for the MassDEP's disposition.

Based on the information from the two attachments, EPA is incorporating the latest versions of 310 CMR 7.00, ''Massachusetts Cities & Towns with Corresponding DEP Regional Offices and Air Pollution Districts,'' 310 CMR 7.04(2) and 7.04(4)(a), 310 CMR 7.12 and 310 CMR 7.26(30–37) into the SIP. The February 13, 2008 SIP submittal included the latest version of the 310 CMR 7.00, 310 CMR 7.04(2) and 7.04(4)(a) and 310 CMR 7.26(30–37). Numerous SIP submittals provided a portion of 310 CMR 7.12. The August 9, 2001 SIP submittal included provision 310 CMR 7.12(1)(a)1. The September 14, 2006 SIP submitted included provisions 310 CMR 7.12(2)(c), 310 CMR 7.12(3) and 310 CMR 7.12(4). The February 13, 2008 SIP submittal included provisions 310 CMR 7.12(1)(a)2–9, (1)(b) and (1)(c), and 310 CMR 7.12(2)(a) and (b).

These versions of the regulations are the versions that were made available in the docket for the February 7, 2013 NPR. We are re-stating this information here, not because anything has changed since the publication of the NPR, but rather for clarity given the complex history of these submissions

In addition, as described in the January 18, 2013 letter, the MassDEP has withdrawn the following regulations from inclusion into the SIP; 310 CMR 7.02, 310 CMR 7.03, 310 CMR 7.11, and 310 CMR 7.26(28)–(29).

III. Final Action

EPA is approving the following SIP submittals as a revision to the Massachusetts SIP:

- The June 28, 1990 SIP amendment revising 310 CMR 7.04,
- The July 11, 2001 SIP amendment revising 310 CMR 7.12,
- The September 14, 2006 SIP amendment revising 310 CMR 7.12, and
- The February 13, 2008 SIP amendment revising 310 CMR 7.04, 310 CMR 7.12, 310 CMR 7.26(30)–(37), and updating the list of Massachusetts cities in 310 CMR 7.00.

With today's final action, EPA has completed its action on Massachusetts's February 13, 2008 SIP submittal. Nothing more regarding this submittal is pending before EPA.

The Agency has reviewed this request for revision of the Federally-approved State implementation plan for conformance with the provisions of the 1990 amendments enacted on November 15, 1990. The Agency has determined that this action conforms with those requirements irrespective of the fact that the submittal preceded the date of enactment.

IV. Statutory and Executive Order Reviews

Under the Clean Air Act, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. Accordingly, this action merely approves state law as meeting Federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this action:

- Is not a ''significant regulatory action'' subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- does not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the Clean Air Act; and
- does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, this rule does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because the SIP is not approved to apply in Indian country located in the state, and EPA notes that it will not impose substantial direct costs on tribal governments or preempt tribal law.

The Congressional Review Act, 5 U.S.C. 801 *et seq.,* as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this action and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by June 23, 2014. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Dated: March 27, 2013.

H. Curtis Spalding,

Regional Administrator, EPA New England.

Part 52 of chapter I, title 40 of the Code of Federal Regulations is amended as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

■ 1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart W—Massachusetts

■ 2. Section 52.1120 is amended by adding paragraph (c)(140) to read as follows:

§ 52.1120 Identification of plan.

* * * * *

(c) * * *

(140) Revisions to the State Implementation Plan submitted by the Massachusetts Department of Environmental Protection on Protection on August 9, 2001, September 14, 2006, and February 18, 2008.

(i) Incorporation by reference.

(A) Provision 310 CMR 7.12(1)(a)1 of 310 CMR 7.12, ''U Source Registration'' effective on August 3, 2001.

(B) Provisions 310 CMR 7.12(2)(c), 7.12(3), and 7.12(4) of 310 CMR 7.12, ''U Source Registration'' effective on September 23, 2005.

(C) Provision 310 CMR 7.00, Table entitled, ''Massachusetts Cities & Towns with Corresponding DEP Regional Offices and Air Pollution Districts'' effective on December 28, 2007.

(D) Provisions 310 CMR 7.04(2) and 7.04(4)(a) of 310 CMR 7.04, ''U Fossil Fuel Utilization Facilities'' effective on December 28, 2007.

(E) Provisions 310 CMR 7.12(1)(a)2 through 9, (1)(b), (1)(c), (2)(a) and (b) of 310 CMR 7.12, ''U Source Registration'' effective on December 28, 2007.

(F) Provisions 310 CMR 7.26(30) through (37) of 310 CMR 7.26 ''Industry Performance Standards'' effective on December 28, 2007.

(ii) Additional materials.

(A) A letter from the Massachusetts Department of Environmental Protection dated August 9, 2001 submitting a

revision to the State Implementation Plan.

(B) A letter from the Massachusetts Department of Environmental Protection dated September 14, 2006 submitting a revision to the State Implementation Plan.

(C) A letter from the Massachusetts Department of Environmental Protection dated February 13, 2008 submitting a revision to the State Implementation Plan.

(D) A letter from the Massachusetts Department of Environmental Protection dated January 18, 2013 withdrawing certain outdated and obsolete regulation submittals and replacing them with currently effective versions of the regulation for approval and inclusion into the SIP.

■ 3. In § 52.1167, Table 52.1167 is amended by adding new entries in numerical order for 310 CMR 7.00, 310 CMR 7.04(2), 310 CMR 7.04(4)(a), 310 CMR 7.12, and 310 CMR 7.26(30)–(37) to read as follows:

§ 52.1167 EPA-approved Massachusetts State regulations.

* * * * *

TABLE 52.1167—EPA-APPROVED RULES AND REGULATIONS

[See Notes at end of Table]

State citation	Title/Subject	Date submitted by state	Date approved by EPA	**Federal Register** citation	52.1120(c)	Comments/Unapproved sections
*	*	*		*	*	*
310 CMR 7.00	Table of MA cities and towns with corresponding DEP Regional offices.	11/13/07	4/24/14	[Insert **Federal Register** page number where the document begins].	140	
*	*	*		*	*	*
310 CMR 7.04(2)	U Fossil fuel Utilization Facilities.	11/13/07	4/24/14	[Insert **Federal Register** page number where the document begins].	140	Clarifies new applicability requirements for smoke density instrument removal for certain facilities.
310 CMR 7.04(4)(a).	U Fossil Fuel Utilization Facilities.	11/13/07	4/24/14	[Insert **Federal Register** page number where the document begins].	140	Requires inspection, maintenance testing at facilities with heat inputs over 3 MMBtu/ hr (excluding combustion turbines and engines); requires posting of test results near facilities.
*	*	*		*	*	*
310 CMR 7.12	U Source Registration.	5/31/01, 8/23/05 & 11/13/07	4/24/14	[Insert **Federal Register** page number where the document begins].	140	Revises applicability threshold emission levels, expands list of sources required to report emissions, and clarifies types of information reported.
*	*	*		*	*	*
310 CMR 7.26(30)–(37).	Industry Performance Standards—U Boilers.	11/13/07	4/24/14	[Insert **Federal Register** page number where the document begins].	140	Sets standards for certain types of new boilers: replaces requirements to obtain a plan approval under 310 CMR 7.02(2).
*	*	*		*	*	*

Notes:

1. This table lists regulations adopted as of 1972. It does not depict regulatory requirements which may have been part of the Federal SIP before this date.
2. The regulations are effective statewide unless otherwise stated in comments or title section.

Editorial Note: This document was received for publication by the Office of the Federal Register on April 11, 2014.

[FR Doc. 2014–08610 Filed 4–23–14; 8:45 am]

BILLING CODE 6560–50–P

Proposed Rules

Federal Register
Vol. 79, No. 79
Thursday, April 24, 2014

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 TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2008–0561; Directorate Identifier 2007–NM–223–AD]

RIN 2120–AA64

Airworthiness Directives; The Boeing Company Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Supplemental notice of proposed rulemaking (NPRM); reopening of comment period.

SUMMARY: We are revising an earlier proposed airworthiness directive (AD) for certain The Boeing Company Model 757–200 and –200PF series airplanes; and Model 767–200 and –300 series airplanes. The NPRM proposed to require doing an inspection to determine the part number and serial number of the hub assembly of the ram air turbine (RAT), and replacing the hub assembly of the RAT with a new, serviceable, or reworked and re-identified hub assembly if necessary. The NPRM was prompted by reports indicating that the counterweights in some hub assemblies of the RATs could be under strength and fracture when the RAT is rotating. This action revises the NPRM by adding airplanes to the applicability; adding an additional part number and serial number inspection to determine if certain RAT hub assemblies are installed; and, for affected RAT hub assemblies, doing an inspection for missing and fractured balance washer screws, and replacement if necessary to address an additional defect identified within the RAT hub assembly. We are proposing this supplemental notice of proposed rulemaking (SNPRM) to prevent an inoperative RAT, which, following a dual engine shutdown in flight, will cause loss of all hydraulic power to the primary flight controls, resulting in subsequent loss of control of the airplane. Since these actions impose an additional burden over that proposed in the NPRM, we are reopening the comment period to allow the public the chance to comment on these proposed changes.

DATES: We must receive comments on this SNPRM by June 9, 2014.

ADDRESSES: You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- Federal eRulemaking Portal: Go to *http://www.regulations.gov.* Follow the instructions for submitting comments.
- Fax: 202–493–2251.
- Mail: U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.
- Hand Delivery: U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For Boeing service information identified in this proposed AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, P.O. Box 3707, MC 2H–65, Seattle, Washington 98124–2207; telephone 206–544–5000, extension 1; fax 206–766–5680; email *me.boecom@boeing.com;* Internet *https://www.myboeingfleet.com.* For Hamilton Sundstrand service information identified in this proposed AD, contact Hamilton Sundstrand, Technical Publications, Mail Stop 302–9, 4747 Harrison Avenue, P.O. Box 7002, Rockford, IL 61125–7002; phone: 860–654–3575; fax: 860–998–4564; email: *tech.solutions@hs.utc.com;* Internet: *http://www.hamiltonsundstrand.com.*

You may view this referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221.

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2014–0561; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (phone: 800–647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Marie Hogestad, Aerospace Engineer, Systems and Equipment Branch, ANM–130S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue SW., Renton, WA 98057–3356; phone: 425–917–6418; fax: 425–917–6590; *marie.hogestad@faa.gov.*

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include ''Docket No. FAA–2008–0561; Directorate Identifier 2007–NM–223–AD'' at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD because of those comments.

We will post all comments we receive, without change, to *http://www.regulations.gov,* including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this proposed AD.

Discussion

We issued an NPRM to amend 14 CFR part 39 to include an AD that would apply to certain The Boeing Company Model 757–200 and –200PF series airplanes; and Model 767–200 and –300 series airplanes. The NPRM published in the **Federal Register** on May 20, 2008 (73 FR 29087). The NPRM proposed to require doing an inspection to determine the part number and serial number of the hub assembly of the RAT, and replacing the hub assembly of the RAT with a new, serviceable, or reworked and re-identified hub assembly if necessary. The NPRM was issued because the counterweights in some hub assemblies of the RATs could

be under strength and fracture when the RAT is rotating.

Actions Since the NPRM (73 FR 29087, May 20, 2008) Was Issued

Since we issued the NPRM (73 FR 29087, May 20, 2008), we have reviewed Boeing Alert Service Bulletin 757–29A0066, Revision 1, dated March 8, 2010 (for Model 757 airplanes); and Boeing Alert Service Bulletin 767–29A0110, Revision 1, dated March 8, 2010 (for Model 767 airplanes). We referred to Boeing Alert Service Bulletin 757–29A0066, dated January 2, 2007 (for Model 757–200 and –200PF series airplanes); and Boeing Alert Service Bulletin 767–29A0110, dated January 2, 2007 (for Model 767–200 and –300 series airplanes); as the appropriate sources of service information for accomplishing the actions specified in the NPRM. Revision 1 of this service information revises the effectivity to include The Boeing Company Model 757–200, –200PF, –200CB, and –300 series airplanes; and Model 767–200, –300, –300F, and –400ER series airplanes.

We have also reviewed Boeing Special Attention Service Bulletin 757–29–0069, dated June 24, 2010 (for Model 757 airplanes); and Boeing Special Attention Service Bulletin 767–29–0112, dated June 24, 2010 (for Model 767 airplanes); which describe procedures for an inspection to determine the part number and serial number on the hub assembly of the RAT and replacement of the RAT or RAT hub assembly.

We have also reviewed Hamilton Sundstrand Service Bulletin 730814–29–15, dated February 10, 2010 (for Model 757 airplanes); and Hamilton Sundstrand Service Bulletin 729548–29–18, dated February 10, 2010 (for Model 767 airplanes). This service information describes procedures for certain parts identified in Boeing Special Attention Service Bulletin 757–29–0069, dated June 24, 2010 (for Model 757 airplanes); and Boeing Special Attention Service Bulletin, 767–29–0112, dated June 24, 2010 (for Model 767 airplanes). This service information also describes procedures for doing a general visual inspection of the 12 balance washer screws installed around the perimeter of the rotor assembly for missing washers and fractured screws; and either the replacement of the RAT or RAT hub assembly if any balance washer is missing or any fractured screw is found, or replacement of all balance screws if no missing balance washers and no fractured screws are found.

This SNPRM was prompted by reports of two different material defects that have been identified on the RATs installed on Model 757 and Model 767 airplanes. The first material defect associated with counterweights was the basis of the NPRM. The second material defect associated with the balance washer screws is new to this SNPRM. Rather than have two separate AD actions associated with the RATs installed on the Model 757 and Model 767 airplanes, we have elected to consolidate rulemaking to address both material defects via this SNPRM.

We have determined that the actions in this service information are necessary to address the identified unsafe condition.

Comments

We gave the public the opportunity to comment on the NPRM (73 FR 29087, May 20, 2008). The following presents the comments received on the NPRM and the FAA's response to each comment.

Requests To Revise the Applicability in the NPRM (73 FR 29087, May 20, 2008)

Northwest Airlines, Inc. (NWA) and American Airlines (AAL) requested that the applicablitiy in the NPRM (73 FR 29087, May 20, 2008) be revised. NWA stated that affected parts might have migrated from the ''delivered on'' airplane to other airplanes, and requested that the inspection be revised to inspect any airplane the affected part could be installed on.

We agree with the commenters' request. We have revised the applicability of this SNPRM to include all airplanes on which the affected RAT hub assemblies could be installed. We have revised the ''Applicability'' section, paragraph (c) of this SNPRM, accordingly.

Requests To Perform a Maintenance Record Check in Lieu of an Inspection

Boeing requested that affected airlines be required to check their maintenance records to locate and inspect suspect hub assemblies. Boeing stated that suspect hub assemblies may have been removed from one airplane and then installed on another airplane not listed in the Effectivity of Boeing Alert Service Bulletin 757–29A0066 (for Model 757–200 and –200PF series airplanes) or Boeing Alert Service Bulletin 767–29A0110 (for Model 767–200 and –300 series airplanes), both dated January 2, 2007.

Airlines for America (A4A), on behalf of its member AAL, requested that, due to the interchangeability of parts between the Model 757 and 767 fleets, the NPRM (73 FR 29087, May 20, 2008) include a check of the RAT hub assembly part number and serial number for the entire affected fleet regardless of the effectivity currently listed in the service information.

We agree that parts may have been rotated onto airplanes not listed in Boeing Alert Service Bulletin 757–29A0066 (for Model 757–200 and –200PF series airplanes) or Boeing Alert Service Bulletin 767–29A0110 (for Model 767–200 and –300 series airplanes), both dated January 2, 2007, and, therefore, may be installed on airplanes that were not included in the applicability of the NPRM (73 FR 29087, May 20, 2008). We have revised the applicability of this SNPRM to include all Model 757 and 767 airplanes. Because this SNPRM includes all airplanes that could have a defective RAT hub assembly installed, it is not necessary to require operators to check maintenance records.

Request To Mandate Only Those Actions That Address the Unsafe Condition

NWA requested that the NPRM (73 FR 29087, May 20, 2008) only mandate those actions that are required to address the unsafe condition, and not those actions contained in Boeing Alert Service Bulletin 757–29A0066 (for Model 757–200 and –200PF series airplanes) and Boeing Alert Service Bulletin 767–29A0110 (for Model 767–200 and –300 series airplanes), both dated January 2, 2007, that are not pertinent to the safety objective.

NWA stated that the NPRM (73 FR 29087, May 20, 2008) mandated the inspection and replacement in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin 757–29A0066 (for Model 757–200 and –200PF series airplanes) and Boeing Alert Service Bulletin 767–29A0110 (for Model 767–200 and –300 series airplanes), both dated January 2, 2007. NWA stated that these instructions contain work steps that are not pertinent to correcting the unsafe condition, and indicated that, if some of these procedures are not followed exactly, it could result in a non-compliance with the AD even though the unsafe condition was corrected. NWA stated that mandating only those actions that are required to address the unsafe condition will minimize the quantity of alternative method of compliances (AMOCs) that might be necessary to approve the variations of procedures among operators.

We agree to add a clarification in paragraphs (g)(2) and (h)(2)(i) of this SNPRM, which states that where the

service information specifies to contact Hamilton Sundstrand for a replacement unit, this SNPRM does not require that action. Also, we have added a clarification in paragraphs (g)(3) and (h)(2)(ii) of this SNPRM, which states that, where the service information instructs operators to return all RATs or RAT hub assemblies to Hamilton Sundstrand for rework and test, operators may return the RAT or RAT hub assembly to Hamilton Sundstrand or to an FAA-approved repair facility that has the capability to disassemble, repair, balance, and test the RAT or RAT hub assembly.

We agree with the concept of minimizing AD requirements when appropriate. The FAA worked in conjunction with industry, under the Airworthiness Directives Implementation Aviation Rulemaking Committee (ARC), to enhance the AD system. One enhancement is a new process for annotating which steps in the service information are ''required for compliance'' (RC) with an AD. Differentiating these steps from other tasks in the service information is expected to improve an owner's/operator's understanding of AD requirements and help provide consistent judgment in AD compliance.

In response to the AD Implementation ARC, the FAA released AC 20–176, dated December 19, 2011 (*http://rgl.avs.faa.gov/Regulatory_and_Guidance_Library/rgAdvisoryCircular.nsf/0/a78cc91a47b192278625796b0075f419/$FILE/AC%2020–176.pdf*); and Order 8110.117, dated September 12, 2012 (*http://rgl.avs.faa.gov/Regulatory_and_Guidance_Library/rgOrders.nsf/0/984bb9eb07cdd86986257a7f0070744c/$FILE/Order%208110.117.pdf*), which include the concept of RC. The FAA has begun implementing this concept in ADs when we receive service information containing RC steps. While some design approval holders have implemented the RC concept, the implementation is voluntary. The FAA does not intend to develop or revise AD requirements to incorporate the RC concept if it is not included in the service information.

Contrary to NWA's statement that ADs should mandate only those actions that are required to address the unsafe condition, ADs generally contain requirements that are reasonably related to addressing the unsafe condition, as determined by the FAA and the design approval holder that developed the service bulletin. Typically, operators' maintenance programs were not developed in recognition of the unsafe condition that is being addressed by an AD. Whenever we issue an AD, those programs had failed to prevent the unsafe condition in the first place. Therefore, many provisions of ADs address aspects of accomplishing the required maintenance that are necessary to prevent operators from inadvertently aggravating the unsafe condition or introducing new unsafe conditions.

For many years, the Air Transport Association (now Airlines for America, A4A) has sponsored the ''Lead Airline'' program through which individual airlines are provided an opportunity to prototype manufacturers' draft service instructions before they are finalized. One objective of this activity is to minimize the procedures included in the instructions that are considered unnecessary. Therefore, when the FAA receives a manufacturer's service bulletin, we recognize that the procedures specified have been determined to be necessary by both the manufacturer and affected operators. As in this case, the instructions provided in service bulletins referenced in ADs are reasonably related to addressing the unsafe condition.

As always, if NWA or any other operator prefers to address the unsafe condition by means other than those specified in the referenced service information, they may request approval for an alternative method of compliance and, if approved, may use it instead of the procedures specified in the service information.

Request To Revise the Costs of Compliance

AAL requested that the costs of compliance in the NPRM (73 FR 29087, May 20, 2008) be revised. AAL stated that it finds the cost estimate insufficient and that it is not representative of the actual labor costs that might be incurred by the operators. AAL also stated that the NPRM only includes the labor cost associated with inspecting airplanes on which the affected RAT hub assemblies were delivered and not the entire fleet. AAL stated that the cost only includes the 1-hour inspection and not the labor cost to replace the RAT hub assembly.

We agree with AAL's request. We have determined that the cost estimate provided in this SNPRM should include the labor costs for completing the inspection on the entire affected fleet, and the on-condition costs for those operators required to replace the RAT hub assembly. We have revised the ''Costs of Compliance'' section in this SNPRM accordingly.

Request To Revise Paragraph (e) of the NPRM (73 FR 29087, May 20, 2008)

AAL requested that paragraph (e) of the NPRM (73 FR 29087, May 20, 2008) be revised. AAL proposed that the paragraph be reworded to state, ''. . . unless the actions have already been done per the appropriate Service Bulletin referenced in paragraph (c).'' AAL stated that accomplishment of the applicable service information addresses the safety concern and operators should be given credit for accomplishing the service information.

We disagree with AAL's request to revise paragraph (f) of this SNPRM (referred to as paragraph (e) of the NPRM (73 FR 29087, May 20, 2008)). Any actions required by this SNPRM, which are accomplished before the effective date of the AD, are acceptable for compliance since paragraph (f) of this SNPRM states, ''Comply with this AD within the compliance times specified, unless already done.'' Actions must be done in accordance with the appropriate service information. Otherwise, an operator would need to request an AMOC in accordance with the procedures specified in paragraph (l)(1) of this SNPRM. We have not changed this SNPRM in this regard.

Request To Delay Replacement of the RAT Hub Assembly in Paragraph (f) of the NPRM (73 FR 29087, May 20, 2008)

AAL requested that paragraph (f) of the NPRM (73 FR 29087, May 20, 2008), referred to as paragraph (g)(1) of this SNPRM, be revised to delay replacement of the RAT hub assembly. AAL suggested including the following statement for clarity, ''In cases where the RAT hub assembly serial number is on the recall list and there is no replacement RAT hub assembly available, put the airplane back to a serviceable condition. Then replace the RAT hub assembly within 24 months after the compliance date.''

AAL stated that the service information authorizes operators to continue operating the airplane until a replacement hub is available. AAL stated that the NPRM (73 FR 29087, May 20, 2008) is not explicit about operating the airplane with a suspect RAT hub assembly. AAL also stated that the NPRM can be interpreted as replacing the RAT hub assembly when identified, or at a later date when a RAT hub assembly is available.

We disagree with AAL's request to revise paragraph (g)(1) of this SNPRM (referred to as paragraph (f) of the NPRM (73 FR 29087, May 20, 2008)) to allow operators to continue operating an airplane with a suspect RAT hub

assembly until a later date when a RAT hub assembly is available. Paragraph (f) of the NPRM (73 FR 29087, May 20, 2008, specifies a compliance time of ''within 24 months after the effective date of this AD.'' We have further limited the compliance time in paragraph (g)(1) of this SNPRM to include ''prior to the next RAT backdrive test,'' i.e., prior to the next RAT backdrive test or within 24 months after the effective date of this AD, whichever occurs first. . . .'' The ''prior to the next RAT backdrive test'' requirement was added due to the balance washer screw defect presented in Boeing Special Attention Service Bulletin 757–29–0069, dated June 24, 2010; and Boeing Special Attention Service Bulletin, 767–29–0112, dated June 24, 2010. We have determined that this compliance time is necessary because loss of a balance washer during periodic ground testing of the RAT could cause injury to maintenance personnel.

In developing an appropriate compliance time for this action, we considered the urgency associated with the subject unsafe condition, the availability of required parts, and the practical aspect of accomplishing the required replacement within a period of time that corresponds to the normal scheduled maintenance for most affected operators. However, under the provisions of paragraph (l)(1) of this SNPRM, we will consider requests for approval of an extension of the compliance time if sufficient data is submitted to substantiate that the new compliance time would provide an acceptable level of safety. We have not changed this SNPRM in this regard.

Request To Clarify Paragraph (f) of the NPRM (73 FR 29087, May 20, 2008)

AAL requested that paragraph (f) of the NPRM (73 FR 29087, May 20, 2008) be updated to state, ''If the part number and serial number on the hub assembly of the RAT are listed in paragraphs (i)(1)(i) and (i)(1)(ii) of the AD, and are not reworked and re-identified, within 24 months after the effective date of this AD, replace the hub assembly of the RAT with a new, serviceable, or reworked and re-identified hub assembly in accordance with the accomplishment instructions of the service bulletin.'' AAL stated that the service information does not change the serial numbers when the modification is accomplished. AAL stated that the service information adds the symbol ''29–12'' to a new identification plate when the modification is accomplished, and that neither the service information nor the NPRM check for a reworked and re-identified hub during the inspection. AAL stated that, therefore, an airplane inspected in accordance with the NPRM with a reworked and re-identified RAT hub assembly installed would not be compliant with the AD.

We agree with AAL's request. This SNPRM does not propose to require changing the serial number of the rat hub assembly when it is assembled. If any part has already been re-identified, as required by paragraph (g)(1) of this SNPRM, then the inspection alone will not find it because the inspection looks specifically for a part number and serial number specified in paragraphs (g)(1)(i) and (g)(1)(ii) of this SNPRM, and it does not look for re-identified part numbers. We have revised paragraph (g)(1) of this SNPRM (referred to as paragraph (f) of the NPRM (73 FR 29087, May 20, 2008)) accordingly.

Request To Add a Note in the NPRM (73 FR 29087, May 20, 2008) To Explain the Difference in Part Numbers

AAL requested that a note be added to the NPRM (73 FR 29087, May 20, 2008) explaining the difference in part numbers. AAL stated that part number (P/N) 733785/A listed in Hamilton Sundstrand Service Bulletin 730814–29–12, dated November 30, 2005, is incorrect. The NPRM included the correct P/N 733785A in table 2 (designated as paragraphs (i)(1)(i) and (i)(1)(ii) of this SNPRM). AAL stated that operators will be using the Hamilton Sundstrand service bulletins for the inspection and rework. AAL stated that the incorrect part number could cause confusion when identifying a suspect RAT hub assembly.

We disagree with AAL's request to add a note to this AD. While we agree that Hamilton Sundstrand Service Bulletin 730814–29–12, dated November 30, 2005, specifies the incorrect part number, the actions proposed in this SNPRM take precedence over Hamilton Sundstrand Service Bulletin 730814–29–12, dated November 30, 2005. This SNPRM would require operators to inspect for the part numbers and serial numbers listed in paragraphs (g)(1)(i) and (g)(1)(ii) of this SNPRM for this reason. We have not made any changes to this SNPRM in this regard.

Request To Replace RAT Hub Assemblies With Unidentified Plates

AAL requested that paragraph (f) of the NPRM (73 FR 29087, May 20, 2008) (referred to as paragraph (g)(1) of this SNPRM) be updated to include the following statement, ''In cases where the RAT hub assembly is missing the data plate, replace the RAT hub assembly within 24 months after the compliance date.''

We agree with AAL's request to replace RAT hub assemblies with unidentified plates. Defective RAT hub assemblies are identified by part number and serial number, and can be installed on any Model 757 or Model 767 airplane. Without identification, there is no way to guarantee the RAT hub assembly is not defective. We have revised paragraph (g)(1) of this SNPRM (referred to as paragraph (f) of the NPRM (73 FR 29087, May 20, 2008)) to require replacement of the RAT hub assembly if the part number or serial number on the hub assembly of the RAT is missing. However, as stated previously, the compliance time specified in paragraph (g)(1) of this SNPRM is ''Prior to the next RAT backdrive test or within 24 months after the effective date of this AD, whichever occurs first.''

Additional Changes Made to This SNPRM

We have added the heading and wording of paragraph (k) of this SNPRM to provide credit for previous accomplishment of the actions required by paragraph (g) of this SNPRM, if those actions are done before the effective date of this AD.

Table 1 of the NPRM (73 FR 29087, May 20, 2008) has been removed from this SNPRM as a result of the change to the proposed Applicability of this SNPRM. Paragraphs (g)(1)(i), (g)(1)(ii), (i)(2)(i), and (i)(2)(ii) of this SNPRM have been added. Table 2 of the NPRM has been redesignated as paragraphs (i)(1)(i) and (i)(1)(ii) of this SNPRM.

Screw Replacement Information

Operators should note that, if a screw fractures during any screw replacement specified in this SNPRM and the weight is still available, the balance weight can be installed with the replacement screw. Screws should only be replaced one at a time to prevent any potential for a removed balance washer to be installed in a different location.

FAA's Determination

We are proposing this SNPRM because we evaluated all the relevant information and determined the unsafe condition described previously is likely to exist or develop in other products of these same type designs. Certain changes described above expand the scope of the NPRM (73 FR 29087, May 20, 2008). As a result, we have determined that it is necessary to reopen the comment period to provide additional opportunity for the public to comment on this SNPRM.

Proposed Requirements of the SNPRM

This SNPRM would require accomplishing the actions specified in the service information described previously, except as discussed under ''Differences Between the SNPRM and the Service Information.''

Differences Between the SNPRM and the Service Information

We have revised the compliance time for the inspection in paragraph (g) of this SNPRM (referred to as paragraph (f) of the NPRM (73 FR 29087, May 20, 2008)) as specified in Boeing Alert Service Bulletin 757–29A0066, Revision 1, dated March 8, 2010 (for Model 757 airplanes); and Boeing Alert Service Bulletin 767–29A0110, Revision 1, dated March 8, 2010 (for Model 767 airplanes); to ''prior to the next RAT backdrive test or within 24 months after the effective date of this AD, whichever occurs first.'' The proposed ''prior to the next RAT backdrive test'' requirement was added due to the balance washer screw defect presented in Boeing Special Attention Service Bulletin 757–29–0069 (for Model 757 airplanes) and Boeing Special Attention Service Bulletin 767–29–0112 (for Model 767 airplanes), both dated June 24, 2010. We have determined that this compliance time is necessary because loss of a balance washer during periodic ground testing of the RAT could cause injury to maintenance personnel. We have coordinated this difference with Boeing.

Although the effectivity in Boeing Special Attention Service Bulletin 767–29–0112, dated June 24, 2010, includes only airplanes having line numbers (L/Ns) 1 through 985 inclusive; and Boeing Alert Service Bulletin 767–29A0110, Revision 1, dated March 8, 2010, includes only airplanes having L/Ns 1 through 976 inclusive; this SNPRM would apply to all line numbers in the Boeing Model 767 fleet, since the RAT hub assemblies can be installed on any Model 767 airplane. We have coordinated this difference with Boeing.

Where Boeing Alert Service Bulletin 757–29A0066, Revision 1, dated March 8, 2010 (for Model 757 airplanes); and Boeing Alert Service Bulletin 767–29A0110, Revision 1, dated March 8, 2010 (for Model 767 airplanes); specify to contact Hamilton Sundstrand for a new or replacement unit, this SNPRM would not require that action. Operators may do the replacement using a new or serviceable RAT or RAT hub assembly, or using a reworked and re-identified RAT or RAT hub assembly. We have coordinated this difference with Boeing.

Where Boeing Alert Service Bulletin 757–29A0066, Revision 1, dated March 8, 2010 (for Model 757 airplanes); or Boeing Alert Service Bulletin 767–29A0110, Revision 1, dated March 8, 2010 (for Model 767 airplanes); specifies to return all RAT hub assemblies to Hamilton Sundstrand for rework and test, operators may return the RAT or RAT hub assembly to Hamilton Sundstrand or to a FAA-approved repair facility that has the capability to disassemble, repair, balance, and test the RAT or RAT hub assembly. We have coordinated this difference with Boeing.

Although Boeing Alert Service Bulletin 757–29A0066, Revision 1, dated March 8, 2010 (for Model 757 airplanes); and Boeing Alert Service Bulletin 767–29A0110, Revision 1, dated March 8, 2010 (for Model 767 airplanes); specify replacing the RAT hub assembly, this proposed SNPRM would allow replacing either the RAT or the RAT hub assembly. We have coordinated this difference with Boeing.

Where Boeing Special Attention Service Bulletin 757–29–0069, dated June 24, 2010 (for Model 757 airplanes); and Boeing Special Attention Service Bulletin 767–29–0112, dated June 24, 2010 (for Model 767 airplanes); specify to contact Hamilton Sundstrand for a replacement unit, this SNPRM would not require that action. We have coordinated this difference with Boeing.

Where Boeing Special Attention Service Bulletin 757–29–0069, dated June 24, 2010 (for Model 757 airplanes); and Boeing Special Attention Service Bulletin 767–29–0112, dated June 24, 2010 (for Model 767 airplanes); instruct operators to return all RAT or RAT hub assemblies to Hamilton Sundstrand for rework and test, operators may return the RAT or RAT hub assembly to Hamilton Sundstrand or to an FAA-approved repair facility that has the capability to disassemble, repair, balance, and test the RAT or RAT hub assembly. We have coordinated this difference with Boeing.

Costs of Compliance

We estimate that this proposed AD affects 1,132 airplanes of U.S. registry.

We estimate the following costs to comply with this proposed AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Inspection	1 work-hour × $85 per hour = $85	$0	$85	$96,220

We estimate the following costs to do any necessary replacements that would be required based on the results of the proposed inspection. We have no way of determining the number of aircraft that might need these replacements:

ON-CONDITION COSTS

Action	Labor cost	Parts cost	Cost per product
Replacement of balance washer screws	1 work-hour × $85 per hour = $85	$0	$85
Removal and installation of RAT assembly	5 work-hours × $85 per hour = 425	0	425
Removal and installation of RAT hub assembly	2 work-hours × $85 per hour = 170	0	170

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. ''Subtitle VII: Aviation Programs'' describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: ''General requirements.'' Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations

for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

We determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify this proposed regulation:

(1) Is not a ''significant regulatory action'' under Executive Order 12866,

(2) Is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979),

(3) Will not affect intrastate aviation in Alaska, and

(4) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

■ 2. Amend § 39.13 by adding the following new airworthiness directive (AD):

The Boeing Company: Docket No. FAA–2008–0561; Directorate Identifier 2007–NM–223–AD.

(a) Comments Due Date

We must receive comments by June 9, 2014.

(b) Affected ADs

None.

(c) Applicability

This AD applies to all The Boeing Company Model 757–200, –200PF, –200CB, and –300 series airplanes; and Model 767–200, –300, –300F, and –400ER series airplanes; certificated in any category.

(d) Subject

Air Transport Association (ATA) of America Code 29, Hydraulic Power.

(e) Unsafe Condition

This AD was prompted by reports indicating that the counterweights in some hub assemblies of the ram air turbine (RAT) could be under strength and fracture when the RAT is rotating, and that some RAT hub assemblies were delivered with balance washer retention screws that were incorrectly heated treated, and therefore, susceptible to fracture and cracking. We are issuing this AD to prevent an inoperative RAT, which, following a dual engine shutdown in flight, will cause loss of all hydraulic power to the primary flight controls, resulting in subsequent loss of control of the airplane.

(f) Compliance

Comply with this AD within the compliance times specified, unless already done.

(g) Inspection and Replacement of Parts With a Counterweight Defect

Prior to the next RAT backdrive test or within 24 months after the effective date of this AD, whichever occurs first: Do an inspection to determine the part number and serial number on the hub assembly of the RAT, in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin 757–29A0066, Revision 1, dated March 8, 2010 (for Model 757 airplanes); or Boeing Alert Service Bulletin 767–29A0110, Revision 1, dated March 8, 2010 (for Model 767 airplanes).

(1) If the part number or serial number on the hub assembly of the RAT is missing, or if the part number and serial number are specified in paragraphs (g)(1)(i) and (g)(1)(ii) of this AD, and the hub assembly has not been reworked and re-identified in accordance with Hamilton Sundstrand Service Bulletin 730814–29–12, dated November 30, 2005 (for Model 757 airplanes); or Hamilton Sundstrand Service Bulletin 729548–29–15, dated November 30, 2005 (for Model 767 airplanes): Prior to the next RAT backdrive test or within 24 months after the effective date of this AD, whichever occurs first, replace the RAT or RAT hub assembly with a new, serviceable, or reworked and re-identified RAT or RAT hub assembly, in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin 757–29A0066, Revision 1, dated March 8, 2010 (for Model 757 airplanes); or Boeing Alert Service Bulletin 767–29A0110, Revision 1, dated March 8, 2010 (for Model 767 airplanes); except as provided by paragraphs (g)(2) and (g)(3) of this AD.

(i) Model 757–200, –200PF, –200CB, and –300 series airplanes having part number (P/N) 733785A or 733785B, and serial number (S/N) 0410 through 0413 inclusive, 0415, 0417 through 0430 inclusive, 0432, or 0434.

(ii) Model 767–200, –300, –300F, and –400ER series airplanes having P/N 734350A, 734350B, 734350C, or 734350D, and S/N 0666, 0673 through 0684 inclusive, 0686, 0687, or 0689.

(2) Where Boeing Alert Service Bulletin 757–29A0066, Revision 1, dated March 8, 2010 (for Model 757 airplanes); or Boeing Alert Service Bulletin 767–29A0110, Revision 1, dated March 8, 2010 (for Model 767 airplanes); specify to contact Hamilton Sundstrand for a replacement unit, this AD does not require that action.

(3) Where Boeing Alert Service Bulletin 757–29A0066, Revision 1, dated March 8, 2010 (for Model 757 airplanes); or Boeing Alert Service Bulletin 767–29A0110, Revision 1, dated March 8, 2010 (for Model 767 airplanes); specifies to return all RAT hub assemblies to Hamilton Sundstrand for rework and test, operators may return the RAT or RAT hub assembly to Hamilton Sundstrand or to an FAA-approved repair facility that has the capability to disassemble, repair, balance, and test the RAT or RAT hub assembly.

(h) Inspection and Replacement of Parts With a Balance Washer Screw Defect

Prior to the next RAT backdrive test or within 24 months after the effective date of this AD, whichever occurs first: Do an inspection to determine the part number and serial number on the hub assembly of the RAT, in accordance with the Accomplishment Instructions of Boeing Special Attention Service Bulletin 757–29–0069, dated June 24, 2010 (for Model 757 airplanes); or Boeing Special Attention Service Bulletin 767–29–0112, dated June 24, 2010 (for Model 767 airplanes).

(1) If the part number or serial number on the hub assembly of the RAT is missing or if the part number and serial number is listed in paragraph 1.A., ''Effectivity,'' of Hamilton Sundstrand Service Bulletin 730814–29–15, dated February 10, 2010 (for Model 757 airplanes); or Hamilton Sundstrand Service Bulletin 729548–29–18, dated February 10, 2010 (for Model 767 airplanes); and the hub assembly has not been reworked and re-identified in accordance with Hamilton Sundstrand Service Bulletin 730814–29–15, dated February 10, 2010 (for Model 757 airplanes), or Hamilton Sundstrand Service Bulletin 729548–29–18, dated February 10, 2010 (for Model 767 airplanes): Prior to the next RAT backdrive test or within 24 months after the effective date of this AD, whichever occurs first, do a general visual inspection of the 12 balance washer screws installed around the perimeter of the rotor assembly for missing washers and fractured screws, in accordance with the Accomplishment Instructions of Hamilton Sundstrand Service Bulletin 730814–29–15, dated February 10, 2010 (for Model 757 airplanes); or Hamilton Sundstrand Service Bulletin 729548–29–18, dated February 10, 2010 (for Model 767 airplanes).

(2) If any balance washer is missing or any fractured screw is found, prior to the next RAT backdrive test or within 24 months after the effective date of this AD, whichever occurs first: Replace the RAT or RAT hub assembly with a new, serviceable, or

reworked and re-identified RAT or RAT hub assembly, in accordance with the Accomplishment Instructions of Boeing Special Attention Service Bulletin 757–29–0069, dated June 24, 2010 (for Model 757 airplanes); or Boeing Special Attention Service Bulletin 767–29–0112, dated June 24, 2010 (for Model 767 airplanes); except as provided by paragraphs (h)(2)(i) and (h)(2)(ii) of this AD.

(i) Where Boeing Special Attention Service Bulletin 757–29–0069, dated June 24, 2010 (for Model 757 airplanes); and Boeing Special Attention Service Bulletin 767–29–0112, dated June 24, 2010 (for Model 767 airplanes); specify to contact Hamilton Sundstrand for a replacement unit, this AD does not require that action.

(ii) Where the Boeing Special Attention Service Bulletin 757–29–0069, dated June 24, 2010 (for Model 757 airplanes); and Boeing Special Attention Service Bulletin 767–29–0112, dated June 24, 2010 (for Model 767 airplanes); instruct operators to return all RAT or RAT hub assemblies to Hamilton Sundstrand for rework and test, operators may return the RAT or RAT hub assembly to Hamilton Sundstrand or an FAA-approved repair facility that has the capability to disassemble, repair, balance, and test the RAT or RAT hub assembly.

(3) If there are no missing balance washers and no fractured screws: Prior to the next RAT backdrive test or within 24 months after the effective date of this AD, whichever occurs first: Replace the balance washer screws, one at a time, in accordance with Hamilton Sundstrand Service Bulletin 730814–29–15, dated February 10, 2010 (for Model 757 airplanes); or Hamilton Sundstrand Service Bulletin 729548–29–18, dated February 10, 2010 (for Model 767 airplanes).

(i) Parts Installation Limitations

(1) As of the effective date of this AD, no person may install a RAT hub assembly having any applicable part number and serial number specified in paragraphs (i)(1)(i) and (i)(1)(ii) of this AD, on any airplane, unless it has been reworked and re-identified in accordance with Hamilton Sundstrand Service Bulletin 730814–29–12, dated November 30, 2005 (for Model 757 airplanes); or Hamilton Sundstrand Service Bulletin 729548–29–15, dated November 30, 2005 (for Model 767 airplanes).

(i) Model 757–200, –200PF, –200CB, and –300 series airplanes having P/N 733785A or 733785B, and S/N 0410 through 0413 inclusive, 0415, 0417 through 0430 inclusive, 0432, or 0434.

(ii) Model 767–200, –300, –300F, and –400ER series airplanes having P/N 734350A, 734350B, 734350C, or 734350D, and S/N 0666, 0673 through 0684 inclusive, 0686, 0687, or 0689.

(2) As of the effective date of this AD, no person may install a RAT hub assembly having any applicable part number and serial number specified in paragraph (i)(2)(i) and (i)(2)(ii) of this AD, on any airplane, unless it has been inspected and reworked and re-identified in accordance with Hamilton Sundstrand Service Bulletin 730814–29–15, dated February 10, 2010 (for Model 757 airplanes); or 729548–29–18, dated February 10, 2010 (for Model 767 airplanes).

(i) Model 757–200, –200PF, –200CB, and –300 series airplanes having P/N 733785AB Series, and S/N 0107, 0105, 0121, 0151, 0179, 0204, 0282, 0289, 0296, 0315, 0319, 0337, 0390, 0403, 0412, 0421, 0424, 0426, 0429, 0430, 0439, 0445, 0450, 0477, 0503, 0510, 0512, 0584, 0585, 0591, 0599, 0609, 0617, 0624, 0656, 0673, 0685, 0789, 0822, 0841, 0854, 0911, 0912, 0936, 0957, 0961, 0971, 1061, 1064, 1096, 1101, 1102, 1105, 1113, 1117, 1170, 1172, 1173, X2069.

(ii) Model 767–200, –300, –300F, and –400ER series airplanes having P/N 734350 Series, and S/N 0042, 0074, 0170, 0183, 0207, 0311, 0312, 0324, 0336, 0337, 0347, 0367, 0372, 0379, 0381, 0391, 0427, 0431, 0469, 0495, 0500, 0530, 0531, 0533, 0538, 0539, 0550, 0551, 0575, 0584, 0619, 0626, 0666, 0670, 0676, 0690, 0700, 0701, 0734, 0750, 0800, 0801, 0813, 0835, 0836, 0908, 0923, 0958, 0968, 0980, 1009, 1012, 1019, 1046, 1052, 1054, 1102, 1127, 1167, 1264, 1285, 1300, 1317, 1322, 1362, 1372, 1394, 1398, 1436, 1594, 1633, 1634, 1635, 1636, 1637, 1638, 1639, 1640, 1641, 1642, 1643, 1644, 1645, 1646, 1647, 1648, 1649, 1650, 1651, 1652, X2063.

(3) As of the effective date of this AD, no person may install a balance washer screw having part number MS24667–14, on any airplane unless a records review can positively determine that the screws did not come from Northeast Fasteners, lots 24057 and 30533.

(j) No Information Submission

Although Boeing Alert Service Bulletin 757–29A0066, Revision 1, dated March 8, 2010 (for Model 757 airplanes); and Boeing Alert Service Bulletin 767–29A0110, Revision 1, dated March 8, 2010 (for Model 767 airplanes); specify to submit information to the manufacturer, this AD does not include that requirement.

(k) Credit for Previous Actions

This paragraph provides credit for the actions required by paragraph (g) of this AD, if those actions were performed before the effective date of this AD using the service information specified in paragraph (k)(1) or (k)(2) of this AD, as applicable. These documents are not incorporated by reference in this AD.

(1) Boeing Alert Service Bulletin 757–29A0066, dated January 2, 2007 (for Model 757–200 and –200PF series airplanes).

(2) Boeing Alert Service Bulletin 767–29A0110, dated January 2, 2007 (for Model 767–200 and –300 series airplanes).

(l) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Seattle Aircraft Certification Office (ACO), FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the ACO, send it to the attention of the person identified in paragraph (m)(1) of this AD. Information may be emailed to: *9-ANM-Seattle-ACO-AMOC-Requests@faa.gov.*

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(3) An AMOC that provides an acceptable level of safety may be used for any repair required by this AD if it is approved by the Boeing Commercial Airplanes Organization Designation Authorization (ODA) that has been authorized by the Manager, Seattle ACO, to make those findings. For a repair method to be approved, the repair must meet the certification basis of the airplane and the approval must specifically refer to this AD.

(m) Related Information

(1) For more information about this AD, contact Marie Hogestad, Aerospace Engineer, Systems and Equipment Branch, ANM–130S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue SW., Renton, WA 98057–3356; phone: 425–917–6418; fax: 425–917–6590; *marie.hogestad@faa.gov.*

(2) For Boeing service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, P.O. Box 3707, MC 2H–65, Seattle, Washington 98124–2207; telephone 206–544–5000, extension 1; fax 206–766–5680; email *me.boecom@boeing.com;* Internet *https://www.myboeingfleet.com.* For Hamilton Sundstrand service information identified in this AD, contact Hamilton Sundstrand, Technical Publications, Mail Stop 302–9, 4747 Harrison Avenue, P.O. Box 7002, Rockford, IL 61125–7002; phone: 860–654–3575; fax: 860–998–4564; email: *tech.solutions@hs.utc.com;* Internet: *http://www.hamiltonsundstrand.com.* You may view this service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221.

Issued in Renton, Washington, on April 17, 2014.

Jeffrey E. Duven,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2014–09348 Filed 4–23–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2014–0254; Directorate Identifier 2013–NM–047–AD]

RIN 2120–AA64

Airworthiness Directives; Beechcraft Corporation (Type Certificate Previously Held by Hawker Beechcraft Corporation; Raytheon Aircraft Company) Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to adopt a new airworthiness directive (AD) for certain Beechcraft Corporation (Type Certificate Previously Held by Hawker Beechcraft Corporation; Raytheon Aircraft Company) Model Hawker 800XP, 850XP, and 900XP airplanes. This proposed AD was prompted by a design review that revealed there were no instructions to apply sealant to structural components in the fuel tank during the winglet installation process. This proposed AD would require an inspection for the presence of sealant on doubler plate edges, doubler plate rivets, and adjacent skin in the fuel vent surge tanks; and corrective actions if necessary. We are proposing this AD to detect and correct missing sealant, which, during a lightning strike, could result in a potential source of ignition in a fuel tank and consequent explosion or fire and subsequent in-flight breakup of the airplane.

DATES: We must receive comments on this proposed AD by June 9, 2014.

ADDRESSES: You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov*. Follow the instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.
- *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this proposed AD, contact Beechcraft Corporation, TMDC, P.O. Box 85, Wichita, KS 67201–0085; telephone 316–676–8238; fax 316–671–2540; email *tmdc@beechcraft.com;* Internet *http://pubs.beechcraft.com*. You may view this referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221.

