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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2014–0969; Airspace Docket No. 14–ASO–20]

Revocation of Class E Airspace; Lexington, TN

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action removes Class E Airspace at Lexington, TN, as the Franklin Wilkins Airport has been abandoned, and controlled airspace is no longer required. This action enhances the safety and airspace management around the Lexington, TN, area.

DATES: Effective 0901 UTC, August 20, 2015. 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.

ADDRESSES: FAA Order 7400.9Y, Airspace Designations and Reporting Points, and subsequent amendments can be viewed on line at *http://www.faa.gov/airtraffic/publications/*. The Order is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to *http://www.archives.gov/federal_register/code_of_federal-regulations/ibr_locations.html*.

FAA Order 7400.9, Airspace Designations and Reporting Points, is published yearly and effective on September 15. For further information, you can contact the Airspace Policy and ATC Regulations Group, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 29591; telephone: 202–267–8783.

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 March 9, 2015, the FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM) to remove Class E airspace at Franklin Wilkins Airport, Lexington, TN., as the airport has been abandoned, and controlled airspace no longer necessary (80 FR 12354).

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 7400.9Y dated August 6, 2014, and effective September 15, 2014, which is incorporated by reference in 14 CFR part 71.1. The Class E airspace designations listed in this document will be published subsequently in the Order.

Availability and Summary of Documents for Incorporation by Reference

This document amends FAA Order 7400.9Y, airspace Designations and Reporting Points, dated August 6, 2014, and effective September 15, 2014. FAA Order 7400.9Y is publicly available as listed in the **ADDRESSES** section of this final rule. FAA Order 7400.9Y lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

This amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 removes Class E airspace extending upward from 700 feet above the surface within a 6.6-mile radius of Franklin Wilkins Airport. The airport has been abandoned, and controlled airspace no longer necessary.

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 removes controlled airspace at Franklin Wilkins Airport, Lexington, TN.

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(f), 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 FAA Order 7400.9Y, Airspace Designations and Reporting Points, dated August 6, 2014, effective September 15, 2014, is amended as follows:

Paragraph 6005 Class E Airspace Areas Extending Upward from 700 feet or More Above the Surface of the Earth.

* * * * *

ASO TN E5 Lexington, TN [Removed]

Issued in College Park, Georgia, on May 13, 2015.

Joey Medders,

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

[FR Doc. 2015–12354 Filed 5–22–15; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2014–1003; Airspace Docket No. 14–AEA–9]

Amendment of Class D and Class E Airspace; Clarksburg, WV

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends Class E Airspace at Clarksburg, WV, as the Clarksburg VOR/DME has been decommissioned, requiring airspace redesign at North Central West Virginia Airport, formerly Benedum Airport. This action enhances the safety and management of Instrument Flight Rules (IFR) operations at the airport. This action also updates the geographic coordinates of the airport.

DATES: Effective 0901 UTC, August 20, 2015. 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.

ADDRESSES: FAA Order 7400.9Y, Airspace Designations and Reporting Points, and subsequent amendments can be viewed on line at *http://www.faa.gov/airtraffic/publications/.* The Order is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to *http://www.archives.gov/federal_register/code_of_federal-regulations/ibr_locations.html.*

FAA Order 7400.9, Airspace Designations and Reporting Points, is published yearly and effective on September 15. For further information, you can contact the Airspace Policy and ATC Regulations Group, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 29591; telephone: 202–267–8783.

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 March 20, 2015, the FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM) to amend Class D and Class E airspace at North Central West Virginia Airport, Clarksburg, WV., (80 FR 14878). Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received. Also, the airport coordinates are further adjusted from the NPRM.

Class E airspace designations are published in paragraphs 5000, 6004, and 6005, respectively of FAA Order 7400.9Y dated August 6, 2014, and effective September 15, 2014, which is incorporated by reference in 14 CFR part 71.1. The Class D and Class E airspace designations listed in this document will be published subsequently in the Order.

Availability and Summary of Documents for Incorporation by Reference

This document amends FAA Order 7400.9Y, airspace Designations and Reporting Points, dated August 6, 2014, and effective September 15, 2014. FAA Order 7400.9Y is publicly available as listed in the **ADDRESSES** section of this final rule. FAA Order 7400.9Y lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

This amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 amends Class E airspace designated as an extension to Class D at North Central West Virginia Airport, formerly known as Benedum Airport. A segment of the airspace is amended from a 4.1-mile radius of the airport to 11 miles southwest of the airport. Class E airspace extending upward from 700 feet above the surface is amended to within an 8.9-mile radius of the airport. Decommissioning of the Clarksburg VOR/DME and cancellation of the VOR approaches has made this action necessary for continued safety and management of IFR operations at the airport. The geographic coordinates of the airport are adjusted to coincide with the FAAs aeronautical database. The airport name is changed from Benedum Airport to North Central West Virginia Airport in the Class D and E airspace areas listed above.

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

Class D and Class E airspace at North Central West Virginia Airport, Clarksburg, WV.

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(f), 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 FAA Order 7400.9Y, Airspace Designations and Reporting Points, dated August 6, 2014, effective September 15, 2014, is amended as follows:

Paragraph 5000 Class D Airspace

* * * * *

AEA WV D Clarksburg, WV [Amended]

North Central West Virginia Airport, WV
(Lat. 39°17′52″ N., long. 80°13′39″ W.)

That airspace extending upward from the surface up to and including 3,700 feet within a 4.1-mile radius of North Central West Virginia Airport. This Class D 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.

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

* * * * *

AEA WV E4 Clarksburg, WV [Amended]

North Central West Virginia Airport, WV
(Lat. 39°17′52″ N., long. 80°13′39″ W.)

That airspace extending upward from the surface within 2.7 miles each side of the 220° bearing from North Central West Virginia Airport extending from the 4.1-mile radius of the airport to 11 miles southwest 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.

Paragraph 6005 Class E Airspace Areas Extending Upward from 700 feet or More Above the Surface of the Earth

* * * * *

AEA WV E5 Clarksburg, WV [Amended]

North Central West Virginia Airport, WV
(Lat. 39°17′52″ N., long. 80°13′39″ W.)

That airspace extending upward from 700 feet above the surface within an 8.9-mile radius of North Central West Virginia Airport.

Issued in College Park, Georgia, on May 13, 2015.

Joey Medders,

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

[FR Doc. 2015–12357 Filed 5–22–15; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2014–0970; Airspace Docket No. 14–ASO–18]

Amendment of Class E Airspace; Eufaula, AL

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends Class E Airspace at Eufaula, AL as the Eufaula VORTAC has been decommissioned, requiring airspace redesign at Weedon Field Airport. This action enhances the safety and management of Instrument Flight Rules (IFR) operations at the airport.

DATES: Effective 0901 UTC, August 20, 2015. 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.

ADDRESSES: FAA Order 7400.9Y, Airspace Designations and Reporting Points, and subsequent amendments can be viewed on line at *http://www.faa.gov/airtraffic/publications/*. The Order is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to *http://www.archives.gov/federal_register/code_of_federal-regulations/ibr_locations.html*.

FAA Order 7400.9, Airspace Designations and Reporting Points, is published yearly and effective on September 15. For further information, you can contact the Airspace Policy and ATC Regulations Group, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC, 29591; telephone: 202–267–8783.

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 March 9, 2015, the FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM) to amend Class E airspace at Weedon Field Airport, Eufaula, AL. (80 FR 12359). 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 7400.9Y dated August 6, 2014, and effective September 15, 2014, which is incorporated by reference in 14 CFR part 71.1. The Class E airspace designations listed in this document will be published subsequently in the Order.

Availability and Summary of Documents for Incorporation by Reference

This document amends FAA Order 7400.9Y, airspace Designations and Reporting Points, dated August 6, 2014, and effective September 15, 2014. FAA Order 7400.9Y is publicly available as listed in the **ADDRESSES** section of this final rule. FAA Order 7400.9Y lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

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 7.3-mile radius of Weedon Field.

Airspace reconfiguration is necessary due to the decommissioning of the Eufaula VORTAC and cancellation of the VOR 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 Weedon Field Airport, Eufaula, 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(f), 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 FAA Order 7400.9Y, Airspace Designations and Reporting Points, dated August 6, 2014, effective September 15, 2014, 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 Eufaula, AL [Amended]

Weedon Field Airport, AL
(Lat. 31°57′05″ N., long. 85°07′44″ W.)

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

Issued in College Park, Georgia, on May 13, 2015.

Joey Medders,

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

[FR Doc. 2015–12359 Filed 5–22–15; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2015–0794; Airspace Docket No. 15–ASO–5]

Amendment of Class D Airspace; Jupiter, FL

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule, technical amendment; correction.

SUMMARY: This action corrects an error in the title of a final rule published in the **Federal Register** on May 1, 2015, amending Class D Airspace at William P. Gwinn Airport, Jupiter, FL. It should read Class D Airspace, not Class E Airspace, and the word Proposed is removed.

DATES: Effective 0901 UTC, June 25, 2015, 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 May 1, 2015, the FAA published a final rule in the **Federal Register** amending Class D airspace at William P. Gwinn Airport, Jupiter, FL. (80 FR24793). After publication, the FAA found that the title was incorrectly typed as Proposed Amendment of Class E Airspace, Jupiter, FL, instead of Amendment of Class D Airspace, Jupiter, FL. This action makes the correction.

The Class E airspace designations are published in Paragraph 6005 of FAA Order 7400.9Y, dated August 9, 2014, and effective September 15, 2014, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order.

Correction to Final Rule

Accordingly, pursuant to the authority delegated to me, Docket No. FAA–2015–0794, amending Class D airspace at William P. Gwinn Airport, Jupiter, FL, as published in the **Federal Register** on May 1, 2015, (80 FR 24793), FR Doc. 2015–09881, is corrected as follows: On page 24793, column 3, line 39, remove, ''Proposed Amendment of Class E Airspace; Jupiter, FL'', and add in its place, ''Amendment of Class D Airspace, Jupiter, FL.

Issued in College Park, Georgia, on May 13, 2015.

Joey Medders,

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

[FR Doc. 2015–12356 Filed 5–22–15; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 73

[Docket No. FAA–2014–0640; Airspace Docket No. 14–ACE–4]

RIN 2120–AA66

Modification of Restricted Areas R–4501A, R–4501B, R–4501C, R–4501D, R–4501F, and R–4501H; Fort Leonard Wood, MO

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action modifies the designated altitudes of restricted area R–4501B, Fort Leonard Wood, MO, by raising the restricted area ceiling from 1,500 feet mean seal level (MSL) in the north and 2,200 feet MSL in the south to a single altitude of 4,300 feet MSL across the entire restricted area. This action also adds exclusions to the boundaries of R–4501C, R–4501F, and R–4501H to address overlapping restricted areas. Finally, this action makes administrative changes to the R–4501A and R–4501B titles and to R–4501A–D, R–4501F, and R–4501H using agency information to standardize the format and information describing these restricted areas of the Fort Leonard Wood restricted area complex.

DATES: Effective date 0901 UTC, August 20, 2015.

FOR FURTHER INFORMATION CONTACT: Colby Abbott, Airspace Policy and Regulations Group, Office of Airspace Services, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone: (202) 267–8783.

SUPPLEMENTARY INFORMATION:

History

On September 25, 2014, the FAA published in the **Federal Register** a notice of proposed rulemaking to modify the designated altitudes of restricted area R–4501B to establish a single ceiling altitude, add exclusions to the boundaries of R–4501C, R–4501F, and R–4501H to address overlapping restricted areas, and make administrative changes to the R–4501A and R–4501B titles and the R–4501A–D, R–4501F, and R–4501H using agency information to standardize the format and information describing these restricted areas (79 FR 57484). The R–4501 restricted area complex amendments support the military training activities conducted at Fort Leonard Wood, MO.

Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal. No comments were received.

The Rule

The FAA is amending 14 CFR part 73 by amending the R–4501B designated altitudes to establish a single ceiling altitude; adding exclusions to the R–4501C, R–4501F, and R–4501H boundaries to prevent overlapped restricted areas being active at the same time; and making administrative changes to the R–4501A and R–4501B titles and the R–4501A–D, R–4501F, and R–4501H using agency information to standardize the format and information. The changes are described below.

The R–4501B designated altitudes is changed from ''The area north of a line between lat. 37°42′51″ N., long. 92°06′48″ W.; and lat. 37°42′53″ N., long. 92°09′18″ W., surface to 1,500 feet MSL. The area south of this line, surface to 2,200 feet MSL.'' to ''Surface to 4,300 feet MSL'' for the entire restricted area.

The R–4501C, R–4501F, and R–4501H boundaries are changed by adding exclusions to prevent overlapping restricted areas from being active in the same airspace at the same time. R–4501C adds ''excluding R–4501B when active''; R–4501F adds ''excluding R–4501A, R–4501B, and R–4501C when active''; and R–4501H adds ''excluding R–4501B when active''.

The R–4501A title is changed by removing the word ''West'' in the title to read ''R–4501A Fort Leonard Wood, MO'' and the R–4501B title is changed by removing the word ''East'' in the title to read ''R–4501B Fort Leonard Wood, MO''. Additionally, the R–4501A, R–4501B, R–4501C, and R–4501D using agency information is changed by prefacing the existing using agency with ''U.S. Army.'' Lastly, the R–4501F and R–4501H using agency is changed from ''U.S. Army, Headquarters U.S. Army Training Center, Fort Leonard Wood, MO'' to ''U.S. Army, Commanding General, Fort Leonard Wood, MO.'' These administrative changes standardize the format and information describing the restricted areas contained in the Fort Leonard Wood, MO, R–4501 complex.

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. Therefore, this regulation: (1) Is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under Department of Transportation (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 the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority because it modifies the restricted area airspace at Fort Leonard Wood, MO, to enhance aviation safety and accommodate essential U.S. Army training requirements.

Environmental Review

This special use airspace action consists of minor adjustments to boundaries and raising the altitude of portions of the airspace, which is considered a minor adjustment to existing airspace in accordance with FAA Order 1050.1E, Environmental Impacts: Policies and Procedures, paragraph 401p(5). Since there will be no changes in type or number of operations, the action is not expected to cause any significant environmental impacts that warrant preparation of an environmental assessment.

List of Subjects in 14 CFR Part 73

Airspace, Prohibited areas, Restricted areas.

Adoption of Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 73 as follows:

PART 73—SPECIAL USE AIRSPACE

■ 1. The authority citation for part 73 continues to read as follows:

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

§ 73.45 [Amended]

■ 2. Section 73.45 is amended as follows:

R–4501A Fort Leonard Wood West, MO [Removed]

R–4501B Fort Leonard Wood East, MO [Removed]

R–4501A Fort Leonard Wood, MO [New]

Boundaries. Beginning at lat. 37°41′06″ N., long. 92°09′18″ W.; to lat. 37°38′15″ N., long. 92°09′18″ W.; to lat. 37°37′35″ N., long. 92°10′38″ W.; to lat. 37°36′15″ N., long. 92°10′38″ W.; to lat. 37°36′15″ N., long. 92°15′22″ W.; to lat. 37°39′28″ N., long. 92°15′22″ W.; to lat. 37°41′07″ N., long. 92°14′24″ W.; to the point of beginning.

Designated altitudes. Surface to but not including 2,200 feet MSL.

Time of designation. 0630–2100 Monday–Saturday; other times by NOTAM issued at least 24 hours in advance.

Controlling agency. FAA, Kansas City ARTCC.

Using agency. U.S. Army, Commanding General, Fort Leonard Wood, MO.

R–4501B Fort Leonard Wood, MO [New]

Boundaries. Beginning at lat. 37°43′00″ N., long. 92°06′56″ W.; to lat. 37°42′11″ N., long. 92°06′15″ W.; to lat. 37°39′07″ N., long. 92°06′18″ W.; to lat. 37°38′15″ N., long. 92°09′18″ W.; to lat. 37°43′02″ N., long. 92°09′18″ W.; to the point of beginning.

Designated altitudes. Surface to 4,300 feet MSL.

Time of designation. 0630–2200 Monday–Saturday; other times by NOTAM issued at least 24 hours in advance.

Controlling agency. FAA, Kansas City ARTCC.

Using agency. U.S. Army, Commanding General, Fort Leonard Wood, MO.

R–4501C Fort Leonard Wood, MO [Amended]

Boundaries. Beginning at lat. 37°41′00″ N., long. 92°16′11″ W.; to lat. 37°41′26″ N., long. 92°10′16″ W.; to lat. 37°40′16″ N., long. 92°07′06″ W.; to lat. 37°38′20″ N., long. 92°06′56″ W.; to lat. 37°36′07″ N., long. 92°10′28″ W.; to lat. 37°35′22″ N., long. 92°15′32″ W.; to the point of beginning, excluding R–4501B when active.

Designated altitudes. From 2,200 feet MSL to 5,000 feet MSL.

Time of designation. 0900–2100 Monday; 0900–1600 Tuesday–Friday; other times by NOTAM issued at least 24 hours in advance.

Controlling agency. FAA, Kansas City ARTCC.

Using agency. U.S. Army, Commanding General, Fort Leonard Wood, MO.

R–4501D Fort Leonard Wood, MO [Amended]

Boundaries. Beginning at lat. 37°41′00″ N., long. 92°16′11″ W.; to lat. 37°41′26″ N., long. 92°10′16″ W.; to lat. 37°40′16″ N., long. 92°07′06″ W.; to lat. 37°38′20″ N., long. 92°06′56″ W.; to lat. 37°36′07″ N., long. 92°10′28″ W.; to lat. 37°35′22″ N., long. 92°15′32″ W.; to the point of beginning.

Designated altitudes. From 5,000 feet MSL to 12,000 feet MSL.

Time of Designation. 0900–2100 Monday; 0900–1600 Tuesday–Friday; other times by NOTAM issued at least 24 hours in advance.

Controlling agency. FAA, Kansas City ARTCC.

Using agency. U.S. Army, Commanding General, Fort Leonard Wood, MO.

* * * * *

R–4501F Fort Leonard Wood, MO [Amended]

Boundaries. Beginning at lat. 37°41′00″ N., long. 92°09′05″ W.; to lat. 37°41′00″ N., long. 92°10′53″ W.; to lat. 37°43′02″ N., long. 92°12′11″ W.; to lat. 37°43′10″ N., long. 92°08′46″ W.; to the point of beginning, excluding R–4501A, R–4501B, and R–4501C when active.

Designated altitudes. Surface to 3,200 feet MSL.

Time of designation. 0700–1800 daily; other times by NOTAM issued at least 24 hours in advance.

Controlling agency. FAA, Kansas City ARTCC.

Using agency. U.S. Army, Commanding General, Fort Leonard Wood, MO.

R–4501H Fort Leonard Wood, MO [Amended]

Boundaries. Beginning at lat. 37°42′50″ N., long. 92°07′21″ W.; to lat. 37°44′00″ N., long. 92°07′16″ W.; to lat. 37°44′45″ N., long. 92°05′41″ W.; to lat. 37°44′50″ N., long. 92°04′49″ W.; to lat. 37°46′15″ N., long. 92°05′31″ W.; to lat. 37°47′45″ N., long. 92°06′01″ W.; to lat. 37°48′00″ N., long. 92°06′01″ W.; to lat. 37°48′00″ N., long. 92°02′41″ W.; thence south and along the Big Piney River and Reservation boundary; to lat. 37°42′30″ N., long. 92°04′06″ W.; to lat. 37°42′15″ N., long. 92°06′06″ W.; to the point of beginning, excluding R–4501B when active.

Designated altitudes. Surface to 3,200 feet MSL.

Time of designation. 1500–1600 Wednesday; other times by NOTAM.

Controlling agency. FAA, Kansas City ARTCC.

Using agency. U.S. Army, Commanding General, Fort Leonard Wood, MO.

Issued in Washington, DC on May 15, 2015.

Gary A. Norek,

Manager, Airspace Policy and Regulations Group.

[FR Doc. 2015–12627 Filed 5–22–15; 8:45 am]

BILLING CODE 4910–13–P

SECURITIES AND EXCHANGE COMMISSION

17 CFR Part 232

[Release Nos. 33–9773; 34–74982; 39–2503; IC–31604]

Adoption of Updated EDGAR Filer Manual

AGENCY: Securities and Exchange Commission.

ACTION: Final rule.

SUMMARY: The Securities and Exchange Commission (the Commission) is adopting revisions to the Electronic Data Gathering, Analysis, and Retrieval System (EDGAR) Filer Manual and related rules to reflect updates to the EDGAR system. The updates are being made primarily to support the submission form types for Regulation A. The EDGAR system is scheduled to be upgraded to support this functionality on May 11, 2015.

DATES: Effective May 26, 2015. The incorporation by reference of the EDGAR Filer Manual is approved by the Director of the Federal Register as of May 26, 2015.

FOR FURTHER INFORMATION CONTACT: In the Division of Corporate Finance, for questions concerning Regulation A submission form types, contact Heather Mackintosh at (202) 551–8111, and in the Office of Information Technology, contact Tammy Borkowski at (202) 551–7208.

SUPPLEMENTARY INFORMATION: We are adopting an updated EDGAR Filer Manual, Volume I and Volume II. The Filer Manual describes the technical formatting requirements for the preparation and submission of electronic filings through the EDGAR system.[1] It also describes the requirements for filing using

[1] We originally adopted the Filer Manual on April 1, 1993, with an effective date of April 26, 1993. Release No. 33–6986 (April 1, 1993) [58 FR 18638]. We implemented the most recent update to the Filer Manual on April 13, 2015. *See* Release No. 33–9746 (April 20, 2015) [80 FR 21649].

EDGARLink Online and the Online Forms/XML Web site.

The revisions to the Filer Manual reflect changes within Volume I entitled EDGAR Filer Manual, Volume I: ''General Information,'' Version 21 (May 2015), and Volume II entitled EDGAR Filer Manual, Volume II: ''EDGAR Filing,'' Version 31 (May 2015). The updated manual will be incorporated by reference into the Code of Federal Regulations.

The Filer Manual contains all the technical specifications for filers to submit filings using the EDGAR system. Filers must comply with the applicable provisions of the Filer Manual in order to assure the timely acceptance and processing of filings made in electronic format.[2] Filers may consult the Filer Manual in conjunction with our rules governing mandated electronic filing when preparing documents for electronic submission.[3]

The EDGAR system will be upgraded to Release 15.1.1 on May 11, 2015 and will introduce the following changes:

EDGAR will be updated to add Regulation A submission form types DOS, DOS/A, DOSLTR, 1–A, 1–A/A, 1–A POS, 1–A–W, 1–A–W/A, 253G1, 253G2, 253G3, 253G4, 1–K, 1–K/A, 1–SA, 1–SA/A, 1–U, 1–U/A, 1–Z, 1–Z/A, 1–Z–W, and 1–Z–W/A.

New filers will now be able to select the ''Regulation A'' option on the Form ID application to indicate that they are submitting an application for EDGAR access to file draft offering statements. If filers have an assigned Central Index Key (CIK), they must use the existing CIK to file draft offering statements.

Regulation A submission form types can be accessed from the ''File Regulation A Forms'' screen. This screen can be accessed by selecting the 'Regulation A' or 'Draft Offering Statement' link on the EDGAR Filing Web site. Alternatively, this screen can be accessed by selecting the 'REG A' link on the ''EDGARLink Online Submission Type Selection'' screen.

Issuers who qualify to submit draft offering statements under Regulation A must prepare and submit their draft offering statements using submission form types DOS and DOS/A. Issuers must submit correspondences related to draft offering statements using the submission type, ''Draft Offering Statement Letter'' (DOSLTR).

Issuers who submit draft offering statements for non-public review will have the ability to publicly disseminate previously submitted drafts by selecting the 'Disseminate Draft Offering Statement' link on the ''File Regulation A Forms'' screen of the EDGAR Filing Web site.

Issuers may construct XML submissions for Regulation A submission form types with the exception of DOS, DOS/A, and DOSLTR. Issuers must follow the ''EDGARLink Online XML Technical Specification'' document to construct XML submissions for submission form types 1–A–W, 1–A–W/A, 1–SA, 1–SA/A, 1–U, 1–U/A, 253G1, 253G2, 253G3, 253G4, 1–Z–W, and 1–Z–W/A. Issuers must follow the ''EDGAR REG A XML Technical Specification'' document to construct XML submissions for submission form types 1–A, 1–A/A, 1–A POS, 1–K, 1–K/A, 1–Z, and 1–Z/A. The Technical Specification documents are available on the SEC's Public Web site (*http://www.sec.gov/info/edgar.shtml*).

Along with the adoption of the Filer Manual, we are amending Rule 301 of Regulation S–T to provide for the incorporation by reference into the Code of Federal Regulations of today's revisions. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51.

The updated EDGAR Filer Manual will be available for Web site viewing and printing; the address for the Filer Manual is *http://www.sec.gov/info/edgar.shtml.* You may also obtain paper copies of the EDGAR Filer Manual from the following address: Public Reference Room, U.S. Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m.

Since the Filer Manual and the corresponding rule changes relate solely to agency procedures or practice, publication for notice and comment is not required under the Administrative Procedure Act (APA).[4] It follows that the requirements of the Regulatory Flexibility Act[5] do not apply.

The effective date for the updated Filer Manual and the rule amendments is May 26, 2015. In accordance with the APA,[6] we find that there is good cause to establish an effective date less than 30 days after publication of these rules. The EDGAR system upgrade to Release 15.1.1 is scheduled to become available on May 11, 2015. The Commission believes that establishing an effective date less than 30 days after publication of these rules is necessary to coordinate the effectiveness of the updated Filer Manual with the system upgrade.

Statutory Basis

We are adopting the amendments to Regulation S–T under Sections 6, 7, 8, 10, and 19(a) of the Securities Act of 1933,[7] Sections 3, 12, 13, 14, 15, 23, and 35A of the Securities Exchange Act of 1934,[8] Section 319 of the Trust Indenture Act of 1939,[9] and Sections 8, 30, 31, and 38 of the Investment Company Act of 1940.[10]

List of Subjects in 17 CFR Part 232

Incorporation by reference, Reporting and recordkeeping requirements, Securities.

Text of the Amendment

In accordance with the foregoing, Title 17, Chapter II of the Code of Federal Regulations is amended as follows:

PART 232—REGULATION S–T—GENERAL RULES AND REGULATIONS FOR ELECTRONIC FILINGS

■ 1. The authority citation for part 232 continues to read in part as follows:

Authority: 15 U.S.C. 77f, 77g, 77h, 77j, 77s(a), 77z–3, 77sss(a), 78c(b), 78*l,* 78m, 78n, 78o(d), 78w(a), 78*ll,* 80a–6(c), 80a–8, 80a–29, 80a–30, 80a–37, and 7201 *et seq.*; and 18 U.S.C. 1350.

* * * * *

■ 2. Section 232.301 is revised to read as follows:

§ 232.301 EDGAR Filer Manual.

Filers must prepare electronic filings in the manner prescribed by the EDGAR Filer Manual, promulgated by the Commission, which sets out the technical formatting requirements for electronic submissions. The requirements for becoming an EDGAR Filer and updating company data are set forth in the updated EDGAR Filer Manual, Volume I: ''General Information,'' Version 21 (May 2015). The requirements for filing on EDGAR are set forth in the updated EDGAR Filer Manual, Volume II: ''EDGAR Filing,'' Version 31 (May 2015). Additional provisions applicable to Form N–SAR filers are set forth in the EDGAR Filer Manual, Volume III: ''N–SAR Supplement,'' Version 4 (October 2014). All of these provisions have been incorporated by reference into the Code of Federal Regulations, which action

[2] *See* Rule 301 of Regulation S–T (17 CFR 232.301).

[3] *See* Release No. 33–9746 in which we implemented EDGAR Release 15.1. For additional history of Filer Manual rules, please see the cites therein.

[4] 5 U.S.C. 553(b).

[5] 5 U.S.C. 601–612.

[6] 5 U.S.C. 553(d)(3).

[7] 15 U.S.C. 77f, 77g, 77h, 77j, and 77s(a).

[8] 15 U.S.C. 78c, 78*l,* 78m, 78n, 78o, 78w, and 78*ll.*

[9] 15 U.S.C. 77sss.

[10] 15 U.S.C. 80a–8, 80a–29, 80a–30, and 80a–37.

was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. You must comply with these requirements in order for documents to be timely received and accepted. The EDGAR Filer Manual is available for Web site viewing and printing; the address for the Filer Manual is *http://www.sec.gov/info/edgar.shtml.* You can obtain paper copies of the EDGAR Filer Manual from the following address: Public Reference Room, U.S. Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. You can also inspect the document at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.*

By the Commission.

Dated: May 18, 2015.

Jill M. Peterson,

Assistant Secretary.

[FR Doc. 2015–12566 Filed 5–22–15; 8:45 am]

BILLING CODE 8011–01–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2014–0719]

RIN 1625–AA09

Drawbridge Operation Regulation; Biscayne Bay, Miami Beach, FL

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is temporarily modifying the operating schedule that governs the East Venetian Causeway Bridge across Miami Beach Channel, Miami-Dade County, Florida. For approximately nine months, the West Venetian Causeway Bridge will remain in the open position to complete necessary repairs. This rule will temporarily authorize the fulltime closure of the East Venetian Causeway Bridge to ensure that vehicular traffic will be able to access and depart from the Venetian Causeway while emergency repairs are completed.

DATES: This temporary final rule is effective from 7 a.m. on May 26, 2015 to 7 p.m. on February 28, 2016.

ADDRESSES: Documents mentioned in this preamble are part of docket [USCG–2014–0719]. To view documents mentioned in this preamble as being available in the docket, go to *http://www.regulations.gov,* type the docket number in the ''SEARCH'' box and click ''SEARCH.'' Click on Open Docket Folder on the line associated with this rulemaking. You may also visit the Docket Management Facility in Room W12–140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this temporary final rule, call or email Robert Glassman at telephone 305–415–6746, email *Robert.S.Glassman@uscg.mil.* If you have questions on viewing the docket, call Cheryl Collins, Program Manager, Docket Operations, telephone 202–366–9826.

SUPPLEMENTARY INFORMATION:

Table of Acronyms

CFR Code of Federal Regulations
DHS Department of Homeland Security
FR Federal Register
NPRM Notice of Proposed Rulemaking
§ Section Symbol
U.S.C. United States Code

A. Regulatory History and Information

On September 11, 2014, we published a notice of proposed rulemaking (NPRM) entitled ''Drawbridge Operation Regulation; Biscayne Bay, Miami Beach, FL'' in the **Federal Register** (79 FR 54241–54244). We received 13 comments on the proposed rule. No public meeting was requested, and none was held.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. This provision authorizes an agency to make a rule effective less than 30 days after publication in the **Federal Register** when the agency for good cause finds that delaying the effective period for 30 days or more is ''impracticable, unnecessary, or contrary to the public interest.'' Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register** because the East Venetian Causeway Bridge experienced a mechanical failure that prevents it from being opened. Therefore, it is impracticable to make this rule effective 30 days or more after publication in the **Federal Register**.

B. Basis and Purpose

The East Venetian Causeway Bridge connects Rivo Alto Island and the four Venetian Causeway islands east of Miami to Belle Isle and Miami Beach, Florida. The vertical clearance of the East Venetian Causeway Bridge is five feet above mean high water and the horizontal clearance is 57 feet between fenders.

Emergency repairs are required on both the East Venetian Causeway Bridge and the West Venetian Causeway Bridge. This rule will allow repairs to be completed on both bridges while minimizing impacts on vehicular and waterway traffic.

On August 12, 2014, the East Venetian Causeway Bridge bridge owner, Miami-Dade County, and the Mayor of Miami Beach requested that the Coast Guard consider closing the East Venetian Causeway Bridge to all marine traffic during repairs to the approach span on west side of the Venetian Islands. The roadway leading to the West Venetian Causeway Bridge will be closed to vehicular traffic while repairs are completed on the approach span and Miami-Dade County will leave the West Venetian Causeway Bridge in the open to navigation position. While the West Venetian Causeway Bridge is in the open position, vehicles accessing islands along the Venetian Causeway will use the East Venetian Causeway Bridge.

On April 20, 2015, the Coast Guard was advised that the East Venetian Bridge experienced an extensive mechanical breakdown which cannot be fixed prior to the start of West Venetian Approach replacement. These repairs can be completed while the bridge is in the closed position. However, due to the extensive repairs required to fix the East Venetian Bridge, all parties have agreed to allow the repairs to be completed after vehicle traffic is restored on the West Venetian Bridge. This rule will allow the East Venetian Bridge to remain closed to navigation until the repairs to the West Venetian Approach are completed and vehicle traffic movement has been restored.

C. Discussion of Comments, Changes and the Temporary Final Rule

Title 33, Code of Federal Regulations, Section 117.269 requires the East Venetian Causeway Bridge to open on signal except from 7 a.m. to 7 p.m., Monday through Friday when it opens on the hour and half-hour (Federal holidays excluded). On September 11, 2014, the Coast Guard published a NPRM that proposed amending the operating schedule for the East Venetian

Causeway Bridge by authorizing it to remain closed except for an opening at 10:30 a.m. and 7:30 p.m. daily from November 1, 2014 until August 1, 2015. This opening schedule was proposed to limit openings during West Venetian Causeway Bridge approach span repairs. Following publication of this proposed rule, Miami-Dade County determined that waterway and vehicular traffic would be least affected if repair work started during the summer months, after the conclusion of peak tourist season. Therefore, repair work did not commence during the time period proposed.

Miami-Dade County recently notified the Coast Guard that it will be able to commence repairs to the West Venetian Causeway Bridge in June 2015. Due to the recent mechanical failure of the East Venetian Causeway Bridge, the Coast Guard is making this rule effective prior to the commencement of construction on the West Venetian Causeway Bridge.

In response to the NPRM, the Coast Guard received 13 comments, all of which expressed concerns with the ability of emergency vehicles to respond to incidents on Venetian Causeway islands in a timely manner if the East Venetian Causeway bridge operation fails while it is in the open to navigation position. The Coast Guard received no comments from the maritime community, but the proposed rule noted that maritime traffic can use the West Venetian Causeway Bridge to gain access to adjacent waterways while the East Venetian Causeway is closed.

Based on draw tender logs, the Coast Guard found that vessel traffic on this waterway typically consists of recreational boats and two commercial passenger vessels. These vessels can use the West Venetian causeway bridge as a route of similar convenience while this rule is in effect.

After considering comments received, the recent mechanical failure of the East Venetian Causeway Bridge, and the ability of maritime traffic to safely operate on waters adjacent to the East Venetian Causeway Bridge, the Coast Guard is amending the operating schedule for the East Venetian Causeway Bridge by authorizing full time closure until repairs can be made to the East and West Venetian Causeway Bridges. Miami-Dade County has confirmed that repairs to both bridges will be completed by the end of February 2016. Therefore, this rule is effective until February 28, 2016.

D. Regulatory Analyses

We developed this rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on these statutes or executive orders.

1. Regulatory Planning and Review

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866, Regulatory Planning and Review, as supplemented by Executive Order 13563, Improving Regulation and Regulatory Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of Order 12866 or under section 1 of Executive Order 13563. The Office of Management and Budget has not reviewed it under those Orders.

This rule authorizes the East Venetian Causeway Bridge to remain in the closed to navigation position at all times while repairs are made. During the time period needed for these repairs, vessel traffic seeking access through the Venetian Causeway may transit through the West Venetian Causeway bridge or, alternatively, vessels may transit around Miami Beach. Therefore, this is not a significant regulatory action because alternative routes of similar convenience are available to maritime traffic.

2. Impact on Small Entities

The Regulatory Flexibility Act of 1980 (RFA), 5 U.S.C. 601–612, as amended, requires federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard received no comments from the Small Business Administration on this rule. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

No changes were made to accommodate small entities. This rule would affect the following entities, some of which may be small entities: The owners or operators of vessels intending to transit the East Venetian Causeway Bridge. As discussed in 1. Regulatory Planning and Review above, these operators may use other routes to seek access to adjacent waterways.

3. Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section above.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

4. Collection of Information

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

5. Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has 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. We have analyzed this rule under that Order and have determined that it does not have implications for federalism.

6. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

7. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of $100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

8. Taking of Private Property

This rule will not cause a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

9. Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

10. Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not create an environmental risk to health or risk to safety that might disproportionately affect children.

11. Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

12. Energy Effects

This action is not a ''significant energy action'' under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use.

13. Technical Standards

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

14. Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.lD, which guides the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA)(42 U.S.C. 4321–4370f), and have concluded that this action is one of a category of actions which do not individually or cumulatively have a significant effect on the human environment. This rule simply promulgates the operating regulations or procedures for drawbridges. This rule is categorically excluded, under figure 2–1, paragraph (32)(e), of the Instruction.

Under figure 2–1, paragraph (32)(e), of the Instruction, an environmental analysis checklist and a categorical exclusion determination are not required for this rule.

List of Subjects in 33 CFR Part 117 Bridges

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 117 as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

■ 1. The authority citation for part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 33 CFR 1.05–1; and Department of Homeland Security Delegation No. 0170.1.

■ 2. Effective 7 a.m. on May 26, 2015 to 7 p.m. on February 28, 2016, suspend § 117.269 and add § 117.T269 to read as follows:

§ 117.T269 Biscayne Bay.

The Venetian Causeway Bridge (East) shall remain closed to navigation.

Dated: May 7, 2015.

Melissa Bert,

Captain, U.S. Coast Guard, Commander, Seventh Coast Guard District, Acting.

[FR Doc. 2015–12552 Filed 5–22–15; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2015–0389]

RIN 1625–AA00

Safety Zone; Detroit Belle Isle Grand Prix, Detroit River; Detroit, MI

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone encompassing a portion of the Detroit River in Detroit, Michigan. This safety zone is necessary to protect Belle Isle Grand Prix participants, spectators and vessels from the hazards associated with a high speed automobile race in close proximity to a navigable waterway.

This safety zone will establish restrictions upon, and control movement of, vessels in a portion of the Detroit River. During the enforcement period, no person or vessel may enter the regulated area without permission of the Captain of the Port.

DATES: This temporary final rule is effective and will be enforced from 8 a.m. on May 29, 2015 until 8 p.m. on May 31, 2015.

ADDRESSES: Documents mentioned in this preamble are part of docket USCG–2015–0389. To view documents mentioned in this preamble as being available in the docket, go to *www.regulations.gov*, type the docket number in the ''SEARCH'' box, and click ''Search.'' You may visit the Docket Management Facility, Department of Transportation, 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 FURTHER INFORMATION CONTACT: If you have questions on this temporary rule, call or email PO1 Todd Manow, Prevention Department, Sector Detroit, Coast Guard; telephone 313–568–9580, email *Todd.M.Manow@uscg.mil.* If you have questions on viewing the docket, call Ms. Cheryl Collins, Program Manager, Docket Operations, telephone 202–366–9826 or 1–800–647–5527.

SUPPLEMENTARY INFORMATION:

Table of Acronyms

DHS Department of Homeland Security
FR Federal Register
NAD 83 North American Datum of 1983

A. Regulatory History and Information

The Coast Guard is issuing this temporary final rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are ''impracticable, unnecessary, or contrary to the public interest.'' Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because waiting for a notice and comment period to run would be impracticable, unnecessary, and contrary to the public interest. The final details of this event were not known to the Coast Guard with sufficient time for the Coast Guard to solicit public comments before the start of the event. Thus, delaying this temporary rule to wait for a notice and comment period to run would be impracticable and contrary to the public interest because it would inhibit the Coast Guard's ability to protect waterways users from the hazards associated with a high speed automobile

race in close proximity to a navigable waterway.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register** (FR). For the same reasons discussed in the preceding paragraph, waiting for a 30-day notice period to run would be impracticable and contrary to the public interest.

B. Basis and Purpose

The legal basis and authorities for this rule are found in 33 U.S.C. 1231, 46 U.S.C. Chapter 701, 3306, 3703; 50 U.S.C. 191, 195; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Public Law 107–295, 116 Stat. 2064; and Department of Homeland Security Delegation No. 0170.1, which collectively authorize the Coast Guard to establish and define regulatory safety zones.

On the morning of May 29, 2015, a series of high speed automobile races will begin and continue for three days until the evening of May 31, 2015. Participants in the Detroit Belle Isle Grand Prix will race on portions of the roadway in the Belle Isle Park that are very near to the waterfront, making these areas vulnerable in the event of a collision.

The Captain of the Port Detroit has determined that the likely combination of recreation vessels, commercial vessels, and large numbers of spectators in close proximity to the automobile races pose extra and unusual hazards to public safety and property. Thus, the Captain of the Port Detroit has determined that establishing a Safety Zone around the location of the racecourse will help minimize risks to safety of life and property during this event.

C. Discussion of Rule

In light of the aforementioned hazards, the Captain of the Port Detroit has determined that a temporary safety zone is necessary to prevent vessels from entering, transiting, or anchoring in the vicinity of the event. The safety zone will encompass a 50 yard wide zone around the western side of Belle Isle in U.S. Waters, of the Detroit River. The area will start on the west side of the Belle Isle Bridge at position 42°20.4′ N.; 082°59.8′ W. to 50 yards offshore; and will end 50 yards offshore south of the Dossin Museum parking lot, and extending to Belle Isle straight north to position 42°20.1′ N.; 082°59.0′ W. (all coordinates are NAD 83).

This safety zone is necessary in order to ensure the protection of Participants of the Detroit Belle Isle Grand Prix and waterways users transiting the area. This safety zone will be enforced from 8 a.m. until 8 p.m. each day on May 29, 30, and 31, 2015.

Entry into, transiting, or anchoring within this safety zone is prohibited unless authorized by the Captain of the Port Detroit or his designated on-scene representative.

Vessel operators desiring to transit through this safety zone must contact the Coast Guard Patrol Commander to obtain permission to do so. The Captain of the Port or his designated on-scene representative may be contacted via VHF Channel 16.

D. Regulatory Analyses

We developed this rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on 14 of these statutes or executive orders.

1. Regulatory Planning and Review

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866, Regulatory Planning and Review, as supplemented by Executive Order 13563, Improving Regulation and Regulatory Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of Executive Order 12866 or under section 1 of Executive Order 13563. The Office of Management and Budget has not reviewed it under those Orders. It is not ''significant'' under the regulatory policies and procedures of the Department of Homeland Security (DHS).

We conclude that this rule is not a significant regulatory action because we anticipate that it will have minimal impact on the economy, will not interfere with other agencies, will not adversely alter the budget of any grant or loan recipients, and will not raise any novel legal or policy issues.

The safety zone created by this rule will be relatively small and enforced for relatively short duration, and it is designed to minimize the impact on navigation. Under certain conditions, vessels may still transit through the safety zone when permitted by the Captain of the Port. Moreover, this safety zone is outside the navigable channel. Overall, the Coast Guard expects minimal impact to vessel movement from the enforcement of this safety zone.

2. Impact on Small Entities

The Regulatory Flexibility Act of 1980 (RFA), 5 U.S.C. 601–612, as amended, requires federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

This rule will affect the following entities, some of which might be small entities: The owners or operators of vessels intending to transit or anchor in a portion of the Detroit River from 8 a.m. until 8 p.m. on May 29, 30, and 31, 2015.

This safety zone will not have a significant economic impact on a substantial number of small entities for the following reasons: This safety zone is outside of the navigable shipping channel and will not obstruct the regular flow of commercial traffic. Vessels may be allowed to pass through the safety zone with the permission of the Captain of the Port or his designated on-scene representative. The Captain of the Port can be reached via VHF channel 16. The Coast Guard will give notice to the public via a Broadcast to Mariners that the regulation is in effect, allowing vessel owners and operators to plan accordingly.

3. Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Public Law 104–121), we want to assist small entities in understanding this rule to that they can better evaluate its effects on them. If this rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section above.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against entities that question or complain about this rule or any policy or action of the Coast Guard.

4. Collection of Information

This rule will not call for a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

5. Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has 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. We have analyzed this rule under that Order and determined that this rule does not have implications for federalism.

6. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received withou1111t jeopardizing the safety or security of people, places or vessels.

7. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of $100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such expenditure, we do discuss the effects of this rule elsewhere in this preamble.

8. Taking of Private Property

This rule will not cause a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

9. Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

10. Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not create an environmental risk to health or risk to safety that may disproportionately affect children.

11. Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

12. Energy Effects

This action is not a ''significant energy action'' under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use.

13. Technical Standards

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

14. Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.lD, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have concluded this action is one of a category of actions which do not individually or cumulatively have a significant effect on the human environment. This rule involves the establishment of a safety zone and, therefore it is categorically excluded from further review under paragraph 34(g) of Figure 2–1 of the Commandant Instruction. An environmental analysis checklist supporting this determination and a Categorical Exclusion Determination are available in the docket where indicated under **ADDRESSES**. We seek any comments or information that may lead to the discovery of a significant environmental impact from this rule.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 1. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C 1231; 46 U.S.C. Chapters 701, 3306, 3703; 50 U.S.C. 191, 195; 33 CFR 1.05–1, 6.04–1, 6.04–6 and 160.5; Pub. L. 107–295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

■ 2. Add § 165.T09–0389 to read as follows:

§ 165.T09–0389 Safety Zone; Detroit Belle Isle Grand Prix, Detroit River, Detroit, MI.

(a) Safety zone. A safety zone is established to include all waters of the Detroit River within a 50-yard wide zone around the western side of Belle Isle in U.S. Waters, of the Detroit River. The area will start on the west side of the Belle Isle Bridge at position 42°20.4′ N.; 082°59.8′ W. to 50 yards offshore; and will end 50 yards offshore south of the Dossin Museum parking lot, and extending to Belle Isle straight north to position 42°20.1′ N.; 082°59.0′ W. All geographic coordinates are North American Datum of 1983.

(b) Effective and enforcement period. This regulation will be enforced from 8 a.m. until 8 p.m. each day on May 29, 30, and 31, 2015.

(c) Regulations. (1) In accordance with the general regulations in section 165.23, entry into, transiting or anchoring within this safety zone is prohibited unless authorized by the Captain of the Port, Detroit, MI, or his designated representative.

(2) This safety zone is closed to all vessel traffic, except as may be permitted by the Captain of the Port Detroit, MI, or his designated on-scene representative.

(3) The on-scene representative of the Captain of the Port is any Coast Guard commissioned, warrant, or petty officer who has been designated by the Captain of the Port to act on his behalf. The on-scene representative will be aboard either a Coast Guard or Coast Guard auxiliary vessel. The Captain of the Port representative may be contacted via VHF channel 16 or at 313–568–9464.

(4) Vessel operators desiring to enter or operate within the safety zone shall contact the Captain of the Port Detroit, MI or his on-scene representative to request permission to do so. Vessel operators given permission to enter or operate in the safety zone must comply with all directions given to them by the Captain of the Port Detroit, MI or his on-scene representative.

Dated: April 11, 2015.

S.B. Lemasters,

Captain, U.S. Coast Guard, Captain of the Port Detroit.

[FR Doc. 2015–12554 Filed 5–22–15; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2014–0300]

RIN 1625–AA00

Safety Zones; Fireworks Displays in the Sector Columbia River Captain of the Port Zone

AGENCY: Coast Guard, DHS.

ACTION: Final rule.

SUMMARY: The Coast Guard is adding twenty three new fireworks display safety zones at various locations in the Sector Columbia River Captain of the Port zone. The Coast Guard amended the regulatory text to clarify that the coordinates for all safety zones are approximate. The Coast Guard corrected the locations of nine existing and ten new fireworks events in the Sector Columbia River Captain of the Port zone. In addition, the Coast Guard is changing the format of the existing regulation by incorporating a fireworks event table for ease of use.

DATES: This rule is effective June 25, 2015.

ADDRESSES: Documents mentioned in this preamble are part of Docket Number [USCG–2014–0300]. To view documents mentioned in this preamble as being available in the docket, go to *http://www.regulations.gov,* type the docket number in the ''SEARCH'' box and click ''SEARCH.'' Click on ''Open Docket Folder'' on the line associated with this rulemaking. You may also visit the Docket Management Facility in Room W12–140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

You may submit comments identified by docket number USCG–2014–0300 using any one of the following methods:

(1) *Federal eRulemaking Portal: http://www.regulations.gov.*

(2) *Fax:* 202–493–2251.

(3) *Mail or Delivery:* Mail or Delivery: 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. Deliveries accepted between 9 a.m. and 5 p.m., Monday through Friday, except federal holidays. The telephone number is 202–366–9329.

See the ''Public Participation and Request for Comments'' portion of the **SUPPLEMENTARY INFORMATION** section below for further instructions on submitting comments. To avoid duplication, please use only one of these three methods.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email Kenneth Lawrenson, Waterways Management Division, Marine Safety Unit Portland, Coast Guard; telephone 503–240–9319, email *msupdxwwm@uscg.mil.* If you have questions on viewing or submitting material to the docket, call Cheryl Collins, Program Manager, Docket Operations, telephone (202) 366–9826.

SUPPLEMENTARY INFORMATION:

Table of Acronyms

DHS Department of Homeland Security
FR Federal Register
NPRM Notice of Proposed Rulemaking
SNPRM Supplemental Notice of Proposed Rulemaking

A. Regulatory History and Information

The Coast Guard published an NPRM in the **Federal Register** entitled ''Safety Zones; Fireworks Displays in the Sector Columbia River Captain of the Port Zone'' on June 18, 2014. The Coast Guard published a Supplemental Notice of Proposed Rulemaking in the **Federal Register** on February 24, 2015 with a comment period ending on March 26, 2015 (see 80 FR 9673). The SNPRM was published to correct coordinates of 19 of the fireworks displays and to clarify that the coordinates of the safety zones are approximate. Specifically, the SNPRM corrected the location of the safety zones for the following fireworks events: Cinco de Mayo, Tri-City Chamber of Commerce, Cedco Inc., Florence Independence Day Celebration, Ilwaco July 4th Independence Day at the Port, East County 4th of July, City of St. Helens 4th of July, Hood River 4th of July, Rufus 4th of July, Maritime Heritage Festival, Lynch Picnic, July 4th Party at the Port of Gold Beach, Roseburg Hometown 4th of July, Newport 4th of July, The Mill Casino Independence Day, Westport 100th Anniversary, Westport 4th of July, The 4th of July at Pekin Ferry, and the Leukemia and Lymphoma Light the Night. Additionally, we found a duplicate entry for the Hood River 4th of July event.

