

ENVIRONMENTAL PROTECTION AGENCY

[FRL-9906-54-Region-8]

Proposed CERCLA Administrative Settlement Agreement for a Bona Fide Prospective Purchaser at the Moline Street PCB Site Located in Aurora, Adams County, Colorado**AGENCY:** Environmental Protection Agency.**ACTION:** Notice; Request for public comment.

SUMMARY: In accordance with section 122 (h)(1) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. 9622(h)(1), notice is hereby given of the proposed Administrative Settlement Agreement for Removal Action by Bona Fide Prospective Purchaser at the Moline Street PCB Site located in Aurora, Adams County, Colorado (Site). The proposed Settlement Agreement is with Hi-Tec Plastics, Incorporated (hereinafter referred to as "Purchaser"). The Settlement Agreement requires the Purchaser to perform a portion of the removal action at the property located at 3555 Moline Street, Aurora, Colorado 80010. The remainder of the removal action selected will be performed by the Dow Chemical Company and is addressed in a separate administrative order on consent. The Settlement Agreement includes an EPA covenant not to sue the Purchaser pursuant to sections 106 and 107(a) of CERCLA, 42 U.S.C. 9606 and 9607(a) for existing contamination at the Site. For thirty (30) days following the publication of this notice, the United States will receive written comments relating to the Settlement Agreement. The United States will consider all comments received and may modify or withdraw its consent to the Settlement Agreement if comments received disclose facts or considerations which indicate that the Settlement Agreement is inappropriate, improper or inadequate. The United States' response to any comments received will be available for public inspection at the EPA Region 8 Records Center located at 1595 Wynkoop Street, Denver, Colorado 80202-1129, during normal business hours.

DATES: Comments must be submitted on or before March 14, 2014.**ADDRESSES:** The proposed Settlement Agreement is also available for public inspection at the EPA Region 8 Records Center located at 1595 Wynkoop Street, Denver, Colorado 80202-1129, during normal business hours. A copy of the

proposed settlement may be obtained from Scott Wilder, Enforcement Specialist, 8ENF-RC, U.S. EPA, 1595 Wynkoop Street, Denver, CO 80202-1129. Scott Wilder can be reached at (206) 553-6693. Comments should reference the Moline Street PCB Site, and should be addressed to Scott Wilder at the address given above.

FOR FURTHER INFORMATION CONTACT: Scott Wilder, 8ENF-RC, U.S. EPA, Technical Enforcement Program, 1595 Wynkoop Street, Denver, Colorado 80202-1129. Telephone: (206) 553-6693.

Dated: January 29, 2014.

Eddie A. Sierra,*Acting Assistant Regional Administrator, U.S. Environmental Protection Agency, Region 8.*

[FR Doc. 2014-03076 Filed 2-11-14; 8:45 am]

BILLING CODE 6560-50-P**ENVIRONMENTAL PROTECTION AGENCY**

[EPA-HQ-OW-2011-1013; FRL-9904-51-OW]

Notice of Availability of EPA Documents Regarding Implementation of the Safe Drinking Water Act's Underground Injection Control Program Existing Requirements for Oil and Gas Hydraulic Fracturing Activities Using Diesel Fuels**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Notice.

SUMMARY: The U.S. Environmental Protection Agency (EPA) is releasing an interpretive memorandum and technical recommendations for implementing the Underground Injection Control (UIC) Program Class II requirements under the Safe Drinking Water Act, as amended by the Energy Policy Act in 2005, for oil and gas hydraulic fracturing (HF) activities using diesel fuels. The EPA is providing these documents to alleviate uncertainty regarding the applicability of UIC Class II permitting requirements and the agency's interpretation of the term "diesel fuels" in the statute. A key component of our nation's energy future is the safe, responsible development of oil and gas resources. If produced responsibly, expanded use of natural gas in lieu of other fossil fuels has the potential to improve air quality, stabilize energy prices, and provide greater certainty about future energy reserves.

FOR FURTHER INFORMATION CONTACT: Ronald Bergman, Underground Injection Control Program, Drinking Water Protection Division, Office of Ground

Water and Drinking Water (MC-4606M), Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460; telephone number: (202) 564-3823; email address: bergman.ronald@epa.gov.

SUPPLEMENTARY INFORMATION:**I. General Information**

Today, the U.S. Environmental Protection Agency (EPA) is providing notice of the release of an interpretive memorandum and technical recommendations for EPA Regions and State Directors responsible for implementing the Underground Injection Control Program Class II requirements under the Safe Drinking Water Act, as amended by the Energy Policy Act in 2005, for oil and gas hydraulic fracturing (HF) activities using diesel fuels. In the 2005 Energy Policy Act, Congress excluded HF from UIC regulation, except where "diesel fuels" are used in fracturing fluids or propping agents. The technical recommendations have been developed for EPA Regional Offices to consider in applying existing Class II UIC Program regulations when permitting the use of diesel fuels for HF. EPA permit writers have the discretion to consider alternative best practices that are consistent with statutory and regulatory requirements. The EPA also anticipates that owners and operators may find the technical recommendations useful in understanding what factors EPA permit writers may consider in issuing permits for HF operations using diesel fuels. These guidelines are consistent with best practices for hydraulic fracturing in general, including those found in state regulations as well as model guidelines and voluntary standards developed by industry and stakeholders. Thus, States and Tribes responsible for issuing permits and/or updating regulations may find the recommendations useful in improving the protection of underground sources of drinking water and public health wherever hydraulic fracturing is practiced. The EPA is committed to working with co-regulators and other stakeholders to ensure that oil and shale gas development occurs safely and responsibly and to encourage use of best practices, including voluntary use of greener alternatives in HF fluids generally.