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2014–0254; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (phone: 800–647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Jeffrey Englert, Aerospace Engineer, Mechanical Systems and Propulsion Branch, ACE–116W, FAA, Wichita Aircraft Certification Office, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, KS 67209; phone: (316) 946–4167; fax: (316) 946–4107; email: *jeffrey.englert@faa.gov*.

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under the **ADDRESSES** section. Include ''Docket No. FAA–2014–0254; Directorate Identifier 2013–NM–047–AD'' at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD because of those comments.

We will post all comments we receive, without change, to *http://www.regulations.gov*, including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this proposed AD.

Discussion

We found during a design review that included the winglet kit that there were no instructions to apply sealant to structural components in the fuel tank during the winglet installation process. The sealant is part of the lightning protection design for the fuel tanks. Missing sealant, if not detected and corrected, could result in a potential source of ignition in a fuel tank during a lightning strike and consequent explosion or fire and subsequent in-flight breakup of the airplane.

Relevant Service Information

We reviewed Hawker Beechcraft Mandatory Service Bulletin SB 57–4112, dated February 2013. The service information describes procedures for inspecting for the presence of sealant on doubler plate edges, doubler plate rivets, and adjacent skin in the top and bottom of the left and right fuel vent surge tanks; and applying sealant if necessary.

FAA's Determination

We are proposing this AD because we evaluated all the relevant information and determined the unsafe condition described previously is likely to exist or develop in other products of the same type design.

Proposed AD Requirements

This proposed AD would require accomplishing the actions specified in the service information described previously, except as discussed under ''Differences Between the Proposed AD and the Service Information.''

Differences Between This Proposed AD and the Service Information

The service information identifies Model 800XP and 850XP airplanes equipped with certain kits, but does not specify the serial numbers of Model 800XP and 850XP airplanes that are eligible to have those kits installed. We have listed those serial numbers in paragraph (g) of this proposed AD.

The service information refers only to an ''inspection'' to determine the presence of sealant. We have determined that the inspection should be described as a ''general visual inspection.'' We have defined this type of inspection in paragraph (h) of this proposed AD.

The service information includes a note in the Accomplishment Instructions to inform operators to contact Hawker Beechcraft ''should any difficulty be encountered'' in accomplishing the service information. We have clarified in paragraph (i) of this proposed AD that any deviation from the instructions provided in the service information must be approved as an alternative method of compliance under the provisions of paragraph (k) of this proposed AD.

Costs of Compliance

We estimate that this proposed AD affects 50 airplanes of U.S. registry.

We estimate the following costs to comply with this proposed AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per Product	Cost on U.S. operators
Inspection	2 work-hours × $85 per hour = $170.	None	$170	$8,500

We estimate the following costs to do any necessary repairs that would be required based on the results of the proposed inspection. We have no way of determining the number of aircraft that might need these repairs:

ON-CONDITION COSTS

Action	Labor cost	Parts cost	Cost per product
Sealant application	36 work-hours × $85 per hour = $3,060	$32	$3,092

According to the manufacturer, all of the costs of this proposed AD may be covered under warranty, thereby reducing the cost impact on affected individuals. We do not control warranty coverage for affected individuals. As a result, we have included all costs in our cost estimate.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII: Aviation Programs, describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: ''General requirements.'' Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

We determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify this proposed regulation:

(1) Is not a ''significant regulatory action'' under Executive Order 12866,

(2) Is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979),

(3) Will not affect intrastate aviation in Alaska, and

(4) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by adding the following new airworthiness directive (AD):

Beechcraft Corporation (Type Certificate Previously Held by Hawker Beechcraft Corporation; Raytheon Aircraft Company): Docket No. FAA–2014–0254; Directorate Identifier 2013–NM–047–AD.

(a) Comments Due Date

We must receive comments by June 9, 2014.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Beechcraft Corporation (Type Certificate previously held by Hawker Beechcraft Corporation; Raytheon Aircraft Company) Model Hawker 800XP, 850XP, and 900XP airplanes, certificated in any category, all serial numbers.

(d) Subject

Air Transport Association (ATA) of America Code 28, Fuel.

(e) Unsafe Condition

This AD was prompted by a design review that revealed there were no instructions to apply sealant to structural components in the fuel tank during the winglet installation process. We are issuing this AD to detect and correct missing sealant, which, during a lightning strike, could result in a potential source of ignition in a fuel tank and consequent explosion or fire and subsequent in-flight breakup of the airplane.

(f) Compliance

Comply with this AD within the compliance times specified, unless already done.

(g) Inspection and Corrective Action

For airplanes identified in paragraphs (g)(1), (g)(2), and (g)(3) of this AD: Within 600 flight hours or 12 months after the effective date of this AD, whichever occurs first, do a general visual inspection for the presence of sealant on doubler plate edges, doubler plate rivets, and adjacent skin in the top and bottom of the left and right fuel vent surge tanks, and do all applicable corrective actions, in accordance with the Accomplishment Instructions of Hawker Beechcraft Mandatory Service Bulletin SB 57–4112, dated February 2013, except as required by paragraph (i) of this AD. Do all applicable corrective actions before further flight.

(1) Beechcraft Corporation (Type Certificate previously held by Hawker Beechcraft Corporation; Raytheon Aircraft Company) Model Hawker 800XP airplanes, serial numbers 258324, 258326 through 258332 inclusive, 258334 through 258340 inclusive, 258342 through 258347 inclusive, 258349 through 258359 inclusive, 258361 through 258369 inclusive, 258371 through 258380 inclusive, 258382 through 258406 inclusive, 258408 through 258426 inclusive, 258428 through 258444 inclusive, 258446 through 258468 inclusive, 258470 through

258492 inclusive, 258494 through 258512 inclusive, 258514 through 258532 inclusive, 258534 through 258540 inclusive, 258542 through 258555 inclusive, 258557 through 258566 inclusive, 258278, 258541, 258556, 258567 through 258609 inclusive, 258611 through 258628 inclusive, 258630 through 258684 inclusive, 258686 through 258734 inclusive, 258736 through 258788 inclusive, 258795, 258802, 258821, 258825, 258829, 258834, 258840, and 258847; equipped with a kit numbered 140–1701–1, 140–1702–1, 140–1703–1,140–1703–5, 140–1703–7, or 140–1704–1 that was purchased from Hawker Beechcraft on or before February 13, 2013.

(2) Beechcraft Corporation (Type Certificate previously held by Hawker Beechcraft Corporation; Raytheon Aircraft Company) Model Hawker 850XP airplanes having serial numbers 258789 through 258794 inclusive, 258796, 258798 through 258801 inclusive, 258803 through 258819 inclusive, 258822, 258823, 258826 through 258828 inclusive, 258830 through 258833 inclusive, 258835 through 258838 inclusive, 258841, 258844, 258845, 258848, 258852, 258855, 258856, 258858, 258859, 258861, 258872, 258874, 258876, 258891, 258893, 258895, 258900, 258901, 258904, 258907, 258909, 258912, 258915, 258921, 258959, 258961, 258963, 258977, 258980, 258982, and subsequent serial numbers; equipped with a kit numbered 140–1701–1, 140–1702–1, 140–1703–1, 140–1703–5, 140–1703–7, or 140–1704–1 that was purchased on or before February 13, 2013.

(3) Beechcraft Corporation (Type Certificate previously held by Hawker Beechcraft Corporation; Raytheon Aircraft Company) Model Hawker 900XP airplanes, having serial numbers HA–0156 and HA–0159.

(h) Definition

For the purposes of this AD, a general visual inspection is a visual examination of an interior or exterior area, installation, or assembly to detect obvious damage, failure, or irregularity. This level of inspection is made from within touching distance unless otherwise specified. A mirror may be necessary to ensure visual access to all surfaces in the inspection area. This level of inspection is made under normally available lighting conditions such as daylight, hangar lighting, flashlight, or droplight and may require removal or opening of access panels or doors. Stands, ladders, or platforms may be required to gain proximity to the area being checked.

(i) Exception to the Service Information

A note in the Accomplishment Instructions of the Hawker Beechcraft Mandatory Service Bulletin SB 57–4112, dated February 2013, instructs operators to contact Hawker Beechcraft if any difficulty is encountered in accomplishing the service information. However, this AD requires that any deviation from the instructions provided in Hawker Beechcraft Mandatory Service Bulletin SB 57–4112, dated February 2013, must be approved as an alternative method of compliance (AMOC) under the provisions of paragraph (k) of this AD.

(j) Parts Installation Limitation

For all airplanes: As of the effective date of this AD, no kit having kit number 140–1701–1, 140–1702–1, 140–1703–1, 140–1703–5, 140–1703–7, or 140–1704–1 that was purchased before February 13, 2013, may be installed on any airplane unless the installation includes sealant on doubler plate edges, doubler plate rivets, and adjacent skin in the top and bottom of the left and right fuel vent surge tanks, as specified in the Accomplishment Instructions of Hawker Beechcraft Mandatory Service Bulletin SB 57–4112, dated February 2013.

(k) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Wichita Aircraft Certification Office (ACO), FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the ACO, send it to the attention of the person identified in the Related Information section of this AD.

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(l) Related Information

(1) For more information about this AD, contact Jeffrey Englert, Aerospace Engineer, Mechanical Systems and Propulsion Branch, ACE–116W, FAA, Wichita Aircraft Certification Office, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, KS 67209; phone: (316) 946–4167; fax: (316) 946–4107; email: *jeffrey.englert@faa.gov*.

(2) For service information identified in this AD, contact Beechcraft Corporation, TMDC, P.O. Box 85, Wichita, KS 67201–0085; telephone 316–676–8238; fax 316–671–2540; email *tmdc@beechcraft.com*; Internet *http://pubs.beechcraft.com*. You may view this referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221.

Issued in Renton, Washington, on April 17, 2014.

Jeffrey E. Duven,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2014–09311 Filed 4–23–14; 8:45 am]

BILLING CODE 4910–13–P

POSTAL SERVICE

39 CFR Part 492

Collection of Delinquent Non-Tax Debts by Administrative Wage Garnishment

AGENCY: Postal Service.

ACTION: Proposed rule.

SUMMARY: The United States Postal Service proposes to add a provision to its regulations in order to implement the administrative wage garnishment (AWG) provisions of the Debt Collection Improvement Act of 1996 (DCIA), and to allow the Bureau of the Fiscal Service (BFS) of the United States Treasury to collect debts owed to the Postal Service, that the Postal Service refers to BFS for collection, by AWG.

DATES: Comments must be received on or before June 23, 2014.

ADDRESSES: Mail or deliver written comments to Ruth Stevenson, U.S. Postal Service, 475 L'Enfant Plaza SW., Room 6416, Washington, DC 20260–1150. You may inspect and photocopy all written comments at USPS Headquarters Library, 475 L'Enfant Plaza SW., 11th Floor North, Washington, DC, by appointment only between the hours of 9 a.m. and 4 p.m., Monday through Friday. Call 1–202–268–2906 in advance for an appointment. Email comments, containing the name and address of the commenter, may be sent to: *awgcomments@ usps.gov*. Faxed comments are not accepted.

FOR FURTHER INFORMATION CONTACT: Ruth Stevenson at (202) 268–6724.

SUPPLEMENTARY INFORMATION: After providing debtors with the requisite opportunity for notice and review, the Postal Service currently may refer non-tax delinquent debts to the United States Treasury Bureau of the Fiscal Service (BFS), formerly the Financial Management Service (FMS), for centralized collection and/or offset. Among other potential collection tools, BFS may utilize Administrative Wage Garnishment (AWG) to collect delinquent debts referred to it by federal agencies. AWG allows a federal entity to enforce collection of a debt by garnishing wages the debtor receives from a non-federal (private) employer after affording the debtor with notice and certain administrative proceedings, including the right to a hearing.

Provisions of the DCIA, codified at 31 U.S.C. 3720D, authorize Federal agencies to collect non-tax debt owed to the United States by AWG. The Treasury has also issued an implementing regulation at 31 CFR 285.11. However, before BFS may utilize AWG to collect debts that the Postal Service refers to it, the Postal Service must first implement regulations authorizing the collection of non-tax delinquent debt by AWG. The Postal Service accordingly proposes to add new part 492, containing § 492.1, to title 39 of the Code of Federal

Regulations in order to authorize collection of Postal debts by AWG.

The regulation proposed by the Postal Service provides that the Treasury regulation, 31 CFR 285.11, shall apply to AWG proceedings conducted by, or on behalf of, the Postal Service. Section 285.11 includes procedural protections, including notice requirements and hearing procedures, to allow individuals to contest the existence or amount of the debt and/or to assert that collection by garnishment would present an undue hardship prior to collection by AWG. BFS will pursue AWG on behalf of the Postal Service as part of its normal debt collection process. This includes issuing notices to debtors and garnishment orders to employers, as well as conducting required administrative hearings on behalf of the Postal Service, in accordance with the procedures contained in 31 CFR 285.11.

AWG, which involves the garnishment of wages a debtor receives from a private employer, is a separate procedure from administrative salary offsets taken from current federal employees' salaries (including Postal employees' salaries) in order to satisfy a debt owed to the United States. *See* 5 U.S.C. 5514; 39 CFR part 961. It is also a distinct procedure from the garnishment of current Postal Service employee and Postal Service Rate employee salaries, as detailed in 39 CFR part 491. Accordingly, the procedures contained in these provisions are not affected by this rule. In addition, the provisions pertaining to administrative offset contained in 39 CFR part 966 are not affected by this rule. As noted, the Postal Service must afford individuals with notice and an opportunity for review prior to referring a debt to the Treasury for collection and/or administrative offset, in accordance with ELM 470–480 and/or 39 CFR part 966, if applicable. Treasury may then determine to pursue collection of the debt by AWG, after providing the debtor with any additional process or procedures required by 31 CFR 285.11.

List of Subjects in 39 CFR Part 492

Administrative practice and procedure, Claims, Wages.

■ For the reasons stated in the preamble, the Postal Service proposes to add 39 CFR part 492 as set forth below:

PART 492—ADMINISTRATIVE WAGE GARNISHMENT FROM NON-POSTAL SOURCES

Authority: 31 U.S.C. 3720D; 39 U.S.C. 204, 401, 2601; 31 CFR 285.11.

§ 492.1 Collection of delinquent non-tax debts by administrative wage garnishment.

(a) This section provides procedures for the Postal Service to collect money from a debtor's disposable pay by means of administrative wage garnishment, in accordance with 31 U.S.C. 3720D and 31 CFR 285.11, to satisfy delinquent nontax debt owed to the United States.

(b) The Postal Service authorizes the United States Treasury Bureau of the Fiscal Service or its successor entity to collect debts by administrative wage garnishment, and conduct administrative wage garnishment hearings, on behalf of the Postal Service in accordance with the requirements of 31 U.S.C. 3720D and the procedures contained in 31 CFR 285.11.

(c) The Postal Service adopts the provisions of 31 CFR 285.11 in their entirety. The provisions of 31 CFR 285.11 should therefore be read as though modified to effectuate the application of that regulation to administrative wage garnishment proceedings conducted by, or on behalf of, the U.S. Postal Service.

Stanley F. Mires,

Attorney, Legal Policy & Legislative Advice.

[FR Doc. 2014–09295 Filed 4–23–14; 8:45 am]

BILLING CODE P

Notices

Federal Register

Vol. 79, No. 79

Thursday, April 24, 2014

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

Food and Nutrition Service

Request for Information: Supplemental Nutrition Assistance Program (SNAP) High Performance Bonuses

AGENCY: Food and Nutrition Service (FNS), USDA.

ACTION: Notice.

SUMMARY: Congress allows the Secretary of the U.S. Department of Agriculture (Secretary) considerable discretion to establish criteria and standards for evaluating the performances of State agencies and to monetarily reward State agencies that improve or excel in the agency's administration of the Supplemental Nutrition Assistance Program (SNAP). The recently enacted Agricultural Act of 2014 (Act) includes changes to the performance bonus system. States are now required by statute to reinvest any SNAP bonuses in the SNAP program. As a complement to these changes, the Food and Nutrition Service (FNS) is soliciting ideas for performance criteria and standards for high and most improved performance from State agencies and organizations that represent State interests prior to issuance of any proposed rules regarding changes to the criteria in determining SNAP high performance bonuses. FNS announces in this notice a request for information about current performance measures and data collection capabilities possessed by SNAP State agencies; data and information needed to assess other areas of SNAP being considered for a future high or most improved performance bonuses; and suggestions for linking bonus categories to ensure winners in one category meet minimum performance standards in other categories in order to qualify for any high or most improved performance bonus. FNS will consider this information in developing a proposed rule to revise the current high or most improved performance bonus structure.

DATES: Written comments must be received on or before July 23, 2014.

ADDRESSES: Comments may be sent to Patrick Lucrezio, Chief, Program Accountability and Administration Division, Food and Nutrition Service (FNS), U.S. Department of Agriculture, 3101 Park Center Drive, Room 822, Alexandria, VA 22302. Comments may also be faxed to the attention of Mr. Lucrezio at (703) 305–2454, or via email to *SNAPHQ-Web@FNS.USDA.GOV*. Comments will also be accepted through the Federal eRulemaking Portal. Go to *http://www.regulations.gov* and follow the online instructions for submitting comments electronically.

All written comments will be open for public inspection at the FNS office located at 3101 Park Center Drive, Alexandria, Virginia, 22302, Room 800, during regular business hours (8:30 a.m. to 5:00 p.m., Monday through Friday).

All responses to this notice will be summarized and included in the request for Office of Management and Budget (OMB) approval. All comments will be a matter of public record.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of this request for information should be directed to Mr. Lucrezio at (703) 305–2498.

SUPPLEMENTARY INFORMATION: Section 16(d)(2)(A) of the Food and Nutrition Act of 2008 requires the Secretary to issue regulations to award a total of $48 million to States that demonstrate high or most improved performance in administering SNAP.

Section 16(d) of the Food and Nutrition Act of 2008 was amended by the Act to require that bonus monies had to be invested in the program established by the Food and Nutrition Act. While not an exclusive list, the Act specified areas where the bonus monies could be used. These areas included: investments in technology; improvements in administration and distribution; and actions to prevent fraud, waste and abuse. High or most improved performance bonus regulations at 7 CFR 275.24, currently provides four categories for SNAP bonus awards: payment accuracy, case and procedural error rates (formerly known as the negative error rates), program access index, and application processing timeliness. In order to address performance in other SNAP priority areas, FNS is considering changes to the current bonus structure. First, FNS is considering expanding the scope of performance bonuses to three new categories, employment and training; recipient integrity; and SNAP nutrition education. Second, FNS is considering how to address the concern that, in past years, some State agencies have received bonuses in some areas of SNAP, but have not performed well in other bonus category areas. Linking performance awards to a certain minimum level of performance in every category could avoid such inconsistencies.

With regards to the new categories, additional metrics would need to be developed as well as additional methods of determining performance, because not all categories under consideration are solely quantitative in nature. Some evaluation criteria may require using qualitative metrics. In light of these challenges, FNS welcomes all ideas that might contribute to developing a system to measure and award the best performance in these categories.

Per Section 16(d) (2)(A)(iii) of the Act, FNS must solicit information from State agencies and organizations that represent State interests on these issues before publishing a proposed regulation. In requesting ideas, FNS would like to remind responders that the Food and Nutrition Act specifies that $48 million are available for SNAP high or most improved performance bonuses and that payment accuracy bonuses are required by law. A change in the total bonus amount may only be made through an act of Congress.

In particular, FNS is seeking information on the following questions:

1. Do State agencies currently utilize or possess performance measurement methods or tools to evaluate new categories such as employment and training, recipient integrity, and SNAP nutrition education?

2. What evaluation tools should be developed in order to analyze new issue categories such as employment and training, recipient integrity, and SNAP nutrition education?

3. Are there any other areas of SNAP that should be considered as a possible category that is eligible for a high or most improved performance bonus?

4. What changes to the bonus system would States agencies suggest to ensure

that minimum performance standards were met in all categories by awardees?

5. What minimum performance levels do States suggest for all high or most improved performance bonus categories, including those new categories under consideration by FNS?

6. How do States suggest that the $48 million be distributed among the current and new categories?

7. Do States suggest the elimination or changes in any of the current categories evaluated for performance: application timeliness, case and procedural error rate, and program access index?

8. Do States anticipate an increase in administrative expenditures or other impact if SNAP restructures its current high or most improved performance bonus system? If yes, please explain.

9. How much time would be required for State agencies to adjust their systems and reporting mechanisms in order to provide sufficient information to evaluate performance in the new categories of employment and training, recipient integrity, and SNAP nutrition education?

Dated: April 11, 2014.

Audrey Rowe,

Administrator, Food and Nutrition Service.

[FR Doc. 2014–09332 Filed 4–23–14; 8:45 am]

BILLING CODE 3410–30–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B–108–2013]

Foreign-Trade Zone 22—Chicago, Illinois, Authorization of Limited Production Activity, Electrolux Home Care Products Inc. (Kitting of Home Care Products), Minooka, Illinois

On December 19, 2013, the Illinois International Port District, grantee of FTZ 22, submitted a notification of proposed production activity to the Foreign-Trade Zones (FTZ) Board on behalf of Electrolux Home Care Products Inc., within Site 34 of FTZ 22, in Minooka, Illinois.

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 79391–79392, 12/30/2013). The FTZ Board has determined that further review of part of the proposed activity is warranted at this time. The production activity described in the notification is authorized on a limited basis, subject to the FTZ Act and the Board's regulations, including Section 400.14, and further subject to a restriction requiring that inputs classified within HTSUS 5911.10, 5911.40, 5911.90 and 6307.10 be admitted in privileged foreign status or domestic (duty-paid) status.

Dated: April 18, 2014.

Andrew McGilvray,

Executive Secretary.

[FR Doc. 2014–09359 Filed 4–23–14; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B–107–2013]

Foreign-Trade Zone 265—Conroe, Texas; Authorization of Production Activity; Bauer Manufacturing Inc. (Pile Drivers, Boring Machinery, and Foundation Construction Equipment); Conroe, Texas

On December 18, 2014, the City of Conroe, Texas, grantee of FTZ 265, submitted a notification of proposed production activity to the Foreign-Trade Zones (FTZ) Board on behalf of Bauer Manufacturing Inc., within FTZ 265—Site 1, in Conroe, Texas.

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 79390, 12–30–2013). 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 FTZ Board's regulations, including Section 400.14.

Dated: April 18, 2014.

Andrew McGilvray,

Executive Secretary.

[FR Doc. 2014–09360 Filed 4–23–14; 8:45 am]

BILLING CODE 3510–DS–P

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Determination Under the Textile and Apparel Commercial Availability Provision of the U.S.-Korea Free Trade Agreement (''KORUS FTA'')

AGENCY: The Committee for the Implementation of Textile Agreements.

ACTION: Determination to add a product in unrestricted quantities to Annex 4–B–1 of the KORUS FTA Agreement.

DATES: *Effective Date:* April 24, 2014.

SUMMARY: The Committee for the Implementation of Textile Agreements (''CITA'') has determined that certain cashmere yarns, as specified below, are not available in commercial quantities in a timely manner in the United States. The product will be added to the list in Annex 4–B–1 of the KORUS FTA in unrestricted quantities.

FOR FURTHER INFORMATION CONTACT: Pamela Kirkland, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482–3587.

For Further Information On-Line: http://web.ita.doc.gov/tacgi/FTA_CABroadcast.nsf//KoreaPetitionsApproved under ''Approved Requests,'' Reference number: 2.2014.03.18.Yarn.Heritage CashmereKoreaCo, Ltd

SUPPLEMENTARY INFORMATION:

Authority

KORUS FTA; Section 202(o) of the United States—Korea Free Trade Agreement Implementation Act (''Act''), Public Law 112–41; and Presidential Proclamation No. 8783 (77 FR 14265, March 9, 2012).

Background

Article 4.2.6 of the KORUS FTA provides for a list in Appendix 4–B–1 for fibers, yarns, and fabrics that the United States has determined are not available in commercial quantities in a timely manner from suppliers in the United States (''Commercial Availability List''). A textile or apparel good imported into the United States containing fibers, yarns, or fabrics that are included on the Commercial Availability List in Appendix 4– B–1 of the KORUS FTA will be treated as if it is an originating good for purposes of the specific rules of origin in Annex 4–A of the KORUS FTA, regardless of the actual origin of those inputs, in accordance with the specific rules of origin of Annex 4–A.

Section 202(o)(3)(F) of the Act provides that the President shall establish procedures under sections 202(o)(3)(C) and (E) in order to determine whether fibers, yarns, or fabrics are not available in commercial quantities in a timely manner in the United States, and whether a fiber, yarn, or fabric should be removed from the Commercial Availability List in Appendix 4–B–1 when it has become available in commercial quantities.

In Proclamation No. 8783 (77 FR 14265, March 9, 2012), the President delegated to CITA his authority under the commercial availability provision to establish procedures for modifying the list of fibers, yarns, or fabrics not available in commercial quantities in a timely manner, as set out in Annex 4–B of the KORUS FTA.

Pursuant to this delegation, on March 19, 2012, CITA published Interim

Procedures it follows in considering requests to modify the list of fibers, yarns, or fabrics determined to be not commercially available in a timely manner in the United States under the KORUS *FTA (Interim Procedures for Considering Requests Under the Commercial Availability Provision of the United States-Korea Free Trade Agreement and Estimate of Burden for Collection of Information,* 77 FR 16001, March 19, 2012) (''CITA's procedures'').

On March 18, 2014, the Chairman of CITA received a Request for a commercial availability determination (''Request'') from Kingery, Samet & Sorini PLLC on behalf of Heritage Cashmere Korea Co., Ltd., for certain cashmere yarns as specified below. On March 19, 2014, in accordance with procedures established by CITA for commercial availability proceedings under the KORUS FTA, CITA notified interested parties of the Request, which was posted on the dedicated Web site for the KORUS FTA Commercial Availability proceedings. In its notification, CITA advised that any Response with an Offer to Supply (''Response'') must be submitted by April 1, 2014, and any Rebuttal Comments to the Response must be submitted by April 7, 2014 in accordance with sections 6 and 7 of CITA's procedures. No interested entity submitted a Response to the Request advising CITA of its objection to the Request with an offer to supply the subject product.

In accordance with section 202(o) of the Act, Annex 4–B of the KORUS FTA, and section 8(c)(1) of CITA's procedures, as no interested entity submitted a Response to object to the Request with an offer to supply the subject product, CITA has determined to add the specified yarn to the Commercial Availability List in Annex 4–B–1 of the KORUS FTA.

The subject product has been added to the Commercial Availability List in 4–B–1 of the KORUS FTA in unrestricted quantities. A revised Commercial Availability List has been posted on the dedicated Web site for KORUS FTA Commercial Availability proceedings.

Specifications

Certain Cashmere Yarns
HTS 5108.10 & 5108.20
100% cashmere 2-ply yarns
Denier and length of staple (the figures below include the +/− 10% variance that may occur after knitting, weaving and finishing)
Yarn Sizes:
Weaving Count (single yarn): 22.86–27.94 nm (13.5–16.5 Ne), 25.2–33mm
Knitting Count (two plied): 39.62–48.43 nm (23.4–28.626 Ne), 30.6–37.4mm
Yarn sizes were calculated using a conversion factor of Ne x 1.69336 = Nm
Put up: Cone type packages.

Dated April 16, 2014.

Kim Glas,

Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 2014–09319 Filed 4–23–14; 8:45 am]

BILLING CODE 3510–DR–P

DEPARTMENT OF COMMERCE

International Trade Administration

[C–201–846]

Sugar From Mexico: Initiation of Countervailing Duty Investigation

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

DATED: *Effective Date:* April 24, 2014.

FOR FURTHER INFORMATION CONTACT: Kaitlin Wojnar at (202) 482–3857, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230.

SUPPLEMENTARY INFORMATION:

The Petition

On March 28, 2014, the Department of Commerce (the Department) received a countervailing duty (CVD) petition concerning imports of sugar from Mexico, filed in proper form, on behalf of the American Sugar Coalition and its members (collectively, Petitioners).[1] The CVD Petition was accompanied by an antidumping duty (AD) petition with respect to Mexico.[2] Petitioners are domestic processors, millers, and refiners of sugar and growers of sugar cane and sugarbeets. On April 1, 2014, the Department requested information and clarification for certain portions of the CVD Petition.[3] On April 2, 2014, the Department requested information and clarification for certain general portions of the AD and CVD Petitions.[4] Petitioners filed their responses to these requests on April 7, 2014.[5] In response to a phone conversation with the Department on April 9, 2014,[6] Petitioners filed a second response supplementing the Petition on April 10, 2014.[7] On April 14, 2014, Petitioners made another submission modifying the scope of the Petition.[8]

In accordance with section 702(b)(1) of the Tariff Act of 1930, as amended (the Act), Petitioners allege that the Government of Mexico (the GOM) is providing countervailable subsidies (within the meaning of sections 701 and 771(5) of the Act) with respect to imports of sugar from Mexico, and that imports of sugar from Mexico are materially injuring, and threaten material injury to, the domestic industry producing sugar in the United States. The Department finds that Petitioners filed the Petition on behalf of the domestic industry because Petitioners are interested parties as defined in sections 771(9)(C), (E), (F), or (G) of the Act, and that Petitioners demonstrated sufficient industry support with respect to the initiation of the investigation Petitioners are requesting.[9]

Period of Investigation

The period of investigation (POI) is January 1, 2013, through December 31, 2013.

Scope of Investigation

The product covered by this investigation is sugar from Mexico. For a full description of the scope of this investigation, see ''Scope of Investigation'' at the Appendix of this notice.

Comments on Scope of Investigation

During our review of the Petition, the Department issued questions to, and received responses from, Petitioners pertaining to the proposed scope in order to ensure that the scope language in the Petition would be an accurate reflection of the products for which the domestic industry is seeking relief.[10] As discussed in the Preamble to the

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[1] *See* Petition for the Imposition of Countervailing Duties on Imports of Sugar From Mexico, dated March 28, 2014 (CVD Petition or Petition).

[2] *See* Petition for the Imposition of Antidumping Duties on Imports of Sugar From Mexico, dated March 28, 2014 (AD Petition).

[3] *See* Letter to Robert C. Cassidy, Jr. from Mark Hoadley, dated April 1, 2014 (CVD Supplemental Questions).

[4] *See* Letter to Robert C. Cassidy, Jr. from Mark Hoadley, dated April 2, 2014 (General Issues Supplemental Questions).

[5] *See* Response to CVD Supplemental Questions, dated April 7, 2014 (CVD Supplement); Response to General Supplemental Questions, dated April 7, 2014 (General Issues Supplement).

[6] *See* Phone Call With Petitioners Ex Parte Memorandum, dated April 9, 2014.

[7] *See* Second General Issues Supplement to Petitions, dated April 10, 2014 (Second General Issues Supplement).

[8] *See* Supplement to the Scope of the Petition, dated April 14, 2014 (Scope Supplement).

[9] *See* ''Determination of Industry Support for the Petition,'' below.

[10] *See* General Issues Supplemental Questions; *see also* General Issues Supplement at 3–8; Phone Call with Petitioners Ex Parte Memorandum, dated April 9, 2014; Second General Issues Supplement at 1–4; Scope Supplement.

regulations,[11] we are setting aside a period for interested parties to raise issues regarding product coverage. The period of scope comments is intended to provide the Department with ample opportunity to consider all comments and to consult with parties prior to the issuance of the preliminary determinations. All comments must be filed by 5:00 p.m. Eastern Daylight Time (EDT) on May 7, 2014, which is twenty calendar days from the signature date of this notice. Any rebuttal comments must be filed by 5:00 p.m. EDT on May 14, 2014. All such comments must be filed on the records of the CVD investigation, as well as the concurrent AD investigation.

Filing Requirements

All submissions to the Department must be filed electronically using Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (IA ACCESS).[12] An electronically filed document must be received successfully in its entirety by the time and date noted above. Documents excepted from the electronic submission requirements must be filed manually (*i.e.,* in paper form) with Enforcement and Compliance's APO/Dockets United, Room 1870, Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230, and stamped with the date and time of receipt by the established deadline.[13]

Consultations

Pursuant to section 702(b)(4)(A)(ii) of the Act, the Department invited representatives of the GOM for consultations with respect to the Petition.[14] Consultations were held with the GOM on April 11, 2014.[15]

Determination of Industry Support for the Petition

Section 702(b)(1) of the Act requires that a petition be filed on behalf of the domestic industry. Section 702(c)(4)(A) of the Act provides that a petition meets this requirement if the domestic producers or workers who support the petition account for: (i) At least 25 percent of the total production of the domestic like product; and (ii) more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the petition. Moreover, section 702(c)(4)(D) of the Act provides that, if the petition does not establish support of domestic producers or workers accounting for more than 50 percent of the total production of the domestic like product, the Department shall: (i) Poll the industry or rely on other information in order to determine if there is support for the petition, as required by subparagraph (A); or (ii) if there is a large number of producers in the industry, the Department may determine industry support using a statistically valid sampling method to poll the industry.

Section 771(4)(A) of the Act defines the ''industry'' as the producers as a whole of a domestic like product. In investigations involving processed agricultural products, such as the instant investigation, the Act allows the Department also to include growers or producers of the raw agricultural product within the definition of the industry upon satisfaction of certain conditions.[16] Thus, to determine whether a petition has the requisite industry support, the statute directs the Department to look to producers and workers who produce the domestic like product. The U.S. International Trade Commission (ITC), which is responsible for determining whether ''the domestic industry'' has been injured, must also determine what constitutes a domestic like product in order to define the industry. While both the Department and the ITC must apply the same statutory definition regarding the domestic like product,[17] they do so for different purposes and pursuant to a separate and distinct authority. In addition, the Department's determination is subject to limitations of time and information. Although this may result in different definitions of the like product, such differences do not render the decision of either agency contrary to law.[18]

Section 771(10) of the Act defines the domestic like product as ''a product which is like, or in the absence of like, most similar in characteristics and uses with, the article subject to an investigation under this title.'' Thus, the reference point from which the domestic like product analysis begins is ''the article subject to an investigation'' (*i.e.,* the class or kind of merchandise to be investigated, which normally will be the scope as defined in the petition).

With regard to the domestic like product, Petitioners do not offer a definition of domestic like product distinct from the scope of the investigation. Based on our analysis of the information submitted on the record, we determined that sugar, as defined in the scope of the investigation, constitutes a single domestic like product and we analyzed industry support in terms of that domestic like product.[19]

In determining whether Petitioners have standing under section 702(c)(4)(A) of the Act, we considered the industry support data contained in the Petition with reference to the domestic like product as defined in the ''Scope of Investigation'' section above. To establish industry support, Petitioners provided their production of the domestic like product in crop year 2012/2013,[20] and compared this to the total production of the domestic like product for the entire domestic industry.[21] We relied upon data

[11] *See Antidumping Duties; Countervailing Duties; Final Rule,* 62 FR 27296, 27323 (May 19, 1997).

[12] For general filing requirements, *see* 19 CFR 351.303.

[13] *See* 19 CFR 351.303(b). For details regarding the Department's electronic filing requirements, *see Antidumping and Countervailing Duty Proceedings: Electronic Filing Procedures; Administrative Protective Order Procedures,* 76 FR 39263 (July 6, 2011). Information regarding IA ACCESS assistance can be found at *https://iaaccess.trade.gov/help.aspx,* and a handbook can be found at *https://iaaccess.trade.gov/help/Handbook%20on%20Electronic%20Filling%20Procedures.pdf.*

[14] *See* Letter of Invitation Regarding Countervailing Duty Petition on Sugar from Mexico, dated April 1, 2014.

[15] *See* Consultations with the Government of Mexico Ex Parte Memorandum, dated April 11, 2014 (Consultations Memorandum).

[16] *See* section 771(4)(E) of the Act. For a full discussion of this provision of the Act and the Department's analysis, *see* Attachment II—Countervailing Duty Investigation Initiation Checklist: Sugar from Mexico (CVD Initiation Checklist) at Attachment II, Analysis of Industry Support for the Antidumping and Countervailing Duty Petitions Covering Sugar from Mexico. The CVD Initiation Checklist is dated concurrently with, and hereby incorporated into, this notice and on file electronically via IA ACCESS. Access to documents filed via IA ACCESS is also available in the Central Records Unit (CRU), Room 7046 of the main Department building.

[17] *See* section 771(10) of the Act.

[18] *See USEC, Inc.* v. *United States,* 132 F. Supp. 2d 1, 8 (C.I.T. 2001) (citing *Algoma Steel Corp., Ltd.* v. *United States,* 688 F. Supp. 639, 644 (C.I.T. 1988), *aff'd,* 865 F.2d 240 (Fed. Cir. 1989)).

[19] *See* CVD Initiation Checklist at Attachment II.

[20] Data on the domestic sugar industry are gathered and presented by the United States Department of Agriculture (USDA) on a crop year basis to reflect the annual cycle of planting, growing, harvesting, and processing sugar. The crop year begins on October 1 and ends on September 30. Petitioners contend that data on a crop year basis more accurately reflects the production of sugar than would data presented on a calendar year basis. In addition, Petitioners note that all producers of sugar report their data to USDA on a crop year basis. *See* General Issues Supplement at 12.

[21] *See* Petition at Exhibit I–6; General Issues Supplement at 9–16, Exhibits II, and Exhibit III; and Second General Issues Supplement at Attachment IA.

Petitioners provided for purposes of measuring industry support.[22]

On April 10, 2014, we received comments on industry support from the Grocery Manufacturers Association (GMA).[23] We also received comments on industry support from Archer Daniels Midland Company (ADM)[24] and Camara Nacional de Las Industrias Azucarera Y Al Alcoholera (Camara)[25] on April 11, 2014. Petitioners responded to the letters from GMA, ADM, and Camara on April 15, 2014.[26] In its consultations with the Department, the GOM raised the issue of industry support.[27] On April 15, 2014, we received additional comments on industry support from the GMA.[28] For further discussion of these comments, *see* the CVD Initiation Checklist at Attachment II.

Based on information provided in the Petition, supplemental submissions, and other information readily available to the Department, we determine that Petitioners met the statutory criteria for industry support under section 702(c)(4)(A)(i) of the Act because the domestic producers (or workers) who support the Petition account for at least 25 percent of the total production of the domestic like product.[29] Based on information provided in the Petition, the domestic producers (or workers) met the statutory criteria for industry support under section 702(c)(4)(A)(ii) of the Act because the domestic producers (or workers) who support the Petition account for more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the Petition. Accordingly, the Department determines that the Petition was filed on behalf of the domestic industry within the meaning of section 702(b)(1) of the Act.[30]

The Department finds that Petitioners filed the Petition on behalf of the domestic industry because they are interested parties as defined in sections 771(9)(C), (E), (F), or (G) of the Act and they demonstrated sufficient industry support with respect to the countervailing duty investigation that they are requesting the Department initiate.[31]

Injury Test

Because Mexico is a ''Subsidies Agreement Country'' within the meaning of section 701(b) of the Act, section 701(a)(2) of the Act applies to this investigation. Accordingly, the ITC must determine whether imports of the subject merchandise from Mexico materially injure, or threaten material injury to, a U.S. industry.

Allegations and Evidence of Material Injury and Causation

Petitioners allege that imports of the subject merchandise are benefitting from countervailable subsidies and that such imports are causing, or threaten to cause, material injury to the U.S. industry producing the domestic like product. Petitioners allege that subject imports exceed the negligibility threshold provided for under section 771(24)(A) of the Act.[32]

Petitioners contend that the industry's injured condition is illustrated by reduced market share, underselling and price depression or suppression, lost sales and revenues, forfeitures and USDA purchases that remove surpluses of domestically produced sugar from the market to stabilize prices, decline in payments to growers and farmers, and decline in financial performance.[33] We have assessed the allegations and supporting evidence regarding material injury, threat of material injury, and causation, and we have determined that these allegations are properly supported by adequate evidence and meet the statutory requirements for initiation.[34]

Initiation of Countervailing Duty Investigation

Section 702(b)(1) of the Act requires the Department to initiate a CVD investigation whenever an interested party files a CVD petition on behalf of an industry that: (1) Alleges the elements necessary for an imposition of a duty under section 701(a) of the Act; and (2) is accompanied by information reasonably available to the petitioner supporting the allegations. In the Petition, Petitioners allege that producers/exporters of sugar in Mexico benefited from countervailable subsidies bestowed by the government. The Department examined the Petition and finds that it complies with the requirements of section 702(b)(1) of the Act. Therefore, in accordance with section 702(b)(1) of the Act, we are initiating a CVD investigation to determine whether manufacturers, producers, or exporters of sugar from Mexico receive countervailable subsidies from the government.

Based on our review of the Petition, we find that there is sufficient information to initiate a CVD investigation on certain alleged programs. For a full discussion of the basis for our decision to initiate or not initiate on each program, see the attached CVD Initiation Checklist.

A public version of the initiation checklist is available on IA ACCESS.

Respondent Selection

For this investigation, the Department intends to select respondents based on U.S. Customs and Border Protection (CBP) data for U.S. imports of subject merchandise during the POI under the following Harmonized Tariff Schedule of the United States (HTSUS) numbers: 1701.12.1000, 1701.12.5000, 1701.13.1000, 1701.13.5000, 1701.14.1000, 1701.14.5000, 1701.91.1000, 1701.91.3000, 1701.99.1025, 1701.99.1050, 1701.99.5025, 1701.99.5050, and 1702.90.4000. We intend to release the CBP data under Administrative Protective Order (APO) to all parties with access to information protected by APO shortly after the announcement of this case initiation.

Interested parties must submit applications for disclosure under APO in accordance with 19 CFR 351.305(b). Instructions for filing such applications may be found at *http://enforcement.trade.gov/apo/.* Interested parties may submit comments regarding the CBP data and respondent selection by 5:00 p.m. EDT on the seventh calendar day after publication of this notice. Comments must be filed in accordance with the requirements discussed above in the ''Filing Requirements'' section of this notice. If respondent selection is necessary, we intend to base our decision regarding respondent selection upon comments received from interested parties and our analysis of the record information within 20 days of publication of this notice.

[22] *See* CVD Initiation Checklist at Attachment II.

[23] *See* Letter from the Grocery Manufacturers Association, dated April 11, 2014. We note that this letter is dated April 11, 2014; however, it was received by the Department on April 10, 2014.

[24] *See* Letter from Archer Daniels Midland Company, dated April 11, 2014.

[25] *See* Letter from Camara, dated April 11, 2014.

[26] *See* Letter from Petitioners, dated April 15, 2014.

[27] *See* Consultations Memorandum.

[28] *See* Letter from the Grocery Manufacturers Association, dated April 15, 2014.

[29] *Id.*

[30] *Id.*

[31] *Id.*

[32] *See* Petition at 31 and Exhibit I–15; *see also* General Issues Supplement at 17–18 and Exhibit VII.

[33] *See* Petition at 3–4, 19–20, 28–55, Exhibit I–3, Exhibit I–4, Exhibit I–13, and Exhibits I–15 through I–21; *see also* General Issues Supplement at 15–19, Exhibit I.A, and Exhibits VI through VIII; Second General Issues Supplement at 5–7 and Attachment 3; and Scope Supplement at 2 and Attachment 1.

[34] *See* CVD Initiation Checklist at Attachment III, Analysis of Allegations and Evidence of Material Injury and Causation for the Antidumping and Countervailing Duty Petitions Covering Sugar from Mexico.

Distribution of Copies of the Petition

In accordance with section 702(b)(4)(A)(i) of the Act and 19 CFR 351.202(f), a copy of the public version of the Petitions has been provided to the GOM via IA ACCESS. To the extent practicable, we will attempt to provide a copy of the public version of the Petition to each known exporter (as named in the Petition), as provided in 19 CFR 351.203(c)(2).

ITC Notification

We notified the ITC of our initiation, as required by section 702(d) of the Act.

Preliminary Determination by the ITC

The ITC will preliminarily determine, within 45 days after the date on which the Petition was filed, whether there is a reasonable indication that imports of sugar from Mexico are materially injuring, or threatening material injury to, a U.S. industry.[35] A negative ITC determination will result in the investigation being terminated; otherwise, this investigation will proceed according to statutory and regulatory time limits.

Submission of Factual Information

On April 10, 2013, the Department published *Definition of Factual Information and Time Limits for Submission of Factual Information: Final Rule,* 78 FR 21246 (April 10, 2013), which modified two regulations related to AD and CVD proceedings: the definition of factual information (19 CFR 351.102(b)(21)), and the time limits for the submission of factual information (19 CFR 351.301). The final rule identifies five categories of factual information in 19 CFR 351.102(b)(21), which are summarized as follows: (i) Evidence submitted in response to questionnaires; (ii) evidence submitted in support of allegations; (iii) publicly available information to value factors under 19 CFR 351.408(c) or to measure the adequacy of remuneration under 19 CFR 351.511(a)(2); (iv) evidence placed on the record by the Department; and (v) evidence other than factual information described in (i)–(iv). The final rule requires any party, when submitting factual information, to specify under which subsection of 19 CFR 351.102(b)(21) the information is being submitted and, if the information is submitted to rebut, clarify, or correct factual information already on the record, to provide an explanation identifying the information already on the record that the factual information seeks to rebut, clarify, or correct. The final rule also modified 19 CFR 351.301 so that, rather than providing general time limits, there are specific time limits based on the type of factual information being submitted. These modifications are effective for all segments initiated on or after May 10, 2013, and thus are applicable to this investigation. Please review the final rule, available at *http://enforcement.trade.gov/frn/2013/1304frn/2013-08227.txt*, prior to submitting factual information in this investigation.

Certification Requirements

Any party submitting factual information in an AD or CVD proceeding must certify to the accuracy and completeness of that information.[36] Parties are hereby reminded that the Department issued a final rule with respect to certification requirements, effective August 16, 2013. Parties are hereby reminded that revised certification requirements are in effect for company/government officials as well as their representatives. All segments of any AD or CVD proceedings initiated on or after August 16, 2013, including this investigation, should use the formats for the revised certifications provided at the end of the *Final Rule.*[37] The Department intends to reject factual submissions if the submitting party does not comply with the applicable revised certification requirements.

Extension of Time Limits

On September 20, 2013, the Department published *Extension of Time Limits, Final Rule,* 78 FR 57790 (September 20, 2013), which modified one regulation related to AD and CVD proceedings regarding the extension of time limits for submissions in such proceedings (19 CFR 351.302(c)). These modifications are effective for all segments initiated on or after October 21, 2013, and thus are applicable to this investigation. Please review the final rule, available at *http://www.gpo.gov/fdsys/pkg/FR-2013-09-20/html/2013-22853.htm* prior to requesting an extension.

Notification to Interested Parties

Interested parties must submit applications for disclosure under APO in accordance with 19 CFR 351.305. On January 22, 2008, the Department published *Antidumping and Countervailing Duty Proceedings: Documents Submission Procedures; APO Procedures,* 73 FR 3634 (January 22, 2008). Parties wishing to participate in this investigation should ensure that they meet the requirements of these procedures (*e.g.,* the filing of letters of appearance as discussed at 19 CFR 351.103(d)).

This notice is issued and published pursuant to section 777(i) of the Act.

Dated: April 17, 2014.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

Appendix—Scope of the Investigation

The product covered by this investigation is sugar derived from sugar cane or sugar beets. Sucrose gives sugar its essential character. Sucrose is a nonreducing disaccharide composed of glucose and fructose linked via their anomeric carbons. The molecular formula for sucrose is $C_{12}H_{22}0_{11}$, the International Union of Pure and Applied Chemistry (IUPAC) International Chemical Identifier (InChl) for sucrose is 1S/C12H22O11/c13-1-4-6(16)8(18)9(19)11(21-4)23-12(3-15)10(20)7(17)5(2-14)22-12/h4-11,13-20H,1-3H2/t4-,5-,6-,7-,8+,9-,10+,11-,12+/m1/s1, the InChl Key for sucrose is CZMRCDWAGMRECN-UGDNZRGBSA-N, the U.S. National Institutes of Health PubChem Compound Identifier (CID) for sucrose is 5988, and the Chemical Abstracts Service (CAS) Number of sucrose is 57-50-1.

Sugar within the scope of this investigation includes raw sugar (sugar with a sucrose content by weight in a dry state that corresponds to a polarimeter reading of less than 99.5 degrees) and estandar or standard sugar which is sometimes referred to as ''high polarity'' or ''semi-refined'' sugar (sugar with a sucrose content by weight in a dry state that corresponds to a polarimeter reading of 99.2 to 99.6 degrees). Sugar within the scope of this investigation includes refined sugar with a sucrose content by weight in a dry state that corresponds to a polarimeter reading of at least 99.9 degrees. Sugar within the scope of this investigation includes brown sugar, liquid sugar (sugar dissolved in water), organic raw sugar and organic refined sugar.