B. Basis and Purpose

The legal basis for this rule is: 33 U.S.C. 1231; 50 U.S.C. 191, 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; and Department of Homeland Security Delegation No. 0170.1, which collectively authorize the Coast Guard to establish regulatory safety zones for safety and environmental purposes.

The safety zones are being implemented to help ensure the safe navigation of maritime traffic in the Sector Columbia River Area of Responsibility during fireworks displays. Fireworks displays create hazardous conditions for the maritime public because of the large number of vessels that congregate near the displays, as well as the noise, falling debris, and explosions that occur during the event. Because firework discharge sites can pose a hazard to the maritime public, these safety zones are necessary in order to restrict vessel movement and reduce vessel congregation in the proximity of the firework discharge sites.

C. Discussion of Comments, Changes and the Final Rule

Two comments to the SNPRM were submitted and no requests for a public meeting were received by the Coast Guard. Both comments were submitted by the fireworks display provider and requested corrections to two locations. The first comment stated that the location of the Astoria Regatta Firework display has changed to a different location from which was published in the SNPRM. The Coast Guard has verified this position with the firework coordinator and replaced the previous geographic latitude and longitude. The second comment stated that the location of the Astoria-Warrenton 4th of July Firework display has changed to a different location from which was published in the SNPRM. The Coast Guard has verified this position with the firework coordinator and replaced the previous geographic latitude and longitude.

D. Discussion of the Final Rule

The Final Rule modifies the safety zone by incorporating new areas that encompass waters within a 450 yard radius of the launch site at the approximate locations listed in the tables.

Additionally, The Final Rule amends the positions of the following fireworks displays in order to accurately reflect the approximate locations of the fireworks displays:

Event name (typically)	Event location	Date of event	Latitude	Longitude
Cinco de Mayo Fireworks Display	Portland, OR	One day in May	45°30′58″ N	122°40′12″ W
Tri-City Chamber of Commerce Fireworks Display, Columbia Park.	Kennewick, WA	One day in July	46°13′37″ N	119°08′47″ W.
Cedco Inc. Fireworks Display	North Bend, OR	One day in July	43°23′42″ N	124°12′55″ W.
Florence Independence Day Celebration	Florence, OR	One day in July	43°58′09″ N	124°05′50″ W.
Ilwaco July 4th Committee Fireworks/Independence Day at the Port.	Ilwaco, OR	One day in July	46°18′17″ N	124°02′00″ W.
East County 4th of July Fireworks	Gresham, OR	One day in July	45°33′32″ N	122°27′10″ W.
City of St. Helens 4th of July Fireworks Display.	St. Helens, OR	One day in July	45°51′54″ N	122°47′26″ W.
Hood River 4th of July	Hood River, OR	One day in July	45°42′58″ N	121°30′32″ W.
Rufus 4th of July Fireworks	Rufus, OR	One day in July	45°41′39″ N	120°45′16″ W.
Maritime Heritage Festival	St. Helens, OR	One day in July	45°51′54″ N	122°47′26″ W.
Lynch Picnic	West Linn, OR	One day in July	45°23′37″ N	122°37′52″ W.
July 4th Party at the Port of Gold Beach	Gold Beach, OR	One day in July	42°25′30″ N	124°25′03″ W.
Roseburg Hometown 4th of July	Roseburg, OR	One day in July	43°12′58″ N	123°22′10″ W.
Newport 4th of July	Newport, OR	One day in July	44°37′40″ N	124°02′45″ W.
The Mill Casino Independence Day	North Bend, OR	One day in July	43°23′42″ N	124°12′55″ W.
Westport 100th Anniversary	Westport, WA	One day in June	46°54′17″ N	124°05′59″ W.
Westport 4th of July	Westport, WA	One day in July	46°54′17″ N	124°05′59″ W.
The 4th of July at Pekin Ferry	Ridgefield, WA	One day in July	45°52′07″ N	122°43′53″ W.
Leukemia and Lymphoma Light the Night Fireworks Display.	Portland, OR	One day in October	45°31′14″ N	122°40′06″ W.
Astoria-Warrenton 4th of July Fireworks	Astoria, OR	One day in July	46°11′44″ N	123°48′25″ W.
Astoria Regatta	Astoria, OR	One day in August	46°11′44″ N	123°48′25″ W.

Finally, the final rule places the regulated areas into a table format, rather than a narrative format used previously.

E. Regulatory Analyses

We developed this rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on these statutes and executive orders.

1. Regulatory Planning and Review

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866, Regulatory Planning and Review, as supplemented by Executive Order 13563, Improving Regulation and Regulatory Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of Executive Order 12866 or under section 1 of Executive Order 13563. The Office of Management and Budget has not reviewed it under those Orders. The Coast Guard bases this finding on the fact that the safety zones listed will be in place for a limited period of time and are minimal in duratioN

2. Impact on Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we have considered the impact of this rule on small entities. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

This rule may affect the following entities, some of which may be small entities: The owners and operators of vessels intending to operate in the area covered by the safety zone. The rule will not have a significant economic impact on a substantial number of small entities because the safety zones will only be in effect for a limited period of time. Additionally, vessels can still transit through the zone with the permission of the Captain of the Port. Before the effective period, we will publish advisories in the Local Notice to Mariners available to users of the river. Maritime traffic will be able to schedule their transits around the safety zone.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this rule would have a significant economic impact on it, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and how and to what degree this rule would economically affect it.

3. Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Public Law 104–121), we want to assist small entities in understanding this rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT**, above. The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

4. Collection of Information

This rule will not call for a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

5. Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has 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. We have analyzed this rule under that Order and determined that this rule does not have implications for federalism.

6. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

7. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the

aggregate, or by the private sector of $100,000,000 (adjusted for inflation) or more in any one year. Though this rule would not result in such expenditure, we do discuss the effects of this rule elsewhere in this preamble.

8. Taking of Private Property

This rule would not cause a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

9. Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burdeN

10. Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and would not create an environmental risk to health or risk to safety that might disproportionately affect childreN

11. Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it would not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

12. Energy Effects

This rule is not a ''significant energy action'' under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use.

13. Technical Standards

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

14. Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.lD, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have made a preliminary determination that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves the amendment and addition of safety zones in 33 CFR 165.1315. This rule is categorically excluded from further review under paragraph 34(g) of Figure 2–1 of the Commandant Instruction. A preliminary environmental analysis checklist supporting this determination and a Categorical Exclusion Determination are available in the docket where indicated under **ADDRESSES**. We seek any comments or information that may lead to the discovery of a significant environmental impact from this rule.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard is amending 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 1. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegation No. 0170.1.

■ 2. Revise § 165.1315 to read as follows:

§ 165.1315 Safety Zone; Annual Fireworks Displays within the Sector Columbia River Captain of the Port Zone.

(a) *Safety zones.* The following areas are designated safety zones: Waters of the Columbia River and its tributaries, waters of the Siuslaw River, Yaquina River, and Umpqua River, and waters of the Washington and Oregon coasts, within a 450 yard radius of the launch site at the approximate locations listed in the following table:

Event name (typically)	Event location	Date of event	Latitude	Longitude
Cinco de Mayo Fireworks Display	Portland, OR	One day in May	45°30′58″ N	122°40′12″ W.
Portland Rose Festival Fireworks Display	Portland, OR	One day in May or June	45°30′58″ N	122°40′12″ W.
Tri-City Chamber of Commerce Fireworks Display, Columbia Park.	Kennewick, WA	One day in July	46°13′37″ N	119°08′47″ W.
Cedco Inc. Fireworks Display	North Bend, OR	One day in July	43°23′42″ N	124°12′55″ W.
Astoria-Warrenton 4th of July Fireworks	Astoria, OR	One day in July	46°11′44″ N	123°48′25″ W.
Waterfront Blues Festival Fireworks	Portland, OR	One day in July	45°30′42″ N	122°40′14″ W.
Oregon Symphony Concert Fireworks Display.	Portland, OR	One day in August or September.	45°30′42″ N	122°40′14″ W.
Florence Independence Day Celebration	Florence, OR	One day in July	43°58′09″ N	124°05′50″ W.
Oaks Park Association	Portland, OR	One day in July	45°28′22″ N	122°39′59″ W.
City of Rainier/Rainier Days	Rainier, OR	One day in July	46°05′46″ N	122°56′18″ W.
Ilwaco July 4th Committee Fireworks/Independence Day at the Port.	Ilwaco, OR	One day in July	46°18′17″ N	124°02′00″ W.
Celebrate Milwaukie	Milwaukie, OR	One day in July	45°26′33″ N	122°38′44″ W.
Splash Aberdeen Waterfront Festival	Aberdeen, WA	One day in July	46°58′40″ N	123°47′45″ W.
City of Coos Bay July 4th Celebration/Fireworks Over the Bay.	Coos Bay, OR	One day in July	43°22′06″ N	124°12′24″ W.
Arlington 4th of July	Arlington, OR	One day in July	45°43′23″ N	120°12′11″ W.
East County 4th of July Fireworks	Gresham, OR	One day in July	45°33′32″ N	122°27′10″ W.
Port of Cascade Locks 4th of July Fireworks Display.	Cascade Locks, OR	One day in July	45°40′15″ N	121°53′43″ W.
Washougal 4th of July	Washougal, WA	One day in July	45°34′32″ N	122°22′53″ W.
Astoria Regatta	Astoria, OR	One day in August	46°11′44″ N	123°48′25″ W.
City of St. Helens 4th of July Fireworks Display.	St. Helens, OR	One day in July	45°51′54″ N	122°47′26″ W.
Waverly Country Club 4th of July Fireworks Display.	Milwaukie, OR	One day in July	45°27′03″ N	122°39′18″ W.

Event name (typically)	Event location	Date of event	Latitude	Longitude
Booming Bay Fireworks	Westport, WA	One day in July	46°54′14″ N	124°06′08″ W.
Hood River 4th of July	Hood River, OR	One day in July	45°42′58″ N	121°30′32″ W.
Rufus 4th of July Fireworks	Rufus, OR	One day in July	45°41′39″ N	120°45′16″ W.
Newport High School Graduation Fireworks Display.	Newport, OR	One day in June	44°36′48″ N	124°04′10″ W.
Willamette Falls Heritage Festival	Oregon City, OR	One day in October	45°21′44″ N	122°36′21″ W.
Winchester Bay 4th of July Fireworks Display.	Winchester Bay, OR	One day in July	43°40′56″ N	124°11′13″ W.
Brookings, OR July 4th Fireworks Display	Brookings, OR	One day in July	42°02′39″ N	124°16′14″ W.
Maritime Heritage Festival	St. Helens, OR	One day in July	45°51′54″ N	122°47′26″ W.
Lynch Picnic	West Linn, OR	One day in July	45°23′37″ N	122°37′52″ W.
Yachats 4th of July	Yachats, OR	One day in July	44°18′38″ N	124°06′27″ W.
Lincoln City 4th of July	Lincoln City, OR	One day in July	44°55′28″ N	124°01′31″ W.
July 4th Party at the Port of Gold Beach	Gold Beach, OR	One day in July	42°25′30″ N	124°25′03″ W.
Gardiner 4th of July	Gardiner, OR	One day in July	43°43′55″ N	124°06′48″ W.
Huntington 4th of July	Huntington, OR	One day in July	44°18′02″ N	117°13′33″ W.
Toledo Summer Festival	Toledo, OR	One day in July	44°37′08″ N	123°56′24″ W.
Port Orford 4th of July	Port Orford, OR	One day in July	42°44′31″ N	124°29′30″ W.
The Dalles Area Chamber of Commerce Fourth of July.	The Dalles, OR	One day in July	45°36′18″ N	121°10′23″ W.
Roseburg Hometown 4th of July	Roseburg, OR	One day in July	43°12′58″ N	123°22′10″ W.
Newport 4th of July	Newport, OR	One day in July	44°37′40″ N	124°02′45″ W.
First Friday Milwaukie	Milwaukie, OR	One day in September	45°26′33″ N	122°38′44″ W.
The Mill Casino Independence Day	North Bend, OR	One day in July	43°23′42″ N	124°12′55″ W.
Waldport 4th of July	Waldport, OR	One day in July	44°25′31″ N	124°04′44″ W.
Westport 100th Anniversary	Westport, WA	One day in June	46°54′17″ N	124°05′59″ W.
Westport 4th of July	Westport, WA	One day in July	46°54′17″ N	124°05′59″ W.
The 4th of July at Pekin Ferry	Ridgefield, WA	One day in July	45°52′07″ N	122°43′53″ W.
Leukemia and Lymphoma Light the Night Fireworks Display.	Portland, OR	One day in October	45°31′14″ N	122°40′06″ W.

(b) *Special requirements.* Fireworks barges or launch sites on land used in locations stated in this rule shall display a sign. The sign will be affixed to the port and starboard side of the barge or mounted on a post 3 feet above ground level when on land and in close proximity to the shoreline facing the water labeled ''FIREWORKS–DANGER–STAY AWAY.'' This will provide on-scene notice that the safety zone is, or will, be enforced on that day. This notice will consist of a diamond shaped sign, 4 foot by 4 foot, with a 3 inch orange retro-reflective border. The word ''DANGER'' shall be 10 inch black block letters centered on the sign with the words ''FIREWORKS'' and ''STAY AWAY'' in 6 inch black block letters placed above and below the word ''DANGER'' respectively on a white background. An on-scene patrol vessel may enforce these safety zones at least 1 hour prior to the start and 1 hour after the conclusion of the fireworks display.

(c) *Notice of enforcement.* These safety zones will be activated and thus subject to enforcement, under the following conditions: the Coast Guard must receive an Application for Marine Event for each fireworks display; and, the Captain of the Port will cause notice of the enforcement of these safety zones to be made by all appropriate means to provide notice to the affected segments of the public as practicable, in accordance with 33 CFR 165.7(a). The Captain of the Port will issue a Local Notice to Mariners notifying the public of activation and suspension of enforcement of these safety zones. Additionally, an on-scene Patrol Commander may be appointed to enforce the safety zones by limiting the transit of non-participating vessels in the designated areas described above.

(d) *Enforcement period.* This rule will be enforced at least one hour before and one hour after the duration of the event each day a barge or launch site with a ''FIREWORKS–DANGER–STAY AWAY'' sign is located within any of the above designated safety zone locations and meets the criteria established in paragraphs (a), (b), and (c).

(e) *Regulations.* In accordance with the general regulations in 33 CFR part 165, subpart C, no person may enter or remain in the safety zone created in this section or bring, cause to be brought, or allow to remain in the safety zone created in this section any vehicle, vessel, or object unless authorized by the Captain of the Port or his designated representative. The Captain of the Port may be assisted by other Federal, State, or local agencies with the enforcement of the safety zone.

(f) *Authorization.* All vessel operators who desire to enter the safety zone must obtain permission from the Captain of the Port or Designated Representative by contacting either the on-scene patrol craft on VHF Ch 13 or Ch 16 or the Coast Guard Sector Columbia River Command Center via telephone at (503) 861–6211.

Dated: May 1, 2015.

D.J. Travers,

Captain, U.S. Coast Guard, Captain of the Port, Sector Columbia River.

[FR Doc. 2015–12635 Filed 5–22–15; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2015–0347]

Safety Zone; Southern California Annual Fireworks Events for the San Diego Captain of the Port Zone.

AGENCY: Coast Guard, DHS.

ACTION: Notice of enforcement of regulation.

SUMMARY: The Coast Guard will enforce a Safety Zone on the waters of Mission Bay, California for the 2015 Sea World Summer Fireworks displays held on specific evenings from Memorial Day to Labor Day. This action is necessary to provide for the safety of the marine event crew, spectators, safety vessels, and general users of the waterway.

During the enforcement period, persons and vessels are prohibited from entering into, transiting through, or anchoring within this regulated area unless authorized by the Captain of the Port, or his designated representative.

DATES: The regulations for the safety zone listed in 33 CFR 165.1123, Table 1, Item 7, will be enforced from 8:30 p.m. to 10:30 p.m. on several dates between May 23, 2015, and September 6, 2015.

FOR FURTHER INFORMATION CONTACT: If you have questions on this publication, call or email Petty Officer Nick Bateman, Waterways Management, U.S. Coast Guard Sector San Diego, CA; telephone (619) 278–7656, email *D11-PF-MarineEventsSanDiego@uscg.mil.*

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce the safety zone in Mission Bay, California, for the annual 2015 Sea World San Diego Fireworks Display (Item 7 on Table 1 of 33 CFR 165.1123), on May 23 through May 25, June 13 through June 30, July 1 through July 31, August 1 through August 9, August 15, August 22, August 29, September 5, and September 6, 2015. The safety zone is located off of the south side of Fiesta Island adjacent to Sea World.

Under the provisions of 33 CFR 165.1123, persons and vessels are prohibited during the fireworks display times from entering into, transiting through, or anchoring within the 800 foot regulated area safety zone around the fireworks barge, located in approximate position 32°46′03″ N., 117°13′11″ W., unless authorized by the Captain of the Port, or his designated representative. Persons or vessels desiring to enter into or pass through the safety zone may request permission from the Captain of the Port or a designated representative. The Coast Guard Captain of the Port or designated representative can be reached via VHF CH 16 or at (619) 278–7033. If permission is granted, all persons and vessels shall comply with the instructions of the Captain of the Port or designated representative. Spectator vessels may safely transit outside the regulated area, but may not anchor, block, loiter, or impede the transit of official fireworks support, event vessels or enforcement patrol vessels. The Coast Guard may be assisted by other Federal, State, or local law enforcement agencies in enforcing this regulation.

This notice is issued under authority of 5 U.S.C. 552(a) and 33 CFR 165.1123. In addition to this notice in the **Federal Register**, the Coast Guard will provide the maritime community with advance notification of this enforcement period via the Local Notice to Mariners, Broadcast Notice to Mariners, and local advertising by the event sponsor.

If the Coast Guard determines that the regulated area need not be enforced for the full duration stated on this notice, then a Broadcast Notice to Mariners or other communications coordinated with the event sponsor will grant general permission to enter the regulated area.

Dated: May 8, 2015.

J.A. Janszen,

Captain, U.S. Coast Guard, Acting, Captain of the Port San Diego.

[FR Doc. 2015–12555 Filed 5–22–15; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2015–0224]

Safety Zones; Recurring Events in Captain of the Port Boston Zone; Charles River 1-Mile Swim

AGENCY: Coast Guard, DHS.

ACTION: Notice of enforcement of regulation.

SUMMARY: The Coast Guard will enforce the subject safety zone in the Captain of the Port Boston Zone on the specified date and time listed below. This action is necessary to ensure the protection of the maritime public and event participants from the hazards associated with this annual recurring event.

DATES: The subject safety zone will be enforced on June 6, 2015 from 7:30 a.m. to 9:30 a.m., instead of from 8:00 a.m. to 9:00 a.m. on the usual second Sunday in July.

FOR FURTHER INFORMATION CONTACT: If you have questions on this notice of enforcement, call or email Mr. Mark Cutter, Coast Guard Sector Boston Waterways Management Division, telephone 617–223–4000, email *Mark.E.Cutter@uscg.mil.*

SUPPLEMENTARY INFORMATION: The subject event is listed in Table 1 of 33 CFR 165.118 as enforced annually on the second Sunday in July, from 8:00 a.m. to 9:00 p.m. In 2015, it will be enforced on June 6, 2015.

Under the provisions of 33 CFR 165.118, no person or vessel, except for the safety vessels assisting with the event may enter the safety zone unless given permission from the COTP or the designated on-scene representative. The Coast Guard may be assisted by other Federal, State, or local law enforcement agencies in enforcing this regulation.

This notice of enforcement is issued under authority of 33 CFR 165.118 and 5 U.S.C. 552 (a). In addition to this notification in the **Federal Register**, the Coast Guard will provide mariners with advanced notification of enforcement periods via the Local Notice to Mariners and Broadcast Notice to Mariners. If the COTP determines that the regulated area need not be enforced for the full duration stated in this notice of enforcement, a Broadcast Notice to Mariners may be used to grant general permission to enter the regulated area.

Dated: April 22, 2015.

J.C. O'Connor, III,

Captain, U.S. Coast Guard, Captain of the Port Boston.

[FR Doc. 2015–11814 Filed 5–22–15; 8:45 am]

BILLING CODE 9110–04–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R08–OAR–2011–0770; FRL–9928–16–Region 8]

Approval and Promulgation of Implementation Plans; State of Colorado; Regional Haze State Implementation Plan

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is reissuing its final approval of the Colorado regional haze State Implementation Plan (SIP) revision submitted on May 25, 2011 with respect to the State's best available retrofit technology (BART) determination for the Comanche Generating Station (Comanche) near Pueblo, Colorado. EPA originally finalized its approval of the Colorado regional haze SIP on December 31, 2012. In response to a petition for review of that final action in the United States Court of Appeals for the Tenth Circuit, EPA successfully moved for a voluntary remand, without vacatur, to more adequately respond to public comments concerning Comanche. EPA is providing new responses to those comments in this rulemaking notice.

DATES: This final rule is effective on June 25, 2015.

ADDRESSES: EPA has established a docket for this action under Docket ID No. EPA–R08– OAR–2011–0770. All documents in the docket are listed on the *www.regulations.gov* index.

Although listed in the index, some information is not publicly available, *e.g.,* Confidential Business Information (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 Air Program, Environmental Protection Agency (EPA), Region 8, 1595 Wynkoop Street, Denver, Colorado 80202–1129. EPA requests that if at all possible, you contact the person 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: Gail Fallon, Air Program, U.S. Environmental Protection Agency, Region 8, Mailcode 8P–AR, 1595 Wynkoop Street, Denver, Colorado 80202–1129, (303) 312–6281, *fallon.gail@epa.gov*.

SUPPLEMENTARY INFORMATION:

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I. Background

On March 26, 2012, EPA proposed to approve the Colorado regional haze SIP as meeting the applicable requirements of Sections 169A and 169B of the Clean Air Act (CAA) and EPA's implementing regulations at 40 CFR 51.308–309 (Regional Haze Rule) and 40 CFR part 51, Appendix Y (Best Available Retrofit Technology (BART) Guidelines).[1] Among the components of the SIP was a nitrogen oxides (NO_X) BART determination for Units 1 and 2 at Comanche. As with several other facilities, the State submitted a BART analysis for Comanche that took into account the five factors required by section 169A(g)(2) of the CAA. The State determined that the existing emission controls at Comanche Units 1 and 2, low-NO_X burners with over-fire air (LNB/OFA), are BART. EPA proposed to approve the State's NO_X BART determination for Comanche.

EPA received several adverse comments on its proposed approval, including comments from WildEarth Guardians (Guardians) and the National Parks Conservation Association (NPCA). On December 31, 2012, EPA published a notice of its final approval of the Colorado regional haze SIP.[2] That final action included an approval of the Comanche NO_X BART determination.

On February 25, 2013, NPCA and Guardians filed petitions seeking the Tenth Circuit's review of EPA's final approval of the Colorado regional haze SIP.[3] Guardians challenged EPA's approval of Colorado's BART determinations for Units 1 and 2 of the Craig Station; Units 1 and 2 of the Comanche Station; and Boilers 4 and 5 of the Colorado Energy Nations Company (CENC), LLP facility at the Coors Brewery. Guardians also challenged EPA's approval of Colorado's reasonable progress determination for Craig Unit 3, and the deadlines for compliance with emission limits for the units at all three facilities. NPCA challenged only EPA's approval of Colorado's BART and reasonable progress determinations for Craig Units 1, 2, and 3. After the court consolidated the cases for review, EPA reached a settlement with NPCA and Guardians concerning their claims related to the Craig Station,[4] and Guardians elected not to pursue its claims regarding CENC/Coors. Guardians' claims concerning the Comanche Station are still active. In response to these claims, EPA moved the court for a partial voluntary remand of its 2012 final approval without vacatur so as to provide a more detailed and complete response to some of the adverse comments on the proposed approval.[5] The court granted EPA's motion.[6]

II. Public Comments and Revised EPA Responses

We received adverse comments on our proposed approval of the Colorado regional haze SIP, including comments from Guardians related to our proposed approval of Colorado's BART determinations for Units 1 and 2 at the Comanche Station. We are reissuing our final approval of the Colorado regional haze SIP with respect to Comanche to provide more detailed and clearer responses to the Comanche-related adverse comments. The responses below contain our complete, updated, and clarified responses to comments related to the Comanche NO_X BART determination.

Comment: The commenter argues that Comanche Units 1 and 2 are currently meeting lower NO_X emission rates than the State's BART emission limits that EPA proposed to approve. The commenter cited the State's BART analysis, noting that currently Unit 1 is emitting at an average annual rate of 0.124 lb/MMBtu and Unit 2 is emitting at an average annual rate of 0.165 lb/MMBtu, and compares those rates to the Colorado BART limits: a 30-day emission rate of 0.20 lb/mmBtu, and a combined annual average emission rate of 0.15 lb/mmBtu. According to the commenter, allowing these units to emit more pollution than they currently emit does not represent BART and would not lead to visibility improvements, and nothing in the CAA or EPA's regulations suggests that it is appropriate for BART limits to include any such cushion. Further, the commenter alleges that that under the annual BART limits, NO_X emissions will be allowed to increase by at least 14 tons per year (tpy), and that the 30-day rolling average limits would allow Unit 1 to emit at least 40% more NO_X than the baseline 30-day rolling average peak and Unit 2 to emit 12% more NO_X. The commenter claims that the data demonstrates that Unit 1 could meet a 30-day rolling average NO_X emission limit of 0.15 lb/MMBtu and Unit 2 could meet a limit of 0.18 lb/MMBtu without any trouble, and that the BART limits should reflect what is achievable. Accordingly, the commenter asserts that EPA must disapprove Colorado's NO_X BART determinations for Comanche Unit 1 and Unit 2 and adopt a FIP that establishes BART limits that represent actual emission reductions.[7]

Response: We disagree with this comment. The State set NO_X BART emission limits for Comanche Units 1 and 2 individually at a 30-day rolling average emission rate of 0.20 lb/MMBtu and a combined annual average emission rate of 0.15 lb/MMBtu. As EPA requested in our October 26, 2010 comment letter during the state public comment process, the State considered tightening the 30-day limits, but ultimately chose not to do so. In EPA's judgment, the State could have better explained the basis for the margin for compliance, but a more robust analysis

[1] 77 FR 18052.

[2] 77 FR 76871.

[3] *See WildEarth Guardians* v. *EPA,* No. 13–9520 (10th Cir.) and *National Parks Conservation Association* v. *EPA,* No. 13–9525 (10th Cir.).

[4] *See* Proposed Settlement Agreement, 79 FR 47636 (Aug. 14, 2014).

[5] *See* Respondents' Motion for Partial Voluntary Remand Without Vacatur and to Stay Briefing Schedule Pending Resolution of This Motion, filed Sep. 19, 2014 in *WildEarth Guardians* v. *EPA,* No. 13–9520 (10th Cir.).

[6] *See* Order filed Oct. 6, 2014 in *WildEarth Guardians* v. *EPA,* No. 13–9520 (10th Cir.).

[7] Comments submitted by WildEarth Guardians (hereinafter referred to as ''Guardians' Comments'') at 5–6, EPA–R08–OAR–2011–0770–0040 Attachment 2 (May 25, 2012).

would not have led it to reach a different conclusion as to the Comanche NO_X BART limits. Further, if we were to disapprove the SIP and promulgate a FIP with lower emission limits, the actual emissions from Comanche would unlikely be significantly lower. We therefore decline to disapprove the NO_X BART determination for Comanche.

In our October 26, 2010 comment letter to the State, we asked Colorado to evaluate tightening Comanche's NO_X limits. The State conducted that evaluation.[8] Based on its experience, and after reviewing other state BART proposals, Colorado found that 30-day rolling average NO_X emission rates could be expected to be up to approximately 15% higher than annual average emission rates. With this in mind, and also considering uncertainty regarding load fluctuations, cold-weather operating, startup, and increased cycling to back up renewable energy generation, the State concluded that a 0.20 lb/MMBtu 30-day rolling average emission limit was appropriate for both units.

As a general matter, EPA finds it appropriate and reasonable to allow a margin for compliance in setting 30-day rolling average BART limits, and we have approved other state BART determinations that included such margins. The shorter 30-day averaging period results in higher variability in emissions because of load variation, startup, shutdown, and other factors. Accordingly, we have not generally required that 30-day rolling average emission limits be equal to the annual emission rates used for calculating cost-effectiveness. We find the State's application of a margin for compliance here consistent with that approach.

The compliance margin included for the Comanche units is larger than we would generally expect. But we find that with respect to Comanche, the compliance margin is unlikely to lead to significant actual NO_X emissions increases. After all, the lower Comanche emissions cited by the commenter occurred under permit limits identical to those the State selected as BART, and the commenter has provided no evidence that the facility will change its operations just because the State has adopted the permit limits as BART limits. Instead, emission rates are likely to remain near the baseline figures cited by the commenter, which as the commenter notes are below the BART limits. An occasional rise is possible in light of the uncertainties referred to above, which is the purpose of allowing a margin for compliance above the actual 30-day rolling average emissions levels. The commenter appeared to at least partly acknowledge this reality, stating that ''[w]e do not suggest that the State was required to set the emission limits exactly at the levels emitted.'' [9] But none of these uncertainties suggests that there will be a consistent increase in emissions over the long term.

As for annual average emission rates, Colorado found that in 2009, the annual average rate for both units combined was about 0.15 lb/MMBtu. Colorado did not propose applying a margin of compliance to the 2009 annual average rate, and set a limit at 0.15 lb/MMBtu. Because short-term emissions increases and decreases should average out over the course of any single year, we believe that setting the BART annual emission limit at about the annual emission rate from 2009 is reasonable, unless there is evidence that the source was not properly operated in 2009 or that annual average source operating conditions in 2009 were unrepresentative of future operations. The commenter has not alleged that there is any such evidence. The commenter does assert that the 0.15 lb/MMBtu annual limit would allow an increase in actual emissions if both units operate at the BART limit. The potential emissions increase calculated by the commenter, however, would only be 14 tons of NO_X per year. A 14-ton increase is not significant when compared to the annual NO_X emissions of approximately 3,860 tons from Comanche Units 1 and 2; it does not warrant disapproval and a subsequent FIP.[10]

The commenter alleges, but does not support or quantify, a ''likely'' further increase (beyond the claimed 14-ton increase) based on the potential for one unit to exceed 0.15 lb/MMBtu while the combined rate remains below that limit. This comment appears to be referring to a scenario in which the unit operating above 0.15 lb/MMBtu would have a higher heat input than the unit operating below 0.15 lb/MMBtu, so that together they would still comply with the SIP's 0.15 lb/MMBtu average emission rate limit while having higher emissions than if each unit were held to a limit of 0.15 lb/MMBtu. With the existing LNB/OFA controls, though, neither unit can be operated at an emission rate much below its current emission rate, and so there is unlikely to be ''room'' for the other unit to operate much higher while still meeting the combined emission limit. Also, the two units are subject to very similar physical limits on heat input.[11] We therefore find that any additional emissions consistent with a 0.15 lb/MMBtu combined limit would be insignificant from a visibility standpoint. Further, we note that the annual NO_X BART limit of 0.15 lb/MMBtu is below the average actual emissions of 0.16 lb/MMBtu for Units 1 and 2 between January and October 2010.[12] Therefore, Colorado imposed an annual emission limit that was lower than the then most recent partial-year figures for Units 1 and 2.

The commenter also argues that the 30-day rolling average limits of 0.20 lb/MMBtu would allow emission increases because the actual 30-day rolling average rates have consistently been below this number. Annual emissions are controlled by the SIP's limit of 0.15 lb/MMBtu for the average of the two unit's annual average emission rates, and would be so controlled even if there were no 30-day limits at all. The issue of whether the State and EPA correctly assessed how well the annual limit will control annual emissions was addressed above. Therefore, EPA understands that this comment regarding the 30-day limits of 0.20 lb/MMBtu is meant to address the possibility that the emission rate of one or both units in 30-day periods may be higher than 0.15 lb/MMBtu, while the source could still comply with respect to the annual average limit by having lower emissions in other 30-day periods. EPA agrees that this is possible, but the State modeled the baseline visibility impact of the source assuming a constant emission rate of 0.20 lb/MMBtu, so the possibility has been fully considered.

[8] *See* Colorado Regional Haze Submittal, Appendix C (Technical Support Documents for BART Determination), BART Analysis of Control Options For Public Service Company—Comanche Station, Units 1 and 2, at 17–19 (EPA–R08–OAR–2011–0770–0013, PDF pages 312–14); *see also* Appendix C—Technical Support Documents for BART Determination (EPA–R08–OAR–2011–0770–0017), Attachment 5: Public Service Company—Comanche Station Units 1 and 2 Technical Analysis.

[9] Guardians' Comments at 8.

[10] Discussing state flexibility to exempt *de minimis* emission levels from a BART analysis, the BART Guidelines make a similar point: ''If a State were to undertake a BART analysis for emissions of less than 40 tons of SO_2 or NO_X . . . from a source, it is unlikely to result in anything but a trivial improvement in visibility. This is because reducing emissions at these levels would have little effect on regional emissions loadings or visibility impairment.'' 70 FR at 39117.

[11] *See* Colorado Regional Haze Submittal, Appendix C (Technical Support Documents for BART Determination), BART Analysis of Control Options For Public Service Company—Comanche Station, Units 1 and 2, at 2, Table 1: Comanche Units 1 and 2 Technical Information (EPA–R08–OAR–2011–0770–0013, PDF page 297 (citing boiler ratings of 3,531 MMBtu/hr for Unit 1 and 3,482 MMBtu/hr for Unit 2).

[12] January–October 2010 is the most recent annual average emission rate period discussed by Colorado in the regional haze SIP. *See id.* at 18 (PDF page 313).

For these reasons, we have determined that while the State could have better explained the basis for the margin for compliance it allowed, a more robust analysis would not have led it to reach a different conclusion as to the NO_X emission limits for Comanche Units 1 and 2. In its next regional haze SIP, the State can review the longer history of emissions from Comanche that will be available then, and consider whether a downward adjustment in the emission limit is appropriate to ensure the best possible operation of the emission controls.

Comment: The commenter asserts that the State failed to appropriately assess the cost of SCR, by assuming that SCR would achieve an emission rate of 0.07 lb/MMBtu on an annual average basis. But, according to the commenter, EPA has noted that SCR can achieve emission rates as low as 0.04 lb/MMBtu on an annual basis, and a 0.05 lb/MMBtu emission rate on an annual average basis is a more appropriate benchmark from which to assess the cost-effectiveness of SCR. The commenter claims that because the State did not assess the cost-effectiveness of SCR based on a rate of 0.05 lb/MMBtu, the State did not reasonably take into account the cost of compliance with SCR in accordance with the CAA. The commenter adds that although EPA and the State may claim that SCR would not be cost-effective in any case, there is no support for such an assertion, and without an adequate case-specific cost analysis, there is no support for concluding that SCR is unreasonable, particularly for Unit 2.[13]

Response: We disagree with this comment. We have reviewed the information in the administrative record for this action again, and we find that our previous conclusion is still correct. We agree that SCR can achieve annual NO_X emission rates of 0.05 lb/MMBtu, and that ideally Colorado would have used this value when assessing the SCR control option.[14] But if the State had done so, the marginally lower emissions would not have caused the State to reach a different conclusion as to what technology is BART.

First, we note that the comment misstates the rate that Colorado actually used for the purpose of calculating cost-effectiveness. In the Comanche NO_X BART analysis, the State assumed an annual emissions rate for SCR of 0.061 lb/MMBtu—not 0.07 lb/MMBtu.[15] (The latter figure was the 30-day rolling average rate, not the annual average as the commenter contends.[16]) Therefore, the relevant comparison for the commenter's purpose would be between the 0.061 lb/MMBtu annual average rate that the State used and the 0.05 lb/MMBtu annual average emission rate that the commenter prefers.

Using the 0.061 lb/MMBtu annual average emission rate, Colorado estimated emissions of 740 tpy for Unit 1 and 869 tpy for Unit 2 with SCR.[17] Based on those estimated emissions, the State calculated emission reductions of 770.4 tpy for Unit 1 and 1,480 tpy for Unit 2, compared to a baseline level of emissions measured in 2009 that reflected the installation of LNB/OFA controls.[18] Based on these reductions, the State derived cost-effectiveness values for SCR of $15,920 per ton and $9,900 per ton for Units 1 and 2, respectively.[19] It is a simple exercise to insert the annual average emission rate of 0.05 lb/MMBtu into the State's technical analysis spreadsheet.[20] Doing so, we can see that using the figure the commenter recommends would have produced estimated emission levels of about 609 tpy for Unit 1 and 713 tpy for Unit 2 with SCR, which in turn give emission reductions of 897 tpy (Unit 1) and 1,636 tpy (Unit 2) compared to a 2009 baseline level and cost-effectiveness values of $13,670 and $8,956 per ton for Units 1 and 2, respectively.[21] Considering that these adjusted cost-effectiveness values remain high and (as discussed below) the extent of the benefits associated with SCR remains low, we do not believe that the impact on the BART analysis would have led to a different conclusion if Colorado had used the more stringent emission rate. Therefore, we conclude that the State's use of 0.061 lb/MMBtu to evaluate the cost-effectiveness of SCR at Comanche is not grounds for disapproval.

Comment: The commenter states that Colorado appears to have overestimated the capital cost of SCR, in that the State's reliance on the CUECost model led to artificially inflated capital costs. According to the commenter, both EPA and the National Park Service (NPS) previously commented to the State that the State should have used EPA's Control Cost Manual, and both noted that the CUECost model relied upon by the State is not appropriate. The commenter argues that the State does not explain in the record why its use of CUECost was reasonable, particularly in light of the concerns expressed by EPA and the NPS.[22]

Response: We agree that there were flaws in Colorado's approach to estimating the costs of SCR for the Comanche BART units, and that the CUECost model likely yielded an inflated cost estimate. In the referenced correspondence, EPA stated that ''the CUECost model yields high capital costs for the Comanche facility,'' and suggested that the capital costs calculated would have been approximately 50% lower if the CCM had been followed.[23] But even if we reduce the capital cost estimates by that percentage, and also adjust the emission rate as discussed in the previous comment, we believe that the cost of SCR at Comanche would still be high compared to the visibility benefits, and

[13] Guardians' Comments at 9.

[14] Throughout this notice, our references to the use of SCR at Comanche incorporate the effects of LNB/OFA. Thus, when we discuss comparing the effects of SCR against the baseline, we are comparing SCR operating with LNB/OFA against the post-2009 baseline of LNB/OFA alone.

[15] *See* Colorado Regional Haze Submittal, Appendix C (Technical Support Documents for BART Determination), BART Analysis of Control Options For Public Service Company—Comanche Station, Units 1 and 2, Tables 10 and 11, at 20–21 (R08–OAR–2011–0770–0013, PDF pages 315–16; *see also* Technical Support Documents for BART Determination (EPA–R08–OAR–2011–0770–0017), Attachment: Public Service Company—Cmanche Station, Units 1 and 2 Technical Analysis (.xls format spreadsheet file, tabs ''Comanche 1 NO_X'' and ''Comanche 2 NO_X''). There is an inconsequential (approx. 0.33%) difference between the Unit 1 baseline numbers in these two parts of the record; the discussion in this rule uses the 1506 tpy figure from the State's technical analysis spreadsheet.

[16] *Id.*

[17] *Id.*

[18] ''[T]he Division used years 2009 (annual averages and 30-day rolling) for baseline emissions for reduction and cost calculations.'' Colorado Regional Haze Submittal, Appendix C (Technical Support Documents for BART Determination), BART Analysis of Control Options For Public Service Company—Comanche Station, Units 1 and 2, at 3 (R08–OAR–2011–0770–0013, PDF page 298); *see also id.,* Table 2 (''PSCo Comanche Units 1 & 2 Baseline Emissions'').

[19] *See* Colorado Regional Haze Submittal, Appendix C (Technical Support Documents for BART Determination), BART Analysis of Control Options For Public Service Company—Comanche Station, Units 1 and 2, Tables 10–13, at 20–21 (R08–OAR–2011–0770–0013, PDF pages 315–16).

[20] *See* Technical Support Documents for BART Determination (EPA–R08–OAR–2011–0770–0017), Attachment: Public Service Company—Comanche Station, Units 1 and 2 Technical Analysis (Excel spreadsheet file, tabs ''Comanche 1 NO_X''and ''Comanche 2 NO_X'').

[21] For Unit 1, the State also calculated an incremental value to assess the cost-effectiveness of SCR over SNCR. Even after making the correction to an assumed annual average rate of 0.05 lb/MMBtu as described above, this value remains very high: $23,497 per ton.

[22] Guardians' Comments at 9.

[23] Letter from Callie Videtich, EPA, to Paul Tourangeau, CDPHE (Oct. 26, 2010), at 8–9 (EPA–R08–OAR–2011–0770–0043, Attachment 19). EPA stated that using the CCM to assess SCR capital costs for the Comanche BART units yielded an estimate of approximately $120/kW, as opposed to the $247/kW (Unit 1) and $248/kW (Unit 2) derived from the CUECost model. *Id.* This ratio of dollars per kW results in a 51.6% lower estimate.

that Colorado's decision not to require SCR would still be reasonable.

Specifically, cutting the capital cost estimate by 51.6%, and using the more stringent 0.05 lb/MMBtu emission rate discussed in the previous comment, produces cost-effectiveness values of $9,319 and $6,481 per ton for employing SCR at Units 1 and 2, respectively.[24] Thus, even after addressing both of the cost issues raised by the commenter, the cost-effectiveness values remain high. Also, as discussed below in response to another comment, we have concluded that the visibility benefits that would result from SCR are insufficient to justify these high costs. Accordingly, we do not believe that Colorado would have reached a different NO_X BART conclusion if it had used the CCM in its analysis (as well as the more stringent emission rate discussed previously).

In its SIP, the State explained that, in its view, SCR for NO_X control would generally be reasonable if costs did not exceed $5,000 per ton of pollutant reduced, and if the controls provided a modeled visibility benefit of 0.50 deciviews (dv) or greater at the primary Class I Area affected.[25] Considering the State's guidance, it is clear that making the adjustments that the commenter requests would not lead to a different outcome. Therefore, considering all the BART factors, we do not see a basis to conclude that using a lower capital cost estimate, combined with a 0.05 lb/MMBtu emission rate for SCR, would have led the State to reach a different conclusion or should lead us to disapprove the State's BART determination.

Comment: The commenter states that Colorado and EPA may claim that, even if the costs were accurately assessed, the visibility benefits of SCR would not be significant, but that there is no support for this assertion. According to the commenter, it appears that Colorado's assessment of visibility improvements is based on an assumption that the proposed BART limits, which the commenter refers to as the ''do nothing'' BART limits, would actually improve visibility. But, the commenter claims, the proposed BART limits would allow increased emissions, and therefore would not improve visibility. On the other hand, states the commenter, SCR would appear to provide significant visibility improvements. The commenter argues that for Unit 2 this is especially significant because SCR was the only available technology analyzed for BART.[26]

Response: We disagree with this comment. In relation to the high costs, the visibility benefits of SCR at Comanche are not sufficiently large to warrant disapproval of the State's BART determination. We would come to this conclusion regardless of whether the cost component of the BART analysis involved the State's original figures or the adjusted figures discussed above in response to previous comments. The State estimated that SCR would produce visibility improvements of 0.14 dv (Unit 1) and 0.17 dv (Unit 2) as compared to the 2009 post-LNB/OFA baseline.[27] This level of expected visibility improvement from SCR is insufficient to cause us to conclude that the State's BART determination is unreasonable.

As discussed above in response to a previous comment, we recognize that the State did not use the 0.05 lb/MMBtu emission rate that accurately represents the performance capabilities of SCR. Accordingly, it is reasonable to expect that the State would have estimated slightly greater visibility benefits from SCR if it had used the 0.05 lb/MMBtu rate. In EPA's judgment, however, the visibility benefits compared to the 2009 baseline would have remained modest. We note, for instance, that in the State's analysis of Comanche Unit 1, the difference in visibility benefit between selective non-catalytic reduction (SNCR) (with a NO_X emission rate of 0.10 lb/MMBtu) and SCR (with a NO_X emission rate of 0.07 lb/MMBtu) is only 0.03 dv.[28] We conclude that the impact of a further reduction in emission rate to 0.05 lb/MMBtu would be similarly small.[29]

As mentioned previously, the State explained that, in its view, SCR for NO_X control will generally be reasonable when costs do not exceed $5,000 per ton of pollutant reduced, and when the controls provide a modeled visibility benefit of 0.50 dv or greater at the primary Class I Area affected.[30] While we agree with the State that these guidance criteria should not be used as absolute determinants of BART outcomes, they are in general consistent with the decisions that other states and EPA have made when considering whether to require SCR as NO_X BART, and generally reflect a reasonable balancing of the BART factors. In this case, we expect that even using the SCR emission rate requested by the commenter, the visibility improvement from SCR would fall well below the State's criteria. Judging these visibility improvements against the fairly high cost of SCR (again, even after adjustment to reflect the comments), we find that the State's decision not to impose SCR was reasonable.

The commenter incorrectly asserted that the State's BART determination was based on the assumption that existing controls would improve visibility compared to current levels. Colorado did not claim that its BART emission limits would result in visibility benefits compared to current levels (that is, compared to the 2009 post-LNB/OFA emissions baseline). The State did note that the existing level of control provided benefits when compared to the 2004 baseline, which is true. But while Colorado referred to both a pre-LNB/OFA baseline and a 2009 baseline when discussing visibility benefits, the State actually used only the 2009 baseline in calculating cost-effectiveness, and likewise relied on visibility benefits based on the 2009 baseline in making the BART determination for

[24] The 51.6% adjustment to capital cost can be made by multiplying the ''total capital costs'' figures on the State's technical analysis spreadsheet by 0.484. *See* Technical Support Documents for BART Determination (EPA–R08–OAR–2011–0770–0017), Attachment: Public Service Company—Comanche Station, Units 1 and 2 Technical Analysis (.xls format spreadsheet file, tabs ''Comanche 1 NO_X'' and ''Comanche 2 NO_X''). In addition to capital costs, the cost-effectiveness calculations incorporate operating and maintenance costs, which the commenter did not challenge.

[25] *See* Colorado Regional Haze Submittal at 52 (R08–OAR–2011–0770–0013, PDF page 53).

[26] Guardians' Comments at 9–10.

[27] *See* Colorado Regional Haze Submittal, Appendix C (Technical Support Documents for BART Determination), BART Analysis of Control Options For Public Service Company—Comanche Station, Units 1 and 2, Table 15, at 24 (R08–OAR–2011–0770–0013, PDF page 319). As discussed below, the table also includes information on improvements over the pre-control baseline; this information is illustrative and was not the basis for the BART determination or for our approval of the State's action.

[28] What are labeled by the State as ''NO_X emission rates'' (*e.g.,* Table 15 of their analysis) are actually the 30-day emission limits. *See* Colorado Regional Haze Submittal, Appendix C (Technical Support Documents for BART Determination), BART Analysis of Control Options For Public Service Company—Comanche Station, Units 1 and 2, Table 15, at 24 (R08–OAR–2011–0770–0013, PDF page 319). Actual 30-day emission rates have been lower. *See id.* at 18 (PDF page 313).

[29] Thus, comparing the SNCR and SCR numbers, we see that a NO_X emissions rate reduction from 0.10 to 0.07 lb/MMBtu is reflected in a visibility improvement from 0.11 to 0.14 dv. If we assume, for the purpose of conservatively estimating visibility improvements, that there is a linear relationship between emission reductions and visibility improvement, then further reducing the NO_X emission rate from 0.07 to 0.05 lb/MMBtu might cause visibility improvements at Units 1 and 2 to increase from 0.14 and 0.178 dv to approximately 0.16 and 0.198 dv. *See* Approval and Promulgation of Air Quality Implementation Plans; State of Florida; Regional Haze State Implementation Plan, 78 FR 53250, 53267 (Aug. 29, 2013) (''[A]n assumption of a linear response to changes in emissions is a reasonable estimation and the simplified methodology used for these BART determinations likely provides conservative overestimates of visibility impact reductions.'').

[30] *See* Colorado Regional Haze Submittal at 52 (R08–OAR–2011–0770–0013, PDF page 53).

Comanche.[31] We have reviewed the visibility estimates and cost calculations that the State relied on when making its BART determination for Comanche and have confirmed that they were based on comparisons to the 2009 baseline.[32]

It was correct for the State to use the 2009 baseline for NO_X emissions from Units 1 and 2 in the BART determination. The CAA requires that, in making BART determinations, states and EPA take into consideration ''any existing pollution control technology in use at the source.'' [33] As we explained in detail in our final action on the Wyoming regional haze SIP, this consideration should generally incorporate controls into baseline emissions if the controls were installed to comply with CAA requirements *other than the BART requirement.*[34] That is exactly what happened with respect to Comanche Units 1 and 2. The controls in question had been placed on these units to ''net out'' of Prevention of Significant Deterioration (PSD) review requirements for NO_X and SO_2 emissions from the new Unit 3.[35] Therefore, it was appropriate for the State to use the 2009 emissions baseline, which reflected the reductions achieved by LNB/OFA, in its BART analysis for Comanche.