Given the significant public interest in the issue, EPA solicited comment from local, State, and Federal agencies, Tribes, and the public via a **Federal Register** (FR) notice published on May 10, 2012 (77 FR 27451). The docket number for this action is EPA-HQ-OW-

2011–2013. The comment period closed on August 23, 2012, after allowing for an extension from 60 days to 105 days, as requested by stakeholders, to give additional time to provide input. EPA considered information submitted by these entities, as well as information obtained from stakeholder outreach meetings and webinars held during the open comment period, in developing the documents released today.

II. How can I get copies of Permitting Guidance for Oil and Gas Hydraulic Fracturing Activities Using Diesel Fuels, and other related information?

A. Docket. The EPA has established a docket for this document under Docket ID No. EPA–HQ–OW–2011–1013. The public docket consists of the documents specifically referenced in this notice, any public comments received and other information related to this notice. Publicly available docket materials are available either electronically through www.regulations.gov or in hard copy in the EPA Docket Center, (EPA/DC) EPA West, Room 3334, 1301 Constitution Ave. NW., Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566–1744, and the telephone number for the Water Docket is (202) 566–2426.

B. Electronic Access. You may access this **Federal Register** document electronically through the EPA Internet by either visiting the Underground Injection Control Program’s Hydraulic Fracturing and the Safe Drinking Water Act Web site, <http://water.epa.gov/type/groundwater/uic/class2/hydraulicfracturing/hydraulicfracturing.cfm> at or <http://www.regulations.gov>.

Dated: February 5, 2014.

Peter C. Grevatt,

Director, Office of Ground Water and Drinking Water.

[FR Doc. 2014–02929 Filed 2–11–14; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

[MB Docket No. 14–16; FCC 14–8]

Annual Assessment of the Status of Competition in the Market for the Delivery of Video Programming

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: The Commission is required to report annually to Congress on the status of competition in markets for the delivery of video programming. This document solicits data, information, and comment on the status of competition in the market for the delivery of video programming for the Commission’s Sixteenth Report (16th Report). The 16th Report will provide updated information and metrics regarding the video marketplace in 2013. Comments and data submitted in response to this document in conjunction with publicly available information and filings submitted in relevant Commission proceedings will be used for the report to Congress.

DATES: Interested parties may file comments, on or before March 21, 2014 and reply comments on or before April 21, 2014.

ADDRESSES: Federal Communications Commission, 445 12th Street SW., Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Dan Bring, Media Bureau (202) 418–2164, or email at danny.bring@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission’s *Annual Assessment of the Status of Competition in the Market for Delivery of Video Programming*, Notice of Inquiry (NOI), in MB Docket No. 14–16, FCC 14–8, released January 31, 2014. The complete text of the document is available for inspection and copying during normal business hours in the FCC Reference Center, 445 12th Street SW., Washington, DC 20554, and may also be purchased from the Commission’s copy contractor, BCPI, Inc., Portals II, 445 12th Street SW., Washington, DC 20054. Customers may contact BCPI, Inc. at their Web site <http://www.bcpi.com> or call 1–800–378–3160.

Synopsis of Notice of Inquiry

Introduction

1. This Notice of Inquiry (NOI) solicits data, information, and comment on the state of competition in the delivery of video programming for the Commission’s Sixteenth Report (16th Report). We seek to update the information and metrics provided in the Fifteenth Report (*15th Report*) and report on the state of competition in the video marketplace in 2013. Using the information collected pursuant to this NOI, we seek to enhance our analysis of competitive conditions, better understand the implications for the American consumer, and provide a solid foundation for Commission policy making with respect to the delivery of video programming to consumers.

2. Section 19 of the Cable Television Consumer Protection and Competition Act of 1992 (1992 Cable Act) amended the Communications Act of 1934, as amended (Act or Communications Act) and directed the Commission to establish regulations for the purpose of increasing competition and diversity in multichannel video programming distribution, increasing the availability of satellite delivered programming, and spurring the development of communications technologies. To measure progress toward these goals, Congress required the Commission to report annually on the status of competition in the market for the delivery of video programming.

3. In 1992, when Congress first required the Commission to report on the status of competition in the market for the delivery of video programming, most consumers had the limited choice of receiving over-the-air broadcast television stations or subscribing to the video service their local cable company offered. From the consumer perspective, head-to-head competition in multichannel video programming distribution (MVPD) began with the introduction of direct broadcast satellite (DBS) video services. An additional competitive alternative for MVPD service became available to consumers when telephone companies began offering video services in some areas cable operators already served. More recently, most consumers have additional alternatives for delivered video programming from online video distributors’ (OVDs) offerings of video content over the Internet.

Scope of the Report

4. In the 16th Report, we plan to continue using the analytical framework first adopted in the *14th Report*. Under this framework, we categorize entities that deliver video programming in one of three groups—MVPDs, broadcast television stations, or OVDs. Our placement of entities into groups is an organizational tool to facilitate the presentation of information. This approach is useful for several reasons. First, the three categories reflect the historical evolution of video programming as initially delivered by over-the-air broadcast television stations, then also through MVPDs, and, more recently, via the Internet by OVDs. Second, to some degree the groupings reflect market participants’ self-identification. Entities within each group tend to identify other entities in the same group as their foremost competitors in marketing materials and when describing their businesses to shareholders. Third, the business