Inedible molasses is not within the scope of this investigation. Specialty sugars, *e.g.,* rock candy, fondant, sugar decorations, are not within the scope of this investigation. Processed food products that contain sugar, *e.g.,* beverages, candy, cereals, are not within the scope of this investigation.

Merchandise covered by this investigation is typically imported under the following headings of the Harmonized Tariff Schedule of the United States (HTSUS): 1701.12.1000, 1701.12.5000, 1701.13.1000, 1701.13.5000, 1701.14.1000, 1701.14.5000, 1701.91.1000, 1701.91.3000, 1701.99.1025, 1701.99.1050, 1701.99.5025, 1701.99.5050, and 1702.90.4000. The tariff classification is provided for convenience and customs purposes; however, the written description of the scope of this investigation is dispositive.

[FR Doc. 2014–09362 Filed 4–23–14; 8:45 am]

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[35] *See* section 703(a) of the Act.

[36] *See* section 782(b) of the Act.

[37] *See Certification of Factual Information To Import Administration During Antidumping and Countervailing Duty Proceedings,* 78 FR 42678 (July 17, 2013) (*Final Rule*); *see also* the frequently asked questions regarding the *Final Rule,* available at the following: *http://enforcement.trade.gov/tlei/notices/factual_info_final_rule_FAQ_07172013.pdf.*

DEPARTMENT OF COMMERCE

International Trade Administration

[A–549–502]

Circular Welded Carbon Steel Pipes and Tubes From Thailand: Preliminary Results of Antidumping Duty Administrative Review; 2012–2013

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

SUMMARY: The Department of Commerce (the Department) is conducting an administrative review of the antidumping duty order on circular welded carbon steel pipes and tubes from Thailand. This review covers two producers or exporters of the subject merchandise, Saha Thai Steel Pipe (Public) Company, Ltd. (Saha Thai), and Pacific Pipe Company Limited (Pacific Pipe). The period of review (POR) is March 1, 2012, through February 28, 2013. The Department preliminarily determines that Saha Thai sold subject merchandise at less than normal value (NV), and that Pacific Pipe had no shipments of subject merchandise during the POR. The preliminary results are listed below in the section titled ''Preliminary Results of Review.'' Interested parties are invited to comment on these preliminary results.

DATES: Effective Date: April 24, 2014.

FOR FURTHER INFORMATION CONTACT: Jason Rhoads, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–0123.

SUPPLEMENTARY INFORMATION:

Scope of the Order

The products covered by the antidumping order are certain circular welded carbon steel pipes and tubes from Thailand. The subject merchandise has an outside diameter of 0.375 inches or more, but not exceeding 16 inches. The merchandise is classifiable under the Harmonized Tariff Schedule of the United States (HTSUS) item numbers 7306.30.1000, 7306.30.5025, 7306.30.5032, 7306.30.5040, 7306.30.5055, 7306.30.5085 and 7306.30.5090. Although the HTSUS subheadings are provided for convenience and purposes of U.S. Customs and Border Protection (CBP), the written description of the merchandise subject to the order, available in the Preliminary Decision Memorandum,[1] is dispositive.

Preliminary Determination of No Shipments

Pacific Pipe, in a letter dated June 17, 2013, reported that it made no shipments or sales of subject merchandise during the POR. Based on the certification of Pacific Pipe and our analysis of CBP information, we preliminarily determine that Pacific Pipe had no shipments during the POR. However, the Department finds that it is not appropriate to rescind the review with respect to Pacific Pipe, but rather to complete the review with respect to Pacific Pipe and issue appropriate instructions to CBP based on the final results of this review.[2]

Methodology

The Department conducted this review in accordance with section 751(a)(2) of the Tariff Act of 1930, as amended (the Act). Export price is calculated in accordance with section 772 of the Act. NV is calculated in accordance with section 773 of the Act. In accordance with section 773(b) of the Act, we disregarded certain sales by Saha Thai in the home market which were made at below-cost prices and which were otherwise outside of the ordinary course of trade. To determine the appropriate comparison method, the Department applied a differential pricing analysis, and preliminarily determined to use the average-to-transaction method for all U.S. sales to calculate the weighted-average dumping margin for Saha Thai.

For a full description of the methodology underlying these preliminary results, see the Preliminary Decision Memorandum, which is hereby adopted by this notice. The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (IAACCESS). IAACCESS is available to registered users at *http://iaaccess.trade.gov,* and is available to all parties in the Central Records Unit, room 7046 of the main Department of Commerce building. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly on the Internet at *http://www.trade.gov/enforcement/.* The signed Preliminary Decision Memorandum and the electronic versions of the Preliminary Decision Memorandum are identical in content.

Preliminary Results of Review

As a result of our review, we preliminarily determine the following weighted-average dumping margins exist for the period March 1, 2012, through February 28, 2013.

Producer/exporter	Weighted-average dumping margin (percent)
Saha Thai Steel Pipe (Public) Company, Ltd.	1.03
Pacific Pipe Company Limited	(*)

* No shipments or sales subject to this review. The firm has an individual rate from a prior segment of the proceeding in which the firm had shipments or sales.

Disclosure and Public Comment

We will disclose the calculations used in our analysis to parties in this review within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b). Any interested party may request a hearing within 30 days of the publication of this notice in the **Federal Register** in accordance with 19 CFR 310(c).[3] If a hearing is requested, the Department will notify interested parties of the hearing schedule.

Interested parties are invited to comment on the preliminary results of this review. Unless extended by the Department, interested parties must submit case briefs within 30 days of the date of publication of this notice. Rebuttal briefs, which must be limited to issues raised in the case briefs, must be filed not later than five days after the time limit for filing case briefs.[4] Parties who submit case briefs or rebuttal briefs in this review are requested to submit with each argument: (1) A statement of the issue, (2) a brief summary of the argument, and (3) a table of authorities. Executive summaries should be limited to five pages total, including footnotes.[5]

[1] *See* Memorandum to Paul Piquado, Assistant Secretary for Enforcement and Compliance, from James Maeder, Director, Office II, Antidumping and Countervailing Duty Operations, entitled ''Decision Memorandum for the Preliminary Results of Antidumping Duty Administrative Review: Circular Welded Carbon Steel Pipes and Tubes From Thailand; 2012–2013 Administrative Review'' (Preliminary Decision Memorandum), dated concurrently with this notice.

[2] *See, e.g., Magnesium Metal From the Russian Federation: Preliminary Results of Antidumping Duty Administrative Review,* 75 FR 26922, 26923 (May 13, 2010), unchanged in *Magnesium Metal From the Russian Federation: Final Results of Antidumping Duty Administrative Review,* 75 FR 56989 (September 17, 2010).

[3] Parties requesting a hearing or submitting written comments must submit such documents pursuant to the Department's e-filing regulations. *See* 19 CFR 351.303.

[4] *See* 19 CFR 351.309(c) and (d).

[5] *Id.*

We intend to issue the final results of this administrative review, including the results of our analysis of issues raised in the written comments, within 120 days of publication of these preliminary results in the **Federal Register**, unless otherwise extended.[6]

Assessment Rates

Upon completion of this administrative review, the Department shall determine and CBP shall assess antidumping duties on all appropriate entries. If Saha Thai's weighted-average dumping margin is not zero or *de minimis* (*i.e.,* less than 0.5 percent) in the final results of this review, we will calculate importer-specific *ad valorem* assessment rates on the basis of the ratio of the total amount of dumping calculated for an importer's examined sales and the total entered value of such sales in accordance with 19 CFR 351.212(b)(1). Where Saha Thai did not report the entered value for its sales, we will calculate importer-specific, per-unit duty assessment rates. Where an importer-specific assessment rate is zero or *de minimis,* we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties in accordance with 19 CFR 351.106(c)(2). If Saha Thai's weighted-average dumping margin is zero or *de minimis* in the final results of this review, we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties in accordance with the *Final Modification for Reviews.*[7]

The Department clarified its ''automatic assessment'' regulation on May 6, 2003.[8] This clarification applies to entries of subject merchandise during the POR produced by Saha Thai for which it did not know its merchandise was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.

Consistent with the *Assessment Policy Notice,* if we continue to find that Pacific Pipe had no shipments of subject merchandise to the United States in the final results of this review, we intend to instruct CBP to liquidate all existing entries of merchandise produced by Pacific Pipe and exported by other parties at the all-others rate.

We intend to issue instructions to CBP 15 days after publication of the final results of this review.

Cash Deposit Requirements

The following cash deposit requirements will be effective for all shipments of circular welded carbon steel pipes and tubes from Thailand entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this administrative review, as provided for by section 751(a)(2)(C) of the Act: (1) The cash deposit rate for the company under review will be equal to the weighted-average dumping margin established in the final results of this review (except, if that rate is zero or *de minimis,* then no cash deposit will be required); (2) for previously reviewed or investigated companies not listed above in the Preliminary Results of Review, the cash deposit rate will continue to be the company-specific rate published for the most recently completed segment of this proceeding; (3) if the exporter is not a firm covered in this review or another completed segment of this proceeding, but the manufacturer is, then the cash deposit rate will be the rate established for the most recently completed segment of this proceeding for the manufacturer of the merchandise; and (4) if neither the exporter nor the manufacturer is a firm covered in this or any previously completed segment of this proceeding, then the cash deposit rate will be the ''all-others'' rate of 15.67 percent established in the less-than-fair-value investigation.[9] These deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Department's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

These preliminary results of administrative review are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: April 17, 2014.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

Appendix—List of Topics Discussed in the Preliminary Decision Memorandum:

I. Summary
II. Background
III. Scope of the Order
IV. Preliminary Determination of No Shipments
V. Comparisons to Normal Value
VI. Product Comparisons
VII. Discussion of Methodology
  A. Determination of Comparison Method
  B. Results of the Differential Pricing Analysis
  C. Date of Sale
  D. Export Price
  E. Normal Value
  F. Currency Conversion

[FR Doc. 2014–09361 Filed 4–23–14; 8:45 am]

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[6] *See* section 751(a)(3)(A) of the Act.

[7] *See Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings: Final Modification,* 77 FR 8101, 8102 (February 14, 2012) (*Final Modification for Reviews*) (''Where the weighted-average margin of dumping for the exporter is determined to be zero or *de minimis,* no antidumping duties will be assessed.'').

[8] For a full discussion of this clarification, *see Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003) (*Assessment Policy Notice*).

[9] *See Order.*

DEPARTMENT OF COMMERCE

International Trade Administration

[A–201–845]

Sugar From Mexico: Initiation of Antidumping Duty Investigation

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

DATES: Effective Date: April 24, 2014.

FOR FURTHER INFORMATION CONTACT: David Lindgren at (202) 482–3870 or Kaitlin Wojnar (202) 482–3857, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230.

SUPPLEMENTARY INFORMATION:

The Petition

On March 28, 2014, the Department of Commerce (the Department) received an antidumping duty (AD) petition [1] concerning imports of sugar from Mexico filed in proper form on behalf of the American Sugar Coalition (ASC) and its individual members (collectively, Petitioners).[2] Petitioners are domestic processors, millers, and refiners of sugar and growers of sugar cane and

[1] *See* ''Petition for the Imposition of Antidumping Duties on Imports of Sugar from Mexico,'' dated March 28, 2014 (Petition).

[2] Petitioners are ASC and its individual members: American Sugar Cane League, American Sugar Refining, Inc., American Sugarbeet Growers Association, Florida Sugar Cane League, Hawaiian Commercial and Sugar Company, Rio Grande Valley Sugar Growers, Inc., Sugar Cane Growers Cooperative of Florida, and United States Beet Sugar Association.

sugarbeets. On April 2, April 8, and April 9, 2014, the Department requested additional information and clarification of certain areas of the Petition.[3] Petitioners filed responses to these requests on April 7, April 10, and April 14, 2014.[4]

In accordance with section 732(b) of the Tariff Act of 1930, as amended (the Act), Petitioners allege that imports of sugar from Mexico are being, or are likely to be, sold in the United States at less than fair value within the meaning of section 731 of the Act and that such imports are materially injuring, or threatening material injury to, an industry in the United States. Also, consistent with section 732(b)(1) of the Act, the Petition is accompanied by information reasonably available to Petitioners supporting their allegations.

The Department finds that Petitioners filed the Petition on behalf of the domestic industry because Petitioners are interested parties as defined in sections 771(9)(C), (E), (F) and (G) of the Act. The Department also finds that Petitioners demonstrated sufficient industry support with respect to the initiation of the AD investigation that Petitioners are requesting. *See* the ''Determination of Industry Support for the Petition'' section below.

Period of Investigation

Because the Petition was filed on March 28, 2014, the period of investigation (POI) is January 1, 2013 through December 31, 2013.[5]

Scope of the Investigation

The product covered by this investigation is sugar from Mexico. For a full description of the scope of the investigation, *see* the ''Scope of the Investigation,'' in the Appendix of this notice.

Comments on Scope of Investigation

During our review of the Petition, the Department issued questions to, and received responses from, Petitioners pertaining to the proposed scope in order to ensure that the scope language in the Petition would be an accurate reflection of the products for which the domestic industry is seeking relief.[6] As discussed in the Preamble to the regulations,[7] we are setting aside a period for interested parties to raise issues regarding product coverage. The period of scope comments is intended to provide the Department with ample opportunity to consider all comments and to consult with parties prior to the issuance of the preliminary determinations. All comments must be filed by 5:00 p.m. Eastern Daylight Time (EDT) on May 7, 2014, which is twenty calendar days from the signature date of this notice. Any rebuttal comments must be filed by 5:00 p.m. EDT on May 14, 2014. All such comments must be filed on the records of the AD investigation, as well as the concurrent CVD investigation.

Filing Requirements

All submissions to the Department must be filed electronically using Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (IA ACCESS).[8] An electronically filed document must be received successfully in its entirety by the time and date noted above. Documents excepted from the electronic submission requirements must be filed manually (*i.e.,* in paper form) with Enforcement and Compliance's APO/Dockets United, Room 1870, Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230, and stamped with the date and time of receipt by the established deadline.[9]

Comments on Product Characteristics for Antidumping Questionnaires

The Department requests comments from interested parties regarding the appropriate physical characteristics of sugar to be reported in response to the Department's AD questionnaires. This information will be used to identify the key physical characteristics of the subject merchandise in order to report the relevant factors and costs of production accurately as well as to develop appropriate product-comparison criteria.

Interested parties may provide any information or comments that they feel are relevant to the development of an accurate list of physical characteristics. Specifically, they may provide comments as to which characteristics are appropriate to use as: (1) General product characteristics and (2) product-comparison criteria. We note that it is not always appropriate to use all product characteristics as product-comparison criteria. We base product-comparison criteria on meaningful commercial differences among products. In other words, while there may be some physical product characteristics utilized by manufacturers to describe sugar, it may be that only a select few product characteristics take into account commercially meaningful physical characteristics. In addition, interested parties may comment on the order in which the physical characteristics should be used in matching products. Generally, the Department attempts to list the most important physical characteristics first and the least important characteristics last.

In order to consider the suggestions of interested parties in developing and issuing the AD questionnaires, we must receive comments on product characteristics by May 8, 2014. Rebuttal comments must be received by May 19, 2014.[10] All comments and submissions to the Department must be filed electronically using IA ACCESS, as referenced above.

Determination of Industry Support for the Petition

Section 732(b)(1) of the Act requires that a petition be filed on behalf of the domestic industry. Section 732(c)(4)(A) of the Act provides that a petition meets this requirement if the domestic producers or workers who support the petition account for: (i) At least 25 percent of the total production of the domestic like product; and (ii) more than 50 percent of the production of the

[3] *See* Letter from the Department titled, ''Petition for the Imposition of Antidumping Duties on Imports of Sugar from Mexico: Supplemental Questions,'' dated April 2, 2014; Letter from the Department titled, ''Petition for the Imposition of Antidumping and Countervailing Duties on Imports of Sugar from Mexico: Supplemental Questions,'' dated April 2, 2014 (General Issues Questionnaire); Phone Call with Petitioners Ex Parte Memorandum, dated April 8, 2014; Phone Call with Petitioners Ex Parte Memorandum, dated April 9, 2014.

[4] *See* Letters from Petitioners titled, ''Sugar from Mexico; Response to General Issues Questionnaire,'' dated April 7, 2014 (General Issues Supplement); ''Sugar from Mexico; Response to Supplemental Antidumping Questions,'' dated April 7, 2014; ''Sugar from Mexico; Response to Supplemental General Issues Questions,'' dated April 10, 2014 (Second General Issues Supplement); ''Sugar from Mexico; Response to Supplemental Antidumping Questions,'' dated April 10, 2014 (Second AD Supplement); and ''Sugar from Mexico; Response to Supplemental Scope Questions,'' dated April 14, 2014 (Scope Supplement).

[5] *See* 19 CFR 351.204(b)(1).

[6] *See* General Issues Questionnaire; *see also* General Issues Supplement, at 3–8; Phone Call with Petitioners Ex Parte Memorandum, dated April 9, 2014; Second General Issues Supplement, at 1–4; and Scope Supplement.

[7] *See Antidumping Duties; Countervailing Duties; Final Rule,* 62 FR 27296, 27323 (May 19, 1997).

[8] For general filing requirements, *see* 19 CFR 351.303.

[9] *See* 19 CFR 351.303(b). For details regarding the Department's electronic filing requirements, *see Antidumping and Countervailing Duty Proceedings: Electronic Filing Procedures; Administrative Protective Order Procedures,* 76 FR 39263 (July 6, 2011). Information regarding IA ACCESS assistance can be found at *https://iaaccess.trade.gov/help.aspx,* and a handbook can be found at *https://iaaccess.trade.gov/help/Handbook%20on%20Electronic%20Filling%20Procedures.pdf.*

[10] Where the deadline falls on a weekend/holiday, the appropriate date is the next business day.

domestic like product produced by that portion of the industry expressing support for, or opposition to, the petition. Moreover, section 732(c)(4)(D) of the Act provides that, if the petition does not establish support of domestic producers or workers accounting for more than 50 percent of the total production of the domestic like product, the Department shall: (i) Poll the industry or rely on other information in order to determine if there is support for the petition, as required by subparagraph (A); or (ii) if there is a large number of producers in the industry, the Department may determine industry support using a statistically valid sampling method to poll the industry.

Section 771(4)(A) of the Act defines the ''industry'' as the producers as a whole of a domestic like product. In investigations involving processed agricultural products, the statute allows the Department also to include growers or producers of the raw agricultural product within the definition of the industry.[11] Thus, to determine whether a petition has the requisite industry support, the statute directs the Department to look to producers and workers who produce the domestic like product. The U.S. International Trade Commission (ITC), which is responsible for determining whether ''the domestic industry'' has been injured, must also determine what constitutes a domestic like product in order to define the industry. While both the Department and the ITC must apply the same statutory definition regarding the domestic like product,[12] they do so for different purposes and pursuant to a separate and distinct authority. In addition, the Department's determination is subject to limitations of time and information. Although this may result in different definitions of the like product, such differences do not render the decision of either agency contrary to law.[13]

Section 771(10) of the Act defines the domestic like product as ''a product which is like, or in the absence of like, most similar in characteristics and uses with, the article subject to an investigation under this title.'' Thus, the reference point from which the domestic like product analysis begins is ''the article subject to an investigation'' (*i.e.,* the class or kind of merchandise to be investigated, which normally will be the scope as defined in the petition).

With regard to the domestic like product, Petitioners do not offer a definition of domestic like product distinct from the scope of the investigation. Based on our analysis of the information submitted on the record, we determined that sugar, as defined in the scope of the investigation, constitutes a single domestic like product and we analyzed industry support in terms of that domestic like product.[14]

In determining whether Petitioners have standing under section 732(c)(4)(A) of the Act, we considered the industry support data contained in the Petition with reference to the domestic like product as defined in the ''Scope of Investigation'' section above. To establish industry support, Petitioners provided their production of the domestic like product in crop year 2012/2013,[15] and compared this to the total production of the domestic like product for the entire domestic industry.[16] We relied upon data Petitioners provided for purposes of measuring industry support.[17]

On April 10, 2014, we received comments on industry support from the Grocery Manufacturers Association (GMA).[18] We also received comments on industry support from Archer Daniels Midland Company (ADM)[19] and Camara Nacional de Las Industrias Azucarera Y Al Alcoholera (Camara) on April 11, 2014.[20] Petitioners responded to the letters from GMA, ADM, and Camara on April 15, 2014.[21] In consultations with the Department held with respect to the companion CVD case on imports of sugar from Mexico, the Government of Mexico raised the issue of industry support.[22] On April 15, 2014, we received additional comments on industry support from the GMA.[23] For further discussion of these comments, *see* the AD Initiation Checklist, at Attachment II.

Based on information provided in the Petition, supplemental submissions, and other information readily available to the Department, we determine that Petitioners met the statutory criteria for industry support under section 732(c)(4)(A)(i) of the Act because the domestic producers (or workers) who support the Petition account for at least 25 percent of the total production of the domestic like product.[24] Based on information provided in the Petition, the domestic producers (or workers) met the statutory criteria for industry support under section 732(c)(4)(A)(ii) of the Act because the domestic producers (or workers) who support the Petition account for more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the Petition. Accordingly, the Department determines that the Petition was filed on behalf of the domestic industry within the meaning of section 732(b)(1) of the Act.[25]

The Department finds that Petitioners filed the Petition on behalf of the domestic industry because they are interested parties as defined in sections 771(9)(C), (E), (F), or (G) of the Act and they demonstrated sufficient industry support with respect to the AD investigation that they are requesting the Department initiate.[26]

Allegations and Evidence of Material Injury and Causation

Petitioners allege that the U.S. industry producing the domestic like product is being materially injured, or is threatened with material injury, by reason of the imports of the subject merchandise sold at less than normal

[11] *See* section 771(4)(E) of the Act. For a full discussion of this provision of the Act and the Department's analysis, *see* Antidumping Duty Investigation Initiation Checklist: Sugar from Mexico (AD Initiation Checklist), at Attachment II, Analysis of Industry Support for the Antidumping and Countervailing Duty Petitions Covering Sugar from Mexico (Attachment II). This checklist is dated concurrently with, and hereby adopted by, this notice and is on file electronically via IA ACCESS. Access to documents filed via IA ACCESS is also available in the Central Records Unit (CRU), Room 7046 of the main Department of Commerce building.

[12] *See* section 771(10) of the Act.

[13] *See USEC, Inc.* v. *United States,* 132 F. Supp. 2d 1, 8 (CIT 2001) (citing *Algoma Steel Corp., Ltd.* v. *United States,* 688 F. Supp. 639, 644 (CIT 1988), *aff'd* 865 F.2d 240 (Fed. Cir. 1989)).

[14] *See* AD Initiation Checklist, at Attachment II.

[15] Data on the domestic sugar industry are gathered and presented by the United States Department of Agriculture (USDA) on a crop year basis to reflect the annual cycle of planting, growing, harvesting, and processing sugar. The crop year begins on October 1 and ends on September 30. Petitioners contend that data on a crop year basis more accurately reflects the production of sugar than would data presented on a calendar year basis. In addition, Petitioners note that all producers of sugar report their data to USDA on a crop year basis. *See* General Issues Supplement, at 12.

[16] *See* Exhibit Volume I, at Exhibit I–6; General Issues Supplement, at 9–16 and Exhibits II and III; and Second General Issues Supplement, at 4–6 and Attachments 1–3.

[17] *See* AD Initiation Checklist, at Attachment II.

[18] *See* Letter from the Grocery Manufacturers Association, dated April 11, 2014. We note that this letter is dated April 11, 2014; however, it was received by the Department on April 10, 2014.

[19] *See* Letter from Archer Daniels Midland Company, dated April 11, 2014.

[20] *See* Letter from Camara, dated April 11, 2014.

[21] *See* Letter from Petitioners, dated April 15, 2014.

[22] *See* Memorandum to the File from Vicki Flynn, dated April 15, 2014, titled ''Placing Consultations Memorandum on the AD Record.''

[23] *See* Letter from the Grocery Manufacturers Association, dated April 15, 2014.

[24] *Id.*

[25] *Id.*

[26] *Id.*

value (NV). In addition, Petitioners allege that subject imports exceed the negligibility threshold provided for under section 771(24)(A) of the Act.[27]

Petitioners contend that the industry's injured condition is illustrated by reduced market share, underselling and price depression or suppression, lost sales and revenues, forfeitures and USDA purchases that remove surpluses of domestically produced sugar from the market to stabilize prices, decline in payments to growers and farmers, and decline in financial performance.[28] We have assessed the allegations and supporting evidence regarding material injury, threat of material injury, and causation, and we have determined that these allegations are properly supported by adequate evidence and meet the statutory requirements for initiation.[29]

Allegations of Sales at Less Than Fair Value

The following is a description of the allegations of sales at less than fair value upon which the Department based its decision to initiate an investigation of imports of sugar from Mexico. The sources of data for the deductions and adjustments relating to U.S. price and NV are discussed in greater detail in the AD Initiation Checklist.

Export Price

Petitioners calculated export prices (EP) for estandar (a semi-refined form of sugar) and fully refined sugar based on Mexican export statistics, which, unlike U.S. import statistics, distinguish between these two forms of sugar shipped to the United States.[30] The ability to segregate estandar import data from the import data relating to fully-refined sugar is significant because imports of semi-refined sugar compete directly with U.S. raw sugar sales to refiners, whereas imports of refined sugar compete with U.S. refined sugar.[31] To derive the ex-factory prices, Petitioners made deductions to the Mexican export prices for inland freight and handling costs between the mills and the trading companies that export to the United States.[32]

Normal Value

Petitioners provided monthly average home market prices for both estandar and refined sugar in Mexico for the months of the POI. Petitioners obtained the home market price data from the Government of Mexico's Sistema Nacional de Información e Integración de Mercados (SNIIM).[33] To derive the ex-factory price, Petitioners deducted delivery costs for shipment from the mill to the wholesale market from the SNIIM wholesale market prices.[34]

Sales-Below-Cost Allegation

Petitioners provided information demonstrating reasonable grounds to believe or suspect that sales of sugar in the Mexican market were made at prices below the fully-absorbed cost of production (COP), within the meaning of section 773(b) of the Act, and requested that the Department conduct a country-wide sales-below-cost investigation. The Statement of Administrative Action (SAA) accompanying the Uruguay Round Agreements Act, states that an allegation of sales below COP need not be specific to individual exporters or producers.[35] The SAA states that ''Commerce will consider allegations of below-cost sales in the aggregate for a foreign country, just as Commerce currently considers allegations of sales at less than fair value on a country-wide basis for purposes of initiating an antidumping investigation.'' [36] Further, the SAA provides that section 773(b)(2)(A) of the Act retains the requirement that the Department have ''reasonable grounds to believe or suspect'' that below-cost sales occurred before initiating such an investigation. Reasonable grounds exist when an interested party provides specific factual information on costs and prices, observed or constructed, indicating that sales in the foreign market in question are at below-cost prices.[37]

Cost of Production

Pursuant to section 773(b)(3) of the Act, COP consists of the cost of manufacturing (COM); selling, general and administrative (SG&A) expenses; financial expenses; and packing expenses. Petitioners calculated the COM for estandar and refined sugar based on publicly-available data on sugar cane costs specific to Mexico and the production experience of five U.S. producers of raw and refined sugar, adjusted for known differences between the Mexico and U.S. industries during the prospective POI. We revised the calculation of the raw material cost to incorporate an offset for by-product income. To calculate the by-product offset rate, we relied on the fiscal year ended December 31, 2013 (FY 2013) financial data for four U.S. producers of raw sugar. The resulting by-product offset was used to reduce the raw material costs.[38]

To determine the SG&A rate, Petitioners relied on the FY 2013 financial data for four U.S. producers of raw sugar. We note that it is the Department's preference to rely upon financial information from a producer in the country under investigation (*i.e.,* Mexico) when calculating the SG&A rate. The SG&A rate used in the Petition was comparable with that expected from sugar producers in Mexico based on information contained in an article published in the Business Intelligence Journal. As such, we do not consider the SG&A rate calculated using the U.S. producers' financial data to be unreasonable. Petitioners conservatively did not add an amount for financial expenses or for packing expenses.

To determine the COP of estandar sugar, Petitioners added together the COM and SG&A expenses calculated above. We revised the calculation of the COP of estandar sugar to incorporate the revised raw material costs calculated above.[39]

To determine the COP of refined sugar, Petitioners relied on the production experience of a U.S. producer of refined sugar. Petitioners added the additional cost of processing estandar sugar into refined sugar to the COP of estandar sugar calculated above. We revised the calculation of the COP of refined sugar to incorporate the revised raw material costs for estandar sugar calculated above.[40]

Based upon a comparison of the prices of the foreign like product in the home market to the calculated COP of the most comparable product, we find reasonable grounds to believe or suspect that sales of the foreign like product were made below the COP, within the

[27] *See* Petition Narrative, at 31 and Exhibit Volume I, at Exhibit I–15; *see also* General Issues Supplement, at 17–18 and Exhibit VII.

[28] *See* Petition Narrative, at 3–4, 19–21, 28–55 and Exhibit Volume I, at Exhibits I–3, I–4, I–13 and I–15 through I–21; *see also* General Issues Supplement, at 15–19 and Exhibits I.A and VI through VIII; Second General Issues Supplement, at 5–7 and Attachment 3; and Scope Supplement, at 2 and Attachment 1.

[29] *See* AD Initiation Checklist, at Attachment III, Analysis of Allegations and Evidence of Material Injury and Causation for the Antidumping and Countervailing Duty Petitions Covering Sugar from Mexico.

[30] *See* Petition Narrative at 75 and Exhibit Volume II, at Exhibit II–11; *see also* AD Initiation Checklist.

[31] *See* Petition Narrative at 59–62.

[32] *Id.* at 75–76; *see also* AD Initiation Checklist.

[33] *See* Petition Narrative at Table 5 (page 60), Table 6 (page 62), and Exhibit Volume II, at Exhibits II–2E and II–4; *see also* AD Initiation Checklist.

[34] *See* Petition Narrative, at 67; *see also* AD Initiation Checklist.

[35] *See* SAA, H.R. Doc. No. 103–316 at 833 (1994), *reprinted in* 1994 U.S.C.C.A.N. 3773.

[36] *Id.*

[37] *Id.*

[38] *See* AD Initiation Checklist at Attachments V and VI.

[39] *Id.*

[40] *Id.*

meaning of section 773(b)(2)(A)(i) of the Act. Accordingly, the Department is initiating a country-wide cost investigation.

Normal Value Based on Above-Cost Home Market Prices

Because some home market prices for refined sugar fell below COP, pursuant to section 773(b)(1) of the Act, Petitioners based NV of refined sugar on the average of above-cost home market prices obtained from SNIIM and adjusted for delivery costs from the mill to the wholesale market.[41]

Normal Value Based on Constructed Value

Because all home market prices for estandar sugar fell below COP, pursuant to sections 773(a)(4), 773(b) and 773(e) of the Act, Petitioners calculated the NV of estandar sugar based on constructed value (CV). Petitioners calculated CV using the same COM and SG&A used to compute the COP of estandar sugar. To calculate the CV profit rate, Petitioners relied on the 2013 above-cost home market sales of refined sugar from the sales below cost allegation in the Petition. The rate was computed using the average profit (*i.e.,* sales price minus COP) of the above-cost home market sales of refined sugar, divided by the COP of refined sugar. We revised the CV profit rate to incorporate the revised COP of refined sugar. This revised rate was then applied to the revised COP of estandar sugar as calculated above.[42]

Fair Value Comparisons

Based on the data provided by Petitioners, there is reason to believe that imports of sugar from Mexico are being, or are likely to be, sold in the United States at less than fair value. Based on comparisons of EP to NV and EP to CV for Mexico, in accordance with section 773(a)(4) of the Act, the estimated dumping margins for sugar from Mexico range from 30.00 to 64.31 percent.[43]

Initiation of Antidumping Investigation

Based upon the examination of the AD Petition on sugar from Mexico, we find that the Petition meets the requirements of section 732 of the Act. Therefore, we are initiating an AD investigation to determine whether imports of sugar from Mexico are being, or are likely to be, sold in the United States at less than fair value. In accordance with section 733(b)(1)(A) of the Act and 19 CFR 351.205(b)(1), unless postponed, we will make our preliminary determination no later than 140 days after the date of this initiation.

Respondent Selection

Following standard practice in AD investigations involving market economy countries, in the event the Department determines that the number of known exporters or producers for this investigation is large, the Department may select respondents based on U.S. Customs and Border Protection (CBP) data for U.S. imports of sugar from Mexico under all Harmonized Tariff Schedule of the United States (HTSUS) subheadings identified in Scope of the Investigation.[44] We intend to release the CBP data under Administrative Protective Order (APO) to all parties with access to information protected by APO within five days of publication of this **Federal Register** notice.

The Petition identified 55 producers and/or exporters of sugar in Mexico.[45] We intend to make our decision regarding respondent selection within 20 days of publication of this notice. The Department invites comments regarding the CBP data and respondent selection within seven days of publication of this **Federal Register**.

Distribution of Copies of the Petition

In accordance with section 732(b)(3)(A) of the Act and 19 CFR 351.202(f), copies of the public version of the Petition have been provided to the Government of Mexico via IA ACCESS. To the extent practicable, we will attempt to provide a copy of the public version of the Petition to each exporter named in the Petition, as provided under 19 CFR 351.203(c)(2).

ITC Notification

We notified the ITC of our initiation, as required by section 732(d) of the Act.

Preliminary Determination by the ITC

The ITC will preliminarily determine no later than May 12, 2014, whether there is a reasonable indication that imports of sugar from Mexico are materially injuring, or threatening material injury to, a U.S. industry. A negative ITC determination will result in the investigation being terminated; otherwise, the investigation will proceed according to statutory and regulatory time limits.[46]

Submission of Factual Information

On April 10, 2013, the Department published *Definition of Factual Information and Time Limits for Submission of Factual Information: Final Rule,* 78 FR 21246 (April 10, 2013) (*Factual Information Final Rule*), which modified two regulations related to AD and CVD proceedings: the definition of factual information (19 CFR 351.102(b)(21)), and the time limits for the submission of factual information (19 CFR 351.301). The final rule identifies five categories of factual information in 19 CFR 351.102(b)(21), which are summarized as follows: (i) Evidence submitted in response to questionnaires; (ii) evidence submitted in support of allegations; (iii) publicly available information to value factors under 19 CFR 351.408(c) or to measure the adequacy of remuneration under 19 CFR 351.511(a)(2); (iv) evidence placed on the record by the Department; and (v) evidence other than factual information described in (i)–(iv). The final rule requires any party, when submitting factual information, to specify under which subsection of 19 CFR 351.102(b)(21) the information is being submitted and, if the information is submitted to rebut, clarify, or correct factual information already on the record, to provide an explanation identifying the information already on the record that the factual information seeks to rebut, clarify, or correct. The final rule also modified 19 CFR 351.301 so that, rather than providing general time limits, there are specific time limits based on the type of factual information being submitted. These modifications are effective for all proceeding segments initiated on or after May 10, 2013, and thus are applicable to this investigation. Please review the *Factual Information Final Rule,* available at *http://enforcement.trade.gov/frn/2013/1304frn/2013-08227.txt* prior to submitting factual information in these investigations.

[41] *See* Petition Narrative at 66–67 and 74–75; *see also* First AD Supplement, at Exhibits 3 and 5; AD Initiation Checklist.

[42] *See* AD Initiation Checklist at Attachments V and VI.

[43] *See* Second AD Supplement at Exhibit 2; *see* also AD Initiation Checklist at Attachments V and VI.

[44] *See* Appendix of this notice for a listing of the HTSUS subheadings in the Scope of the Investigation.

[45] *See* Exhibit Volume I, at Exhibit I–12.

[46] On September 20, 2013, the Department modified its regulation concerning the extension of time limits for submissions in AD and CVD proceedings. *See Extension of Time Limits,* 78 FR 57790 (September 20, 2013). The modification clarifies that parties may request an extension of time limits before any time limit established under Part 351 expires. This modification also requires that an extension request must be made in a separate, stand-alone submission, and clarifies the circumstances under which the Department will grant untimely-filed requests for the extension of time limits.

Notification to Interested Parties

Interested parties must submit applications for disclosure under administrative protective order in accordance with 19 CFR 351.305. On January 22, 2008, the Department published *Antidumping and Countervailing Duty Proceedings: Documents Submission Procedures; APO Procedures,* 73 FR 3634 (January 22, 2008). Parties wishing to participate in these investigations should ensure that they meet the requirements of these procedures (*e.g.,* the filing of letters of appearance as discussed at 19 CFR 351.103(d)).

Any party submitting factual information in an AD or CVD proceeding must certify to the accuracy and completeness of that information.[47] Parties are hereby reminded that the Department issued a final rule with respect to certification requirements, effective August 16, 2013. Parties are hereby reminded that revised certification requirements are in effect for company/government officials as well as their representatives. All segments of any AD or CVD proceedings initiated on or after August 16, 2013, should use the formats for the revised certifications provided at the end of the *Certifications Final Rule.*[48] The Department intends to reject factual submissions if the submitting party does not comply with the applicable revised certification requirements.

This notice is issued and published pursuant to section 777(i) of the Act and 19 CFR 351.203(c).

Dated: April 17, 2014.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

Appendix

Scope of the Investigation

The product covered by this investigation is sugar derived from sugar cane or sugar beets. Sucrose gives sugar its essential character. Sucrose is a nonreducing disaccharide composed of glucose and fructose linked via their anomeric carbons. The molecular formula for sucrose is $C_{12}H_{22}0_{11}$, the International Union of Pure and Applied Chemistry (IUPAC) International Chemical Identifier (InChl) for sucrose is 1S/C12H22O11/c13-l-4-6(16)8(18)9(19)11(21-4)23-12(3-15)10(20)7(17)5(2-14)22-12/h4-11,13-20H,1-3H2/t4-,5-,6-,7-,8+,9-,10+,11-,12+/m1/s1, the InChl Key for sucrose is CZMRCDWAGMRECN-UGDNZRGBSA-N, the U.S. National Institutes of Health PubChem Compound Identifier (CID) for sucrose is 5988, and the Chemical Abstracts Service (CAS) Number of sucrose is 57-50-1.

Sugar within the scope of this investigation includes raw sugar (sugar with a sucrose content by weight in a dry state that corresponds to a polarimeter reading of less than 99.5 degrees) and estandar or standard sugar which is sometimes referred to as ''high polarity'' or ''semi-refined'' sugar (sugar with a sucrose content by weight in a dry state that corresponds to a polarimeter reading of 99.2 to 99.6 degrees). Sugar within the scope of this investigation includes refined sugar with a sucrose content by weight in a dry state that corresponds to a polarimeter reading of at least 99.9 degrees. Sugar within the scope of this investigation includes brown sugar, liquid sugar (sugar dissolved in water), organic raw sugar and organic refined sugar.

Inedible molasses is not within the scope of this investigation. Specialty sugars, *e.g.,* rock candy, fondant, sugar decorations, are not within the scope of this investigation. Processed food products that contain sugar, *e.g.,* beverages, candy, cereals, are not within the scope of this investigation.

Merchandise covered by this investigation is typically imported under the following headings of the Harmonized Tariff Schedule of the United States (HTSUS): 1701.12.1000, 1701.12.5000, 1701.13.1000, 1701.13.5000, 1701.14.1000, 1701.14.5000, 1701.91.1000, 1701.91.3000, 1701.99.1025, 1701.99.1050, 1701.99.5025, 1701.99.5050, and 1702.90.4000. The tariff classification is provided for convenience and customs purposes; however, the written description of the scope of this investigation is dispositive.

[FR Doc. 2014-09363 Filed 4-23-14; 8:45 am]

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[47] *See* section 782(b) of the Act.

[48] *See Certification of Factual Information To Import Administration During Antidumping and Countervailing Duty Proceedings,* 78 FR 42678 (July 17, 2013) (*Certification Final Rule*); *see* also the frequently asked questions regarding the *Certification Final Rule,* available at the following: *http://enforcement.trade.gov/tlei/notices/factual_info_final_rule_FAQ_07172013.pdf.*

DEPARTMENT OF COMMERCE

International Trade Administration

[A–588–870]

Chlorinated Isocyanurates From Japan: Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination

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

SUMMARY: The Department of Commerce (''the Department'') preliminarily determines that chlorinated isocyanurates (''isos'') from Japan is being, or is likely to be, sold in the United States at less than fair value (''LTFV''), as provided in section 733(b) of the Tariff Act of 1930, as amended (''the Act''). The period of investigation is July 1, 2012, through June 30, 2013. The estimated weighted-average dumping margins of sales at LTFV are listed in the ''Preliminary Determination'' section of this notice. Interested Parties are invited to comment on this preliminary determination. Pursuant to a request from Shikoku Chemicals Corporation, we are postponing for 60 days the final determination and extending provisional measures from a four-month period to not more than six months. Accordingly, we intend to make our final determination not later than 135 days after publication of this preliminary determination in the **Federal Register**.

DATES: *Effective Date:* April 24, 2014.

FOR FURTHER INFORMATION CONTACT: Julia Hancock or Jerry Huang, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–1394 or (202) 482–4047, respectively.

SUPPLEMENTARY INFORMATION:

On September 25, 2013, the Department initiated the antidumping duty investigation on isos from Japan.[1] Based on a timely request from Petitioners,[2] on February 10, 2014, the Department postponed the deadline for the preliminary determination by 50 days to April 14, 2014, pursuant to section 733(c)(1)(A) of the Act and 19 CFR 351.205(e).[3] [4]

Scope of the Investigation

The products covered by this investigation are chlorinated isocyanurates. Chlorinated isocyanurates are derivatives of cyanuric acid, described as chlorinated s-triazine triones. There are three primary chemical compositions of chlorinated isocyanurates: (1) Trichloroisocyanuric acid (''TCCA'') ($Cl_3(NCO)_3$), (2) sodium dichloroisocyanurate (dihydrate) ($NaCl_2(NCO)_3 \times 2H_2O$), and (3) sodium dichloroisocyanurate (anhydrous) ($NaCl_2(NCO)_3$). Chlorinated

[1] *See Chlorinated Isocyanurates From Japan: Initiation of Antidumping Duty Investigation,* 78 FR 58997 (September 25, 2013).

[2] Petitioners are Clearon Corp. and Occidental Corporation.

[3] *See Chlorinated Isocyanurates From Japan: Postponement of Preliminary Determinations of Antidumping Duty Investigation,* 79 FR 7643 (February 10, 2014).

[4] As explained in the memorandum from the Assistant Secretary for Enforcement and Compliance, the Department exercised its discretion to toll deadlines for the duration of the closure of the Federal Government from October 1, through October 16, 2013. *See* Memorandum for the Record from Paul Piquado, Assistant Secretary for Enforcement and Compliance, ''Deadlines Affected by the Shutdown of the Federal Government'' (October 18, 2013). The tolled deadline for the preliminary determination of this investigation was February 21, 2014.

isocyanurates are available in powder, granular and solid (*e.g.,* tablet or stick) forms.

Chlorinated isocyanurates are currently classifiable under subheadings 2933.69.6015, 2933.69.6021, 2933.69.6050, 3808.50.4000, 3808.94.5000, and 3808.99.9500 of the Harmonized Tariff Schedule of the United States (''HTSUS''). The tariff classification 2933.69.6015 covers sodium dichloroisocyanurates (anhydrous and dihydrate forms) and trichloroisocyanuric acid. The tariff classifications 2933.69.6021 and 2933.69.6050 represent basket categories that include chlorinated isocyanurates and other compounds including an unfused triazine ring. The tariff classifications 3808.50.4000, 3808.94.5000 and 3808.99.9500 cover disinfectants that include chlorinated isocyanurates. The HTSUS subheadings are provided for convenience and customs purposes. The written description of the scope of the investigation is dispositive.

Methodology

The Department conducted this investigation in accordance with section 731 of the Act. Export prices have been calculated in accordance with section 772(a) of the Act. Constructed export prices have been calculated in accordance with section 772(b) of the Act. Normal value has been calculated in accordance with section 773 of the Act.

For a full description of the methodology underlying our conclusions, *see* the Preliminary Decision Memorandum, which is hereby adopted by this notice.[5] The Preliminary Decision Memorandum is a public document and is made available to the public via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (''IA ACCESS''). IA ACCESS is available to registered users at *https://iaaccess.trade.gov,* and is available to all parties in the Department's Central Records Unit, located at room 7046 of the main Department of Commerce building. In addition, a complete version of the Preliminary Decision Memorandum can be found at *http://enforcement.trade.gov/frn/.* The signed and the electronic versions of the Preliminary Decision Memorandum are identical in content.

Preliminary Determination

The Department preliminarily determines that the following weighted-average dumping margins exist:

Exporter/Producer	Weighted-average margin (percent)
Shikoku Chemicals Corporation	54.79
Nankai Chemical Co., Ltd	109.56
All Others	63.71

Pursuant to section 735(c)(5)(A) of the Act, the ''All Others'' rate shall be an amount equal to the weighted average of the estimated weighted-average dumping margins established for exporters and producers individually investigated, excluding any zero or *de minimis* margins, and any margins determined entirely under section 776 of the Act. Specifically, this rate of 63.71 percent is based on a weighted average using each company's publicly-ranged values for U.S. exports of subject merchandise. Because we cannot apply our normal methodology of calculating a weighted-average margin due to requests to protect business-proprietary information, we find this rate to be the best proxy of the actual weighted-average margin determined for these respondents.[6] [7]

Disclosure and Public Comment

The Department will disclose the calculations used in our analysis to parties in this investigation within five days of the date of publication of this notice. Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance no later than seven days after the date on which the final verification report is issued in this proceeding and rebuttal briefs, limited to issues raised in case briefs, may be submitted no later than five days after the deadline date for case briefs.[8] Pursuant to 19 CFR 351.309(c)(2) and (d)(2), parties who submit case briefs or rebuttal briefs in this proceeding are encouraged to submit with each argument: (1) A statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.

Pursuant to 19 CFR 351.310(c), interested parties, who wish to request a hearing, or to participate if one is requested, must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce, filed electronically using IA ACCESS. An electronically filed document must be received successfully in its entirety in IA ACCESS, by 5 p.m. Eastern Time within 30 days after the date of publication of this notice.[9] Requests should contain the party's name, address, and telephone number, the number of participants, and a list of the issues to be discussed. If a request for a hearing is made, the Department will inform parties of the scheduled date for the hearing which will be held at the U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230, at a time and location to be determined. Parties should confirm by telephone the date, time, and location of the hearing. Interested parties are invited to comment on the preliminary determination of this investigation.

Suspension of Liquidation

In accordance with section 733(d)(2) of the Act, we will direct U.S. Customs and Border Protection (''CBP'') to suspend liquidation of all entries of isos from Japan, as described in the ''Scope of the Investigation'' section, entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the **Federal Register**.

Pursuant to 19 CFR 351.205(d), the Department will instruct CBP to require a cash deposit[10] equal to the preliminary weighted-average amount by which normal value exceeds U.S. price, as indicated in the chart above. These suspension of liquidation instructions will remain in effect until further notice.

Postponement of Final Determination and Extension of Provisional Measures

Section 735(a)(2) of the Act provides that a final determination may be postponed until not later than 135 days after the date of the publication of the preliminary determination if, in the event of an affirmative preliminary determination, a request for such

[5] *See* Memorandum to Paul Piquado, Assistant Secretary for Enforcement and Compliance from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations ''Decision Memorandum for the Preliminary Determination of the Antidumping Duty Investigation of Chlorinated Isocyanurates From Japan,'' dated concurrently this notice (''Preliminary Decision Memorandum'').

[6] *See, e.g., Certain Frozen Warmwater Shrimp From India: Final Results of Antidumping Duty Administrative Review, Partial Rescission, and Final No Shipment Determination,* 76 FR 41205, 41205 (July 13, 2011).

[7] *See* Memorandum to the File from Julia Hancock and Jerry Huang, Senior Case Analysts, Office V, Enforcement and Compliance, Subject: Chlorinated Isocyanurates From Japan: Calculation of All-Others' Rate in Preliminary Determination (April 14, 2014).

[8] *See* 19 CFR 351.309(c) and (d).

[9] *See* 19 CFR 351.310(c).

[10] *See Modification of Regulations Regarding the Practice of Accepting Bonds During the Provisional Measures Period in Antidumping and Countervailing Duty Investigations,* 76 FR 61042 (October 3, 2011).

postponement is made by exporters who account for a significant proportion of exports of the subject merchandise. 19 CFR 351.210(e)(2) requires that requests by respondents for postponement of a final determination be accompanied by a request for extension of provisional measures from a four-month period to not more than six months.