Finally, we addressed the assertion that the State's BART limits would lead to increased emissions in our response to a previous comment. The commenter has failed to offer any support for this claim, and we do not find any basis to conclude that increased emissions will result from the State's BART limits.

For the above reasons, while we agree that SCR at Comanche Units 1 and 2 would result in visibility improvements, we find that the State reasonably concluded that those visibility improvements would not be sufficient to justify the cost involved.

Comment: The commenter states that it is unclear why Colorado rejected SNCR for Comanche Unit 1, particularly because the proposed BART limit for Unit 1 is less stringent than Unit 1's current actual emissions. Citing EPA figures, the commenter asserts that Unit 1 would meet a 30-day rolling average emission rate of 0.10 lb/MMBtu under an SNCR scenario. The commenter notes that the State found that the cost of $3,644 per ton of NO_X reduced and the perceived ''low visibility improvement'' warranted a determination that SNCR was not reasonable for Unit 1. The commenter asserts, however, that this cost is squarely within the range of what Colorado considers to be cost-effective.[36]

Response: We find that the State's rejection of SNCR was reasonable based on its weighing of the BART factors. The State concluded that the cost of SNCR was not warranted given the relatively modest 0.11 dv visibility improvement that would result. Even if a control technology is cost-effective on a dollar per ton basis, a state may conclude that the control technology is not warranted based on a reasonable consideration of all five BART factors.

Comment: The commenter states that Colorado's analysis indicates that SNCR would achieve greater emission reductions than an emission rate of 0.20 lb/MMBtu on a 30-day rolling average. According to the commenter, although the State asserts that the visibility improvement from SNCR would amount to 0.11 dv, it is unclear why such improvements are not reasonable or are insignificant, particularly given that the purpose of BART is to reduce or eliminate visibility impairment. The commenter argues that there is no explanation in the record supporting the State's assertion. Further, the commenter argues that it appears as if the State's assessment of visibility improvements is based on an incorrect assumption that the proposed BART limit would actually improve visibility. The commenter states that when compared to the real impacts of the State's proposed BART limit for Comanche Unit 1, SNCR appears to provide significant visibility improvements, because, as opposed to the proposed BART limit, SNCR would actually achieve improvements. Therefore, the commenter concludes, EPA must promulgate a FIP that establishes an appropriate NO_X BART limit for Comanche Unit 1.[37]

Response: The commenter is correct that the State predicted that SNCR would result in additional improvement in visibility over the control technology that the State selected as BART. However, this does not mean that the CAA or our regulations required the State to select SNCR as BART. For the reasons stated above, we find that it was reasonable for the State to reject SNCR based on consideration of all five BART factors. We agree that SNCR would result in visibility improvements, but as with SCR, we agree with the State's assessment that the visibility improvements were insufficient to justify the cost involved.

Regarding the commenter's claim that the State's selected limits will lead to an increase in emissions, as discussed above in detail, the commenter has presented no evidence that any emissions increase will occur.

III. Final Action

With respect to the Comanche Station, EPA is re-finalizing its approval of the Colorado regional haze SIP submitted on May 25, 2011. Because this re-finalization merely gives additional explanation in response to comments and does not alter any previous determinations, it does not affect any applicable SIP compliance deadlines. Our action is based on an evaluation of Colorado's regional haze SIP submittal for Comanche against the regional haze

[31] Colorado stated in the SIP that ''the Division used year[ ] 2009 (annual averages and 30-day rolling) for baseline emissions for reduction and cost calculations.'' *See* Colorado Regional Haze Submittal, Appendix C (Technical Support Documents for BART Determination), BART Analysis of Control Options For Public Service Company—Comanche Station, Units 1 and 2, at 20–21, 24 (R08–OAR–2011–0770–0013, PDF pages 315–16, 319); *see also* Appendix C—Technical Support Documents for BART Determination (EPA–R08–OAR–2011–0770–0017), Attachment 5: Public Service Company—Comanche Station Units 1 and 2 Technical Analysis. Likewise, the State's BART determination cites only the 0.14 dv and 0.17dv visibility improvement numbers derived from comparison to the 2009 baseline. *See* Colorado Regional Haze Submittal at 66 (R08–OAR–2011–0770–0013, PDF page 67).

[32] In replying to this comment and one other comment in the December 2012 final approval, we inadvertently made a confusing statement concerning the applicable baselines. In that notice, we stated that Colorado had ''assessed the benefit of control options relative to both the subject-to-BART baseline and to the installation of new low-NO_X burners (LNB) [with over-fire air] in 2007 and 2008.'' Further, we noted that ''relative to the subject-to-BART baseline, Colorado's BART selection (combustion controls), does in fact show visibility improvement.'' These statements appeared to suggest that it was appropriate for Colorado to use a 2009 baseline when evaluating the benefits of SNCR and SCR, but a 2004 (pre-LNB/OFA) baseline to evaluate the State's proposed BART option. That was not our intention. Our reference to the 2004 subject-to-BART baseline—that is, to the emissions level before the installation of the LNB/OFA, which were required to comply with non-BART CAA requirements—was merely an observation, by which we intended to show that the installation of those controls had produced real air quality improvements over previous levels. That illustration was not, however, intended to be part of our evaluation of the State's cost or visibility analyses.

[33] 42 U.S.C. 7491(g)(2).

[34] 79 FR 5032, 5104–05 (Jan. 30, 2014).

[35] *See* Colorado Regional Haze Submittal, Appendix C (Technical Support Documents for BART Determination), BART Analysis of Control Options For Public Service Company—Comanche Station, Units 1 and 2, at 1 (R08–OAR–2011–0770–0013, PDF page 1) (''As part of that [2004 construction] project, PSCo proposed to install control devices on the existing units.''); see also Colorado Operating Permit # 96OPPB133 (Comanche Station) (''. . . PSCo proposed to install NO_X controls (low NO_X burners with over-fire air) on both Units 1 and 2 . . . to 'net-out' of Prevention of Significant Deterioration (PSD) review requirements for NO_X and SO_2''), posted at *https://www.colorado.gov/pacific/cdphe/operating-permits-company-index.*

[36] Guardians' Comments at 10.

[37] Guardians' Comments at 10.

requirements at 40 CFR 51.300–51.309 and CAA sections 169A and 169B. All general SIP requirements contained in CAA section 110, other provisions of the CAA, and our regulations applicable to this action were also evaluated. The purpose of this action is to ensure compliance with these requirements and to provide additional rationale to support our conclusions.

IV. Incorporation by Reference

In this rule, the EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is finalizing the incorporation by reference of Colorado revisions to its SIP to address the requirements of EPA's regional haze rule discussed in section III, Final Action, of this preamble. The EPA has made, and will continue to make, these documents generally available electronically through *www.regulations.gov* and/or in hard copy at the appropriate EPA office (see the **ADDRESSES** section of this preamble for more information).

V. 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 this action does not involve the use of measurement or other standards; 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).
- The SIP is not approved to apply on any Indian reservation land or in any other area where EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, the rule does not have tribal implications and will not impose substantial direct costs on tribal governments or preempt tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

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 July 27, 2015. 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, Incorporation by reference, Intergovernmental relations, Nitrogen dioxide, Particulate matter, Sulfur oxides.

Dated: May 8, 2015.

Debra H. Thomas,

Acting Regional Administrator Region 8.

40 CFR part 52 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 G—Colorado

■ 2. Section 52.320 is amended by revising paragraph (c)(124) introductory text to read as follows:

§ 52.320 Identification of plan.

* * * * *

(c) * * *

(124) On May 25, 2011 the State of Colorado submitted revisions to its State Implementation Plan to address the requirements of EPA's regional haze rule. On December 31, 2012, EPA issued a final rule approving this submittal and responding to public comments. On May 26, 2015 EPA reissued the final rule with respect to the nitrogen oxides (NO_X) best available retrofit technology (BART) determination for the Comanche Generating Station to provide additional responses to public comments.

* * * * *

[FR Doc. 2015–12491 Filed 5–22–15; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R03–OAR–2014–0422; FRL–9927–90–Region 3]

Approval and Promulgation of Air Quality Implementation Plans; Virginia; Revisions to the Attainment Plans for the Commonwealth of Virginia Portion of the Washington, DC–MD–VA 1990 1-Hour and 1997 8-Hour Ozone Nonattainment Areas and the Maintenance Plan for the Fredericksburg 1997 8-Hour Ozone Maintenance Area To Remove the Stage II Vapor Recovery Program

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: The Environmental Protection Agency (EPA) is taking direct final action to approve revisions to the Commonwealth of Virginia (Virginia) State Implementation Plan (SIP). These revisions remove the Stage II vapor recovery program (Stage II) from the attainment plans for the Virginia portion of the Washington, DC–MD–VA 1990 1-Hour and 1997 8-Hour Ozone National Ambient Air Quality Standard (NAAQS) Nonattainment Areas (Northern Virginia Areas), as well as from the maintenance plan for the Fredericksburg 1997 8-Hour Ozone NAAQS Maintenance Area (Fredericksburg Area) (the three areas are collectively referred to as the Virginia Areas or Areas). These revisions also include an analysis that addresses the impact of the removal of Stage II from subject gasoline dispensing facilities (GDFs) in the Virginia Areas. The analysis submitted by the Commonwealth satisfies the requirements of the Clean Air Act (CAA). EPA is approving these revisions in accordance with the requirements of the CAA.

DATES: This rule is effective on July 27, 2015 without further notice, unless EPA receives adverse written comment by June 25, 2015. If EPA receives such comments, it will publish a timely withdrawal of the direct final rule in the **Federal Register** and inform the public that the rule will not take effect.

ADDRESSES: Submit your comments, identified by Docket ID Number EPA–R03–OAR–2014–0422 by one of the following methods:

A. *www.regulations.gov*. Follow the on-line instructions for submitting comments.

B. *Email: fernandez.cristina@epa.gov*.

C. *Mail:* EPA–R03–OAR–2014–0422, Cristina Fernandez, Associate Director, Office of Air Program Planning, Mailcode 3AP30, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103.

D. *Hand Delivery:* At the previously-listed EPA Region III address. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

Instructions: Direct your comments to Docket ID No. EPA–R03–OAR–2014–0422. EPA's policy is that all comments received will be included in the public docket without change, and may be made available online at *www.regulations.gov,* including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through *www.regulations.gov* or email. The *www.regulations.gov* Web site is an ''anonymous access'' system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to EPA without going through *www.regulations.gov,* your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD–ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

Docket: All documents in the electronic docket are listed in the *www.regulations.gov* index. 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 in *www.regulations.gov* or in hard copy during normal business hours at the Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. Copies of the State submittal are available at the Virginia Department of Environmental Quality, 629 East Main Street, Richmond, Virginia 23219.

FOR FURTHER INFORMATION CONTACT: Asrah Khadr, (215) 814–2071, or by email at *khadr.asrah@epa.gov*.

SUPPLEMENTARY INFORMATION:

I. Background

On March 18, 2014, Virginia submitted formal revisions to its SIP through the Virginia Department of Environmental Quality (VADEQ). These SIP revisions consist of the removal of Stage II from the attainment and maintenance plans for the Virginia Areas. The SIP revisions also consists of an analysis demonstrating that the removal of Stage II from the Virginia Areas' attainment and maintenance plans will not cause any increase in emissions. This analysis satisfies the requirements of section 110(l) of the CAA because it demonstrates the SIP revision will not interfere with any applicable requirements concerning attainment or reasonable further progress (RFP) of the NAAQS nor interfere with any other CAA applicable requirement. Virginia's analysis shows that the removal of Stage II from these Areas will not worsen air quality nor interfere with attainment or maintenance of the NAAQS in the Areas. The analysis also satisfies the requirements of CAA section 184(b)(2) for comparability of control measures with the emissions reductions from Stage II for the portion of the Areas in the Ozone Transport Region (OTR).

Stage II is a means of capturing gasoline vapors displaced during transfer of gasoline from the gasoline dispensing unit to the motor vehicle fuel tank during vehicle refueling at a GDF. Stage II involves the use of special refueling nozzles and coaxial hoses for vapor collection at each gasoline pump at a subject GDF. Gasoline vapors belong to a class of pollutants known as volatile organic compounds (VOCs). These compounds along with nitrogen oxides (NO_X) are precursors to the formation of ozone. Stage II gasoline vapor recovery systems have been a required emission control measure in areas classified as serious, severe, and extreme for the ozone NAAQS.

The amendment of the CAA in 1990 required, under CAA section 182(b)(3), Stage II controls for moderate ozone nonattainment areas and Stage II or comparable controls in the OTR. *See* CAA section 184(a) and (b)(2). However, under section 202(a)(6) of the CAA, the requirements of section 182(b)(3) would no longer apply in moderate ozone nonattainment areas upon EPA promulgation of standards for onboard refueling vapor recovery (ORVR) as part of new motor vehicles' emission control systems, and would no longer apply in serious or above ozone areas after EPA's determination that ORVR technology is in widespread use. ORVR is a mechanism employed by vehicles to re-use the vapors in their gas tanks instead of allowing them to escape. Over time, non-ORVR vehicles continued to be replaced by ORVR-equipped vehicles. On May 16, 2012, EPA determined that ORVR technology is in widespread use throughout the U.S. vehicle fleet and waived the requirement for states to implement Stage II vapor recovery at GDFs in nonattainment areas classified as Serious or above for the ozone NAAQS. In that rulemaking, EPA determined that emission reductions

from ORVR-equipped vehicles were essentially equal to and would soon surpass the emission reductions achieved by Stage II alone, and that a state previously required to implement a Stage II vapor recovery program may take appropriate action to remove the measure from its SIP. *See* 77 FR 28772 (further providing that states could address CAA section 110(l) for removal of Stage II by showing removal would not result in an emissions increase).

The Washington, DC–MD–VA 1990 1-Hour Ozone Nonattainment Area was designated as a serious nonattainment area under the 1990 1-Hour Ozone NAAQS. The Washington, DC–MD–VA 1997 8-Hour Ozone NAAQS Nonattainment Area was designated as moderate under the 1997 8-Hour Ozone NAAQS. The Fredericksburg Area for the 1997 8-Hour Ozone NAAQS was designated as a moderate nonattainment area.

On December 19, 1997, the District of Columbia, Maryland, and Virginia (the three States) submitted an attainment plan for the Washington, DC–MD–VA 1990 1-Hour Ozone NAAQS Nonattainment Area. On April 17, 2003 (68 FR 19106), EPA conditionally approved the attainment plan. However, on November 13, 2002 (67 FR 68805), EPA reclassified the Area as severe nonattainment. To meet the requirements of the severe classification, the three States submitted an attainment plan on February 24, 2004. On May 13, 2005 (70 FR 25688), this attainment plan was approved.

On June 12, 2007, the three States submitted an attainment plan for the Washington, DC–MD–VA 1997 8-Hour Ozone NAAQS Nonattainment Area, which EPA proposed to approve on March 20, 2013 (78 FR 17161). Subsequently on February 28, 2012 (77 FR 11739), EPA published a clean data determination as well as a determination of attainment that the Area met the 1997 8-Hour Ozone NAAQS by its mandated attainment date, which was based on the 2008 to 2010 monitored air quality data. While the clean data determination suspended the requirement to submit certain planning-related SIPs for the Area, including the attainment demonstration, EPA was not precluded from acting on an attainment demonstration submitted for the Area. On April 10, 2015 (80 FR 19206), EPA approved the attainment plan. On September 28, 2005, a redesignation request and maintenance plan for the Fredericksburg Area were submitted by Virginia. On December 23, 2005 (70 FR 76165), EPA approved the Fredericksburg Area redesignation request and maintenance plan.

The 1990 1-Hour Ozone NAAQS was revoked on June 15, 2005. However, EPA's implementation rule for the 1997 8-Hour Ozone NAAQS retained the Stage II-related requirements under CAA section 182(b)(3), for certain areas under the 1-Hour Ozone NAAQS (*see* 40 CFR 51.900(f)). Therefore, the 1997 8-Hour Ozone NAAQS attainment plan for the Washington, DC–MD–VA Area was required to contain provisions for the implementation of Stage II.

II. Summary of SIP Revisions and EPA Analysis

The March 18, 2014 SIP revision submitted by VADEQ seeks removal of Stage II from the attainment and maintenance plans for the Virginia Areas. The analysis submitted by VADEQ for the SIP revision addresses the effects of removing Stage II from the Virginia Areas. In accordance with section 110(l) of the CAA, the analysis demonstrates that the removal of Stage II from the Virginia Areas will not interfere with the attainment or maintenance of the NAAQS. The analysis also meets the requirements of CAA section 184(b)(2), which the Northern Virginia Area is subject to because it is a part of the OTR. For this analysis, VADEQ followed EPA's August 7, 2012 *Guidance on Removing Stage II Gasoline Vapor Control Programs from State Implementation Plans and Assessing Comparable Measures.* The guidance document provides a method in which states could provide certain calculations showing that increased emissions from non-ORVR compatible Stage II would eventually negate benefits from the implementation of Stage II. Also, the guidance gives the states flexibility to provide additional or alternate analyses to EPA for consideration.

As recommended by the guidance, VADEQ calculated the area-wide (the Virginia Areas) VOC inventory emissions benefits from Stage II. These calculations show the point at which the emissions increases from non-ORVR compatible Stage II would overtake emissions benefits from Stage II. The VOC inventory calculation results from year 2008 to 2020 are provided in Table 1, Stage II Emissions Reductions in the Virginia Areas-Wide VOC Inventory. The results provided in Table 1 demonstrate that in 2013 there would no longer be a VOC emissions benefit from Stage II, or that the emissions benefit is negative, and Virginia removed the Stage II requirement from its regulations on January 1, 2014. VADEQ also provided additional data and analyses demonstrating that Stage II has very little impact on VOC emissions in the Virginia Areas and that modeling indicates that the formation of ozone in the Area is much more dependent on NO_X emissions than VOC emissions. EPA finds removal of Stage II from the attainment and maintenance plans will not increase emissions of VOC or increase ozone. EPA also finds removal will not interfere with attainment, maintenance, or RFP for the NAAQS, nor interfere with any other CAA requirement. The SIP revision also addresses CAA section 184(b)(2) comparability requirements. A detailed summary of EPA's review and rationale for proposing to approve these SIP revisions including analysis of CAA sections 110(l) and 184(b)(2) may be found in the Technical Support Document (TSD) prepared in support of this rulemaking action and is available on line at *http://www.regulations.gov*, Docket number EPA–R03–OAR–2014–0422.

TABLE 1—STAGE II EMISSIONS REDUCTIONS IN THE VIRGINIA AREAS-WIDE VOC INVENTORY

Year	Emissions reductions (tons per day VOC)
2008	0.58
2009	0.46
2010	0.31
2011	0.19
2012	0.08
2013	−0.01
2014	−0.07
2015	−0.13
2016	−0.17
2017	−0.20
2018	−0.22
2020	−0.24

III. General Information Pertaining to SIP Submittals From the Commonwealth of Virginia

In 1995, Virginia adopted legislation that provides, subject to certain conditions, for an environmental assessment (audit) ''privilege'' for voluntary compliance evaluations performed by a regulated entity. The legislation further addresses the relative burden of proof for parties either asserting the privilege or seeking disclosure of documents for which the privilege is claimed. Virginia's legislation also provides, subject to certain conditions, for a penalty waiver for violations of environmental laws when a regulated entity discovers such violations pursuant to a voluntary compliance evaluation and voluntarily discloses such violations to the Commonwealth and takes prompt and appropriate measures to remedy the

violations. Virginia's Voluntary Environmental Assessment Privilege Law, Va. Code Sec. 10.1–1198, provides a privilege that protects from disclosure documents and information about the content of those documents that are the product of a voluntary environmental assessment. The Privilege Law does not extend to documents or information that: (1) Are generated or developed before the commencement of a voluntary environmental assessment; (2) are prepared independently of the assessment process; (3) demonstrate a clear, imminent and substantial danger to the public health or environment; or (4) are required by law.

On January 12, 1998, the Commonwealth of Virginia Office of the Attorney General provided a legal opinion that states that the Privilege Law, Va. Code § 10.1–1198, precludes granting a privilege to documents and information ''required by law,'' including documents and information ''required by Federal law to maintain program delegation, authorization or approval,'' since Virginia must ''enforce Federally authorized environmental programs in a manner that is no less stringent than their Federal counterparts. . . .'' The opinion concludes that ''[r]egarding § 10.1–1198, therefore, documents or other information needed for civil or criminal enforcement under one of these programs could not be privileged because such documents and information are essential to pursuing enforcement in a manner required by Federal law to maintain program delegation, authorization or approval.'' Virginia's Immunity law, Va. Code Sec. 10.1–1199, provides that ''[t]o the extent consistent with requirements imposed by Federal law,'' any person making a voluntary disclosure of information to a state agency regarding a violation of an environmental statute, regulation, permit, or administrative order is granted immunity from administrative or civil penalty. The Attorney General's January 12, 1998 opinion states that the quoted language renders this statute inapplicable to enforcement of any Federally authorized programs, since ''no immunity could be afforded from administrative, civil, or criminal penalties because granting such immunity would not be consistent with Federal law, which is one of the criteria for immunity.''

Therefore, EPA has determined that Virginia's Privilege and Immunity statutes will not preclude the Commonwealth from enforcing its program consistent with the Federal requirements. In any event, because EPA has also determined that a state audit privilege and immunity law can affect only state enforcement and cannot have any impact on Federal enforcement authorities, EPA may at any time invoke its authority under the CAA, including, for example, sections 113, 167, 205, 211, or 213, to enforce the requirements or prohibitions of the state plan, independently of any state enforcement effort. In addition, citizen enforcement under section 304 of the CAA is likewise unaffected by this, or any, state audit privilege or immunity law.

IV. Final Action

EPA is approving the revisions submitted by the Commonwealth of Virginia to remove Stage II from the attainment plans for the Northern Virginia Areas and maintenance plan for the Fredericksburg Area. EPA is approving these revisions because it was demonstrated that the removal of the Stage II requirement on January 1, 2014 will not cause any emissions increases that could interfere with the Virginia Areas' attainment or maintenance of the 1990 1-Hour and/or 1997 8-Hour Ozone NAAQS or any other applicable CAA requirement. EPA is also approving these revisions because they meet the requirements of the comparability clause in CAA section 184(b)(2). EPA is publishing this rule without prior proposal because EPA views this as a noncontroversial amendment and anticipates no adverse comment. However, in the ''Proposed Rules'' section of today's **Federal Register**, EPA is publishing a separate document that will serve as the proposal to approve the SIP revisions if adverse comments are filed. This rule will be effective on July 27, 2015 without further notice unless EPA receives adverse comment by June 25, 2015. If EPA receives adverse comment, EPA will publish a timely withdrawal in the **Federal Register** informing the public that the rule will not take effect. EPA will address all public comments in a subsequent final rule based on the proposed rule. EPA will not institute a second comment period on this action. Any parties interested in commenting must do so at this time.

V. Statutory and Executive Order Reviews

A. General Requirements

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the CAA 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 CAA. 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 (Public Law 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 CAA; 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.

B. Submission to Congress and the Comptroller General

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).

C. Petitions for Judicial Review

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by July 27, 2015. 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. Parties with objections to this direct final rule are encouraged to file a comment in response to the parallel notice of proposed rulemaking for this action published in the proposed rules section of today's **Federal Register**, rather than file an immediate petition for judicial review of this direct final rule, so that EPA can withdraw this direct final rule and address the comment in the proposed rulemaking action.

This action approving the removal of Stage II from the Virginia Areas' attainment and maintenance plans 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, Incorporation by reference, Nitrogen dioxide, Ozone, Volatile organic compounds.

Dated: May 7, 2015.

William C. Early,

Acting Regional Administrator, Region III.

40 CFR part 52 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 VV—Virginia

■ 2. In § 52.2420, the table in paragraph (e) is amended by revising the entries for ''1-Hour Ozone Modeled Demonstration of Attainment and Attainment Plan,'' ''8-Hour Ozone Maintenance Plan for the Fredericksburg Area,'' and ''8-hour Ozone Modeled Demonstration of Attainment and Attainment Plan for the 1997 Ozone National Ambient Air Quality Standards'' to read as follows:

§ 52.2420 Identification of plan.

* * * * *

(e) * * *

EPA-APPROVED NON-REGULATORY AND QUASI-REGULATORY MATERIAL

Name of non-regulatory SIP revision	Applicable geographic area	State submittal date	EPA approval date	Additional explanation
* *	*	*	* *	*
1-Hour Ozone Modeled Demonstration of Attainment and Attainment Plan.	Washington 1-hour ozone nonattainment area.	8/19/03 2/25/04	5/16/05, 70 FR 25688	2005 motor vehicle emissions budgets of 97.4 tons per day (tpy) for VOC and 234.7 tpy of NO_X.
		3/18/14	5/26/15 [*Insert **Federal Register** Citation*].	Removal of Stage II vapor recovery program. See section 52.2428.
* *	*	*	* *	*
8-Hour Ozone Maintenance Plan for the Fredericksburg Area.	City of Fredericksburg, Spotsylvania County, and Stafford County.	5/4/05	12/23/05, 70 FR 76165.	
		9/26/11	12/20/12, 77 FR 75386	Revised 2009 and 2015 motor vehicle emission budgets for NO_X.
		3/18/14	5/26/15 [*Insert **Federal Register** Citation*].	Removal of Stage II vapor recovery program. See section 52.2428.
* *	*	*	* *	*
8-hour Ozone Modeled Demonstration of Attainment and Attainment Plan for the 1997 Ozone National Ambient Air Quality Standards.	Washington, DC–MD–VA 1997 8-Hour Ozone Nonattainment Area.	6/12/07	4/10/15, 80 FR 19206	2009 motor vehicle emissions budgets of 66.5 tons per day (tpd) for VOC and 146.1 tpd of NO_X.
		3/18/14	5/26/15 [*Insert **Federal Register** Citation*].	Removal of Stage II vapor recovery program. See section 52.2428.

■ 3. Section 52.2428, is amended by adding paragraph (l) to read as follows:

§ 52.2428 Control Strategy: Carbon monoxide and ozone.

* * * * *

(l) As of May 26, 2015, EPA approves the removal of the Stage II vapor recovery program from the attainment

plans for the Virginia portion of the Washington DC–MD–VA 1990 1-hour and 1997 8-hour Ozone NAAQS Nonattainment Areas and from the maintenance plan for the Fredericksburg 1997 8-Hour Ozone Maintenance Area.

[FR Doc. 2015–12351 Filed 5–22–15; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R05–OAR–2015–0192; FRL–9927–96–Region–5]

Approval of Air Quality Implementation Plans; Ohio: Cleveland and Delta; Determination of Attainment for the 2008 Lead Standard

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: On February 20, 2015, the Ohio Environmental Protection Agency (Ohio EPA) submitted a request to the Environmental Protections Agency (EPA) to make a determination under the Clean Air Act (CAA) that the Cleveland and Delta nonattainment areas have attained the 2008 lead (Pb) national ambient air quality standard (NAAQS or standard). In this action, EPA is determining that the Cleveland and Delta nonattainment areas (hereafter also referred to as the ''Cleveland area'', ''Delta area'' or ''areas'') have attained the 2008 Pb NAAQS. These determinations of attainment are based upon complete, quality-assured and certified ambient air monitoring data for the 2012–2014 design period showing that the areas have monitored attainment of the 2008 Pb NAAQS. Additionally, as a result of this determination, EPA is suspending the requirements for the areas to submit attainment demonstrations, together with reasonably available control measures (RACM), reasonable further progress (RFP) plans, contingency measures for failure to meet RFP, and attainment deadlines for as long as the areas continue to attain the 2008 Pb NAAQS.

DATES: This direct final rule will be effective July 27, 2015, unless EPA receives adverse comments by June 25, 2015. If adverse comments are received, EPA will publish a timely withdrawal of the direct final rule in the **Federal Register** informing the public that the rule will not take effect.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R05–OAR–2015–0192, by one of the following methods:

1. *www.regulations.gov:* Follow the on-line instructions for submitting comments.
2. *Email: aburano.douglas@epa.gov.*
3. *Fax:* (312) 408–2279.
4. *Mail:* Douglas Aburano, Chief, Attainment Planning and Maintenance Section, Air Programs Branch (AR–18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604.
5. *Hand Delivery:* Douglas Aburano, Chief, Attainment Planning and Maintenance Section, Air Programs Branch (AR–18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604. Such deliveries are only accepted during the Regional Office normal hours of operation, and special arrangements should be made for deliveries of boxed information. The Regional Office official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m., excluding Federal holidays.

Instructions: Direct your comments to Docket ID No. EPA–R05–OAR–2015–0192. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at *www.regulations.gov,* including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through *www.regulations.gov* or email. The *www.regulations.gov* Web site is an ''anonymous access'' system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to EPA without going through *www.regulations.gov* your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD–ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

Docket: 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 Environmental Protection Agency, Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois 60604. This facility is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding Federal holidays. We recommend that you telephone Sarah Arra, Environmental Scientist, at (312) 886–9401 before visiting the Region 5 office.

FOR FURTHER INFORMATION CONTACT: Sarah Arra, Environmental Scientist, Attainment Planning and Maintenance Section, Air Programs Branch (AR–18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886–9401, *arra.sarah@epa.gov.*

SUPPLEMENTARY INFORMATION: Throughout this document whenever ''we,'' ''us,'' or ''our'' is used, we mean EPA. This supplementary information section is arranged as follows:

I. What action is EPA taking?
II. What is the background for this action?
III. Application of EPA's Clean Data Policy to the 2008 Pb NAAQS
IV. Do the Cleveland and Delta areas meet the 2008 Pb NAAQS?
V. What is the effect of this action?
VI. Statutory and Executive Order Reviews

I. What action is EPA taking?

EPA is taking final action to determine that the Cleveland area and Delta area have attained the 2008 Pb NAAQS. This is based upon complete, quality-assured and certified ambient air monitoring data for the 2012–2014 monitoring period showing that the areas have monitored attainment of the 2008 Pb NAAQS.

Further, with this determination of attainment, the requirements for the Cleveland and Delta areas to submit attainment demonstrations together with RACM, RFP plans, and contingency measures for failure to meet RFP and attainment deadlines are suspended for as long as the area continues to attain the 2008 Pb NAAQS. As discussed below, this action is consistent with EPA's regulations and with its longstanding interpretation of subpart 1 of part D of the CAA.

If either the Cleveland area or the Delta area violates the 2008 Pb NAAQS after this action, the basis for the suspension of these attainment planning

requirements would no longer exist for that area, and the area would thereafter have to address applicable requirements.

II. What is the background for this action?

On November 12, 2008 (73 FR 66964), EPA established a 2008 primary and secondary Pb NAAQS at 0.15 micrograms per cubic meter (μg/m^3) based on a maximum arithmetic three-month mean concentration for a three-year period. *See* 40 CFR 50.16. This is the ''2008 Pb NAAQS.'' On November 22, 2010 (75 FR 71033), EPA published its initial air quality designations for the 2008 Pb NAAQS based upon air quality monitoring data from those monitors for calendar years 2007–2009. These designations became effective on December 31, 2010.[1] The Cleveland and Delta areas were designated nonattainment for the 2008 Pb NAAQS. *See* 40 CFR 81.343.

On February 20, 2015, the Ohio EPA submitted a request to EPA to make a determination that the Cleveland and Delta areas have attained the 2008 Pb NAAQS based on complete, quality-assured, quality-controlled monitoring data from 2012 through 2014. For the reasons set forth in this notice, EPA finds the request approvable.

III. Application of EPA's Clean Data Policy to the 2008 Pb NAAQS

Following enactment of the CAA Amendments of 1990, EPA promulgated its interpretation of the requirements for implementing the NAAQS in the General Preamble for the Implementation of Title I of the CAA Amendments of 1990 (General Preamble) 57 FR 13498, 13564 (April 16, 1992). In 1995, based on the interpretation of CAA sections 171 and 172, and section 182 in the General Preamble, EPA set forth what has become known as its ''Clean Data Policy'' for the 1-hour ozone NAAQS. *See* Memorandum from John S. Seitz, Director, Office of Air Quality Planning and Standards, ''RFP, Attainment Demonstration, and Related Requirements for Ozone Nonattainment areas Meeting the Ozone National Ambient Air Quality Standard'' (May 10, 1995). In 2004, EPA indicated its intention to extend the Clean Data Policy to the (fine particulates) $PM_{2.5}$ NAAQS. *See* Memorandum from Steve Page, Director, EPA Office of Air Quality Planning and Standards, ''Clean Data Policy for the Fine Particle National Ambient Air Quality Standards'' (December 14, 2004).

Since 1995, EPA has applied its interpretation under the Clean Data Policy in many rulemakings, suspending certain attainment-related planning requirements for individual areas, based on a determination of attainment. For a full discussion on EPA's application of this policy, see section III of the Bristol, Tennessee Determination of Attainment for the 2008 Pb Standards (77 FR 35653).

IV. Do the Cleveland and Delta areas meet the 2008 Pb NAAQS?

A. Criteria

Today's rulemaking assesses whether the Cleveland and Delta areas have attained the 2008 Pb NAAQS, based on the most recent three years of quality-assured data. The Cleveland area, which surrounds the Ferro Corporation facility, is comprised of the portions of Cuyahoga County that are bounded on the west by Washington Park Blvd./Crete Ave./East 49th St., on the east by East 71st St., on the north by Fleet Ave., and on the south by Grant Ave. The Delta area, which surrounds the Bunting Bearings facility, is comprised of the portions of Fulton County that are bounded by sections 12 and 13 of York Township and sections 7 and 18 of Swan Creek Township.

Under EPA regulations at 40 CFR 50.16, the 2008 primary and secondary Pb standards are met when the maximum arithmetic three-month mean concentration for a three-year period, as determined in accordance with 40 CFR part 50, appendix R, is less than or equal to 0.15 μg/m^3 at all relevant monitoring sites in the subject area.

EPA has reviewed the ambient air monitoring data for the Cleveland and Delta areas in accordance with the provisions of 40 CFR part 50, appendix R. All data considered are complete, quality-assured, certified, and recorded in EPA's Air Quality System (AQS) database. This review addresses air quality data collected in the 2012–2014 period which are the most recent quality-assured data available.

B. Cleveland Area Air Quality

The 39–035–0049 monitoring site is a Federal reference method (FRM) source-oriented monitor which meets the quality assurance requirements of 40 CFR 58, appendix A. After the Ferro facility completed repairs, installed additional back-up control devices, and implemented a preventative maintenance plan by 2012, the Pb values have been well below the standard.

Table 1 shows the 2012–2014 three-month rolling averages for the Cleveland area.

Location	AQS site ID	3-month period	2012	2013	2014
Ferro—E. 56th St., Cleveland	39–035–0049 #1	Nov–Jan[2]	0.02	0.01	0.01
		Dec–Feb	0.01	0.01	0.01
		Jan–Mar	0.02	0.01	0.01
		Feb–Apr	0.02	0.01	0.01
		Mar–May	0.03	0.02	0.01
		Apr–Jun	0.03	0.02	0.01
		May–July	0.03	0.02	0.01
		Jun–Aug	0.02	0.02	0.02
		July–Sept	0.02	0.02	0.01
		Aug–Oct	0.02	0.01	0.01
		Sept–Nov	0.01	0.01	0.01
		Oct–Dec	0.01	0.01	0.01

[1] EPA completed a second and final round of designations for the 2008 Lead NAAQS on November 22, 2011. *See* 76 FR 72097. No additional areas in Ohio were designated as nonattainment for the 2008 Lead NAAQS.

[2] When calculating a three-month rolling average, the first two data points, November through January for 2012 and December through February of 2012, would additionally use data from November and December of 2011.

Table 2 shows the 2012–2014 three-month rolling averages for the co-located monitor in the Cleveland area.

Location	AQS site ID	3-month period	2012	2013	2014
Ferro—E. 56th St., Cleveland	39–035–0049 #2	Nov–Jan [3]	0.02	0.01	0.01
		Dec–Feb	0.01	0.01	0.01
		Jan–Mar	0.02	0.01	0.01
		Feb–Apr	0.03	0.01	0.01
		Mar–May	0.03	0.02	0.01
		Apr–Jun	0.03	0.03	0.01
		May–July	0.03	0.02	0.01
		Jun–Aug	0.02	0.02	0.02
		July–Sept	0.02	0.02	0.01
		Aug–Oct	0.01	0.01	0.01
		Sept–Nov	0.01	0.01	0.01
		Oct–Dec	0.01	0.01	0.01

The data shown in Tables 1 and 2 are complete, quality-assured, and certified and show 0.03 μg/m^3 as the highest three-month rolling average.

The Ferro Corporation facility's National Emissions Inventory (NEI) emissions in 2011 were 0.0046 tons per year (tpy). With the combination of completed repairs, installation of additional back-up control devices, and implementation of a preventative maintenance plan at the facility, the design value at the monitor is now about a fifth of the standard.

EPA's review of these data indicates that the Cleveland area has attained and continues to attain the 2008 Pb NAAQS, with a design value of 0.03 μg/m^3 for the period of 2012–2014.

C. Delta Area Air Quality

The 39–051–0001 monitoring site is a FRM source-oriented monitor which meets the quality assurance requirements of 40 CFR 58, appendix A. After the Bunting Bearings facility began compliance with Federally enforceable lead emissions limits and implemented a preventative maintenance plan by 2012, the Pb values have been well below the standard.

Table 3 shows the 2012–2014 three-month rolling averages for the Delta area.

Location	AQS site ID	3-month period	2012	2013	2014
Bunting Bearings Facility—200 Van Buren St., Delta.	39–051–0001 #1	Nov–Jan [4]	0.07	0.04	0.05
		Dec–Feb	0.05	0.05	0.04
		Jan–Mar	0.06	0.04	0.05
		Feb–Apr	0.07	0.03	0.04
		Mar–May	0.08	0.03	0.03
		Apr–Jun	0.08	0.04	0.03
		May–July	0.08	0.04	0.03
		Jun–Aug	0.06	0.04	0.04
		July–Sept	0.08	0.03	0.03
		Aug–Oct	0.06	0.05	0.04
		Sept–Nov	0.06	0.06	0.09
		Oct–Dec	0.02	0.06	0.08

Table 4 shows the 2012–2014 three-month rolling averages for the co-located monitor in the Delta area.

Location	AQS site ID	3-month period	2012	2013	2014
Bunting Bearings Facility—200 Van Buren St., Delta.	39–051–0001 #2	Nov–Jan [5]	0.07	0.03	0.05
		Dec–Feb	0.04	0.03	0.02
		Jan–Mar	0.06	0.03	0.03
		Feb–Apr	0.08	0.02	0.03
		Mar–May	0.08	0.03	0.03
		Apr–Jun	0.08	0.03	0.03
		May–July	0.07	0.04	0.03
		Jun–Aug	0.05	0.04	0.04
		July–Sept	0.08	0.04	0.03
		Aug–Oct	0.06	0.06	0.04
		Sept–Nov	0.06	0.06	0.08
		Oct–Dec	0.02	0.06	0.07

[3] The 2012 data set includes data from November and December of 2011.

[4] The 2012 data set includes data from November and December of 2011.

[5] The 2012 data set includes data from November and December of 2011.

The data shown in Tables 3 and 4 are complete, quality-assured, and certified and show 0.09 μg/m³ as the highest three-month rolling average.

The Bunting Bearings facility's NEI emissions in 2011 were 0.0035 tpy. With the combination of compliance with Federally enforceable lead emissions limits and implementation of a preventative maintenance plan, the design value at the monitor is now about three-fifths of the standard.

EPA's review of these data indicates that the Delta area has attained and continues to attain the 2008 Pb NAAQS, with a design value of 0.09 μg/m³ for the period of 2012–2014.

V. What is the effect of this action?

Based on complete, quality-assured and certified data for 2012–2014, EPA is determining that the Cleveland and Delta areas have attained the 2008 Pb NAAQS. The requirements for the Ohio EPA to submit attainment demonstrations and associated RACM, RFP plans, contingency measures, and any other planning SIPs related to attainment of the 2008 Pb NAAQS for the Cleveland and Delta areas are suspended for as long as the areas continue to attain the 2008 Pb NAAQS. EPA rulemaking is consistent and in keeping with its long-held interpretation of CAA requirements, as well as with EPA's regulations for similar determinations for ozone (*see* 40 CFR 51.918) and $PM_{2.5}$ (*see* 40 CFR 51.1004(c)).

This action does not constitute a redesignation of the area to attainment of the 2008 Pb NAAQS under section 107(d)(3) of the CAA. This action does not involve approving a maintenance plan for the area as required under section 175A of the CAA, nor does it find that the area has met all other requirements for redesignation. The Cleveland and Delta areas remain designated nonattainment for the 2008 Pb NAAQS until such time as EPA determines that the areas meet the CAA requirements for redesignation to attainment and takes action to redesignate the area.

We are publishing this action without prior proposal because we view this as a noncontroversial amendment and anticipate no adverse comments. However, in the proposed rules section of this **Federal Register** publication, we are publishing a separate document that will serve as the proposal to approve the state plan if relevant adverse written comments are filed. This rule will be effective July 27, 2015 without further notice unless we receive relevant adverse written comments by June 25, 2015. If we receive such comments, we will withdraw this action before the effective date by publishing a subsequent document that will withdraw the final action. All public comments received will then be addressed in a subsequent final rule based on the proposed action. EPA will not institute a second comment period. Any parties interested in commenting on this action should do so at this time. Please note that if EPA receives adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, EPA may adopt as final those provisions of the rule that are not the subject of an adverse comment. If we do not receive any comments, this action will be effective July 27, 2015.

VI. Statutory and Executive Order Reviews

This action makes attainment determinations for the Cleveland and Delta areas for the 2008 lead NAAQS based on air quality data and results in the suspension of certain Federal requirements and does not impose any additional requirements. For that reason, this action:

- Is not a ''significant regulatory action'' subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);
- 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 CAA; 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, the attainment determination is not approved to apply on any Indian reservation land or in any other area where EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, the rule does not have tribal implications and will not impose substantial direct costs on tribal governments or preempt tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

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 CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by July 27, 2015. 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. Parties with objections to this direct final rule are encouraged to file a comment in response to the parallel notice of proposed rulemaking for this action published in the proposed rules section of today's **Federal Register**, rather than file an immediate petition for judicial review of this direct final rule, so that EPA can withdraw this direct final rule and address the comment in the proposed rulemaking. 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, Incorporation by

reference, Intergovernmental relations, Lead, Reporting and recordkeeping requirements.

Dated: May 13, 2015.

Susan Hedman,

Regional Administrator, Region 5.

40 CFR part 52 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.*

■ 2. Section 52.1892 is amended by adding paragraph (f) to read as follows:

§ 52.1892 Determination of attainment.

* * * * *

(f) Based upon EPA's review of the air quality data for the three-year period 2012 to 2014, EPA determined that the Cleveland and Delta, OH lead nonattainment areas have attained the 2008 Lead National Ambient Air Quality Standard (NAAQS). This clean data determination suspends the requirements for these areas to submit an attainment demonstration, associated reasonably available control measures, a reasonable further progress plan, contingency measures, and other planning SIPs related to attainment of the standard for as long as this area continues to meet the 2008 lead NAAQS.

[FR Doc. 2015–12500 Filed 5–22–15; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R05–OAR–2014–0659; FRL–9927–98–Region–5]

Approval and Promulgation of Air Quality Implementation Plans; Ohio; Removal of General Conformity Regulations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving the removal of general conformity regulations from the Ohio state implementation plan (SIP) under the Clean Air Act (CAA). These regulations are no longer necessary since the establishment of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users transportation act (transportation act) removed the requirement for states to maintain general conformity regulations.

DATES: This direct final rule will be effective July 27, 2015, unless EPA receives adverse comments by June 25, 2015. If adverse comments are received, EPA will publish a timely withdrawal of the direct final rule in the **Federal Register** informing the public that the rule will not take effect.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R05–OAR–2014–0659, by one of the following methods:

1. *www.regulations.gov:* Follow the on-line instructions for submitting comments.
2. *Email: blakley.pamela@epa.gov.*
3. *Fax:* (312) 692–2450.
4. *Mail:* Pamela Blakley, Chief, Control Strategies Section, Air Programs Branch (AR–18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604.
5. *Hand Delivery:* Pamela Blakley, Chief, Control Strategies Section, Air Programs Branch (AR–18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604. Such deliveries are only accepted during the Regional Office normal hours of operation, and special arrangements should be made for deliveries of boxed information. The Regional Office official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m., excluding Federal holidays.

Instructions: Direct your comments to Docket ID No. EPA–R05–OAR–2014–0659. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at *www.regulations.gov,* including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through *www.regulations.gov* or email. The *www.regulations.gov* Web site is an ''anonymous access'' system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to EPA without going through *www.regulations.gov* your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD–ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

Docket: 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 Environmental Protection Agency, Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois 60604. This facility is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding Federal holidays. We recommend that you telephone Anthony Maietta, Environmental Protection Specialist, at (312) 353–8777 before visiting the Region 5 office.

FOR FURTHER INFORMATION CONTACT: Anthony Maietta, Environmental Protection Specialist, Control Strategies Section, Air Programs Branch (AR–18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 353–8777, *maietta.anthony@epa.gov.*

SUPPLEMENTARY INFORMATION: Throughout this document whenever ''we,'' ''us,'' or ''our'' is used, we mean EPA. This supplementary information section is arranged as follows:

I. What is the background for this action?
II. What is EPA's analysis of the state's submittal?
III. What action is EPA taking?
IV. Statutory and Executive Order Reviews

I. What is the background for this action?

On March 11, 1996, EPA approved the general conformity rules in chapter 3745–102 of the Ohio Administrative Code (OAC) into the Ohio SIP (61 FR 9646). General conformity is a requirement of section 176(c) of the CAA to ensure that no Federally supported actions outside of highway and transit projects interfere with the purpose of the approved SIP, *i.e.* the SIP's protection of the National Ambient Air Quality Standards. General conformity requirements currently apply to the following criteria pollutants: Ozone, particulate matter,

carbon monoxide, and nitrogen dioxide. The general conformity regulation is found in 40 CFR part 93, subpart B and provisions related to general conformity SIPs are found in 40 CFR 51.851.

On August 10, 2005, the transportation act was signed into law, and among other things, it amended the CAA to eliminate the requirement for states to adopt and submit general conformity SIPs. On April 5, 2010 (75 FR 17254), EPA updated the general conformity SIP regulations to be consistent with the transportation act by eliminating the Federal regulatory requirement for states to adopt and submit general conformity SIPs. See 40 CFR 51.851. On July 21, 2014, the Ohio Environmental Protection Agency submitted a request to remove the general conformity regulations from the Ohio SIP.

II. What is EPA's analysis of the state's submittal?

We have reviewed Ohio's submittal to ensure consistency with the current CAA, as amended by the transportation act, and EPA regulations governing state procedures for general conformity (40 CFR 51.851). Specifically, 40 CFR 51.851(a) was changed to indicate that states ''may'', not ''must'' submit to EPA a general conformity SIP because, as 40 CFR 51.851(b) indicates, Federal agencies shall use the provisions of 40 CFR part 93, subpart B in addition to any existing applicable state or tribal requirements to review the conformity of Federal actions in nonattainment or maintenance areas. Ohio's removal of general conformity rules from its SIP meets the requirements set forth in section 110(l) of the CAA with respect to adoption and submission of SIP revisions. 40 CFR part 93, subpart B continues to subject certain Federal actions to general conformity requirements without the need for identical state rules and SIPs. Therefore, repealing the state rule will not impact continuity of the general conformity program in Ohio, and consequently meets the requirements of section 110(l). Ohio's request to remove the general conformity regulations from the Ohio SIP is approvable.

III. What action is EPA taking?

EPA is approving the removal of the general conformity regulations in OAC chapter 3745–102 from the Ohio SIP. We are publishing this action without prior proposal because we view this as a noncontroversial amendment and anticipate no adverse comments. However, in the proposed rules section of this **Federal Register** publication, we are publishing a separate document that will serve as the proposal to approve the state plan if relevant adverse written comments are filed. This rule will be effective July 27, 2015 without further notice unless we receive relevant adverse written comments by June 25, 2015. If we receive such comments, we will withdraw this action before the effective date by publishing a subsequent document that will withdraw the final action. All public comments received will then be addressed in a subsequent final rule based on the proposed action. EPA will not institute a second comment period. Any parties interested in commenting on this action should do so at this time. Please note that if EPA receives adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, EPA may adopt as final those provisions of the rule that are not the subject of an adverse comment. If we do not receive any comments, this action will be effective July 27, 2015.

VI. Statutory and Executive Order Reviews.

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the CAA 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 CAA. 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 Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);
- 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 (Public Law 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 CAA; 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, the SIP is not approved to apply on any Indian reservation land or in any other area where EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, the rule does not have tribal implications and will not impose substantial direct costs on tribal governments or preempt tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

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 CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by July 27, 2015. 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. Parties with objections to this direct final rule are encouraged to file a comment in response to the parallel notice of proposed rulemaking for this action published in the proposed rules section of today's **Federal Register**,

rather than file an immediate petition for judicial review of this direct final rule, so that EPA can withdraw this direct final rule and address the comment in the proposed rulemaking. 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, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: May 13, 2015.

Susan Hedman,

Regional Administrator, Region 5.

40 CFR part 52 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.*

§ 52.1870 [Amended]

■ 2. Section 52.1870 is amended by removing and reserving paragraph (c)(107).

[FR Doc. 2015–12363 Filed 5–22–15; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R03–OAR–2014–0883; FRL–9928–15–Region 3]

Approval and Promulgation of Air Quality Implementation Plans; Maryland; Determination of Attainment of the 1997 8-Hour Ozone National Ambient Air Quality Standard for the Baltimore, Maryland Serious Nonattainment Area

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) has determined that the Baltimore, Maryland Serious Nonattainment Area (Baltimore Area) has attained the 1997 8-hour ozone National Ambient Air Quality Standard (NAAQS). This determination is based upon complete, quality-assured, and certified ambient air monitoring data that shows the Baltimore Area has monitored attainment of the 1997 8-hour ozone NAAQS for the 2012–2014 monitoring period. EPA is finding the Baltimore Area to be in attainment in accordance with the requirements of the Clean Air Act (CAA).

DATES: This final rule is effective on June 25, 2015.

ADDRESSES: EPA has established a docket for this action under Docket ID Number EPA–R03–OAR–2014–0883. All documents in the docket are listed in the *www.regulations.gov* Web site. Although listed in the electronic docket, some information is not publicly available, *i.e.,* confidential business information (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 for public inspection during normal business hours at the Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103.

FOR FURTHER INFORMATION CONTACT: Irene Shandruk, (215) 814–2166, or by email at *shandruk.irene@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

On July 18, 1997, EPA revised the health-based NAAQS for ozone based on 8-hour average concentrations. 62 FR 38856. The 8-hour averaging period replaced the previous 1-hour averaging period, and the level of the NAAQS was changed from 0.12 parts per million (ppm) to 0.08 ppm. *Id.* On April 30, 2004 (69 FR 23858), EPA finalized its attainment/nonattainment designations for areas across the country for the 1997 8-hour ozone NAAQS. These actions became effective on June 15, 2004. Among those nonattainment areas was the Baltimore Area (specifically, Anne Arundel County, Baltimore City, Baltimore County, Carroll County, Harford County, and Howard County), which was designated as a moderate ozone nonattainment area. *Id.* Later, the Baltimore Area was reclassified as a serious nonattainment area for the 1997 ozone NAAQS. 77 FR 4901 (February 1, 2012). *See* 40 CFR 81.321. Air quality monitoring data from the 2012–2014 monitoring period indicate that the Baltimore Area is now attaining the 1997 8-hour ozone NAAQS. On March 25, 2015 (80 FR 15711), EPA published a notice of proposed rulemaking (NPR) for the State of Maryland. In the NPR, EPA proposed to determine that the Baltimore Area has attained the 1997 8-hour ozone NAAQS.

Under the provisions of EPA's ozone implementation rule (40 CFR 51.918), if EPA issues a determination that an area is attaining the relevant standard (through a rulemaking that includes public notice and comment), it will suspend the area's obligations to submit an attainment demonstration, reasonably available control measures (RACM), reasonable further progress (RFP) plan, contingency measures and other planning requirements related to attainment of the 1997 8-hour ozone NAAQS for as long as the area continues to attain the standard. This suspension remains in effect until such time, if ever, that EPA (i) redesignates the area to attainment at which time those requirements no longer apply, or (ii) subsequently determines that the area has violated the 1997 8-hour ozone NAAQS. Although these requirements are suspended, EPA is not precluded from acting upon these elements at any time if submitted to EPA for review and approval. The determination of attainment is not equivalent to a redesignation under section 107(d)(3) of the CAA. The designation status of the Baltimore Area will remain nonattainment for the 1997 8-hour ozone NAAQS until such time as EPA determines that the Baltimore Area meets the CAA requirements for redesignation to attainment, including an approved maintenance plan. Additionally, the determination of attainment is separate from, and does not influence or otherwise affect, any future designation determination or requirements for the Baltimore Area based on any new or revised ozone NAAQS, and it remains in effect regardless of whether EPA designates the Baltimore Area as a nonattainment area for purposes of any new or revised ozone NAAQS.

II. EPA's Evaluation

EPA has reviewed the complete, quality-assured and certified ozone ambient air monitoring data for the monitoring period for 2012–2014 for the Baltimore Area. The design values for each monitor for the years 2012–2014 are less than or equal to 0.084 ppm, and all monitors meet the data completeness requirements (*see* Table 1). Based on this 2012–2014 data from the Air Quality System (AQS) database and consistent with the requirements contained in 40 CFR part 50, EPA has concluded that the Baltimore Area attained the 1997 8-hour ozone NAAQS. Other specific requirements and the rationale for EPA's proposed action are explained in the NPR and will not be

restated here. No public comments were received on the NPR.

TABLE 1—2012–2014 BALTIMORE AREA 1997 8-HOUR OZONE DESIGN VALUES

Monitor ID	Average percent (%) data completeness	2012–2014 Design value (ppm)
24–003–0014	97	0.074
24–005–1007	95	0.072
24–005–3001	99	0.072
24–013–0001	99	0.069
24–025–1001	98	0.075
24–025–9001	96	0.073
24–510–0054	90	0.064

The data in Table 1 are available in EPA's AQS database. The AQS report with this data is available in the docket for this rulemaking under docket number EPA–R03–OAR–2014–0883 and available online at *www.regulations.gov,* docket number EPA–R03–OAR–2014–0883.

III. Final Action

EPA has determined that the Baltimore Area has attained the 1997 8-hour ozone NAAQS. This determination is based upon complete, quality-assured, and certified ambient air monitoring data that show the Baltimore Area has monitored attainment of the 1997 8-hour ozone NAAQS for the 2012–2014 monitoring period. This determination suspends the requirement for the Baltimore Area to submit an attainment demonstration, RACM, a RFP plan, contingency measures, and other planning requirements related to attainment of the 1997 8-hour ozone NAAQS for so long as the Baltimore Area continues to attain the 1997 8-hour ozone NAAQS. Although these requirements are suspended, EPA is not precluded from acting upon these elements at any time if submitted to EPA for review and approval. Finalizing this determination does not constitute a redesignation of the Baltimore Area to attainment for the 1997 8-hour ozone NAAQS under CAA section 107(d)(3). This determination of attainment also does not involve approving any maintenance plan for the Baltimore Area and does not determine that the Baltimore Area has met all the requirements for redesignation under the CAA, including that the attainment be due to permanent and enforceable measures. Therefore, the designation status of the Baltimore Area will remain nonattainment for the 1997 8-hour ozone NAAQS until such time as EPA takes final rulemaking action to determine that the Baltimore Area meets the CAA requirements for redesignation to attainment.

IV. Statutory and Executive Order Reviews

A. General Requirements

This action makes a determination of attainment based on air quality, and will result in the suspension of certain Federal requirements, and will 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 CAA; 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.

B. Submission to Congress and the Comptroller General

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).

C. Petitions for Judicial Review

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by July 27, 2015. 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 determining that the Baltimore Area has attained the 1997 8-hour ozone NAAQS 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, Incorporation by reference, Intergovernmental relations, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: May 13, 2015.

William C. Early,

Acting Regional Administrator, Region III.

40 CFR part 52 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 V—Maryland

■ 2. In § 52.1082, paragraph (h) is added to read as follows:

§ 52.1082 Determinations of attainment.

* * * * *

(h) EPA has determined, as of May 26, 2015, that based on 2012 to 2014 ambient air quality data, the Baltimore nonattainment area has attained the 1997 8-hour ozone NAAQS. This determination, in accordance with 40 CFR 51.1118, suspends the requirement for this area to submit an attainment demonstration, associated reasonably available control measures, a reasonable further progress plan, contingency measures, and other planning SIPs related to attainment of the standard for as long as this area continues to meet the 1997 8-hour ozone NAAQS.

[FR Doc. 2015–12488 Filed 5–22–15; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R03–OAR–2014–0792; FRL–9928–02–Region 3]

Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Permits for Construction and Major Modification of Major Stationary Sources Which Cause or Contribute to Nonattainment Areas

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is finalizing approval of four State Implementation Plan (SIP) revisions submitted by the West Virginia Department of Environmental Protection for the State of West Virginia on June 29, 2010, July 8, 2011, July 6, 2012, and July 1, 2014 with the exception of certain revisions related to ethanol production facilities on which the EPA is taking no action at this time. These revisions pertain to West Virginia's nonattainment New Source Review (NSR) program, notably provisions for preconstruction permitting requirements for major sources of fine particulate matter ($PM_{2.5}$) and NSR reform. This action is being taken under the Clean Air Act (CAA).

DATES: This final rule is effective on June 25, 2015.

ADDRESSES: The EPA has established a docket for this action under Docket ID Number EPA–R03–OAR–2014–0792. All documents in the docket are listed in the *www.regulations.gov* Web site. Although listed in the electronic docket, some information is not publicly available, *i.e.,* confidential business information (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 for public inspection during normal business hours at the Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. Copies of the State submittal are available at the West Virginia Department of Environmental Protection, Division of Air Quality, 601 57th Street SE., Charleston, West Virginia 25304.

FOR FURTHER INFORMATION CONTACT: Mr. Mike Gordon, (215) 814–2039, or by email at *gordon.mike@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

On February 5, 2015 (80 FR 6491), the EPA published a notice of proposed rulemaking (NPR) for the State of West Virginia. In the NPR, the EPA proposed approval of revisions to West Virginia's nonattainment NSR program, notably provisions for preconstruction permitting requirements for major sources of $PM_{2.5}$ and for NSR reform, with the exception of certain revisions related to ethanol production facilities on which the EPA proposed taking no action. The formal SIP revisions were submitted by West Virginia on June 29, 2010, July 8, 2011, July 6, 2012, and July 1, 2014.

While each of the SIP revisions was submitted individually, the EPA is finalizing approval of these submittals as a whole. As described in the proposal, there are some instances where specific language was added in a West Virginia regulation included in one of the earlier SIP submittals but the language was subsequently removed from that same regulation included in a later SIP submittal such that the EPA therefore only assessed the approvability of that portion of the regulation included in the later SIP submittal. It should be noted that the most recent version of West Virginia's nonattainment NSR regulations is the version included for SIP approval in the 2014 submittal, and this submittal reflects the sum of the changes made from the 2010, 2011, and 2012 submittals as well.[1]

In this final action, the EPA is revising 40 CFR part 52, subpart XX to reflect approval of revisions to West Virginia's nonattainment NSR program in Series 19 under Title 45 of West Virginia Code of State Rules (45CSR19), with the exception of certain provisions related to ethanol production facilities on which the EPA proposed taking no action. A full description of the revisions submitted by West Virginia is available in the proposed approval and in the docket for this rulemaking action. No comments were received during the public comment period for the proposed rule.

II. Summary of SIP Revision

The revisions submitted by WVDEP which the EPA is approving in this action involve amendments to 45CSR19 (Permits for Construction and Major Modification of Major Stationary Sources Which Cause or Contribute to Nonattainment Areas) as a result of Federal regulatory actions discussed in the proposal for this final rule. A summary of the changes made in the 2010, 2011, 2012, and 2014 submittals are available in the docket under ''Summary of West Virginia NSR Changes.''

As discussed in the proposal to this final rule, West Virginia's SIP revisions include provisions that exclude facilities that produce ethanol through a natural fermentation process from the

[1] The EPA, however, is acting on all four SIP submittals in this notice because each submittal contains necessary procedural information related to West Virginia's revisions to its nonattainment NSR regulations and development of its SIP submittals, which are required for SIP revisions by 40 CFR parts 51 and 52.

definition of ''chemical process plants'' in the major NSR source permitting program as amended in the 2007 Ethanol Rule. The 2010 submittal added provisions at 45CSR19–2.35.e.20 and 3.7.a.20 that remove certain ethanol production facilities from the definition of ''chemical process plants.'' These provisions are also included in the subsequent 2011, 2012, and 2014 submittals. In this final rulemaking, the EPA is taking no action on the submitted regulation revisions at 45CSR19–2.35.e.20 and 3.7.a.20 that address the 2007 Ethanol Rule.

III. Final Action

The EPA's review of this material indicates that the 2010, 2011, 2012 and 2014 SIP submittals collectively meet the federal counterpart requirements in 40 CFR parts 51 and 52 for a nonattainment NSR permitting program. For the reasons stated previously, the EPA is approving these WV SIP submissions with the exception of the revisions to 45CSR19–2.35.e.20 and 3.7.a.20. The EPA is taking no action on the 45CSR19 regulations relating to the definition of ''chemical process plants'' which are at 45CSR19–2.35.e.20 and 3.7.a.20.

IV. Incorporation by Reference

In this rulemaking action, the EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is finalizing the incorporation by reference of 45CSR19, with the exception of certain provisions related to ethanol production facilities on which the EPA proposed taking no action. The EPA has made, and will continue to make, these documents generally available electronically through *www.regulations.gov* and/or in hard copy at the appropriate EPA office (see the **ADDRESSES** section of this preamble for more information).

V. Statutory and Executive Order Reviews

A. General Requirements

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the CAA and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, the EPA's role is to approve state choices, provided that they meet the criteria of the CAA. 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 CAA; and
- does not provide the 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 the EPA notes that it will not impose substantial direct costs on tribal governments or preempt tribal law.

B. Submission to Congress and the Comptroller General

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. The 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).

C. Petitions for Judicial Review

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by July 27, 2015. 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 approving revisions to West Virginia's nonattainment NSR program 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.

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

Dated: May 7, 2015.

William C. Early,

Acting Regional Administrator, Region III.

40 CFR part 52 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 XX—West Virginia

■ 2. In § 52.2520, the table in paragraph (c) is amended by revising the table heading and the entries for [45 CSR] Series 19, to read as follows:

§ 52.2520 Identification of plan.

* * * * *

(c) * * *

EPA-APPROVED REGULATIONS IN THE WEST VIRGINIA SIP

State citation [Chapter 16–20 or 45 CSR]	Title/Subject	State effective date	EPA Approval date	Additional explanation/citation at 40 CFR 52.2565
* *	*	*	* *	*
[45 CSR] Series 19 Permits for Construction and Major Modification of Major Stationary Sources of Air Pollution Which Cause or Contribute to Nonattainment				
Section 45–19–1	General	6/1/2013	5/26/2015 ***Insert Federal Register*** *citation].*	
Section 45–19–2 (Except: 45CSR19–2.35.e.20)	Definitions	6/1/2013	5/26/2015 [***Insert Federal Register*** *citation].*	EPA is taking no action on revisions related to remove certain ethanol production facilities from the definition of ''chemical process plants.''
Section 45–19–3 (Except: 45CSR19–3.7.a.20)	Applicability	6/1/2013	5/26/2015 [***Insert Federal Register*** *citation].*	EPA is taking no action on revisions related to remove certain ethanol production facilities from the definition of ''chemical process plants.''
Section 45–19–4	Conditions for a Permit Approval for Proposed Major Sources that would Contribute to a Violation of NAAQS.	6/1/2013	5/26/2015 [***Insert Federal Register*** *citation].*	
Section 45–19–5	Conditions for Permit Approval for Sources Locating in Attainment of Unclassifiable Areas That Would Cause a New Violation of a NAAQS.	6/1/2013	5/26/2015 [***Insert Federal Register*** *citation].*	
Section 45–19–6	[Reserved]	6/1/2013	5/26/2015 [***Insert Federal Register*** *citation].*	
Section 45–19–7	Baseline for Determining Credit for Emission Offsets.	6/1/2013	5/26/2015 [***Insert Federal Register*** *citation].*	
Section 45–19–8	Location of Emissions Offsets	6/1/2013	5/26/2015 [***Insert Federal Register*** *citation].*	
Section 45–19–9	Administrative Procedures for Emission Offset Proposals.	6/1/2013	5/26/2015 [***Insert Federal Register*** *citation].*	
Section 45–19–10	[Reserved]	6/1/2013	5/26/2015 [***Insert Federal Register*** *citation].*	
Section 45–19–11	[Reserved]	6/1/2013	5/26/2015 [***Insert Federal Register*** *citation].*	
Section 45–19–12	Reasonable Further Progress	6/1/2013	5/26/2015 [***Insert Federal Register*** *citation].*	
Section 45–19–13	Source Impact Analysis	6/1/2013	5/26/2015 [***Insert Federal Register*** *citation].*	
Section 45–19–14	Permit Requirements for Major Stationary Sources and Major Modifications.	6/1/2013	5/26/2015 [***Insert Federal Register*** *citation].*	
Section 45–19–15	Public Review Procedures	6/1/2013	5/26/2015 [***Insert Federal Register*** *citation].*	
Section 45–19–16	Public Meetings	6/1/2013	5/26/2015 [***Insert Federal Register*** *citation].*	
Section 45–19–17	Permit Transfer, Cancellation and Responsibility.	6/1/2013	5/26/2015 [***Insert Federal Register*** *citation].*	
Section 45–19–18	Disposition of Permits	6/1/2013	5/26/2015 [***Insert Federal Register*** *citation].*	
Section 45–19–19	Requirements of Air Quality Models.	6/1/2013	5/26/2015 [***Insert Federal Register*** *citation].*	
Section 45–19–20	[Reserved]	6/1/2013	5/26/2015 [***Insert Federal Register*** *citation].*	
Section 45–19–21	[Reserved]	6/1/2013	5/26/2015 [***Insert Federal Register*** *citation].*	
Section 45–19–22	[Reserved]	6/1/2013	5/26/2015 [***Insert Federal Register*** *citation].*	
Section 45–19–23	Actuals PAL	6/1/2013	5/26/2015 [***Insert Federal Register*** *citation].*	
Section 45–19–24	Conflict with Other Permitting Rules.	6/1/2013	5/26/2015 [***Insert Federal Register*** *citation].*	
Section 45–19–25	Inconsistency Between Rules	6/1/2013	5/26/2015 [***Insert Federal Register*** *citation].*	

EPA-APPROVED REGULATIONS IN THE WEST VIRGINIA SIP—Continued

State citation [Chapter 16–20 or 45 CSR]	Title/Subject	State effective date	EPA Approval date	Additional explanation/citation at 40 CFR 52.2565
*	*	*	*	*

* * * * *

[FR Doc. 2015–12486 Filed 5–22–15; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

46 CFR Part 401

[Docket No. USCG–2014–0481]

RIN 1625–AC22

Great Lakes Pilotage Rates—2015 Annual Review and Adjustment

AGENCY: Coast Guard, DHS.

ACTION: Final rule; change in effective date.

SUMMARY: The Coast Guard is advancing the effective date for the 2015 final rule which published on February 26, 2015, adjusting rates for pilotage services on the Great Lakes in accordance with a full ratemaking procedure. The rate adjustments made by the February 2015 final rule are unchanged, but instead of taking effect on August 1, 2015, the rates will take effect June 2, 2015. This rulemaking rule promotes the Coast Guard's strategic goal of maritime safety.

DATES: The effective date for the final rule published February 26, 2015 (80 FR 10365), is changed from August 1, 2015, to June 2, 2015.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email Mr. Todd Haviland, Director, Great Lakes Pilotage, Commandant (CG–WWM–2), Coast Guard; telephone 202–372–2037, email *Todd.A.Haviland@uscg.mil,* or fax 202–372–1914.

SUPPLEMENTARY INFORMATION:

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I. Abbreviations

CFR Code of *Federal Regulations*
E.O. Executive Order
FR Federal Register
MISLE Marine Information for Safety and Law Enforcement
NAICS North American Industry Classification System
NPRM Notice of proposed rulemaking
OMB Office of Management and Budget
§ Section symbol
U.S.C. United States Code

II. Regulatory History

On September 4, 2014, we published a notice of proposed rulemaking (NPRM) titled ''Great Lakes Pilotage Rates—2015 Annual Review and Adjustment'' in the **Federal Register**.[1] On December 1, 2014, we published revenue audits of the pilot associations and reopened the public comment period in the **Federal Register**.[2] On February 26, 2015, we published a final rule entitled ''Great Lakes Pilotage Rates—2015 Annual Review and Adjustment.''[3]

III. Background

The vessels affected by this rulemaking are those engaged in foreign trade upon the U.S. waters of the Great Lakes. United States and Canadian ''lakers,''[4] which account for most commercial shipping on the Great Lakes, are not affected.[5] For further background information, please see the February 26, 2015 final rule at 80 FR 10365 at 10366. For further information summarizing the February final rule, see pages 10368 through 10383 of that document.

The basis of this rule is the Great Lakes Pilotage Act of 1960 (''the Act'') (46 U.S.C. Chapter 93), which requires U.S. vessels operating ''on register''[6] and foreign vessels to use U.S. or Canadian registered pilots while transiting the U.S. waters of the St. Lawrence Seaway and the Great Lakes system.[7] The Act requires the Secretary to ''prescribe by regulation rates and charges for pilotage services, giving consideration to the public interest and the costs of providing the services.''[8] Rates must be established or reviewed and adjusted each year, not later than March 1. Base rates must be established by a full ratemaking at least once every 5 years, and in years when base rates are not established, they must be reviewed and, if necessary, adjusted.[9] The Secretary's duties and authority under the Act have been delegated to the Coast Guard.[10] Coast Guard regulations implementing the Act appear in parts 401 through 404 of Title 46, Code of Federal Regulations (CFR). Procedures for use in establishing base rates appear in 46 CFR part 404, appendix A, and procedures for annual review and adjustment of existing base rates appear in 46 CFR part 404, appendix C.

This final rule advances the effective date of the 2015 final rule published on February 26, 2015, which established new base pilotage rates, using the methodology found in 46 CFR part 404, appendix A.

IV. 2014 Litigation

The Coast Guard published its ''Great Lakes Pilotage Rates—2014 Annual Review and Adjustment'' final rule on March 4, 2014. Rates set in that rule took effect on August 1, 2014, and have remained in effect since then.[11] Shortly after publication, the three Great Lakes pilot associations filed suit[12] under the Administrative Procedure Act (APA),[13] challenging the manner in which the Coast Guard applied American Maritime Officers Union wage and benefit data. Under the Coast Guard ratemaking methodology, that data significantly affects rate adjustments. On March 27, 2015, the court issued a memorandum opinion holding that the Coast Guard

[1] 79 FR 52602 (Sept. 4, 2014).

[2] 79 FR 71082 (Dec. 1, 2014).

[3] 80 FR 10365 (Feb. 26, 2015).

[4] A ''laker'' is a commercial cargo vessel especially designed for and generally limited to use on the Great Lakes.

[5] 46 U.S.C. 9302.

[6] ''On register'' means that the vessel's certificate of documentation has been endorsed with a registry endorsement, and therefore, may be employed in foreign trade or trade with Guam, American Samoa, Wake, Midway, or Kingman Reef. 46 U.S.C. 12105, 46 CFR 67.17.

[7] 46 U.S.C. 9302(a)(1).

[8] 46 U.S.C. 9303(f).

[9] *Id.*

[10] Department of Homeland Security Delegation No. 0170.1, paragraph (92)(f).

[11] 79 FR 12084 (Mar. 4, 2014).

[12] The case is *St. Lawrence Seaway Pilots Association, Inc., et al.,* v. *United States Coast Guard,* Civil Action No. 14–cv–392 (TSC), (D.D.C. March 27, 2015).

[13] 5 U.S.C. 551 *et seq.*

had not properly applied the union data, and was therefore arbitrary and capricious in setting the 2014 rates, which consequently were set lower than they should have been. The court ordered the parties to brief the appropriate remedy, recognizing that the normal remedy of vacating and remanding the 2014 rule would be counterproductive because the 2013 rates are lower than the rates set in the 2014 rule. Given that the usual remedies are impractical, the parties have discussed a remedy that advances the effective date for 2015 rates set in our 2015 final rule.[14]

V. Good Cause

The Coast Guard is advancing the August 1, 2015 effective date of the 2015 final rule without following the usual APA procedures for prior notice and public opportunity to comment, and for thirty days to elapse between publication of a rule and the effective date of that rule. Under 5 U.S.C. 553(b)(3)(B) and 5 U.S.C. 553(d), the Coast Guard finds that it has good cause to depart from these procedures because to follow those procedures would be impracticable and contrary to public interest.

Standard APA procedures would require publishing a notice of proposed rulemaking, taking and considering public comments on that notice, publishing a second document actually advancing the effective date, and then waiting thirty days before that advancement could take effect. However, effective implementation of the remedy depends on acting as soon as practicable to advance the current August 1, 2015 effective date for the 2015 rates. The effectiveness of the remedy is reduced by each day that advancement of the effective date is delayed, thereby leaving the 2014 rates invalidated by the court in place and reducing the additional compensation that the pilots receive from advancement. Delay in order to follow standard APA notice-and-comment rulemaking procedures is therefore impracticable, because any delay would largely, if not wholly, defeat the remedy's purpose.[15]

Delaying the implementation of this rule to follow standard APA notice-and-comment rulemaking procedures is also contrary to public interest. The Coast Guard is statutorily required to set Great Lakes pilotage rates ''giving consideration to the public interest and the costs of providing services.'' [16] The Coast Guard's goal in setting pilotage rates is to serve the public interest in assuring ''safe, efficient, and reliable'' pilotage service on the Great Lakes.[17] The court has accepted the pilot associations' argument that the 2014 rates inadequately compensate them for the cost of providing service. Inadequate compensation reduces the funds that the plaintiff pilot associations need to provide safe, efficient, and reliable pilotage, because it weakens their ability to operate, attract and retain qualified pilots, and maintain pilot boats and other infrastructure, all of which are essential to providing current and future pilotage services. The intended effect of the remedy of advancing the effective date of the 2015 rates is to mitigate the impact of the inadequate compensation provided by the invalidated 2014 rates. Therefore any delay in implementing the remedy, diminishes the Coast Guard's ability to mitigate the inadequate compensation of the 2014 rates and would harm the public interest in assuring safe, efficient, and reliable pilotage.[18]

VI. Regulatory Analyses

We developed this rule after considering numerous statutes and E.O.s related to rulemaking. Below we summarize our analyses based on these statutes or E.O.s.

A. Regulatory Planning and Review

Executive Orders 12866, Regulatory Planning and Review, and 13563, Improving Regulation and Regulatory Review, direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility.

This rule is not a significant regulatory action under section 3(f) of E.O. 12866 as supplemented by E.O. 13563. The Office of Management and Budget (OMB) has not reviewed it under E.O. 12866.

Below is our analysis of the costs and benefits of the rule; this analysis assists in ascertaining the probable impacts of this rule on industry. The Coast Guard is advancing the effective date for the February 26, 2015 final rule adjusting rates for pilotage services on the Great Lakes in accordance with a full ratemaking procedure. The rate adjustments made by the February 2015 final rule are unchanged, but instead of taking effect on August 1, 2015, the rates will take effect June 2, 2015. We estimate that shippers will experience an increase in payments of approximately $283,761 across all three districts as a result of this rulemaking.

A regulatory assessment follows.

The Coast Guard is advancing the effective date of the final rule published on February 26, 2015, which established new base 2015 pilotage rates. This action leads to an increase in the cost per unit of service to shippers in all three districts for the additional period that the 2015 rates will be in effect. The calculations of the rates in the 2014 ratemaking [19] and the 2015 ratemaking [20] remain unchanged. The shippers affected by these rate adjustments are those owners and operators of domestic vessels operating on register (employed in foreign trade) and owners and operators of foreign vessels on a route within the Great Lakes system. These owners and operators must have pilots or pilotage service as required by 46 U.S.C. 9302. There is no minimum tonnage limit or exemption for these vessels. The statute applies only to commercial vessels and not to recreational vessels.

Owners and operators of other vessels that are not affected by this final rule, such as recreational boats and vessels operating only within the Great Lakes system, may elect to purchase pilotage services. However, this election is voluntary and does not affect our calculation of the rate and is not a part of our estimated national cost to shippers.

[14] Under this final rule, some vessels will pay higher rates prior to August 1, 2015 than they otherwise would have. Under the 2014 final rule. Note, however, that Canadian rates for 2015 took effect upon the opening of the shipping season in early spring 2015 and are higher than 2014 Canadian rates. Vessels are assigned either a U.S. or a Canadian pilot when they enter the Great Lakes, and therefore cannot know in advance whether they will be subject to U.S. or Canadian rates. With advancement of the 2015 effective date, henceforth all vessels will pay 2015 rates regardless of whether they are assigned a U.S. or Canadian pilot, rather than a 2014 rate if assigned a U.S. pilot and a 2015 rate if assigned a Canadian pilot.

[15] Good cause is ''. . . appropriately invoked when the timing and disclosure requirements of the usual procedures would defeat the purpose of the proposal.'' *Mack Trucks, Inc.* v. *EPA,* 682 F.3d 87, 95 (D.C. Cir. 2012). A good cause ''impracticability'' finding may be upheld where quick action is needed to fulfill the goal of a court-ordered deadline. *Asiana Airlines,* 134 F.3d 393, 398 (D.C. Cir. 1998).

[16] 46 U.S.C. 9303(f).

[17] *See* 80 FR 10365 (Feb. 26, 2015).

[18] *See Mack Trucks, Inc.* v. *EPA,* 682 F.3d 87, 95 (D.C. Cir. 2012); *Asiana Airlines,* 134 F.3d 393, 398 (D.C. Cir. 1998).

[19] 79 FR 12084 (Mar. 4, 2014).

[20] 80 FR 10365 (Feb. 26, 2015).

We used 2011–2013 vessel arrival data from the Coast Guard's Marine Information for Safety and Law Enforcement (MISLE) system to estimate the average annual number of vessels affected by the rate adjustment. Using that period, we found that approximately 114 different vessels journeyed into the Great Lakes system annually. These vessels entered the Great Lakes by transiting at least one of the three pilotage districts before leaving the Great Lakes system. These vessels often made more than one distinct stop, docking, loading, and unloading at facilities in Great Lakes ports. Of the total trips for the 114 vessels, there were approximately 353 annual U.S. port arrivals before the vessels left the Great Lakes system, based on 2011–2013 vessel data from MISLE.

We estimate the additional impact (cost increases) of the rate adjustment in this rule to be the difference between the 2014 and 2015 pilotage rates, multiplied by the additional bridge hours resulting from advancing the 2015 rate effective date. For this analysis, we assumed the earliest practicable effective date the 2015 rates could be advanced to is June 1, 2015. This would add an additional two months of bridge hours from the August 1, 2015 effective date set in the February 26, 2015 final rule. Table 1 details the additional cost increases by area and district as a result of this rulemaking.

TABLE 1—IMPACT OF THE RULE BY AREA AND DISTRICT ($U.S.; NON-DISCOUNTED)

Area	2014 Pilotage rate [21]	2015 Pilotage rate [22]	2014 Total bridge hours [23]	Difference in 2014 and 2015 rates	Additional bridge hours (June and July 2015) [24]	Total cost
Area 1	$472.50	$519.74	5,116	$47.24	1,137	$53,707
Area 2	291.96	321.15	5,429	29.19	1,206	35,216
Total, District One						88,923
Area 4	210.40	231.44	5,814	21.04	1,292	27,184
Area 5	521.64	573.80	5,052	52.16	1,123	58,558
Total, District Two						85,742
Area 6	204.95	225.45	9,611	20.50	2,136	43,783
Area 7	495.01	544.52	3,023	49.51	672	33,260
Area 8	191.34	210.47	7,540	19.13	1,676	32,053
Total, District Three						109,097
System Total						283,761

* Some values may not total due to rounding.

We estimate that shippers will experience an increase in payments of approximately $283,761 across all three districts as a result of this rulemaking. The resulting increase in costs is the change in payments from shippers to pilots from advancing the effective date of the 2015 rates. This figure is equivalent to the total additional payments that shippers would incur for pilotage services. This figure, however, is dependent on a June 1, 2015 effective date for this rulemaking. Any delays in the effective date will result in a lower cost impact to the shippers.

To calculate an exact cost per vessel is difficult because of the variation in vessel types, routes, port arrivals, commodity carriage, time of season, conditions during navigation, and preferences for the extent of pilotage services on designated and undesignated portions of the Great Lakes system. Some owners and operators would pay more and some would pay less, depending on the distance and the number of port arrivals of their vessels' trips.

This rulemaking provides the pilots with additional compensation that will partially offset revenue losses due to the lower 2014 rates, during the months when those rates would otherwise remain in effect. This rulemaking helps assure safe, efficient, and reliable pilotage by increasing the pilot compensation that is artificially low due to the the 2014 rates invalidated by the court.

B. Small Entities

In accordance with the Regulatory Flexibility Act (5 U.S.C. 601–612), rules that are exempt from APA notice and comment requirements are also exempt from the Regulatory Flexibility Act requirements when the agency for good cause finds that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest. As discussed previously, Coast Guard for good cause finds that notice and comment are impracticable and contrary to public interest. Consequently, no regulatory flexibility analysisis is required.

C. Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we offered to assist small entities in understanding this rule so that they can better evaluate its effects on them and participate in the rulemaking. The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247).

D. Collection of Information

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995, 44 U.S.C. 3501–3520. This rule does not change the burden in the collection currently approved by the OMB under Control

[21] 2014 rates are from 2014 final rule, ''Great Lakes Pilotage Rates—2014 Annual Review and Adjustment'', 79 FR 12084 (Mar. 4, 2014).

[22] 2015 rates are from 2015 final rule, ''Great Lakes Pilotage Rates—2015 Annual Review and Adjustment'', 80 FR 10365 (Feb. 26, 2015).

[23] Bridge hours are from 2015 final rule, ''Great Lakes Pilotage Rates—2015 Annual Review and Adjustment'', 80 FR 10365 (Feb. 26, 2015).

[24] Bridge hours were calculated by dividing the 2014 bridge hours by the number of months in the shipping season (nine), and the multiplying by two months.

Number 1625–0086, Great Lakes Pilotage Methodology.

E. Federalism

A rule has implications for federalism under E.O. 13132, Federalism, if it has 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. We have analyzed this rule under that order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in E.O. 13132. Our analysis is explained below. Congress directed the Coast Guard to establish ''rates and charges for pilotage services.'' 46 U.S.C. 9303(f). This regulation is issued pursuant to that statute and is preemptive of state law as specified in 46 U.S.C. 9306. Under 46 U.S.C. 9306, a ''State or political subdivision of a State may not regulate or impose any requirement on pilotage on the Great Lakes.''

As a result, States or local governments are expressly prohibited from regulating within this category. Therefore, this rule is consistent with the principles of federalism and preemption requirements in E.O. 13132.

Dated: May 20, 2015.

Gary C. Rasicot,

Director, Marine Transportation Systems, U.S. Coast Guard.

[FR Doc. 2015–12734 Filed 5–22–15; 8:45 am]

BILLING CODE 9110–04–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 52

[WC Docket No. 07–244; CC Docket Nos. 95–116, 99–200; DA 14–842]

Local Number Portability Porting Interval and Validation Requirements; Telephone Number Portability; Numbering Resource Optimization

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In this document, the Federal Communications Commission (Commission) adopted several recommendations of the North American Numbering Council (NANC) pertaining to local number portability (LNP). Also, the Commission clarified that, notwithstanding the NANC's preference for area code overlays over area code splits, the states still have the option to choose the best means of implementing area code relief for their citizens.

DATES: Effective June 25, 2015.

FOR FURTHER INFORMATION CONTACT: Sanford Williams, Wireline Competition Bureau, Competition Policy Division, (202) 418–1580, or send an email to *sanford.williams@fcc.gov.*

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Order in WC Docket No. 07–244; CC Docket Nos. 95–116, 99–200; DA 14–482 adopted and released on June 20, 2014. The full text of this document is available for public inspection during regular business hours in the FCC Reference Information Center, Portals II, 445 12th Street SW., Room CY–A257, Washington, DC 20554. It is available on the Commission's Web site at *http://www.fcc.gov.*

I. Order

1. In this Order, we adopt several recommendations of the NANC, a federal advisory committee for telephone number administration, pertaining to LNP. The Communications Act defines number portability as ''the ability of users of telecommunications services to retain, at the same location, existing telecommunications numbers without impairment of quality, reliability, or convenience when switching from one telecommunications carrier to another. This means that customers have the ability to keep their telephone numbers if they change service providers, with a few exceptions. This process is called telephone number ''porting.'' These recommendations all involve changes to the LNP ''provisioning flows'' and are intended to improve the telephone number porting process. Telephone number porting is accomplished by the old and new service providers working together and following a uniform set of flow charts, referred to as the ''LNP provisioning flows.'' These flows consist of diagrams and accompanying narratives which explain the processes service providers follow in specific porting scenarios. The recommendations addressed in this Order are changes to the narratives that accompany the diagrams.

2. These improvements include revising existing processes for cancelling a number port request, clarifying the timeline for re-using disconnected ported numbers, and stopping new service providers from prematurely activating ports. Also in this Order, we clarify that, notwithstanding the NANC's preference for area code overlays over area code splits, the states still have the option to choose the best means of implementing area code relief for their citizens. An area code ''split'' occurs when the geographic area served by an area code is divided into two or more geographic parts. An area code overlay occurs when a new area code is introduced to serve the same geographic area as one or more existing area codes. In both scenarios, callers must dial a ten-digit telephone number (three-digit area code, plus seven-digit number) to reach end users.

II. Background

3. In May 2010, the Commission adopted various provisioning flows in its *LNP Standard Fields Order.* However, the Commission recognized that industry developments would likely require changes to these flows. It also acknowledged that ''the NANC is best situated to monitor the continued effectiveness of the provisioning process flows, and make recommendations when changes are needed.'' Thus, the Commission decided that the provisioning flows adopted in that order would remain in effect until the Commission approves revised provisioning flows based on recommendations from the NANC. The Commission delegated authority to the Chief of the Wireline Competition Bureau (Bureau) to approve such recommended revisions and directed the NANC to make the revised provisioning flows, once approved, available to the public on the NANC Web site.

4. *Flows for Cancellations and Disconnections.* On January 2, 2013, the NANC submitted a letter to the Bureau recommending revisions to the provisioning flows for port cancellations, termed by the NANC as the ''Cancel Flows.'' These flows apply when a customer asks a new service provider to port his or her number, and then subsequently decides to cancel that request and remain with his or her current provider. The customer must notify one of the providers of the cancellation. The NANC recommended three revisions to these flows. The first revision clarifies the responsibilities of the current and new service providers. It states that if the customer contacts the current provider, that provider may choose to advise the customer to call the new provider to cancel the port request. If the customer contacts the new provider, that provider must cancel the port. The second revision states that if the current provider decides to cancel the port request, it must obtain verifiable authority from the customer, such as a Letter of Authorization, dated after the initial port request. The new provider must then process the

cancellation request, even if the current provider does not provide an actual copy of the authorization. The third revision outlines the different steps to be taken to notify the new provider of the cancellation, depending on whether the current provider is a wireline or a wireless provider.

5. In its January 2013 letter, the NANC also recommended deleting language in the flow entitled ''Disconnect Process for Ported Telephone Numbers.'' That flow applies to ''aging numbers,'' defined by section 52.15(f)(ii) of the Commission's rules as ''disconnected numbers that are not available for assignment to another customer for a specified period of time.'' The language to be deleted reads, ''[t]he maximum interval between disconnect date and effective release is 18 months.'' The NANC proposes to delete this language because it is inconsistent with section 52.15(f)(ii) of the Commission's rules, which provides that a service provider may not ''age'' disconnected residential numbers for more than 90 days and disconnected business numbers for more than 365 days.

6. The Bureau sought comment on these NANC recommendations in May 2013. In response, the Commission received comments from CenturyLink supporting the NANC's recommended revisions to these flows. No commenter opposed the recommendations.

7. *Flows and Premature Activation of Ports.* On October 17 and October 28, 2013, the NANC submitted letters requesting that the Commission accept Best Practice 65, which provides that both service providers involved in a port must agree to any changes to the original due date for that port. According to the NANC letters, there is a perceived loophole in the current flows that prompts some new service providers to activate ports hours or days before the agreed-to porting date and before the old service providers have their networks ready to port a number out. These premature port activations can disrupt customers' service. The NANC believes it is important that current and new service providers coordinate when activating a port, to avoid service disruptions. By Best Practice 65, and corresponding provisioning flows, the NANC intends to close the perceived loophole and stop premature activation of ports.

8. The Bureau sought comment in December 2013 on the NANC's request to accept Best Practice 65 and the corresponding provisioning flows. The Commission received comments from CenturyLink and AT&T supporting the Best Practice and the corresponding flows, and received no opposition to either.

A. Area Code Relief and Number Porting

9. In its October 17, 2013 letter, the NANC also recommends approval of Best Practice 30, which calls for ''All-Services Area Code (NPA) Overlays,'' rather than area code splits, as the best solution for area code relief. The NANC states that ''NPA Overlays have both practical and technical positive implications for customers and service providers alike.'' The letter and accompanying attachment explain that an overlay avoids the need to synchronize old and new area codes in the LNP database to ensure that port requests are completed on time and are not misrouted. The NANC notes that area code overlays treat all customers the same, allowing them to retain their existing area codes and telephone numbers.

10. The Bureau sought comment on Best Practice 30 in December 2013, along with Best Practice 65. CenturyLink and AT&T support Best Practice 30. Three state agencies express concern about making area code overlays mandatory. The state agencies contend that states have the greatest expertise regarding the issues facing their citizens and should continue to have autonomy to decide whether an area code split or an overlay is more appropriate.

III. Discussion

A. LNP Provisioning Flows

11. We conclude that all of the NANC's proposed revisions to the provisioning flows will improve the number porting process for service providers and their customers. The flow revisions clarifying the process for cancelling port requests will improve communications between service providers, and will ensure that port cancellation requests are handled properly and without customer inconvenience. The change to the disconnection flow will make the disconnection process consistent with Commission rules on aging disconnected telephone numbers, lessening service provider and customer confusion. Also, Best Practice 65 and the corresponding provisioning flows will ensure that service providers are in sync when activating a port, thus avoiding disruption of service to customers. Therefore, pursuant to the Commission's authority over telephone number administration and porting, and the authority delegated to the Bureau by the full Commission, we adopt the NANC's recommended changes to the LNP provisioning flows and require the industry to adhere to them. Pursuant to the Commission's 2010 *LNP Standard Fields Order,* we direct the NANC to make these revised provisioning flows available to the public through the NANC's Web site.

B. Area Code Relief and Number Porting

12. The NANC's Local Number Portability Administration (LNPA) Working Group has created many Best Practices to facilitate porting between service providers. The Bureau appreciates and commends those efforts to improve the number porting process. However, we do not, in this Order, adopt and codify Best Practice 30. And, we make clear that unless the Commission specifically adopts and codifies a Best Practice, it is not mandatory. Section 52.19(a) of the Commission's rules gives state commissions the discretion to decide how to introduce new area codes within their states. Therefore, the states still have the option to choose between an area code split or overlay in determining the best way to implement area code relief for their citizens.

IV. Procedural Matters

A. Paperwork Reduction Act of 1995 Analysis

13. This document does not contain proposed information collection requirements subject to the Paperwork Reduction Act of 1995, Public Law 104–13. In addition, therefore, it does not contain any proposed information collection burden for small business concerns with fewer than 25 employees, pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, *see* 44 U.S.C. 3506(c)(4).

B. Congressional Review Act

14. The Commission will send a copy of the Order on Reconsideration in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, see 5 U.S.C. 801(a)(1)(A).

C. Accessible Formats

15. To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an email to *fcc504@fcc.gov* or call the Consumer & Governmental Affairs Bureau at 202–418–0530 (voice), 202–418–0432 (tty). Contact the FCC to request reasonable accommodations for filing comments (accessible format documents, sign language interpreters, CARTS, *etc.*) by email: *FCC504@fcc.gov*; phone: (202) 418–0530 (voice), (202) 418–0432 (TTY).

V. Ordering Clauses

16. Accordingly, *it is ordered* that, pursuant to sections 1, 4(i)–4(j), 5, 251, and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154(i)–(j), 155, 251, 303(r), this Order approving the North American Numbering Council's recommendation to revise the ''Cancel Flows'' in the Local Number Portability Provisioning Flows, WC Docket No. 07–244, CC Docket Nos. 95–116 and 99–200, *is adopted.*

17. *It is further ordered* that, pursuant to sections 1, 4(i)–4(j), 5, 251, and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154(i)–(j), 155, 251, 303(r), this Order approving the North American Numbering Council's recommendation to revise the ''Disconnect Process for Ported Telephone Numbers'' in the Local Number Portability Provisioning Flows, WC Docket No. 07–244, CC Docket Nos. 95–116 and 99–200, *is adopted.*

18. *It is further ordered* that, pursuant to sections 1, 4(i)–4(j), 5, 251, and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154(i)–(j), 155, 251, 303(r), this Order approving the North American Numbering Council's recommendation to accept Best Practice 65 and the corresponding revisions to the Local Number Portability Provisioning flows, and denying the North American Numbering Council's recommendation to accept Best Practice 30, WC Docket No. 07–244, CC Docket Nos. 95–116 and 99–200, *is adopted.*

19. *It is further ordered* that this Order *shall become effective* 30 days after publication in the **Federal Register**.

Federal Communications Commission.

Sanford S. Williams,

Assistant Chief, Competition Policy Division, Wireline Competition Bureau.

[FR Doc. 2015–12633 Filed 5–22–15; 8:45 am]

BILLING CODE 6712–01–P

DEPARTMENT OF DEFENSE

Defense Acquisition Regulations System

48 CFR Part 216

RIN 0750–AI56

Defense Federal Acquisition Regulation Supplement: Approval Threshold for Time-and-Materials and Labor-Hour Contracts (DFARS Case 2014–D020)

AGENCY: Defense Acquisition Regulations System, Department of Defense (DoD).

ACTION: Final rule.

SUMMARY: DoD is issuing a final rule amending the Defense Federal Acquisition Regulation Supplement (DFARS) to establish the level of approval required for a determination and findings for time-and-materials and labor-hour contracts, or portions of contracts, exceeding $1 million.

DATES: Effective May 26, 2015.

FOR FURTHER INFORMATION CONTACT: Ms. Jennifer Johnson, telephone 571–372–6176.

SUPPLEMENTARY INFORMATION:

I. Background

DoD is issuing a final rule amending the DFARS to establish the level of approval required for a determination and findings (D&F) for time-and-materials and labor-hour contracts, or portions of contracts, exceeding $1 million. The D&F must address why cost-plus-fixed-fee and other contract types are not appropriate. The approval requirements in this rule do not apply to contracts that support contingency or peacekeeping operations, or that provide humanitarian assistance, disaster relief, or recovery from conventional, nuclear, biological, chemical, or radiological attack.

II. Publication of This Final Rule for Public Comment Is Not Required by Statute

''Publication of proposed regulations'', 41 U.S.C. 1707, is the statute which applies to the publication of the Federal Acquisition Regulation. Paragraph (a)(1) of the statute requires that a procurement policy, regulation, procedure or form (including an amendment or modification thereof) must be published for public comment if it relates to the expenditure of appropriated funds, and has either a significant effect beyond the internal operating procedures of the agency issuing the policy, regulation, procedure or form, or has a significant cost or administrative impact on contractors or offerors. This final rule is not required to be published for public comment because it pertains to requirements for internal documentation within DoD, specifically, determination and findings for use of the time-and-materials and labor-hour contract types. These requirements affect only the internal operating procedures of the Government. This final rule is not required to be published for public comment, because it has no effect beyond the internal operating procedures of DoD, and has no cost or administrative impact on contractors or offerors.

III. Executive Orders 12866 and 13563

Executive Orders (E.O.s) 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This is not a significant regulatory action and, therefore, was not subject to review under section 6(b) of E.O. 12866, Regulatory Planning and Review, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

IV. Regulatory Flexibility Act

The Regulatory Flexibility Act does not apply to this rule because this final rule does not constitute a significant DFARS revision within the meaning of FAR 1.501–1, and 41 U.S.C. 1707 does not require publication for public comment.

V. Paperwork Reduction Act

The rule does not contain any information collection requirements that require the approval of the Office of Management and Budget under the Paperwork Reduction Act (44 U.S.C. chapter 35).

List of Subjects in 48 CFR Part 216

Government procurement.

Amy G. Williams,

Editor, Defense Acquisition Regulations System.

Therefore, 48 CFR part 216 is amended as follows:

PART 216—TYPES OF CONTRACTS

■ 1. The authority citation for 48 CFR part 216 continues to read as follows:

Authority: 41 U.S.C. 1303 and 48 CFR chapter 1.

■ 2. Section 216.601 is amended by revising paragraph (d) to read as follows:

216.601 Time-and-materials contracts.

(d) *Limitations.*

(i)(A) *Approval of determination and findings for time-and-materials or labor-hour contracts.*

(*1*) *Base period plus any option periods is three years or less.*

(*i*) For contracts (including indefinite-delivery contracts) and orders in which

the portion of the requirement performed on a time-and-materials or labor-hour basis exceeds $1 million, the approval authority for the determination and findings shall be the senior contracting official within the contracting activity. This authority may not be delegated.

(*ii*) For contracts (including indefinite-delivery contracts) and orders in which the portion of the requirement performed on a time-and-materials or labor-hour basis is less than or equal to $1 million, the determination and findings shall be approved one level above the contracting officer.

(*2*) *Base period plus any option periods exceeds three years.* The authority of the head of the contracting activity to approve the determination and findings may not be delegated.

(*3*) *Exception.* The approval requirements in paragraphs (d)(i)(A)(*1*) and (*2*) of this section do not apply to contracts that—

(*i*) Support contingency or peacekeeping operations; or

(*ii*) Provide humanitarian assistance, disaster relief, or recovery from conventional, nuclear, biological, chemical, or radiological attack.