On March 21, 2014, Shikoku Chemicals Corporation requested that, in the event of an affirmative preliminary determination in this investigation, the Department postpone its final determination by 60 days (135 days after publication of the preliminary determination), and agreed to extend the application of the provisional measures prescribed under section 733(d) of the Act and 19 CFR 351.210(e)(2), from a four-month period to a six-month period.[11] In accordance with section 735(a)(2)(A) of the Act and 19 CFR 351.210(b)(2)(ii), because (1) our preliminary determination is affirmative; (2) the requesting producer/exporter accounts for a significant proportion of exports of the subject merchandise; and (3) no compelling reasons for denial exist, we are postponing the final determination until no later than 135 days after the publication of this notice in the **Federal Register**. Suspension of liquidation will be extended accordingly. We are also extending the application of the provisional measures prescribed under section 733(d) of the Act and 19 CFR 351.210(e)(2) from a four-month period to a six-month period.

U.S. International Trade Commission (''ITC'') Notification

In accordance with section 733(f) of the Act, we will notify the ITC of our preliminary affirmative determination of sales at LTFV. Because the preliminary determination in this proceeding is affirmative, section 735(b)(2) of the Act requires that the ITC make its final determination as to whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports of isos from Japan before the later of 120 days after the date of this preliminary determination or 45 days after our final determination. Because we are postponing the deadline for our final determination to 135 days from the date of the publication of this preliminary determination, as discussed above, the ITC will make its final determination no later than 45 days after our final determination.

This determination is issued and published pursuant to sections 733(f) and 777(i)(1) of the Act.

Dated: April 14, 2014.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

Appendix—List of Topics Discussed in the Preliminary Decision Memorandum

1. Background
2. Scope of the Investigation
3. Scope Comments
4. Respondent Selection
6. Affiliation Determinations
7. Determination of the Comparison Method
   A. Differential Pricing Analysis
   B. Results of the Differential Pricing Analysis
8. Discussion of Methodology
   A. Fair Value Comparisons
   B. Product Comparisons
   C. Date of Sale
   D. Export Price (''EP'')
   E. Constructed Export Price (''CEP'')
Normal Value
   A. Home Market Viability
   B. Affiliated Party Transactions and Arm's-Length Test
   C. Level of Trade
   H. Cost of Production
   1. Calculation of COP
   2. Test of Comparison Prices
   3. Results of COP Test
   4. Constructed Value
   5. Calculation of Normal Value Based on Comparison Market Prices
9. Currency Conversion
10. Verification
11. International Trade Commission Notification

[FR Doc. 2014–09365 Filed 4–23–14; 8:45 am]

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[11] *See* Letter to the Secretary of Commerce from Shikoku Chemicals Corporation, re ''Chlorinated Isocyanurates from Japan: Shikoku's Request to Postpone the Final Determination'', dated March 21, 2014.

DEPARTMENT OF COMMERCE

International Trade Administration

[A–201–844]

Steel Concrete Reinforcing Bar From Mexico: Preliminary Determination of Sales at Less Than Fair Value, Preliminary Affirmative Determination of Critical Circumstances, and Postponement of Final Determination

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

SUMMARY: The Department of Commerce (the Department) preliminarily determines that steel concrete reinforcing bar (rebar) from Mexico is being, or is likely to be, sold in the United States at less than fair value (LTFV), as provided in section 733(b) of the Tariff Act of 1930, as amended (the Act). The period of investigation (POI) is July 1, 2012, through June 30, 2013. The estimated weighted-average dumping margins of sales at LTFV are listed in the ''Preliminary Determination'' section of this notice. The Department also preliminarily determines that critical circumstances exist for certain imports of rebar from Mexico. Finally, in response to a request from an exporter accounting for a significant proportion of export of the subject merchandise, we are postponing the final determination. The final determination will be issued 135 days after the publication of this preliminary determination in the **Federal Register**. We invite interested parties to comment on this preliminary determination.

DATES: *Effective Date:* April 24, 2014.

FOR FURTHER INFORMATION CONTACT: Stephanie Moore (Deacero), or Joy Zhang (Grupo Simec), AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–3692 or (202) 482–1168.

SUPPLEMENTARY INFORMATION:

Scope of the Investigation

The merchandise subject to this investigation is steel concrete reinforcing bar imported in either straight length or coil form (rebar) regardless of metallurgy, length, diameter, or grade. The subject merchandise is classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) primarily under item numbers 7213.10.0000, 7214.20.0000, and 7228.30.8010. The subject merchandise may also enter under other HTSUS numbers including 7215.90.1000, 7215.90.5000, 7221.00.0015, 7221.00.0030, 7221.00.0045, 7222.11.0001, 7222.11.0057, 7222.11.0059, 7222.30.0001, 7227.20.0080, 7227.90.6085, 7228.20.1000, and 7228.60.6000. Specifically excluded are plain rounds (*i.e.,* non-deformed or smooth rebar). HTSUS numbers are provided for convenience and customs purposes; however, the written description of the scope remains dispositive.

Postponement of Final Determination

Section 735(a)(2) of the Act provides that a final determination may be postponed until not later than 135 days after the date of the publication of the preliminary determination if, in the event of an affirmative preliminary determination, a request for such postponement is made by exporters who

account for a significant proportion of exports of the subject merchandise, or in the event of a negative preliminary determination, a request for such postponement is made by Petitioner. Under 19 CFR 351.210(e)(2), the Department requires that requests by respondents for postponement of a final determination be accompanied by a request for extension of provisional measures from a four-month period to not more than six months.

On April 15, 2014, Deacero S.A.P.I. de C.V. (''Deacero''),[1] the only mandatory respondent participating in this proceeding requested that the Department postpone the final determination.[2] Deacero also agreed to extend the application of the provisional measures prescribed under section 733(d) of the Act and 19 CFR 351.210(e)(2), from a four-month period to a six-month period.[3] In accordance with section 733(d) of the Act and 19 CFR 351.210(b), because (1) our preliminary determination is affirmative, (2) the requesting exporter accounts for a significant proportion of exports of the subject merchandise, and (3) no compelling reason for denial exists, we are granting the requests and are postponing the final determination until no later than 135 days after the publication of this preliminary determination notice in the **Federal Register**. The Department is further extending the application of the provisional measures from a four-month period to a period not longer than six months.

Preliminary Affirmative Determination of Critical Circumstances

On December 17, 2013, Petitioners[4] filed a timely critical circumstances allegation pursuant to section 733(e)(1) of the Act and 19 CFR 351.206(c)(1), alleging that critical circumstances exist with respect to imports of the merchandise under consideration.[5] We preliminarily determine that the criteria under section 733(a)(3)(A)(ii) and (B) of the Act are met and, thus, that critical circumstances exist with regard to certain imports of rebar from Mexico. For a full description of the methodology and results of our analysis, *see* the Preliminary Critical Circumstances Memorandum.[6]

Methodology

The Department conducted this investigation in accordance with section 731 of the Act. Export prices have been calculated in accordance with section 772 of the Act. Constructed export prices have been calculated in accordance with section 772(b) of the Act. Normal value has been calculated in accordance with section 773 of the Act. Because the mandatory respondent Grupo Acerero S.A. de C.V. (Acerero) failed to respond to the Department's questionnaire, we preliminarily determine to apply adverse facts available to this respondent, in accordance with sections 776(a) and (b) of the Act and 19 CFR 351.308. The critical circumstances allegation has been analyzed in accordance with section 733(e)(1) of the Act and 19 CFR 351.206.

For a full description of the methodology underlying our conclusions, *see* the Preliminary Decision Memorandum dated concurrently with and hereby adopted by this notice.[7] The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (IA ACCESS). IA ACCESS is available to registered users at *http://iaaccess.trade.gov,* and it is available to all parties in the Central Records Unit, Room 7046 of the main Department of Commerce building. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly on the internet at *http://enforcement.trade.gov/frn/.* The signed Preliminary Decision Memorandum and the electronic versions of the Preliminary Decision Memorandum are identical in content.

Preliminary Determination

We preliminarily determine the estimated weighted-average dumping margins are as follows:

Producer or exporter	Estimated weighted-average dumping margin (percent)
Deacero S.A.P.I. de C.V.	20.59
Grupo Acerero S.A. de C.V.	66.70
Grupo Simec	10.66
All Others	20.59

All Others Rate

Section 735(c)(5)(A) of the Act provides that the estimated ''all others'' rate shall be an amount equal to the weighted average of the estimated weighted-average dumping margins established for exporters or producers individually examined, excluding all zero or *de minimis* rates, and all rates determined entirely under section 776 of the Act. The Department's regulations further state that in calculating the all-others rate under section 735(c)(5) of the Act, the Department will exclude estimated weighted-average dumping margin rates calculated for voluntary respondents.[8] In this investigation, Grupo Simec is a voluntary respondent and Deacero is the only mandatory respondent for which we calculated an estimated weighted-average dumping margin that is not zero, *de minimis* or based entirely on facts otherwise available. Therefore, for purposes of determining the ''all others'' rate and pursuant to section 735(c)(5)(A) of the Act, we are using the estimated weighted-average dumping margin calculated for Deacero, as referenced above.

Disclosure and Public Comment

The Department intends to disclose to parties the calculations performed in connection with this preliminary determination within five days of the date of publication of this notice.[9]

Interested parties are invited to comment on the preliminary determination. Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance via IA ACCESS no later than seven days after the date on which the final verification report is issued in this investigation. Rebuttal briefs, the content of which is limited to the issues raised in the case briefs, must be filed

[1] On December 16, 2013, Deacero S.A. de C.V. changed its legal name to Deacero S.A.P.I. de C.V. (Deacero). *See* letter from Deacero dated December 23, 2013.

[2] *See* letter from Deacero titled, ''Rebar from Mexico; request to postpone final determination,'' dated April 15, 2014.

[3] *Id.*

[4] The petition was filed by the Rebar Trade Action Coalition (RTAC) and its individual members (collectively, Petitioners).

[5] *See* Petitioners' submission, ''Steel Concrete Reinforcing Bar from Mexico: Critical Circumstances Allegation,'' dated December 17, 2013.

[6] *See* Memorandum from James Doyle, Director, Office V, Antidumping and Countervailing Duty Operations to Paul Piquado, Assistant Secretary for Enforcement and Compliance, ''Antidumping Duty Investigation: Steel Concrete Reinforcing Bar from Mexico; Preliminary Affirmative Determination of Critical Circumstances, 2012–2013,'' dated concurrently with this determination and hereby adopted by this notice (Preliminary Critical Circumstances Memorandum).

[7] *See* Memorandum from James Doyle, Director, Office V, to Paul Piquado, Assistant Secretary for Enforcement and Compliance, regarding ''Decision Memorandum for the Preliminary Determination in the Less-Than-Fair-Value Investigation of Steel Concrete Reinforcing Bar from Mexico'' dated concurrently with this notice (Preliminary Decision Memorandum).

[8] *See* 19 CFR 351.204(d)(3). *See also Antidumping Duties; Countervailing Duties,* 62 FR 27296, 27310 (May 19, 1997).

[9] *See* 19 CFR 351.224(b).

within five days from the deadline date for the submission of case briefs.[10] A list of authorities used, a table of contents, and an executive summary of issues should accompany any briefs submitted to the Department.[11] Executive summaries should be limited to five pages total, including footnotes. As noted above, interested parties who wish to comment on the preliminary determination must file briefs electronically using IA ACCESS.[12] An electronically filed document must be received successfully in its entirety by the Department's electronic records system, IA ACCESS, by 5 p.m. Eastern Time on the date the document is due.

In accordance with section 774 of the Act, the Department will hold a hearing, if timely requested, to afford interested parties an opportunity to comment on arguments raised in case or rebuttal briefs, provided that such a hearing is requested by an interested party.[13] Interested parties who wish to request a hearing, or to participate if one is requested, must submit a written request within 30 days after the date of publication of this notice to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce, filed electronically using IA ACCESS, as noted above.[14] Requests should contain the following information: (1) The party's name, address, and telephone number; (2) the number of participants; and (3) a list of the issues to be discussed.[15] If a request for a hearing is made, we will inform parties of the scheduled date for the hearing which will be held at the U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230.[16] Parties should confirm by telephone the date, time, and location of the hearing.

Suspension of Liquidation

In accordance with section 733(d)(2) of the Act, we are directing U.S. Customs and Border Protection (CBP) to suspend liquidation of all entries of rebar from Mexico as described in the scope of the investigation section that are entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the **Federal Register**, and to require a cash deposit for such entries as described below. Moreover, with the exception of Grupo Simec, we preliminarily find that critical circumstances exist with respect to all exporters. Thus, with the exception of Grupo Simec, in accordance with section 733(e)(2)(A) of the Act, we are directing CBP to apply the suspension of liquidation and cash deposit requirements to any unliquidated entries of rebar from Mexico that are entered, or withdrawn from warehouse, for consumption on or after 90 days prior to the date of publication of this notice in the **Federal Register**.

We will instruct CBP to require a cash deposit equal to the weighted-average amount by which the normal value exceeds U.S. price, as indicated in the chart above.[17] The suspension of liquidation instructions will remain in effect until further notice.

U.S. International Trade Commission (ITC) Notification

In accordance with section 733(f) of the Act, we will notify the ITC of our preliminary affirmative determination of sales at LTFV. If our final determination in this proceeding is affirmative, then section 735(b)(2) of the Act requires that the ITC make its final determination as to whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports of steel concrete reinforcing bar from Mexico before the later of 120 days after the date of this preliminary determination or 45 days after our final determination.

Notification to Interested Parties

This determination is issued and published pursuant to sections 733(f) and 777(i)(1) of the Act and 19 CFR 351.205(c).

Dated: April 18, 2014.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

Appendix

List of Issues Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
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IV. Initiation of Sales-Below-Cost Investigation
V. Postponement of Preliminary Determination
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VII. Scope of the Investigation
VIII. Scope Comments
IX. Respondent Selection
X. Physical Characteristics and Model Matching Hierarchy
XI. Application of Facts Available
XII. All Others Rate
XIII. Discussion of the Methodology
A. Fair Value Comparisons
B. Determination of Comparison Method
C. Results of the Differential Pricing Analysis
D. Product Comparisons
E. Date of Sale
F. Constructed Export Price
G. Normal Value
H. Currency Conversion
XIV. Verification
XV. Conclusion

[FR Doc. 2014–09368 Filed 4–23–14; 8:45 am]

BILLING CODE 3510–DS–P

[10] *See* 19 CFR 351.309(c), 19 CFR 351.309(d)(1), and 19 CFR 351.309(d)(2).

[11] *See* 19 CFR 351.309(c)(2).

[12] *See* 19 CFR 351.303 (for general filing requirements).

[13] *See also* 19 CFR 351.310.

[14] *See* 19 CFR 351.310(c).

[15] *See id.*

[16] *See* 19 CFR 351.310.

[17] *See Modification of Regulations Regarding the Practice of Accepting Bonds During the Provisional Measures Period in Antidumping Duty Investigations,* 76 FR 61042 (October 3, 2011).

DEPARTMENT OF COMMERCE

International Trade Administration

[A–489–818]

Steel Concrete Reinforcing Bar From Turkey: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Preliminary Affirmative Determination of Critical Circumstances, and Postponement of Final Determination

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

SUMMARY: The Department of Commerce (the Department) preliminarily determines that steel concrete reinforcing bar (rebar) from Turkey is being, or is likely to be, sold in the United States at less than fair value (LTFV), as provided in section 733(b) of the Tariff Act of 1930, as amended (the Act). The period of investigation (POI) is July, 2012, through June 30, 2013. The estimated weighted-average dumping margins of sales at LTFV are listed in the ''Preliminary Determination'' section of this notice. The Department also preliminarily finds that critical circumstances do not exist for Turkey with regard to the two mandatory respondents, Habas Sinai ve Tibbi Gazlar Istihsal Endustrisi A.S. (Habas) and Icdas Celik Enerji Tersane ve Ulasim Sanayi A.S. (Icdas) but do exist for all other producers and exporters of subject merchandise. Finally, in response to a request from Habas, we are postponing the final determination. Accordingly, the final determination will be issued no later than 135 days after the publication of this preliminary determination in the **Federal Register**. We invite interested parties to comment on this preliminary determination.

DATES: *Effective Date:* April 24, 2014.

FOR FURTHER INFORMATION CONTACT: Jolanta Lawska (Icdas) or George

McMahon (Habas), AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–8362 or (202) 482–1167, respectively.

SUPPLEMENTARY INFORMATION:

Scope of the Investigation

The merchandise subject to this investigation is steel concrete reinforcing bar imported in either straight length or coil form (rebar) regardless of metallurgy, length, diameter, or grade. The subject merchandise is classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) primarily under item numbers 7213.10.0000, 7214.20.0000, and 7228.30.8010.

The subject merchandise may also enter under other HTSUS numbers including 7215.90.1000, 7215.90.5000, 7221.00.0015, 7221.00.0030, 7221.00.0045, 7222.11.0001, 7222.11.0057, 7222.11.0059, 7222.30.0001, 7227.20.0080, 7227.90.6085, 7228.20.1000, and 7228.60.6000. Specifically excluded are plain rounds (*i.e.,* non-deformed or smooth rebar). HTSUS numbers are provided for convenience and customs purposes; however, the written description of the scope remains dispositive.

Postponement of Final Determination and Extension of Provisional Measures

Pursuant to section 735(a)(2) of the Act, on April 11, 2014, Habas requested that the Department postpone the final determination and agreed to extend the application of the provisional measures prescribed under section 733(d) of the Act and 19 CFR 351.210(e)(2), from a four-month period to a six-month period.[1] In accordance with section 733(d) of the Act and 19 CFR 351.210(b), because (1) our preliminary determination is affirmative, (2) the requesting exporter accounts for a significant proportion of exports of the subject merchandise, and (3) no compelling reason for denial exists, we are granting the request and are postponing the final determination until no later than 135 days after the publication of the preliminary determination notice in the **Federal Register**. The Department is further extending the application of the provisional measures from a four-month period to a period not to exceed six-months, and will extend the suspension of liquidation accordingly, pursuant to Habas' request to extend the application of the provisional measures prescribed under sections 735(a)(2)(A) and 733(d) of the Act, and 19 CFR 351.210(b)(2)(ii) and 351.210(e)(2).

Methodology

The Department conducted this investigation in accordance with section 731 of the Act. Export prices have been calculated in accordance with section 772 of the Act. Constructed export prices have been calculated in accordance with section 772(b) of the Act. Normal value has been calculated in accordance with section 773 of the Act. The critical circumstances allegation has been analyzed in accordance with section 733(e)(1) of the Act and 19 CFR 351.206.

For a full description of the methodology underlying our conclusions, *see* the Preliminary Decision Memorandum[2] dated concurrently with and hereby adopted by this notice.[3] The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (IA ACCESS). IA ACCESS is available to registered users at *http://iaaccess.trade.gov,* and is available to all parties in the Central Records Unit, room 7046 of the main Department of Commerce building. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly on the internet at *http://enforcement.trade.gov/frn/.* The signed Preliminary Decision Memorandum and the electronic versions of the Preliminary Decision Memorandum are identical in content.

Preliminary Affirmative Determination of Critical Circumstances

On December 4, 2013, Petitioners filed a timely critical circumstances allegation pursuant to section 733(e)(1) of the Act and 19 CFR 351.206(c)(1), alleging that critical circumstances exist with respect to imports of the merchandise under consideration.[4] We preliminarily determine that critical circumstances do not exist with regard to Habas and Icdas. Further, we preliminarily determine that critical circumstances exist with regard to all other producers and exporters of the merchandise under consideration. For a full description of the methodology and results of our analysis, *see* the Preliminary Critical Circumstances Memorandum.[5]

Preliminary Determination

We preliminarily determine that the estimated weighted-average dumping margins are as follows:

Producer or exporter	Estimated weighted-average dumping margin (percent)
Habas Sinai ve Tibbi Gazlar Istihsal Endustrisi A.S.	0.00
Icdas Celik Enerji Tersane ve Ulasim Sanayi A.S.	2.64
All Others	2.64

All Others Rate

Section 735(c)(5)(A) of the Act provides that the estimated ''all others'' rate shall be an amount equal to the weighted average of the estimated weighted-average dumping margins established for exporters and producers individually examined, excluding all zero or *de minimis* rates, and all rates determined entirely under section 776 of the Act. Icdas is the only respondent in this investigation for which the Department calculated a company-specific rate which is not zero, *de minimis* or based entirely on facts available. Therefore, for purposes of determining the ''all others'' rate and pursuant to section 735(c)(5)(A) of the Act, we are using the weighted-average dumping margin calculated for Icdas, as the estimated weighted-average dumping margin assigned to all other producers and exporters of the merchandise under consideration.[6]

[1] *See* Letter from Habas titled, ''Steel Concrete Reinforcing Bar: Request for Extension of the Final Determination and Provisional Measures,'' dated April 11, 2014.

[2] *See* Decision Memorandum for the Preliminary Determination of the Investigation of Sales at Less Than Fair Value for Steel Concrete Reinforcing Bar from Turkey, dated April 18, 2014.

[3] *See* Appendix for a listing of issues discussed in the Preliminary Decision Memorandum.

[4] *See* Petitioners' submission, ''Steel Concrete Reinforcing Bar from Turkey: Critical Circumstances Allegation,'' dated December 4, 2013.

[5] *See* the ''Antidumping Duty Investigation: Steel Concrete Reinforcing Bar from Turkey; Preliminary Affirmative Determination of Critical Circumstances, 2012–2013,'' from James Doyle, Director, Office V, Antidumping and Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Enforcement and Compliance, dated concurrently with this determination and hereby adopted by this notice (Preliminary Critical Circumstances Memorandum).

[6] *See, e.g., Notice of Final Determination of Sales at Less Than Fair Value: Stainless Steel Sheet and Strip in Coils From Italy,* 64 FR 30750, 30755 (June 8, 1999); and *Notice of Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination: Coated Free Sheet Paper from Indonesia,* 72 FR 30753, 30757 (June 4, 2007), unchanged in *Notice of Final Determination of Sales at Less Than Fair Value: Coated Free Sheet*

Continued

Disclosure and Public Comment

The Department intends to disclose to parties with an Administrative Protective Order the calculations performed in connection with this preliminary determination within five days of the date of publication of this notice.[7] Interested parties are invited to comment on this preliminary determination. Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance via IA ACCESS no later than seven days after the date on which the final verification report is issued in this investigation. Rebuttal briefs, the content of which is limited to the issues raised in the case briefs, must be filed within five days from the deadline date for the submission of case briefs.[8] A list of authorities used, a table of contents, and an executive summary of issues should accompany all briefs submitted to the Department.[9] Executive summaries should be limited to five pages total, including footnotes. As noted above, interested parties who wish to comment on the preliminary determination must file briefs electronically using IA ACCESS.[10] An electronically filed document must be received successfully in its entirety by the Department's electronic records system, IA ACCESS, by 5 p.m. Eastern Time on the date the document is due.

In accordance with section 774 of the Act, the Department will hold a hearing, if timely requested, to afford interested parties an opportunity to comment on arguments raised in the case or rebuttal briefs, provided that such a hearing is requested by an interested party.[11] Interested parties who wish to request a hearing, or to participate if one is requested, must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce, filed electronically using IA ACCESS, as noted above. All requests must be received within 30 days after the date of publication of this notice.[12] Requests should contain the following information: (1) The party's name, address, and telephone number; (2) the number of participants; and (3) a list of the issues to be discussed.[13] If a request for a hearing is made, we will inform parties of the scheduled date for the hearing which will be held at the U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230.[14] Parties should confirm by telephone the date, time, and location of the hearing.

Suspension of Liquidation

In accordance with section 733(d)(2) of the Act, we are directing U.S. Customs and Border Protection (CBP) to suspend liquidation of all entries of rebar from Turkey from companies with above *de minimis* margins, as described in the scope of the investigation section that are entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the **Federal Register**, and to require a cash deposit for such entries in the amounts indicated above. Because we preliminarily determine that critical circumstances exist with regard to imports of rebar produced or exported by Turkish firms other than Habas and Icdas, we will direct CBP to apply the suspension of liquidation to any unliquidated entries of rebar from Turkey that are entered, or withdrawn from warehouse, for consumption on or after 90 days prior to the date of publication in the **Federal Register** of this notice.

We will instruct CBP to require a cash deposit equal to the estimated weighted-average dumping margins, as indicated in the chart above.[15] The suspension of liquidation instructions will remain in effect until further notice.

U.S. International Trade Commission (ITC) Notification

In accordance with section 733(f) of the Act, we will notify the ITC of our preliminary affirmative determination of sales at LTFV. If our final determination in this proceeding is affirmative, section 735(b)(2) of the Act requires that the ITC make its final determination as to whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports of steel concrete reinforcing bar from Turkey before the later of 120 days after the date of this preliminary determination or 45 days after our final determination.

Notification to Interested Parties

This determination is issued and published pursuant to sections 733(f) and 777(i)(1) of the Act and 19 CFR 351.205(c).

Dated: April 18, 2014.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

Appendix

List of Issues Discussed in the Preliminary Decision Memorandum

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IX. Physical Characteristics and Model Matching Comments
X. Discussion of the Methodology
  A. Fair Value Comparisons
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  b. Sales-Below-Costs Test
  c. Results of the Sales-Below-Costs Test
  4. Constructed Value
  5. Price-to-Constructed Value Comparisons
  6. Calculation of Normal Value Based on Home Market Prices
  I. Currency Conversion
XI. Verification
XII. Conclusion

[FR Doc. 2014–09372 Filed 4–23–14; 8:45 am]

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Paper from Indonesia, 72 FR 60636 (October 25, 2007).

[7] *See* 19 CFR 351.224(b).

[8] *See* 19 CFR 351.309(c), 19 CFR 351.309(d)(1), and 19 CFR 351.309(d)(2).

[9] *See* 19 CFR 351.309(c)(2).

[10] *See* 19 CFR 351.303 (for general filing requirements).

[11] *See also* 19 CFR 351.310.

[12] *See* 19 CFR 351.310(c).

[13] *See id.*

[14] *See* 19 CFR 351.310.

[15] *See Modification of Regulations Regarding the Practice of Accepting Bonds During the Provisional Measures Period in Antidumping Duty Investigations,* 76 FR 61042 (October 3, 2011).

COMMODITY FUTURES TRADING COMMISSION

Sunshine Act Meetings

TIME AND DATE: 10:00 a.m., Friday, May 23, 2014.

PLACE: 1155 21st St. NW., Washington, DC, 9th Floor Commission Conference Room.

STATUS: Closed.

MATTERS TO BE CONSIDERED: Surveillance, Enforcement Matters, and Examinations. In the event that the times, dates, or locations of this or any future meetings change, an announcement of the change, along with the new time and place of the meeting will be posted on the Commission's Web site at *http://www.cftc.gov.*

CONTACT PERSON FOR MORE INFORMATION: Christopher J. Kirkpatrick, 202–418–5516.

Natise Allen,

Executive Assistant.

[FR Doc. 2014–09474 Filed 4–22–14; 4:15 pm]

BILLING CODE 6351–01–P

COMMODITY FUTURES TRADING COMMISSION

Sunshine Act Meetings

TIME AND DATE: 10:00 a.m., Friday, May 30, 2014.

PLACE: 1155 21st St. NW., Washington, DC, 9th Floor Commission Conference Room.

STATUS: Closed.

MATTERS TO BE CONSIDERED: Surveillance, Enforcement Matters, and Examinations. In the event that the times, dates, or locations of this or any future meetings change, an announcement of the change, along with the new time and place of the meeting will be posted on the Commission's Web site at *http://www.cftc.gov*.

CONTACT PERSON FOR MORE INFORMATION: Christopher J. Kirkpatrick, 202–418–5516.

Natise Allen,

Executive Assistant.

[FR Doc. 2014–09475 Filed 4–22–14; 4:15 pm]

BILLING CODE 6351–01–P

COMMODITY FUTURES TRADING COMMISSION

Sunshine Act Meetings

TIME AND DATE: 10:00 a.m., Friday, May 9, 2014.

PLACE: 1155 21st St. NW., Washington, DC, 9th Floor Commission Conference Room.

STATUS: Closed.

MATTERS TO BE CONSIDERED: Surveillance, Enforcement Matters, and Examinations. In the event that the times, dates, or locations of this or any future meetings change, an announcement of the change, along with the new time and place of the meeting will be posted on the Commission's Web site at *http://www.cftc.gov.*

CONTACT PERSON FOR MORE INFORMATION: Christopher J. Kirkpatrick, 202–418–5516.

Natise Allen,

Executive Assistant.

[FR Doc. 2014–09472 Filed 4–22–14; 4:15 pm]

BILLING CODE 6351–01–P

COMMODITY FUTURES TRADING COMMISSION

Sunshine Act Meetings

TIME AND DATE: 10:00 a.m., Friday, May 2, 2014.

PLACE: 1155 21st St. NW., Washington, DC, 9th Floor Commission Conference Room.

STATUS: Closed.

MATTERS TO BE CONSIDERED: Surveillance, Enforcement Matters, and Examinations. In the event that the times, dates, or locations of this or any future meetings change, an announcement of the change, along with the new time and place of the meeting will be posted on the Commission's Web site at *http://www.cftc.gov*.

FOR FURTHER INFORMATION CONTACT: Christopher J. Kirkpatrick, 202–418–5516.

Natise Allen,

Executive Assistant.

[FR Doc. 2014–09410 Filed 4–22–14; 4:15 pm]

BILLING CODE 6351–01–P

COMMODITY FUTURES TRADING COMMISSION

Sunshine Act Meetings

TIME AND DATE: 10:00 a.m., Friday, May 16, 2014.

PLACE: 1155 21st St. NW., Washington, DC, 9th Floor Commission Conference Room.

STATUS: Closed.

MATTERS TO BE CONSIDERED: Surveillance, Enforcement Matters, and Examinations. In the event that the times, dates, or locations of this or any future meetings change, an announcement of the change, along with the new time and place of the meeting will be posted on the Commission's Web site at *http://www.cftc.gov*.

CONTACT PERSON FOR MORE INFORMATION: Christopher J. Kirkpatrick, 202–418–5516.

Natise Allen,

Executive Assistant.

[FR Doc. 2014–09473 Filed 4–22–14; 4:15 pm]

BILLING CODE 6351–01–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID DoD–2014–HA–0010]

Submission for OMB Review; Comment Request

ACTION: Notice.

SUMMARY: The Department of Defense has submitted to OMB for clearance, the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

DATES: Consideration will be given to all comments received by May 27, 2014.

FOR FURTHER INFORMATION CONTACT: Fred Licari, 571–372–0493.

SUPPLEMENTARY INFORMATION:

Title, Associated Form and Omb Number: TRICARE Award Fee Provider Survey; OMB Control Number 0720–0048.

Type of Request: Extension.

Number of Respondents: 1224.

Responses Per Respondent: 1.

Annual Responses: 1224.

Average Burden Per Response: 5 minutes.

Annual Burden Hours: 102.

Needs and Uses: The information collection requirement is necessary to obtain and record TRICARE network civilian provider-user satisfaction with the administrative processes/services of managed care support contractors (MCSC) in three TRICARE regions within the United States (North, West, and South) and three regions internationally (Europe, Pacific and Latin America). The survey will obtain provider opinions regarding claims processing, customer service, and administrative support by the TRICARE regional contractors. The reports of findings from these surveys, coupled with performance criteria from other sources, will be used by the TRICARE Regional Administrative Contracting Officers to determine award fees.

Affected Public: Individuals or households; businesses or other for-profit; not for-profit institutions.

Frequency: On occasion.

Respondent's Obligation: Voluntary.

OMb Desk Officer: Mr. John Kraemer.

Written comments and recommendations on the proposed information collection should be sent to Mr. John Kraemer at the Office of Management and Budget, Desk Officer for DoD, Room 10236, New Executive Office Building, Washington, DC 20503.

You may also submit comments, identified by docket number and title, by the following method:

• Federal eRulemaking Portal: *http://www.regulations.gov.* Follow the instructions for submitting comments.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

DOD Clearance Officer: Ms. Patricia Toppings.

Written requests for copies of the information collection proposal should be sent to Ms. Toppings at WHS/ESD Information Management Division, 4800 Mark Center Drive, East Tower, Suite 02G09, Alexandria, VA 22350–3100.

Dated: April 21, 2014.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2014–09310 Filed 4–23–14; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Department of the Army; Corps of Engineers

Intent To Prepare an Environmental Impact Statement for the Boise River General Investigation Feasibility Study, Ada and Canyon Counties, in the State of Idaho

AGENCY: Department of the Army, U.S. Army Corps of Engineers, DOD.

ACTION: Notice of intent.

SUMMARY: The U.S. Army Corps of Engineers (Corps) intends to prepare an Environmental Impact Statement (EIS) for the Boise River General Investigation Feasibility Study. The Feasibility Study will evaluate alternatives to reduce flood risk and meet current and future water supply needs in the lower Boise River watershed. To the extent feasible, the study will also seek to provide ancillary ecosystem restoration benefits, minimize impacts to species listed under the Endangered Species Act (ESA) (16 U.S.C. 1531 *et seq.*), including bull trout, and minimize socioeconomic effects. The Feasibility Study will focus on the lower Boise River, a tributary to the Snake River, which is located in southwestern Idaho, primarily in Ada and Canyon Counties. The non-federal sponsor for this effort is the Idaho Water Resources Board.

Almost 40 percent of Idaho residents live in the Boise River watershed, with one-sixth of the State's population residing in the floodplain. Communities and development along the Boise River have experienced repeated minor flooding, and flood risk management experts emphasize that a significant flood event with major flood damage will likely occur in the future. The Boise River watershed has recently experienced the most significant growth in the State and continuing to meet current and future water needs is a major concern for residents and state/local officials.

ADDRESSES: Submit comments on the alternatives or scope of analysis for the EIS to Mr. Tim Fleeger, Project Manager, U.S. Army Corps of Engineers, Walla Walla District, CENWW–PM–PD–PF, 201 North Third Avenue, Walla Walla, WA 99362.

FOR FURTHER INFORMATION CONTACT: Requests for further information should be directed to Mr. Tim Fleeger by phone at (509) 527–7247 or by email at *BoiseGI@usace.army.mil.*

SUPPLEMENTARY INFORMATION: This study was authorized by Section 414 of the Water Resources Development Act of 1999 (Pub. L. 106–53) as amended by Section 4038 of the Water Resources Development Act of 2007 (Pub. L. 100–114). Collectively, these two acts grant the Corps authority to conduct a study to determine the feasibility of undertaking flood risk management, water supply and ecosystem restoration on the Boise River. The Idaho Water Resources Board is authorized to study solutions for water supply and flood risk management, but is not authorized to expend funds studying ecosystem restoration. Therefore, the proposed Feasibility Study is focused on reducing flood risk and meeting current and future water supply needs along the Boise River, while seeking incidental environmental benefits to the extent feasible.

The Boise River is approximately 102 miles in length, is located entirely within the State of Idaho, and is one of the major tributaries to the Snake River. The lower Boise River watershed (the focus of the Feasibility Study) contains the Boise River drainage from Lucky Peak Dam to its confluence with the Snake River in southwest Idaho (roughly 64 miles). The lower Boise River floodplain encompasses primarily Ada and Canyon Counties, and includes the cities of Boise (state capital), Garden City, Meridian, Eagle, Star, Nampa, Middleton, Caldwell, Notus, and Parma. The Boise metropolitan area is the third largest in the Pacific Northwest after Seattle, Washington and Portland, Oregon.

The Boise River is highly regulated. Natural flows are modified by the three Federal storage projects on the upper river which are jointly operated by the Corps (Lucky Peak Dam) and the Bureau of Reclamation (Arrowrock and Anderson Ranch Dams) as a system for the primary purposes of flood risk reduction and irrigation water supply. Additional project facilities include Lake Lowell, an offstream storage reservoir operated by the Bureau of Reclamation, and numerous diversion canals that are federally or privately operated. Operation of the Federal reservoirs is a balancing act between reducing flood risk and having sufficient irrigation water for crops by mid-late summer. Recreation, hydropower, and general fish and wildlife functions are secondary authorized purposes. Water is not released for these purposes unless reservoir storage space is assigned for that specific purpose. A non-continuous series of non-Federal levees line the Boise River through developed areas in downtown Boise, Garden City and Eagle. A few are inspected through the Corps' Levee Safety Program, but the majority are unregulated and not maintained.

Complex, interconnected surface water and aquifer systems supply current water uses in the valley which includes irrigation and domestic, commercial, municipal, and industrial (DCMI) uses. Natural flow, stored surface water, and ground water are reused in multiple locations across the valley through a network of drains and direct discharge into the river. Surface water supplies an estimated 90 percent of the current DCMI water demand. Approximately 77 percent of the annual Boise River flow occurs as snowpack runoff during the March to July period.

The Corps will evaluate alternatives for their ability to reduce flood risk and provide water supply to the region. The preliminary range of alternatives will include, but is not limited to the following:

• No Action;

• Modification of Arrowrock Dam to provide additional flood risk management and water supply;

• Modification of Arrowrock Dam along with downstream structural modifications, non-structural measures, and modifications to existing undeveloped lands to reduce effects from localized flooding;

• Manage aquifer recharge to address future water supply along with downstream structural modifications, non-structural measures, and

modifications to existing undeveloped lands to reduce effects from localized flooding.

The Corps invites affected Federal, State, local agencies, Native American tribes and other interested organizations and individuals to participate in the development of the EIS. Public information meetings will be conducted on May 6, 2014 from 6:00 p.m.–8:00 p.m. in Garden City, Idaho at the City Hall (6015 Glenwood Street); on May 7, 2014 from 11:00 a.m.–1:00 p.m. in Boise, Idaho at the Washington Group Plaza Training Room (720 Park Boulevard); on May 7, 2014 from 6:00 p.m.–8:00 p.m. in Caldwell, Idaho at the Caldwell Industrial Airport Hubler Conference Room (4814 E. Linden Street); and on May 8, 2014 from 6:00 p.m.–8:00 p.m. in Idaho City, Idaho at the Ray Robinson Community Hall (206 West Commercial Street). The Corps will provide notice to the public of additional opportunities for public input on the EIS during review periods for the draft and final EIS.

Issues to be analyzed in the EIS include, but are not limited to:

- Effects to ESA listed bull trout above Arrowrock Reservoir;
- Effects to fisheries in the South Fork Boise River;
- Effects to hydropower generation facilities at Arrowrock Reservoir;
- Effects to recreation in the South Fork Boise River;
- Effects to cultural resources, including to Arrowrock Dam, which is listed on the National Register of Historic Places.

The Corps will serve as the lead Federal agency in preparation of the EIS. A decision will be made in the near future whether other agencies and/or tribes will serve in an official role as cooperating agencies or joint lead agencies. The draft EIS is scheduled to be available for public review in October 2015. The final EIS is currently scheduled to be available for public review in summer 2017.

Andrew D. Kelly,

LTC, EN, Commanding.

[FR Doc. 2014–09321 Filed 4–23–14; 8:45 am]

BILLING CODE 3720–58–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2014–ICCD–0065]

Agency Information Collection Activities; Comment Request; Loan Discharge Applications (DL/FFEL/Perkins)

AGENCY: Federal Student Aid (FSA), 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 revision of an existing information collection.

DATES: Interested persons are invited to submit comments on or before June 23, 2014.

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–2014–ICCD–0065 or via postal mail, commercial delivery, or hand delivery. If the regulations.gov site is not available to the public for any reason, ED will temporarily accept comments at *ICDocketMgr@ed.gov. Please note that comments submitted by fax or email and those submitted after the comment period will not be accepted; ED will ONLY accept comments during the comment period in this mailbox when the regulations.gov site is not available.* Written requests for information or comments submitted by postal mail or delivery should be addressed to the Director of the Information Collection Clearance Division, U.S. Department of Education, 400 Maryland Avenue SW., LBJ, Mailstop L–OM–2–2E319, Room 2E105, Washington, DC 20202.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Ian Foss, 202–377–3681.

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: Loan Discharge Applications (DL/FFEL/Perkins).

OMB Control Number: 1845–0058.

Type of Review: A revision of an existing information collection.

Respondents/Affected Public: Individuals or Households.

Total Estimated Number of Annual Responses: 30,051.

Total Estimated Number of Annual Burden Hours: 15,027.

Abstract: These forms serve as the means by which a federal student loan borrower requests a closed school, false certification, or unpaid refund discharge. The burden hours associated with this collection is increasing for one reason; mainly, that the collection is being combined with the collection with OMB Control Number 1845–0015 so that all loan discharge forms are contained in one collection with the same OMB Control Number.

Dated: April 21, 2014.

Stephanie Valentine,

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

[FR Doc. 2014–09350 Filed 4–23–14; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RD13–12–000]

Commission Information Collection Activities (FERC–725T); Comment Request

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Comment request.

SUMMARY: In compliance with the requirements of the Paperwork Reduction Act of 1995, 44 U.S.C. 3507(a)(1)(D), the Federal Energy Regulatory Commission (Commission or FERC) is submitting the information collection FERC–725T, Mandatory Reliability Standards for the Texas Reliability Entity Region, to the Office of Management and Budget (OMB) for review of the information collection requirements. Any interested person may file comments directly with OMB

and should address a copy of those comments to the Commission as explained below. The Commission solicited comments in an order published in the **Federal Register** (79 FR 7657, 2/10/2014) requesting public comments. FERC received no comments on the FERC–725T and is making this notation in its submission to OMB.

DATES: Comments on the collection of information are due by May 27, 2014.

ADDRESSES: Comments filed with OMB, identified by collection FERC–725T, should be sent via email to the Office of Information and Regulatory Affairs: *oira_submission@omb.gov*. Attention: Federal Energy Regulatory Commission Desk Officer. The Desk Officer may also be reached via telephone at 202–395–4718.

A copy of the comments should also be sent to the Federal Energy Regulatory Commission, identified by the Docket No. RD13–12–000, by either of the following methods:

- eFiling at Commission's Web site: *http://www.ferc.gov/docs-filing/efiling.asp*.
- Mail/Hand Delivery/Courier: Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street NE., Washington, DC 20426.

Instructions: All submissions must be formatted and filed in accordance with submission guidelines at: *http://www.ferc.gov/help/submission-guide.asp*. For user assistance contact FERC Online Support by email at *ferconlinesupport@ferc.gov*, or by phone at: (866) 208–3676 (toll-free), or (202) 502–8659 for TTY.

Docket: Users interested in receiving automatic notification of activity in this docket or in viewing/downloading comments and issuances in this docket may do so at *http://www.ferc.gov/docs-filing/docs-filing.asp*.

FOR FURTHER INFORMATION CONTACT: Ellen Brown may be reached by email at *DataClearance@FERC.gov*, by telephone at (202) 502–8663, and by fax at (202) 273–0873.

SUPPLEMENTARY INFORMATION:

Title: FERC–725T, Mandatory Reliability Standards for the Texas Reliability Entity Region.

OMB Control No.: To be determined.

Type of Request: Three-year approval of the FERC–725T information collection requirements.

Abstract: This information collection relates to FERC-approved Reliability Standard, BAL–001–TRE–01—Primary Frequency Response in the Electric Reliability Council of Texas (ERCOT) region. This Texas Reliability Entity (TRE) regional Reliability Standard requires prompt and sufficient frequency response from resources to stabilize frequency during changes in the system generation-demand balance.[1] Regional Reliability Standard BAL–001–TRE–01 is more comprehensive than the existing continent-wide Reliability Standard addressing frequency response, BAL–003–0.1b, in that the regional standard includes additional requirements and applies to generator owners and generator operators as well as balancing authorities.[2] The expanded applicability of the regional Reliability Standard, thus, increases the reporting burden for entities that operate within the ERCOT Interconnection.

Type of Respondents: Generator owners, generator operators, and balancing authorities within the TRE region.[3]

Estimate of Annual Burden:[4] Our estimate below regarding the number of respondents is based on the NERC compliance registry as of October 2013. According to the registry, the ERCOT region includes 40 generator owners, 14 generator operators, 75 generator owners that are also generator operators, and one balancing authority. Thus, we estimate that a total of 130 entities are potentially subject to the reporting requirements of BAL–001–TRE–01.

The information collection requirements entail the setting or configuration of the Control System software, identification and recording of events, data retention and submitting a report as outlined in the table below.

FERC–725T	Number of respondents[5] (1)	Number of responses per respondent (2)	Average burden hours per response (3)	Total annual burden hours (1) x (2) x (3)	Total annual cost[6]
Maintain and submit Event Log Data	1 BA	1	16	16	$960 ($60/hr.)
Modification to Governor Controller Setting/Configuration[7]	114 GO	1	8	912	$74,784 One-time ($82/hr.)
Evidence Retention	130 BA/GO/GOP	1	2	260	$8,320 ($32/hr.)
Total				1,188	$84,064

Comments: Comments are invited on: (1) Whether the collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection;

[1] Joint petition of the North American Electric Reliability Corporation (NERC) and Texas Reliability Entity, Inc. at 10.

[2] On January 16, 2014, the Commission issued a Final Rule approving Reliability Standard BAL–003–1 and NERC's request for the retirement of BAL–003–0.1b immediately prior to the effective date of BAL–003–1.

[3] These entity types represent functional categories contained in NERC's compliance registry. See *http://www.nerc.com/page.php?cid=3\25* for more information.

[4] Burden is defined as the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. For further explanation of what is included in the information collection burden, reference 5 Code of Federal Regulations 1320.3.

[5] BA = Balancing Authority, GO = Generator Owner, GOP = Generator Operator.

[6] The estimates for cost per hour (rounded to the nearest dollar) are derived as follows:

- $60/hour, the average salary plus benefits per engineer (from Bureau of Labor Statistics at *http://bls.gov/oes/current/naics3_221000.htm)*
- $82/hour, the salary plus benefits per manager (from Bureau of Labor Statistics at *http://bls.gov/oes/current/naics3_221000.htm)*
- $32/hour, the salary plus benefits per information and record clerks (from Bureau of Labor Statistics at *http://bls.gov/oes/current/naics3_221000.htm)*

[7] In the initial letter order issued on January 16, 2014 we indicated total annual burden hours as 920 instead of 912. This error led to discrepancies in the cost column and total row that have been resolved in this notice and in the supporting statement submitted to OMB.

and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Dated: April 18, 2014.

Kimberly D. Bose,

Secretary.

[FR Doc. 2014–09341 Filed 4–23–14; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RD14–2–000]

Proposed Agency Information Collection

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Comment request.

SUMMARY: In compliance with the requirements of the Paperwork Reduction Act of 1995, 44 U.S.C. 3507(a)(1)(D), the Federal Energy Regulatory Commission (Commission or FERC) is submitting the information collection in Docket No. RD14–2–000 to the Office of Management and Budget (OMB) for review of the information collection requirements. Any interested person may file comments directly with OMB and should address a copy of those comments to the Commission as explained below. The Commission issued a Notice in the **Federal Register** (79 FR 4894, 1/30/2013) requesting public comments. FERC received no comments in response to that notice and has made this notation in its submission to OMB.

DATES: Comments on the collection of information are due by May 27, 2014.

ADDRESSES: Comments filed with OMB, identified by the docket number, should be sent via email to the Office of Information and Regulatory Affairs: *oira_submission@omb.gov*. Attention: Federal Energy Regulatory Commission Desk Officer. The Desk Officer may also be reached via telephone at 202–395–4718.

A copy of the comments should also be sent to the Federal Energy Regulatory Commission, identified by the Docket No. RD14–2–000, by either of the following methods:

- eFiling at Commission's Web site: *http://www.ferc.gov/docs-filing/efiling.asp*.
- Mail/Hand Delivery/Courier: Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street NE., Washington, DC 20426.

Instructions: All submissions must be formatted and filed in accordance with submission guidelines at: *http://www.ferc.gov/help/submission-guide.asp*. For user assistance contact FERC Online Support by email at *ferconlinesupport@ferc.gov,* or by phone at: (866) 208–3676 (toll-free), or (202) 502–8659 for TTY.

Docket: Users interested in receiving automatic notification of activity in this docket or in viewing/downloading comments and issuances in this docket may do so at *http://www.ferc.gov/docs-filing/docs-filing.asp*.

FOR FURTHER INFORMATION CONTACT: Ellen Brown may be reached by email at *DataClearance@FERC.gov*, by telephone at (202) 502–8663, and by fax at (202) 273–0873.

SUPPLEMENTARY INFORMATION: The information collection in Docket No. RD14–2–000 relates to the FERC-approved revision to the definition of bulk electric system, developed by the North American Electric Reliability Corporation (NERC).[1] The approved revision modifies the definition of bulk electric system in response to Commission directives in Order Nos. 773 and 773–A, as well as some other clarifying revisions.[2] The information collection requirements contained in the definition of bulk electric system are contained in FERC–725J (OMB Control Number 1902–0259).

On December 20, 2012, the Commission issued Order No. 773, a Final Rule approving NERC's modifications to the definition of ''bulk electric system'' and the Rules of Procedure exception process to be effective July 1, 2013. On April 18, 2013, in Order No. 773–A, the Commission largely affirmed its findings in Order No. 773. In Order Nos. 773 and 773–A, the Commission directed NERC to modify the definition of bulk electric system in two respects: (1) Modify the local network exclusion (exclusion E3) to remove the 100 kV minimum operating voltage to allow systems that include one or more looped configurations connected below 100 kV to be eligible for the local network exclusion; and (2) modify the exclusions to ensure that generator interconnection facilities at or above 100 kV connected to bulk electric system generators identified in inclusion I2 are not excluded from the bulk electric system.

In its December 13, 2013 Petition, NERC proposed revisions to respond to the Commission directives in Order Nos. 773 and 773–A. In addition, NERC revised inclusion I4 to include the collector system at the point of aggregation.[3] Therefore, the estimates for this information collection are based on the three modifications approved in the March 2014 Order.

The Commission estimates a modest decrease in information collection and reporting that would result from implementing the proposed revisions to the definition of bulk electric system. Specifically, the Commission estimates a decrease in information collection and reporting that would result from implementing NERC's proposed revisions to the definition of bulk electric system. The estimate is derived in NERC's alternative proposal in addressing the Commission's concern regarding low voltage looped configurations. NERC explains that its technical analysis shows that a 50 kV threshold for sub-100 kV loops does not affect the application of exclusion E1. NERC states that this approach will ease the administrative burden on entities as it negates the necessity for an entity to prove that they qualify for exclusion E1 if the sub-100 kV loop in question is less than or equal to 50 kV.[4] This administrative burden falls into the category of ''System Review and List Creation'' as described in Order Nos. 773 and 773–A.[5]

Because the E1 exclusion applies to low voltage loops operated below 50 kV, entities will no longer evaluate looped configurations for either the E3 network exclusion or the NERC exception process.[6] Accordingly, we estimate a decrease of one engineering hour needed for ''System Review and List Creation'' for transmission owners and distribution providers, respectively. With respect to the revisions to inclusion I4, NERC states that the

[1] *North American Electric Reliability Corp.,* 146 FERC ¶ 61,199 (2014) (March 2014 Order).

[2] *Revisions to Electric Reliability Organization Definition of Bulk Electric System and Rules of Procedure,* Order No. 773, 141 FERC ¶ 61,236 (2012); *order on reh'g,* Order No. 773–A, 143 FERC ¶ 61,053 (2013), *order on reh'g and clarification,* 144 FERC ¶ 61,174.

[3] The bulk electric system definition components consist of the core definition, five inclusions and four exclusions. NERC does not propose any changes to the core definition, inclusion I3 or exclusion E2. The proposed changes chiefly affect exclusions E1 and E3 and inclusion I4. NERC also made minor clarifying changes to inclusions I1, I2, and I5 and exclusion E4. These minor changes do not affect the information collection and reporting requirements approved in Order Nos. 773 and 773–A.

[4] NERC Petition at 19–25, Exhibit D at 2, 48–90.

[5] System Review and List Creation corresponds to step 1 of NERC's proposed transition plan, which requires each U.S. asset owner to apply the revised bulk electric system definition to all elements to determine if those elements are included in the bulk electric system pursuant to the revised definition. *See* Order No. 773, 141 FERC ¶ 61,236 at P 330.

[6] *Cf.,* Order No. 773–A, 143 FERC ¶ 61,053 at P 128.

standard drafting team ''identified the portions of the collector system which consistently provide a reliability benefit to the interconnected transmission network and are easily identified within collector systems.'' [7] Thus, the Commission estimates no material change in information collection because the engineering time needed to evaluate the collector system component included in the bulk electric system is a simple and straightforward determination of whether the collector system aggregates to greater than 75 MVA.

Estimate of Annual Burden: [8] The Commission estimates the public reporting burden as follows:

RD14–2–000 (FERC–725J)—REVISION TO THE DEFINITION OF BULK ELECTRIC SYSTEM

	Number of respondents [9] (A)	Number of responses per respondent (B)	Total number of responses (A) × (B) = (C)	Average burden hours per response (D)	Estimated total year 1 burden reduction (C) × (D)
Transmission Owners (System Review and List Creation)	333	1	333	−1	−333
Distribution Providers (System Review and List Creation)	554	1	554	−1	−554
Total					−887

The total estimated decrease in cost burden to respondents (year 1 only) is $53,220; [−887 hours * $60 [10] = −$53,220].

Comments: Comments are invited on: (1) Whether the collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Dated: April 18, 2014.

Kimberly D. Bose,

Secretary.

[FR Doc. 2014–09342 Filed 4–23–14; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RM13–5–000]

Version 5 Critical Infrastructure Protection Reliability Standards; Supplemental Notice of Agenda and Discussion Topics for Staff Technical Conference

This notice establishes the agenda and topics for discussion at the technical conference to be held on April 29, 2014 to discuss issues related to Critical Infrastructure Protection Issues Identified in Order No. 791. The technical conference will be held from 10:00 a.m. and ending at approximately 4:30 p.m. (Eastern Time) in the Commission Meeting Room at the Commission's headquarters, 888 First Street NE., Washington, DC. The technical conference will be led by Commission staff. All interested parties are invited to attend, and registration is not required.

The topics and related questions to be discussed during this conference are attached. The purpose of the technical conference is to facilitate a structured dialogue on operational and technical issues identified by the Commission in the Critical Infrastructure Protection (CIP) version 5 Standards Final Rule. Prepared remarks will be presented by invited panelists.

There will be no webcast of this event. However, it will be transcribed. Transcripts of the meeting/conference will be immediately available for a fee from Ace-Federal Reporters, Inc. (202–347–3700 or 1–800–336–6646).

FERC conferences are accessible under section 508 of the Rehabilitation Act of 1973. For accessibility accommodations please send an email to *accessibility@ferc.gov* or call toll free (866) 208–3372 (voice) or (202) 502–8659 (TTY), or send a fax to (202) 208–2106 with the requested accommodations.

There is no fee for attendance. However, members of the public are encouraged to preregister online at: *https://www.ferc.gov/whats-new/registration/04-29-14-form.asp*.

For more information about the technical conference, please contact: Sarah McKinley, Office of External Affairs, 202–502–8368, *sarah.mckinley@ferc.gov*.

Dated: April 17, 2014.

Kimberly D. Bose,

Secretary.

Critical Infrastructure Protection Issues Identified in Order No. 791

RM13–5–000

April 29, 2014

Agenda

10:00–10:15 a.m. Welcome and Opening Remarks by Commission Staff

Introduction

In Order No. 791, the Commission approved the Version 5 Critical Infrastructure Protection (CIP) Reliability Standards, CIP–002–5 through CIP–011–1 (CIP version 5 Standards), submitted by the North American Electric Reliability Corporation (NERC).[1] Order No. 791 directed Commission staff to convene a staff-led technical conference, within

[7] NERC Petition at 16.

[8] The Commission defines burden as the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. For further explanation of what is included in the information collection burden, reference 5 Code of Federal Regulations 1320.3.

[9] The number of respondents for transmission owners and distribution providers is based on the NERC Compliance Registry referenced in Order No. 773.

[10] The estimate for cost per hour for an electrical engineer is $60 (the average salary plus benefits) according to the Bureau of Labor Statistics at *http://bls.gov/oes/current/naics2_22.htm.*

[1] *Version 5 Critical Infrastructure Protection Reliability Standards,* Order No. 791, 78 FR 72,755 (Dec. 3, 2013), 145 FERC ¶ 61,160 (2013), *order on reh'g,* Order No. 791–A, 146 FERC ¶ 61,188 (2014).

180 days from the issuance date of the Final Rule, to examine several of the technical issues identified therein.[2] The purpose of this conference is to obtain further information as to: (1) The adequacy of the approved CIP version 5 Standards' protections for Bulk-Power System data being transmitted over data networks; (2) whether additional definitions and/or security controls are needed to protect Bulk-Power System (BPS) communications networks, including remote systems access; and (3) the functional differences between the respective methods utilized for identification, categorization, and specification of appropriate levels of protection for cyber assets using CIP version 5 Standards as compared with those employed within the National Institute of Standards and Technology (NIST) Security Risk Management Framework.

Panel 1

10:15–11:45 a.m. The Adequacy of the CIP version 5 Standards for Protection of BPS Communication Networks

The Commission seeks information about the adequacy of the approved CIP version 5 Standards for protecting data being transmitted over BPS communication networks. Panelists are encouraged to address:

- The vulnerabilities that BPS communication networks may be facing and how effectively they are being protected against these risks by the currently enforced CIP Reliability Standards.
- The adequacy of the approved CIP version 5 Standards security controls to protect BPS communication networks against current and projected vulnerabilities.
- The types of physical or logical controls that are currently being applied to protect BPS communication networks and the adequacy of these controls to address the protection of: (1) non-routable protocols, (2) serial communication links, (3) non-programmable components, (4) remote access processes and devices, and (5) data in motion.
- For each of the topics above, the panelists should address whether there are gaps in the current CIP version 5 Standards that could be addressed, and suggest recommendations for adjustment of the CIP version 5 Standards to address any gaps.

Panelists:

- Dan Skaar, President and CEO, Midwest Reliability Organization
- Kevin Perry, Director, CIP, Southwest Power Pool Regional Entity
- Richard Dewey, Senior Vice President & CIO, NYISO
- Steven Parker, President, EnergySec
- Mikhail Falkovich, Manager NERC/CIP Compliance, PSEG; Speaking on behalf of Electric Power Supply Association (EPSA)
- Tobias Whitney, Manager, CIP Compliance, North America Electric Reliability Corporation (NERC)

11:45–1:00 p.m. Lunch

Panel 2

1:00–2:30 p.m. Need for Additional Definitions or Controls for CIP Reliability Standards

The Commission seeks information on whether additional definitions and/or security controls are needed to protect BPS communications networks, including remote systems access. Panelists are encouraged to address:

- Whether the NERC Glossary of Terms needs either new definitions, or modifications of current definitions, to ensure adequate protection of BPS communication networks.
- The types of physical or logical controls that may be needed to protect BPS communication network components communicating via non-routable protocols, or through serial communication links.
- The types of physical or logical controls that may be needed to protect non-programmable components of data communications networks (e.g., cabling).
- The types of physical or logical controls that may be needed to address the cybersecurity needs of remote access processes and devices.
- How the confidentiality, integrity, and availability of data in motion (i.e., being transmitted) over BPS communication networks can be ensured physically and/or electronically.
- To what extent different types of encryption technology can be effectively employed on BPS communication networks without adversely affecting BPS operations.
- For each of the topics above, the panelists should address whether there are gaps in the current CIP version 5 Standards that could be addressed, and suggest recommendations for adjustment of the CIP version 5 Standards to address any gaps.

Panelists:

- Kevin Perry, Director, CIP, Southwest Power Pool Regional Entity
- Richard Kinas, Mgr. Standards Compliance, Orlando Utilities Commission
- David Dekker, Cyber Security Standards Manager, Pepco Holdings Inc.
- Dr. Andrew Wright, N-Dimension Solutions
- Andrew Ginter—VP Industrial Security, Waterfall Security Solutions
- David Batz, Director, Cyber & Infrastructure Security, Edison Electric Institute

2:30–2:45 p.m. Break

Panel 3

2:45–4:15 p.m. NIST Frameworks Discussion

The Commission seeks information on functional differences between the respective methods used for identification, categorization, and specification of appropriate levels of protection for cyber assets using CIP version 5 Standards as compared with those employed within other cyber security frameworks, including the NIST Security Risk Management Framework (RMF) and the recently-released Framework for Improving Critical Infrastructure Cybersecurity (NIST Cyber Security Framework). Panelists are encouraged to address:

- The functional differences on how each framework approaches asset identification to address emerging threats, risks, and vulnerabilities. Panelists may suggest how the CIP version 5 Standards could be adjusted to address any concern or weakness, or explain whether or not the approaches identified in the NIST Security Risk Management Framework and the NIST Cyber Security Framework are more appropriate for protecting BPS critical infrastructure.
- Whether it is prudent to use only facility ratings, (e.g., power, voltage, operating conditions), to identify and categorize BES cyber assets that are subject to CIP Standards in CIP–002–5. Panelists may suggest the inclusion of additional attributes, (e.g., data sensitivity) or recommend adjustments to the bright-line criteria for ensuring accurate identification and categorization of BES cyber assets. Panelists are encouraged to identify potential issues in Reliability Standard CIP–002–5 that could hinder the implementation of the CIP version 5 Standards (e.g. any issues relating to NERC Glossary of Terms definitions, CIP–002–5 criteria or impact levels).
- Comparisons between the CIP version 5 Standards security controls and the security controls of the two NIST Frameworks and the identification of specific security controls or control objectives that should be considered in future revisions of CIP standards.

[2] *Id.* at PP 7, 150, and 225.

Panelists:

- Patrick Miller, Managing Partner, The Anfield Group
- Brent Castagnetto, Manager, Cyber Security Audits & Investigations, WECC
- Gerald Mannarino, Director, Computer System Engineering, New York Power Authority
- Melanie Seader, Senior Cyber & Infrastructure Security Analyst, Edison Electric Institute
- Jason Christopher, Technical Lead, Cyber Security Capabilities & Risk Management, U.S. Department of Energy

4:15–4:30 p.m. Wrap-Up

[FR Doc. 2014–09331 Filed 4–23–14; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Reliability Technical Conference; Docket No. AD14–9–000]

Notice of Technical Conference

Take notice that the Federal Energy Regulatory Commission (Commission) will hold a Technical Conference on Tuesday, June 10, 2014 from 8:45 a.m. to 5:00 p.m. This Commissioner-led conference will be held in the Commission Meeting Room at the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426. The conference will be open for the public to attend. Advance registration is not required, but is encouraged. Attendees may register at the following Web page: *https://www.ferc.gov/whats-new/registration/06-20-14-form.asp*.

The purpose of the conference is to discuss policy issues related to the reliability of the Bulk-Power System. A more formal agenda will be issued at a later date.

Information on this event will be posted on the Calendar of Events on the Commission's Web site, *www.ferc.gov*, prior to the event. The conference will also be Webcast. Anyone with Internet access who desires to listen to this event can do so by navigating to *www.ferc.gov's* Calendar of Events and locating this event in the Calendar. The event will contain a link to the webcast. The Capitol Connection provides technical support for webcasts and offers the option of listening to the meeting via phone-bridge for a fee. If you have any questions, visit *www.CapitolConnection.org* or call 703–993–3100.

Commission conferences are accessible under section 508 of the Rehabilitation Act of 1973. For accessibility accommodations, please send an email to *accessibility@ferc.gov* or call toll free 1–866–208–3372 (voice) or 202–502–8659 (TTY), or send a FAX to 202–208–2106 with the required accommodations.

For more information about this conference, please contact: Sarah McKinley, Office of External Affairs, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, (202) 502–8368, *sarah.mckinley@ferc.gov*.

Dated: April 16, 2014.

Kimberly D. Bose,

Secretary.

[FR Doc. 2014–09339 Filed 4–23–14; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of FERC Staff Attendance at the Entergy Regional State Committee Meeting

The Federal Energy Regulatory Commission (Commission) hereby gives notice that members of its staff may attend the meeting noted below. Their attendance is part of the Commission's ongoing outreach efforts.

Entergy Regional State Committee

April 25, 2014 (9:30 A.M.–1:30 P.M.)

This meeting will be held at the Capital Hotel, 111 West Markham Street, Little Rock, AR 72201.

The discussions may address matters at issue in the following proceedings:

Docket No. EL01–88: Louisiana Public Service Commission v. *Entergy Services, Inc.*

Docket No. EL09–50: Louisiana Public Service Commission v. *Entergy Services, Inc.*

Docket No. EL09–61: Louisiana Public Service Commission v. *Entergy Services, Inc.*

Docket No. EL10–55: Louisiana Public Service Commission v. *Entergy Services, Inc.*

Docket No. EL10–65: Louisiana Public Service Commission v. *Entergy Services, Inc.*

Docket No. EL11–57: Louisiana Public Service Commission v. *Entergy Services, Inc., et al.*

Docket No. EL11–34: Midwest Independent Transmission System Operator, Inc. v. *Southwest Power Pool, Inc.*

Docket No. EL11–63: Louisiana Public Service Commission v. *Entergy Services, Inc.*

Docket No. EL11–65: Louisiana Public Service Commission v. *Entergy Services, Inc.*

Docket No. EL13–41: Occidental Chemical Company v. *Midwest Independent System Transmission Operator, Inc.*

Docket No. EL13–43: Council of the City of New Orleans, Mississippi Public Service Commission, Arkansas Public Service Commission, Public Utility Commission of Texas, Louisiana Public Service Commission

Docket No. EL14–21: Southwest Power Pool, Inc. v. *Midcontinent Independent System Operator, Inc.*

Docket No. EL11–30: Midcontinent Independent System Operator, Inc. v. *Southwest Power Pool, Inc.*

Docket No. ER05–1065: Entergy Services, Inc.

Docket No. ER07–682 Entergy Services, Inc.

Docket No. ER07–956: Entergy Services, Inc.

Docket No. ER08–1056: Entergy Services, Inc.

Docket No. ER09–1224: Entergy Services, Inc.

Docket No. ER10–794: Entergy Services, Inc.

Docket No. ER10–1350: Entergy Services, Inc.

Docket No. ER10–2001: Entergy Arkansas, Inc.

Docket No. ER10–3357: Entergy Arkansas, Inc.

Docket No. ER11–2161: Entergy Texas, Inc.

Docket No. ER12–480: Midwest Independent Transmission System Operator, Inc.

Docket No. ER12–1384: Entergy Arkansas, Inc.

Docket No. ER12–1385: Entergy Gulf States Louisiana, L.L.C.

Docket No. ER12–1386: Entergy Louisiana, LLC

Docket No. ER12–1387: Entergy Mississippi, Inc.

Docket No. ER12–1388: Entergy New Orleans, Inc.

Docket No. ER12–1390: Entergy Texas, Inc.

Docket No. ER12–1428: Entergy Arkansas, Inc.

Docket No. ER13–432: Entergy Services, Inc.

Docket No. ER13–769: Entergy Arkansas, Inc. and Entergy Mississippi, Inc.

Docket No. ER13–770: Entergy Arkansas, Inc. and Entergy Louisiana, LLC.

Docket No. ER13–868: Midwest Independent Transmission System Operator, Inc.
Docket No. ER13–948: Entergy Services, Inc.
Docket No. ER13–1194: Entergy Services, Inc.
Docket No. ER13–1195: Entergy Services, Inc.
Docket No. ER13–1508: Entergy Arkansas, Inc.
Docket No. ER13–1509 Entergy Gulf States Louisiana, L.L.C.
Docket No. ER13–1510: Entergy Louisiana, LLC
Docket No. ER13–1511: Entergy Mississippi, Inc.
Docket No. ER13–1512: Entergy New Orleans, Inc.
Docket No. ER13–1513: Entergy Texas, Inc.
Docket No. ER13–1556: Entergy Services, Inc.
Docket No. ER13–1623: Entergy Services, Inc.
Docket No. EL14–19: Midcontinent Independent System Operator and Entergy Services, Inc.
Docket No. ER14–73: Entergy Services, Inc.
Docket No. ER14–75: Entergy Arkansas, Inc.
Docket No. ER14–76: Entergy Gulf States Louisiana, L.L.C.
Docket No. ER14–77: Entergy Louisiana, LLC
Docket No. ER14–78: Entergy Mississippi, Inc.
Docket No. ER14–79: Entergy New Orleans, Inc.
Docket No. ER14–80: Entergy Texas, Inc.
Docket No. ER14–89: Entergy Arkansas, Inc.
Docket No. ER14–98: Midcontinent Independent System Operator and Entergy Services, Inc.
Entergy Services, Inc.
Docket No. ER14–107: Midcontinent Independent System Operator
Docket No. ER14–108: Entergy Services, Inc.
Docket No. ER14–128: Entergy Texas, Inc.
Docket No. ER14–134: Entergy Arkansas, Inc.
Docket No. ER14–148: Midcontinent Independent System Operator
Docket No. ER14–1174: Southwest Power Pool, Inc.

These meetings are open to the public.

For more information, contact Patrick Clarey, Office of Energy Market Regulation, Federal Energy Regulatory Commission at (317) 249–5937 or *patrick.clarey@ferc.gov*.

Dated: April 17, 2014.

Kimberly D. Bose,

Secretary.

[FR Doc. 2014–09330 Filed 4–23–14; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP14–147–000]

Texas Gas Transmission, LLC; Notice of Request Under Blanket Authorization

Take notice that on April 11, 2014, Texas Gas Transmission, LLC (Texas Gas), 610 West Second Street, Owensboro, Kentucky 42301 filed in Docket No. CP14–147–000, a prior notice request pursuant to sections 157.205 and 157.216 of the Commission's regulations under the Natural Gas Act (NGA), and Texas Gas' blanket certificate issued in Docket No. CP82–407–000, seeking authorization to plug and abandon two injection/withdrawal wells and one observation well in Texas Gas' Alford Storage Field, located in Pike County, Indiana, and to abandon by removal the associated above-ground equipment, storage lateral lines, and side valves, all as more fully set forth in the application which is on file with the Commission and open for public inspection. The filing may also be viewed on the web at *http://www.ferc.gov* using the ''eLibrary'' link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, contact FERC at *FERCOnlineSupport@ferc.gov* or call toll-free, (866) 208–3676 or TTY, (202) 502–8659.

Any questions regarding the applications should be directed to Kathy D. Fort, Manager, Certificates and Tariffs, Texas Gas Transmission, LLC, 610 West Second Street, Owensboro, Kentucky 42301, telephone no. (270) 688–6825, facsimile no. (270) 688–5871, or email to *Kathy.Fort@bwpmlp.com*.

Any person may, within 60 days after the issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention. Any person filing to intervene or the Commission's staff may, pursuant to section 157.205 of the Commission's Regulations under the NGA (18 CFR 157.205) file a protest to the request. If no protest is filed within the time allowed therefore, the proposed activity shall be deemed to be authorized effective the day after the time allowed for protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to section 7 of the NGA.

Pursuant to section 157.9 of the Commission's rules, 18 CFR 157.9, within 90 days of this Notice the Commission staff will either: Complete its environmental assessment (EA) and place it into the Commission's public record (eLibrary) for this proceeding; or issue a Notice of Schedule for Environmental Review. If a Notice of Schedule for Environmental Review is issued, it will indicate, among other milestones, the anticipated date for the Commission staff's issuance of the final environmental impact statement (FEIS) or EA for this proposal. The filing of the EA in the Commission's public record for this proceeding or the issuance of a Notice of Schedule for Environmental Review will serve to notify federal and state agencies of the timing for the completion of all necessary reviews, and the subsequent need to complete all federal authorizations within 90 days of the date of issuance of the Commission staff's FEIS or EA.

Persons who wish to comment only on the environmental review of this project should submit an original and two copies of their comments to the Secretary of the Commission. Environmental commenter's will be placed on the Commission's environmental mailing list, will receive copies of the environmental documents, and will be notified of meetings associated with the Commission's environmental review process. Environmental commenter's will not be required to serve copies of filed documents on all other parties. However, the non-party commentary, will not receive copies of all documents filed by other parties or issued by the Commission (except for the mailing of environmental documents issued by the Commission) and will not have the right to seek court review of the Commission's final order.

The Commission strongly encourages electronic filings of comments, protests, and interventions via the internet in lieu of paper. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site (*www.ferc.gov*) under the ''e-Filing'' link. Persons unable to file electronically should submit an original and 5 copies of the protest or intervention to the Federal Energy regulatory Commission, 888 First Street NE., Washington, DC 20426.

Dated: April 18, 2014.

Kimberly D. Bose,

Secretary.

[FR Doc. 2014–09340 Filed 4–23–14; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OA–2006–0074; FRL–9908–57–OP]

Agency Information Collection Activities: Proposed Collection; Comment Request; Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public to take this opportunity to comment on the ''Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery'' for approval under the Paperwork Reduction Act. This collection was developed as part of a Federal Government-wide effort to streamline the process for seeking feedback from the public on service delivery, This notice announces our intent to submit this collection to OMB for approval and solicits comments on specific aspects for the proposed information collection,

A copy of the draft supporting statement is available at *www.regulations.gov* (see Docket ID EPA–HQ–OA–2006–0074).

DATES: Comments must be submitted on or before June 23, 2014.

ADDRESSES: Submit your comments, referencing Docket ID No. EPA–HQ–OA–2006–0074 online using *www.regulations.gov* (our preferred method), by email *oei.docket@epa.gov* or by mail to: EPA Docket Center, Environmental Protection Agency, Mail Code 28221T, 1200 Pennsylvania Ave. NW., Washington, DC 20460.

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: Michelle Mandolia, Office of Policy, (1807T), Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460; telephone number: 202–566–2198; fax number: 202–566–2211; email address: *mandolia.michelle@epa.gov*.

SUPPLEMENTARY INFORMATION:

Title: Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery.

Abstract: The proposed information collection activity provides a means to garner qualitative customer and stakeholder feedback in an efficient, timely manner, in accordance with the Administration's commitment to improving service delivery. By qualitative feedback we mean information that provides useful insights on perceptions and opinions, but are not statistical surveys that yield quantitative results that can be generalized to the population of study. This feedback will provide insights into customer or stakeholder perceptions, experiences and expectations, provide an early warning of issues with service, or focus attention on areas where communication, training or changes in operations might improve delivery of products or services. These collections will allow for ongoing, collaborative and actionable communications between the Agency and its customers and stakeholders. It will also allow feedback to contribute directly to the improvement of program management.

The solicitation of feedback will target areas such as: Timeliness, appropriateness, accuracy of information, courtesy, efficiency of service delivery, and resolution of issues with service delivery. Responses will be assessed to plan and inform efforts to improve or maintain the quality of service offered to the public. If this information is not collected, vital feedback from customers and stakeholders on the Agency's services will be unavailable.

The Agency will only submit a collection for approval under this generic clearance if it meets the following conditions:

- The collections are voluntary;
- The collections are low-burden for respondents (based on considerations of total burden hours, total number of respondents, or burden-hours per respondent) and are low-cost for both the respondents and the Federal Government;
- The collections are non-controversial and do not raise issues of concern to other Federal agencies;
- Any collection is targeted to the solicitation of opinions from respondents who have experience with the program or may have experience with the program in the near future;
- Personally identifiable information (PII) is collected only to the extent necessary and is not retained;
- Information gathered will be used only internally for general service improvement and program management purposes and is not intended for release outside of the agency;
- Information gathered will not be used for the purpose of substantially informing influential policy decisions; and
- Information gathered will yield qualitative information; the collections will not be designed or expected to yield statistically reliable results or used as though the results are generalizable to the population of study.

Feedback collected under this generic clearance provides useful information, but it does not yield data that can be generalized to the overall population. This type of generic clearance for qualitative information will not be used for quantitative information collections that are designed to yield reliably actionable results, such as monitoring trends over time or documenting program performance. Such data uses require more rigorous designs that address: The target population to which generalizations will be made, the sampling frame, the sample design (including stratification and clustering), the precision requirements or power calculations that justify the proposed sample size, the expected response rate, methods for assessing potential non-response bias, the protocols for data collection, and any testing procedures that were or will be undertaken prior to fielding the study. Depending on the degree of influence the results are likely to have, such collections may still be eligible for submission for other generic mechanisms that are designed to yield quantitative results.

As a general matter, information collections will not result in any new system of records containing privacy information and will not ask questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

Current Actions: Extension of approval for a collection of information.

Type of Review: Extension.

Affected Public: Individuals and Households, Businesses and Organizations, State, Local or Tribal Government.

Estimated Number of Respondents: 2000 annually.

Below we provide projected average estimates for the next three years:

Average Expected Annual Number of activities: 6.

Average Number of Respondents per Activity: 333.

Annual Responses: 2000.

Frequency of Response: Once per request.

Average Minutes per Response: 15.

Burden Hours: 500 annually.

Request for Comments: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. 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. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, disclose or provide information to or for a Federal agency. 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.

All written comments will be available for public inspection Regulations.gov.

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 Office of Management and Budget control number.

Dated: April 10, 2014.

Ken Munis,

Acting Director, Office of Strategic Environmental Management, Office of Policy.

[FR Doc. 2014–09327 Filed 4–23–14; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OA–2014–0001; FRL 9909–96–OA]

Good Neighbor Environmental Board; Notification of Public Advisory Committee Meeting

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of public advisory committee meeting.

SUMMARY: Pursuant to the Federal Advisory Committee Act, Public Law 92–463, notice is hereby given that the Good Neighbor Environmental Board will hold a public meeting on Thursday, May 8 and Friday, May 9, 2014 in El Paso, TX. The meeting is open to the public.

DATES: The Good Neighbor Environmental Board will hold an open meeting on Thursday, May 8, from 8:30 a.m. (registration at 8:00 a.m.) to 6:00 p.m. The following day, Friday, May 9, the Board will meet from 8:00 a.m. until 2:00 p.m.

ADDRESSES: The meeting will be held in El Paso, Texas. The location of the meeting can be found on the Board's Web site at *www.epa.gov/ofacmo/gneb.* The meeting is open to the public, with limited seating on a first-come, first-serve basis.

SUPPLEMENTARY INFORMATION:

Background: The Good Neighbor Environmental Board (Board) is a federal advisory committee chartered under the Federal Advisory Committee Act, PL 92463. By statute, the Board is required to submit an annual report to the President and Congress on environmental and infrastructure issues along the U.S. border with Mexico.

Purpose of Meeting: The purpose of this meeting is to continue discussion of the Good Neighbor Environmental Board's Sixteenth Report, which will focus on ecological restoration in the U.S.-Mexico border region.

General Information: The agenda and meeting materials will be available at *http://www.regulations.gov* under Docket ID: EPA–HQ–OA–2014–0001. General information about the Board can be found on its Web site at *www.epa.gov/ofacmo/gneb.*

If you wish to make oral comments or submit written comments to the Board, please contact Ann-Marie Gantner at least five days prior to the meeting. Written comments should be submitted at *http://www.regulations.gov* under Docket ID: EPA–HQ–OA–2014–0001.

Meeting Access: For information on access or services for individuals with disabilities, please contact Ann-Marie Gantner at (202) 564–4330 or email at *gantner.ann-marie@epa.gov.* To request accommodation of a disability, please contact Ann-Marie Gantner at least 10 days prior to the meeting to give EPA as much time as possible to process your request.

Dated: April 17, 2014.

Ann-Marie Gantner,

Acting Designated Federal Officer.

[FR Doc. 2014–09326 Filed 4–23–14; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL DEPOSIT INSURANCE CORPORATION

Sunshine Act Meeting

Pursuant to the provisions of the ''Government in the Sunshine Act'' (5 U.S.C. 552b), notice is hereby given that at 10:04 a.m. on Tuesday, April 22, 2014, the Board of Directors of the Federal Deposit Insurance Corporation met in closed session to consider matters related to the Corporation's supervision, corporate, and resolution activities.

In calling the meeting, the Board determined, on motion of Vice Chairman Thomas M. Hoenig, seconded by Director Jeremiah O. Norton (Appointive), concurred in by Director Thomas J. Curry (Comptroller of the Currency), Director Richard Cordray (Director, Consumer Financial Protection Bureau), and Chairman Martin J. Gruenberg, that Corporation business required its consideration of the matters which were to be the subject of this meeting on less than seven days' notice to the public; that no earlier notice of the meeting was practicable; that the public interest did not require consideration of the matters in a meeting open to public observation; and that the matters could be considered in a closed meeting by authority of subsections (c)(2), (c)(4), (c)(6), (c)(8), (c)(9)(A)(ii), (c)(9)(B), and (c)(10) of the ''Government in the Sunshine Act'' (5 U.S.C. 552b(c)(2), (c)(4), (c)(6), (c)(8), (c)(9)(A)(ii), (c)(9)(B), and (c)(10)).

The meeting was held in the Board Room of the FDIC Building located at 550—17th Street NW., Washington, DC.

Dated: April 22, 2014.

Federal Deposit Insurance Corporation.

Robert E. Feldman,

Executive Secretary.

[FR Doc. 2014–09432 Filed 4–22–14; 4:15 pm]

BILLING CODE 6714–01–P

FEDERAL RESERVE SYSTEM

Notice of Proposals To Engage in or To Acquire Companies Engaged in Permissible Nonbanking Activities

The companies listed in this notice have given notice under section 4 of the Bank Holding Company Act (12 U.S.C. 1843) (BHC Act) and Regulation Y, (12 CFR Part 225) to engage *de novo,* or to acquire or control voting securities or assets of a company, including the companies listed below, that engages either directly or through a subsidiary or other company, in a nonbanking activity that is listed in § 225.28 of Regulation Y (12 CFR 225.28) or that the Board has determined by Order to be closely related to banking and permissible for bank holding companies. Unless otherwise noted, these activities will be conducted throughout the United States.

Each notice is available for inspection at the Federal Reserve Bank indicated. The notice also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether the proposal complies with the standards of section 4 of the BHC Act.

Unless otherwise noted, comments regarding the applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than May 12, 2014.

A. Federal Reserve Bank of Dallas (E. Ann Worthy, Vice President) 2200 North Pearl Street, Dallas, Texas 75201–2272:

1. *First Bells Bankshares, Inc.,* Bells, Texas, to acquire 100 percent of Cendera Funding, Inc., Fort Worth, Texas, and thereby engage in extending credit and servicing loans, pursuant to section 225.28(b)(1) of Regulation Y.

Board of Governors of the Federal Reserve System, April 21, 2014.

Michael J. Lewandowski,

Assistant Secretary of the Board.

[FR Doc. 2014–09322 Filed 4–23–14; 8:45 am]

BILLING CODE 6210–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[CDC–2014–0005, Docket Number NIOSH–272]

Respiratory Protective Devices Used in Healthcare

AGENCY: National Institute for Occupational Safety and Health (NIOSH) of the Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

ACTION: Notice and extension of comment period.

SUMMARY: On March 14, 2014, the Director of the National Institute for Occupational Safety and Health (NIOSH) of the Centers for Disease Control and Prevention (CDC) published a notice in the **Federal Register** [79 FR 14515] announcing a request for information and comment. In response to requests from interested parties, NIOSH has extended the comment period until April 30, 2014. This extension allows interested parties additional time to submit comments. Additional information can be found in NIOSH Docket 272 or **Federal Register** 79 FR 14515.

FOR FURTHER INFORMATION CONTACT: Roland Berry Ann, NIOSH NPPTL, P.O. Box 18070, Pittsburgh, PA 15236; (412) 386–6111 (this is not a toll-free number).

ADDRESSES: You may submit comments identified by CDC–2014–0005 and Docket Number NIOSH–272 by either of the two following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Mail:* NIOSH Docket Office, Robert. Taft Laboratories, MS–C34, 4676 Columbia Parkway, Cincinnati, OH 45226.

Dated: April 18, 2014.

John Howard,

Director, National Institute for Occupational Safety and Health, Centers for Disease Control and Prevention.

[FR Doc. 2014–09346 Filed 4–23–14; 8:45 am]

BILLING CODE 4163–19–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

Submission for OMB Review; Comment Request

Title: Application Requirements for the Low Income Home Energy Assistance Program (LIHEAP) Plan

OMB No.: 0970–0075

Description: In order to receive federal LIHEAP funds, States, the District of Columbia, tribes, tribal organizations, and territories applying for LIHEAP block grant funds must first submit an annual application (Plan) that meets the LIHEAP statutory and regulatory requirements. In prior years, each grantee was also required to submit a Program Integrity Assessment Supplement (PIAS) annually with their Plan. The proposed revised Plan will combine the content of these two forms into one form, eliminating duplicative questions and streamlining the submission process. The proposed revised Plan will become an electronic form, to be submitted through the On-Line Data Collection System (OLDC), which is already being used by all LIHEAP grantees to submit other required ACF forms such as the SF–425 Federal Financial Report. The revised Plan will also provide grantees the option to respond to many questions by selecting one or more check-box responses, rather than providing a free-form text response. Grantees will still have the ability to enter free form text if none of the provided options are applicable. This is particularly true of the questions from the Program Integrity Assessment which had previously been all open-ended questions which resulted in inconsistent interpretation by grantees of the information sought and prevented ACF from analyzing programs nationwide in a consistent manner. This new re-formatting will also reduce the time grantees will spend on completing the form. It will also provide the Office of Community Services (OCS) with the ability to collect and analyze consistent data across all grantees in a streamlined manner. This will improve the information provided by ACF in the annual LIHEAP Report to Congress and other related reports to the U.S. Department of Health and Human Services and the Office of Management and Budget.

Grantees will no longer have the option of submitting their annual application by mail or other methods. This will reduce lost submissions. The electronic system also has data validation checks programmed to minimize incomplete submissions which reduce time by federal and grantee staff in revising submissions. Additionally, grantees will no longer have the option to submit an abbreviated Plan. All entries from each grantee's first submission of the Plan in OLDC will be saved and pre-populated into the form for the following fiscal year's application. Thus, after the first year, grantees will only need to make updates to the prior year's entries, as needed. The system will flag updated data which will reduce the time federal staff spend in reviewing Plans and communicating with grantees about their submission. Grantees will still be able to submit attachments as needed.

Presidential Executive Order 13520, reducing Improper Payments and Eliminating Waste in Federal Programs,

issued in November 2009, encourages federal agencies to take deliberate and immediate action to eliminate fraud and improper payments. As part of the review of programs subsequent to this executive order, HHS has determined that additional information from each administering agency is necessary to assess grantee measures that are in place to prevent, detect or address waste, fraud and abuse in LIHEAP programs. This Plan incorporates the data ACF must report to HHS regarding program integrity issues such as fraud prevention controls.

On January 27, 2014, ACF published a **Federal Register** Notice seeking 60 days of public comment on this proposed information collection. One state grantee provided comments. ACF revised the Plan to address the comments by ensuring that open field boxes and attachment capability are available if the answer choices are insufficient to address the questions.

The revised model plan can be viewed on the OCS Web site at: *http://www.acf.hhs.gov/programs/ocs/programs/liheap*.

Respondents: State, tribal and territory governments.

AUNUAL BURDEN ESTIMATES

Instrument	Number of respondents	Number of responses per respondent	Average burden hours per response	Total burden hours
Plan (First year–FY 2015)	210	1	2	420
Plan (future years)	210	1	0.50	105

Estimated Total Annual Burden Hours: First year—420; Future years—105.

Additional Information:

Copies of the proposed collection may be obtained by writing to the Administration for Children and Families, Office of Planning, Research and Evaluation, 370 L'Enfant Promenade SW., Washington, DC 20447, Attn: ACF Reports Clearance Officer. All requests should be identified by the title of the information collection. Email address: *infocollection@acf.hhs.gov*.

OMB Comment: OMB is required to make a decision concerning the collection of information between 30 and 60 days after publication of this document in the **Federal Register**. Therefore, a comment is best assured of having its full effect if OMB receives it within 30 days of publication. Written comments and recommendations for the proposed information collection should be sent directly to the following: Office of Management and Budget, Paperwork Reduction Project, Email: *OIRA_SUBMISSION@OMB.EOP.GOV,* Attn: Desk Officer for the Administration for Children and Families.

Robert Sargis,

Reports Clearance Officer.

[FR Doc. 2014–09316 Filed 4–23–14; 8:45 am]

BILLING CODE 4184–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

Submission for OMB Review; Comment Request

Title: Home Visiting: Approaches to Father Engagement and Father's Experiences.

OMB No.: New Collection.

Description: The Administration for Children and Families (ACF), U.S. Department of Health and Human Services (HHS), is proposing a data collection activity as part of the Home Visiting: Approaches to Father Engagement and Father's Experiences study. This study will document strategies used by selected home visiting programs to engage and serve fathers and the perceptions and experience of participating fathers. The findings will be of utility for many home visiting programs that desire to increase the active engagement of fathers to support the positive development of children as well as to organizations which provide oversight and technical assistance to home visiting programs. Through semi-structured discussions, respondents will be asked to comment on the most important strategies to support and facilitate fathers' participation.

Respondents: Administrators and key staff of selected home visiting programs, home visitors, and selected participating fathers and mothers.

ANNUAL BURDEN ESTIMATES

Instrument	Total number of respondents	Number of responses per respondent	Average burden hours per response	Total burden hours	Annual burden hours (rounded)
Guide for Selecting Parents for Interviews	5	1	10	50	50
Interview Guide for Program Administrators	15	1	1.5	22.5	23
Interview Guide for Home Visitors	25	1	1.25	31.25	31
Interview Guide for Fathers—English and Spanish versions	40	1	1.27	50.8	51
Interview Guide for Mothers—English and Spanish versions	10	1	1.02	10.2	10
Home Visit Observation Sheet	10	1	0.17	1.7	2
Estimated Total Annual Burden Hours					167

Additional Information: Copies of the proposed collection may be obtained by writing to the Administration for Children and Families, Office of Planning, Research and Evaluation, 370 L'Enfant Promenade SW., Washington, DC 20447, Attn: OPRE Reports Clearance Officer. All requests should be identified by the title of the information collection. Email address: *OPREinfocollection@acf.hhs.gov.*

OMB Comment: OMB is required to make a decision concerning the collection of information between 30 and 60 days after publication of this document in the **Federal Register**. Therefore, a comment is best assured of having its full effect if OMB receives it within 30 days of publication. Written comments and recommendations for the proposed information collection should be sent directly to the following: Office of Management and Budget, Paperwork Reduction Project, Email: *OIRA_SUBMISSION@OMB.EOP.GOV,* Attn: Desk Officer for the Administration, for Children and Families.

Karl Koerper,

OPRE Reports Clearance Officer.

[FR Doc. 2014–09344 Filed 4–23–14; 8:45 am]

BILLING CODE 4184–35–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Government-Owned Inventions; Availability for Licensing

AGENCY: National Institutes of Health, HHS.

ACTION: Notice.

SUMMARY: The inventions listed below are owned by an agency of the U.S. Government and are available for licensing in the U.S. in accordance with 35 U.S.C. 209 and 37 CFR Part 404 to achieve expeditious commercialization of results of federally-funded research and development. Foreign patent applications are filed on selected inventions to extend market coverage for companies and may also be available for licensing.

FOR FURTHER INFORMATION CONTACT: Licensing information and copies of the U.S. patent applications listed below may be obtained by writing to the indicated licensing contact at the Office of Technology Transfer, National Institutes of Health, 6011 Executive Boulevard, Suite 325, Rockville, Maryland 20852–3804; telephone: 301–496–7057; fax: 301–402–0220. A signed Confidential Disclosure Agreement will be required to receive copies of the patent applications.

Use of Antihistamine Compounds for the Treatment of Hepatitis C Virus

Description of Technology: The vast majority of people infected with Hepatitis C Virus (HCV) will have chronic infection. Over decades, this can lead to liver disease and liver cancer. In fact, HCV infection is the leading cause of liver transplants in the U.S. Several new drugs have recently come into the market that will likely change the HCV treatment paradigm. However, the effectiveness of these new drugs can vary depending on the HCV genotype. Thus, there is still the need for additional new therapeutics against HCV.

The subject technology are small molecule compounds identified using a novel cell-based high throughput assay of HCV infection. The compounds are antihistamines that show potent antiviral properties against HCV. One advantage of these compounds is that they are already on the market for the treatment of allergic reactions and, thus, have been used extensively in humans and have excellent safety profiles with known pharmaceutical properties. The subject technology can also potentially be used in combination with other HCV therapeutics.

Potential Commercial Applications: Prevention or treatment of HCV infection.

Competitive Advantages: These compounds are already on the market and, thus, have known safety profiles and pharmaceutical properties.

Development Stage

- Early-stage
- In vitro data available

Inventors: Jake Tsanyang Liang (NIDDK), Juan Jose Marugan (NCATS), Noel Terrance Southhall (NCATS), Xin Hu (NCATS), Jingbo Xiao (NCATS), Shanshan He (NIDDK), Marc Ferrer (NCATS), Zongyi Hu (NIDDK), Wei Zhang (NCATS)

Intellectual Property: HHS Reference No. E–011–2014/0—US Provisional Patent Application No. 61/909,414 filed 27 Nov 2013

Licensing Contact: Kevin W. Chang, Ph.D.; 301–435–5018; *changke@mail.nih.gov*

Intranasal Nebulizer With Disposable Drug Cartridge for Improved Delivery of Vaccines and Therapeutics

Description of Technology: Intranasal delivery is a simple, inexpensive and needle-free route for administration of vaccines and therapeutics. This intranasal delivery technology, developed with Creare LLC, includes low-cost, disposable drug cartridges (DDCs) that mate with a durable hand-held device. The rechargeable-battery-powered device transmits ultrasonic energy to the DDC to aerosolize the drug and is capable of performing for eight hours at 120 vaccinations per hour. Potential applications for this platform technology include intranasal vaccination (e.g. seasonal or pandemic influenza vaccines) and intranasal delivery of locally active (e.g. antihistamines, steroids) or systemically active (e.g. pain medications, sedatives) pharmaceuticals.

The DDCs themselves offer two unique benefits. First, all components that contact the active agent or the patient may be easily disposed of, which reduces the risk of patient cross-contamination and minimizes cleaning and maintenance requirements of the hand-held device. Second, DDCs provide a low-cost and simple method to package and distribute individual doses.

This technology also allows for significant dose-sparing. Preliminary studies have shown robust immune responses when this technology is used to delivery significantly reduced doses of Live Attenuated Influenza Vaccine in animal models. The intranasal nebulizer produces droplets sized for optimum depositioning in the nasal airway. The small nebulizer droplets essentially ''spray paint'' the internal nasal airway, resulting in an increased tissue surface coverage that may enable a significant dose reduction. In contrast, currently available nasal delivery devices, such as nasal sprays and droppers, do not provide efficient intranasal delivery in humans because the large droplets they generate fail to coat a significant portion of the nasal airway. Large droplets also tend to drip out of the nose or down the throat, which can be unpleasant for the patient in addition to wasting a sizable portion of the active agent.

Potential Commercial Applications

- Intranasal delivery of vaccines and therapeutics
- Childhood vaccination programs, mass immunization campaigns, or response to epidemics

Competitive Advantages

- Safe, needle-less delivery
- No patient-to-patient contamination
- Long-life, rechargeable battery
- Consistent delivery and dose-sparing
- Nasal delivery of live-attenuated vaccines may be more effective than traditional injected vaccines
- Cost-effective
- Reduces biohazard waste
- May be administered by personnel with minimal medical training
- Easy means of delivery to children with fear of needles

Development Stage

- Prototype
- In vitro data available
- In vivo data available (animal)

Inventors: Mark J. Papania (CDC), et al.

Publication: Smith JH, et al. Nebulized live-attenuated influenza

vaccine provides protection in ferrets at a reduced dose. Vaccine. 2012 Apr 19;30(19):3026–33. [PMID 22075083]

Intellectual Property

- HHS Reference No. E–308–2013/0—
—PCT Application No. PCT/US2011/039020 filed on 03 Jun 2011, which published as WO 2011/153406 on 08 Dec 2011
—US Patent Application No. 13/701,992 filed 04 Dec 2012
—Various international pending patents
- HHS Reference No. E–323–2013/0—
—PCT Application No. PCT/US2002/007973 filed 13 Mar 2002, which published as WO 2002/074372 on 26 Sep 2002
—US Patent No. 7,225,807 issued 05 Jun 2007
—US Patent No. 8,544,462 issued 01 Oct 2013
—Various international issued patents
- HHS Reference No. E–324–2013/0—
—PCT Application No. PCT/US2005/011086 filed 01 Apr 2005, which published as WO 2006/006963 on 19 Jan 2006
—US Patent No. 7,954,486 issued 07 Jun 2011
—US Patent No. 8,656,908 issued 25 Feb 2014
—Various international issued patents
- HHS Reference No. E–564–2013/0—US Provisional Application No. 61/808,547 filed 04 Apr 2013

Licensing Contact: Whitney Blair, J.D., M.P.H.; 301–435–4937; *whitney.blair@nih.gov*

Silica Exposure Safety: Mini-Baghouse Systems and Methods for Controlling Particulate Release From Large Sand Transfer Equipment

Description of Technology: CDC/NIOSH scientists have developed an effective point-source control for silica-containing dusts that can be generated from machinery on sites where hydraulic fracturing is occurring. The CDC/NIOSH mini-baghouse retrofit assembly is a bolt-on control designed to contain silica-containing respirable dusts generated during refill operations of sand movers during hydraulic fracturing.