(B) *Content of determination and findings.* The determination and findings shall contain sufficient facts and rationale to justify that no other contract type is suitable. At a minimum, the determination and findings shall—

(*1*) Include a description of the market research conducted;

(*2*) Establish that it is not possible at the time of placing the contract or order to accurately estimate the extent or duration of the work or to anticipate costs with any reasonable degree of certainty;

(*3*) Address why a cost-plus-fixed-fee term or other cost-reimbursement, incentive, or fixed-price contract or order is not appropriate; for contracts (including indefinite-delivery contracts) and orders for noncommercial items awarded to contractors with adequate accounting systems, a cost-plus-fixed-fee term contract type shall be preferred over a time-and-materials or labor-hour contract type;

(*4*) Establish that the requirement has been structured to minimize the use of time-and-materials and labor-hour requirements (*e.g.,* limiting the value or length of the time-and-materials or labor-hour portion of the contract or order; establishing fixed prices for portions of the requirement); and

(*5*) Describe the actions planned to minimize the use of time-and-materials and labor-hour contracts on future acquisitions for the same requirements.

(C) *Indefinite-delivery contracts.* For indefinite-delivery contracts, the contracting officer shall structure contracts that authorize time-and-materials orders or labor-hour orders to also authorize orders on a cost-reimbursement, incentive, or fixed-price basis, to the maximum extent practicable.

* * * * *

[FR Doc. 2015–12341 Filed 5–22–15; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Defense Acquisition Regulations System

48 CFR Part 217

RIN 0750–AI37

Defense Federal Acquisition Regulation Supplement: Multiyear Contracts—Statutory References and Cancellation Ceiling Threshold (DFARS Case 2014–D019)

AGENCY: Defense Acquisition Regulations System, Department of Defense (DoD).

ACTION: Final rule.

SUMMARY: DoD is issuing a final rule amending the Defense Federal Acquisition Regulation Supplement (DFARS) to update the cancellation ceiling threshold for multiyear contracts and to correct statutory references.

DATES: Effective May 26, 2015.

FOR FURTHER INFORMATION CONTACT: Jennifer Hawes, telephone 571–372–6115.

SUPPLEMENTARY INFORMATION:

I. Background

DoD published a proposed rule in the **Federal Register** at 79 FR 65331 on September 19, 2014, to amend the DFARS regarding multiyear contracts to update the cancellation ceiling threshold at DFARS 217.170(e)(1)(iv) for consistency with the Federal Acquisition Regulation and correct statutory references. The rule also corrects references to 10 U.S.C. 2306b, 10 U.S.C. 2306c, and section 8008a of Public Law 105–56 throughout DFARS subpart 217.1.

No public comments were submitted in response to the proposed rule.

II. Discussion

There are only minor editorial changes in the final rule from the proposed rule. Cross references contained within some paragraphs required revision since several paragraphs were redesignated and renumbered due to relocation of text or the addition of new text.

III. Executive Orders 12866 and 13563

Executive Orders (E.O.s) 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This is not a significant regulatory action and, therefore, was not subject to review under section 6(b) of E.O. 12866, Regulatory Planning and Review, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

IV. Regulatory Flexibility Act

A final regulatory flexibility analysis has been prepared consistent with the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.,* and is summarized as follows:

This rule amends the Defense Federal Acquisition Regulation Supplement (DFARS) regarding multiyear contracts to ensure consistency with the Federal Acquisition Regulation (FAR) and the underlying statutes. The objective of this rule is to increase the cancellation ceiling threshold at DFARS 217.170(e)(1)(iv) from $100 million to $125 million to ensure consistency with the threshold at FAR 17.108(b).

In addition, this rule corrects references to 10 U.S.C. 2306b, 10 U.S.C. 2306c, and section 8008a of Pub. L. 105–56 throughout DFARS subpart 217.1 and makes the following clarifications:

- Requests for increased funding or reprogramming for procurement of a major system is relocated under DFARS 217.172(j) since it is in reference to a type of multiyear supply contract.
- A multiyear contract for supplies in excess of $500 million must be specifically authorized by law in an Act other than an appropriations Act in accordance with 10 U.S.C. 2306b(i)(3).
- A multiyear procurement contract for any system (or component thereof) with a value greater than $500 million must be specifically authorized in an appropriations act in accordance with 10 U.S.C. 2306b(l)(3).

No comments were received from the public in response to initial regulatory flexibility analysis published in the proposed rule.

Small businesses will not be affected by this rule. The rule will only impact procedures and authorities internal to the Government for multiyear contracts that require a cancellation ceiling up to $125 million or multiyear contracts for supplies with a value in excess of $500 million.

The rule imposes no reporting, recordkeeping, or other information collection requirements.

V. Paperwork Reduction Act

The rule does not contain any information collection requirements that require the approval of the Office of Management and Budget under the Paperwork Reduction Act (44 U.S.C. chapter 35).

List of Subjects in 48 CFR Part 217

Government procurement.

Amy G. Williams,

Editor, Defense Acquisition Regulations System.

Therefore, 48 CFR part 217 is amended as follows:

PART 217—SPECIAL CONTRACTING METHODS

■ 1. The authority citation for 48 CFR part 217 continues to read as follows:

Authority: 41 U.S.C. 1303 and 48 CFR chapter 1.

217.103 [Amended]

■ 2. Amend section 217.103, in the definition for ''Military installation,'' by removing ''(10 U.S.C. 2801(c)(2))'' and adding ''(10 U.S.C. 2801(c)(4))'' in its place.

■ 3. Amend section 217.170 by—

■ a. Removing paragraph (b);

■ b. Redesignating paragraphs (c), (d), and (e) as paragraphs (b), (c), and (d), respectively;

■ c. Revising newly redesignated paragraphs (d)(1)(ii), (iii), and (iv);

■ d. In newly redesignated paragraph (d)(2), removing ''(e)(1)(i)'' and adding ''(d)(1)(i)'' in its place;

■ e. In newly redesignated paragraph (d)(3), removing ''(e)(2)'' and adding ''(d)(2)'' in its place;

■ f. In newly redesignated paragraph (d)(4), removing ''(e)(1)'' and adding ''(d)(1)'' in its place;

■ g. In newly redesignated paragraph (d)(5) introductory text, removing ''$100 million'' and adding ''$125 million'' in its place; and

■ h. In newly redesignated paragraph (d)(5)(i) introductory text, removing ''(e)(1)'' and adding ''(d)(1)'' in its place.

The revisions read as follows:

217.170 General.

* * * * *

(d)(1) * * *

(ii) Employ economic order quantity procurement in excess of $20 million in any one year of the contract (see 10 U.S.C. 2306b(l)(1)(B)(i)(I) and section 8008(a) of Pub. L. 105–56 and similar sections in subsequent DoD appropriations acts);

(iii) Involve a contract for advance procurement leading to a multiyear contract that employs economic order quantity procurement in excess of $20 million in any one year (see 10 U.S.C. 2306b(l)(1)(B)(ii) and section 8008(a) of Pub. L. 105–56 and similar sections in subsequent DoD appropriations acts); or

(iv) Include a cancellation ceiling in excess of $125 million (see 10 U.S.C. 2306c(d)(4) and 10 U.S.C. 2306b(g)(1)).

* * * * *

217.171 [Amended]

■ 4. Amend section 217.171 by—

■ a. In paragraph (a) introductory text, removing ''(10 U.S.C. 2306c)'' and adding ''(10 U.S.C. 2306c(a))'' in its place;

■ b. In paragraph (a)(5)(iii), adding ''(10 U.S.C. 2306c(b))'' at the end of the sentence, before the period;

■ c. In paragraph (b)(3), adding ''(10 U.S.C. 2306c(c))'' at the end of the sentence, before the period.

■ d. In paragraph (c)(3), adding ''(10 U.S.C. 2306c(a))'' at the end of the sentence, before the period; and

■ e. In paragraph (d), removing ''(10 U.S.C. 2306(c))'' and adding ''(10 U.S.C. 2306c(d)(2))'' in its place.

■ 5. Amend section 217.172 by—

■ a. Revising paragraph (c);

■ b. Redesignating paragraphs (d) through (h) as paragraphs (e) through (i), respectively;

■ c. Adding a new paragraph (d);

■ d. In newly redesignated paragraph (f)(1), adding a parenthesis to close the parenthetical phrase ''(when entered into or extended)'' and removing ''(10 U.S.C. 2306b(1)(5))'' and adding ''(10 U.S.C. 2306b(l)(5))'' in its place;

■ e. In newly redesignated paragraph (f)(2)—

■ i. Removing ''(g)(2)(i)'' and adding ''(h)(2)(i)'' in its place;

■ ii. Removing ''(g)(2)'' and adding ''(h)(2)'' in its place; and

■ iii. Removing the parenthetical reference ''(10 U.S.C. 2306b(a)(1)(7))'';

■ f. In newly redesignated paragraph (g)(1), adding the parenthetical reference ''(10 U.S.C. 2306b(h)(1))'' before the semicolon;

■ g. In newly redesignated paragraph (g)(2)—

■ i. Removing ''217.172(g)(3) and (4)'' and adding ''paragraphs (h)(3) and (4) of this section'' in its place; and

■ ii. Adding the parenthetical reference ''(10 U.S.C. 2306b(h)(2))'' at the end of the first sentence, before the period;

■ h. In newly redesignated paragraph (h)(2) introductory text—

■ i. Removing ''(g)(2)(i)'' and adding ''(h)(2)(i)'' in its place; and

■ ii. Removing the word ''are'';

■ i. In newly redesignated paragraph (h)(2)(ii), removing ''(g)(2)(i)'' and adding ''(h)(2)(i)'' in its place;

■ j. In newly redesignated paragraph (h)(2)(vii)—

■ i. Adding the parenthetical reference ''(10 U.S.C. 2306b(i)(1)(G))'' at the end of the first sentence before the period, and removing the parenthetical reference ''(10 U.S.C. 2306b(i)(1)(G))'' from the end of the second sentence; and

■ ii. Removing ''USD(C)(P/B)'' and adding ''OUSD(C)(P/B)'' in its place;

■ k. In newly redesignated paragraph (h)(2)(viii) introductory text, removing ''USD(C)(P/B)'' and adding ''OUSD(C)(P/B)'' in its place;

■ l. In newly redesignated paragraph (h)(5), removing ''(g)(2)'' and adding ''(h)(2)'' in its place;

■ m. In newly redesignated paragraph (h)(6)—

■ i. Removing ''(g)(2)'' and adding ''(h)(2)'' in its place; and

■ ii. Removing ''(g)(5)'' and adding ''(h)(5)'' in its place;

■ n. In newly redesignated paragraph (h)(8) introductory text, removing the parenthetical reference ''(10 U.S.C. 2306b(i)(2))''; and

■ o. Adding a new paragraph (j).

The revisions and additions read as follows:

217.172 Multiyear contracts for supplies.

* * * * *

(c) Multiyear contracts in amounts exceeding $500 million must be specifically authorized by law in an act other than an appropriations act (10 U.S.C. 2306b(i)(3)).

(d) The head of the agency may not initiate a multiyear procurement contract for any system (or component thereof) if the value of the multiyear contract would exceed $500 million unless authority for the contract is specifically provided in an appropriations act (10 U.S.C. 2306b(l)(3)).

* * * * *

(j) Any requests for increased funding or reprogramming for procurement of a major system under a multiyear contract shall be accompanied by an explanation of how the request for increased funding affects the determinations made by the

Secretary of Defense under 217.172(h)(2) (10 U.S.C. 2306b(m)).

[FR Doc. 2015–12340 Filed 5–22–15; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Defense Acquisition Regulations System

48 CFR Chapter 2

RIN 0750–AI46

Defense Federal Acquisition Regulation Supplement: Appendix F—Energy Receiving Reports (DFARS Case 2014–D024)

AGENCY: Defense Acquisition Regulations System, Department of Defense (DoD).

ACTION: Final rule.

SUMMARY: DoD is issuing a final rule amending the Defense Federal Acquisition Regulation Supplement (DFARS) to identify the Wide Area WorkFlow Energy Receiving Report as the electronic equivalent of the DD Form 250, Material Inspection and Receiving Report, for overland shipments and the DD Form 250–1, Tanker/Barge Material Inspection And Receiving Report, for waterborne shipments.

DATES: Effective May 26, 2015.

FOR FURTHER INFORMATION CONTACT: Jennifer Johnson, telephone 571–372–6176.

SUPPLEMENTARY INFORMATION:

I. Background

DoD published a proposed rule in the **Federal Register** at 79 FR 73539 on December 11, 2014, to amend Appendix F of the DFARS to identify the Wide Area WorkFlow (WAWF) Energy Receiving Report as the electronic equivalent of the paper DD Form 250 for overland shipments and the DD Form 250–1 for waterborne shipments. DFARS 232.7002, Policy, requires contractors to submit payment and receiving reports in electronic form, and the accepted electronic form identified in DFARS 232.7003, Procedures, is WAWF. In addition, the clause at DFARS 252.232–7003, Electronic Submission of Payment Requests and Receiving Reports, requires payment requests and receiving reports using WAWF in nearly all cases.

II. Discussion and Analysis

There were no public comments submitted in response to the proposed rule. No changes have been made from the proposed rule.

III. Executive Orders 12866 and 13563

Executive Orders (E.O.s) 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This is not a significant regulatory action and, therefore, was not subject to review under section 6(b) of E.O. 12866, Regulatory Planning and Review, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

IV. Regulatory Flexibility Act

A final regulatory flexibility analysis has been prepared consistent with the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.,* and is summarized as follows:

This rule amends the Defense Federal Acquisition Regulation Supplement (DFARS) Appendix F to identify the Wide Area WorkFlow (WAWF) Energy Receiving Report as the electronic equivalent of the DD Form 250, Material Inspection and Receiving Report, for overland shipments and the DD Form 250–1, Tanker/Barge Material Inspection and Receiving Report, for waterborne shipments.

DFARS 232.7002, Policy, requires contractors to submit payment and receiving reports in electronic form, and the accepted electronic form is WAWF. DFARS 232.7003, Procedures, identifies WAWF as the accepted electronic form. In addition, the clause at DFARS 252.232–7003, Electronic Submission of Payment Requests and Receiving Reports, requires payment requests and receiving reports using WAWF in nearly all cases.

No comments were received from the public regarding the initial regulatory flexibility analysis.

DoD does not expect this rule to have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.* The rule affects all DoD contractors who are not exempt from using WAWF. Exempt classes of contracts are those that are listed under the seven categories of contracts at DFARS 232.7002, Policy.

The projected recordkeeping is limited to that required to properly record shipping and receiving information under Government contracts. Preparation of these records requires clerical and analytical skills to create the documents and input them into the electronic WAWF system.

There is no significant economic impact on small entities.

V. Paperwork Reduction Act

The rule contains information collection requirements that require the approval of the Office of Management and Budget under the Paperwork Reduction Act (44 U.S.C chapter 35). However, these changes to the DFARS do not impose additional information collection requirements to the paperwork burden previously approved under OMB Control Number 0704–0248, entitled Material Inspection and Receiving Report.

List of Subjects in 48 CFR Appendix F to Chapter 2

Government procurement.

Amy G. Williams,

Editor, Defense Acquisition Regulations System.

Therefore, 48 CFR chapter 2, subchapter I, is amended in appendix F as follows:

CHAPTER 2—DEFENSE ACQUISITION REGULATIONS SYSTEM, DEPARTMENT OF DEFENSE

■ 1. The authority citation for appendix F to chapter 2 continues to read as follows:

Authority: 41 U.S.C. 1303 and 48 CFR chapter 1.

■ 2. Amend appendix F to chapter 2 by:
■ a. In section F–101, revising paragraph (a) and the first sentence of paragraph (b);
■ b. In section F–103, revising paragraph (d) introductory text;
■ c. In section F–104, revising paragraph (b) introductory text;
■ d. Revising the part 3 heading; and
■ e. In section F–301, revising paragraph (b)(13).

The revisions read as follows:

Appendix F to Chapter 2—Material Inspection and Inspection and Receiving Report

* * * * *

Part 1—Introduction

F–101 General.

(a) This appendix contains procedures and instructions for the use, preparation, and distribution of the Wide Area WorkFlow (WAWF) Receiving Report, the WAWF Energy RR, and commercial shipping/packing lists used to document Government contract quality assurance. The WAWF RR is the electronic equivalent of the DD Form 250, Material Inspection and Receiving Report

(MIRR). The WAWF Energy RR is the electronic equivalent of the DD Form 250 for overland shipments and DD Form 250–1, Tanker/Barge Material Inspection and Receiving Report, for waterborne shipments.

(b) The use of the DD Form 250 series documents is on an exception basis (see DFARS 232.7002(a)) because use of the WAWF RR is now required by most DoD contracts. * * *

* * * * *

F–103 Use.

* * * * *

(d) Use the WAWF Energy RR or the DD Form 250–1:

* * * * *

F–104 Application.

* * * * *

(b) *WAWF Energy RR or the DD Form 250–1.*

* * * * *

Part 3—Preparation of the Wide Area Workflow (WAWF) Receiving Report (RR) and WAWF Energy RR

F–301 Preparation instructions.

* * * * *

(b) * * *

(13) Marked for/code. Enter the code from the contract or shipping instructions. Only valid DoDAACs, MAPACs, or CAGE codes can be entered. Vendors should use the WAWF ''Mark for Rep'' and ''Mark for Secondary'' fields for textual marking information specified in the contract. Enter the three-character project code when provided in the contract or shipping instructions.

* * * * *

[FR Doc. 2015–12342 Filed 5–22–15; 8:45 am]

BILLING CODE 5001–06–P

ENVIRONMENTAL PROTECTION AGENCY

48 CFR Part 1552

[EPA–HQ–OARM–2013–0523; FRL–9926–75–OARM]

Environmental Protection Agency Acquisition Regulation (EPAAR); Describing Agency Needs

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: The Environmental Protection Agency (EPA) is issuing a direct final rule to address administrative and minor non-substantive changes in four clauses. The direct final rule updates ''Monthly Progress Reports'', ''Working Files'', ''Final Reports'', and ''Management Consulting Services''. EPA does not anticipate any adverse comments.

DATES: This rule is effective on July 27, 2015 without further notice, unless adverse comment is received June 25, 2015. If adverse comment is received, the EPA will publish a timely withdrawal of the rule in the **Federal Register**.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–HQ–OARM–2013–0523 by one of the following methods:

- *www.regulations.gov:* Follow the on-line instructions for submitting comments.
- *Email: docket.oei@epa.gov.*
- *Fax:* (202) 566–1753.
- *Mail:* EPA–HQ–OARM–2013–0523, OEI Docket, Environmental Protection Agency, 2822T, 1200 Pennsylvania Ave. NW., Washington, DC 20460. Please include a total of three (3) copies.
- *Hand Delivery:* EPA Docket Center—Attention OEI Docket, EPA West, Room B102, 1301 Constitution Ave. NW., Washington, DC 20004. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

Instructions: Direct your comments to Docket ID No. EPA–HQ–OARM–2013–0523. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at *http://www.regulations.gov,* including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through *http://www.regulations.gov* or email. The *http://www.regulations.gov* Web site is an ''anonymous access'' system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to EPA without going through *http://www.regulations.gov* your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD–ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For additional information about EPA's public docket visit the EPA Docket Center homepage at *http://www.epa.gov/epahome/dockets.htm.*

Docket: All documents in the docket are listed in the *http://www.regulations.gov* index. Although listed in the index, some information is not publicly available, *e.g.,* CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available either electronically in *http://www.regulations.gov* or in hard copy at the Government Property-Contract Property Administration Docket, EPA/DC, EPA West, Room 3334, 1301 Constitution Ave. NW., Washington, DC. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566–1744 and the telephone number for the EPA Docket Center is (202) 566–1752. This Docket Facility is open from 8:30 a.m. to 4:30 p.m. Monday through Friday, excluding legal holidays.

FOR FURTHER INFORMATION CONTACT: Holly Hubbell, Policy, Training, and Oversight Division, Acquisition Policy and Training Service Center (3802R), Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460; telephone number: 202–564–1091; email address: *hubbell.holly@epa.gov.*

SUPPLEMENTARY INFORMATION:

General Information

1. Do not submit Classified Business Information (CBI) to EPA Web site *http://www.regulations.gov* or email. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD–ROM that you mail to EPA, mark the outside of the disk or CD–ROM as CBI, and then identify electronically within the disk or CD–ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. Tips for Preparing Your Comments. When submitting comments, remember to:

• Identify the rulemaking by docket number and other identifying information (subject heading, **Federal Register** date and page number).

• Follow directions—The Agency may ask you to respond to specific questions or organize comments by referencing a Code of Federal Regulations (CFR) Part or section number.

• Explain why you agree or disagree, suggest alternatives, and substitute language for your requested changes.

• Describe any assumptions and provide any technical information and/or data that you used.

• If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.

• Provide specific examples to illustrate your concerns, and suggest alternatives.

• Explain your views as clearly as possible, avoiding the use of profanity or personal threats.

3. Make sure to submit your comments by the comment period deadline identified.

I. Background

The EPA is revising EPAAR 1552.211–72, Monthly Progress Report, and 1552.211–77, Final Reports, to incorporate existing class deviations. Additionally, 1552.211–77 is updated to allow and clarify the electronic submission of final reports and, as such, should ease the administrative burden on Agency contractors. The revision of 1552.211–75, Working Files, changes a minor word in the clause and 1552.211–78, Management Consulting Services, changes the title of the clause to be consistent with the title of the prescription Advisory and Assistance Services. The final rule published in the **Federal Register** at 61 FR 57339, November 6, 1996, was intended to change the title of this EPAAR clause from ''Management Consulting Services'' to ''Advisory and Assistance Services'', as well as the prescription title. However, execution of the **Federal Register** resulted in the change being applied to the title of the prescription only, which was in error.

II. Final Rule

This final rule makes the following changes:

1. Revises EPAAR 1552.211–72 to incorporate an existing class deviation.

2. Revises EPAAR 1552.211–75 to change the word ''its'' to ''the contractor's''.

3. Revises EPAAR 1552.211–77 to incorporate an existing class deviation and update to allow and add the instructions for the electronic submission of final reports.

4. Revises EPAAR 1552.211–78 to change the title of the clause from ''Management Consulting Services'' to ''Advisory and Assistance Services'' to be consistent with the title of the prescription.

Statutory and Executive Order Reviews

A. Executive Order 12866: Regulatory Planning and Review and Executive Order 13563: Improving Regulation and Regulatory Review

This action is not a ''significant regulatory action'' under the terms of Executive Order (E.O.) 12866 (58 FR 51735, October 4, 1993) and is therefore not subject to review under the E.O. 12866 and 13563 (76 FR 3821, January 21, 2011).

B. Paperwork Reduction Act

This action does not impose an information collection burden under the provisions of the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.* Burden is defined at 5 CFR 1320.3(b).

C. Regulatory Flexibility Act (RFA), as Amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA), 5 U.S.C. 601 et. seq.

The RFA generally requires an agency to prepare a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements under the Administrative Procedure Act or any other statute; unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. Small entities include small businesses, small organizations, and small governmental jurisdictions. For purposes of assessing the impact of this final rule on small entities, ''small entity'' is defined as: (1) A small business that meets the definition of a small business found in the Small Business Act and codified at 13 CFR 121.201; (2) a small governmental jurisdiction that is a government of a city, county, town, school district or special district with a population of less than 50,000; or (3) a small organization that is any not-for-profit enterprise which is independently owned and operated and is not dominant in its field. After considering the economic impacts of this rule on small entities, I certify that this action will not have a significant economic impact on a substantial number of small entities. In determining whether a rule has a significant economic impact on a substantial number of small entities, the impact of concern is any significant adverse economic impact on small entities, because the primary purpose of the regulatory flexibility analyses is to identify and address regulatory alternatives ''which minimize any significant economic impact of the proposed rule on small entities'' 5 U.S.C. 503 and 604. Thus, an agency may certify that a rule will not have a significant economic impact on a substantial number of small entities if the rule relieves regulatory burden, or otherwise has a positive economic effect on all of the small entities subject to the rule. This action revises current EPAAR clauses and will not have a significant economic impact on substantial number of small entities. We continue to be interested in the potential impacts of the rule on small entities and welcome comments on issues related to such impacts.

D. Unfunded Mandates Reform Act

This action contains no federal mandates under the provisions of Title II of the Unfunded Mandates Reform Act of 1995 (UMRA), 2 U.S.C. 1531–1538 for State, local, and tribal governments or the private sector. The action imposes no enforceable duty on any State, local or tribal governments or the private sector. Therefore, this action is not subject to the requirements of Sections 202 or 205 of the UMRA. This action is also not subject to the requirements of section 203 of UMRA because it contains no regulatory requirements that might significantly or uniquely affect small governments.

E. Executive Order 13132: Federalism

This action does not have federalism implications. It will not have substantial direct effects 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, as specified in Executive Order 13132. Thus, Executive Order 13132 does not apply to this action. In the spirit of Executive Order 13132, and consistent with EPA policy to promote communications between EPA and State and local governments, EPA specifically solicits comment on this action from State and local officials.

F. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments

This action does not have tribal implications, as specified in Executive Order 13175 (65 FR 67249, November 9, 2000). Thus, Executive Order 13175 does not apply to this action.

G. Executive Order 13045: Protection of Children From Environmental Health and Safety Risks

Executive Order 13045, entitled ''Protection of Children from Environmental Health and Safety Risks'' (62 FR 19885, April 23, 1997), applies to any rule that: (1) Is determined to be economically significant as defined under E.O. 12886, and (2) concerns an environmental health or safety risk that may have a proportionate effect on children. This rule is not subject to E.O. 13045 because it does not establish an environmental standard intended to mitigate health or safety risks.

H. Executive Order 13211: Actions That Significantly Affect Energy Supply, Distribution, or Use

This action is not subject to Executive Order 13211 (66 FR 28335 (May 22, 2001), because it is not a significant regulatory action under Executive Order 12866.

I. National Technology Transfer and Advancement Act of 1995 (NTTAA)

Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (''NTTAA''), Public Law 104–113, 12(d) (15 U.S.C. 272 note) directs EPA to use voluntary consensus standards in its regulatory activities unless to do so would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (*e.g.,* materials specifications, test methods, sampling procedures and business practices) that are developed or adopted by voluntary consensus standards bodies. NTTAA directs EPA to provide Congress, through OMB, explanations when the Agency decides not to use available and applicable voluntary consensus standards. This action does not involve technical standards. Therefore, EPA is not considering the use of any voluntary consensus standards.

J. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations

Executive Order 12898 (59 FR 7629 (February 16, 1994) establishes federal executive policy on environmental justice. Its main provision directs federal agencies, to the greatest extent practicable and permitted by law, to make environmental justice part of their mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority populations and low-income populations in the United States. EPA has determined that this final rule will not have disproportionately high and adverse human health or environmental effects on minority or low-income populations because it does not affect the level of protection provided to human health or the environment in the general public.

K. Congressional Review Act

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. Section 804 exempts from section 801 the following types of rules (1) rules of particular applicability; (2) rules relating to agency management or personnel; and (3) rules of Agency organization, procedure, or practice that do not substantially affect the rights or obligations of non-agency parties. 5 U.S.C. 804(3). EPA is not required to submit a rule report regarding this action under section 801 because this is a rule of agency organization, procedure, or practice that does not substantially affect the rights or obligations of non-agency parties.

List of Subjects in 48 CFR Part 1552

Environmental protection, Government procurement, Reporting and recordkeeping requirements.

Dated: May 14, 2015.

John R. Bashista,

Director, Office of Acquisition Management.

For the reasons stated in the preamble, Chapter 15 of Title 48 Code of Federal Regulations, part 1552 is amended as set forth below:

PART 1552—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

■ 1. The authority citation for part 1552 continues to read as follows:

Authority: 5 U.S.C. 301; Sec. 205(c), 63 Stat. 390, as amended, 40 U.S.C. 486(c); and 41 U.S.C. 418b.

■ 2. Amend 1552.211–72 by:

■ a. Removing from paragraph (c) the text ''subcontractor/consultant'' and adding in its place ''subcontractor'';

■ b. Revising paragraphs (d)(3)(ii) and (iii), and (d)(6); and

■ c. Revising paragraphs (e)(3)(ii) and (iii), and (e)(5).

The revisions read as follows:

1552.211–72 Monthly progress report.

* * * * *

(d) * * *

(3) * * *

(ii) For the current reporting period display the expended direct labor hours (by EPA contract labor category), and the total loaded direct labor costs.

(iii) For the cumulative contract period display: The negotiated and expended direct labor hours (by EPA labor category) and the total loaded direct labor costs.

* * * * *

(6) Average total cost per labor hour. For the current contract period, compare the actual cost per hour to date with the average total cost per hour of the approved work plans.

(e) * * *

(3) * * *

(ii) For the current reporting period display the expended direct labor hours (by EPA contract labor category), and the total loaded direct labor hours.

(iii) For the cumulative reporting period and the cumulative contract period display: The negotiated and expended direct labor hours (by EPA labor hour category) and the loaded direct labor rate.

* * * * *

(5) Average total cost labor hour. For the current contract period, compare the actual total cost per hour to date with the average total cost per hour of the approved workplans.

* * * * *

1552.211–75 [Amended]

■ 3. Amend 1552.211–75 by removing the text ''its'' and adding ''the contractor's'' in its place.

■ 4. Amend 1552.211–77 by revising the first sentence in paragraph (a), and adding paragraph (c) to read as follows:

1552.211–77 Final reports.

* * * * *

(a) ''Draft Report'' The Contractor shall submit a copy of the draft final report on or before (date) to the Contracting Officer's Representative and Contracting Officer in electronic format, unless specified otherwise by the Government. * * *

* * * * *

(c) The electronic format of the draft and final report shall be in accordance with the current EPA policy and procedures.

(End of clause)

1552.211–78 [Amended]

■ 5. Amend 1552.211–78 by:

■ a. Revising the section heading;

■ b. In the introductory text, by removing ''management consulting services'' and adding ''advisory and assistance services'' in its place; and

■ c. Revising the clause heading. The revisions read as follows:

1552.211–78 Advisory and assistance services.

* * * * *

Advisory and Assistance Services (Jul 2015)

* * * * *

[FR Doc. 2015–12660 Filed 5–22–15; 8:45 am]

BILLING CODE 6560–50–P

Proposed Rules

Federal Register
Vol. 80, No. 100
Tuesday, May 26, 2015

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–2015–1744; Directorate Identifier 2015–CE–016–AD]

RIN 2120–AA64

Airworthiness Directives; British Aerospace Regional Aircraft Airplanes

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

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to adopt a new airworthiness directive (AD) for British Aerospace Regional Aircraft Model Jetstream Model 3201 airplanes. This proposed AD results from mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as the in-service special detailed inspection technique required for the Jetstream 3200's life extension program was delayed; consequently, the in-service special detailed inspection technique is not formally part of the life extension program and may therefore not be accomplished as intended. We are issuing this proposed AD to require actions to address the unsafe condition on these products.

DATES: We must receive comments on this proposed AD by July 10, 2015.

ADDRESSES: You may send comments 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 service information identified in this proposed AD, contact BAE Systems (Operations) Limited, Customer Information Department, Prestwick International Airport, Ayrshire, KA9 2RW, Scotland, United Kingdom; telephone: +44 1292 675207; fax: +44 1292 675704; email: *RApublications@baesystems.com;* Internet: *http://www.baesystems.com/Businesses/RegionalAircraft/.* You may review this referenced service information at the FAA, Small Airplane Directorate, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329–4148.

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–2015–1744; 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 (telephone (800) 647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Taylor Martin, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329–4138; fax: (816) 329–4090; email: *taylor.martin@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–2015–1744; Directorate Identifier 2015–CE–016–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://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

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued AD No.: 2015–0063, dated April 22, 2015 (referred to after this as ''the MCAI''), to correct an unsafe condition for the specified products. The MCAI states:

> The Jetstream 3200 Life Extension Programme (LEP) permits the airframe life limit to be extended from 45,000 flight cycles (FC) to 67,000 FC. Entry into the LEP requires operators to accomplish inspections specified in the Jetstream 3200 Supplemental Structural Inspections Document (SSID). SSID task 57–10–227 is the inspection requirement for the wing main spar at Rib 36. The threshold for task 57–10–227 is 48,000 FC, with a repeat interval of 16,800 FC, using a Special Detailed Inspection (SDI). Development of the in-service SDI technique required for SSID task 57–10–227 was delayed by BAE Systems (Operations) Ltd, as a result of which it is not formally part of the LEP and may therefore not be accomplished as intended.
>
> This condition, if not corrected, could lead to cracks in the wing main spar remaining undetected, possibly resulting in failure of the wing and loss of the aeroplane.
>
> To address this potential unsafe condition, BAE Systems (Operations) Ltd issued SB 57–JA140140 to provide SDI instructions for the wing main spar at Rib 36, which includes a reduced repeat inspection interval.
>
> For the reasons described above, this AD requires repetitive inspections of the wing main spar around Rib 36 to detect cracks and, depending on findings, accomplishment of the applicable corrective action(s).
>
> The SSID will be revised in due course to include the SDI.

You may examine the MCAI on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2015–1744.

Related Service Information Under 1 CFR Part 51

British Aerospace Regional Aircraft has issued British Aerospace Jetstream

Series 3100 & 3200 Service Bulletin 57–JA140140, Original Issue, dated: June 26, 2014. The British Aerospace Jetstream Series 3100 & 3200 Service Bulletin 57–JA140140, Original Issue, dated: June 26, 2014, describes procedures for inspections of the wing main spar around Rib 36 to detect cracks and, depending on findings, accomplishment of the applicable corrective action(s). This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section of this NPRM.

FAA's Determination and Requirements of the Proposed AD

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to our bilateral agreement with this State of Design Authority, they have notified us of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all information and determined the unsafe condition exists and is likely to exist or develop on other products of the same type design.

Costs of Compliance

We estimate that this proposed AD will affect 22 products of U.S. registry. We also estimate that it would take about 96 work-hours per product to comply with the basic requirements of this proposed AD. The average labor rate is $85 per work-hour.

Based on these figures, we estimate the cost of the proposed AD on U.S. operators to be $179,520, or $8,160 per product.

We have no way of determining any necessary follow-on actions, costs, or the number of products that may need these actions.

Paperwork Reduction Act

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB control number. The control number for the collection of information required by this AD is 2120–0056. The paperwork cost associated with this AD has been detailed in the Costs of Compliance section of this document and includes time for reviewing instructions, as well as completing and reviewing the collection of information. Therefore, all reporting associated with this AD is mandatory. Comments concerning the accuracy of this burden and suggestions for reducing the burden should be directed to the FAA at 800 Independence Ave., SW., Washington, DC 20591. ATTN: Information Collection Clearance Officer, AES–200.

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 AD:

British Aerospace Regional Aircraft: Docket No. FAA–2015–1744; Directorate Identifier 2015–CE–016–AD.

(a) Comments Due Date

We must receive comments by July 10, 2015.

(b) Affected ADs

None.

(c) Applicability

This AD applies to British Aerospace Regional Aircraft Jetstream Model 3201 airplanes, all serial numbers, that are:

(1) Certificated in any category; and

(2) Modified in service following BAE Systems (Operations) Ltd Service Bulletin (SB) 05–JM8229.

(d) Subject

Air Transport Association of America (ATA) Code 57: Wings.

(e) Reason

This AD was prompted by mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as the in-service special detailed inspection technique required for the Jetstream 3200's life extension program was delayed; consequently, the in-service special detailed inspection (SDI) technique is not formally part of the life extension program and may therefore not be accomplished as intended. We are issuing this proposed AD to detect and correct cracking in the wing main spar, which could result in structural failure of the wing with consequent loss of control.

(f) Actions and Compliance

Unless already done, do the following actions as specified in paragraphs (f)(1) through (f)(3) of this AD:

(1) Before accumulating a total of 53,950 flight cycles (FC) on the airplane or within the next 50 FC after the effective date of this AD, whichever occurs later, and repetitively thereafter at intervals not to exceed 14,300 FC, accomplish an eddy current (EC) and an x-ray inspection of the wing main spar around rib 36 following the instructions of British Aerospace Jetstream Series 3100 & 3200 Service Bulletin 57–JA140140, Original Issue, dated June 26, 2014. For the purposes of this AD, owner/operators who do not track total FC, multiply the total number of airplane hours time-in-service (TIS) by 0.75 to calculate the cycles.

(2) If any crack or corrosion is found during any inspection required by paragraph (f)(1) of this AD, before further flight, contact BAE Systems (Operations) Ltd for FAA-approved repair instructions approved specifically for this AD and accomplish those instructions. You can find contact information for BAE Systems (Operations) Ltd in paragraph (h) of this AD. Use the Operator Report Form and follow the instructions in British Aerospace Jetstream Series 3100 & 3200 Service Bulletin 57–JA140140, Original Issue, dated: June 26, 2014.

(3) Repair of an airplane as required in paragraph (f)(2) of this AD does not terminate the repetitive inspections required in paragraph (f)(1) of this AD for that airplane, unless the approved repair instructions state otherwise.

(g) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, Standards Office, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATTN: Taylor Martin, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329–4138; fax: (816) 329–4090; email: *taylor.martin@faa.gov.* Before using any approved AMOC on any airplane to which the AMOC applies, notify your appropriate principal inspector (PI) in the FAA Flight Standards District Office (FSDO), or lacking a PI, your local FSDO.

(2) *Airworthy Product:* For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

(3) *Reporting Requirements:* For any reporting requirement in this AD, a federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB Control Number. The OMB Control Number for this information collection is 2120–0056. Public reporting for this collection of information is estimated to be approximately 5 minutes per response, including the time for reviewing instructions, completing and reviewing the collection of information. All responses to this collection of information are mandatory. Comments concerning the accuracy of this burden and suggestions for reducing the burden should be directed to the FAA at: 800 Independence Ave. SW., Washington, DC 20591, Attn: Information Collection Clearance Officer, AES–200.

(h) Related Information

Refer to MCAI European Aviation Safety Agency (EASA) AD No.: 2015–0063, dated April 22, 2015, for related information. You may examine the MCAI on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2015–1744. For service information related to this AD, contact BAE Systems (Operations) Limited, Customer Information Department, Prestwick International Airport, Ayrshire, KA9 2RW, Scotland, United Kingdom; telephone: +44 1292 675207; fax: +44 1292 675704; email: *RApublications@baesystems.com;* Internet: *http://www.baesystems.com/Businesses/RegionalAircraft/.* You may review this referenced service information at the FAA, Small Airplane Directorate, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329–4148.

Issued in Kansas City, Missouri, on May 18, 2015.

Earl Lawrence,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2015–12450 Filed 5–22–15; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Part 40

[Docket No. RM15–11–000]

Reliability Standard for Transmission System Planned Performance for Geomagnetic Disturbance Events

AGENCY: Federal Energy Regulatory Commission, Energy.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Federal Energy Regulatory Commission (Commission) proposes to approve Reliability Standard TPL–007–1 (Transmission System Planned Performance for Geomagnetic Disturbance Events). Proposed Reliability Standard TPL–007–1 establishes requirements for certain entities to assess the vulnerability of their transmission systems to geomagnetic disturbance events (GMDs), which occur when the sun ejects charged particles that interact and cause changes in the earth's magnetic fields. Entities that do not meet certain performance requirements, based on the results of their vulnerability assessments, must develop a plan to achieve the requirements. The North American Electric Reliability Corporation (NERC), the Commission-certified Electric Reliability Organization, submitted the proposed Reliability Standard for Commission approval in response to a Commission directive in Order No. 779. In addition, the Commission proposes to direct that NERC develop modifications to the benchmark GMD event definition set forth in Attachment 1 of the proposed Reliability Standard so that the definition is not based solely on spatially-averaged data. The Commission also proposes to direct NERC to submit a work plan, and subsequently one or more informational filings, that address specific GMD-related research areas.

DATES: Comments are due July 27, 2015.

ADDRESSES: Comments, identified by docket number, may be filed in the following ways:

- Electronic Filing through *http://www.ferc.gov.* Documents created electronically using word processing software should be filed in native applications or print-to-PDF format and not in a scanned format.
- Mail/Hand Delivery: Those unable to file electronically may mail or hand-deliver comments to: Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street NE., Washington, DC 20426.

Instructions: For detailed instructions on submitting comments and additional information on the rulemaking process, see the Comment Procedures Section of this document.

FOR FURTHER INFORMATION CONTACT:

Regis Binder (Technical Information), Office of Electric Reliability, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, Telephone: (301) 665–1601, *Regis.Binder@ferc.gov.*

Matthew Vlissides (Legal Information), Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, Telephone: (202) 502–8408, *Matthew.Vlissides@ferc.gov.*

SUPPLEMENTARY INFORMATION:

1. Pursuant to section 215 of the Federal Power Act (FPA),[1] the Commission proposes to approve Reliability Standard TPL–007–1 (Transmission System Planned Performance for Geomagnetic Disturbance Events). Proposed Reliability Standard TPL–007–1 establishes requirements for certain entities to assess the vulnerability of their transmission systems to geomagnetic disturbance events (GMDs), which occur when the sun ejects charged particles that interact and cause changes in the earth's magnetic fields. Entities that do not meet certain performance requirements, based on the results of their vulnerability assessments, must develop a plan to achieve the requirements. The North

[1] 16 U.S.C. 824o.

American Electric Reliability Corporation (NERC), the Commission-certified Electric Reliability Organization (ERO), submitted the proposed Reliability Standard for Commission approval in response to a Commission directive in Order No. 779.[2] The Commission also proposes to approve one definition for inclusion in the NERC Glossary of Terms submitted by NERC as well as the proposed Reliability Standard's associated violation risk factors and violation severity levels, implementation plan, and effective dates.[3]

2. In addition, as discussed below, the Commission proposes to direct NERC to develop modifications to Reliability Standard TPL–007–1 and submit informational filings to address certain issues described herein.

3. Geomagnetic disturbances are considered to be ''high impact, low frequency'' events.[4] In other words, while the probability of occurrence of a severe geomagnetic disturbance may be low, a geomagnetic disturbance of sufficient magnitude could have potentially severe consequences to the reliable operation of the Bulk-Power System.[5] Such events could cause widespread blackouts and cause damage to equipment that could result in sustained system outages.[6] On that basis, it is important that NERC, planning coordinators, transmission planners, transmission owners and generator owners take appropriate actions to prepare to withstand potentially harmful geomagnetic disturbances. For that reason, Order No. 779 required NERC to identify what severity GMD events (*i.e.,* benchmark GMD events) responsible entities will have to assess, and that NERC should technically support its choice. In the proposed reliability standard, NERC set the benchmark GMD event as a ''1-in-100 year'' event.

4. We believe, based on information available at this time, that the provisions of proposed Reliability Standard TPL–007–1 are just and reasonable and address the specific parameters for the Second Stage GMD Reliability Standards on geomagnetic disturbance events, as set forth in Order No. 779. For example, the proposed Reliability Standard requires responsible entities to maintain system models needed to complete ''GMD Vulnerability Assessments'' (Requirements R1 and R2),[7] have criteria for acceptable system steady state voltage performance during a benchmark GMD event (Requirement R3), and complete a GMD Vulnerability Assessment once every 60 calendar months, based on the benchmark GMD event definition described in Attachment 1 of the proposed Reliability Standard (Requirement R4). Further, if an applicable entity concludes, based on the GMD Vulnerability Assessment, that its system does not meet specified performance requirements, it must develop a corrective action plan that addresses how the performance requirements will be met (Requirement R7). We propose to determine that the framework of the proposed Reliability Standard, as outlined above, is just and reasonable and provides a basis for approval. We believe that, when tested against an appropriate benchmark GMD event, compliance with the proposed Reliability Standard should provide adequate protection for an applicable entity's system to withstand a geomagnetic disturbance based on a 1-in-100 year GMD event design.

5. Our primary concerns with the proposed Reliability Standard pertain to the benchmark GMD event described in Attachment 1 of the proposed Reliability Standard. While there is limited historical geomagnetic data and the scientific understanding of geomagnetic disturbance events is still evolving, we have concerns regarding the proposed Reliability Standard's heavy reliance on spatial averaging. Thus, while proposing to approve proposed Reliability Standard TPL–007–1, we also propose to direct NERC to make several modifications to better ensure that, going forward, the study and benchmarking of geomagnetic disturbance events are based on a more complete set of data and a reasonable scientific and engineering approach. Further, we propose specific revisions to Requirement R7 of the proposed Reliability Standard to ensure that, when an applicable entity identifies the need for a corrective action plan, the entity acts in a timely manner.

I. Background

A. Section 215 and Mandatory Reliability Standards

6. Section 215 of the FPA requires the Commission to certify an ERO to develop mandatory and enforceable Reliability Standards, subject to Commission review and approval. Once approved, the Reliability Standards may be enforced in the United States by the ERO, subject to Commission oversight, or by the Commission independently.[8]

B. GMD Primer

7. GMD events occur when the sun ejects charged particles that interact and cause changes in the earth's magnetic fields.[9] Once a solar particle is ejected, it can take between 17 to 96 hours (depending on its energy level) to reach earth.[10] A geoelectric field is the electric potential (measured in volts per kilometer (V/km)) on the earth's surface and is directly related to the rate of change of the magnetic fields.[11] The geoelectric field has an amplitude and direction and acts as a voltage source that can cause geomagnetically-induced currents (GICs) to flow on long conductors, such as transmission lines.[12] The magnitude of the geoelectric field amplitude is impacted by local factors such as geomagnetic latitude and local earth conductivity.[13] Geomagnetic latitude is the proximity to earth's magnetic north and south poles, as opposed to earth's geographic poles. Local earth conductivity is the ability of the earth's crust to conduct electricity at a certain location to depths of hundreds of kilometers down to the earth's mantle. Local earth conductivity impacts the magnitude (*i.e.,* severity) of

[2] *Reliability Standards for Geomagnetic Disturbances,* Order No. 779, 78 FR 30,747 (May 23, 2013), 143 FERC ¶ 61,147, *reh'g denied,* 144 FERC ¶ 61,113 (2013).

[3] NERC, Glossary of Terms Used in NERC Reliability Standards (April 2015) (NERC Glossary), *available at http://www.nerc.com/files/glossary_of_terms.pdf.*

[4] *See* NERC Petition at 3; *see also* NERC Petition, Ex. D (White Paper on GMD Benchmark Event Description) at 5.

[5] Order No. 779, 143 FERC ¶ 61,147 at P 15 (quoting NERC comment that ''as a high-impact, low frequency event, GMDs pose a unique threat to Bulk-Power System reliability, and NERC is committed to working with stakeholders and the Commission to address these challenges consistent with its responsibilities as the ERO'').

[6] *Id.* PP 3, 16 (citing NERC, 2012 Special Reliability Assessment Interim Report: Effects of Geomagnetic Disturbances on the Bulk Power System at 69 (February 2012) (GMD Interim Report); Oak Ridge National Laboratory, Electromagnetic Pulse: Effects on the U.S. Power Grid: Meta–R–319 at page 1–14, Tables 4–1, 4–2, 4–3 (discussing at-risk transformers) (January 2010)).

[7] NERC proposes to define the term GMD Vulnerability Assessment to mean a ''documented evaluation of potential susceptibility to voltage collapse, Cascading, or localized damage of equipment due to geomagnetic disturbances.'' *See* NERC Petition, Ex. B (Implementation Plan for TPL–007–1) at 1.

[8] 16 U.S.C. 824o(e).

[9] GMD Interim Report at i–ii. On April 30, 2015, the Space Weather Operations, Research, and Mitigation Task Force, under the auspices of the National Science and Technology Council, sought comment on a draft 2015 National Space Weather Strategy, which is designed to ''articulate high-level strategic goals for enhancing National preparedness to space weather events.'' *National Science and Technology Council; National Space Weather Strategy,* 80 FR 24,296 (Apr. 30, 2015).

[10] GMD Interim Report at ii.

[11] *Id.*

[12] *Id.*

[13] NERC Petition, Ex. D (White Paper on GMD Benchmark Event Description) at 4.

the geoelectric fields that are formed during a GMD event by, all else being equal, a lower earth conductivity resulting in higher geoelectric fields.[14]

C. Order No. 779

8. In Order No. 779, the Commission directed NERC, pursuant to FPA section 215(d)(5), to develop and submit for approval proposed Reliability Standards that address the impact of geomagnetic disturbances on the reliable operation of the Bulk-Power System. The Commission based its directive on the potentially severe, wide-spread impact on the reliable operation of the Bulk-Power System that can be caused by GMD events and the absence of existing Reliability Standards to address GMD events.[15]

9. Order No. 779 directed NERC to implement the directive in two stages. In the first stage, the Commission directed NERC to submit, within six months of the effective date of Order No. 779, one or more Reliability Standards (First Stage GMD Reliability Standards) that require owners and operators of the Bulk-Power System to develop and implement operational procedures to mitigate the effects of GMDs consistent with the reliable operation of the Bulk-Power System.[16]

10. In the second stage, the Commission directed NERC to submit, within 18 months of the effective date of Order No. 779, one or more Reliability Standards (Second Stage GMD Reliability Standards) that require owners and operators of the Bulk-Power System to conduct initial and on-going assessments of the potential impact of benchmark GMD events on Bulk-Power System equipment and the Bulk-Power System as a whole. The Commission directed that the Second Stage GMD Reliability Standards must identify benchmark GMD events that specify what severity GMD events a responsible entity must assess for potential impacts on the Bulk-Power System.[17] Order No. 779 explained that, if the assessments identify potential impacts from benchmark GMD events, the Reliability Standards should require owners and operators to develop and implement a plan to protect against instability, uncontrolled separation, or cascading failures of the Bulk-Power System, caused by damage to critical or vulnerable Bulk-Power System equipment, or otherwise, as a result of a benchmark GMD event. The Commission directed that the development of this plan could not be limited to considering operational procedures or enhanced training alone, but should, subject to the potential impacts of the benchmark GMD events identified in the assessments, contain strategies for protecting against the potential impact of GMDs based on factors such as the age, condition, technical specifications, system configuration, or location of specific equipment.[18] Order No. 779 observed that these strategies could, for example, include automatically blocking GICs from entering the Bulk-Power System, instituting specification requirements for new equipment, inventory management, isolating certain equipment that is not cost effective to retrofit, or a combination thereof.