In the U.S., most new oil and gas wells are hydraulically fractured to enhance well production. Most hydraulic fracturing operations have 2–5 sand movers on-site which transfer thousands to millions of pounds of silica sand during each stage of fracturing. While a variety of passive and active controls are currently available (or have been proposed) to limit release of silica-containing dusts, the CDC/NIOSH mini-baghouse retrofit assembly was designed to fill a unique need for a control. The retrofit to equipment can be made in the field, uses existing energy inherent in the system and is relatively simple and effective. CDC/NIOSH field research has shown that risks for exposure to respirable silica arise from at least 8 points of dust generation and that a variety of controls (engineering, administrative and personal protective equipment) are needed to control exposures. Use of the mini-baghouse retrofit technology is intended to limit release of respirable silica from thief hatches on top of the sand movers, enhancing workplace health and safety.

Potential Commercial Applications

- Controlling occupational exposure to respirable crystalline silica, particularly during work involving transfer of sand into sand movers on hydraulic fracturing sites
- In-field retrofits of currently operating heavy equipment (e.g., sand movers)
- Limiting visible dust emissions from sand moving equipment
- Reducing respirable crystalline silica dust emissions to enhance compliance with OSHA PEL for silica

Competitive Advantages

- Designed for in-field retrofitting ''thief hatches'' of existing machinery
- Uses energy inherent in the pneumatic transfer of sand
- Provides a passive sand-mover-mounted control for silica release at hydraulic fracturing operations

Development Stage

- In situ data available (on-site)
- Prototype

Inventors: Eric J. Esswein, Michael Breitenstein, John E. Snawder, Michael G. Gressel, Jerry L. Kratzer (all of CDC)

Publication: Esswein EJ, et al. Occupational exposures to respirable crystalline silica during hydraulic fracturing. JJ Occup Environ Hyg. 2013;10(7):347–56. [PMID 23679563]

Intellectual Property: HHS Reference No. E–291–2013/0—US Application No. 13/802,265 filed 13 Mar 2013

Licensing Contact: Whitney Blair, J.D., M.P.H.; 301–435–4937; *whitney.blair@nih.gov*

Viral Like Particles Based Chikungunya Vaccines

Description of Technology: Chikungunya virus (CHIKV) is mosquito-borne alphavirus endemic in Africa, India, and Southeast Asia. In 2013 CHIKV infection has also emerged in the Caribbean and a pandemic of CHIKV has re-emerged in the Philippines following Typhoon Haiyan. Currently, there is no vaccine available for the prevention of CHIKV infection and no specific therapy exists to treat the illness. Researchers at the Vaccine Research Center (VRC) of the National Institute of Allergy and Infectious Diseases (NIAID) have developed a CHIKV Viral Like Particle (CHIKV VLP) vaccine based on plasmid expression vectors encoding structural proteins of the CHIKV virus, which gave rise to CHIKV VLPs in transfected cells. The CHIKV VLPs consist of the core, E1 and E2 proteins and are similar in buoyant density and morphology to replication-competent CHIKV virus. Immunization with CHIKV VLPs elicited neutralizing antibodies against envelope proteins from different CHIKV strains in mouse and nonhuman primate (NHP) models. Monkeys immunized with CHIKV VLPs produced high titer neutralizing antibodies that protected against viremia after high dose challenge. The selected CHIKV VLP vaccine candidate, VRC–CHKVLP059–00–VP, composed of the E1, E2, and capsid proteins from the CHIKV strain 37997, was recently evaluated by the VRC at the NIH Clinical Center for safety, tolerability and immunogenicity in the clinical protocol VRC 311 (ClinicalTrials.gov # NCT01489358), a Phase I, open-label, dose escalation clinical trial. The VRC–CHKVLP059–00–VP vaccine was highly immunogenic, safe, and well-tolerated. VRC researchers have also developed the transient transfection manufacturing process for CHIKV and other alphaviruses, such as Western, Eastern and Venezuelan Equine Encephalitis (WEVEE) viruses. Pre-clinical in vivo mouse and NHP data, Phase 1 clinical trial data and manufacturing data are available.

Potential Commercial Applications: Chikungunya vaccines based on viral like particles.

Competitive Advantages

- There is currently no CHIKV vaccine on the market.
- VRC–CHKVLP059–00–VP vaccine candidate is highly immunogenic, safe, and well-tolerated.
- Minimal containment requirements for CHIKV VLP manufacturing because live virus production is not required.

Development Stage

- In vitro data available
- In vivo data available (animal)
- In vivo data available (human)

Inventors: Gary J. Nabel, Wataru Akahata, Srinivas S. Rao (all of VRC/NIAID)

Publications

1. Akahata W, et al. A virus-like particle vaccine for epidemic Chikungunya virus protects non-human primates against infection. Nat Med. 2010 Mar;16(3):334–8. [PMID 20111039]
2. Akahata W, Nabel GJ. A specific domain of the Chikungunya virus E2 protein regulates particle formation in human cells: implications for alphavirus vaccine design. J Virol. 2012 Aug;86(16):8879–83. [PMID 22647698]
3. Chang et al. Chikungunya Virus-Like Particle Vaccine Elicits Neutralizing Antibodies in Healthy Adults in a Phase I Clinical Trial; manuscript submitted.

Intellectual Property

- HHS Reference Nos. E–004–2009/0/1/2—
—US Provisional Application No. 61/118,206 filed 26 Nov 2008
—US Provisional Application No. 61/201,118 filed 05 Dec 2008
—International Application No. PCT/US2009/006294 (WO 2010/062396) filed 24 Nov 2009
—and corresponding filings in the US, Europe, China, Australia, Brazil, India, Malaysia, South Africa, Singapore, Indonesia, Philippines and Vietnam
- HHS Reference No. E–057–2011/0/1/2—
—US Provisional Application No. 61/438,236 filed 31 Jan 2011
—International Application No. PCT/US2012/023361 (WO 2012/106356) filed 31 Jan 2012
—and corresponding filings in the US and India

Licensing Contact: Cristina Thalhammer-Reyero, Ph.D., MBA; 301–435–4507; *ThalhamC@mail.nih.gov*

Dated: April 21, 2014.

Richard U. Rodriguez,

Director, Division of Technology Development and Transfer, Office of Technology Transfer, National Institutes of Health.

[FR Doc. 2014–09354 Filed 4–23–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; 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: Center for Scientific Review Special Emphasis Panel; PAR13–137: Light at Night.
Date: May 20, 2014.
Time: 8:00 a.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Virtual Meeting).
Contact Person: Michael Selmanoff, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5164, MSC 7844, Bethesda, MD 20892, 301–435–1119, *selmanom@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member conflict: Drugs, Alcohol and Heavy Metals.
Date: May 21–22, 2014.
Time: 8:00 a.m. to 6:00 p.m.
Agenda: To review and evaluate grant applications.
Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Virtual Meeting).
Contact Person: Michael Selmanoff, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5164, MSC 7844, Bethesda, MD 20892, 301–435–1119, *selmanom@csr.nih.gov.*

Name of Committee: Genes, Genomes, and Genetics Integrated Review Group; Molecular Genetics B Study Section.
Date: May 28–29, 2014.
Time: 5:00 p.m. to 6:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Admiral Fell Inn, 888 South Broadway, Baltimore, MD 21231.
Contact Person: Richard A. Currie, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5128, MSC 7840, Bethesda, MD 20892, (301) 435–1219, *currieri@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR Panel: Genome x Environment.
Date: May 29–30, 2014.
Time: 8:00 a.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Time: Bethesda Marriott Suites, 6711 Democracy Boulevard, Bethesda, MD 20817.
Contact Person: Melinda Jenkins, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3156, MSC 7770, Bethesda, MD 20892, 301–437–7872, *jenkinsml2@mail.nih.gov.*

Name of Committee: Immunology Integrated Review Group; Cellular and Molecular Immunology—B Study Section.
Date: May 29–30, 2014.
Time: 8:00 a.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Residence Inn Bethesda, 7335 Wisconsin Avenue, Bethesda, MD 20814.
Contact Person: Betty Hayden, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4206, MSC 7812, Bethesda, MD 20892, 301–435–1223, *haydenb@csr.nih.gov.*

Name of Committee: Population Sciences and Epidemiology Integrated Review Group; Social Sciences and Population Studies A Study Section.
Date: May 29, 2014.
Time: 8:30 a.m. to 6:30 p.m.
Agenda: To review and evaluate grant applications.
Place: Pier 5 Hotel, 711 Eastern Avenue, Baltimore, MD 21202.
Contact Person: Suzanne Ryan, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3139, MSC 7770, Bethesda, MD 20892, (301) 435–1712, *ryansj@csr.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research, 93.306, 93.333, 93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: April 21, 2014.

Melanie J. Gray,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–09353 Filed 4–23–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Biomedical Imaging and Bioengineering; 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 Biomedical Imaging and Bioengineering Special Emphasis Panel, 2014–10 NIBIB K and R13 Review.

Date: July 2, 2014.

Time: 10:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Two Democracy Plaza, Suite 920, 6707 Democracy Boulevard, Bethesda, MD 20892, (Virtual Meeting).

Contact Person: Ruixia Zhou, Ph.D., Scientific Review Officer, 6707 Democracy Boulevard, Suite 957, Bethesda, MD 20892, 301–496–4773, *zhour@mail.nih.gov.*

David Clary,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–09424 Filed 4–23–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Drug Abuse Notice of May Advisory Council on Drug Abuse Meeting

SUMMARY: Pursuant to the NIH Reform Act of 2006 (42 U.S.C. Sec. 281(d)(4)), notice is hereby given that the National Institute on Drug Abuse (NIDA) will host a meeting to enable public discussion on the Institute's proposal to reorganize its extramural program in establishment of a Division of Extramural Research. The proposal seeks to clearly delineate functions and streamline the services provided within the Office of the Director, as well as capitalize on emerging scientific opportunities, while reducing barriers to scientific and interdisciplinary collaboration.

DATES: This public meeting will take place on May 7, 2014 with attendance limited to space available. Any interested person may file written comments by sending an email to *NIDADERComment@mail.nih.gov*, by May 12, 2014. The statement should include the individual's name, contact information and, when applicable, professional affiliation.

ADDRESSES: Neuroscience Center, Conference Rooms C & D, 6001 Executive Boulevard, Rockville, Maryland 20852.

FOR FURTHER INFORMATION CONTACT: Dave Daubert, Deputy Executive Officer, National Institute on Drug Abuse, Office of the Director, 6001 Executive Boulevard, NSC Building, Room 5274, Bethesda, MD 20892, 301–402–1652, *daubert@nih.gov.*

SUPPLEMENTARY INFORMATION: Members of the public wishing to attend must RSVP to the contact person on this notice by May 5, 2014. NIH has instituted stringent procedures for entrance onto the NIH campus and constituent facilities. Visitors will be asked to show one form of identification (for example a government-issued photo ID, valid driver's license, or passport) and to state the purpose of their visit. Additionally, individuals who plan to attend and need special assistance, such as sign language interpretation or other reasonable accommodations, should notify the contact person by the deadline provided above in advance of the meeting.

Individuals will also be able to view the meeting via NIH Videocast. Please go to the following link for Videocast access instructions at: *http://videocast.nih.gov/faq/#setup.*

A portion of this meeting will be closed to the public. Information is available on the Institute's Web site, *http://www.drugabuse.gov/news-events/meetings-events/2014/05/national-advisory-council-drug-abuse*, where details on the agenda and any additional information for the meeting will be posted when available. A portion of the agenda will include: A report by the Director, NIDA and a public discussion on the proposed reorganization plans for NIDA extramural program.

Dated: April 17, 2014.

Nora Volkow,

Director, National Institute on Drug Abuse, National Institutes of Health.

[FR Doc. 2014–09285 Filed 4–23–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Aging; 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 on Aging Special Emphasis Panel; Juvenile Protective Factor (JPF).

Date: May 22, 2014.

Time: 12:00 p.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institute on Aging, Gateway Building 2C212, 7201 Wisconsin Avenue, Bethesda, MD 20892, (Telephone Conference Call).

Contact Person: Bita Nakhai, Ph.D., Scientific Review Branch, National Institute On Aging, Gateway Bldg., 2C212, 7201 Wisconsin Avenue, Bethesda, MD 20892, 301–402–7701, *nakhaib@nia.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.866, Aging Research, National Institutes of Health, HHS)

Dated: April 21, 2014.

Melanie J. Gray,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–09352 Filed 4–23–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Substance Abuse and Mental Health Services Administration

Agency Information Collection Activities: Proposed Collection; Comment Request

In compliance with section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995 concerning opportunity for public comment on proposed collections of information, the Substance Abuse and Mental Health Services Administration (SAMHSA) will publish periodic summaries of proposed projects. To request more information on the proposed projects or to obtain a copy of the information collection plans, call the SAMHSA Reports Clearance Officer on (240) 276–1243.

Comments are invited on: (a) Whether the proposed collections of information are 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 proposed collection of information; (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 respondents, including through the use of automated collection techniques or other forms of information technology.

Proposed Project: 2015 National Survey on Drug Use and Health (OMB No. 0930–0110)—Revision

The National Survey on Drug Use and Health (NSDUH) is a survey of the U.S. civilian, non-institutionalized population aged 12 years old or older. The data are used to determine the prevalence of use of tobacco products, alcohol, illicit substances, and illicit use of prescription drugs. The results are used by SAMHSA, the Office of National Drug Control Policy (ONDCP), Federal government agencies, and other organizations and researchers to establish policy, direct program activities, and better allocate resources.

In order to continue producing current data, SAMHSA's Center for Behavioral Health Statistics and Quality (CBHSQ) must periodically update aspects of the NSDUH to reflect the changing substance use and mental health issues and to continue producing current data. CBHSQ has such plans for the 2015 NSDUH survey year to achieve two goals: (1) Revise the questionnaire to address changing policy and research data needs, and (2) modify the survey methodology to improve the quality of estimates and the efficiency of data collection and processing.

Planned revisions for the 2015 NSDUH to the questionnaire, methodology and materials, including an assessment of new computer equipment, were initially tested in 2012 as part of the NSDUH Questionnaire Field Test (QFT) (OMB No. 0930–0334), then further refined and tested again in 2013 during the NSDUH Dress Rehearsal (DR) (OMB No. 0930–0334). As such, most of the changes described herein were successfully tested as part of the QFT and/or DR unless otherwise specified.

The changes to the questionnaire content for 2015 will include: (a) Revisions to modules for smokeless tobacco, hallucinogens, inhalants, prescription drugs, special drugs, consumption of alcohol, and health care; (b) revisions to the educational attainment response categories; (c) a lower threshold of binge alcohol use for females; (d) a new methamphetamine module; (e) addition of two sexual orientation questions to be asked of adults; and (f) revisions to back-end demographics questions. Also, to aid respondent recall within the questionnaire, prescription drug images and a reference date calendar will display on the computer screen rather than being displayed in hard-copy, paper form.

There are a few additional changes to the questionnaire content for 2015 not tested during the DR, which include: (a) The term ''Molly'' will be added to questions about Ecstasy in the hallucinogens module; (b) routine updates to logic and wording for consistency and to maximize respondent comprehension; and (c) other minor changes to questions throughout the instrument to clarify intent.

Several changes are also planned to the methodology for 2015 in an effort to improve the efficiency of data collection and processing; these were tested during the QFT and DR. A new 7-inch touch screen tablet will be used for screening and interview respondent selection, in addition to a new lightweight laptop used to administer the questionnaire. Also redesigned versions of the lead letter (mailed to respondents prior to being contacted by an interviewer) and a question & answer brochure will be provided to respondents. As necessary, all materials provided to respondents for 2015 will be updated to now reference the U.S. Department of Health and Human Services (instead of U.S. Public Health Service) and any previous mention of the Contractor, Research Triangle Institute, will now appear as RTI International. Due to changes to the questionnaire content, the showcard booklet, which allows respondents to refer to information necessary for accurate responses, will contain fewer showcards.

Along with the new laptop, text to speech (TTS) software is being programmed and tested for implementation within the questionnaire for 2015. TTS uses a computer-generated voice to read text displayed on-screen, rather than relying on the pre-recorded audio files from a human voice used previously with the audio computer-assisted self-interviewing (ACASI) portions of the interview. Though TTS was not tested as part of the QFT or DR, during an evaluation of the software, there were no problems understanding any words or phrases produced by the TTS voices in English or Spanish, so it will be implemented for the 2015 NSDUH unless there is a significant problem shown during testing. If TTS is not implemented, the current method of using pre-recorded audio files will be continued for the 2015 NSDUH.

In addition, interviewers will now have the option of showing a short video via the multimedia capability of the touch screen tablet. The video (approx. 50 seconds in run time) will provide a brief explanation of the study and why participation is important. Also contained within the tablet and new for 2015 is a parental introductory script, designed to be read to a parent or guardian once a youth respondent is selected to complete an interview. This script will standardize the introductory conversations with parent/guardians.

As with all NSDUH/NHSDA (prior to 2002, the NSDUH was referred to as the National Household Survey on Drug Abuse (NHSDA)) surveys conducted since 1999, the sample size of the survey for 2015 will be sufficient to permit prevalence estimates for each of the fifty States and the District of Columbia. The sample design for 2015 will be the same as the design used for 2014 data collection. This design places more sample in the 26 or older age groups to more accurately estimate drug use and related mental health measures among the aging drug use population, and allows for the possible adoption of address-based sampling in the future. The total annual burden estimate is shown in Table 1.

TABLE 1—ANNUALIZED ESTIMATED BURDEN FOR 2015 NSDUH

Instrument	Number of respondents	Responses per respondent	Total number of responses	Hours per response	Total burden hours
Household Screening	125,176	1	125,176	0.083	10,390
Interview	67,507	1	67,507	1.000	67,507
Screening Verification	3,755	1	3,755	0.067	252
Interview Verification	10,126	1	10,126	0.067	678
Total	125,176		125,176		78,827

Send comments to Summer King, SAMHSA Reports Clearance Officer, Room 2–1057,

One Choke Cherry Road, Rockville, MD 20857 *or* email her a copy at *summer.king@samhsa.hhs.gov.* Written comments should be received by June 23, 2014.

Summer King,

Statistician.

[FR Doc. 2014–09317 Filed 4–23–14; 8:45 am]

BILLING CODE 4162–20–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[USCG–2013–1065]

Towing Safety Advisory Committee; June 2014 Meeting

AGENCY: Coast Guard, DHS.

ACTION: Notice of teleconference meeting.

SUMMARY: The Towing Safety Advisory Committee (TSAC) will meet via teleconference to receive tasking related to the report of investigation into the Mobile Offshore Drilling Unit (MODU) KULLUK grounding incident and receive final reports or status reports from seven active TSAC Subcommittees. This meeting will be open to the public.

DATES: The teleconference will take place on Wednesday, June 4, 2014, from 1 p.m. to 3 p.m. EST. This meeting may close early if all business is finished. If you wish to make oral comments at the teleconference, notify Mr. William J. Abernathy before the teleconference, as specified in the **FOR FURTHER INFORMATION CONTACT** section, or the designated Coast Guard staff at the meeting. If you wish to submit written comments or make a presentation, submit your comments or request to make a presentation by May 28, 2014. Also, if you want to come to the teleconference host location in person, you must request building access by May 28, 2014.

ADDRESSES: The Committee will meet via teleconference. To participate by phone, please contact Mr. William J. Abernathy listed below in the **FOR FURTHER INFORMATION CONTACT** section to obtain teleconference information. Note the number of teleconference lines is limited and will be available on a first-come, first-served basis. To come to the host location in person and join those participating in this teleconference from U.S. Coast Guard Headquarters, 2703 Martin Luther King Jr. Ave. SE., Washington, DC 20593–7509, please contact Mr. William J. Abernathy listed in the **FOR FURTHER INFORMATION CONTACT** section to request directions and building access. You must request building access by May 28, 2014, and present a valid, government-issued photo identification to gain entrance to the Coast Guard Headquarters building.

For information on facilities or services for individuals with disabilities or to request special assistance at the teleconference, contact Mr. William J. Abernathy listed in the **FOR FURTHER INFORMATION CONTACT** section, as soon as possible.

If you want to make a presentation, send your request by May 28, 2014, to Mr. William J. Abernathy listed in the **FOR FURTHER INFORMATION CONTACT** section. To facilitate public participation we are inviting public comment on the issues to be considered by the Committee as listed in the ''Agenda'' section below. You may submit a written comment on or before May 28, 2014, or make an oral comment during the public comment portion of the teleconference.

To submit a comment in writing, use one of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Email: William.J.Abernathy@uscg.mil.* Include the docket number (USCG–2013–1065) on the subject line of the message.
- *Fax:* (202) 372–8283. Include the docket number (USCG–2013–1065) on the subject line of the fax.
- *Mail:* Docket Management Facility (M–30), U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590–0001.
- *Hand Delivery:* Same as mail address above, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202–366–9329.
- To avoid duplication, please use only one of these methods.

Instructions: All submissions received must include the words ''Department of Homeland Security'' and the docket number for this notice. All comments received will be posted without alteration at *http://www.regulations.gov,* including any personal information provided. You may review a Privacy Act notice regarding our public dockets in the January 17, 2008, issue of the **Federal Register** (73 FR 3316).

Docket: For access to the docket to read documents or comments related to this Notice, go to *http://www.regulations.gov,* insert USCG–2013–1065 in the Search box, press Enter, and then click on the item you wish to view.

FOR FURTHER INFORMATION CONTACT: Lieutenant Commander William Nabach, Alternate Designated Federal Official (ADFO) of TSAC, Commandant (CG–OES–2), U.S. Coast Guard, 2703 Martin Luther King Jr. Ave. SE., Stop 7509, Washington, DC 20593–7509; telephone (202) 372–1386, fax (202) 372–8283 or Mr. William J. Abernathy, Alternate Designated Federal Official (ADFO) of TSAC, Commandant (CG–OES–2), U.S. Coast Guard, 2703 Martin Luther King Jr. Avenue SE. If you have questions on viewing or submitting material to the docket, call Cheryl Collins, Program Manager, Docket Operations, telephone 202–366–9826 or 1–800–647–5527.

SUPPLEMENTARY INFORMATION: Notice of this meeting is given under the Federal Advisory Committee Act (FACA), 5 U.S.C. App., Public Law 92–463, 86 Stat. 770. As stated in 33 U.S.C. 1231a, the Towing Safety Advisory Committee provides advice and recommendations to the Department of Homeland Security on matters relating to shallow-draft inland and coastal waterway navigation and towing safety.

Agenda of Meeting

The agenda for the June 4, 2014, teleconference includes:

(1) Assignment of new tasking to the Committee for recommendations on the U.S. Coast Guard's Report Of Investigation (ROI) into the MODU KULLUK grounding incident.

(2) Receive the draft final report from the Subcommittee on Recommendations for Designation of Narrow Channels.

(3) Status updates from the following Subcommittees:

(a) Recommendations Regarding Manning of Inspected Towing Vessels.

(b) Recommendations for Evaluating Placement of Structures Adjacent to or Within the Navigable Channel.

(c) Recommendations for the Maintenance, Repair and Utilization of Towing Equipment, Lines and Couplings.

(d) Recommendations for Mid-Stream Liquefied Natural Gas and Compressed Natural Gas Refueling of Towing Vessels.

(e) Recommendations for Improvement of Coast Guard Marine Casualty Reporting.

(f) Recommendations to Establish Criteria for Identification of Air Draft for Towing Vessels and Tows.

(4) TSAC member comments.

(5) Public comments.

There will be a comment period for TSAC and a comment period for the

public after each final report, but before each recommendation is formulated. The Committee will review the information presented on each issue, deliberate on any recommendations presented in the Subcommittees' reports, and formulate recommendations for the Department's consideration. A copy of each draft report and the final agenda will be available at *https://homeport.uscg.mil/tsac*.

During the June 4, 2014, teleconference, a public comment period will be held from approximately 2:45 p.m. to 3 p.m. Speakers are requested to limit their comments to three minutes. Please note that this public comment period may start before 2:45 p.m. if all other agenda items have been covered and may end before 3 p.m. if all of those wishing to comment have done so. Please contact Mr. William J. Abernathy, listed in the **FOR FURTHER INFORMATION CONTACT** section to register as a speaker.

Minutes

Minutes from the meeting will be available for public review and copying within 30 days following the meeting at *https://homeport.uscg.mil/tsac*.

Notice of Future 2014 TSAC Meetings

To receive automatic email notices of future TSAC meetings in 2014, go to the online docket, USCG–2013–1065 (*http://www.regulations.gov/#!docketDetail;D=USCG-2013-1065*), and select the sign-up-for-email-alerts option. We plan to use the same docket number for all TSAC meeting notices in 2014, so when the next meeting notice is published you will receive an email alert from *http://www.regulations.gov* when the notice appears in this docket.

J.G. Lantz,

Director of Commercial Regulations and Standards.

[FR Doc. 2014–09290 Filed 4–23–14; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–5763–N–05]

Implementation of the Privacy Act of 1974, as Amended; Republication To Terminate and Modify Privacy Act Systems of Records Streamlining Efforts Under the Lender Electronic Assessment Portal (LEAP)

AGENCY: Office of the Chief Information Officer, HUD.

ACTION: Notification.

SUMMARY: Pursuant to the Privacy Act of 1974 (U.S.C. 552a(e)(4)), as amended, and Office of Management and Budget (OMB), Circular No. A–130, notice is hereby given that the Department of Housing and Urban Development (HUD), Office of the Chief Information Officer (OCIO) proposes to terminate and modify Privacy Act notifications previously published in the **Federal Register**. The Office of Single Family Housing is modifying its Lender Electronic Assessment Portal (LEAP) system of records to implement a series of new enhancements that will improve its overall capabilities and streamline the recertification process for its Federal Housing Administration approved lenders. Furthermore, the current HUD/HS–60: Institution Master File (IMF) system of records previously published in the **Federal Register** on August 25, 2009 at 74 FR 42910 will be replaced in its entirety by LEAP. The migration of records to LEAP from IMF allows HUD approved Lenders to use LEAP to process its annual recertification, to manage institution/branch information and lender profiles, and its Cash Flow account setup activities. Where traditionally lenders were required to access multiple systems to complete the annual recertification process, LEAP will enable lenders to complete all the required recertification submissions in one system. The LEAP system of records notice ''Categories of Record in the System'', ''Purpose'', and ''Routine Use'' captions are being updated to capture new functions for the LEAP system. Additionally, other captions of the SORN are updated to refine previously published information about the system in a clear and cohesive format. This notice supersedes the previous SORN published in the **Federal Register** for LEAP on November 16, 2011 at 76 FR 71067. The records contained in this system which pertain to individuals contain principally proprietary information concerning sole proprietorships. Some of the records in the system which pertain to individuals may reflect personal information, however, only the records reflecting personal information are subject to the Privacy Act.

DATES: *Effective Date:* May 27, 2014.

Comments Due Date: May 27, 2014.

FOR FURTHER INFORMATION OR SUBMISSION OF COMMENTS CONTACT: Donna Robinson-Staton, Chief Privacy Officer, 451 Seventh Street SW., Washington, DC 20410 (Attention: Capitol View Building, 4th Floor), telephone number: (202) 402–8073. [The above telephone number is not a toll free number.] A telecommunications device for hearing- and speech-impaired persons (TTY) is available by calling the Federal Information Relay Service's toll-free telephone number (800) 877–8339. For comments, please include the above reference docket number in your request.

SUPPLEMENTARY INFORMATION: These systems of records are those maintained by HUD's Office of Single Family Housing that includes personally identifiable information provided by Lender Institutions from which information is retrieved by a name or unique identifier. The system revisions encompass programs and services of the Department's data collection and management practices. This republication allows HUD to organize and re-publish up-to-date and accurate information about its systems of records. The system modification and termination proposal incorporate Federal privacy requirements, and HUD policy requirements. The Privacy Act provides certain safeguards for an individual against an invasion of personal privacy by requiring Federal agencies to protect records contained in an agency system of records from unauthorized disclosure, ensure that information is current for its intended use, and that adequate safeguards are provided to prevent misuse of such information. Additionally, the updates reflect the Department's focus on industry best practices in protecting the personal privacy of the individuals covered by this system notification. This notice for the amended system of records states the name and location of the record system, the authority for and manner of its operations, the categories of individuals that it covers, the type of records that it contains, the sources of the information for those records, the routine uses made of the systems records, and the system of records exemption types. In addition, the notice includes the business address of the HUD officials who will inform interested persons of the procedures whereby they may gain access to and/or request amendments to records pertaining to them. Some of the routine uses that apply to this publication are reiterated based on past publication to clearly communicate the ways in which HUD continues to conduct some of its business practices.

Since this republication does meet the threshold requirements for a new or amended system, a report was submitted to the Office of Management and Budget (OMB), the Senate Committee on Homeland Security and Governmental Affairs, and the House Committee on Government Reform as

instructed by Paragraph 4c of Appendix l to OMB Circular No. A–130, ''Federal Agencies Responsibilities for Maintaining Records About Individuals,'' July 25, 1994 (59 FR 37914).

Authority: 5 U.S.C. 552a; 88 Stat. 1896; 42 U.S.C. 3535(d).

Dated: April 18, 2014.

Kevin R. Cooke, Jr.,

Acting Chief Information Officer.

SYSTEM OF RECORDS NO.:

HSNG.SF/HUL.01

SYSTEM NAME:

Lender Electronic Assessment Portal (LEAP).

SYSTEM LOCATION:

External hosting location at the HUD HITS Datacenter, 2020 Union Carbide Drive, South Charleston, WV 25303; Application management at the HUD Headquarters building, 451 7th Street SW., Washington, DC 20410. In addition to the HUD Headquarters building, records for LEAP are also accessed at the following HUD Homeownership Centers: The Santa Ana Federal Building, 34 Civic Center Plaza, Room 7015 Santa Ana, CA 92701, The Denver Regional Office, 1670 Broadway, 25th Floor, Denver, CO 80202, The Philadelphia Regional Office Wanamaker Building, 100 Penn Square East, Philadelphia, PA 19107, and The Atlanta Regional Office, Five Points Plaza, Building 40 Marietta Street, Atlanta, GA 30303.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals covered by the system are principals or officers (i.e., directors, managers and owners) of financial institutions that seek approval or are approved to originate service or hold single family and/or multifamily FHA-insured mortgages, or Title I and/or Title II insured mortgages.

CATEGORIES OF RECORDS IN THE SYSTEM:

Information for lender approval Status: (lender name; lender corporate address; lender corporate information [Federal Tax Identification, affiliation with home builders, business type, institution type, regulator type]; lender financial characteristics [including assets, liabilities and net worth]; lender corporate officer information [including individual name and SSN]; and, background credit information on the lending institution and the corporate officers); Information for lender management (lender DE and LI status; geographic approvals; lender branch information [including name and SSN of branch officers]: lender cash account management for claims and premium activity; FHA compliance information; FHA annual recertification information [including lender financial characteristics], tracking of notices of violation and material events; and, ad hoc query and reporting features).

AUTHORITY FOR MAINTANANCE OF THE SYSTEM:

The National Housing Act (12 U.S.C. 1701 et. seq.) and the Department of Housing and Urban Development Act (42 U.S.C. 3531 et seq.); 24 CFR Parts 202, 203, 206, 241 and 266; and, 42 U.S.C. 3543–Sec. 3543, which authorizes the collection of Social Security Numbers.

PURPOSE(S):

LEAP's purpose is to obtain information from lending institutions and the principals or officers of those institutions seeking approval or already approved to originate, service or hold single family and/or multifamily FHA-insured mortgages, or Title I and Title II insured loans. The information in this record system enables HUD/FHA to process applications for (1) suitability and verification purposes (including institution creditworthiness, prior lending history with FHA, outstanding legal, regulatory or compliance issues, outstanding federal debts or penalties and similar individual experience with corporate officers); (2) to ensure conformance to FHA Title I and Title II authorities (including documented instances of deviations from or violations of FHA lending policy on FHA-insured loans and the existence and amount of indemnifications and loan loss offsets to FHA); (3) to identify specific individuals and roles at lending institutions, for communication, outreach, planning and previous FHA lending experience. The system contains all documents and related data required for a lender's application and for ongoing operational management of lender's relationship with FHA. LEAP is utilized by HUD as a single system, built on the Siebel Partner Relationship Manager platform. LEAP is maintained over HUD's internal network. The system provides different ''views'' into data tables, and is more flexible and customizable than many legacy systems. ''Tabs'' are used in Siebel as shortcuts to specific data tables or to accelerate specific actions within the system. There are no separate ''modules'' for this system, and tabs should not be confused with modules. The Siebel PRM is a robust system that can host many different actions for different sets of users simultaneously across the agency.

While LEAP is expanding to cover this new functionality, this functionality currently exists within other systems in the Office of Lender Activities and Program Compliance. No functionality new to the Government is contained in this system. The consolidation onto LEAP provides greater efficiency and cost savings to the Government. LEAP does not contain any loan level data about an individual. It only contains information about the FHA lender.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

In addition to those disclosures generally permitted under 5 U.S.C. 552 a(b) of the Privacy Act of 1974, other routine uses include:

(a) To the FBI during the course of investigating possible fraud in the FHA mortgage insurance, underwriting insuring, or monitoring process, to the extent necessary to obtain information pertinent to the investigation;

(b) To the Department of Justice (DOJ) when seeking legal advice for a HUD initiative or in response to DOJ's request for the information, after either HUD or DOJ determine that such information is relevant to DOJ's representatives of the United States or any other components in legal proceedings before a court or adjudicative body, provided that, in each case, the agency also determines prior to disclosure that disclosure of the records to the DOJ is a use of the information contained in the records that is compatible with the purpose for which HUD collected the records;

(c) HUD on its own may disclose records in this system of records in legal proceeding before a court or administrative body after determining that the disclosure of the records to the court of administrative body is a use of the information contained in the records that is compatible with the purpose for which HUD collected the records;

(d) To HUD contractors, lenders and financial institutions for the purpose of conducting oversight and monitoring of program operations to determine compliance with applicable laws and regulations, and financial reporting requirements;

(e) Additional disclosure for purposes of facilitating responses and remediation efforts in the event of a data breach. A record from a System Of Records maintained by HUD may be disclosed to appropriate agencies, entities and persons when: a) HUD suspects or has confirmed that the security or confidentiality of information in a system of records has been compromised; b) HUD has determined that as a result of the

suspected or confirmed compromise there is a risk of harm to economic or property interests, identity theft or fraud, or harm to the security or integrity of systems or programs (whether maintained by HUD or another agency or entity) that rely upon the compromised information; and c) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with HUD's efforts to respond to the suspected or confirmed compromise and prevent, minimize, or remedy such harm for purposes of facilitating responses and remediation efforts in the event of a data breach;

(f) To a commercial or consumer reporting agency to use in obtaining credit reports on individuals and credit and background reports on entities;

(g) To a recipient who has provided the agency with advance adequate written assurance that the record will be used solely as a statistical research or reporting record, and the record is to be transferred in a form that is not individually identifiable; and

(h) To contractors, grantees, experts, consultants, Federal agencies, and non-Federal entities including but not limited to state and local governments, and other research institutions or their parties entities and their agents with whom HUD has a contract, service agreement, grant, cooperative agreement with HUD, when necessary to accomplish an agency function related to a system of records for the purposes of statistical analysis and research in support of program operations, management, performance monitoring, evaluation, risk management, and policy development, or to otherwise support the Department's mission. Records under this routine use may not be used in whole or in part to make decisions that affect the rights, benefits or privileges of specific individuals. The results of the matched information may not be disclosed in identifiable form.

See also Appendix 1 [1] for discretionary routine uses that may be applicable to this system of records.

POLICIES ANDA PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Electronic data is stored on servers at the HUD HITS Datacenter, and backup files are stored on tapes. Electronic data is replicated at a disaster recovery offsite location in case of loss of computing capability or other emergency at the primary facility. LEAP uses no paper records.

RETRIEVABILITY:

Records are retrieved by Institution Name, Tax ID #, FHA Lender ID #, various tracking ID #'s, Individual name and individual SSN.

SAFEGUARDS:

Access to electronic records is granted by user ID and password to users who have a need to know such records. In addition to the safeguards provided by the access controls, physical access to the HUD HITS Datacenter is highly restricted and protected. Additionally, paper records are no longer used by the system.

RETENTION AND DISPOSAL:

Records are held in accordance with HUD's Records Disposition Schedules Handbook (2225.6) Appendix 20 (Single Family Home Mortgage Insurance Program Records) and Appendix 21 (Financial Management Information Systems). Paper records are not in use. Electronic records are held consistent with standards for paper records. Archival tape media is kept for 7 years and tapes are in rotation. Tapes that are faulty and need to be disposed of follow HUD's IT Security Handbook (2400.25), pursuant to MIST SP 800–88 guidelines section 2.1.

SYSTEM MANAGER(S) AND ADDRESS:

Director, Office of Lender Activities and Program Compliance, 451 7th Street SW., Room B–133—P3214, Washington, DC 20410.

NOTIFICATION AND RECORDS ACCESS PROCEDURES:

For Information, assistance, or inquiries about the existence of records contact the Chief Privacy Officer, Department of Housing and Urban Development, 451 Seventh Street SW., Room 4156, Washington, DC 20410. Verification of your identity must include original signature and be notarized. Written request must include the full name, Social Security Number, date of birth, current address, and telephone number of the individual making the request.

CONTESTING RECORD PROCEDURES:

The Department's rules for contesting contents of records and appealing initial denials appear in 24 CFR part 16. Additional assistance may be obtained by contacting: U.S. Department of Housing and Urban Development, Chief Privacy Officer, 451 Seventh Street SW., Washington, DC 20410 or the HUD Departmental Privacy Appeals Officers, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street SW., Washington, DC 20410.

RECORD SOURCE CATEGORIES:

Source information is received from financial institution principals, from commercial third parties such as consumer and commercial credit reporting agencies, from CAIVRS, from Pay.Gov for any fee payment information, and lastly from internal users in the Office of Lender Activities and Program Compliance.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

[FR Doc. 2014–09433 Filed 4–23–14; 8:45 am]

BILLING CODE 4210–67–P

[1] *http://portal.hud.gov/hudportal/documents/huddoc?id=append1.pdf.*

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS–R3–R–2013–N295; FXRS1265030000–145–FF03R06000]

Iowa Wetland Management District, 35 Counties in North-Central and Northwest Iowa; Final Comprehensive Conservation Plan and Finding of No Significant Impact for the Environmental Assessment

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), announce the availability of a final comprehensive conservation plan (CCP) and finding of no significant impact (FONSI) for the environmental assessment (EA) for the Iowa Wetland Management District (district, WMD). In this final CCP we describe how we intend to manage the district for the next 15 years.

ADDRESSES: You will find the final CCP with an embedded executive summary and attached FONSI on the planning Web site at *http://www.fws.gov/midwest/planning/iowawetlands/index.html.* A limited number of hard copies and CD–ROMs are available. You may request one by any of the following methods:

- *Email: r3planning@fws.gov.* Include ''Iowa WMD Final CCP'' in the subject line of the message.
- *Fax:* Attention: Refuge Manager, 515–928–2230.
- *U.S. Mail:* Attention: Refuge Manager Tim Miller, Iowa Wetland Management District, 1710 360th Street, Titonka, IA 50480.

FOR FURTHER INFORMATION CONTACT: Tim Miller, 515–928–2523.

SUPPLEMENTARY INFORMATION:

Introduction

With this notice, we continue the CCP planning process for the Iowa Wetland Management District, which we began by publishing a notice of intent in the **Federal Register** (75 FR 7289) on February 18, 2010. For more about the initial process and the history of the district, see that notice. We released the EA/Draft CCP to the public, announcing and requesting comments in a notice of availability (78 FR 50441) on August 19, 2013. The 30-day comment period ended on September 18, 2013. The public comments received and the agency responses to them are included in the Response to Comments appendix in the Final CCP.

Background

The National Wildlife Refuge System Administration Act of 1966, as amended by the National Wildlife Refuge System Improvement Act of 1997 (16 U.S.C. 668dd–668ee) (Administration Act), requires us to develop a CCP for each national wildlife refuge (including wetland management districts). The purpose in developing a CCP is to provide the district manager with a 15-year strategy for achieving district purposes and contributing toward the mission of the National Wildlife Refuge System (NWRS), consistent with sound principles of fish and wildlife management, conservation, legal mandates, and Service policies. In addition to outlining broad management direction on conserving wildlife and their habitats, CCPs identify wildlife-dependent recreational opportunities available to the public, including opportunities for hunting, fishing, wildlife observation and photography, and environmental education and interpretation. We will review and update the CCP at least every 15 years in accordance with the Administration Act.

Each unit of the NWRS was established for specific purposes. We use these purposes as the foundation for developing and prioritizing the management goals and objectives for each unit within the NWRS mission, and to determine how the public can use each unit. The planning process is a way for us and the public to evaluate management goals and objectives that will ensure the best possible approach to wildlife, plant, and habitat conservation, while providing for wildlife-dependent recreation opportunities that are compatible with each unit's establishing purposes and the mission of the NWRS.

Additional Information

The final CCP (with attached FONSI), which includes detailed information about the planning process, district, issues, and management alternative selected, may be found at *http://www.fws.gov/midwest/planning/iowawetlands/index.html*. The Web site also includes an EA/Draft CCP, prepared in accordance with the National Environmental Policy Act (NEPA) (43 U.S.C. 4321 *et seq.*). The EA/Draft CCP includes discussion of four alternative district management options. The Service's selected alternative is reflected in the final CCP. Appendix K: Errata was added to the EA/Draft CCP, after it was released for public review on August 19th, 2013, in response to comment.

The selected alternative focuses on managing for breeding waterfowl. Restoring cropland to perennial grassland will be the dominant activity in the uplands, while a variety of pothole wetlands will be the focus for restoration in the lowlands, especially those important to restoration of semi-permanent to shallow lakes. A diversity of wetland types will provide for a greater diversity of wildlife, in particular, grassland and other wetland birds. Public use opportunities, in addition to hunting, fishing, and trapping, as well as some additional public use facilities (kiosks), will be provided, and some food plots will remain. Environmental education, interpretation, and outreach will remain at current levels, with more emphasis on distributing a consistent message for the entire district. Furthermore, based on comments received from the public during the planning process, within two years of CCP approval, it will be proposed through the federal rulemaking process to implement the following regulation on the Service's fee title property within the Iowa WMD: ''You may only use or possess approved nontoxic shot shells while in the field, including shot shells used for hunting wild turkey.'' This requirement would be in line with current regulations at 50 CFR 32.2(k).

Charles M. Wooley,

Acting Regional Director, Midwest Region, U.S. Fish and Wildlife Service.

[FR Doc. 2014–09308 Filed 4–23–14; 8:45 am]

BILLING CODE 4310–55–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLORM00000 L58820000.DF0000 LXRSMX990000.14X.HAG14–0107]

Notice of Public Meeting, Medford Resource Advisory Committee

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of public meeting.

SUMMARY: In accordance with the Federal Land Policy and Management Act and the Federal Advisory Committee Act of 1972 the U.S. Department of the Interior, Bureau of Land Management (BLM) Medford District Resource Advisory Committee will meet as indicated below.

DATES: Wednesday, May 14, 2014, 8:30 a.m.–4:30 p.m. with public comments at 9 a.m.

ADDRESSES: The meeting will be held at the Medford District Office, 3040 Biddle Road, Medford, Oregon 97504. The point of contact is Jim Whittington, 541–618–2220.

FOR FURTHER INFORMATION CONTACT: Stephen Baker, Bureau of Land Management, Oregon/Washington, Oregon State Office, PO Box 2965, Portland, Oregon 97208, 503–808–6306; *sabaker@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 Secure Rural Schools and Community Self Determination Act was extended to provide stability for local counties by compensating them, in part, for the decrease in funds formerly derived from the harvest of timber on Federal lands. Pursuant to the Act, the five Committees serve western Oregon BLM districts that contain Oregon and California grant lands and Coos Bay Wagon Road grant lands. Committees consist of 15 local citizens representing a wide array of interests. The Resource Advisory Committees provide a mechanism for local community collaboration with Federal land managers as they select projects to be conducted on Federal lands or that will benefit resources on Federal lands using funds under Title II of the Act.

All meetings are open to the public. The public may present written

comments to the Committee. 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, tour transportation or other reasonable accommodations, should contact the BLM as provided above. The Resource Advisory Committees will be based on the following BLM District boundaries:

Coos Bay District Resource Advisory Committee advises Federal officials on projects associated with Federal lands within the Coos Bay District which includes lands in Coos, Curry, Douglas, and Lane Counties.

Eugene District Resource Advisory Committee advises Federal officials on projects associated with Federal lands within the Eugene District boundary which includes lands in Benton, Douglas, Lane, and Linn Counties.

Medford District Resource Advisory Committee advises Federal officials on projects associated with Federal lands within the Medford District and Klamath Falls Resource Area in the Lakeview District which includes lands in Coos, Curry, Douglas, Jackson, and Josephine Counties and small portions of west Klamath County.

Roseburg District Resource Advisory Committee advises Federal officials on projects associated with Federal lands within the Roseburg District boundary which includes lands in Douglas, Lane, and Jackson Counties.

Salem District Resource Advisory Committee advises Federal officials on projects associated with Federal lands within the Salem District boundary which includes lands in Benton, Clackamas, Clatsop, Columbia, Lane, Lincoln, Linn, Marion, Multnomah, Polk, Tillamook, Washington, and Yamhill Counties.

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: Title VI, Section 205 of Pub. L. 110–343.

Jody L. Weil,

Deputy State Director, Office of Communications, Oregon/Washington.

[FR Doc. 2014–09355 Filed 4–23–14; 8:45 am]

BILLING CODE 4310–33–P

DEPARTMENT OF THE INTERIOR

Bureau of Ocean Energy Management

[MMAA104000]

Outer Continental Shelf (OCS), Scientific Committee

AGENCY: Bureau of Ocean Energy Management (BOEM), Interior.

ACTION: Notice of Vacancies and Request for Nominations.

SUMMARY: BOEM is seeking interested and qualified individuals to serve on its OCS Scientific Committee (Committee) during the period of October 15, 2014, through October 14, 2017. The initial 3-year term may be renewable for up to an additional 3 years. The Committee is chartered under the Federal Advisory Committee Act (FACA) to advise the Secretary of the Interior, through the Director of BOEM, on the scientific quality and value for decisionmaking of the OCS Environmental Studies Program (ESP). The ESP, which was authorized by the Outer Continental Shelf Land Act as amended (Section 20), is administered by BOEM and covers a wide range of field and laboratory studies in biology, chemistry, and physical oceanography, as well as studies of the social and economic impacts of OCS energy and marine minerals development.

As a FACA committee, the Committee provides advice from vetted, consensus-oriented, experts that are more focused and technically deeper than public hearings typically can provide. The recognized expertise and diverse associations of the Committee members also help BOEM build partnerships and optimize resources.

The OCS Scientific Committee comprises distinguished scientists in appropriate disciplines of the biological, physical, chemical and social sciences. We will have 15 positions to fill on the Committee by October 14, 2014. These positions exist in the fields of economics, physical oceanography, and biological oceanography/marine biology. We are interested in scientists who have experience in those disciplines, and we also look for geographical balance, drawing members from the contiguous United States, Alaska, and Hawaii.

The selections are based on maintaining disciplinary expertise in all areas of research, as well as geographic balance. Demonstrated knowledge of the scientific issues related to OCS energy and mineral development is essential. Selections are made by the Secretary of the Interior on the basis of these factors.

Ethics Responsibilities of Members: All members will comply with applicable rules and regulations. The Department of the Interior will provide materials to those members appointed as Special Government Employees explaining their ethical obligations with which the members should be familiar. Consistent with the ethics requirements, members will endeavor to avoid any actions that would cause the public to question the integrity of the Committee's operations, activities or advice. The provisions of this paragraph do not affect any other statutory or regulatory ethical obligations to which a member may be subject.

Interested individuals should send a letter of interest and resume within 30 days to: Ms. Phyllis Clark, Bureau of Ocean Energy Management, Division of Environmental Studies, 381 Elden Street, Mail Stop HM–3115, Herndon, Virginia 20170. She may be reached by telephone at (703) 787–1716.