D. Order No. 797

11. In Order No. 797, the Commission approved Reliability Standard EOP–010–1 (Geomagnetic Disturbance Operations).[19] NERC submitted Reliability Standard EOP–010–1 for Commission approval in compliance with the Commission's directive in Order No. 779 corresponding to the First Stage GMD Reliability Standards. In Order No. 797–A, the Commission denied the Foundation for Resilient Societies' (Resilient Societies) request for rehearing of Order No. 797. The Commission stated that the rehearing request ''addressed a later stage of efforts on geomagnetic disturbances (*i.e.,* NERC's future filing of Second Stage GMD Reliability Standards) and [that Resilient Societies] may seek to present those arguments at an appropriate time in response to that filing.'' [20] In particular, the Commission stated that GIC monitoring requirements should be addressed in the Second Stage GMD Reliability Standards.[21]

E. NERC Petition and Proposed Reliability Standard TPL–007–1

12. On January 21, 2015, NERC petitioned the Commission to approve proposed Reliability Standard TPL–007–1 and its associated violation risk factors and violation severity levels, implementation plan, and effective dates.[22] NERC also submitted a proposed definition for the term ''Geomagnetic Disturbance Vulnerability Assessment or GMD Vulnerability Assessment'' for inclusion in the NERC Glossary. NERC maintains that the proposed Reliability Standard is just, reasonable, not unduly discriminatory or preferential, and in the public interest. NERC further contends that the proposed Reliability Standard satisfies the directive in Order No. 779 corresponding to the Second Stage GMD Reliability Standards.[23]

13. NERC states that proposed Reliability Standard TPL–007–1 applies to planning coordinators, transmission planners, transmission owners and generation owners who own or whose planning coordinator area or transmission planning area includes a power transformer with a high side, wye-grounded winding connected at 200 kV or higher. NERC explains that the applicability criteria for qualifying transformers in the proposed Reliability Standard is the same as that for the First Stage GMD Reliability Standard in EOP–010–1, which the Commission approved in Order No. 797.

14. The proposed Reliability Standard contains seven requirements.

15. Requirement R1 requires planning coordinators and transmission planners to determine the individual and joint responsibilities in the planning coordinator's planning area for maintaining models and performing studies needed to complete the GMD Vulnerability Assessment required in Requirement R4.[24]

[14] *Id.*

[15] Order No. 779, 143 FERC ¶ 61,147 at P 3.

[16] *Id.* P 2.

[17] *Id.*

[18] *Id.*

[19] *Reliability Standard for Geomagnetic Disturbance Operations,* Order No. 797, 79 FR 35,911 (June 25, 2014), 147 FERC ¶ 61,209, *reh'g denied,* Order No. 797–A, 149 FERC ¶ 61,027 (2014).

[20] Order No. 797–A, 149 FERC ¶ 61,027 at P 2.

[21] *Id.* P 27 (stating that the Commission continues ''to encourage NERC to address the collection, dissemination, and use of geomagnetic induced current data, by NERC, industry or others, in the Second Stage GMD Reliability Standards because such efforts could be useful in the development of GMD mitigation methods or to validate GMD models'').

[22] Proposed Reliability Standard TPL–007–1 is not attached to this notice of proposed rulemaking (NOPR). The proposed Reliability Standard is available on the Commission's eLibrary document retrieval system in Docket No. RM15–11–000 and on the NERC Web site, *www.nerc.com.* NERC submitted an errata on February 2, 2015 containing a corrected version of Exhibit A (Proposed Reliability Standard TPL–007–1).

[23] We note that Resilient Societies has submitted to NERC, pursuant to Section 8.0 of the NERC Standards Process Manual, an appeal alleging certain procedural errors in the development of proposed Reliability Standard TPL–007–1. *See* NERC Rules of Procedure, Attachment 3A (Standards Process Manual), Section 8.0 (Process for Appealing an Action or Inaction). The appeal is currently pending NERC action. On May 12, 2015, Resilient Societies submitted a request for stay of the proceedings in Docket No. RM15–11–000, asking that the Commission refrain from issuing a notice of proposed rulemaking until NERC acts on Resilient Societies' appeal. We deny Resilient Societies' request. We see no irreparable harm in issuing a proposal for public comment as we do today. Rather, we will consider any necessary issues pertaining to the appeal before or in a final rule issued in this proceeding.

[24] Proposed Reliability Standard TPL–007–1, Requirements R2, R3, R4, R5, and R7 refer to planning coordinators and transmission planners as ''responsible entities.''

16. Requirement R2 requires planning coordinators and transmission planners to maintain system models and GIC system models needed to complete the GMD Vulnerability Assessment required in Requirement R4.

17. Requirement R3 requires planning coordinators and transmission planners to have criteria for acceptable system steady state voltage limits for their systems during the benchmark GMD event described in Attachment 1 (Calculating Geoelectric Fields for the Benchmark GMD Event).

18. Requirement R4 requires planning coordinators and transmission planners to conduct a GMD Vulnerability Assessment every 60 months using the benchmark GMD event described in Attachment 1 to the proposed Reliability Standard. The benchmark GMD event is based on a 1-in-100 year frequency of occurrence and is composed of four elements: (1) A reference peak geoelectric field amplitude of 8 V/km derived from statistical analysis of historical magnetometer data; (2) a scaling factor to account for local geomagnetic latitude; (3) a scaling factor to account for local earth conductivity; and (4) a reference geomagnetic field time series or wave shape to facilitate time-domain analysis of GMD impact on equipment.[25] The product of the first three elements is referred to as the regional geoelectric field peak amplitude.[26]

19. Requirement R5 requires planning coordinators and transmission planners to provide GIC flow information, to be used in the transformer thermal impact assessment required in Requirement R6, to each transmission owner and generator owner that owns an applicable transformer within the applicable planning area.

20. Requirement R6 requires transmission owners and generator owners to conduct thermal impact assessments on solely and jointly owned applicable transformers where the maximum effective GIC value provided in Requirement R5 is 75 amperes per phase (A/phase) or greater.

21. Requirement R7 requires planning coordinators and transmission planners to develop corrective action plans if the GMD Vulnerability Assessment concludes that the system does not meet the performance requirements in Table 1 (Steady State Planning Events).

[25] *See* Proposed Reliability Standard TPL–007–1, Att. 1; *see also* NERC Petition, Ex. D (White Paper on GMD Benchmark Event Description) at 5.

[26] NERC Petition, Ex. D (White Paper on GMD Benchmark Event Description) at 5.

II. Discussion

22. Pursuant to section 215(d) of the FPA, the Commission proposes to approve Reliability Standard TPL–007–1 as just, reasonable, not unduly discriminatory or preferential, and in the public interest. The proposed Reliability Standard addresses the directives in Order No. 779 corresponding to the development of the Second Stage GMD Reliability Standards. Proposed Reliability Standard TPL–007–1 does this by requiring applicable Bulk-Power System owners and operators to conduct initial and on-going vulnerability assessments regarding the potential impact of a benchmark GMD event on the Bulk-Power System as a whole and on Bulk-Power System components.[27] In addition, the proposed Reliability Standard requires applicable entities to develop and implement corrective action plans to mitigate any identified vulnerabilities.[28] Potential mitigation strategies identified in the proposed Reliability Standard include, but are not limited to, among other things, the installation, modification, or removal of transmission and generation facilities and associated equipment.[29] Accordingly, proposed Reliability Standard TPL–007–1 constitutes an important step in addressing the risks posed by GMD events to the Bulk-Power System.

23. While proposed Reliability Standard TPL–007–1 addresses the Order No. 779 directives, pursuant to FPA section 215(d)(5), the Commission proposes to direct NERC to develop modifications to the Reliability Standard concerning: (1) The calculation of the reference peak geoelectric field amplitude component of the benchmark GMD event definition; (2) the collection of GIC monitoring and magnetometer data; and (3) deadlines for completing corrective action plans and the mitigation measures called for in corrective action plans. In addition, to improve the understanding of GMD events generally and address the specific research areas discussed below, the Commission proposes to direct that NERC submit informational filings. These proposals are discussed in greater detail below.

24. The Commission seeks comments from NERC and interested entities on these proposals.

[27] *See* Order No. 779, 143 FERC ¶ 61,147 at PP 67, 71.

[28] *Id.* P 79.

[29] *Id.*

A. Benchmark GMD Event Definition

NERC Petition

25. NERC states that the purpose of the benchmark GMD event is to ''provide a defined event for assessing system performance during a low probability, high magnitude GMD event.'' [30] NERC explains that the benchmark GMD event represents ''the most severe GMD event expected in a 100-year period as determined by a statistical analysis of recorded geomagnetic data.'' [31] The benchmark GMD event definition is used in the GMD Vulnerability Assessments and thermal impact assessment requirements of the proposed Reliability Standard.

26. As noted above, NERC states that the benchmark GMD event definition has four elements: (1) A reference peak geoelectric field amplitude of 8 V/km derived from statistical analysis of historical magnetometer data; (2) a scaling factor to account for local geomagnetic latitude; (3) a scaling factor to account for local Earth conductivity; and (4) a reference geomagnetic field time series or wave shape to facilitate time-domain analysis of GMD impact on equipment.[32]

27. The standard drafting team determined that a 1-in-100 year GMD event would cause an 8 V/km reference peak geoelectric field amplitude at 60 degree geomagnetic latitude using Québec's earth conductivity.[33] The standard drafting team stated that:

> the reference geoelectric field amplitude was determined through statistical analysis using . . . field measurements from geomagnetic observatories in northern Europe and the reference (Quebec) earth model. . . . The Quebec earth model is generally resistive and the geological structure is relatively well understood. The statistical analysis resulted in a conservative peak geoelectric field amplitude of approximately 8 V/km. . . . The frequency of occurrence of this benchmark GMD event is estimated to be approximately 1 in 100 years.[34]

28. The standard drafting team explained that it used field measurements taken from the IMAGE magnetometer chain, which covers Northern Europe, for the period 1993–2013 to calculate the reference peak geoelectric field amplitude used in the benchmark GMD event definition.[35] As

[30] NERC Petition at 15.

[31] *Id.*

[32] NERC Petition, Ex. D (White Paper on GMD Benchmark Event Description) at 5.

[33] *Id.*

[34] *Id.* (footnotes omitted).

[35] *Id.* at 8. The International Monitor for Auroral Geomagnetic Effects (IMAGE) consists of 31

Continued

described in NERC's petition, the standard drafting team ''spatially averaged'' four different station groups of IMAGE data, each spanning a square area of approximately 500 km (roughly 310 miles) in width.[36] The standard drafting team justified the use of spatial averaging by stating that the proposed Reliability Standard is designed to ''address wide-area effects caused by a severe GMD event, such as increased var absorption and voltage depressions. Without characterizing GMD on regional scales, statistical estimates could be weighted by local effects and suggest unduly pessimistic conditions when considering cascading failure and voltage collapse.'' [37]

29. NERC states that the benchmark GMD event includes scaling factors to enable applicable entities to tailor the reference peak geoelectric field to their specific location for conducting GMD Vulnerability Assessments. NERC states that the scaling factors in the benchmark GMD event definition are applied to the reference peak geoelectric field amplitude to adjust the 8 V/km value for different geomagnetic latitudes and earth conductivities.[38]

30. The standard drafting team also identified a reference geomagnetic field time series from an Ottawa magnetic observatory during a 1989 GMD event that affected Québec.[39] The standard drafting team used this time series to estimate a geoelectric field, represented as a time series (*i.e.,* 10-second values over a period of days), that is expected to occur at 60 degree geomagnetic latitude during a 1-in-100 year GMD event. NERC explains that this time series is used to facilitate time-domain analysis of GMD impacts on equipment.[40]

Discussion

31. The Commission proposes to approve proposed Reliability Standard TPL–007–1, including the proposed benchmark GMD event definition submitted by NERC. However, pursuant to FPA section 215(d)(5), the Commission proposes to direct that NERC develop modifications to the benchmark GMD event definition set forth in Attachment 1 of the proposed Reliability Standard so that the definition is not based solely on spatially-averaged data. The Commission also seeks comment from NERC and other interested entities regarding the scaling factor used to account for geomagnetic latitude in the benchmark GMD event definition. The Commission also proposes to direct NERC to submit a work plan, and subsequently one or more informational filings, that address the specific issues discussed below.

32. The benchmark GMD event definition proposed by NERC complies with the directive in Order No. 779 requiring that the Second Stage GMD Reliability Standards identify benchmark GMD events that specify what severity GMD events a responsible entity must assess for potential impacts on the Bulk-Power System. Order No. 779 did not specify the severity of the storm or define the characteristics of the benchmark GMD event. Instead, the Commission directed NERC, through the standards development process, to define the benchmark GMD events. Consistent with the guidance provided in Order No. 779, the benchmark GMD event definition proposed by NERC addresses the potential widespread impact of a severe GMD event, while taking into consideration the variables of geomagnetic latitude and local earth conductivity.[41] Accordingly, we propose to approve the definition submitted by NERC. Nonetheless, while acceptable as consistent with FPA section 215 and the Order No. 779 directives, we believe that the benchmark GMD event definition should be improved through the proposed revision and research discussed below.

33. First, the proposed Reliability Standard's exclusive use of spatial averaging to calculate the reference peak geoelectric field amplitude could underestimate the impact of a 1-in-100 year GMD event, which was the design basis arrived upon by the standard drafting team. NERC states that the benchmark GMD event ''expands upon work conducted by the NERC GMD Task Force in which 1-in-100 year geoelectric field amplitudes were calculated from a well-known source of dense high-resolution geomagnetic data commonly used in space weather research [*i.e.,* IMAGE data].'' [42] However, the application of spatial averaging significantly reduces the reference peak geoelectric field amplitude using the IMAGE data compared with a prior analysis of nearly the same data set. As noted in the NERC petition, the GMD Interim Report described a study that used the same IMAGE magnetometers and data as the standard drafting team for the period 1993–2006.[43] That study calculated a 1-in-100 year peak geoelectric amplitude of 20 V/km for Québec.[44] The study calculated a significantly higher figure (20 V/km versus 8 V/km) using similar data as the standard drafting team because, instead of averaging geoelectric field values occurring simultaneously over a large geographic area, the study cited by the GMD Interim Report used the magnitude of the geoelectric amplitude in individual geomagnetic observatories.

34. Based on our review of NERC's petition, it does not appear that spatial averaging of geomagnetic fields is discussed in the studies cited by the standard drafting team except in the standard drafting team's GMD Benchmark Event White Paper. In addition, it is unclear how the standard drafting team determined that spatial averaging should be performed using a square area 500 km in width. The GMD Benchmark Event White Paper explains that the IMAGE magnetometers were organized into four groups comprised of squares 500 km wide, and the readings within a group were averaged. The GMD Benchmark Event White Paper also states, citing to the statistical analysis in its Appendix I, that ''geomagnetic disturbance impacts within areas of influence of approximately 100–200 km do not have a widespread impact on the interconnected transmission system.'' [45] While Appendix I of the GMD Benchmark Event White Paper discusses why local geomagnetic disturbances do not have a significant impact on all transformers operating within a square 500 km in width, it does not explain why the standard drafting team chose a square area 500 km in width as opposed to a square with a smaller or larger total area. These questions largely inform our concerns regarding the proposed

magnetometer stations in northern Europe maintained by 10 institutes from Estonia, Finland, Germany, Norway, Poland, Russia, and Sweden. *See* IMAGE Web site, *available at http://space.fmi.fi/image/beta/?page=home#.*

[36] As applied by the standard drafting team, spatial averaging refers to the averaging of geoelectric field amplitude readings within a given area. NERC Petition, Ex. D (White Paper on GMD Benchmark Event Description) at 9.

[37] NERC Petition, Ex. D (White Paper on GMD Benchmark Event Description) at 9.

[38] NERC Petition at 18–19.

[39] NERC Petition, Ex. D (White Paper on GMD Benchmark Event Description) at 15–16.

[40] *Id.* at 5–6.

[41] *See* Order No. 779, 143 FERC ¶ 61,147 at P 71 (''the benchmark GMD events should be based on factors that may include, but are not limited to, varying severity of the GMD . . . duration, geographic footprint of the GMD, how the GMD's intensity varies with latitude, system configuration, and the orientation of the magnetic fields produced by the GMD); *see also id.* P 70 (''[GMD] vulnerability assessments would be based on uniform criteria (*e.g.,* geographic location and geology) but the values for such criteria would be entity-specific'').

[42] NERC Petition at 17.

[43] GMD Interim Report at 22.

[44] *Id.*

[45] NERC Petition, Ex. D (White Paper on GMD Benchmark Event Description) at 4.

Reliability Standard's heavy reliance on spatial averaging.

35. The geoelectric field values used to conduct GMD Vulnerability Assessments and thermal impact assessments should reflect the real-world impact of a GMD event on the Bulk-Power System and its components. A GMD event will have a peak value in one or more location(s), and the amplitude will decline over distance from the peak. Only applying a spatially-averaged geoelectric field value across an entire planning area would distort this complexity and could underestimate the contributions caused by damage to or misoperation of Bulk-Power System components to the system-wide impact of a GMD event within a planning area. However, imputing the highest peak geoelectric field value in a planning area to the entire planning area may incorrectly overestimate GMD impacts. Neither approach, in our view, produces an optimal solution that captures physical reality.

36. To address this issue, the Commission proposes to direct NERC to develop modifications to the Reliability Standard so that the reference peak geoelectric field amplitude element of the benchmark GMD event definition is not based solely on spatially-averaged data. For example, NERC could satisfy this proposal by revising the Reliability Standard to require applicable entities to conduct GMD Vulnerability Assessments and thermal impact assessments using two different benchmark GMD events: The first benchmark GMD event using the spatially-averaged reference peak geoelectric field value (8 V/km) and the second using the non-spatially averaged peak geoelectric field value found in the GMD Interim Report (20 V/km).[46] The revised Reliability Standard could then require applicable entities to take corrective actions, using engineering judgment, based on the results of both assessments. That is, the applicable entity would not always be required to mitigate to the level of risk identified by the non-spatially averaged analysis; instead, the selection of mitigation would reflect the range of risks bounded by the two analyses, and be based on engineering judgment within this range, considering all relevant information. This proposed revision is consistent with the directive in Order No. 779 that owners and operators develop and implement a plan to protect against instability, uncontrolled separation, or cascading failures of the Bulk-Power System.[47] Alternatively, NERC could propose an equally efficient and effective modification that does not rely exclusively on the spatially-averaged reference peak geoelectric field value.[48]

37. The Commission also seeks comment from NERC and other interested entities regarding the scaling factor used in the benchmark GMD event definition to account for differences in geomagnetic latitude. Specifically, the Commission seeks comment on whether, in light of studies indicating that GMD events could have pronounced effect on lower geomagnetic latitudes, a modification is warranted to reduce the impact of the scaling factors.[49]

38. Next, the record submitted by NERC and other available information manifests a need for more data and certainty in the knowledge and understanding of GMD events and their potential effect on the Bulk-Power System. For example, NERC's proposal is based on data from magnetometers in northern Europe, from a relatively narrow timeframe with relatively low solar activity, and with little or no data on concurrent GIC flows. Similarly, the adjustments for latitude and ground conductivity are based on the limited information currently available, but additional data-gathering is needed. To address this limitation on relevant information, we propose to direct that NERC conduct or oversee additional analysis on these issues.[50]

39. In particular, we propose to direct that NERC submit informational filings that address the issues discussed below. In the first informational filing, NERC should submit a work plan indicating how NERC plans to: (1) Further analyze the area over which spatial averaging should be calculated for stability studies, including performing sensitivity analyses on squares less than 500 km per side (*e.g.,* 100 km, 200 km); (2) further analyze earth conductivity models by, for example, using metered GIC and magnetometer readings to calculate earth conductivity and using 3–D readings; (3) determine whether new analyses and observations support modifying the use of single station readings around the earth to adjust the spatially averaged benchmark for latitude; and (4) assess how to make GMD data (*e.g.,* GIC monitoring and magnetometer data) available to researchers for study.[51] We propose that NERC submit the work plan within six months of the effective date of a final rule in this proceeding. The work plan submitted by NERC should include a schedule to submit one or more informational filings that apprise the Commission of the results of the four additional study areas as well as any other relevant developments in GMD research. Further, in the submissions, NERC should assess whether the proposed Reliability Standard remains valid in light of new information or whether revisions are appropriate.

B. Thermal Impact Assessments

NERC Petition

40. Proposed Reliability Standard TPL–007–1, Requirement R6 requires owners of transformers that are subject to the proposed Reliability Standard to conduct thermal analyses to determine if the transformers would be able to withstand the thermal effects associated with a benchmark GMD event. NERC states that transformers are exempt from the thermal impact assessment requirement if the maximum effective GIC in the transformer is less than 75 A/phase during the benchmark GMD event as determined by an analysis of the system. NERC explains that ''based on available power transformer measurement data, transformers with an

[46] Conducting a GMD Vulnerability Assessment using essentially two measures of the same benchmark GMD events is consistent with Order No. 779 because, in that order, the Commission contemplated that an applicable entity could be required to assess GMD vulnerabilities using multiple benchmark GMD events. Order No. 779, 143 FERC ¶ 61,147 at P 2 (''The Second Stage GMD Reliability Standards must identify 'benchmark GMD events' that specify what severity GMD events a responsible entity must assess for potential impacts on the Bulk-Power System.'').

[47] Order No. 779, 143 FERC ¶ 61,147 at P 2.

[48] For example, responsible entities could calculate GIC flows and resulting Bulk-Power System impacts using models that utilize both spatially averaged and non-spatially averaged peak geoelectric field values to simulate GMD conditions.

[49] *See, e.g.,* Ngwira, C.M., Pulkkinen, A., Kuznetsova, M.M., Glocer, A., ''Modeling extreme 'Carrington-type' space weather events using three-dimensional global MHD simulations,'' 119 Journal of Geophysical Research: Space Physics 4472 (2014) (finding that in Carrington-type events ''the region of large induced ground electric fields is displaced further equatorward . . . [and] thereby may affect power grids . . . such as [those in] southern states of [the] continental U.S.''); Gaunt, C.T., Coetzee, G., ''Transformer Failures in Regions Incorrectly Considered to have Low GIC-Risk,'' 2007 IEEE Lausanne 807 (July 2007) (stating that twelve transformers were damaged and taken out of service in South Africa (at −40 degrees latitude) during a 2003 GMD event).

[50] *See, e.g., Revisions to Reliability Standard for Transmission Vegetation Management,* Order No. 777, 142 FERC ¶ 61,208 (2013) (approving Reliability Standard but directing that NERC perform a study to develop empirical evidence on one input to the ''Gallet equation'' used to calculate minimum clearances for vegetation).

[51] The Commission seeks comment on the barriers, if any, to public dissemination of GIC and magnetometer readings, including if the dissemination of such data poses a security risk and if any such data should be treated as Critical Energy Infrastructure Information or otherwise restricted to authorized users.

effective GIC of less than 75 A per phase during the Benchmark GMD Event are unlikely to exceed known temperature limits established by technical organizations.'' [52]

41. As provided in Requirements R5 and R6, ''the maximum GIC value for the worst case geoelectric field orientation for the benchmark GMD event described in Attachment 1'' determines whether a transformer satisfies the 75 A/phase threshold. If the 75 A/phase threshold is satisfied, Requirement R6 states, in relevant part, that a thermal impact assessment should be conducted on the qualifying transformer based on the effective GIC flow information provided in Requirement R5.

Discussion

42. The Commission proposes to approve proposed Reliability Standard TPL–007–1, Requirement R6. However, the Commission has two concerns regarding the proposed thermal impact assessment in Requirement R6. These concerns reflect in part the difficulty of replacing large transformers quickly, as reflected in studies, such as an April 2014 report by the Department of Energy that highlighted the reliance in the United States on foreign suppliers for large transformers.[53]

43. First, as discussed in the previous section, the Commission proposes to direct NERC to develop modifications to the Reliability Standard such that the benchmark GMD event definition's reference peak geoelectric field amplitude element does not rely on spatially-averaged data alone. The proposed modification is relevant to thermal impact assessments, as it is relevant to GMD Vulnerability Assessments, because both are ultimately predicated on the benchmark GMD event definition. Indeed, the concern is even greater in this context because a thermal impact assessment assesses the localized impact of a GMD event on an individual transformer. Thus, we propose to direct NERC to modify the Reliability Standard to require responsible entities to apply spatially averaged and non-spatially averaged peak geoelectric field values, or some equally efficient and effective alternative, when conducting thermal impact assessments.

44. Second, Requirements R5.1 and R6 provide that the geoelectric field orientation causing the maximum effective GIC value in each transformer should be used to determine if the assessed transformer satisfies the 75 A/phase qualifying threshold in Requirement R6. However, Requirement R6 does not use the maximum GIC-producing orientation to conduct the thermal assessment for qualifying transformers (*i.e.,* transformers with an maximum effective GIC value greater than 75A/phase). Instead, Requirement R6 uses the effective GIC time series described in Requirement R5.2 to conduct the thermal assessment on qualifying transformers.[54] The Commission seeks comment from NERC as to why qualifying transformers are not assessed for thermal impacts using the maximum GIC-producing orientation. NERC should address whether, by not using the maximum GIC-producing orientation, the required thermal impact assessments could underestimate the impact of a benchmark GMD event on a qualifying transformer.

C. Monitoring Devices

NERC Petition

45. Proposed Reliability Standard TPL–007–1, Requirement R2 requires responsible entities to ''maintain System models and GIC System models of the responsible entity's planning area for performing the study or studies needed to complete GMD Vulnerability Assessment(s).'' NERC states that proposed Reliability Standard TPL–007–1 contains ''requirements to develop the models, studies, and assessments necessary to build a picture of overall GMD vulnerability and identify where mitigation measures may be necessary.'' [55] NERC explains that mitigating strategies ''may include installation of hardware (*e.g.,* GIC blocking or monitoring devices), equipment upgrades, training, or enhanced Operating Procedures.'' [56]

Discussion

46. The Commission proposes to direct NERC to develop revisions to Reliability Standard TPL–007–1 requiring installation of monitoring equipment (*i.e.,* GIC monitors and magnetometers) to the extent there are any gaps in existing GIC monitoring and magnetometer networks, which will ensure a more complete set of data for planning and operational needs. Alternatively, we seek comment on whether NERC itself should be responsible for installation of any additional, necessary magnetometers while affected entities would be responsible for installation of additional, necessary GIC monitors. As part of NERC's work plan, we propose to direct that NERC identify the number and location of current GIC monitors and magnetometers in the United States to assess whether there are any gaps.

47. NERC maintains that the installation of monitoring devices could be part of a mitigation strategy. We agree with NERC regarding the importance of GIC and magnetometer data. As the Commission stated in Order No. 779, the tools for assessing GMD vulnerabilities are not fully mature.[57] Data from monitors are needed to validate the analyses underlying NERC's proposed Reliability Standard and the analyses to be performed by affected entities.[58] GIC monitors also can facilitate real-time adjustments to grid operations during GMD events, to maintain reliability and prevent significant equipment damage, by enhancing situational awareness for grid operators. For example, PJM's operating procedures for GMDs are triggered when GICs are above 10 A for 10 minutes at either of two specified locations, and confirmed by other sources of information.[59]

48. Accordingly, rather than wait to install necessary monitoring devices as part of a corrective action plan, GIC and magnetometer data should be collected by applicable entities at the outset to validate and improve system models and GIC system models, as well as improve situational awareness. To be clear, we are not proposing that every transformer would need its own GIC monitor or that every entity would need its own magnetometer. Instead, we are proposing the installation and collection of data from GIC monitors and magnetometers in enough locations to provide adequate analytical validation and situational awareness. We propose that NERC's work plan use this criterion in assessing the need and locations for GIC monitors and magnetometers.

49. Cost recovery is potentially available for costs associated with or incurred to comply with proposed Reliability Standard TPL–007–1, including for the purchase and installation of monitoring devices.[60]

[52] NERC Petition at 30.

[53] U.S. Department of Energy, Large Power Transformers and the U.S. Electric Grid (April 2014), *available at http://energy.gov/sites/prod/files/2014/04/f15/LPTStudyUpdate-040914.pdf.*

[54] *See also* NERC Petition, Ex. E (White Paper on Transformer Thermal Impact Assessment) at 8–9.

[55] NERC Petition at 13.

[56] *Id.* at 32.

[57] Order No. 779, 143 FERC ¶ 61,147 at P 68.

[58] *See, e.g., Disturbance Monitoring and Reporting Requirements Reliability Standard,* 80 FR 22,441 (Apr. 16, 2015), 151 FERC ¶ 61,042 (2015) (notice of proposed rulemaking proposing to approve Reliability Standard PRC–002–2 requiring the collection of disturbance monitoring data).

[59] *See* PJM Manual 13 (Emergency Operations), Revision 57, at 55 (2015).

[60] Order No. 779, 143 FERC ¶ 61,147 at P 14 n.20 (stating that ''nothing precludes entities from

The Commission seeks comment on whether it should adopt a policy specifically allowing recovery of these costs.

D. Corrective Action Plan Deadlines

NERC Petition

50. Proposed Reliability Standard TPL–007–1, Requirement R7 provides that:

> Each responsible entity, as determined in Requirement R1, that concludes, through the GMD Vulnerability Assessment conducted in Requirement R4, that their System does not meet the performance requirements of Table 1 shall develop a Corrective Action Plan addressing how the performance requirements will be met . . . .

NERC explains that the NERC Glossary defines corrective action plan to mean, ''A list of actions and an associated timetable for implementation to remedy a specific problem.'' [61] Requirement R7.3 states that the corrective action plan shall be provided within ''90 calendar days of completion to the responsible entity's Reliability Coordinator, adjacent Planning Coordinator(s), adjacent Transmission Planner(s), functional entities referenced in the Corrective Action Plan, and any functional entity that submits a written request and has a reliability-related need.''

Discussion

51. The Commission proposes to direct that NERC revise Reliability Standard TPL–007–1 to include deadlines concerning the development and implementation of corrective action plans under Requirement R7.

52. In accordance with Order No. 779 directives, Requirement R7 requires applicable entities to develop and implement measures when vulnerabilities from a benchmark GMD event are identified.[62] However, Requirement R7 does not establish deadlines for developing or implementing corrective action plans. Requirement R7 only requires responsible entities to distribute corrective action plans within 90 days of completion to certain registered entities. By contrast, other NERC Reliability Standards include deadlines for developing corrective action plans, such as Reliability Standard PRC–006–2 (Automatic Underfrequency Load Shedding) and Reliability Standard TPL–001–4 (Transmission System Planning Performance Requirements). In addition, by definition, a corrective action plan includes ''an associated timetable for implementation'' of a remedy.[63] Consistent with the definition of corrective action plan and the other NERC Reliability Standards, the Commission proposes to direct that NERC modify Reliability Standard TPL–007–1 to require corrective action plans to be developed within one year of the completion of the GMD Vulnerability Assessment.

53. A corrective action plan is defined in the NERC Glossary as ''[a] list of actions and an associated timetable for implementation to remedy a specific problem.'' Because of the complexities surrounding GMDs and the uncertainties about mitigation techniques, the time needed to implement a corrective action plan may be difficult to determine. At the same time, the absence of reasonable deadlines for completion of corrective actions may risk significant delay before identified corrective actions are started or finished. The Commission, therefore, proposes to direct NERC to modify the Reliability Standard to require a deadline for non-equipment mitigation measures that is two years following development of the corrective action plan and a deadline for mitigation measures involving equipment installation that is four years following development of the corrective action plan. The Commission recognizes that there is little experience with installing equipment for GMD mitigation and thus we are open to proposals that may differ from our proposal, particularly from any entities with experience in this area.

54. We seek comments from NERC and interested entities on these proposals. Further, we seek comment on appropriate alternative deadlines and whether there should be a mechanism that would allow NERC to consider, on a case-by-case basis, requests for extensions of required deadlines.

E. Minimization of Load Loss and Curtailment

NERC Petition

55. Proposed Reliability Standard TPL–007–1, Requirement R4 states that each responsible entity ''shall complete a GMD Vulnerability Assessment of the Near-Term Transmission Planning Horizon once every 60 calendar months.'' Requirement R4.2 further states that the ''study or studies shall be conducted based on the benchmark GMD event described in Attachment 1 to determine whether the System meets the performance requirements in Table 1.''

56. NERC maintains that Table 1 sets forth requirements for system steady state performance. NERC explains that Requirement R4 and Table 1 ''address assessments of the effects of GICs on other Bulk-Power System equipment, system operations, and system stability, including the loss of devices due to GIC impacts.'' [64] Table 1 provides, in relevant part, that load loss and/or curtailment are permissible elements of the steady state:

> Load loss as a result of manual or automatic Load shedding (*e.g.* UVLS) and/or curtailment of Firm Transmission Service may be used to meet BES performance requirements during studied GMD conditions. The likelihood and magnitude of Load loss or curtailment of Firm Transmission Service should be minimized.

Discussion

57. The Commission seeks comment from NERC regarding the provision in Table 1 that ''Load loss or curtailment of Firm Transmission Service should be minimized.'' Because the term ''minimized'' does not represent an objective value, the provision is potentially subject to interpretation and assertions that the term is vague and may not be enforceable. Similarly, use of the modifier ''should'' might indicate that minimization of load loss or curtailment is only an expectation or a guideline rather than a requirement.

58. The Commission seeks comment from NERC that explains how the provision in Table 1 regarding load loss and curtailment will be enforced, including: (1) whether, by using the term ''should,'' Table 1 requires minimization of load loss or curtailment, or both; and (2) what constitutes ''minimization'' and how it will be assessed.

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seeking cost recovery if needed''); *see Extraordinary Expenditures Necessary to Safeguard National Energy Supplies,* 96 FERC ¶ 61,299, at 61,129 (2001) (stating that the Commission ''will approve applications to recover prudently incurred costs necessary to further safeguard the reliability and security of our energy supply infrastructure in response to the heightened state of alert. Companies may propose a separate rate recovery mechanism, such as a surcharge to currently existing rates or some other cost recovery method''); *see also Policy Statement on Matters Related to Bulk Power System Reliability,* 107 FERC ¶ 61,052, at P 28 (2004) (affirming and clarifying that ''the policy extends to the recovery of prudent reliability expenditures, including those for vegetation management, improved grid management and monitoring equipment, operator training and compliance with NERC standards'').

[61] NERC Petition at 31.

[62] Order No. 779, 143 FERC ¶ 61,147 at P 2 (''If the assessments identify potential impacts from benchmark GMD events, the Reliability Standards *should* require owners and operators to develop and implement a plan to protect against instability, uncontrolled separation, or cascading failures of the Bulk-Power System, caused by damage to critical or vulnerable Bulk-Power System equipment, or otherwise, as a result of a benchmark GMD event.'').

[63] NERC Glossary at 26.

[64] NERC Petition at 39.

F. Violation Risk Factors and Violation Severity Levels

59. Each requirement of proposed Reliability Standard TPL–007–1 includes one violation risk factor and has an associated set of at least one violation severity level. NERC states that the ranges of penalties for violations will be based on the sanctions table and supporting penalty determination process described in the Commission-approved NERC Sanction Guidelines.

60. The Commission proposes to approve the violation risk factors and violation severity levels submitted by NERC, for the requirements in Reliability Standard TPL–007–1, consistent with the Commission's established guidelines.[65]

G. Implementation Plan and Effective Dates

61. NERC proposes a phased, five-year implementation period.[66] NERC maintains that the proposed implementation period is necessary: (1) to allow time for entities to develop the required models; (2) for proper sequencing of assessments because thermal impact assessments are dependent on GIC flow calculations that are determined by the responsible planning entity; and (3) to give time for development of viable corrective action plans, which may require applicable entities to ''develop, perform, and/or validate new or modified studies, assessments, procedures . . . [and because] [s]ome mitigation measures may have significant budget, siting, or construction planning requirements.'' [67]

62. The proposed implementation plan states that Requirement R1 shall become effective on the first day of the first calendar quarter that is six months after Commission approval. For Requirement R2, NERC proposes that the requirement shall become effective on the first day of the first calendar quarter that is 18 months after Commission approval. NERC proposes that Requirement R5 shall become effective on the first day of the first calendar quarter that is 24 months after Commission approval. NERC proposes that Requirement R6 shall become effective on the first day of the first calendar quarter that is 48 months after Commission approval. And for Requirement R3, Requirement R4, and Requirement R7, NERC proposes that the requirements shall become effective on the first day of the first calendar quarter that is 60 months after Commission approval.

63. The Commission proposes to approve the implementation plan and effective dates submitted by NERC. However, given the serial nature of the requirements in the proposed Reliability Standard, we are concerned about the duration of the timeline associated with any mitigation stemming from a corrective action plan. As a result, the Commission seeks comment from NERC and other interested entities as to whether the length of the implementation plan, particularly with respect to Requirements R4, R5, R6, and R7, could be reasonably shortened.

III. Information Collection Statement

64. The collection of information contained in this notice of proposed rulemaking is subject to review by the Office of Management and Budget (OMB) regulations under section 3507(d) of the Paperwork Reduction Act of 1995 (PRA).[68] OMB's regulations require approval of certain informational collection requirements imposed by agency rules.[69]

65. Upon approval of a collection(s) of information, OMB will assign an OMB control number and an expiration date. Respondents subject to the filing requirements of a rule will not be penalized for failing to respond to these collections of information unless the collections of information display a valid OMB control number.

66. We solicit comments on the need for this information, whether the information will have practical utility, the accuracy of the burden estimates, ways to enhance the quality, utility, and clarity of the information to be collected or retained, and any suggested methods for minimizing respondents' burden, including the use of automated information techniques. Specifically, the Commission asks that any revised burden or cost estimates submitted by commenters be supported by sufficient detail to understand how the estimates are generated.

Public Reporting Burden: The Commission proposes to approve Reliability Standard TPL–007–1 and the associated implementation plan, violation severity levels, and violation risk factors, as discussed above. Proposed Reliability Standard TPL–007–1 will impose new requirements for transmission planners, planning coordinators, transmission owners, and generator owners. Proposed Reliability Standard TPL–007–1, Requirement R1 requires planning coordinators, in conjunction with transmission planner, to identify the responsibilities of the planning coordinator and transmission planner in the planning coordinator's planning area for maintaining models and performing the study or studies needed to complete GMD Vulnerability Assessments. Proposed Requirements R2, R3, R4, R5, and R7 refer to the ''responsible entity, as determined by Requirement R1,'' when identifying which applicable planning coordinators or transmission planners are responsible for maintaining models and performing the necessary study or studies. Proposed Requirement R2 requires that the responsible entities maintain models for performing the studies needed to complete GMD Vulnerability Assessments, as required in proposed Requirement R4. Proposed Requirement R3 requires responsible entities to have criteria for acceptable system steady state voltage performance during a benchmark GMD event. Proposed Requirement R4 requires responsible entities to complete a GMD Vulnerability Assessment of the near-term transmission planning horizon once every 60 calendar months. Proposed Requirement R5 requires responsible entities to provide GIC flow information to transmission owners and generator owners that own an applicable bulk electric system power transformer in the planning area. This information is necessary for applicable transmission owners and generator owners to conduct the thermal impact assessments required by proposed Requirement R6. Proposed Requirement R6 requires applicable transmission owners and generator owners to conduct thermal impact assessments where the maximum effective GIC value provided in proposed Requirement R5, Part 5.1 is 75 A/phase or greater. Proposed Requirement R7 requires responsible entities to develop a corrective action plan when its GMD Vulnerability Assessment indicates that its system does not meet the performance requirements of Table 1—Steady State Planning Events. The corrective action plan must address how the performance requirements will be met, must list the specific deficiencies and associated actions that are necessary to achieve performance, and must set forth a timetable for completion. The Commission estimates the annual reporting burden and cost as follows:

[65] *North American Electric Reliability Corp.,* 135 FERC ¶ 61,166 (2011).

[66] NERC Petition, Ex. B (Implementation Plan for TPL–007–1).

[67] *Id.* at 2.

[68] 44 U.S.C. 3507(d).

[69] 5 CFR 1320.11 (2014).

FERC–725N, AS MODIFIED BY THE NOPR IN DOCKET NO. RM15–11–000 (TPL–007–1 RELIABILITY STANDARD FOR TRANSMISSION SYSTEM PLANNED PERFORMANCE FOR GEOMAGNETIC DISTURBANCE EVENTS) [70]

	Number of respondents (1)	Annual number of responses per respondent (2)	Total number of responses (1)*(2)=(3)	Average burden hours & cost per response [71] (4)	Total annual burden hours & total annual cost (3)*(4)=(5)	Cost per respondent ($) (5)÷(1)
(One-time) Requirement 1.	121 (PC & TP).	1	121	Eng. 5 hrs. ($331.75); RK 4 hrs. ($149.80).	1,089 hrs. (605 Eng., 484 RK); $58,267.55 ($40,141.75 Eng., $18,125.80 RK).	$481.55
(On-going) Requirement 1.	121 (PC & TP).	1	121	Eng. 3 hrs. ($199.05); RK 2 hrs. ($74.90)	605 hrs. (363 Eng., 242 RK); $33,147.95 ($24,085.05 Eng., $9,062.90 RK).	273.95
(One-time) Requirement 2.	121 (PC & TP).	1	121	Eng. 22 hrs. ($1,459.70); RK 18 hrs. ($674.10).	4840 hrs. (2,662 Eng., 2,178 RK); $258,189.80 ($176,623.70 Eng., $81,566.10 RK).	2,133.80
(On-going) Requirement 2.	121 (PC & TP).	1	121	Eng. 5 hrs. ($331.75); RK 3 hrs. ($112.35).	968 hrs. (605 Eng., 363 RK); $53,736.10 ($40,141.75 Eng., $13,594.35 RK).	444.10
(One-time) Requirement 3.	121 (PC & TP).	1	121	Eng. 5 hrs. ($331.75); RK 3 hrs. ($112.35).	968 hrs. (605 Eng., 363 RK); $53,736.10 ($40,141.75 Eng., $13,594.35 RK).	444.10
(On-going) Requirement 3.	121 (PC & TP).	1	121	Eng. 1 hrs. ($66.35); RK 1 hrs. ($37.45)	242 hrs. (121 Eng., 121 RK); $12,559.80 ($8,028.35 Eng., $4,531.45 RK).	103.80
(On-going) Requirement 4.	121 (PC & TP).	1	121	Eng. 27 hrs. ($1,791.45); RK 21 hrs. ($786.45).	5,808 hrs. (3,267 Eng., 2,541 RK); $311,919.85 ($216,765.45 Eng., $95,154.40 RK).	2,277.85
(On-going) Requirement 5.	121 (PC & TP).	1	121	Eng. 9 hrs. ($597.15); RK 7 hrs. ($262.15).	1936 hrs. (1,089 Eng., 847 RK); $103,975.30 ($72,255.15 Eng., $31,720.15 RK).	859.30
(One-time) Requirement 6.	881 (TO & GO).	1	881	Eng. 22 hrs. ($1,459.70); RK 18 hrs. ($674.19).	35,240 hrs. (19,382 Eng., 15,858 RK); $1,879,957.09 ($1,285,995.70 Eng., $593,961.39 RK).	2,133.89
(On-going) Requirement 6.	881 (TO & GO).	1	881	Eng. 2 hrs. ($132.70); RK 2 hrs. ($74.90)	3,524 hrs. (1,762 Eng., 1762 RK); $182,895.60 ($116,908.70 Eng., $65,986.90 RK).	207.60
(On-going) Requirement 7.	121 (PC & TP).	1	121	Eng. 11 hrs. ($729.85); RK 9 hrs. ($337.05).	2,420 hrs. (1,331 Eng., 1,089 RK); $129,094.90 ($88,311.85 Eng., $40,783.05 RK).	1,066.90
TOTAL			2851		57,640 [72] hrs. (31,792 Eng., 25,848 RK); $3,077,480.04 ($2,109,399.20 Eng., $968,080.84 RK).	.....

Title: FERC–725N, Mandatory Reliability Standards: TPL Reliability Standards.

Action: Proposed Additional Requirements.

OMB Control No: 1902–0264.

Respondents: Business or other for-profit and not-for-profit institutions.

Frequency of Responses: One time and on-going.

Necessity of the Information: The Commission has reviewed the requirements pertaining to proposed Reliability Standard TPL–007–1 and has made a determination that the proposed requirements of this Reliability Standard are necessary to implement section 215 of the FPA. Specifically, these requirements address the threat posed by GMD events to the Bulk-Power System and conform to the Commission's directives regarding development of the Second Stage GMD Reliability Standards, as set forth in Order No. 779.

Internal review: The Commission has assured itself, by means of its internal review, that there is specific, objective support for the burden estimates associated with the information requirements.

67. Interested persons may obtain information on the reporting requirements by contacting the Federal Energy Regulatory Commission, Office of the Executive Director, 888 First Street NE., Washington, DC 20426 [Attention: Ellen Brown, email: *DataClearance@ferc.gov*, phone: (202) 502–8663, fax: (202) 273–0873].

68. Comments concerning the information collections proposed in this notice of proposed rulemaking and the associated burden estimates, should be sent to the Commission in this docket and may also be sent to the Office of Management and Budget, Office of Information and Regulatory Affairs [Attention: Desk Officer for the Federal Energy Regulatory Commission]. For security reasons, comments should be sent by email to OMB at the following email address: *oira_submission@omb.eop.gov*. Please reference FERC–725N and OMB Control No. 1902–0264 in your submission.

IV. Environmental Analysis

69. The Commission is required to prepare an Environmental Assessment or an Environmental Impact Statement for any action that may have a significant adverse effect on the human environment.[73] The Commission has categorically excluded certain actions from this requirement as not having a significant effect on the human environment. Included in the exclusion are rules that are clarifying, corrective, or procedural or that do not substantially change the effect of the regulations being amended.[74] The actions proposed here fall within this categorical exclusion in the Commission's regulations.

V. Regulatory Flexibility Act

70. The Regulatory Flexibility Act of 1980 (RFA)[75] generally requires a description and analysis of proposed rules that will have significant economic impact on a substantial number of small entities. The Small Business Administration's (SBA) Office of Size Standards develops the numerical definition of a small business.[76] The SBA revised its size standard for electric utilities (effective January 22, 2014) to a standard based on the number of employees, including affiliates (from a standard based on megawatt hours).[77] Under SBA's new size standards, planning coordinators, transmission planners, transmission owners, and generator owners are likely included in one of the following categories (with the associated size thresholds noted for each):[78]

- Hydroelectric power generation, at 500 employees
- Fossil fuel electric power generation, at 750 employees
- Nuclear electric power generation, at 750 employees
- Other electric power generation (*e.g.,* solar, wind, geothermal, biomass, and other), at 250 employees
- Electric bulk power transmission and control,[79] at 500 employees

71. Based on these categories, the Commission will use a conservative threshold of 750 employees for all entities.[80] Applying this threshold, the Commission estimates that there are 440 small entities that function as planning coordinators, transmission planners, transmission owners, and/or generator owners. However, the Commission estimates that only a subset of such small entities will be subject to the proposed Reliability Standard given the additional applicability criteria in the proposed Reliability Standard (*i.e.,* to be subject to the requirements of the proposed Reliability Standard, the applicable entity must own or must have a planning area that contains a large power transformer with a high side, wye grounded winding with terminal voltage greater than 200 kV).

72. Proposed Reliability Standard TPL–007–1 enhances reliability by establishing requirements that require applicable entities to perform GMD Vulnerability Assessments and to mitigate any identified vulnerabilities. The Commission estimates that each of the small entities to whom the proposed Reliability Standard TPL–007–1 applies will incur one-time compliance costs of $5,193.34 and annual ongoing costs of $5,233.50.

73. The Commission does not consider the estimated cost per small entity to impose a significant economic impact on a substantial number of small entities. Accordingly, the Commission certifies that the proposed Reliability Standard will not have a significant economic impact on a substantial number of small entities.

VI. Comment Procedures

74. The Commission invites interested persons to submit comments on the matters and issues proposed in this notice to be adopted, including any related matters or alternative proposals that commenters may wish to discuss. Comments are due July 27, 2015. Comments must refer to Docket No. RM15–11–000, and must include the commenter's name, the organization they represent, if applicable, and their address in their comments.

75. The Commission encourages comments to be filed electronically via the eFiling link on the Commission's Web site at *http://www.ferc.gov*. The Commission accepts most standard word processing formats. Documents created electronically using word processing software should be filed in native applications or print-to-PDF format and not in a scanned format. Commenters filing electronically do not need to make a paper filing.

[70] Eng.=engineer; RK =recordkeeping (record clerk); PC=planning coordinator; TP=transmission planner; TO=transmission owner; and GO=generator owner.

[71] The estimates for cost per response are derived using the following formula: Burden Hours per Response * $/hour = Cost per Response. The $66.35/hour figure for an engineer and the $37.45/hour figure for a record clerk are based on data on the average salary plus benefits from the Bureau of Labor Statistics obtainable at *http://www.bls.gov/oes/current/naics3_221000.htm* and *http://www.bls.gov/news.release/ecec.nr0.htm*.

[72] Of the 57,640 total burden hours, 42,137 hours are one time burden hours, and 15,503 hours are on-going annual burden hours.

[73] *Regulations Implementing the National Environmental Policy Act,* Order No. 486, FERC Stats. & Regs. Preambles 1986–1990 ¶ 30,783 (1987).

[74] 18 CFR 380.4(a)(2)(ii).

[75] 5 U.S.C. 601–12.