Authority: Federal Advisory Committee Act, Public Law 92–463, 5 U.S.C., Appendix I, and the Office of Management and Budget's Circular A–63, Revised.

Dated: April 14, 2014.

William Y. Brown,

Chief Environmental Officer, Office of Environmental Programs.

[FR Doc. 2014–09277 Filed 4–23–14; 8:45 am]

BILLING CODE 4310–MR–P

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

[RR83550000, 145R5065C6, RX.59389832.1009676]

Quarterly Status Report of Water Service, Repayment, and Other Water-Related Contract Actions

AGENCY: Bureau of Reclamation, Interior.

ACTION: Notice.

SUMMARY: Notice is hereby given of contractual actions that have been proposed to the Bureau of Reclamation (Reclamation) and are new, discontinued, or completed since the last publication of this notice. This notice is one of a variety of means used to inform the public about proposed contractual actions for capital recovery and management of project resources and facilities consistent with section 9(f) of the Reclamation Project Act of 1939. Additional announcements of individual contract actions may be published in the **Federal Register** and in newspapers of general circulation in the areas determined by Reclamation to be affected by the proposed action.

ADDRESSES: The identity of the approving officer and other information pertaining to a specific contract proposal may be obtained by calling or writing the appropriate regional office at the address and telephone number given for each region in the **SUPPLEMENTARY INFORMATION** section.

FOR FURTHER INFORMATION CONTACT: Michelle Kelly, Reclamation Law Administration Division, Bureau of Reclamation, P.O. Box 25007, Denver, Colorado 80225–0007; telephone 303–445–2888.

SUPPLEMENTARY INFORMATION: Consistent with section 9(f) of the Reclamation Project Act of *1939,* and the rules and regulations published in 52 FR 11954, April 13, 1987 (43 CFR 426.22), Reclamation will publish notice of proposed or amendatory contract actions for any contract for the delivery of project water for authorized uses in newspapers of general circulation in the affected area at least 60 days prior to contract execution. Announcements may be in the form of news releases, legal notices, official letters, memorandums, or other forms of written material. Meetings, workshops, and/or hearings may also be used, as appropriate, to provide local publicity. The public participation procedures do not apply to proposed contracts for the sale of surplus or interim irrigation water for a term of 1 year or less. Either of the contracting parties may invite the public to observe contract proceedings. All public participation procedures will be coordinated with those involved in complying with the National Environmental Policy Act. Pursuant to the ''Final Revised Public Participation Procedures'' for water resource-related contract negotiations, published in 47 FR 7763, February 22, 1982, a tabulation is provided of all proposed contractual actions in each of the five Reclamation regions. When contract negotiations are completed, and prior to execution, each proposed contract form must be approved by the Secretary of the Interior, or pursuant to delegated or redelegated authority, the Commissioner of Reclamation or one of the regional directors. In some instances, congressional review and approval of a report, water rate, or other terms and conditions of the contract may be involved.

Public participation in and receipt of comments on contract proposals will be facilitated by adherence to the following procedures:

1. Only persons authorized to act on behalf of the contracting entities may negotiate the terms and conditions of a specific contract proposal.

2. Advance notice of meetings or hearings will be furnished to those parties that have made a timely written request for such notice to the appropriate regional or project office of Reclamation.

3. Written correspondence regarding proposed contracts may be made available to the general public pursuant to the terms and procedures of the Freedom of Information Act, as amended.

4. Written comments on a proposed contract or contract action must be submitted to the appropriate regional officials at the locations and within the time limits set forth in the advance public notices.

5. All written comments received and testimony presented at any public hearings will be reviewed and summarized by the appropriate regional office for use by the contract approving authority.

6. Copies of specific proposed contracts may be obtained from the appropriate regional director or his or her designated public contact as they become available for review and comment.

7. In the event modifications are made in the form of a proposed contract, the appropriate regional director shall determine whether republication of the notice and/or extension of the comment period is necessary.

Factors considered in making such a determination shall include, but are not limited to, (i) the significance of the modification, and (ii) the degree of public interest which has been expressed over the course of the negotiations. At a minimum, the regional director will furnish revised contracts to all parties who requested the contract in response to the initial public notice.

Definitions of Abbreviations Used in the Reports

ARRA American Recovery and Reinvestment Act of 2009
BCP Boulder Canyon Project
Reclamation Bureau of Reclamation
CAP Central Arizona Project
CUP Central Utah Project
CVP Central Valley Project
C–BT Colorado-Big Thompson Project
CRSP Colorado River Storage Project
FR Federal Register
IDD Irrigation and Drainage District
ID Irrigation District
LCWSP Lower Colorado Water Supply Project
M&I Municipal and Industrial
NMISC New Mexico Interstate Stream Commission
O&M Operation and Maintenance
OM&R Operation, maintenance, and replacement
P–SMBP Pick-Sloan Missouri Basin Program
PPR Present Perfected Right
RRA Reclamation Reform Act of 1982
SOD Safety of Dams
SRPA Small Reclamation Projects Act of 1956
USACE U.S. Army Corps of Engineers
WD Water District

Pacific Northwest Region: Bureau of Reclamation, 1150 North Curtis Road, Suite 100, Boise, Idaho 83706–1234, telephone 208–378–5344.

Modified contract action:

6. Nine water user entities of the Arrowrock Division, Boise Project, Idaho: Repayment agreements with districts with spaceholder contracts for repayment, per legislation, of the reimbursable share of costs to rehabilitate Arrowrock Dam Outlet Gates under the O&M program.

Completed contract actions:

9. East Columbia Basin ID, Columbia Basin Project, Washington: Supplement No. 3 to the 1976 Master Water Service Contract providing for the delivery of up to 30,000 acre-feet of project water for the irrigation of 10,000 acres located within the Odessa Subarea with an additional 15,000 acre-feet of project water to be made available to benefit stream flows and fish in the Columbia River under this contract or a separate operating agreement. Contract executed March 6, 2014.

10. East Columbia Basin ID, Columbia Basin Project, Washington: Amendment No. 1 to Supplement No. 2 to the 1976 Master Water Service Contract providing for the delivery of up to an additional 5,450.5 acre-feet of project water for the irrigation of 1,816.8 acres located within the Odessa Subarea under this contract. Contract executed March 6, 2014.

Mid-Pacific Region: Bureau of Reclamation, 2800 Cottage Way, Sacramento, California 95825–1898, telephone 916–978–5250.

The Mid-Pacific Region has no updates to report for this quarter.

Lower Colorado Region: Bureau of Reclamation, P.O. Box 61470 (Nevada Highway and Park Street), Boulder City, Nevada 89006–1470, telephone 702–293–8192.

Completed contract actions:

10. City of Needles, LCWSP, California: Develop an agreement between Reclamation and the City of Needles for the funding of the design approval and construction of Stage II of the Project. Contract executed December 31, 2013.

11. San Carlos Apache Tribe and the Town of Gilbert, CAP, Arizona: Execute Amendment No. 3 to a CAP water lease

to extend the term of the lease in order for the San Carlos Apache Tribe to lease 20,000 acre-feet of its CAP water to the Town of Gilbert during calendar year 2014. Contract executed December 26, 2013.

12. Fort McDowell Yavapai Nation and the Town of Gilbert, CAP, Arizona: Execute Amendment No. 3 to a CAP water lease to extend the term of the lease from January 1, 2014 to December 31, 2014, and increase the quantity leased from 13,683 acre-feet to 13,933 acre-feet. The lease is for Fort McDowell Yavapai Nation's CAP water to be leased to the Town of Gilbert. Contract executed December 23, 2013.

16. San Carlos Apache Tribe and Pascua Yaqui Tribe, CAP, Arizona: Execute a CAP water lease among the United States, the San Carlos Apache Tribe, and the Pascua Yaqui Tribe in order for the San Carlos Apache Tribe to lease 2,000 acre-feet of its CAP water to the Pascua Yaqui Tribe during calendar year 2014 under the terms and conditions of the lease. Contract executed December 26, 2014.

New contract actions:

22. Maurice L. McAlister, BCP, Arizona: Approve an assignment of the contract for 40 acre-feet of Colorado River water per year from Mr. McAlister to McAlister Family Trust.

23. Town of Quartzsite, BCP, Arizona: Amend the contract with the Town of Quartzsite to extend the term for another 15 years ending on January 28, 2029.

Upper Colorado Region: Bureau of Reclamation, 125 South State Street, Room 6107, Salt Lake City, Utah 84138–1102, telephone 801–524–3864.

Discontinued action:

9. Aaron Million, Million Conservation Resource Group, Flaming Gorge Storage Unit, CRSP: Mr. Million has requested a standby contract to secure the first right to contract for up to 165,000 acre-feet annually of M&I water service from Flaming Gorge Reservoir for a proposed privately financed and constructed transbasin diversion project. As there has been no activity on this action for several years, it is being considered as inactive at this time.

Great Plains Region: Bureau of Reclamation, P.O. Box 36900, Federal Building, 316 North 26th Street, Billings, Montana 59101, telephone 406–247–7752.

New contract actions:

43. Tom Green County Water Control and Improvement District No. 1, San Angelo Project, Texas: Consideration of a potential contract(s) for use of excess capacity by individual landowner(s) for irrigation purposes.

44. Dickinson-Heart River Mutual Aid Corporation; Dickinson Unit, P–SMBP; North Dakota: Consideration of an amended long-term irrigation water service contract.

45. Town of Dillon; C–BT, Colorado: Consideration of a new long-term water service contract for municipal/domestic use out of Green Mountain Reservoir.

46. Town of Silverthorne, C–BT, Colorado: Consideration of a new long-term water service contract for Green Mountain Reservoir.

47. Summit County, C–BT, Colorado: Consideration of an amendment to Contract No. 139E6C0121 to change the source of water associated with the Alternative Source Contract, Green Mountain Reservoir.

48. Soldier Canyon Filter Plant/Tri-Districts, C–BT, Colorado: Consideration of a long-term excess capacity contract.

49. Frenchman-Cambridge Division, P–SMP; Nebraska: Consideration of a Warren Act contract(s) with an individual landowner.

50. Frenchman Valley, H&RW, and Kansas Bostwick IDs; Frenchman-Cambridge and Bostwick Divisions, P–SMBP; Nebraska: Consideration of a temporary assignment of water from Frenchman Valley ID and H&RW ID to Kansas-Bostwick ID.

51. Nebraska-Bostwick and Frenchman-Cambridge ID; Bostwick and Frenchman-Cambridge Divisions; P–SMBP: Consideration of a temporary assignment of water from Nebraska-Bostwick ID to Frenchman-Cambridge ID.

52. Hillcrest Colony; Canyon Ferry Unit, P–SMBP; Montana: Consideration of a 10-year water service contract.

53. John Vandenacre; Canyon Ferry Unit, P–SMBP; Montana: Renewal of a long-term water service contract.

54. Allan Davies; Canyon Ferry Unit, P–SMBP; Montana: Renewal of a long-term water service contract.

55. William Rau; Canyon Ferry Unit, P–SMBP; Montana: Renewal of a long-term water service contract.

56. Port of Entry Piegan, Montana; Milk River Project; Montana: Consideration of a new water service contract.

57. Western Heart River ID; Heart Butte Unit, P–SMBP; North Dakota: Consideration of amending the long-term irrigation repayment contract and project-use power contract to include additional acres.

Modified contract actions:

34. Bull Lake Dam; Riverton Unit, P–SMBP; Wyoming: Consideration of a contract with Midvale ID for repayment of SOD costs.

42. Republican River Basin, P–SMBP, Kansas/Nebraska: Consideration of a short-term Warren Act contract(s) with Kansas Bostwick ID No. 2.

Discontinued contract actions:

9. Exxon Mobil Corporation, Ruedi Reservoir, Fryingpan-Arkansas Project, Colorado: Consideration of Exxon Mobil Corporation's request to amend its Ruedi Round I contract to include additional uses for the water.

13. State of Colorado, Department of Corrections, Fryingpan-Arkansas Project, Colorado: Consideration of a request for a long-term excess capacity storage contract in Pueblo Reservoir.

Completed contract action:

29. Western Heart ID, Lower Heart Irrigation Company, and Individual Irrigators; Heart Butte Unit, P–SMBP; North Dakota: Consideration of a new or amended long-term irrigation water service or repayment contract and new or amended project-use power contract. Contract executed February 24, 2014.

Dated: March 21, 2014.

Roseann Gonzales,

Director, Policy and Administration.

[FR Doc. 2014–09351 Filed 4–23–14; 8:45 am]

BILLING CODE 4310–MN–P

INTERNATIONAL TRADE COMMISSION

Notice of Receipt of Complaint; Solicitation of Comments Relating to the Public Interest

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has received a complaint entitled *Certain Set-Top Boxes, Gateways, Bridges, and Adapters and Components Thereof, DN 3008;* the Commission is soliciting comments on any public interest issues raised by the complaint or complainant's filing under section 210.8(b) of the Commission's Rules of Practice and Procedure (19 CFR 210.8(b)).

FOR FURTHER INFORMATION CONTACT: Lisa R. Barton, Acting Secretary to the Commission, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205–2000. The public version of the complaint can be accessed on the Commission's Electronic Document Information System (EDIS) at EDIS,[1] and will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E

[1] Electronic Document Information System (EDIS): *http://edis.usitc.gov.*

Street SW., Washington, DC 20436, telephone (202) 205–2000.

General information concerning the Commission may also be obtained by accessing its Internet server at United States International Trade Commission (USITC) at USITC.[2] The public record for this investigation may be viewed on the Commission's Electronic Document Information System (EDIS) at EDIS.[3] Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810.

SUPPLEMENTARY INFORMATION: The Commission has received a complaint and a submission pursuant to section 210.8(b) of the Commission's Rules of Practice and Procedure filed on behalf of ViXS Systems, Inc. and ViXS USA, Inc. on April 17, 2014. The complaint alleges violations of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain set-top boxes, gateways, bridges, and adapters and components thereof. The complaint name as respondents Entropic Communications, Inc. of San Diego, CA; DirecTV, LLC of El Segundo, CA; Wistron Corporation, of Taiwan; Wistron NeWeb Corporation, of Taiwan and Cybertan of Taiwan. The complainant requests that the Commission issue a permanent limited exclusion order and a permanent cease and desist orders.

Proposed respondents, other interested parties, and members of the public are invited to file comments, not to exceed five (5) pages in length, inclusive of attachments, on any public interest issues raised by the complaint or section 210.8(b) filing. Comments should address whether issuance of the relief specifically requested by the complainant in this investigation would affect the public health and welfare in the United States, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, or United States consumers.

In particular, the Commission is interested in comments that:

(i) Explain how the articles potentially subject to the requested remedial orders are used in the United States;

(ii) identify any public health, safety, or welfare concerns in the United States relating to the requested remedial orders;

(iii) identify like or directly competitive articles that complainant, its licensees, or third parties make in the United States which could replace the subject articles if they were to be excluded;

(iv) indicate whether complainant, complainant's licensees, and/or third party suppliers have the capacity to replace the volume of articles potentially subject to the requested exclusion order and/or a cease and desist order within a commercially reasonable time; and

(v) explain how the requested remedial orders would impact United States consumers.

Written submissions must be filed no later than by close of business, eight calendar days after the date of publication of this notice in the **Federal Register**. There will be further opportunities for comment on the public interest after the issuance of any final initial determination in this investigation.

Persons filing written submissions must file the original document electronically on or before the deadlines stated above and submit 8 true paper copies to the Office of the Secretary by noon the next day pursuant to section 210.4(f) of the Commission's Rules of Practice and Procedure (19 CFR 210.4(f)). Submissions should refer to the docket number (''Docket No. 3008'') in a prominent place on the cover page and/or the first page. (*See* Handbook for Electronic Filing Procedures, *Electronic Filing Procedures*[4]). Persons with questions regarding filing should contact the Secretary (202–205–2000).

Any person desiring to submit a document to the Commission in confidence must request confidential treatment. All such requests should be directed to the Secretary to the Commission and must include a full statement of the reasons why the Commission should grant such treatment. *See* 19 CFR 201.6. Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. All nonconfidential written submissions will be available for public inspection at the Office of the Secretary and on *EDIS*.[5]

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and of sections 201.10 and 210.8(c) of the Commission's Rules of Practice and Procedure (19 CFR 201.10, 210.8(c)).

Issued: April 18, 2014.

By order of the Commission.

Lisa R. Barton,

Acting Secretary to the Commission.

[FR Doc. 2014–09291 Filed 4–23–14; 8:45 am]

BILLING CODE 7020–02–P

[2] United States International Trade Commission (USITC): *http://edis.usitc.gov.*

[3] Electronic Document Information System (EDIS): *http://edis.usitc.gov.*

[4] Handbook for Electronic Filing Procedures: *http://www.usitc.gov/secretary/fed_reg_notices/rules/handbook_on_electronic_filing.pdf.*

[5] Electronic Document Information System (EDIS): *http://edis.usitc.gov.*

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–901]

Certain Handheld Magnifiers and Products Containing Same Terminating An Investigation on the Basis of a Consent Order; Issuance of Consent Order

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review the presiding administrative law judge's (''ALJ'') initial determination (''ID'') (Order No. 4) granting the respondents' unopposed motion to terminate the above-captioned investigation in its entirety on the basis of a consent order stipulation and proposed consent order. The Commission has issued the subject consent order, and has terminated the investigation.

FOR FURTHER INFORMATION CONTACT: Sidney A. Rosenzweig, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 708–2532. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205–2000. General information concerning the Commission may also be obtained by accessing its Internet server at *http://www.usitc.gov.* The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at *http://edis.usitc.gov.* Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on November 15, 2013, based on a

complaint filed by Freedom Scientific, Inc. of St. Petersburg, Florida (''Freedom''). 78 FR 68862 (Nov. 15, 2013). The complaint alleged violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain handheld magnifiers and products containing same by reason of infringement of certain claims of U.S. Design Patent No. D624,107 and U.S. Patent No. 8,264,598. The Commission's notice of investigation named as respondents Aumed Group Corp. of Beijing, China, and Aumed Inc. of San Carlos, California (collectively, ''Aumed'').

On December 18, 2013, Aumed moved to terminate the investigation based upon a consent order stipulation and proposed consent order. *See* 19 CFR 210.21(c). Freedom did not oppose the motion. On December 27, 2013, the Commission investigative attorney filed a response in support of the motion. On February 12, 2014, Aumed filed a substitute consent order stipulation executed by Aumed, as opposed to Aumed counsel.

On March 20, 2014, the ALJ granted the motion as an ID. Order No. 4 at 3. The ALJ found that the substitute consent order stipulation conforms with Commission Rule 210.21(c)(3), 19 CFR 210.21(c)(3), and that the proposed consent order is consistent with Commission Rule 210.21(c)(4), 19 CFR 210.21(c)(4). Order No. 4 at 2. Further, the ALJ found that the public interest favored granting Aumed's motion. *Id.* at 2–3; *see* 19 CFR 210.50(b)(2).

No petitions for review were filed. The Commission has determined not to review the ID. The Commission has issued the subject consent order, and has terminated the investigation.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in the Commission's Rules of Practice and Procedure (19 CFR Part 210).

Issued: April 18, 2014.

By order of the Commission.

Lisa R. Barton,

Acting Secretary to the Commission.

[FR Doc. 2014–09297 Filed 4–23–14; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–Ta–641 (Remand)]

Certain Variable Speed Wind Turbines and Components Thereof Commission Determination To Grant a Joint Motion To Terminate the Investigation on the Basis of a Settlement Agreement

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to grant a joint motion to terminate the investigation on the basis of a settlement agreement.

FOR FURTHER INFORMATION CONTACT: James A. Worth, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205–3065. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205–2000. General information concerning the Commission may also be obtained by accessing its Internet server (*http://www.usitc.gov*). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at *http://edis.usitc.gov*. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810.

SUPPLEMENTARY INFORMATION: The Commission instituted the original investigation on March 31, 2008, based upon a complaint filed on behalf of General Electric of Fairfield, Connecticut (''GE'') on February 7, 2008. 73 FR 16910. The complaint alleged violations of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain variable speed wind turbines and components thereof that infringe claims 121–125 of U.S. Patent No. 5,083,039 (''the '039 patent'') and claims 1–12, 15–18, and 21–28 of U.S. Patent No. 6,921,985 (''the '985 patent''). The complaint named as respondents Mitsubishi Heavy Industries, Ltd. of Tokyo, Japan and Mitsubishi Power Systems, Inc. of Lake Mary, Florida (collectively, ''Mitsubishi''), and a third entity which was subsequently found not to import. On October 8, 2008, the Commission issued notice of its determination not to review an initial determination (''ID'') (Order No. 10) granting GE's motion to amend its complaint and the notice of investigation to add claims 1–19 of United States Patent No. 7,321,221 (''the '221 patent'') to the investigation.

On August 7, 2009, the ALJ issued his final ID finding a violation of section 337. The ALJ found a violation of section 337 with respect to the '039 patent and the '985 patent but not the '221 patent.

On January 8, 2010, the Commission issued notice of its final determination of no violation of section 337 as to all of these patents. With respect to the '985 patent, the Commission found that GE failed to satisfy the technical prong of the domestic industry requirement.

GE filed an appeal with the U.S. Court of Appeals for the Federal Circuit. On motion by the Commission, the Court dismissed the appeal as to the '039 patent and thereby vacated as moot the Commission determination as to that patent. Subsequently, the Court affirmed the Commission's determination as to the '221 patent, and reversed the Commission's determination that GE had not satisfied the domestic industry requirement as to the '985 patent. The opinion originally issued by the Court contained a further Part III, which commented on the Commission's authority to take no position on an issue pursuant to *Beloit Corp.* v. *Valmet Oy,* 742 F.2d 1421 (Fed. Cir. 1984). Subsequently, the panel granted a petition for rehearing, withdrawing Part III of its Opinion. *General Electric Co.* v. *Int'l Trade Comm'n,* Order, 692 F.3d 1218 (Fed. Cir. 2012).

The Federal Circuit issued its mandate on August 27, 2012. Subsequently, the Commission received numerous unsolicited submissions from the parties concerning the merits of the remand. The Commission also received a motion for sanctions by Mitsubishi against GE, a response thereto by GE, and motions for leave to file a reply and surreply.

On January 2, 2014, GE and Mitsubishi filed a joint motion to terminate the investigation on the basis of a settlement agreement pursuant to Commission rule 210.21(b), 19 CFR 210.21(b). The parties stated that termination is in the interest of the public and administrative economy. On January 27, 2014, the Office of Unfair Import Investigations (''OUII'') filed a response in opposition, stating that the public version of the settlement agreement was overly redacted. On

February 7, 2014, the parties re-submitted the public version of the settlement agreement. On the same day, OUII wrote a letter to the Secretary to the Commission, withdrawing its opposition.

After considering the joint motion, and the settlement agreement, the Commission agrees that the joint motion to terminate is in the interest of the public, and complies with the requirements of Commission rule 210.21(b). The Commission has therefore determined to grant the motion to terminate the investigation on the basis of a settlement agreement and to dismiss the motion for sanctions. The Commission has further determined to dismiss as moot the private parties' motions for leave to file a reply and to file a surreply and to not accept for filing any submissions not previously accepted given that the case has been mooted by settlement. The investigation is hereby terminated.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in Part 210 of the Commission's Rules of Practice and Procedure (19 CFR Part 210).

Issued: April 18, 2014.

By order of the Commission.

Lisa R. Barton,

Acting Secretary to the Commission.

[FR Doc. 2014–09298 Filed 4–23–14; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–853]

Certain Marine Sonar Imaging Devices, Products Containing the Same, and Components Thereof; Notice of Commission Determination not To Review an Initial Determination Terminating the Investigation Based on a Settlement Agreement; Termination of Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination (''ID'') (Order No. 12) issued by the presiding administrative law judge (''ALJ'') on March 24, 2014, granting the parties' motion to terminate the investigation based on a settlement agreement.

FOR FURTHER INFORMATION CONTACT: Robert Needham, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 708–5468. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205–2000. General information concerning the Commission may also be obtained by accessing its Internet server (*http://www.usitc.gov*). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at *http://edis.usitc.gov.* Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on November 13, 2013, based on a complaint filed by Navico, Inc. and Navico Holding AS (''Navico''). 78 FR 68091–92. The complaint alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 (''section 337''), in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain marine sonar imaging devices, products containing the same, and components thereof, by reason of infringement of certain claims of U.S. Patent Nos. 8,300,499 and 8,305,840. The Commission's notice of investigation named as respondents Raymarine, Inc. of Nashua, New Hampshire; Raymarine UK Ltd. of Fareham, United Kingdom; and In-Tech Electronics Ltd. of Hong Kong. The notice of investigation was later amended to add as respondents Raymarine Belgium BVBA, In-Tech Electronics (Shenzhen) Ltd., and In-Tech Science & Technology R&D Ltd.

On March 19, 2014, all parties filed a joint motion to terminate the investigation based on a settlement agreement. The parties attached a settlement agreement, and indicated that there are no other agreements, written or oral, express or implied, between Navico and any of the respondents concerning the subject matter of this investigation. The parties also stated that the termination of the investigation would not harm the public interest, and that it is in the interest of public and administrative economy to grant the motion.

On March 24, 2014, the ALJ granted the parties' motion, and issued the subject ID, terminating the investigation based on a settlement agreement. The ALJ found that termination was in the public interest, and that the motion complied with applicable Commission rules. *See, e.g.,* 19 CFR 210.21(a)(2) and (b)(1), 210.50(b)(2). No petitions for review were filed.

The Commission has determined not to review the subject ID.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in Part 210 of the Commission's Rules of Practice and Procedure (19 CFR Part 210).

Dated: April 21, 2014.

By order of the Commission.

William R. Bishop,

Supervisory Hearings and Information Officer.

[FR Doc. 2014–09313 Filed 4–23–14; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[USITC SE–14–012]

Government in The Sunshine Act Meeting Notice

AGENCY HOLDING THE MEETING: United States International Trade Commission.

TIME AND DATE: May 2, 2014 at 11:00 a.m.

PLACE: Room 101, 500 E Street SW., Washington, DC 20436, Telephone: (202) 205–2000.

STATUS: Open to the public.

MATTERS TO BE CONSIDERED:

1. Agendas for future meetings: None.
2. Minutes.
3. Ratification List.
4. Vote in Inv. No. 731–TA–1206 (Final) (Diffusion-Annealed, Nickel-Plated Flat-Rolled Steel Products from Japan). The Commission is currently scheduled to complete and file its determinations and views of the Commission on May 16, 2014.
5. Outstanding action jackets: None.

In accordance with Commission policy, subject matter listed above, not disposed of at the scheduled meeting, may be carried over to the agenda of the following meeting.

By order of the Commission.

Issued: April 21, 2014.

William R. Bishop,

Supervisory Hearings and Information Officer.

[FR Doc. 2014–09399 Filed 4–22–14; 11:15 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act

On April 15, 2014, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the Western District of Virginia, Roanoke Division, in the lawsuit entitled *United States* v. *Dixon Construction Company, Inc.,* 7:14–cv–00105.

The Consent Decree resolves the claims of the United States set forth in the complaint against Dixon Construction Company for costs incurred and to be incurred in connection with the Pipers Gap Acid Trailers Site, located near Lambsburg, Carroll County, Virginia (the ''Site''), pursuant to Section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act (''CERCLA''), 42 U.S.C. § 9607. Under the Consent Decree, the settling defendant agrees to reimburse $150,000 in past costs to the United States Environmental Protection Agency, based upon its limited ability to pay.

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* v. *Dixon Construction Company, Inc.,* D.J. Ref. No. 90–11–3–10713. 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.

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 $5.50 (25 cents per page reproduction cost) payable to the United States Treasury. For a paper copy without the appendices and signature pages, the cost is $3.75.

Robert Brook,

Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 2014–09287 Filed 4–23–14; 8:45 am]

BILLING CODE 4410–15–P

DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Consent Decree Under the Toxic Substances Control Act

On April 18, 2014, the Department of Justice lodged a proposed consent decree with the United States District Court for the Southern District of Illinois in the lawsuit entitled *United States* v. *Lowe's Home Centers, LLC,* Civil Action No. 3:14–cv–00449.

The United States' lawsuit against Lowe's Home Centers, LLC (''Lowe's'') alleges violations of sections 402(c), 406(b), and 407 of Title IV of the Toxic Substances Control Act (''TSCA''), 15 U.S.C. 2682(c), 2686(b), and 2687, and the regulations promulgated thereunder related to lead based paint, at identified home improvement renovations in the Southern District of Illinois and elsewhere. The proposed consent decree requires Lowe's to implement procedures that will help ensure compliance with TSCA's requirements and pay a civil penalty of $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* v. *Lowe's Home Centers, LLC,* D.J. Ref. No. 90–5–1–1–10673. 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 in the following manner:

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 $10.25 (25 cents per page reproduction cost) payable to the United States Treasury.

Karen Dworkin,

Assistant Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 2014–09299 Filed 4–23–14; 8:45 am]

BILLING CODE 4410–15–P

POSTAL REGULATORY COMMISSION

[Docket Nos. MC2014–24 and CP2014–47; Order No. 2059]

New Postal Product

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is noticing a recent Postal Service filing requesting the addition of Priority Mail Contract 81 negotiated service agreement 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:* April 28, 2014.

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: David A. Trissell, General Counsel, at 202–789–6820.

SUPPLEMENTARY INFORMATION:

Table of Contents

I. Introduction
II. Notice of Commission Action
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 formal request and associated supporting information to

add Priority Mail Contract 81 to the competitive product list.[1]

The Postal Service contemporaneously filed a redacted contract related to the proposed new product under 39 U.S.C. 3632(b)(3) and 39 CFR 3015.5. *Id.* Attachment B.

To support its Request, the Postal Service filed a copy of the contract, a copy of the Governors' Decision authorizing the product, proposed changes to the Mail Classification Schedule, a Statement of Supporting Justification, a certification of compliance with 39 U.S.C. 3633(a), and an application for non-public treatment of certain materials. It also filed supporting financial workpapers.

II. Notice of Commission Action

The Commission establishes Docket Nos. MC2014–24 and CP2014–47 to consider the Request pertaining to the proposed Priority Mail Contract 81 product and the related contract, respectively.

The Commission invites 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 part 3015, and 39 CFR part 3020, subpart B. Comments are due no later than April 28, 2014. The public portions of these filings can be accessed via the Commission's Web site (*http://www.prc.gov*).

The Commission appoints Lyudmila Y. Bzhilyanskaya to serve as Public Representative in these dockets.

III. Ordering Paragraphs

It is ordered:

1. The Commission establishes Docket Nos. MC2014–24 and CP2014–47 to consider the matters raised in each docket.

2. Pursuant to 39 U.S.C. 505, Lyudmila Y. Bzhilyanskaya is appointed to serve as an officer of the Commission to represent the interests of the general public in these proceedings (Public Representative).

3. Comments are due no later than April 28, 2014.

4. The Secretary shall arrange for publication of this order in the **Federal Register**.

By the Commission.

Shoshana M. Grove,

Secretary.

[FR Doc. 2014–09345 Filed 4–23–14; 8:45 am]

BILLING CODE 7710–FW–P

[1] Request of the United States Postal Service to Add Priority Mail Contract 81 to Competitive Product List and Notice of Filing (Under Seal) of Unredacted Governors' Decision, Contract, and Supporting Data, April 18, 2014 (Request).

POSTAL SERVICE

Board of Governors; Sunshine Act Meeting

DATES AND TIMES: Thursday, May 8, 2014, at 12:45 p.m.; and Friday, May 9, at 8:30 a.m. and 10:30 a.m.

PLACE: Washington, DC, at U.S. Postal Service Headquarters, 475 L'Enfant Plaza SW., in the Benjamin Franklin Room.

STATUS: Thursday, May 8, at 12:45 p.m.—Closed; Friday, May 9, at 8:30 a.m.—Open; and at 10:30 a.m.—Closed

MATTERS TO BE CONSIDERED:

Thursday, May 8, at 12:45 p.m. (Closed)

1. Strategic Issues.
2. Financial Matters.
3. Pricing.
4. Personnel Matters and Compensation Issues.
5. Governors' Executive Session—Discussion of prior agenda items and Board Governance.

Friday, May 9, at 8:30 a.m. (Open)

1. Remarks of the Chairman of the Board.
2. Remarks of the Postmaster General and CEO.
3. Approval of Minutes of Previous Meetings.
4. Committee Reports.
5. Quarterly Report on Financial Performance.
6. Quarterly Service Performance Report.
7. Tentative Agenda for the June 18, 2014, meeting in Washington, DC.

Friday, May 9, at 10:30 a.m. (Closed—if needed)

1. Continuation of Thursday's closed session agenda.

CONTACT PERSON FOR MORE INFORMATION: Julie S. Moore, Secretary of the Board, U.S. Postal Service, 475 L'Enfant Plaza SW., Washington, DC 20260–1000. Telephone: (202) 268–4800.

Julie S. Moore,

Secretary.

[FR Doc. 2014–09374 Filed 4–22–14; 11:15 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail Express Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Effective date:* April 24, 2014.

FOR FURTHER INFORMATION CONTACT: Elizabeth A. Reed, 202–268–3179.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on April 18, 2014, it filed with the Postal Regulatory Commission a *Request of the United States Postal Service to Add Priority Mail Express Contract 18 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2014–25, CP2014–48.

Stanley F. Mires,

Attorney, Legal Policy & Legislative Advice.

[FR Doc. 2014–09292 Filed 4–23–14; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Effective date:* April 24, 2014.

FOR FURTHER INFORMATION CONTACT: Elizabeth A. Reed, 202–268–3179.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on April 18, 2014, it filed with the Postal Regulatory Commission a *Request of the United States Postal Service to Add Priority Mail Contract 81 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2014–24, CP2014–47.

Stanley F. Mires,

Attorney, Legal Policy & Legislative Advice.

[FR Doc. 2014–09294 Filed 4–23–14; 8:45 am]

BILLING CODE 7710–12–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–71971; File No. SR–CBOE–2014–037]

Self-Regulatory Organizations; Chicago Board Options Exchange, Incorporated; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Its Fees Schedule

April 18, 2014.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the ''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on April 10, 2014, Chicago Board Options Exchange, Incorporated (the ''Exchange'' or ''CBOE'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items I, II, and III 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 Substance of the Proposed Rule Change

The Exchange proposes to amend its Fees Schedule.

The text of the proposed rule change is available on the Exchange's Web site (*http://www.cboe.com/AboutCBOE/CBOELegalRegulatoryHome.aspx*), at the Exchange's Office of the Secretary, at the Commission's Public Reference Room, and on the Commission's Web site (*http://www.sec.gov*).

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.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend its Fees Schedule. On April 10, 2014, the Exchange begins trading options on the CBOE Short-Term Volatility Index (''VXST''). VXST is calculated in the same manner as the CBOE Volatility Index (''VIX''); the substantive differences between VXST and VIX are related to the fact that VXST is on a shorter timeframe (VXST's implied volatility period is nine days while VIX's is thirty, and VXST options expire weekly while VIX options expire monthly).[3] Due to the similarities between VXST and VIX, the Exchange proposes to apply the same fees structure to VXST as is currently applied to VIX. As such, the Exchange proposes to apply to VXST the same fees, fee programs, and fee exceptions that apply to VIX (with two exceptions). Wherever VIX is mentioned in the Fees Schedule, the Exchange proposes to add VXST (aside from the two exceptions). The two exceptions are that the Exchange assesses a monthly VIX Tier Appointment fee of $2,000 to any Market-Maker Trading Permit Holder that either (a) has a VIX Tier Appointment at any time during a calendar month and trades at least 100 VIX options contracts electronically while that appointment is active; or (b) trades at least 1,000 VIX options contracts in open outcry during a calendar month.[4] The Exchange also assesses a monthly Floor Broker VIX Surcharge of $2,000 per month to any Floor Broker Trading Permit Holder that executes more than 20,000 VIX contracts during the month.[5] The Exchange does not propose to assess these fees in regards to VXST. The Exchange has expended significant resources in developing VXST and believes that not assessing these fees in regards to VXST will encourage trading in VXST.

On a VIX settlement day, the Exchange waives the Hybrid 3.0 Execution Surcharge for orders in SPX options in the SPX electronic book that are executed during opening rotation on the final settlement date of VIX options and futures. This is because the only way to participate in the settlement process is electronically; there is no open outcry alternative. Therefore, the Exchange does not want to assess a surcharge for the only possible method of participation in the VIX settlement process. VXST, because it expires weekly instead of monthly, uses SPXW options to determine the 9-day VXST settlement value except for the one week a month for which there are not expiring SPXW options. That week is the standard third-Friday expiration, and for that week, VXST uses SPX options to determine the 9-day VXST settlement value.

Therefore, similar to the manner described above, in which the Hybrid 3.0 Execution Surcharge for orders in SPX options in the SPX electronic book that are executed during opening rotation on the final settlement date of VIX options and futures is waived on VIX settlement day, the Exchange proposes to waive the Hybrid 3.0 Execution Surcharge for orders in SPX options in the SPX electronic book that are executed during opening rotation on the final settlement date of VXST options and futures in which SPX options are being used to determine the final settlement value. This concept also applies, in relation to VXST, to the Customer Priority Surcharge for SPXW. The Exchange proposes to waive the SPXW Customer Priority Surcharge for orders in SPXW options in the SPXW electronic book that are executed during opening rotation on the final settlement date of VXST options and futures in which SPXW options are being used to determine the final settlement value. The Exchange does not want to assess a surcharge for the only possible method of participation in the VXST settlement process. The Exchange proposes to add these exceptions to those listed in footnotes 21 and 31 of the Fees Schedule.

The Exchange always strives for clarity in its rules and Fees Schedule, so that market participants may best understand how rules and fees apply. As such, the Exchange proposes to clarify its Fees Schedule. First, the Exchange proposes to move the listing of its Continuing Education and Qualification Examination Waiver Fee into the Web CRD^{SM} section, as these fees are actually fees that are collected and retained by FINRA via the Web CRD^{SM} registration system (like the other Web CRD^{SM} fees listed on the Fees Schedule). This is not a substantive fee change.

[3] For more information about VXST and the differences between VXST options and VIX options, *see* Securities Exchange Act Release No. 71764 (March 21, 2014), 79 FR 17212 (March 27, 2014) (SR–CBOE–2014–003).

[4] *See* the Exchange Fees Schedule's listing of the VIX Tier Appointment fee for more information.

[5] *See* the Exchange Fees Schedule's listing of the Floor Broker VIX Surcharge for more information.

Next, the Exchange proposes to delete the listing of the CBSX[6] Trading Permit fee from the CBOE Fees Schedule. For one thing, the Fees Schedule does not list a fee for this type of Trading Permit (the listing says ''No Access Fee''), so it is unnecessary to list the CBSX Trading Permit. Moreover, CBSX has its own Fees Schedule that lists access fees, and therefore any future fee that would be assessed for a CBSX Trading Permit could be listed on the CBSX Fees Schedule. Finally, CBSX intends to cease market operations on April 30, 2014,[7] which further reduces any rationale for listing the CBSX Trading Permit on the CBOE Fees Schedule. This is not a substantive fee change.

The Exchange also proposes to remove all fees associated with In-House Pagers from its Fees Schedule.[8] The Exchange no longer provides these services (In-House Pagers) and therefore no longer assesses the fees associated with such services. This is not a substantive fee change.

The Exchange also proposes, in footnote 6 of its Fees Schedule, to move the listing of XEO to after the listing of OEX in order to have VIX, VXST and VOLATILITY INDEXES together in order (due to their relation). This is not a substantive fee change.

The Exchange also proposes to make a non-substantive change to achieve continuity in its Fees Schedule. VIX is a VOLATILITY INDEX, and most references to VIX and VOLATILITY INDEXES in the Fees Schedule read ''VIX and VOLATILITY INDEXES''. However, in a few places, only ''VOLATILITY INDEXES'' are listed, and such listings implicitly include VIX (unless VIX is explicitly excepted out). As such, the Exchange proposes to amend the Fees Schedule to read ''VIX and VOLATILITY INDEXES'' in all places that VIX is currently only implicitly included in the listing of VOLATILITY INDEXES (and, following this proposed rule change, VXST will now also be listed explicitly in these places) in order to achieve continuity in the Fees Schedule and eliminate confusion. This way, in the few places where VIX (and now, VXST) is subject to different fees than the other VOLATILITY INDEXES, it will be more clear. This is not a substantive fee change.

Finally, the Exchange proposes to make a clarifying change to the Notes section regarding the Hybrid Agency Liaison (''HAL'') Step-Up Rebate. Currently, the Notes section states: ''The Exchange shall rebate to a market-maker against transaction fees generated from a transaction on the HAL system in a penny pilot class, provided that at least 70% of the market-maker's quotes in that class (excluding mini-options and quotes in LEAPS series) in the prior calendar month were on one side of the NBBO.'' The exclusion language in the parenthetical means that the Exchange does not rebate against fees for mini-options transactions on the HAL system in a penny pilot class, and does not include mini-options quotes or quotes in LEAPS series towards the 70% threshold (hence the blanket exclusion of mini-options and the specific exclusion of quotes in regards to LEAPS). That said, while the Exchange has never received any questions regarding the wording in this section or the applicability of the HAL Step-Up Rebate to mini-options or LEAPS, the Exchange recognizes that this language is somewhat confusing. As such, the Exchange proposes to amend this language to state: ''The Exchange shall rebate to a market-maker against transaction fees generated from a transaction on the HAL system in a penny pilot class (excluding mini-options transactions), provided that at least 70% of the market-maker's quotes in that class (excluding quotes in LEAPS series and mini-options) in the prior calendar month were on one side of the NBBO.'' This is not a substantive fee change.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Act and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[9] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[10] requirements that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitation transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. Additionally, the Exchange believes the proposed rule change is consistent with Section 6(b)(4) of the Act,[11] which requires that Exchange rules provide for the equitable allocation of reasonable dues, fees, and other charges among its Trading Permit Holders and other persons using its facilities.

The Exchange believes that it is reasonable, equitable and not unfairly discriminatory to apply the same fees and fees structure to VXST options as currently apply to VIX options because both are volatility indexes and they share significant similarities in underlying products and product structure. The Exchange believes that it is reasonable to not assess the VIX Tier Appointment fee and Floor Broker VIX Surcharge in regards to VXST because those market participants trading VXST will not be assessed such fees. The Exchange believes that this is equitable and not unfairly discriminatory because the Exchange has expended significant resources in developing VXST and believes that not assessing these fees in regards to VXST will encourage trading in VXST. The Exchange believes that the VXST-related changes to footnote 21 related to the Hybrid 3.0 Execution Surcharge and footnote 31 related to the SPXW Customer Priority Surcharge are reasonable because they will result in market participants at times not being required to pay these Surcharges for SPX and/or SPXW transactions in the circumstances described. The Exchange believes that this is equitable and not unfairly discriminatory because, first, the Exchange makes similar exceptions in relation to VIX. Further, the Exchange does not want to assess a surcharge for the only possible method of participation in the VXST settlement process. Also, the Exchange has expended significant resources in developing its proprietary products and desires to encourage the uses of such products.

The Exchange believes that the removal of the listing of the CBSX Trading Permit and In-House Pager fees from the CBOE Fees Schedule will prevent any potential confusion, as these are not fees that are currently assessed by the Exchange. Similarly, the Exchange believes that moving the listing of its Continuing Education and Qualification Examination Waiver Fee into the Web CRD^{SM} section will also prevent any potential confusion, as these fees are actually fees that are collected and retained by FINRA via the Web CRD^{SM} registration system (like the other Web CRD^{SM} fees listed on the Fees Schedule). The Exchange also believes that cleaning up the exclusion language

[6] ''CBSX'' stands for CBOE Stock Exchange.

[7] *See* CBOE/CBSX Regulatory Circular RG14–053 (April 7, 2014).

[8] Currently, the CBOE Fees Schedule lists fees for the Purchase, Purchase with Trade-in of Old System Pager, Annual Maintenance, and Abusive Damage Repair of pagers.

[9] 15 U.S.C. 78f(b).

[10] 15 U.S.C. 78f(b)(5).

[11] 15 U.S.C. 78f(b)(4).

in the HAL Step-Up Rebate will prevent any possible confusion. The Exchange also believes that moving the listing of XEO in footnote 6 and specifically listing out VIX separate from the other VOLATILITY INDEXES will prevent any possible confusion. Indeed, the Exchange believes that all of the non-substantive changes proposed herein will prevent possible confusion. The prevention of possible confusion serves to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest.

B. Self-Regulatory Organization's Statement on Burden on Competition

CBOE does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The Exchange does not believe that the proposed application of the VIX options fees structure to VXST options will impose any burden on intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act because market participants will be assessed the same fees for VXST options as are assessed to VIX options (with the two exceptions described above), and all qualifying market participants will be assessed the relevant fees equally. The Exchange does not believe that the proposed application of the VIX options fees structure to VXST options will impose any burden on intermarket competition that is not necessary or appropriate in furtherance of the purposes of the Act because VXST options will only be listed on CBOE, and the proposed fees only apply to trading on CBOE. The Exchange does not believe that the non-substantive changes proposed herein will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act because these are merely non-substantive clarifying changes intended to prevent confusion and are not intended for competitive purposes.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange neither solicited nor received comments on the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A) of the Act [12] and paragraph (f) of Rule 19b–4 [13] thereunder. At any time within 60 days of the filing of the 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 will institute proceedings 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 proposal 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–CBOE–2014–037 on the subject line.

Paper Comments

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

All submissions should refer to File Number SR–CBOE–2014–037. 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, 100 F Street NE., Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office 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–CBOE–2014–037 and should be submitted on or before May 15, 2014.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[14]

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2014–09293 Filed 4–23–14; 8:45 am]

BILLING CODE 8011–01–P

[12] 15 U.S.C. 78s(b)(3)(A).

[13] 17 CFR 240.19b–4(f).

[14] 17 CFR 200.30–3(a)(12).

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. AB 55 (Sub-No. 734X)]

CSX Transportation, Inc.—Abandonment Exemption—in Butler County, Ohio

CSX Transportation, Inc. (CSXT) has filed a verified notice of exemption under 49 CFR part 1152, subpart F–*Exempt Abandonments* to abandon approximately 2.96 miles of rail line on its Northern Region, Louisville Division, Indianapolis Subdivision, between milepost BDA 0.0 and the end of the track at approximately milepost BDA 2.96 in Hamilton, Butler County, OH. The line traverses United States Postal Service Zip Code 21740.

CSXT has certified that: (1) No local traffic has moved over the line for at least two years; (2) any overhead traffic on the line can be rerouted over other lines; (3) no formal complaint filed by a user of rail service on the line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Surface Transportation Board (Board) or with any U.S. District Court or has been decided in favor of complainant within the two-year period; and (4) the requirements at 49 CFR 1105.7(c) (environmental report), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under *Oregon Short Line Railroad—Abandonment Portion Goshen Branch*

Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on May 24, 2014, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,[1] formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),[2] and trail use/rail banking requests under 49 CFR 1152.29 must be filed by May 5, 2014. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by May 14, 2014, with the Surface Transportation Board, 395 E Street SW., Washington, DC 20423–0001.

A copy of any petition filed with the Board should be sent to CSXT's representative: Louis E. Gitomer, 600 Baltimore Avenue, Suite 301, Towson, MD 21204.

If the verified notice contains false or misleading information, the exemption is void *ab initio.*

CSXT has filed environmental and historic reports that address the effects, if any, of the abandonment on the environment and historic resources. OEA will issue an environmental assessment (EA) by April 29, 2014. Interested persons may obtain a copy of the EA by writing to OEA (Room 1100, Surface Transportation Board, Washington, DC 20423–0001) or by calling OEA at (202) 245–0305. Assistance for the hearing impaired is available through the Federal Information Relay Service at (800) 877–8339. Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Pursuant to the provisions of 49 CFR 1152.29(e)(2), CSXT shall file a notice of consummation with the Board to signify that it has exercised the authority granted and fully abandoned the line. If consummation has not been effected by CSXT's filing of a notice of consummation by April 24, 2015, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

Board decisions and notices are available on our Web site at *''WWW.STB.DOT.GOV.''*

Decided: April 22, 2014.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.

Raina S. White,

Clearance Clerk.

[FR Doc. 2014–09415 Filed 4–23–14; 8:45 am]

BILLING CODE 4915–01–P

[1] The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Office of Environmental Analysis (OEA) in its independent investigation) cannot be made before the exemption's effective date. *See Exemption of Out-of-Serv. Rail Lines,* 5 I.C.C. 2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

[2] Each OFA must be accompanied by the filing fee, which is currently set at $1,600. *See* 49 CFR 1002.2(f)(25).