[76] 13 CFR 121.101.

[77] SBA Final Rule on ''Small Business Size Standards: Utilities,'' 78 FR 77,343 (Dec. 23, 2013).

[78] 13 CFR 121.201, Sector 22, Utilities.

[79] This category covers transmission planners and planning coordinators.

[80] By using the highest number threshold for all types of entities, our estimate conservatively treats more entities as ''small entities.''

76. Commenters that are not able to file comments electronically must send an original of their comments to: Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street NE., Washington, DC 20426.

77. All comments will be placed in the Commission's public files and may be viewed, printed, or downloaded remotely as described in the Document Availability section below. Commenters on this proposal are not required to serve copies of their comments on other commenters.

VII. Document Availability

78. In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the Internet through the Commission's Home Page (*http://www.ferc.gov*) and in the Commission's Public Reference Room during normal business hours (8:30 a.m. to 5:00 p.m. Eastern time) at 888 First Street NE., Room 2A, Washington DC 20426.

79. From the Commission's Home Page on the Internet, this information is available on eLibrary. The full text of this document is available on eLibrary in PDF and Microsoft Word format for viewing, printing, and/or downloading. To access this document in eLibrary, type the docket number excluding the last three digits of this document in the docket number field.

80. User assistance is available for eLibrary and the Commission's Web site during normal business hours from the Commission's Online Support at 202–502–6652 (toll free at 1–866–208–3676) or email at *ferconlinesupport@ferc.gov*, or the Public Reference Room at (202) 502–8371, TTY (202) 502–8659. Email the Public Reference Room at *public.referenceroom@ferc.gov*.

By direction of the Commission.

Issued: May 14, 2015.

Kimberly D. Bose,

Secretary.

[FR Doc. 2015–12466 Filed 5–22–15; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF STATE

22 CFR Parts 120, 122, 124, 125, and 126

[Public Notice 9136]

RIN 1400–AD79

Amendment to the International Traffic in Arms Regulations: Registration and Licensing of U.S. Persons Employed by Foreign Persons, and Other Changes

AGENCY: Department of State.

ACTION: Proposed rule.

SUMMARY: The Department of State proposes to amend the International Traffic in Arms Regulations (ITAR) to clarify requirements for the licensing and registration of U.S. persons providing defense services while in the employ of foreign persons. This amendment is pursuant to the President's Export Control Reform effort, as part of the Department of State's retrospective plan under Executive Order 13563 completed on August 17, 2011. The Department of State's full plan can be accessed at *http://www.state.gov/documents/organization/181028.pdf*.

DATES: The Department of State will accept comments on this proposed rule until July 27, 2015.

ADDRESSES: Interested parties may submit comments within 60 days of the date of publication by one of the following methods:

- *Email: DDTCPublicComments@state.gov* with the subject line, ''ITAR Amendment—U.S. Persons Employed by Foreign Persons.''
- *Internet:* At *www.regulations.gov*, search for this proposed rule by using its RIN (1400–AD79).

Comments received after that date will be considered if feasible, but consideration cannot be assured. Those submitting comments should not include any personally identifying information they do not desire to be made public or any information for which a claim of confidentiality is asserted. All comments and transmittal emails will be made available for public inspection and copying after the close of the comment period via the Directorate of Defense Trade Controls (DDTC) Web site at *www.pmddtc.state.gov*. Parties who wish to comment anonymously may do so by submitting their comments via *www.regulations.gov*, leaving the fields that would identify the commenter blank and including no identifying information in the comment itself. Comments submitted via *www.regulations.gov* are immediately available for public inspection.

FOR FURTHER INFORMATION CONTACT: Mr. C. Edward Peartree, Director, Office of Defense Trade Controls Policy, Department of State, telephone (202) 663–1282; email *DDTCResponseTeam@state.gov*. ATTN: Regulatory Change, U.S. Persons Employed by Foreign Persons.

SUPPLEMENTARY INFORMATION:

Changes in This Rule Related to Registration and Licensing of U.S. Persons Employed by Foreign Persons

DDTC seeks to clarify the registration and licensing requirements for U.S. persons located in the United States or abroad who are engaged in the business of furnishing defense services to their foreign person employers. Similarly, DDTC seeks to clarify when these same persons may be covered under existing DDTC authorizations previously issued to their employers and affiliates, and when they are instead obligated to apply for their own license or agreement prior to engaging in the provisions of defense services.

The Department proposes to modify 22 CFR 120.40 *Affiliate,* add a definition for ''natural persons'' in 22 CFR 120.43, effect changes to 22 CFR 122.1 *Registration Requirements* and 22 CFR 122.4 *Notification of Changes in Information Furnished by Registrants,* and add an exemption for natural U.S. persons employed by foreign persons in 22 CFR 124.17, to better account for these persons and their services to their foreign person employers.

Scenarios impacted by these changes include but are not limited to the following:

(1) U.S. persons employed as regular employees of a U.S. company but working at a foreign branch of that company; (2) U.S. persons employed as regular employees of a U.S. company's foreign subsidiary or affiliate where the U.S. company is actively participating in the provision of services to the foreign subsidiary or affiliate; (3) U.S. persons employed as regular employees of a U.S. company's foreign subsidiary or affiliate where the U.S. company is not actively participating in the provision of services to the foreign subsidiary or affiliate; (4) U.S. persons employed outside the United States as independent contractors who do not meet the definition of a regular employee; and (5) U.S. persons employed as regular employees of a foreign company with no U.S. affiliation.

The following are the proposed changes:

(1) The note to 22 CFR 120.40 is redesignated as note 1;

(2) A second note is added to 22 CFR 120.40 to clarify that under specified circumstances, minority owners of a firm may list that company on their registration;

(3) 22 CFR 120.43 is added to provide a definition of ''natural person'';

(4) 22 CFR 122.1 is revised to clarify the existing requirement that U.S. persons performing defense services abroad are required to be registered pursuant to 22 CFR 122.2;

(5) A note is added to 22 CFR 122.1 to clarify that natural persons employed by affiliates or subsidiaries of and listed on a U.S. person's registration are deemed to be registered as well;

(6) A minor revision is made to 22 CFR 122.2 to clarify that subsidiaries and affiliates controlled by a registrant pursuant to 22 CFR 120.40 may be included on the registrant's Statement of Registration;

(7) 22 CFR 124.1(a) is revised to clarify that defense services performed by natural U.S. persons may be authorized via a DSP–5;

(8) 22 CFR 124.1(b) is revised to clarify that applicants will forward copies of approved agreements involving classified defense articles to the Department of Defense;

(9) An exemption for natural U.S. persons employed by foreign persons located in NATO countries and other specified nations is added in 22 CFR 124.17; and

(10) An exemption for natural U.S. persons employed by foreign persons engaged in FMS-related activities is added in 22 CFR 126.6(c)(7).

Regarding the addition of 22 CFR 124.17, the Department reiterates that the use of exemptions to authorize exports and/or temporary imports of defense articles and defense services to countries listed in 22 CFR 126.1 is not allowed, as noted in paragraph (a) of the latter section.

Other Changes in This Rule

The following are the proposed changes:

(1) 22 CFR 120.39 is revised to clarify that the phrase ''long term'' denotes a period of at least 1 year;

(2) 22 CFR 125.4(b)(2) and (b)(12) are removed to reserve status due to their redundancy with the exemptions in 22 CFR 124.3 and 22 CFR part 126;

(3) 22 CFR 126.6(c) is amended to clarify that the exemption extends to classified as well as unclassified Foreign Military Sales (FMS) defense articles permanently or temporarily imported or exported, provided their transfer is made pursuant to a Letter of Offer and Acceptance; and

(4) Administrative corrections are made to 22 CFR 126.6(c).

Request for Comments

The Department welcomes public comment on any of the proposed changes set forth in this rule. In particular, we invite comments from foreign persons who currently employ or are contemplating engaging U.S. persons as regular employees or independent contractors, as well as from current or future employees and contractors themselves.

In the context of Export Control Reform, as well as to accommodate the changes proposed in this rule, DDTC is considering modifying its registration fee structure. Of the many options being explored, one alternative involves providing a reduced base fee for individuals or natural U.S. persons, as defined in the proposed 22 CFR 120.43. The Department encourages the public to consider these proposed changes when reviewing this rule.

Regulatory Analysis and Notices

Administrative Procedure Act

Controlling the import and export of defense articles and services is a foreign affairs function of the United States government and rules implementing this function are exempt from sections 553 (rulemaking) and 554 (adjudications) of the Administrative Procedure Act (APA). Although this rule is exempt from the rulemaking provisions of the APA, the Department is publishing this rule with a 60-day provision for public comment and without prejudice to its determination that controlling the import and export of defense services is a foreign affairs function.

Regulatory Flexibility Act

Since this rule is exempt from the rulemaking provisions of 5 U.S.C. 553, it does not require analysis under the Regulatory Flexibility Act.

Unfunded Mandates Reform Act of 1995

These proposed amendments do not involve a mandate that will result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of $100 million or more in any year and they will not significantly or uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

Small Business Regulatory Enforcement Fairness Act of 1996

These proposed amendments have been found not to be a major rule within the meaning of the Small Business Regulatory Enforcement Fairness Act of 1996.

Executive Orders 12372 and 13132

These proposed amendments will not have substantial direct effects 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. Therefore, in accordance with Executive Order 13132, it is determined that these proposed amendments do not have sufficient federalism implications to require consultations or warrant the preparation of a federalism summary impact statement. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities do not apply to these proposed amendments.

Executive Orders 12866 and 13563

Executive Orders 13563 and 12866 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributed impacts, and equity). Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This rule has not been designated a ''significant regulatory action,'' under section 3(f) of Executive Order 12866. Accordingly, the rule has not been reviewed by the Office of Management and Budget (OMB).

Executive Order 12988

The Department of State has reviewed the proposed amendments in light of sections 3(a) and 3(b)(2) of Executive Order 12988 to eliminate ambiguity, minimize litigation, establish clear legal standards, and reduce burden.

Executive Order 13175

The Department of State has determined that this rulemaking will not have tribal implications, will not impose substantial direct compliance costs on Indian tribal governments, and will not preempt tribal law. Accordingly, Executive Order 13175 does not apply to this rulemaking.

Paperwork Reduction Act

Notwithstanding any other provision of law, no person is required to respond to, nor is subject to a penalty for failure to comply with, a collection of information, subject to the requirements of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) (PRA), unless that collection of information displays a currently valid OMB control number. This proposed rule would affect the following approved collections: (1) Statement of Registration, DS–2032, OMB No. 1405–0002; (2) Application/License for Permanent Export of Unclassified Defense Articles and Related Unclassified Technical Data, DSP–5, OMB No. 1405–0003; (3) Nontransfer and Use Certificate, DSP–83, OMB No. 1405–0021; (4) Application/License for Permanent/Temporary Export or Temporary Import of Classified Defense Articles and Classified Technical Data, DSP–85, OMB No. 1405–0022; (5) Authority to Export Defense Articles and Services Sold Under the Foreign Military Sales (FMS) Program, DSP–94, OMB No. 1405–0051; (6) Application for Amendment to License for Export or Import of Classified or Unclassified Defense Articles and Related Technical Data, DSP–6, –62, –74, –119, OMB No. 1405–0092; (7) Request for Approval of Manufacturing License Agreements, Technical Assistance Agreements, and Other Agreements, DSP–5, OMB No. 1405–0093; (8) Maintenance of Records by Registrants, OMB No. 1405–0111; (9) Voluntary Disclosure, OMB No. 1405–0179; and (10) Technology Security/Clearance Plans, Screening Records, and Non-Disclosure Agreements Pursuant to 22 CFR 126.18, OMB No. 1405–0195. The Department of State believes there will be minimal changes to these collections.

List of Subjects

22 CFR Part 120

Arms and munitions, Exports.

22 CFR Part 122

Arms and munitions, Exports.

22 CFR Part 124

Arms and munitions, Exports, Technical assistance.

22 CFR Part 125

Arms and munitions, Classified information, Exports.

22 CFR Part 126

Arms and munitions, Exports.

For the reasons set forth above, Title 22, Chapter I, Subchapter M, parts 120, 122, 124, 125 and 126 are proposed to be amended as follows:

PART 120—PURPOSE AND DEFINITIONS

■ 1. The authority citation for part 120 continues to read as follows:

Authority: Secs. 2, 38, and 71, Pub. L. 90–629, 90 Stat. 744 (22 U.S.C. 2752, 2778, 2797); 22 U.S.C. 2794; 22 U.S.C. 2651a; Pub. L. 105–261, 112 Stat. 1920; Pub. L. 111–266; Section 1261, Pub. L. 112–239; E.O. 13637, 78 FR 16129.

■ 2. Section 120.39 is amended by revising paragraph (a)(2) to read as follows:

§ 120.39 Regular employee.

(a) * * *

(2) An individual in a long term (*i.e.,* 1 year or longer) contractual relationship with the company where the individual:

(i) Works at the company's facilities;

(ii) Works under the company's direction and control;

(iii) Works full time and exclusively for the company;

(iv) Executes nondisclosure certifications for the company; and

(v) Where the staffing agency that has seconded the individual (if applicable) has no role in the work the individual performs (other than providing that individual for that work) and does not have access to any controlled technology (other than where specifically authorized by a license).

* * * * *

■ 3. Section 120.40 is amended by removing the Note and adding Note 1 and Note 2 to read as follows:

§ 120.40 Affiliate.

* * * * *

Note 1 to § 120.40: For purposes of this section, ''control'' means having the authority or ability to establish or direct the policies or operations of the firm with respect to compliance with this subchapter. Control is rebuttably presumed to exist where there is ownership of 25 percent or more of the outstanding voting securities if no other person controls an equal or larger percentage.

Note 2 to § 120.40: A registrant may establish a control relationship with another entity via written agreement such that the entity then becomes an affiliate in accordance with section. The registrant may include such an affiliate on its registration, in accordance with this subchapter and subject to DDTC's disallowance. If an affiliate listed on a registration ceases to meet the requirements of this section, the registrant must immediately remove the affiliate from its registration and notify DDTC pursuant to § 122.4(a) of this subchapter.

■ 4. Section 120.43 is added to read as follows:

§ 120.43 Natural person.

Natural person means an individual human being, as distinguished from a corporation, business association, partnership, society, trust, or any other entity, organization or group.

PART 122—REGISTRATION OF MANUFACTURERS AND EXPORTERS

■ 5. The authority citation for part 122 continues to read as follows:

Authority: Sections 2 and 38, Pub. L. 90–629, 90 Stat. 744 (22 U.S.C. 2752, 2778); 22 U.S.C. 2651a; E.O. 13637, 78 FR 16129.

■ 6. Section 122.1 is amended by revising paragraph (a) and adding a note to paragraph (a) to read as follows:

§ 122.1 Registration requirements.

(a) Any person who engages in the United States in the business of manufacturing, exporting, or temporarily importing defense articles or furnishing defense services; and any U.S. person who engages in the business of furnishing defense services wherever located, is required to register with the Directorate of Defense Trade Controls under § 122.2. For the purpose of this subchapter, engaging in such a business requires only one occasion of manufacturing or exporting or temporarily importing a defense article or furnishing a defense service. A manufacturer who does not engage in exporting must nevertheless register. (*See* part 129 of this subchapter for requirements for registration of persons who engage in brokering activities.)

Note to paragraph (a): Any natural person directly employed by a DDTC-registered person, or by a person listed on the registration as a subsidiary or affiliate of a DDTC-registered U.S. person, is deemed to be registered.

* * * * *

§ 122.2 [Amended]

■ 7. Section 122.2(a) is amended by adding a comma between the words ''registrant'' and ''or'' in the third sentence.

■ 8. Section 122.4 is amended by revising paragraph (a)(2)(v) to read as follows:

§ 122.4 Notification of changes in information furnished by registrants.

(a) * * *

(2) * * *

(v) The establishment, acquisition, or divestment of a U.S. or foreign subsidiary or other affiliate who is engaged in manufacturing defense articles, exporting defense articles or defense services, or the inability of an affiliate listed on the registration to

continue meeting the requirements in § 120.40 of this subchapter; or

* * * * *

PART 124—AGREEMENTS, OFF-SHORE PROCUREMENT, AND OTHER DEFENSE SERVICES

■ 9. The authority citation for part 124 continues to read as follows:

Authority: Secs. 2, 38, and 71, Pub. L. 90–629, 90 Stat. 744 (22 U.S.C. 2752, 2778, 2797); 22 U.S.C. 2651a; 22 U.S.C. 2776; Pub. L. 105–261; Section 1261, Pub. L. 112–239; E.O. 13637, 78 FR 16129.

■ 10. Section 124.1 is amended as follows:

■ a. Add two sentences at the end of paragraph (a).

■ b. Revise paragraph (b).

The addition and revision read as follows:

§ 124.1 Manufacturing license agreements and technical assistance agreements.

(a) * * * The provision of defense services by a natural U.S. person may be authorized on a Form DSP–5. Natural U.S. persons employed as regular employees of a foreign subsidiary or affiliate listed on the registration of a U.S. person may receive authorization to provide defense services via an agreement between the registered U.S. person and the foreign subsidiary or affiliate, provided the registered U.S. person accepts responsibility for, and demonstrates ability to ensure, the natural U.S. person's compliance with the provisions of this subchapter.

(b) *Classified Articles.* Copies of approved agreements involving the release of classified defense articles will be forwarded by the applicant to the Defense Security Service of the Department of Defense.

* * * * *

■ 11. Section 124.17 is added to read as follows:

§ 124.17 Exemption for natural U.S. persons employed by foreign persons.

(a) A natural U.S. person employed by a foreign person may furnish defense services to and on behalf of the foreign person employer without a license if all of the following conditions are met:

(1) The employer is located within a NATO or EU country, Australia, Japan, New Zealand, and/or Switzerland, and the defense services are provided only in these countries;

(2) The end user(s) of the associated defense article(s) are located within NATO, EU, Australia, Japan, New Zealand, and/or Switzerland;

(3) No U.S.-origin defense articles, to include technical data, are transferred from the U.S. persons to the employer without separate authorization;

(4) No classified, SME, or MT technical data is transferred (even if separately authorized) in connection with the furnishing of defense services; and

(5) The U.S. person furnishing the defense services maintains records of such activities and complies with registration requirements in accordance with part 122 of this subchapter.

(b) [Reserved]

PART 125—LICENSES FOR THE EXPORT OF TECHNICAL DATA AND CLASSIFIED DEFENSE ARTICLES

■ 12. The authority citation for part 125 continues to read as follows:

Authority: Secs. 2 and 38, Pub. L. 90–629, 90 Stat. 744 (22 U.S.C. 2752, 2778); 22 U.S.C. 2651a; E.O. 13637, 78 FR 16129.

§ 125.4 [Amended]

■ 13. Section 125.4 is amended by removing and reserving paragraphs (b)(2) and (b)(12).

PART 126—GENERAL POLICIES AND PROVISIONS

■ 14. The authority citation for part 126 continues to read as follows:

Authority: Secs. 2, 38, 40, 42, and 71, Pub. L. 90–629, 90 Stat. 744 (22 U.S.C. 2752, 2778, 2780, 2791, and 2797); 22 U.S.C. 2651a; 22 U.S.C. 287c; E.O. 12918, 59 FR 28205; 3 CFR, 1994 Comp., p. 899; Sec. 1225, Pub. L. 108–375; Sec. 7089, Pub. L. 111–117; Pub. L. 111–266; Sections 7045 and 7046, Pub. L. 112–74; E.O. 13637, 78 FR 16129.

15. Section 126.6 is amended by revising paragraph (c) introductory text and adding paragraph (c)(7) to read as follows:

§ 126.6 Foreign-owned military aircraft and naval vessels, and the Foreign Military Sales program.

* * * * *

(c) *Foreign Military Sales Program.* A license from the Directorate of Defense Trade Controls is not required if the classified or unclassified defense article or defense service to be transferred was sold, leased, or loaned by the Department of Defense to a foreign country or international organization under the Foreign Military Sales (FMS) Program of the Arms Export Control Act pursuant to a Letter of Offer and Acceptance (LOA) authorizing such transfer (permanent or temporary), which meets the criteria stated below:

* * * * *

(7) Natural U.S. persons employed by foreign persons may provide defense services to and on behalf of their employers without a license if all of the following conditions are met:

(i) The defense services are provided in support of an active FMS contract and are identified in an executed LOA;

(ii) No U.S.-origin defense articles are transferred from the U.S. person to the employer, without separate authorization;

(iii) The provision of defense services is not to a country identified in § 126.1;

(iv) No classified or SME technical data is disclosed (even if separately authorized) in connection with the furnishing of defense services; and

(v) The U.S. person furnishing the defense services maintains records of such activities and complies with registration requirements in accordance with part 122 of this subchapter.

Rose E. Gottemoeller,

Under Secretary, Arms Control and International Security, Department of State.

[FR Doc. 2015–12643 Filed 5–22–15; 8:45 am]

BILLING CODE 4710–25–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

24 CFR Chapter IX

[Docket No. FR–5650–N–09]

Native American Housing Assistance and Self-Determination Act of 1996: Negotiated Rulemaking Committee; Notice of Seventh Meeting

AGENCY: Office of Assistant Secretary for Public and Indian Housing, HUD.

ACTION: Notice of meetings of negotiated rulemaking committee.

SUMMARY: This notice announces the seventh meeting of the Indian Housing Block Grant (IHBG) program negotiated rulemaking committee.

DATES: The seventh meeting will be held on Tuesday, August 11, 2015, Wednesday, August 12, 2015, and Thursday, August 13, 2015. On each day, the session will begin at approximately 8:30 a.m., and adjourn at approximately 5:30 p.m.

ADDRESSES: The meeting will take place at the Double-Tree-Scottsdale, 6333 North Scottsdale Road, Scottsdale, Arizona 85250–7090.

FOR FURTHER INFORMATION CONTACT: Rodger J. Boyd, Deputy Assistant Secretary for Native American Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street SW., Room 4126, Washington, DC 20410, telephone number 202–401–7914 (this is not a toll-free number). Hearing- or speech-impaired individuals may access this number via TTY by calling

the toll-free Federal Relay Service at 1–800–877–8339.

SUPPLEMENTARY INFORMATION:

I. Background

The Native American Housing and Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 *et seq.*) (NAHASDA) changed the way that housing assistance is provided to Native Americans. NAHASDA eliminated several separate assistance programs and replaced them with a single block grant program, known as the Indian Housing Block Grant (IHBG) program. The regulations governing the IHBG formula allocation are codified in subpart D of part 1000 of HUD's regulations in title 24 of the Code of Federal Regulations. In accordance with section 106 of NAHASDA, HUD developed the regulations with active tribal participation using the procedures of the Negotiated Rulemaking Act of 1990 (5 U.S.C. 561–570).

Under the IHBG program, HUD makes assistance available to eligible Indian tribes for affordable housing activities. The amount of assistance made available to each Indian tribe is determined using a formula that was developed as part of the NAHASDA negotiated process. Based on the amount of funding appropriated for the IHBG program, HUD calculates the annual grant for each Indian tribe and provides this information to the Indian tribes. An Indian Housing Plan for the Indian tribe is then submitted to HUD. If the Indian Housing Plan is found to be in compliance with statutory and regulatory requirements, the grant is made.

On July 3, 2012 at 77 FR 39452, HUD announced its intention to establish a negotiated rulemaking committee for the purpose of developing regulatory changes to the formula allocation for the IHBG program. On June 12, 2013 at 78 FR 35178, HUD announced the list of proposed members for the negotiated rulemaking committee, and requested additional public comment on the proposed membership. On July 30, 2013 at 78 FR 45903, HUD announced the final list of committee members to revise the allocation formula used under the IHBG.

Committee meetings have taken place on August 27–28, 2013, September 17–19, 2013, April 23–24, 2014, June 11–13, 2014, July 29–31, 2014, and August, 26–28, 2014. All of the Committee meetings were announced in the **Federal Register** and were open to the public.[1]

[1] See, 78 FR 45903 (July 30, 2013), 78 FR 54416 (September 4, 2013), 79 FR 14204 (March 13, 2014), 79 FR 29700 (May 23, 2014).

II. Seventh Committee Meetings

The seventh meeting of the IHBG Formula Negotiation Rulemaking Committee will be held on Tuesday, August 11, 2015, Wednesday, August 12, 2015, and Thursday, August 13, 2015. On each day, the session will begin at approximately 8:30 a.m., and adjourn at approximately 5:30 p.m. The meeting will take place at the Hilton Scottsdale, 6333 North Scottsdale Road, Scottsdale, Arizona.

These meetings will be open to the public without advance registration. Public attendance may be limited to the space available. Members of the public may make statements during the meetings, to the extent time permits, and file written statements with the committee for its consideration. Written statements should be submitted to the address listed in the **FOR FURTHER INFORMATION** section of this document.

III. Future Committee Meetings

Notices of all future meetings will be published in the **Federal Register**. HUD will make every effort to publish such notices at least 15 calendar days prior to each meeting.

Dated: May 13, 2015.

Lourdes Castro Ramírez,

Principal Deputy Assistant Secretary for Public and Indian Housing.

[FR Doc. 2015–12648 Filed 5–22–15; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2015–0276]

RIN 1625–AA00

Safety Zone, Swim Around Charleston; Charleston, SC

AGENCY: Coast Guard, DHS.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to establish a temporary moving safety zone during the Swim Around Charleston, a swimming race occurring on the Wando River, the Cooper River, Charleston Harbor, and the Ashley River, in Charleston, South Carolina. The Swim Around Charleston is scheduled on Saturday, September 26, 2015. The temporary moving safety zone is necessary to protect swimmers, participant vessels, spectators, and the general public during the event. Persons and vessels would be prohibited from entering the safety zone unless authorized by the Captain of the Port Charleston or a designated representative.

DATES: Comments and related material must be received by the Coast Guard on or before June 25, 2015. Requests for public meetings must be received by the Coast Guard on or before August 1, 2015.

ADDRESSES: You may submit comments identified by docket number using any one of the following methods:

(1) *Federal eRulemaking Portal: http://www.regulations.gov.*

(2) *Fax:* 202–493–2251.

(3) *Mail or Delivery:* 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. Deliveries accepted between 9 a.m. and 5 p.m., Monday through Friday, except federal holidays. The telephone number is 202–366–9329.

See the ''Public Participation and Request for Comments'' portion of the **SUPPLEMENTARY INFORMATION** section below for further instructions on submitting comments. To avoid duplication, please use only one of these three methods.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email Chief Warrant Officer Christopher Ruleman, Sector Charleston Office of Waterways Management, Coast Guard; telephone (843)-740–3184, email *Christopher.L.Ruleman@uscg.mil.* If you have questions on viewing or submitting material to the docket, call Cheryl Collins, Program Manager, Docket Operations, telephone (202) 366–9826.

SUPPLEMENTARY INFORMATION:

Table of Acronyms

DHS Department of Homeland Security
FR Federal Register
NPRM Notice of proposed rulemaking

A. Public Participation and Request for Comments

We encourage you to participate in this rulemaking by submitting comments and related materials. All comments received will be posted without change to *http://www.regulations.gov* and will include any personal information you have provided.

1. Submitting Comments

If you submit a comment, please include the docket number for this rulemaking, indicate the specific section of this document to which each comment applies, and provide a reason

for each suggestion or recommendation. You may submit your comments and material online at *http://www.regulations.gov*, or by fax, mail, or hand delivery, but please use only one of these means. If you submit a comment online, it will be considered received by the Coast Guard when you successfully transmit the comment. If you fax, hand deliver, or mail your comment, it will be considered as having been received by the Coast Guard when it is received at the Docket Management Facility. We recommend that you include your name and a mailing address, an email address, or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

To submit your comment online, go to *http://www.regulations.gov*, type the docket number USCG–2015–0276 in the ''SEARCH'' box and click ''SEARCH.'' Click on ''Submit a Comment'' on the line associated with this rulemaking.

If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit comments by mail and would like to know that they reached the Facility, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period and may change the rule based on your comments.

2. Viewing Comments and Documents

To view comments, as well as documents mentioned in this preamble as being available in the docket, go to *http://www.regulations.gov*, type the docket number USCG–2015–0276 in the ''SEARCH'' box and click ''SEARCH.'' Click on Open Docket Folder on the line associated with this rulemaking. You may also visit the Docket Management Facility in Room W12–140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

3. Privacy Act

Anyone can search the electronic form of comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review a Privacy Act notice regarding our public dockets in the January 17, 2008, issue of the **Federal Register** (73 FR 3316).

4. Public Meeting

We do not now plan to hold a public meeting. But you may submit a request for one, using one of the methods specified under **ADDRESSES**. Please explain why you believe a public meeting would be beneficial. If we determine that one would aid this rulemaking, we will hold one at a time and place announced by a later notice in the **Federal Register**.

B. Basis and Purpose

The legal basis for the proposed rule is the Coast Guard's authority to establish regulated navigation areas and other limited access areas: 33 U.S.C. 1226, 1231; 33 CFR 1.05–1(g), and 160.5; Department of Homeland Security Delegation No. 0170.1.

The purpose of the proposed rule is to ensure the safety of the swimmers, participant vessels, spectators, and the general public during the Swim Around Charleston.

C. Discussion of Proposed Rule

On Saturday, September 26, 2015, the Swim Around Charleston is scheduled to take place on the Wando River, the Cooper River, Charleston Harbor, and the Ashley River, in Charleston, South Carolina. The Swim Around Charleston will consist of a 12 mile swim that starts at Remley's Point on the Wando River, crosses the main shipping channel of Charleston Harbor, and finishes at the I–526 bridge and boat landing on the Ashley River.

The proposed rule would establish a temporary moving safety zone of 50 yards in front of the lead safety vessel preceding the first race participant, 50 yards behind the safety vessel trailing the last race participants, and at all times extend 100 yards on either side of safety vessels. The temporary moving safety zone would be enforced from 12:00 p.m. until 6:00 p.m. on September 26, 2015.

Persons and vessels would be prohibited from entering or transiting through the safety zone unless authorized by the Captain of the Port Charleston or a designated representative. Persons and vessels would be able to request authorization to enter or transit through the safety zone by contacting the Captain of the Port Charleston by telephone at (843) 740–7050, or a designated representative via VHF radio on channel 16.

D. Regulatory Analyses

We developed this proposed rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on a number of these statutes or executive orders.

1. Regulatory Planning and Review

This proposed rule is not a significant regulatory action under section 3(f) of Executive Order 12866, Regulatory Planning and Review, as supplemented by Executive Order 13563, Improving Regulation and Regulatory Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of Executive Order 12866 or under section 1 of Executive Order 13563. The Office of Management and Budget has not reviewed it under those Orders.

The economic impact of this proposed rule is not significant for the following reasons: (1) The safety zone would only be enforced for a total of six hours; (2) the safety zone would move with the participant vessels so that once the swimmers clear a portion of the waterway, the safety zone would no longer be enforced in that portion of the waterway; (3) although persons and vessels would not be able to enter or transit through the safety zone without authorization from the Captain of the Port Charleston or a designated representative, they would be able to operate in the surrounding area during the enforcement period; (4) persons and vessels would still be able to enter or transit through the safety zone if authorized by the Captain of the Port Charleston or a designated representative; and (5) the Coast Guard would provide advance notification of the safety zone to the local maritime community by Local Notice to Mariners and Broadcast Notice to Mariners.

2. Impact on Small Entities

The Regulatory Flexibility Act of 1980 (RFA), 5 U.S.C. 601–612, as amended, requires federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard certifies under 5 U.S.C. 605(b) that this proposed rule will not have a significant economic impact on a substantial number of small entities.

This proposed rule may affect the following entities, some of which may be small entities: the owners or operators of vessels intending to enter, transit through, anchor in, or remain within that portion of the Wando River, the Cooper River, Charleston Harbor, and the Ashley River in Charleston, South Carolina encompassed within the

safety zone from 12:00 p.m. until 6:00 p.m. on Saturday, September 26, 2015. For the reasons discussed in the Regulatory Planning and Review section above, this proposed rule would not have a significant economic impact on a substantial number of small entities. If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this rule would have a significant economic impact on it, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and how and to what degree this rule would economically affect it.

3. Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this proposed rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT**, above. The Coast Guard will not retaliate against small entities that question or complain about this proposed rule or any policy or action of the Coast Guard.

4. Collection of Information

This proposed rule will not call for a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520.).

5. Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has 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. We have analyzed this proposed rule under that Order and determined that this rule does not have implications for federalism.

6. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact the person listed in the ''For Further Information Contact'' section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

7. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of $100,000,000 (adjusted for inflation) or more in any one year. Though this proposed rule would not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

8. Taking of Private Property

This proposed rule would not cause a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

9. Civil Justice Reform

This proposed rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

10. Protection of Children From Environmental Health Risks

We have analyzed this proposed rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and would not create an environmental risk to health or risk to safety that might disproportionately affect children.

11. Indian Tribal Governments

This proposed rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian tribal Governments, because it would not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

12. Energy Effects

This proposed rule is not a ''significant energy action'' under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use.

13. Technical Standards

This proposed rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

14. Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.lD, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have concluded this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves a special local regulation issued in conjunction with a regatta or marine parade. This rule is categorically excluded from further review under paragraph 34(g) of Figure 2–1 of the Commandant Instruction. We seek any comments or information that may lead to the discovery of a significant environmental impact from this rule.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard proposes to amend 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 1. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegation No. 0170.1.

■ 2. Add a temporary § 165.T07–0276 to read as follows:

§ 165.T07–0276 Safety Zone; Swim Around Charleston, Charleston, SC.

(a) *Regulated areas.* The following regulated area is a moving safety zone: all waters 50 yards in front of the lead safety vessel preceding the first race participants, 50 yards behind the safety vessel trailing the last race participants, and at all times extend 100 yards on either side of safety vessels. The Swim Around Charleston swimming race consists of a 12 mile course that starts at Remley's Point on the Wando River in approximate position 32°48′49″ N., 79°54′27″ W., crosses the main shipping channel under the main span of the Ravenel Bridge, and finishes at the I–526 bridge and boat landing on the Ashley River in approximate position 32°50′14″ N., 80°01′23″ W. All coordinates are North American Datum 1983.

(b) *Definition.* The term ''designated representative'' means Coast Guard

Patrol Commanders, including Coast Guard coxswains, petty officers, and other officers operating Coast Guard vessels, and Federal, state, and local officers designated by or assisting the Captain of the Port Charleston in the enforcement of the regulated areas.

(c) *Regulations.* (1) All persons and vessels are prohibited from entering or transiting through the regulated areas unless authorized by the Captain of the Port Charleston or a designated representative.

(2) Persons and vessels desiring to enter or transit through the regulated areas may contact the Captain of the Port Charleston by telephone at (843) 740–7050, or a designated representative via VHF radio on channel 16, to request authorization. If authorization to enter or transit through the regulated areas is granted by the Captain of the Port Charleston or a designated representative, all persons and vessels receiving such authorization must comply with the instructions of the Captain of the Port Charleston or a designated representative.

(3) The Coast Guard will provide notice of the regulated areas by Local Notice to Mariners, Broadcast Notice to Mariners, and on-scene designated representatives.

(d) *Effective date.* This rule is effective on Saturday, September 26, 2015, and will be enforced from 12:00 p.m. until 6:00 p.m.

Dated: May 1, 2015.

G.L. Tomasulo,

Captain, U.S. Coast Guard, Captain of the Port Charleston.

[FR Doc. 2015–12634 Filed 5–22–15; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2015–0123]

RIN 1625–AA00

Safety Zone; The Southside Outside, Allegheny River, Mile Marker, 0–0.25, Monongahela River, Mile Marker, 0–3.09

AGENCY: Coast Guard, DHS.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard is proposing to establish a temporary safety zone extending 200 feet from the left bank Allegheny River Mile 0.0 to 0.25 and extending 200 feet from the right bank Monongahela River Mile 0.0 to 3.09 from 8:00 a.m. to 11:00 a.m. September 5, 2015. A safety zone will also be established extending 300 feet from the left bank Monongahela River Mile 2.32 to 3.09 from 11:00 a.m. to 4:00 p.m. September 5, 2015. This safety zone is needed to protect persons and vessels from the potential safety hazards associated with a paddle board marine event. Entry into this zone will be prohibited to all vessels, mariners, and persons unless specifically authorized by the Captain of the Port (COTP), Pittsburgh or a designated representative.

DATES: Comments and related material must be received by the Coast Guard on or before June 10, 2015.

ADDRESSES: You may submit comments identified by docket number using any one of the following methods:

(1) *Federal eRulemaking Portal: http://www.regulations.gov.*

(2) *Fax:* 202–493–2251.

(3) *Mail or Delivery:* 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. Deliveries accepted between 9 a.m. and 5 p.m., Monday through Friday, except federal holidays. The telephone number is 202–366–9329.

See the ''Public Participation and Request for Comments'' portion of the **SUPPLEMENTARY INFORMATION** section below for further instructions on submitting comments. To avoid duplication, please use only one of these three methods.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email MST1 Jennifer Haggins, Marine Safety Unit Pittsburgh Waterways Management Division, U.S. Coast Guard; telephone (412)221–0807, email *Jennifer.L.Haggins@uscg.mil.* If you have questions on viewing or submitting material to the docket, call Cheryl F. Collins, Program Manager, Docket Operations, telephone (202) 366–9826.

SUPPLEMENTARY INFORMATION:

Table of Acronyms

DHS Department of Homeland Security
FR Federal Register
NPRM Notice of Proposed Rulemaking
SAR Search and Rescue

A. Public Participation and Request for Comments

We encourage you to participate in this rulemaking by submitting comments and related materials. All comments received will be posted without change to *http://www.regulations.gov* and will include any personal information you have provided.

1. Submitting Comments

If you submit a comment, please include the docket number for this rulemaking, indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation. You may submit your comments and material online at *http://www.regulations.gov,* or by fax, mail, or hand delivery, but please use only one of these means. If you submit a comment online, it will be considered received by the Coast Guard when you successfully transmit the comment. If you fax, hand deliver, or mail your comment, it will be considered as having been received by the Coast Guard when it is received at the Docket Management Facility. We recommend that you include your name and a mailing address, an email address, or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

To submit your comment online, go to *http://www.regulations.gov,* type the docket number [USCG–2015–0123] in the ''SEARCH'' box and click ''SEARCH.'' Click on ''Submit a Comment'' on the line associated with this rulemaking.

If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit comments by mail and would like to know that they reached the Facility, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period and may change the rule based on your comments.

2. Viewing Comments and Documents

To view comments, as well as documents mentioned in this preamble as being available in the docket, go to *http://www.regulations.gov,* type the docket number (USCG–2015–0123) in the ''SEARCH'' box and click ''SEARCH.'' Click on Open Docket Folder on the line associated with this rulemaking. You may also visit the Docket Management Facility in Room W12–140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

3. Privacy Act

Anyone can search the electronic form of comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review a Privacy Act notice regarding our public dockets in the January 17, 2008, issue of the **Federal Register** (73 FR 3316).

4. Public Meeting

We do not now plan to hold a public meeting. But you may submit a request for one using one of the methods specified under **ADDRESSES**. Please explain why you believe a public meeting would be beneficial. If we determine that one would aid this rulemaking, we will hold one at a time and place announced by a later notice in the **Federal Register**.

B. Regulatory History and Information

The Coast Guard has a long history working with local, state, and federal agencies in areas to improve emergency response, to prepare for events that call for swift action, and to protect our nation. The Coast Guard is proposing to establish this safety zone on the waters of the Allegheny and Monongahela Rivers in Pittsburgh, Pennsylvania for the Southside Outside Paddleboard Marine Event. The marine event is scheduled to take place from 8:00 a.m. to 4:00 p.m. on September 5, 2015. This proposed rule is necessary to protect the safety of the participants, spectators, commercial traffic, and the general public on the navigable waters of the United States during the event.

C. Basis and Purpose

The legal basis and authorities for this proposed rule are found in 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05–1; 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegation No. 0170.1, which collectively authorize the Coast Guard to propose, establish, and define regulatory safety zones. The purpose of this proposed safety zone is to protect public boaters and their vessels from potential safety hazards associated with the Paddleboard marine event on the Allegheny and Monongahela Rivers, Pittsburgh, Pennsylvania.

D. Discussion of Proposed Rule

This proposed rule is necessary to establish a Safety Zone that will encompass certain waters of the Allegheny and Monongahela Rivers in Pittsburgh, Pennsylvania. The proposed Safety Zone regulations would be enforced from approximately 8:00 a.m. to 4:00 p.m. for approximately 8 hours on September 5, 2015. As proposed, the Safety Zone would extend 200 feet from the left bank of the Allegheny River Mile 0.0 to 0.25 and extend 200 feet from the right bank of the Monongahela River Mile 0.0 to 3.09 from 8:00 a.m. to 11:00 a.m. September 5, 2015. A safety zone is also proposed to extend 300 feet from the left bank of the Monongahela River Mile 2.32 to 3.09 from 11:00 a.m. to 4:00 p.m. September 5, 2015. All persons and vessels, except those persons and vessels participating in the paddleboard marine event and those vessels enforcing the areas, would be prohibited from entering, transiting through, anchoring in, or remaining within the proposed safety zone areas.

Persons and vessels may request authorization to enter, transit through, anchor in, or remain within the enforcement areas by contacting the Captain of the Port Pittsburgh by telephone at (412) 221–0807, or a designated representative via VHF radio on channel 16. If authorization to enter, transit through, anchor in, or remain within the enforcement areas is granted by the Captain of the Port Pittsburgh or a designated representative, all persons and vessels receiving such authorization must comply with the instructions of the Captain of the Port Pittsburgh or a designated representative.

E. Regulatory Analyses

We developed this proposed rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on a number of these statutes or executive orders.

1. Regulatory Planning and Review

This proposed rule is not a significant regulatory action under section 3(f) of Executive Order 12866, Regulatory Planning and Review, as supplemented by Executive Order 13563, Improving Regulation and Regulatory Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of Executive Order 12866 or under section 1 of Executive Order 13563. The Office of Management and Budget has not reviewed it under those Orders. The temporary safety zone listed in this proposed rule will only restrict vessel traffic from entering, transiting, or anchoring within a small portion of the Allegheny and Monongahela Rivers. The effect of this proposed regulation will not be significant for several reasons: (1) this rule will not affect vessel traffic; (2) the impacts on routine navigation are expected to be minimal because notifications to the marine community will be made through local notice to mariners (LNM) and broadcast notice to mariners (BNM). Therefore, these notifications will allow the public to plan operations around the proposed safety zone and its enforcement times.

2. Impact on Small Entities

The Regulatory Flexibility Act of 1980 (RFA), 5 U.S.C. 601–612, as amended, requires federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard certifies under 5 U.S.C. 605(b) that this proposed rule will not have a significant economic impact on a substantial number of small entities.

This proposed rule will affect the following entities, some of which may be small entities: the owners or operators of vessels intending to transit the Allegheny River from mile 0 to mile 0.25 and Monongahela River mile 0 to mile 3.09 effective from 8:00 a.m. to 4:00 p.m. on September 5, 2015. This proposed safety zone will not have a significant economic impact on a substantial number of small entities because this proposed rule will not impede navigational traffic. Traffic in this area is limited to almost entirely recreational vessels and commercial towing vessels. Notifications to the marine community will be made through BNMs and electronic mail. Notices of changes to the proposed safety zone and scheduled effective times and enforcement periods will also be made. Deviation from the proposed restrictions may be requested from the COTP or designated representative and will be considered on a case-by-case basis.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this rule would have a significant economic impact on it, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and how and to what degree this rule would economically affect it.

3. Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this proposed rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person

listed in the **FOR FURTHER INFORMATION CONTACT**, above. The Coast Guard will not retaliate against small entities that question or complain about this proposed rule or any policy or action of the Coast Guard.

4. Collection of Information

This proposed rule will not call for a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520.).

5. Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has 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. We have analyzed this proposed rule under that Order and determined that this rule does not have implications for federalism.

6. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

7. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of $100,000,000 (adjusted for inflation) or more in any one year. Though this proposed rule would not result in such expenditure, we do discuss the effects of this rule elsewhere in this preamble.

8. Taking of Private Property

This proposed rule would not cause a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

9. Civil Justice Reform

This proposed rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

10. Protection of Children From Environmental Health Risks

We have analyzed this proposed rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and would not create an environmental risk to health or risk to safety that might disproportionately affect children.

11. Indian Tribal Governments

This proposed rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it would not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

12. Energy Effects

This proposed rule is not a ''significant energy action'' under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use.

13. Technical Standards

This proposed rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

14. Environment

We have analyzed this proposed rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.lD, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA)(42 U.S.C. 4321–4370f), and have made a preliminary determination that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This proposed rule involves establishing temporary safety zones. Safety Zone extending 200 feet from the left bank Allegheny River Mile 0.0 to 0.25 and extending 200 feet from the right bank Monongahela River Mile 0.0 to 3.09 from 8:00 a.m. to 11:00 a.m. September 5, 2015. A safety zone will also be established extending 300 feet from the left bank Monongahela River Mile 2.32 to 3.09 from 11:00 a.m. to 4:00 p.m. September 5, 2015. This rule is categorically excluded from further review under paragraph 34(g) of Figure 2–1 of the Commandant Instruction. A preliminary environmental analysis checklist supporting this determination and a Categorical Exclusion Determination are available in the docket where indicated under **ADDRESSES**. We seek any comments or information that may lead to the discovery of a significant environmental impact from this proposed rule.

List of Subjects in 33 CFR Part 165

Marine safety, Navigation (water), Reporting and recordkeeping requirements, Waterways.

For the reasons discussed in the preamble, the Coast Guard proposes to amend 33 CFR part 165 as follows:

PART 165— REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 1. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegation No. 0170.1.

■ 2. A new temporary § 165.T08–0123 is added to read as follows:

§ 165.T08–0123 Safety Zone, The Southside Outside; Allegheny River, Mile 0.0 to 0.25, Monongahela River, Mile 0–3.09.

(a) *Location.* The following areas are temporary safety zones:

(1) All waters extending 200 feet from the left bank of the Allegheny River Mile 0.0 to 0.25 and extending 200 feet from the right bank of the Monongahela River mile 0.0 to 3.09; and

(2) All waters extending 300 feet from the left bank of the Monongahela River mile 2.32 to 3.09.

(b) *Effective date and times.* The safety zone listed in paragraph (a)(1) of this section is effective from 8:00 a.m. to 11:00 a.m. on September 5, 2015. The safety zone listed in paragraph (a)(2) of this section is effective from 11:00 a.m. to 4:00 p.m. on September 5, 2015.

(c) *Regulations.* (1) In accordance with the general regulations in § 165.23 of this part, entry into this zone is prohibited unless authorized by the COTP Pittsburgh or a designated representative.

(2) Spectator vessels may safely transit outside the safety zones at a minimum safe speed, but may not anchor, block, loiter, or impede participants or official patrol vessels.

(3) Vessels requiring entry into or passage through the safety zones must request permission from the COTP Pittsburgh or a designated representative. They may be contacted by telephone at (412) 412–0807.

(3) All vessels shall comply with the instructions of the COTP Pittsburgh and

designated personnel. Designated personnel include commissioned, warrant, and petty officers of the U.S. Coast Guard.

(d) *Information broadcasts.* The COTP Pittsburgh or a designated representative will inform the public through broadcast notices to mariners of the enforcement period for the safety zone as well as any changes in the planned schedule.

Dated: April 27, 2015.

L.N. Weaver,

Commander, U.S. Coast Guard, Captain of the Port Pittsburgh.

[FR Doc. 2015–12553 Filed 5–22–15; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF EDUCATION

34 CFR Chapter III

[Docket ID ED–2015–OSERS–0035]

Proposed Priority—Rehabilitation Training: Institute on Rehabilitation Issues

AGENCY: Office of Special Education and Rehabilitative Services, Department of Education.

ACTION: Proposed priority.

[CFDA Number: 84.264C.]

SUMMARY: The Assistant Secretary for Special Education and Rehabilitative Services proposes a priority to establish a topical Institute on Rehabilitation Issues (IRI). The Assistant Secretary may use this priority for competitions in fiscal year (FY) 2015 and later years. We take this action to provide training and technical assistance (TA) to improve the capacity of State Vocational Rehabilitation (VR) agencies and their partners to equip individuals with disabilities with the skills and competencies necessary to help them obtain competitive integrated employment.

DATES: We must receive your comments on or before June 25, 2015.

ADDRESSES: Submit your comments through the Federal eRulemaking Portal or via postal mail, commercial delivery, or hand delivery. We will not accept comments submitted by fax or by email or those submitted after the comment period. To ensure that we do not receive duplicate copies, please submit your comments only once. In addition, please include the Docket ID at the top of your comments.

- *Federal eRulemaking Portal:* Go to *www.regulations.gov* to submit your comments electronically. Information on using Regulations.gov, including instructions for accessing agency documents, submitting comments, and viewing the docket, is available on the site under ''Are you new to the site?''
- *Postal Mail, Commercial Delivery, or Hand Delivery:*

If you mail or deliver your comments about these proposed regulations, address them to Kristen Rhinehart-Fernandez, U.S. Department of Education, 400 Maryland Avenue SW., Room 5027, Potomac Center Plaza (PCP), Washington, DC 20202–2800.

Privacy Note: The Department's policy is to make all comments received from members of the public available for public viewing in their entirety on the Federal eRulemaking Portal at *www.regulations.gov.* Therefore, commenters should be careful to include in their comments only information that they wish to make publicly available.

FOR FURTHER INFORMATION CONTACT: Kristen Rhinehart-Fernandez. Telephone: (202) 245–6103 or by email: *Kristen.Rhinehart@ed.gov.*

If you use a telecommunications device for the deaf (TDD) or a text telephone (TTY), call the Federal Relay Service (FRS), toll free, at 1–800–877–8339.