DEPARTMENT OF THE TREASURY

Submission for OMB Review; Comment Request

April 21, 2014.

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 May 27, 2014 to be assured of consideration.

ADDRESSES: Send comments regarding the burden estimate, or any other aspect of the information collection, including suggestions 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 8141, Washington, DC 20220, or email at *PRA@treasury.gov.*

FOR FURTHER INFORMATION CONTACT: Copies of the submission(s) may be obtained by emailing *PRA@treasury.gov,* calling (202) 622–1295, or viewing the entire information collection request at *www.reginfo.gov.*

Internal Revenue Service (IRS)

OMB Number: 1545–0901.

Type of Review: Extension without change of a currently approved collection.

Title: Mortgage Interest Statement.

Form: Form 1098.

Abstract: Form 1098 is used to report mortgage interest (including points) of $600 or more received from an individual during the year in the course of a mortgagor's trade or business.

Affected Public: Businesses or other for-profit organizations.

Estimated Annual Burden Hours: 8,038,699.

OMB Number: 1545–1462.

Type of Review: Extension without change of a currently approved collection.

Title: PS–268–82 (TD 8696) Definitions Under Subchapter S of the Internal Revenue Code.

Abstract: Regulations section 1.1377–1(b)(5) provides that an S corporation making a terminating election under section 1377(a)(2) must attach a statement to its timely filed original or amended return required to be filed under section 6037(a) (that is, a Form 1120S).

Affected Public: The statement must provide information concerning the events that gave rise to the election and declarations of consent from the S corporation shareholders.

Estimated Annual Burden Hours: 1,000.

OMB Number: 1545–1750.

Type of Review: Extension without change of a currently approved collection.

Title: Form 8038–R, Request for Recovery of Overpayments Under Arbitrage Rebate Provisions.

Form: Form 8038–R.

Abstract: Form 8038–R is used by issuers of state and local bonds to request a refund of amounts paid with Form 8038–T, Arbitrage Rebate, Yield Reduction, and Penalty in Lieu of Arbitrage Rebate.

Affected Public: State, local, or tribal governments.

Estimated Annual Burden Hours: 2,458.

OMB Number: 1545–2078.

Type of Review: Extension without change of a currently approved collection.

Title: Form 8886–T—Disclosure by Tax-Exempt Entity Regarding Prohibited Tax Shelter Transaction.

Form: Form 8886–T.

Abstract: Certain tax-exempt entities are required to file Form 8886–T to disclose information with respect to each prohibited tax shelter transaction to which the entity is a party.

Affected Public: Businesses or other for-profit organizations; State, local, or tribal governments.

Estimated Annual Burden Hours: 70,395.

OMB Number: 1545–2188.

Type of Review: Revision of a currently approved collection.

Title: Form 8945—PTIN Supplemental Application For U.S. Citizens without a Social Security Number.

Form: Form 8945.

Abstract: Form 8945 is used by U.S. citizens who are members of certain recognized religious groups that want to prepare tax returns for compensation. All tax return preparers must obtain a preparer tax identification number (PTIN) to be eligible to prepare tax returns for compensation. Generally, the IRS requires an individual to provide a social security number (SSN) to get a PTIN. Because members of certain religious groups have a conscientious objection to obtaining an SSN, Form 8945 must be filed by these individuals to establish their identity, U.S. citizenship, and status as members of a recognized religious group.

Affected Public: Businesses or other for-profit organizations; Individuals or households.

Estimated Annual Burden Hours: 3,590.

OMB Number: 1545–2189.

Type of Review: Extension without change of a currently approved collection.

Title: Form 8946, PTIN Supplemental Application for Foreign Persons Without a Social Security Number.

Form: Form 8946.

Abstract: Form 8946 is used by foreign persons without a social security number that want to prepare tax returns for compensation. Foreign persons who are tax return preparers must obtain a preparer tax identification number (PTIN) to be eligible to prepare tax returns for compensation. Generally, the IRS requires an individual to provide a social security number (SSN) to get a PTIN. Because foreign persons generally cannot get an SSN, they must file Form 8946 to establish their identity and status as a foreign person.

Affected Public: Businesses or other for-profit organizations; Individuals or households.

Estimated Annual Burden Hours: 105,400.

Brenda Simms,

Treasury PRA Clearance Officer.

[FR Doc. 2014–09347 Filed 4–23–14; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Community Development Financial Institutions Fund

Funding Opportunity Title: Notice of Funding Availability (NOFA) inviting Applications for the FY 2014 Funding Round of the Bank Enterprise Award (BEA) Program.

Announcement Type: Announcement of funding opportunity.

Catalog of Federal Domestic Assistance (CFDA) Number: 21.021.

Dates: Applications for the FY 2014 funding round of the BEA Program must be received by June 2, 2014. Applications must meet all eligibility and other requirements and deadlines, as applicable, set forth in this NOFA. Applications received after June 2, 2014 will be rejected.

Executive Summary: This NOFA is issued in connection with the FY 2014 funding round of the BEA Program. The BEA Program is administered by the Community Development Financial Institutions (CDFI) Fund, Department of the Treasury. The BEA Program encourages Insured Depository Institutions to increase their levels of loans, investments, services, technical assistance within Distressed Communities, and financial assistance to CDFIs through equity investments, equity-like loans, grants, stock purchases, loans, deposits, and other forms of financial and technical assistance, during a specified period.

I. Funding Opportunity Description

A. Baseline Period and Assessment Period Dates

A BEA Program Award is based on an Applicant's increases in Qualified Activities from the Baseline Period to the Assessment Period. For the FY 2014 funding round, the Baseline Period is calendar year 2012 (January 1, 2012 through December 31, 2012), and the Assessment Period is calendar year 2013 (January 1, 2013 through December 31, 2013). If Qualified Activities in a specific category result in a decrease in activity from the Baseline Period to the Assessment Period, there is no need to report the activity.

B. Program Regulations

The regulations governing the BEA Program can be found at 12 CFR part 1806 (the Interim Rule). The Interim Rule provides guidance on evaluation criteria and other requirements of the BEA Program. The CDFI Fund encourages interested parties and Applicants to review the Interim Rule. Detailed BEA Program requirements are also found in the Application related to this NOFA. Each capitalized term in this NOFA is more fully defined either in the Interim Rule or the Application.

C. Qualified Activities

Qualified Activities are defined in the Interim Rule to include CDFI Related Activities, Distressed Community Financing Activities, and Service Activities (12 CFR 1806.103). CDFI Related Activities (12 CFR 1806.103(q)) include Equity Investments, Equity-Like Loans, and CDFI Support Activities. Distressed Community Financing Activities (12 CFR 1806.103(u)) include Affordable Housing Loans, Affordable Housing Development Loans and related Project Investments; Education Loans; Commercial Real Estate Loans and related Project Investments; Home Improvement Loans; and Small Business Loans and related Project Investments. Service Activities (12 CFR 1806.103(nn)) include Deposit Liabilities, Financial Services, Community Services, Targeted Financial Services, and Targeted Retail Savings/Investment Products.

When calculating BEA Program Award amounts, the CDFI Fund will only consider the amount of Qualified Activity that has been fully disbursed, or in the case of partially disbursed Qualified Activities, will only consider the amount that an Applicant reasonably expects to disburse for a Qualified Activity within 12 months from the end of the Assessment Period. Subject to the requirements outlined in Section VII. B.1. of this NOFA, in the case of Commercial Real Estate Loans and related Project Investments, the total principal amount of the transaction must be $10 million or less to be considered a Qualified Activity. Notwithstanding the foregoing, the CDFI Fund, in its sole discretion, may consider transactions with a total principal value of over $10 million, subject to review.

Activities funded with prior BEA Program Award dollars, or funded to satisfy requirements of a BEA Program Award Agreement from a prior Award shall not constitute a Qualified Activity for the purposes of calculating or receiving an Award.

D. Designation of Distressed Community

Each CDFI Partner that is the recipient of CDFI Support Activities from an Applicant must designate a Distressed Community. CDFI Partners that receive Equity Investments are not required to designate Distressed Communities.

Applicants applying for a BEA Program Award for carrying out Distressed Community Financing Activities or Service Activities must verify that addresses of both Baseline and Assessment Period activities are in Distressed Communities when completing their Application.

Please note that a Distressed Community as defined by the BEA Program is not necessarily the same as

an Investment Area as defined by the CDFI Program or a Low-Income Community as defined by the New Markets Tax Credit (NMTC) Program.

1. Definition of Distressed Community

A Distressed Community must meet certain minimum geographic area and distress requirements, which are defined in the Interim Rule at 12 CFR 1806.103(t) and more fully described in 12 CFR 1806.200. Applicants should use the CDFI Fund's Information Mapping System (CIMS3) to determine whether a Baseline Period activity or Assessment Period activity is located in a qualifying Distressed Community.

2. Designation of a Distressed Community by a CDFI Partner

A CDFI Partner (as appropriate) shall designate an area as a Distressed Community by:

(a) Selecting Geographic Units which individually meet the minimum area eligibility requirements; or

(b) selecting two or more Geographic Units which, in the aggregate, meet the minimum area eligibility requirements set forth in paragraph (1) of this section.

A CDFI Partner designates a Distressed Community by submitting a map of the Distressed Community as described in the BEA Program Application. CDFI Partners must use CIMS3 to designate Distressed Communities. CIMS3 is accessed through *myCDFIFund* and contains step-by-step instructions on how to create and save the aforementioned map of the Distressed Community. *myCDFIFund* is an electronic interface that is accessed through the CDFI Fund's Web site (*www.cdfifund.gov*). Instructions for registering with *myCDFIFund* are available on the CDFI Fund's Web site. If you have any questions or problems with registering, please contact the CDFI Fund IT HelpDesk by telephone at (202) 653–0300, or by email to *ITHelpDesk@cdfi.treas.gov.*

3. Designation of a Distressed Community by a BEA Applicant

A BEA Applicant shall designate an area as a Distressed Community by:

(a) Selecting the Geographic Unit where the BEA Qualified Activity occurred, which individually meets the minimum area eligibility requirements; or

(b) selecting the Geographic Unit where the BEA Qualified Activity occurred, plus one or more Geographic Units directly contiguous to where the BEA Qualified Activity occurred which, in the aggregate, meet the minimum area eligibility requirements set forth in paragraph (1) of this section.

II. Award Information

A. CDFI Applicants

No CDFI Applicant may receive a FY 2014 BEA Program Award if it has: (1) An application pending for assistance under the FY 2014 round of the Community Development Financial Institutions Program (CDFI Program); (2) Been awarded assistance from the CDFI Fund under the CDFI Program within the 12-month period prior to the date the CDFI Fund selects the Applicant to receive a FY 2014 BEA Program Award; or (3) Ever received assistance under the CDFI Program for the same activities for which it is seeking a FY 2014 BEA Program Award. Please note that Applicants may apply for both a CDFI Program Award and a BEA Program Award in FY 2014; however, receiving a FY 2014 CDFI Program award removes an Applicant from eligibility for a FY 2014 BEA Program Award.

B. Award Amounts

The CDFI Fund expects that it may award approximately $18 million in FY 2014 BEA Program Awards, in appropriated funds under this NOFA. The CDFI Fund reserves the right to award in excess of said funds under this NOFA, provided that the appropriated funds are available. The CDFI Fund reserves the right to impose a maximum Award amount; however under no circumstances will an Award be higher than $2 million for any Awardee. The CDFI Fund also reserves the right to impose a minimum Award amount due to availability of funds. Further, the CDFI Fund reserves the right to fund, in whole or in part, any, all, or none of the Applications submitted in response to this NOFA. The CDFI Fund reserves the right to reallocate funds from the amount that is anticipated to be available under this NOFA to other CDFI Fund programs, or reallocate remaining funds to a future BEA Program funding round, if the CDFI Fund determines that the number of Awards made under this NOFA is fewer than projected.

C. Types of Awards

BEA Program Awards are made in the form of grants.

D. Award Agreement

Each Awardee under this NOFA must sign an Award Agreement prior to disbursement by the CDFI Fund of the Award proceeds. The Award Agreement contains the terms and conditions of the Award. For further information, see Section VIII of this NOFA.

III. Eligibility

A. Eligible Applicants

Eligible Applicants for the BEA Program must be Insured Depository Institutions, as defined in Section 3 of the Federal Deposit Insurance Act 12 U.S.C. 1813(c)(2). An Applicant must be FDIC-insured as of December 31, 2013 for the FY 2014 funding round to be eligible for consideration for a BEA Program Award under this NOFA. The depository institution holding company of an Insured Depository Institution may not apply on behalf of an Insured Depository Institution. Applications received from depository institution holding companies will be disqualified. For the purposes of this NOFA, an eligible CDFI Applicant is an Insured Depository Institution that was certified as a CDFI as of the end of the applicable Assessment Period and maintains its status as a certified CDFI at the time BEA Program Awards are announced under this NOFA.

The CDFI Fund will conduct a debarment check and will not consider an Application submitted by an Applicant, if the Applicant is delinquent on any federal debt.

1. Prior Awardees

Applicants must be aware that success in a prior round of any of the CDFI Fund's programs is not indicative of success under this NOFA. For purposes of this section, the CDFI Fund will consider an Affiliate to be any entity that Controls (as such term is defined in paragraph (e) below) the Applicant, is Controlled by the Applicant or is under common Control with the Applicant (as determined by the CDFI Fund) and any entity otherwise identified as an affiliate by the Applicant in its Application under this NOFA. Prior BEA Program Awardees and prior Awardees of other CDFI Fund programs are eligible to apply under this NOFA, except as follows:

(a) *Pending resolution of noncompliance:* If an Applicant that is a prior Awardee or Allocatee under any CDFI Fund program: (i) Has submitted reports to the CDFI Fund that demonstrate noncompliance with a previous assistance agreement, award agreement, allocation agreement, bond loan agreement, or agreement to guarantee and (ii) the CDFI Fund has yet to make a final determination as to whether the entity is in default of its previous agreement, the CDFI Fund will consider the Applicant's Application under this NOFA pending full resolution, in the sole determination of the CDFI Fund, of the noncompliance.

(b) *Default status:* The CDFI Fund will not consider an Application submitted by an Applicant that is a prior CDFI Fund Awardee or Allocatee under any CDFI Fund program if, as of the applicable Application deadline of this NOFA, the CDFI Fund has made a final determination that such Applicant is in default of a previously executed assistance agreement, award agreement, allocation agreement, bond loan agreement, or agreement to guarantee. Such entities will be ineligible to apply for an Award pursuant to this NOFA so long as the Applicant's prior award or allocation remains in default status or such other time period as specified by the CDFI Fund in writing.

(c) *Undisbursed funds:* For the purposes of this section, the term ''undisbursed funds'' is defined as: (i) In the case of prior BEA Program Award(s), any balance of Award funds equal to or greater than five percent of the total prior BEA Program Award(s) that remains undisbursed more than three years after the end of the calendar year in which the CDFI Fund signed an Award Agreement with the Awardee, or (ii) in the case of prior CDFI Program or other CDFI Fund program award(s), any balance of award funds equal to or greater than five percent of the total prior award(s) that remains undisbursed more than two years after the end of the calendar year in which the CDFI Fund signed the applicable assistance agreement with the Awardee.

The term ''undisbursed funds'' does not include (i) tax credit allocation authority allocated through the New Markets Tax Credit Program; (ii) any award funds for which the CDFI Fund received a full and complete disbursement request from the awardee as of the Application deadline of this NOFA; or (iii) any award funds for an award that has been terminated, expired, rescinded, or deobligated by the CDFI Fund.

The CDFI Fund will not consider an Application submitted by an Applicant that is a prior CDFI Fund Awardee under any CDFI Fund program if the Applicant has a balance of undisbursed funds under said prior award(s), as of the Application deadline of this NOFA. Further, an entity is not eligible to apply for an Award pursuant to this NOFA if an Affiliate of the Applicant is a prior CDFI Fund awardee under any CDFI Fund program, and has a balance of undisbursed funds under said prior Award(s), as of the Application deadline of this NOFA. In the case where an Affiliate of the Applicant is a prior CDFI Fund awardee under any CDFI Fund program, and has a balance of undisbursed funds under said prior award(s), as of the Application deadline of this NOFA, the CDFI Fund will include the combined awards of the Applicant and such Affiliates when calculating the amount of undisbursed funds.

(d) *Control:* For purposes of this NOFA, the term ''Control'' means: (1) Ownership, control, or power to vote 25 percent or more of the outstanding shares of any class of voting securities as defined in 12 CFR 1805.104(mm) of any legal entity, directly or indirectly or acting through one or more other persons; (2) control in any manner over the election of a majority of the directors, trustees, or general partners (or individuals exercising similar functions) of any legal entity; or (3) the power to exercise, directly or indirectly, a controlling influence over the management, credit, or investment decisions, or policies of any legal entity.

(e) *Contact the CDFI Fund:* Accordingly, Applicants that are prior Awardees and/or Allocatees under any CDFI Fund program are advised to: (i) Comply with requirements specified in an assistance agreement, award agreement, allocation agreement, bond loan agreement, or agreement to guarantee and (ii) contact the CDFI Fund to ensure that all necessary actions are underway for the disbursement of any outstanding balance of a prior award(s). An Applicant that is unsure about the disbursement status of any prior award should contact the CDFI Fund by sending an email to *cdfihelp@cdfi.treas.gov.* All outstanding reports and compliance questions should be directed to the Certification, Compliance Monitoring, and Evaluation helpdesk by email at *ccme@cdfi.treas.gov* or by telephone at (202) 653–0421. The CDFI Fund will respond to Applicants' reporting, compliance, or disbursement questions between the hours of 9:00 a.m. and 5:00 p.m. ET, starting on the date of the publication of this NOFA through May 29, 2014. The CDFI Fund will not respond to Applicants' reporting, compliance, or disbursement telephone calls or email inquiries that are received after 5:00 p.m. ET on May 29, 2014 until after the Application deadline. The CDFI Fund will respond to technical issues related to myCDFIFund Accounts through 5:00 p.m. ET on June 4, 2014.

2. Cost Sharing and Matching Fund Requirements

Not applicable.

IV. Application and Submission Information

A. Application Content Requirements

Detailed Application content requirements are found in the Application related to this NOFA. Applicants must submit all materials described in and required by the Application by the applicable deadlines. Additional information, including instructions relating to the submission of the Application via Grants.gov, and the submission of the FY 2014 BEA Signature Page and supporting documentation via myCDFIFund, is set forth in further detail in the Application.

Please note that, pursuant to OMB guidance (68 FR 38402), each Applicant must provide, as part of its Application submission, a Dun and Bradstreet Data Universal Numbering System (DUNS) number and a current Employer Identification Number (EIN). Applicants should allow sufficient time for the IRS and/or Dun and Bradstreet to respond to inquiries and/or requests for identification numbers. EINs and DUNS numbers must match the information in the Applicant's System for Award Management (SAM) account and in myCDFIFund. An active SAM account is required to submit Applications via Grants.gov. Neither the SAM account, EIN, nor the DUNS number can be that of the depository institution holding company of the Applicant. An Application that does not include an EIN or DUNS number is incomplete and cannot be transmitted to the CDFI Fund. The preceding sentences do not limit the CDFI Fund's ability to contact an Applicant for the purpose of confirming or clarifying information regarding a DUNS number or EIN. Once an Application is submitted, the Applicant will not be allowed to change any element of the Application.

As set forth in further detail in the Application, any Qualified Activity missing the required documentation will be disqualified. Applicants will not be allowed to submit missing documentation for Qualified Activities after the Application deadline.

B. Form of Application Submission

Applicants must submit Applications under this NOFA via Grants.gov with certain required documentation via myCDFIFund according to the instructions in the Application. Applications sent by mail, facsimile or email will not be accepted. In order to submit an Application via Grants.gov, Applicants must complete a multi-step registration process. This includes registration at *www.sam.gov.* Applicants

are advised to make sure their SAM account is active and valid well in advance of submitting an Application via Grants.gov and to allow ample time to complete the entire registration and submission process prior to the application deadline of June 2, 2014.

myCDFIFund Accounts: All Applicants and CDFI Partners must complete a FY 2014 BEA Signature Page in myCDFIFund. All Applicants and CDFI Partners must register User and Organization accounts in myCDFIFund, the CDFI Fund's Internet-based interface, by the applicable Application deadline. Failure to register and complete a FY 2014 BEA Signature Page in myCDFIFund could result in the CDFI Fund being unable to accept the Application. As myCDFIFund is the CDFI Fund's primary means of communication with Applicants and awardees, institutions must make sure that they update their contact information in their myCDFIFund accounts. For more information on myCDFIFund, please see the ''Frequently Asked Questions'' link posted at *https://www.cdfifund.gov/myCDFI/Help/Help.asp.*

Qualified Activity documentation and other attachments as specified in the applicable BEA Program Application must be submitted electronically via the BEA Signature Page interface in myCDFIFund. Detailed instructions regarding submission of Qualified Activity documentation is provided in the Application instructions. Applications, attachments, and Qualified Activity documentation delivered by hard copy to the CDFI Fund's Washington, DC office will be rejected.

C. Application Deadlines

The deadline for receipt of Applications via Grants.gov for the FY 2014 funding round is 11:59 p.m. ET on June 2, 2014. The deadline for the submission of the FY 2014 BEA Signature Page via myCDFIFund for the FY 2014 funding round is 5:00 p.m. ET on June 4, 2014. The deadline for receipt of electronically submitted Qualified Activity documentation in myCDFIFund is 5:00 p.m. ET, June 4, 2014. Applications and other required documents and other attachments received after the deadline on the applicable date will be rejected. Please note that the document submission deadlines in this NOFA and the funding Application are strictly enforced. The CDFI Fund will not grant exceptions or waivers for late submissions.

D. Paperwork Reduction Act

Under the Paperwork Reduction Act (44 U.S.C. chapter 35), an agency may not conduct or sponsor a collection of information, and an individual is not required to respond to a collection of information, unless it displays a valid OMB control number. Pursuant to the Paperwork Reduction Act, the BEA Program funding Application has been assigned the following control number: 1559–0005.

V. Intergovernmental Review

Not Applicable.

VI. Funding Restrictions

Not Applicable.

VII. Application Review Information

A. CDFI Related Activities

CDFI Related Activities include Equity Investments, Equity-Like Loans, and CDFI Support Activities provided to eligible CDFI Partners. In addition to regulatory requirements, this NOFA provides the following:

1. Eligible CDFI Partner

CDFI Partner is defined as a CDFI that has been provided assistance in the form of CDFI Related Activities by an Applicant (12 CFR 1806.103(p)). For the purposes of this NOFA, an eligible CDFI Partner is an entity that has been certified as a CDFI as of the end of the applicable Assessment Period and is Integrally Involved in a Distressed Community.

2. Integrally Involved

Integrally Involved is defined as having provided: (i) At least 10 percent of financial transactions or dollars transacted (e.g., loans or equity investments as defined in 12 CFR 1805.104(t)), or 10 percent of Development Service activities (as defined in 12 CFR 1805.104(s)), in one or more Distressed Communities identified by the Applicant or the CDFI Partner, as applicable, in each of the three calendar years preceding the date of the applicable NOFA,(ii) having transacted at least 25 percent of financial transactions (e.g., loans or equity investments) in one or more Distressed Communities in at least one of the three calendar years preceding the date of the applicable NOFA, or (iii) demonstrated that it has attained at least 10 percent of market share for a particular product in one or more Distressed Communities (such as at least 10 percent of home mortgages originated in one or more Distressed Communities) in at least one of the three calendar years preceding the date of the applicable NOFA.

3. Limitations on Eligible Qualified Activities Provided to Certain CDFI Partners

A CDFI Applicant cannot receive credit for any financial assistance or Qualified Activities provided to a CDFI Partner that is also an FDIC-insured depository institution or depository institution holding company.

4. Certificates of Deposit

Section 1806.103(r) of the Interim Rule states that any certificate of deposit (CD) placed by an Applicant or its Subsidiary in a CDFI Partner that is a bank, thrift, or credit union must be: (i) Uninsured and committed for at least three years; or (ii) insured, committed for a term of at least three years, and provided at an interest rate that is materially below market rates, in the determination of the CDFI Fund.

(a) For purposes of this NOFA, ''materially below market interest rate'' is defined as an annual percentage rate that does not exceed 100 percent of yields on Treasury securities at constant maturity as interpolated by Treasury from the daily yield curve and available on the Treasury Web site at *www.treas.gov/offices/domestic-finance/debt-management/interest-rate/yield.shtml.* For example, for a three-year CD, Applicants should use the three-year rate U.S. Government securities, Treasury Yield Curve Rate posted for that business day. The Treasury updates the Web site daily at approximately 5:30 p.m. ET. CDs placed prior to that time may use the rate posted for the previous business day. The annual percentage rate on a CD should be compounded quarterly, semi-annually, or annually. If a variable interest rate is used, the CD must also have an interest rate that is materially below the market interest rate over the life of the CD, in the determination of the CDFI Fund. (b) For purposes of this NOFA, a deposit placed by an Applicant directly with a CDFI Partner that participates in a deposit network or service may be treated as eligible under this NOFA if it otherwise meets the criteria for deposits in 1806.103(r) and the CDFI Partner retains the full amount of the initial deposit or an amount equivalent to the full amount of the initial deposit through a deposit network exchange transaction.

5. Equity Investment

An Equity Investment means financial assistance in the form of a grant, a stock purchase, a purchase of a partnership interest, a purchase of a limited liability

company membership interest, or any other investment deemed to be an Equity Investment by the CDFI Fund provided by an Applicant or its Subsidiary to a CDFI Partner that meets the criteria set forth in the applicable NOFA.

6. Equity-Like Loan

An Equity-Like Loan is a loan provided by an Applicant or its Subsidiary to a CDFI Partner, and made on such terms that it has characteristics of an Equity Investment, as such characteristics may be specified by the CDFI Fund (12 CFR 1806.103(z)). For purposes of this NOFA, an Equity-Like Loan must meet the following characteristics:

(a) At the end of the initial term, the loan must have a definite rolling maturity date that is automatically extended on an annual basis if the CDFI borrower continues to be financially sound and carry out a community development mission;

(b) Periodic payments of interest and/or principal may only be made out of the CDFI borrower's available cash flow after satisfying all other obligations;

(c) Failure to pay principal or interest (except at maturity) will not automatically result in a default of the loan agreement; and

(d) The loan must be subordinated to all other debt except for other Equity-Like Loans. Notwithstanding the foregoing, the CDFI Fund reserves the right to determine, in its sole discretion and on a case-by-case basis, whether an instrument meets the above-stated characteristics of an Equity-Like Loan.

7. CDFI Support Activity

A CDFI Support Activity is defined as assistance provided by an Applicant or its Subsidiary to a CDFI Partner, in the form of a loan, technical assistance, or deposits.

8. CDFI Program Matching Funds

Equity Investments, Equity-Like Loans, and CDFI Support Activities (except technical assistance) provided by a BEA Applicant to a CDFI and used by the CDFI for matching funds under the CDFI Program are eligible as a Qualified Activity under the CDFI Related Activity category.

B. Distressed Community Financing Activities and Service Activities

Distressed Community Financing Activities include Affordable Housing Loans, Affordable Housing Development Loans and related Project Investments, Education Loans, Commercial Real Estate Loans and related Project Investments, Home Improvement Loans, and Small Business Loans and related Project Investments (12 CFR 1806.103(u)). In addition to the regulatory requirements, this NOFA provides the following additional requirements:

1. Commercial Real Estate Loans and Related Project Investments

For purposes of this NOFA, eligible Commercial Real Estate Loans (12 CFR 1806.103(l)) and related Project Investments (12 CFR 1806.103(ll)) are generally limited to transactions with a total principal value of $10 million or less. Notwithstanding the foregoing, the CDFI Fund, in its sole discretion, may consider transactions with a total principal value of over $10 million, subject to review. For such transactions, Applicants must provide a separate narrative, or other information, to demonstrate that the proposed project offers, or significantly enhances the quality of, a facility or service not currently provided to the Distressed Community.

2. Reporting Certain Financial Services

The CDFI Fund will value the administrative cost of providing certain Financial Services using the following per unit values:

(a) $100.00 per account for Targeted Financial Services;

(b) $50.00 per account for checking and savings accounts that do not meet the definition of Targeted Financial Services;

(c) $5.00 per check cashing transaction;

(d) $25,000 per new ATM installed at a location in a Distressed Community;

(e) $2,500 per ATM operated at a location in a Distressed Community;

(f) $250,000 per new retail bank branch office opened in a Distressed Community; and

(g) In the case of Applicants engaging in Financial Services activities not described above, the CDFI Fund will determine the unit value of such services.

(i) When reporting the opening of a new retail bank branch office, the Applicant must certify that it has not operated a retail branch in the same Distressed Community in which the new retail branch office is being opened in the past three years, and that such new branch will remain in operation for at least the next five years.

(ii) Financial Service Activities must be provided by the Applicant to Low- and Moderate-Income Residents. An Applicant may determine the number of Low- and Moderate-Income individuals who are recipients of Financial Services by either: (i) Collecting income data on its Financial Services customers, or (ii) certifying that the Applicant reasonably believes that such customers are Low- and Moderate-Income individuals and providing a brief analytical narrative with information describing how the Applicant made this determination. Citations must be provided for external sources. In addition, if external sources are referenced in the narrative, the Applicant must explain how it reached the conclusion that the cited references are directly related to the Low-and Moderate-Income residents to whom it is claiming to have provided the Financial Services.

(iii) When reporting changes in the dollar amount of deposit accounts, only calculate the net change in the total dollar amount of eligible Deposit Liabilities between the Baseline Period and the Assessment Period. Do not report each individual deposit. If the net change between the Baseline Period and Assessment Period is a negative dollar amount, then a negative dollar amount may be recorded for Deposit Liabilities only. Instructions for determining the net change is available in the Supplemental Guidance to the FY 2014 BEA Program Application.

C. Priority Factors

Priority Factors are the numeric values assigned to individual types of activity within: (i) The Distressed Community Financing, and (ii) Services categories of Qualified Activities. For the purposes of this NOFA, Priority Factors will be based on the Applicant's asset size as of the end of the Assessment Period (December 31, 2013) as reported by the Applicant in the Application. Asset size classes (i.e., small institutions, intermediate-small institutions, and large institutions) will correspond to the Community Reinvestment Act (CRA) asset size classes set by the three Federal bank regulatory agencies and that were effective as of the end of the Assessment Period. The Priority Factor works by multiplying the change in a Qualified Activity by the assigned Priority Factor to achieve a ''weighted value.'' This weighted value of the change would be multiplied by the applicable Award percentage to yield the Award amount for that particular activity. For purposes of this NOFA, the CDFI Fund is establishing Priority Factors based on Applicant asset size to be applied to all activity within the Distressed Community Financing Activities and Service Activities categories only, as follows:

CRA Asset size classification	Priority factor
Small institutions (assets of less than $300 million as of 12/31/2013)	5.0
Intermediate—small institutions (assets of at least $300 million but less than $1.202 billion as of 12/31/2013)	3.0
Large institutions (assets of $1.202 billion or greater as of 12/31/2013)	1.0

D. Certain Limitations on Qualified Activities:

1. Low-Income Housing Tax Credits

Financial assistance provided by an Applicant for which the Applicant receives benefits through Low-Income Housing Tax Credits, authorized pursuant to Section 42 of the Internal Revenue Code, as amended (26 U.S.C. 42), shall not constitute an Equity Investment, Project Investment, or other Qualified Activity, for the purposes of calculating or receiving a Bank Enterprise Award.

2. New Markets Tax Credits

Financial assistance provided by an Applicant for which the Applicant receives benefits as an investor in a Community Development Entity that has received an allocation of New Markets Tax Credits, authorized pursuant to Section 45D of the Internal Revenue Code, as amended (26 U.S.C. 45D), shall not constitute an Equity Investment, Project Investment, or other Qualified Activity, for the purposes of calculating or receiving a Bank Enterprise Award. Leverage loans used in New Markets Tax Credit structured transactions that meet the requirements outlined in the applicable NOFA are considered Distressed Community Financing Activities.

3. Loan Renewals and Refinances

Financial assistance provided by an Applicant shall not constitute a Qualified Activity, as defined in this part, for the purposes of calculating or receiving a Bank Enterprise Award if such financial assistance consists of a loan to a borrower that has matured and is then renewed by the Applicant, or consists of a loan to a borrower that is retired or restructured using the proceeds of a new commitment by the Applicant. Payoff of a separate third party obligation will only be considered a Qualified Activity if the payoff of a transaction is part of the sale of property or business to an unaffiliated party to the borrower. Applicants should include a narrative statement to describe any such transactions. Otherwise the transaction will be disqualified.

4. Prior BEA Program Awards

Qualified Activities funded with prior funding round BEA Program Award dollars or funded to satisfy requirements of the BEA Program Award Agreement shall not constitute a Qualified Activity for the purposes of calculating or receiving a BEA Program Award.

5. Prior CDFI Program Awards

No CDFI Applicant may receive a BEA Program Award for activities funded by a CDFI Program Award.

E. Award Percentages, Award Amounts, Selection Process

The Interim Rule describes the process for selecting Applicants to receive a BEA Program Award and determining Award amounts. Applicants will calculate and request an estimated Award amount in accordance with a multi-step procedure that is outlined in the Interim Rule (at 12 CFR 1806.202). As outlined in the Interim Rule at 12 CFR 1806.203, the CDFI Fund will determine actual Award amounts based on the availability of funds, increases in Qualified Activities from the Baseline Period to the Assessment Period, and each Applicant's priority ranking. In calculating the increase in Qualified Activities, the CDFI Fund will determine the eligibility of each transaction for which an Applicant has applied for a Bank Enterprise Award. In some cases, the actual Award amount calculated by the CDFI Fund may not be the same as the estimated Award amount requested by the Applicant.

The CDFI Fund may take into consideration the views of the appropriate Federal bank regulatory agency, as defined in Section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813(q)). The CDFI Fund will not approve a BEA Program Award to an Insured Depository Institution Applicant if at the time of application submission and during the application review process the appropriate Federal bank regulatory agency indicates a composite rating of ''5'' during its most recent examination, performed in accordance with the Uniform Financial Institutions Rating System . Furthermore, the CDFI Fund will not approve a BEA Program Award for the following reasons if at the time of application: (i) The Applicant and/or its Affiliates most recent overall CRA assessment rating is below ''Satisfactory'', (ii) the Applicant received a going concern opinion on its most recent audit, or (iii) the Applicant received a Prompt Corrective Action directive from its regulator. Applicants and Federal bank regulators may be contacted by the CDFI Fund to provide additional information related to Federal bank regulatory or CRA information. The CDFI Fund may choose not to approve a BEA Program Award to an Insured Depository Institution Applicant if this information indicates that the Applicant is unable to responsibly manage, re-invest, and/or report on a BEA Program Award during the performance period.

In the CDFI Related Activities category (except for an Equity Investment or Equity-Like Loan), for CDFI Applicants, such estimated Award amount will be equal to 18 percent of the increase in Qualified Activity for the category. If an Applicant is not a CDFI Applicant, such estimated Award amount will be equal to 6 percent of the increase in Qualified Activity for the category. Notwithstanding the foregoing, for a CDFI Applicant and for an Applicant that is not a CDFI Applicant, the Award percentage applicable to an Equity Investment, Equity-Like Loan, or Grant in a CDFI shall be 15 percent of the increase in Qualified Activity for the category. For the Distressed Community Financing Activities and Service Activities categories, for a CDFI Applicant, such estimated Award amount will be equal to 9 percent of the weighted value of the increase in Qualified Activity for the category. If an Applicant is not a CDFI Applicant, such estimated Award amount will be equal to 3 percent of the weighted value of the increase in Qualified Activity for the category.

If the amount of funds available during the funding round is insufficient for all estimated Award amounts, Awardees will be selected based on the process described in the Interim Rule at 12 CFR 1806.203(b). This process gives funding priority to Applicants that undertake activities in the following order: (i) CDFI Related Activities, (ii) Distressed Community Financing Activities, and (iii) Service Activities, as described in the Interim Rule at 12 CFR 1806.203(c) .

Within each category, CDFI Applicants will be ranked first according to the ratio of the actual Award amount calculated by the CDFI Fund for the category to the total assets of the Applicant, followed by Applicants that are not CDFI Applicants according to the ratio of the actual Award amount calculated by the CDFI Fund for the category to the total assets of the Applicant.

The CDFI Fund, in its sole discretion: (i) May adjust the estimated Award amount that an Applicant may receive,

(ii) may establish a maximum amount that may be awarded to an Applicant, and (iii) reserves the right to limit the amount of an Award to any Applicant if the CDFI Fund deems it appropriate.

For purposes of calculating Award disbursement amounts, the CDFI Fund will treat Qualified Activities with a total principal amount less than or equal to $250,000 as fully disbursed. For all other Qualified Activities, Awardees will have 12 months from the end of the Assessment Period to make disbursements and 18 months from the end of the Assessment Period to submit to the CDFI Fund disbursement requests for the corresponding portion of their Awards, after which the CDFI Fund will rescind and deobligate any outstanding Award balance and said outstanding Award balance will no longer be available to the Awardee.

The CDFI Fund reserves the right to contact the Applicant to confirm or clarify information. If contacted, the Applicant must respond within the CDFI Fund's time parameters or run the risk of being rejected.

The CDFI Fund reserves the right to change its eligibility and evaluation criteria and procedures. If those changes materially affect the CDFI Fund's Award decisions, the CDFI Fund will provide information regarding the changes through the CDFI Fund's Web site.

There is no right to appeal the CDFI Fund's Award decisions. The CDFI Fund's Award decisions are final. The CDFI Fund will not discuss the specifics of an Applicant's BEA Program Application or provide reasons why an Applicant did not receive a BEA Program Award. The CDFI Fund will only respond to general questions regarding the FY 2014 Application and Award decision process until 30 days after the award announcement date.

VIII. Award Administration Information

A. Notice of Award and Award Agreement

The CDFI Fund will signify its selection of an Applicant as an Awardee by delivering a Notice of Award and Award Agreement to the Applicant. The Notice of Award and Award Agreement will contain the general terms and conditions underlying the CDFI Fund's provision of an Award. The Awardee will receive a copy of the Notice of Award and Award Agreement. The Awardee must execute the Award Agreement and return it to the CDFI Fund. Each Awardee must also ensure that complete and accurate banking information is reflected in its System for Award Management (SAM) account on *www.sam.gov.*

The CDFI Fund reserves the right, in its sole discretion, to rescind the Award, the Notice of Award, and the Award Agreement if the Awardee fails to return the Award Agreement signed by the Authorized Representative of the Awardee or any other requested documentation by the deadline set by the CDFI Fund.

By executing an Award Agreement, the Awardee agrees that, if the CDFI Fund becomes aware of any information (including administrative errors) prior to the Effective Date of the Award Agreement that either adversely affects the Awardee's eligibility for an Award, or adversely affects the CDFI Fund's evaluation of the Awardee's Application, or indicates fraud or mismanagement on the part of the Awardee, the CDFI Fund may, in its discretion and without advance notice to the Awardee, terminate the Award Agreement or take other actions as it deems appropriate.

1. *Failure to meet reporting requirements:* If an Applicant, or its Affiliate, is a prior CDFI Fund Awardee or Allocatee under any CDFI Fund program and is not current on the reporting requirements set forth in the previously executed assistance, award, allocation, bond loan agreement(s), or agreement to guaranty. as of the date of the Notice of Award, the CDFI Fund reserves the right, in its sole discretion, to delay entering into an Award Agreement and/or to delay making a disbursement of Award proceeds, until said prior Awardee or Allocatee is current on the reporting requirements in the previously executed assistance, award, allocation, bond loan agreement(s), or agreement to guaranty. Please note that automated systems employed by the CDFI Fund for receipt of reports submitted electronically typically acknowledge only a report's receipt; such acknowledgment does not warrant that the report received was complete and therefore met reporting requirements. If said prior Awardee or Allocatee is unable to meet this requirement within the timeframe set by the CDFI Fund, the CDFI Fund reserves the right, in its sole discretion, to terminate and rescind the Notice of Award and the Award made under this NOFA.

2. Pending Resolution of Noncompliance

If, at any time prior to entering into an Award Agreement under this NOFA, an Applicant that is a prior CDFI Fund Awardee or Allocatee under any CDFI Fund program (i) has submitted reports to the CDFI Fund that demonstrate noncompliance with a previous assistance, award, or allocation agreement, but (ii) the CDFI Fund has yet to make a final determination regarding whether or not the entity is in default of its previous assistance, award, allocation, bond loan agreement, or agreement to guaranty, the CDFI Fund reserves the right, in its sole discretion, to delay entering into an Award Agreement and/or to delay making a disbursement of Award proceeds, pending full resolution, in the sole determination of the CDFI Fund, of the noncompliance. If said prior Awardee or Allocatee is unable to meet this requirement, in the sole determination of the CDFI Fund, the CDFI Fund reserves the right, in its sole discretion, to terminate and rescind the Notice of Award and the Award made under this NOFA.

3. *Default status:* If prior to entering into an Award Agreement under this NOFA, (i) the CDFI Fund has made a final determination that an Applicant that is a prior CDFI Fund Awardee or Allocatee under any CDFI Fund program whose award or allocation terminated in default of such prior agreement; (ii) the CDFI Fund has provided written notification of such determination to such organization; and (iii) the anticipated date for entering into the Award Agreement under this NOFA is within a period of time specified in such notification throughout which any new award, allocation, assistance, bond loan agreement(s), or agreement to guaranty is prohibited, the CDFI Fund reserves the right, in its sole discretion, to terminate and rescind the Award Agreement and the award made under this NOFA.

B. Award Agreement

After the CDFI Fund selects an Awardee, unless an exception detailed in this NOFA applies, the CDFI Fund and the Awardee will enter into an Award Agreement. The Award Agreement will set forth certain required terms and conditions of the Award, which will include, but not be limited to: (i) The amount of the Award, (ii) the type of the Award, (iii) the approved uses of the Award, (iv) performance goals and measures, and (v) reporting requirements for all Awardees. Award Agreements under this NOFA generally will have one-year performance periods. The Award Agreement shall provide that an Awardee shall: (i) Carry out its Qualified Activities in accordance with applicable law, the approved Application, and all other applicable

requirements; (ii) not receive any monies until the CDFI Fund has determined that the Awardee has fulfilled all applicable requirements; and (iii) use an amount equivalent to the BEA Award amount for BEA Qualified Activities.

C. Administrative and National Policy Requirements

Not applicable.

D. Reporting and Accounting

1. The CDFI Fund will require each Awardee that receives an Award over $50,000 through this NOFA to account for the use of the Award. This will require Awardees to establish administrative and accounting controls, subject to applicable OMB Circulars. The CDFI Fund will collect information from each such Awardee on its use of the Award at least once following the Award and more often if deemed appropriate by the CDFI Fund in its sole discretion. The CDFI Fund will provide guidance to Awardees outlining the format and content of the information to be provided, outlining and describing how the funds were used.

IX. Agency Contacts

The CDFI Fund will respond to questions and provide support concerning this NOFA and the funding Application between the hours of 9:00 a.m. and 5:00 p.m. ET, starting on the date of the publication of this NOFA through May 29, 2014 for the FY 2014 funding round. The CDFI Fund will not respond to Applicants' reporting, compliance, or disbursement telephone calls or email inquiries that are received after 5:00 p.m. ET on May 29, 2014 until after the Application deadline. The CDFI Fund will respond to technical issues related to myCDFIFund accounts through 5:00 p.m. ET on June 4, 2014.

Applications and other information regarding the CDFI Fund and its programs may be downloaded and printed from the CDFI Fund's Web site at *www.cdfifund.gov.* The CDFI Fund will post responses to questions of general applicability regarding the BEA Program on its Web site.

A. Information Technology Support

Technical support can be obtained by calling (202) 653–0300 or by email to *ithelpdesk@cdfi.treas.gov.* People who have visual or mobility impairments that prevent them from creating a Distressed Community map using the CDFI Fund's Web site should call (202) 653–0300 for assistance. These are not toll free numbers.

B. Application Support

If you have any questions about the programmatic or administrative requirements of this NOFA, contact the CDFI Fund's BEA Program office by email at *cdfihelp@cdfi.treas.gov*, by telephone at (202) 653–0421, by facsimile at (202) 508–0089, or by mail at CDFI Fund, 1500 Pennsylvania Avenue NW., Washington, DC 20220. The number provided is not toll free.

C. Certification, Compliance Monitoring and Evaluation (CCME) Support

If you have any questions regarding the certification and compliance requirements of this NOFA, including questions regarding performance on prior Awards, contact the CDFI Fund's CCME Unit by email at *ccme@cdfi.treas.gov* or by telephone at (202) 653–0423. The number provided is not toll free.

D. Communication With the CDFI Fund

The CDFI Fund will use its myCDFIFund Internet interface to communicate with Applicants and Awardees under this NOFA. Awardees must use myCDFIFund to submit required reports. The CDFI Fund will notify Awardees by email using the addresses maintained in each Awardee's myCDFIFund account. Therefore, an Awardee and any Subsidiaries, signatories, and Affiliates must maintain accurate contact information (including contact person and authorized representative, email addresses, fax numbers, phone numbers, and office addresses) in their myCDFIFund account(s). For more information about myCDFIFund, please see the Help documents posted at *https://www.cdfifund.gov/myCDFI/Help/Help.asp.*

Authority: 12 U.S.C. 1834a, 4703, 4703 note, 4713; 12 CFR part 1806.

Dated: April 17, 2014.

Dennis Nolan,

Deputy Director, Community Development Financial Institutions Fund.

[FR Doc. 2014–09312 Filed 4–23–14; 8:45 am]

BILLING CODE 4810–70–P

FEDERAL REGISTER

Vol. 79 Thursday,
No. 79 April 24, 2014

Part II

The President

Proclamation 9106—Earth Day, 2014

Federal Register
Vol. 79, No. 79
Thursday, April 24, 2014

Presidential Documents

Title 3—

The President

Proclamation 9106 of April 21, 2014

Earth Day, 2014

By the President of the United States of America

A Proclamation

Over four decades ago, Americans from all walks of life came together to tackle a shared challenge. Pollution damaged our health and livelihoods—from children swimming in contaminated streams to workers exposed to dangerous chemicals to city residents living under a thick haze of smog. The first Earth Day was a call to action for every citizen, every family, and every public official. It gave voice to the conservation movement, led to the creation of the Environmental Protection Agency, and pushed our Nation to adopt landmark laws on clean air and water. This Earth Day, we remember that when Americans unite in common purpose, we can overcome any obstacle.

Today, we face another problem that threatens us all. The overwhelming judgment of science tells us that climate change is altering our planet in ways that will have profound impacts on all of humankind. Already, longer wildfire seasons put first responders at greater risk. Farmers must cope with increased soil erosion following heavy downpours and greater stresses from weeds, plant diseases, and insect pests. Increasingly severe weather patterns strain infrastructure and damage our communities, especially low-income communities, which are disproportionately vulnerable and have few resources to prepare. The consequences of climate change will only grow more dire in the years to come.

That is why, last year, I took executive action to prepare our Nation for the impacts of climate change. As my Administration works to build a more resilient country, we also remain committed to averting the most catastrophic effects. Since I took office, America has increased the electricity it produces from solar energy by more than tenfold, tripled the electricity it generates from wind energy, and brought carbon pollution to its lowest levels in nearly two decades. In the international community, we are working with our partners to reduce greenhouse gas emissions around the globe. Along with States, utilities, health groups, and advocates, we will develop commonsense and achievable carbon pollution standards for our biggest pollution source—power plants.

We are also taking on environmental challenges by increasing fuel efficiency, restoring public lands, and curbing emissions of mercury and other toxic chemicals. We are safeguarding the water our families drink and the waterways and oceans that sustain our livelihoods. This February, we proposed new standards to protect farm workers from dangerous pesticides. And because caring for our planet requires commitment from all of us, we are engaging organizations, businesses, and individuals in these efforts.

As we mark this observance, let us reflect on the mission of the first Earth Day and recall our power to forge a cleaner, healthier future. Let us accept our responsibilities to future generations and meet today's tests with the same energy, passion, and sense of purpose.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 22, 2014, as Earth Day. I encourage all Americans to participate in programs and

activities that will protect our environment and contribute to a healthy, sustainable future.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-first day of April, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

[FR Doc. 2014–09532
Filed 4–23–14; 11:15 am]
Billing code 3295–F4

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