SUPPLEMENTARY INFORMATION:

Invitation to Comment: We invite you to submit comments regarding this notice. To ensure that your comments have maximum effect in developing the notice of final priority, we urge you to identify clearly the specific section of the proposed priority that each comment addresses.

We invite you to assist us in complying with the specific requirements of Executive Orders 12866 and 13563 and their overall requirement of reducing regulatory burden that might result from this proposed priority. Please let us know of any further ways we could reduce potential costs or increase potential benefits while preserving the effective and efficient administration of the program.

During and after the comment period, you may inspect all public comments about these proposed regulations by accessing Regulations.gov. You may also inspect the comments in person in Room 5042, 550 12th Street SW., PCP, Washington, DC 20202–2800, between the hours of 8:30 a.m. and 4:00 p.m., Washington, DC time, Monday through Friday of each week except Federal holidays. Please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

Assistance to Individuals with Disabilities in Reviewing the Rulemaking Record: On request we will provide an appropriate accommodation or auxiliary aid to an individual with a disability who needs assistance to review the comments or other documents in the public rulemaking record for this notice. If you want to schedule an appointment for this type of accommodation or auxiliary aid, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

Purpose of Program: Under the Rehabilitation Act of 1973, as amended (the Rehabilitation Act), the Rehabilitation Services Administration (RSA) makes grants to States and public or nonprofit agencies and organizations (including institutions of higher education) to support projects that provide training, traineeships, and TA designed to increase the numbers of, and improve the skills of, qualified personnel (especially rehabilitation counselors) who are trained to: Provide vocational, medical, social, and psychological rehabilitation services to individuals with disabilities; assist individuals with communication and related disorders; and provide other services authorized under the Rehabilitation Act.

Program Authority: 29 U.S.C. 772(a)(1).

Applicable Program Regulations: 34 CFR part 385.

Proposed Priority: This notice contains one proposed priority.

Institute on Rehabilitation Issues.

Background: For more than 55 years, the Institute on Rehabilitation Issues (IRI) has been a national forum for discussing the important challenges facing the State VR Services Program. The IRI has also developed publications for use in training and TA for VR counselors, consumers, administrators, and other partners in the VR process. IRI publications have provided a unique perspective on emerging issues and promising practices in VR and are widely used by counselors and supervisors, human resource development (HRD) specialists, community-based rehabilitation service providers, administrators, researchers, and education and policy analysts (The George Washington University and University of Arkansas CURRENTS, 2015).

The Workforce Innovation and Opportunity Act of 2014 (WIOA) places a greater emphasis on incorporating job-driven training approaches into the VR service delivery system and on increasing employment outcomes for individuals with disabilities. One of these approaches includes working with employers to create on-the-job training opportunities that are responsive to the needs of employers and that provide individuals with skills that they need to obtain competitive integrated

employment (Biden, 2014). An IRI that concentrates on the topic of on-the-job training activities for individuals with disabilities, such as paid internships, pre-apprenticeships, and registered apprenticeships, is both timely and critical for assisting State VR agencies in successfully incorporating job-driven training approaches.

Individuals with disabilities continue to be underrepresented in the general workforce as well as in high-growth industries. Recent estimates reported by the Bureau of Labor Statistics (BLS) from the Current Employment Statistics Survey (February 2015), show a labor force participation rate of 31.1 percent for people with disabilities ages 16 to 64, compared to 75.7 percent for people without disabilities. Similarly, the unemployment rate for people with disabilities (12.2 percent) is more than double the rate for people without disabilities (5.7 percent). In addition, analyses conducted by the Council of Economic Advisors that matched BLS 2012–2022 occupational projections with 2010–2012 American Community Survey data (Disability Community Project) revealed that people with disabilities who are employed tend to be in low-paying occupations and are overrepresented in slower-growing and declining occupations, which lowers their projected employment growth rate. People with disabilities are also underrepresented in 16 of the top 20 fastest-growing occupations.

Despite these trends, information indicates that there is substantial potential for job growth among people with disabilities in well-paying occupations over the coming decade. However, whether such potential will be realized depends in part on such factors as public and corporate policies regarding access to appropriate education, computer skills, and other training; disability income policies; and the availability of workplace accommodations and other employment supports.

Research demonstrates that when students with disabilities participate in internships they increase their motivation to work toward a career, their knowledge of career options, their job skills, their ability to work with supervisors and coworkers, and their knowledge of accommodation strategies (Burgstahler and Bellman, 2009). Furthermore, apprenticeships are a proven path to employment and the middle class: 87 percent of apprentices are employed after completing their programs, and the average starting wage for apprenticeship graduates is over $50,000. Studies from other countries show that employers reap an average return of $1.47 in increased productivity and performance for every dollar they invest in apprenticeships. Unfortunately, too few American workers and employers have access to this proven training solution to prepare for better careers or to meet their needs for a skilled workforce (Biden, 2014). The IRI would provide State VR agencies with the tools and TA they need to connect individuals with disabilities to on-the-job training experiences in areas of growth or projected growth that align with their skill sets and interests and the needs and demands of business and industry.

References:

Biden, J. (2014). Ready to Work: Job-Driven Training and American Opportunity, July 2014. Available at: *www.whitehouse.gov/sites/default/files/skills_report_072014_2.pdf.*

Burgstahler, S. and Bellman, S. (2009). Differences in Perceived Benefits of Internships for Subgroups of Students with Disabilities. Journal of Vocational Rehabilitation, 31, 155–165.

The George Washington University and the University of Arkansas Center for the Utilization of Rehabilitation Resources for Education, Networking, Training and Service Institute on Rehabilitation Issues (UACURRENTS) (2015). Institute on Rehabilitation Issues. Available at: *www.iriforum.org/mission.aspx.*

U.S. Department of Labor (DOL). (2015). Economic New Release: Table A–6. Employment status of the civilian population by sex, age and disability status, not seasonally adjusted. Available at: *www.bls.gov/news.release/empsit.t06.htm.*

U.S. Department of Labor (DOL), Office of Disability Employment Policy (ODEP). New Disability Employment Data Resources. Economic Picture of the Disability Community Project. Available at: *www.dol.gov/odep/topics/Disability EmploymentStatistics.htm.*

Proposed Priority: The purpose of this priority is to fund a two-year cooperative agreement to establish a topical Institute on Rehabilitation Issues (IRI) that concentrates on the subject of on-the-job training activities for individuals with disabilities, such as paid internships, pre-apprenticeships, and registered apprenticeships. As a result of this concentrated IRI, State VR agencies will gain practical knowledge and technical assistance (TA) resources needed to increase the number of work-based learning experiences for individuals with disabilities in high-growth fields that lead to competitive integrated employment,'' as that term is defined in section 7(5) of the Rehabilitation Act of 1973, as amended.

Project Activities

Under this priority, the IRI must, at a minimum, conduct the following activities:

Knowledge Development Activities.

(a) Within the first year, conduct a survey of State VR agencies and their partners to ascertain the number and types of on-the-job training activities currently available to individuals with disabilities and the outcomes associated with completion of those activities.

(1) Collect, at a minimum, the following data:

(i) The number of individuals with disabilities who are currently engaged in on-the-job training activities;

(ii) The specific types of on-the-job training activities the individuals referred to in paragraph (a)(1)(i) are participating in, such as paid internships, pre-apprenticeships, and registered apprenticeships;

(iii) The number of individuals with disabilities who participated in on-the-job-training activities in the last 36 months;

(iv) The number of individuals with disabilities who successfully completed on-the-job training activities in the last 36 months, including the specific types of the on-the-job training;

(v) The number of individuals with disabilities who obtained competitive integrated employment in the last 36 months after successfully completing on-the-job training activities;

(vi) The number of individuals with disabilities who did not successfully complete on-the-job training activities in the last 36 months;

(vii) The number of State VR agency referrals to on-the-job training activities in the last 36 months;

(viii) The number of on-the-job training activities developed through partnerships between the State VR agencies and businesses in the last 36 months;

(ix) The average length of time an individual with a disability participated in an on-the-job training activity in the last 36 months; and

(x) The industries represented in the on-the-job training activities.

(2) By the end of the first year, identify any State VR agencies that have not responded to the survey and follow-up with those agencies in order to ensure at least a 75 percent response rate.

(b) In the beginning of the second year, follow up with State VR agencies that indicated that on-the-job training activities were developed through partnerships between the State VR agencies and businesses to collect:

(1) Promising practices for creating, implementing, sustaining, and

evaluating on-the-job training experiences for individuals with disabilities; and

(2) Information about how on-the-job training activities have supported employer efforts to hire individuals with disabilities.

(c) In the beginning of the second year, follow up with State VR Agencies that indicated that individuals with disabilities did not successfully complete on-the-job training activities to identify challenges or barriers that prevented successful completion of on-the-job training activities.

(d) In the second year, conduct an analysis of the survey results and any additional information collected through follow-up and develop a summary report.

(e) Within the first year, complete a literature review.

(1) The literature review must gather, at a minimum:

(i) Promising practices and examples for creating, implementing, sustaining, and evaluating on-the-job training activities for individuals with disabilities;

(ii) Qualitative or quantitative data about how on-the-job training activities have supported employer efforts to hire individuals with disabilities; and

(iii) Data on increased employment and retention outcomes that occurred after completing on-the-job training activities, especially for individuals with disabilities.

(2) The literature review must consider the following resources:

(i) Curriculum guides developed by RSA's Job-Driven Vocational Rehabilitation Technical Assistance Center (JDVRTAC), as available;

(ii) The Vice President's report, ''Ready to Work: Job-Driven Training and American Opportunity,'' July 2014;

(iii) New disability employment data resources including, but not limited to, the Economic Picture of the Disability Community Project developed by the Office of Disability Employment Policy (ODEP); and

(iv) Other relevant data sources and publications including, but not limited to, promising practices and examples of on-the-job training experiences developed through the public workforce development system, as well as through public-private partnerships.

(f) Within the first six months of the second year, develop a compendium designed for use by all levels of State VR agency personnel. The compendium must, at a minimum:

(1) Include promising practices, publications, examples, and other relevant materials that will support State VR agencies in creating, implementing, sustaining, and evaluating on-the-job training activities for individuals with disabilities;

(2) Compare and contrast the data collected from the survey conducted in the first year of the grant with any research and data collected from the literature review so that State VR agencies can assess their progress towards incorporating job-driven training approaches into their service delivery system and increasing employment outcomes for individuals with disabilities; and

(3) Include examples of how on-the-job training activities have supported employer efforts to hire individuals with disabilities.

Technical Assistance and Dissemination Activities

(a) Provide two TA Webinars that are recorded, archived, and made available to State VR agencies, providers of training, and relevant partners. The Webinars must focus on the survey that must be conducted within the first year of the grant and include detail such as the purpose of the survey, its design and methodology, the process for disseminating the survey, instructions for completing the survey, the submission deadline, and the timeline for conducting any necessary follow-up, analyzing the responses, and developing a report. The Webinars must also serve as a vehicle for gathering input and feedback and answering questions.

(b) Provide two TA Webinars that are recorded, archived, and made available to State VR agencies, providers of training, and relevant partners that detail the results and analyses of the survey of the current status of existing on-the-job training activities for individuals with disabilities in State VR agencies, as well as how State VR agencies might use this data to inform their job-driven activities.

(c) Collect input and feedback on the draft compendium. The project must use a variety of vehicles, such as Webinars, teleconferences, online forums, and focus groups to engage State VR agencies, providers of training, and relevant partners in this process.

(d) Provide two TA Webinars that are recorded, archived, and made available to State VR agencies, providers of training, and relevant partners that highlight promising practices, publications, examples, and resource materials contained in the compendium.

(e) Provide two TA Webinars that are recorded, archived, and made available to State VR agencies, providers of training, and relevant partners and that feature real-world examples of successful on-the-job training activities for individuals with disabilities created through public-private partnerships and outcomes resulting from those activities. The Webinars also must include examples of how on-the-job training activities have supported employer efforts to hire individuals with disabilities.

(f) Ensure that all products (*i.e.,* survey results, compendium, TA Webinars) developed are widely disseminated to counselors and supervisors, Human Resource Development (HRD) specialists, community-based rehabilitation service providers, administrators, researchers, education and policy analysts, and other RSA job-driven projects, such as the JDVRTAC. To the extent possible, track the number and type of product recipients.

(g) Ensure that all products are made available in accessible formats and submitted to the National Clearinghouse on Rehabilitation Training Materials (NCRTM).

Coordination Activities

(a) Establish and maintain an on-the-job training community of practice through the NCRTM as a vehicle for communication, exchange of information, and dissemination of products and as a forum for collecting promising practices in implementing, sustaining, and evaluating on-the-job training activities.

(b) Obtain regular input and feedback from State VR agencies, providers of training, partners, such as the Council of State Administrators of Vocational Rehabilitation (CSAVR) and CSAVR's National Employment Team (the NET), the National Council of State Agencies for the Blind (NCSAB), the JDVRTAC, and other relevant entities in the survey and literature review, as well as in the development and dissemination of the survey analysis and the compendium described in this priority.

(c) Maintain ongoing communication with RSA.

Application Requirements

To be funded under this priority, applicants must meet the application requirements in this priority. RSA encourages innovative approaches to meet these requirements, which are:

(a) Demonstrate in the narrative section of the application under ''Significance of the Proposed Project'' how the proposed project will address State VR agencies' capacity to develop on-the-job training activities for individuals with disabilities that reflect the current and future demands of the labor market. To meet this requirement, the applicant must:

(1) Demonstrate knowledge of today's labor market, including current and projected areas of job growth and knowledge, skills, and experiences that are needed in order to meet the needs and demands of business and industry;

(2) Demonstrate knowledge of innovative or promising practices in building and maintaining effective on-the-job training activities, especially for individuals with disabilities; and

(3) Demonstrate the extent to which the proposed project is likely to build the capacity of State VR agencies to provide, strengthen, and increase the number of on-the-job training activities for individuals with disabilities.

(b) Demonstrate, in the narrative section of the application under ''Quality of Project Services,'' how the proposed project will achieve its goals, objectives, and intended outcomes. To meet this requirement, the applicant must:

(1) Provide a detailed plan for how the proposed project will conduct the activities required in this priority. The plan must include a description of the design and methodology that will be used to survey State VR agencies in the first year, rationale to support the survey design and methodology, a strategy for disseminating the survey to all State VR agencies, a strategy to ensure a 75 percent survey response rate, and an approach for conducting follow-up with State VR agencies;

(2) Demonstrate the extent to which the project activities reflect innovative and up-to-date approaches, methods, technologies, and effective practices;

(3) Demonstrate how the literature review will identify and incorporate promising practices and examples of the use of on-the-job training gathered from the public workforce development system and from business and industry in creating, implementing, sustaining, and evaluating on-the-job training activities for individuals with disabilities;

(4) Demonstrate how the project will collect Web analytics, including the number of registrants and their respective agencies or associations, and conduct a survey immediately following the Webinars to measure the quality, relevance, and usefulness of the training; and

(5) Demonstrate the extent to which the project services are maximized through collaboration with the partners and stakeholders discussed in this priority.

(c) Demonstrate, in the narrative section of the application under ''Adequacy of Project Resources,'' how the proposed key project personnel, consultants, and subaward recipients have the qualifications and experience to perform the activities to provide State VR agencies with the tools and resources they need to increase the on-the-job training activities for individuals with disabilities. To meet this requirement, the applicant must demonstrate that:

(1) The applicant and any key partners possess adequate resources to carry out the proposed activities; and

(2) The proposed costs are reasonable in relation to the anticipated results and benefits.

(d) Demonstrate, in the narrative section of the application under ''Quality of the Management Plan,'' how the proposed management plan will ensure that the project's intended outcomes will be achieved on time and within budget. To address this requirement, the applicant must describe—

(1) Clearly defined roles and responsibilities for key project personnel, consultants, and subawards, as applicable;

(2) Timelines and milestones for accomplishing the project tasks;

(3) Key project personnel and any consultants, key partners, and subaward recipients that will be allocated to the project, their respective level of effort designated for the project, and how these allocations are appropriate and adequate to achieve the project's intended outcomes, including an assurance that all personnel will communicate with stakeholders and RSA in a timely fashion;

(4) How the proposed management plan will ensure that the knowledge development, TA, dissemination, and coordination activities and the developed products are of high quality; and

(5) The diversity of perspectives, including those of counselors and supervisors, HRD specialists, community-based rehabilitation service providers, administrators, researchers, and education and policy analysts that the project will consider in its design making process.

Types of Priorities:

When inviting applications for a competition using one or more priorities, we designate the type of each priority as absolute, competitive preference, or invitational through a notice in the **Federal Register**. The effect of each type of priority follows:

Absolute priority: Under an absolute priority, we consider only applications that meet the priority (34 CFR 75.105(c)(3)).

Competitive preference priority: Under a competitive preference priority, we give competitive preference to an application by (1) awarding additional points, depending on the extent to which the application meets the priority (34 CFR 75.105(c)(2)(i)); or (2) selecting an application that meets the priority over an application of comparable merit that does not meet the priority (34 CFR 75.105(c)(2)(ii)).

Invitational priority: Under an invitational priority, we are particularly interested in applications that meet the priority. However, we do not give an application that meets the priority a preference over other applications (34 CFR 75.105(c)(1)).

Final Priority: We will announce the final priority in a notice in the **Federal Register**. We will determine the final priority after considering responses to this notice and other information available to the Department. This notice does not preclude us from proposing additional priorities, requirements, definitions, or selection criteria, subject to meeting applicable rulemaking requirements.

Note: This notice does *not* solicit applications. In any year in which we choose to use this priority, we invite applications through a notice in the **Federal Register**.

Executive Orders 12866 and 13563

Paperwork Reduction Act of 1995

As part of its continuing effort to reduce paperwork and respondent burden, the Department conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)). This helps ensure that the public understands the Department's collection instructions, respondents can provide the requested data in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the Department can properly assess the impact of collection requirements on respondents.

This proposed priority contains information collection requirements that are approved by OMB under OMB control number 1820–0018; this proposed regulation does not affect the currently approved data collection.

Regulatory Impact Analysis

Under Executive Order 12866, the Secretary must determine whether this proposed regulatory action is ''significant'' and, therefore, subject to the requirements of the Executive order and subject to review by the Office of

Management and Budget (OMB). Section 3(f) of Executive Order 12866 defines a ''significant regulatory action'' as an action likely to result in a rule that may—

(1) Have an annual effect on the economy of $100 million or more, or adversely affect a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities in a material way (also referred to as an ''economically significant'' rule);

(2) Create serious inconsistency or otherwise interfere with an action taken or planned by another agency;

(3) Materially alter the budgetary impacts of entitlement grants, user fees, or loan programs or the rights and obligations of recipients thereof; or

(4) Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles stated in the Executive order.

This proposed regulatory action is not a significant regulatory action subject to review by OMB under section 3(f) of Executive Order 12866.

We have also reviewed this proposed regulatory action under Executive Order 13563, which supplements and explicitly reaffirms the principles, structures, and definitions governing regulatory review established in Executive Order 12866. To the extent permitted by law, Executive Order 13563 requires that an agency—

(1) Propose or adopt regulations only on a reasoned determination that their benefits justify their costs (recognizing that some benefits and costs are difficult to quantify);

(2) Tailor its regulations to impose the least burden on society, consistent with obtaining regulatory objectives and taking into account—among other things and to the extent practicable—the costs of cumulative regulations;

(3) In choosing among alternative regulatory approaches, select those approaches that maximize net benefits (including potential economic, environmental, public health and safety, and other advantages; distributive impacts; and equity);

(4) To the extent feasible, specify performance objectives, rather than the behavior or manner of compliance a regulated entity must adopt; and

(5) Identify and assess available alternatives to direct regulation, including economic incentives—such as user fees or marketable permits—to encourage the desired behavior, or provide information that enables the public to make choices.

Executive Order 13563 also requires an agency ''to use the best available techniques to quantify anticipated present and future benefits and costs as accurately as possible.'' The Office of Information and Regulatory Affairs of OMB has emphasized that these techniques may include ''identifying changing future compliance costs that might result from technological innovation or anticipated behavioral changes.''

We are issuing this proposed priority only on a reasoned determination that its benefits would justify its costs. In choosing among alternative regulatory approaches, we selected those approaches that would maximize net benefits. Based on the analysis that follows, the Department believes that this regulatory action is consistent with the principles in Executive Order 13563.

We also have determined that this regulatory action would not unduly interfere with State, local, and tribal governments in the exercise of their governmental functions.

In accordance with both Executive orders, the Department has assessed the potential costs and benefits, both quantitative and qualitative, of this regulatory action. The potential costs are those resulting from statutory requirements and those we have determined as necessary for administering the Department's programs and activities.

We propose to fund through this priority TA to State VR agencies to improve the quality of VR services and ultimately the number and quality of their employment outcomes. This proposed priority would promote the efficient and effective use of Federal funds.

Intergovernmental Review: This program is subject to Executive Order 12372 and the regulations in 34 CFR part 79. One of the objectives of the Executive order is to foster an intergovernmental partnership and a strengthened federalism. The Executive order relies on processes developed by State and local governments for coordination and review of proposed Federal financial assistance.

This document provides early notification of our specific plans and actions for this program.

Accessible Format: Individuals with disabilities can obtain this document in an accessible format (*e.g.,* braille, large print, audiotape, or compact disc) on request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT**.

Electronic Access to This Document: The official version of this document is the document published in the **Federal Register.** Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available via the Federal Digital System at: *www.gpo.gov/fdsys.* At this site you can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Adobe Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the **Federal Register** by using the article search feature at: *www.federalregister.gov.* Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Dated: May 18, 2015.

Sue Swenson,

Acting Assistant Secretary for Special Education and Rehabilitative Services.

[FR Doc. 2015–12510 Filed 5–22–15; 8:45 am]

BILLING CODE 4000–01–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R03–OAR–2013–0816; FRL–9928–23–Region 3]

Approval and Promulgation of Air Quality Implementation Plans; Delaware; Nonattainment New Source Review; Emission Offset Provisions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to disapprove a State Implementation Plan (SIP) revision submitted by the Delaware Department of Natural Resources and Environmental Control (DNREC) for the State of Delaware on October 15, 2013. EPA is proposing this action because the submittal does not satisfy the requirements of Clean Air Act (CAA) or the Federal implementing regulations, which establish the criteria under which the owner or operator of a new or modified major stationary source must obtain the required emission offsets ''from the same source or other sources in the same nonattainment area'' with limited exceptions, for Delaware's nonattainment New Source Review (NSR) preconstruction permitting program. In addition, EPA is proposing disapproval of the SIP revision because Delaware exercises authorities that are reserved for EPA under section 107 of the CAA. This action is being taken under the CAA.

DATES: Written comments must be received on or before June 25, 2015.

ADDRESSES: Submit your comments, identified by Docket ID Number EPA–R03–OAR–2013–0816 by one of the following methods:

A. *www.regulations.gov.* Follow the on-line instructions for submitting comments.

B. *Email: campbell.dave@epa.gov.*

C. *Mail:* EPA–R03–OAR–2013–0816, David Campbell, Associate Director, Office of Permits and Air Toxics, 3AP10, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103.

D. *Hand Delivery:* At the previously-listed EPA Region III address. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

Instructions: Direct your comments to Docket ID No. EPA–R03–OAR–2013–0816. EPA's policy is that all comments received will be included in the public docket without change, and may be made available online at *www.regulations.gov,* including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through *www.regulations.gov* or email. The *www.regulations.gov* Web site is an ''anonymous access'' system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to EPA without going through *www.regulations.gov,* your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD–ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

Docket: All documents in the electronic docket are listed in the *www.regulations.gov* index. 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 in *www.regulations.gov* or in hard copy during normal business hours at the Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. Copies of the State submittal are available at the Delaware Department of Natural Resources and Environmental Control, 89 Kings Highway, P.O. Box 1401, Dover, Delaware 19903.

FOR FURTHER INFORMATION CONTACT: Amy Johansen, (215)814–2156, or by email at *johansen.amy@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

A. CAA Sections 172(c)(5) and 173(c)(1)

Under section 172(c)(5) of the CAA, a SIP is required to include provisions which require permits for the construction and operation of new or modified major stationary sources anywhere in a nonattainment area in accordance with the requirements of section 173 of the CAA.[1] Section 173, in turn, sets forth a series of requirements for the issuance of permits for the owners or operators of new or modified major stationary sources within nonattainment areas. Specifically, section 173 provides *inter alia* that construction and operating permits may only be issued if: (a) Sufficient offsetting emission reductions have been obtained to reduce total emissions from existing sources and the proposed source to the point where reasonable further progress towards meeting the ambient air standards is maintained; and (b) the proposed source is required to comply with the lowest achievable emission rate (LAER).[2]

Relevant to Delaware's SIP revision, CAA section 173(c) spells out the offset requirements for the owners and operators of new or modified major stationary sources. Specifically, section 173(c)(1) requires ''the owner or operator of a new or modified major source may comply with any offset requirement in effect under this part for increased emissions of any air pollutant *only* by obtaining emission reductions of such air pollutant from the same source or other sources in the *same nonattainment area,* except that the State may allow the owner or operator of a source to obtain such emission reductions in another nonattainment area *if* (A) the other area has *an equal or higher nonattainment classification* than the area in which the source is located and (B) emissions from such other area *contribute* to a violation of the national ambient air quality standard in the nonattainment area in which the source is located'' (emphasis added).

B. 40 CFR 51.165 and Appendix S to Part 51, the Emission Offsets Interpretive Ruling

40 CFR 51.165 contains the SIP requirements for nonattainment NSR permit programs. Pursuant to 40 CFR 51.165(a)(3)(ii)(F), SIPs must contain provisions relating to the permissible location of offsetting emissions which are at least as stringent as those set out in appendix S, section IV.D. Appendix S sets forth EPA's interpretive ruling for preconstruction review requirements for stationary sources of air pollution under 40 CFR subpart I and section 129 of the CAA Amendments of 1977. Appendix S specifies that, ''a major new source or major modification which would locate in any area designated under section 107(d) of the Act as attainment or unclassifiable for ozone that is located in an ozone transport region or which would locate in an area designated in 40 CFR part 81, subpart C, as nonattainment for a pollutant for which the source or modification would be major may be allowed to construct only if the stringent conditions . . . are met.'' The goal of this section is to ensure there is progress towards achievement of the National Ambient Air Quality Standard (NAAQS). Section IV.D of appendix S, ''Location of Offsetting Emissions,'' proscribes the acceptable areas from which a new or modified source can obtain the required emissions offsets. The offsets must come from the same source or other sources in the same nonattainment area. However, the section provides that reviewing authorities may allow sources to obtain offsets from other nonattainment areas provided that two conditions are met: The nonattainment area from which the offsets are obtained must be of equal or higher nonattainment classification, and emissions from the area in which the offsets are obtained must contribute to a violation of the NAAQS in the area in which the source is located. These requirements are identical to the requirements in CAA section 173(c).

[1] A nonattainment area is the air quality control region designated by EPA under CAA section 107 as not attaining a particular National Ambient Air Quality Standard (NAAQS) for any of the six criteria air pollutants.

[2] *See* CAA section 171(3), 42 U.S.C. 7501(3) (defining LAER).

Delaware's SIP revision submittal, 7 DE Admin Code 1125 sections 2.5.5 and 2.5.6, which were revised by Delaware effective September 11, 2013, does not meet the requirements in CAA section 173(c), 40 CFR 51.165(a)(3)(ii)(F) and appendix S, section IV.D.1, because the identified sections allow emissions offsets to be used from areas not designated by EPA pursuant to CAA section 107 as an area of equal or higher nonattainment classification for any ozone NAAQS and do not address contribution requirements in the CAA and its implementing regulations.

C. CAA Section 107

Under CAA section 107(c), the Administrator of the EPA is given the authority to designate as an air quality control region any interstate area or major intrastate area which she deems appropriate for the attainment and maintenance of ambient air quality standards. CAA section 107(d) provides the process for the Administrator of EPA, with recommendations from Governors, to designate areas or portions of areas within states as nonattainment, attainment, or unclassifiable upon promulgation or revision of a NAAQS.

Pursuant to section 107 of the CAA, New Castle and Sussex Counties, Delaware were designated by EPA for the 2008 8-hour ozone NAAQS as ''marginal'' nonattainment under 40 CFR part 81, while Kent County was designated as ''unclassifiable/attainment.'' *See* 77 FR 30088 (May 21, 2012). New Castle County is a portion of the Philadelphia-Wilmington-Atlantic City marginal nonattainment area (Philadelphia Area) for the 2008 8-Hour ozone NAAQS.

Upon designation, a nonattainment area for ozone is required to meet the plan submission requirements under section 182 of the CAA (in subpart 2 of Part D of Title I of the CAA) for each nonattainment area classification (marginal, moderate, serious, severe, and extreme) as well as the general SIP planning requirements in sections 172 and 173 of subpart 1 of Part D of Title I. The State of Delaware is unique because it is part of the Ozone Transport Region (OTR), as established in CAA section 184(a). Therefore, at a minimum, the entire State of Delaware is required to meet the plan submission requirements for a moderate nonattainment area classification as specified in CAA sections 182(b) and 184(b). Moderate area classification plan requirements include the emissions offset provisions within section 173 of the CAA and within its implementing regulations.

D. Delaware's Approved 7 DE Admin. Code 1125—Requirements for Preconstruction Review

For purposes of satisfying CAA sections 172 and 173, Delaware presently has a fully-approved nonattainment NSR preconstruction permitting program. *See* 77 FR 60053 (October 2, 2012). Typically, disapproval of a Part D NSR SIP revision would trigger sanctions under section 179 of the CAA and a requirement for EPA to impose a Federal Implementation Plan (FIP) in lieu of an approved SIP pursuant to section 110(c) of the CAA. However, in this case, Delaware's existing nonattainment NSR SIP is fully approved as meeting CAA requirements and there are no SIP deficiencies. Therefore, sanctions under CAA section 179 and FIP provisions under CAA section 110(c) are not triggered by the disapproval of this SIP revision. Delaware remains obligated to implement its Federally-approved nonattainment NSR preconstruction permitting program in accordance with CAA section 173.

II. Summary of SIP Revision and EPA Analysis

On October 15, 2013, DNREC submitted a proposed revision to Delaware's SIP to EPA for approval. The proposed revision is to 7 DE Admin. Code 1125, Requirements for Preconstruction Review, sections 2.5.5 and 2.5.6, Emission Offset Provisions.[3] EPA has reviewed Delaware's proposed SIP revision and determined that it does not comply with the requirements of CAA sections 172(c)(5) and 173(c)(1) or the Federal implementing regulations in 40 CFR 51.165 and part 51, appendix S, section IV.D for several reasons. In addition, in the proposed revisions to 7 DE Admin. Code 1125, sections 2.5.5 and 2.5.6, Delaware exercises authorities that are reserved solely for EPA in CAA section 107 by treating certain areas as ozone nonattainment areas regardless of EPA's classification of those states for attainment of the ozone NAAQS, and therefore EPA proposes to disapprove this SIP revision submittal as not in accordance with the CAA.

First, the revised regulation enables sources in Delaware seeking NSR permits to obtain emission offsets from sources located in other areas, including areas outside of the State of Delaware, irrespective of the area's nonattainment status as compared to Delaware's nonattainment status for the same NAAQS.[4] CAA section 173 and its implementing regulations clearly require emission offsets for NSR permits to come from the same area where a source is located or from an area with the same or higher nonattainment classification as the area where a source is locating or located.

Second, the revised regulation also permits sources seeking NSR permits in Delaware to obtain emissions offsets from areas without a determination that the other areas ''contribute to violation'' of the NAAQS in Delaware where a source seeking a NSR permit would be located as required in CAA section 173 and its implementing regulations. The language in section 2.5.6 in 7 DE Admin. Code 1125 provides that sources can obtain emission offsets ''in the nonattainment area which the source is located which shall specifically include any area in the States of Connecticut, Delaware, Illinois, Indiana, Kentucky, Maryland, Michigan, Missouri, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Tennessee, Virginia, West Virginia and Wisconsin.''[5]

Finally, the revised regulation language allows Delaware to exercise authorities that are reserved solely for EPA in CAA section 107 by allowing ''the Department'' to determine the areas in which owners or operators can acquire emission offsets, regardless of the attainment status of the area. Specifically, Delaware is proposing language for the SIP that ''the Department may consider any area in the following states as having the same nonattainment classification as the area

[3] DNREC's revised 7 DE Admin. Code 1125, section 2.5.5 and 2.5.6 became effective September 11, 2013.

[4] 7 DE Admin. Code 1125, section 2.5.5, as revised September 11, 2013, provides that *Delaware* may consider certain states as having the same nonattainment classifications as the area of Delaware where offsets are to be used including Connecticut, Delaware, Illinois, Indiana, Kentucky, Maryland, Michigan, Missouri, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Tennessee, Virginia, West Virginia and Wisconsin. EPA notes that several of these states have no areas classified by EPA under CAA section 107 as nonattainment for the ozone NAAQS. In addition, several of the specified states are not part of the OTR established pursuant to CAA section 184 which would treat areas within those states as Moderate nonattainment of an ozone NAAQS.

[5] Delaware's October 15, 2013 SIP revision claims contribution from these specified states to ozone nonattainment or interference with maintenance of ozone NAAQS in Delaware is supported by EPA modeling conducted for the Cross State Air Pollution Rule (CSAPR) (76 FR 48208 (August 8, 2011)). However, EPA notes that the EPA CSAPR modeling was conducted to determine contribution to nonattainment or interference with maintenance for the 1997 ozone NAAQS and the 1997 and 2006 fine particulate matter ($PM_{2.5}$) NAAQS. Delaware's SIP revision did not include any information supporting ''contribution to violation'' for the 2008 ozone NAAQS to meet requirements in section 173(c)(1) that emission offsets come from an area which contributes to violation of the NAAQS where the source seeking a permit is located.

of Delaware where the offsets are used: Connecticut, Delaware, Illinois, Indiana, Kentucky, Maryland, Michigan, Missouri, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Tennessee, Virginia, West Virginia and Wisconsin.'' *See* 7 DE Admin. Code 1125 section 2.5.5. As discussed in the Background Section of this proposal, under CAA section 107(c), only the Administrator of the EPA is given the authority to designate as an air quality control region any interstate area or major intrastate area which she deems appropriate for the attainment and maintenance of ambient air quality standards. The State of Delaware has no such authority under the CAA to designate areas for nonattainment with the NAAQS to meet requirements in CAA section 173(c)(1) that emission offsets must be from areas in the same or higher attainment classification for a NAAQS. Therefore, Delaware's regulation does not meet the requirements in CAA 173(c)(1) or its implementing regulations in 40 CFR 51.165 and in appendix S as Delaware lacks authority to designate areas ''nonattainment'' for emission offset requirements.

Thus, because Delaware's revised regulation 7 DE Admin. Code 1125, sections 2.5.5 and 2.5.6 does not comply with requirements in CAA section 172(c)(5) and 173(c)(1) and the implementing regulations in 40 CFR 51.165 and appendix S, EPA finds the revision does not meet CAA requirements in the statute or in its implementing regulations. In addition, Delaware's revision to 7 DE Admin. Code 1125, section 2.5.5 inappropriately allows Delaware to treat areas as nonattainment for emission offset requirements when only EPA possesses such authority under the CAA to designate areas nonattainment, and thus EPA additionally finds the revision does not meet requirements in the CAA. Therefore, EPA proposes to disapprove the October 15, 2013 SIP revision.

III. Proposed Action

Pursuant to CAA section 110(k)(3), EPA is proposing to disapprove Delaware's October 15, 2013 SIP revision related to nonattainment NSR preconstruction permit program requirements for emission offsets. Specifically, Delaware's October 15, 2013 proposed SIP revision seeks to expand the geographical area in which owners and operators of new or modified major stationary sources may obtain emissions offsets, regardless of the area's attainment classification for the ozone NAAQS and without specific requirements that the area ''contribute to violation'' of the ozone NAAQS in the area in which a new or modified source is locating or located. EPA proposes to disapprove this SIP revision for two reasons: (1) Delaware's proposed emissions offset provision language does not comport with the specific requirements under CAA sections 172(c)(5) and 173(c)(1) or the Federal implementing regulations in 40 CFR 51.165 and appendix S; and (2) Delaware lacks legal authority to designate an area as nonattainment under CAA section 107(c) and (d).

Under CAA section 179(a)(2), final disapproval pursuant to CAA section 110(k) of a submission that addresses a requirement of a Part D Plan (CAA sections 171–193), starts a sanction clock. While Delaware's SIP revision addresses the Part D Plan requirement for a NSR permitting program, Delaware presently has a fully-approved NSR permit program. *See* 77 FR 60053. Thus, there is no deficiency in Delaware's SIP. Therefore, if EPA takes final action to disapprove this SIP submission, no sanctions under CAA section 179 will be triggered.

The full or partial disapproval of a SIP revision in general also triggers the requirement under CAA section 110(c) that EPA promulgate a FIP no later than two years from the date of the disapproval unless the State corrects the deficiency, and the Administrator approves the plan or plan revision before the Administrator promulgates such FIP. As previously discussed, Delaware's SIP is not deficient as Delaware has a fully-approved NSR preconstruction permit program. Therefore, if EPA takes final action to disapprove this submission, no FIP requirements for EPA under CAA section 110(c) will be triggered.

EPA is soliciting public comments only on the issues discussed in this document. These comments will be considered before taking final action. Sources in Delaware are reminded that they remain subject to the requirements of Delaware's Federally-approved nonattainment NSR preconstruction permit program in 7 DE Admin. Code 1125 (approved by EPA on October 2, 2012) and are subject to potential enforcement for violations of the SIP including failure to comply with NSR permit requirements and specifically with emission offset requirements in CAA section 173 and in the Federally-enforceable Delaware SIP. *See* EPA's Revised Guidance on Enforcement During Pending SIP Revisions (March 1, 1991).

IV. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the CAA 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 CAA. In this case, EPA is proposing to disapprove Delaware's October 15, 2013 SIP submittal because it does not meet Federal requirements. For that reason, this proposed 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 CAA; 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 proposed rule, to disapprove Delaware's October 15, 2013 SIP revision related to emission offset provisions, 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.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Nitrogen dioxide, Ozone, Volatile organic compounds.

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

Dated: May 13, 2015.

Shawn M. Garvin,

Regional Administrator, Region III.

[FR Doc. 2015–12487 Filed 5–22–15; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R05–OAR–2015–0192; FRL- 9927–95-Region-5]

Approval and Promulgation of Air Quality Implementation Plans; Ohio: Cleveland and Delta; Determination of Attainment for the 2008 Lead Standard

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: On February 20, 2015, the Ohio Environmental Protection Agency (Ohio EPA) submitted a request to the Environmental Protections Agency (EPA) to make a determination under the Clean Air Act that the Cleveland and Delta nonattainment areas have attained the 2008 lead (Pb) national ambient air quality standards (NAAQS). In this action, EPA is proposing to determine that the Cleveland and Delta nonattainment areas (areas) have attained the 2008 Pb NAAQS. These determinations of attainment are based upon complete, quality-assured and certified ambient air monitoring data for the 2012–2014 design period showing that the areas have monitored attainment of the 2008 Pb NAAQS. Additionally, as a result of this proposed determination, EPA is proposing to suspend the requirements for the areas to submit attainment demonstrations, together with reasonably available control measures, a reasonable further progress (RFP) plans, and contingency measures for failure to meet RFP and attainment deadlines for as long as the areas continue to attain the 2008 Pb NAAQS.

DATES: Comments must be received on or before June 25, 2015.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R05–OAR–2015–0192, by one of the following methods:

1. *www.regulations.gov:* Follow the on-line instructions for submitting comments.
2. *Email: aburano.douglas@epa.gov.*
3. *Fax:* (312) 408–2279.
4. *Mail:* Douglas Aburano, Chief, Attainment Planning and Maintenance Section, Air Programs Branch (AR–18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604.
5. *Hand Delivery:* Douglas Aburano, Chief, Attainment Planning and Maintenance Section, Air Programs Branch (AR–18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604. Such deliveries are only accepted during the Regional Office normal hours of operation, and special arrangements should be made for deliveries of boxed information. The Regional Office official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m., excluding Federal holidays.

Please see the direct final rule which is located in the Rules section of this **Federal Register** for detailed instructions on how to submit comments.

FOR FURTHER INFORMATION CONTACT: Sarah Arra, Environmental Scientist, Attainment Planning and Maintenance Section, Air Programs Branch (AR–18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886–9401, *arra.sarah@epa.gov.*

SUPPLEMENTARY INFORMATION: In the Final Rules section of this **Federal Register,** EPA is making an attainment determination as a direct final rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates no adverse comments. A detailed rationale for the action is set forth in the direct final rule. If no adverse comments are received in response to this rule, no further activity is contemplated. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period. Any parties interested in commenting on this action should do so at this time. Please note that if EPA receives adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, EPA may adopt as final those provisions of the rule that are not the subject of an adverse comment. For additional information, see the direct final rule which is located in the Rules section of this **Federal Register.**

Dated: May 13, 2015.

Susan Hedman,

Regional Administrator, Region 5.

[FR Doc. 2015–12499 Filed 5–22–15; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R05–OAR–2014–0659; FRL–9927–97-Region-5]

Approval and Promulgation of Air Quality Implementation Plans; Ohio; Removal of General Conformity Regulations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving the removal of general conformity regulations from the Ohio state implementation plan (SIP) under the Clean Air Act. These regulations are no longer necessary since the establishment of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users transportation act removed the requirement for states to maintain general conformity regulations.

DATES: Comments must be received on or before June 25, 2015

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R05–OAR–2014–0659, by one of the following methods:

1. *www.regulations.gov:* Follow the on-line instructions for submitting comments.
2. *Email: blakley.pamela@epa.gov.*
3. *Fax:* (312) 692–2450.
4. *Mail:* Pamela Blakley, Chief, Control Strategies Section, Air Programs Branch (AR–18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604.
5. *Hand Delivery:* Pamela Blakley, Chief, Control Strategies Section, Air Programs Branch (AR–18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604. Such deliveries are only accepted during the Regional Office normal hours of operation, and special arrangements should be made for deliveries of boxed information. The Regional Office official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m., excluding Federal holidays.

Please see the direct final rule which is located in the Rules section of this **Federal Register** for detailed

instructions on how to submit comments.

FOR FURTHER INFORMATION CONTACT: Anthony Maietta, Environmental Protection Specialist, Control Strategies Section, Air Programs Branch (AR–18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 353–8777, *maietta.anthony@epa.gov.*

SUPPLEMENTARY INFORMATION: In the Final Rules section of this **Federal Register,** EPA is approving the State's SIP submittal as a direct final rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this rule, no further activity is contemplated. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period. Any parties interested in commenting on this action should do so at this time. Please note that if EPA receives adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, EPA may adopt as final those provisions of the rule that are not the subject of an adverse comment. For additional information, see the direct final rule which is located in the Rules section of this **Federal Register.**

Dated: May 13, 2015.

Susan Hedman,

Regional Administrator, Region 5.

[FR Doc. 2015–12361 Filed 5–22–15; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R03–OAR–2014–0422; FRL–9927–91–Region 3]

Approval and Promulgation of Air Quality Implementation Plans; Virginia; Revisions to the Attainment Plans for the Commonwealth of Virginia Portion of the Washington, DC–MD–VA 1990 1-Hour and 1997 8-Hour Ozone Nonattainment Areas and the Maintenance Plan for the Fredericksburg 1997 8-Hour Ozone Maintenance Area To Remove the Stage II Vapor Recovery Program

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) proposes to approve revisions to the Commonwealth of Virginia (Virginia) State Implementation Plan (SIP). These revisions remove the Stage II vapor recovery program (Stage II) from the attainment plans for the Virginia portion of the Washington, DC–MD–VA 1990 1-Hour and 1997 8-Hour National Ambient Air Quality Standard (NAAQS) Nonattainment Areas (Northern Virginia Areas), as well as from the maintenance plan for the Fredericksburg 1997 8-Hour Ozone NAAQS Maintenance Area (Fredericksburg Area). These revisions also include an analysis that addresses the impact of removal of Stage II from the attainment and maintenance plans. The analysis submitted by the Commonwealth satisfies the requirements of the Clean Air Act (CAA). In the Final Rules section of this **Federal Register,** EPA is approving the Commonwealth's SIP submittal as a direct final rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule and the Technical Support Document (TSD) prepared in support of this rulemaking action. A copy of the TSD is available, upon request, from the EPA Regional Office listed in the **ADDRESSES** section of this document. If no adverse comments are received in response to this action, no further activity is contemplated. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period. Any parties interested in commenting on this action should do so at this time.

DATES: Comments must be received in writing by June 25, 2015.

ADDRESSES: Submit your comments, identified by Docket ID Number EPA–R03–OAR–2014–0422 by one of the following methods:

A. *www.regulations.gov.* Follow the on-line instructions for submitting comments.

B. Email: *fernandez.cristina@epa.gov.*

C. Mail: EPA–R03–OAR–2014–0422, Cristina Fernandez, Associate Director, Office of Air Program Planning, Mailcode 3AP30, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103.

D. Hand Delivery: At the previously-listed EPA Region III address. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

Instructions: Direct your comments to Docket ID No. EPA–R03–OAR–2014–0422. EPA's policy is that all comments received will be included in the public docket without change, and may be made available online at *www.regulations.gov,* including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through *www.regulations.gov* or email. The *www.regulations.gov* Web site is an ''anonymous access'' system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to EPA without going through *www.regulations.gov,* your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD–ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

Docket: All documents in the electronic docket are listed in the *www.regulations.gov* index. 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 in *www.regulations.gov* or in hard copy during normal business hours at the Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. Copies of the State submittal are available at the Virginia Department of Environmental Quality, 629 East Main Street, Richmond, Virginia 23219.

FOR FURTHER INFORMATION CONTACT: Asrah Khadr, (215) 814–2071, or by email at *khadr.asrah@epa.gov.*

SUPPLEMENTARY INFORMATION: For further information, please see the information provided in the direct final action, with the same title, that is located in the ''Rules and Regulations'' section of this **Federal Register** publication.

Dated: May 7, 2015.

William C. Early,

Acting Regional Administrator, Region III.

[FR Doc. 2015–12349 Filed 5–22–15; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 1, 27, and 73

[AU Docket No. 14–252; GN Docket No. 12–268; DA 15–606]

Incentive Auction Task Force Releases Initial Clearing Target Optimization Simulations

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Incentive Auction Task Force provides the results of several staff simulations of the initial clearing target optimization procedure proposed in the *Auction 1000 Comment PN* and/or *Comment PN* as discussed further in this under the Supplementary Information. In this document, the Federal Communications Commission's (Commission) Incentive Auction Task Force seeks comment on the data and analyses released in this document and the attached Appendix.

DATES: Submit comments on or before June 3, 2015.

ADDRESSES: You may submit comments, identified by the docket numbers in this proceeding, AU Docket No. 14–252 and GN Docket No. 12–268, by any of the following methods:

- Federal eRulemaking Portal: *http://www.regulations.gov.* Follow the instructions for submitting comments.
- Federal Communications Commission's Electronic Comment Filing System (ECFS): *http://fcc.gov/ecfs//.* Follow the instructions for submitting comments.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail): Federal Communications Commission, 9300 East Hampton Dr., Capitol Heights, MD 20743.
- U.S. Postal Service (First-class, Express, and Priority): Federal Communications Commission, 445 12th St. SW., Washington, DC 20554.
- Hand-delivered/Courier: Federal Communications Commission, 445 12th St. SW., Room TW–A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.

Instructions: All submissions received must include the agency name and docket number or Regulatory Information Number (RIN) for this document. All comments received will be posted without change to ECFS at *http://fcc.gov/ecfs//*, including any personal information provided. For detailed instructions on submitting comments and additional information on the rulemaking process, see the ''Public Participation'' heading of the **SUPPLEMENTARY INFORMATION** section of this document. Docket: This document is in AU Docket No. 14–252 and GN Docket No. 12–268. For access to the docket to read background documents or comments received, go to ECFS at *http://fcc.gov/ecfs//.*

FOR FURTHER INFORMATION CONTACT: Madelaine Maior of the Wireless Telecommunications Bureau, Broadband Division, at (202) 418–1466 or email to *madelaine.maior@fcc.gov.*

SUPPLEMENTARY INFORMATION:

Availability of Documents

FCC Information relating to the Incentive Auction will be posted to and available on the LEARN Web site at: *http://www.fcc.gov/learn.* This document was released on May 20, 2015, and is available electronically at *https://apps.fcc.gov/edocs_public/attachmatch/DA-15-606A1.pdf* and *https://apps.fcc.gov/edocs_public/attachmatch/DA-15-606A2.pdf.* The complete text of this document as well as any comments and ex parte submissions will also be available for public inspection during regular business hours in the FCC Reference Center (CY–A257) at the Federal Communications Commission, 445 12th Street SW., Washington, DC 20554. These documents will be available electronically in ASCII, Microsoft Word, and/or Adobe Acrobat.

Public Participation

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

Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing. If more than one active docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number. Filings can be sent by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

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

I. Synopsis

1. The clearing target selection procedure proposed in the *Auction 1000 Comment PN*[1] would, *inter alia,* impose a nationwide cap on impairments.[2] To

[1] *Comment Sought on Competitive Bidding Procedures for Broadcast Incentive Auction 1000, Including Auctions 1001 and 1002,* GN Docket No. 12–268, AU Docket No. 14–252, Public Notice, FCC 14–191, 29 FCC Rcd 15750 (Dec. 17, 2014) (''*Auction 1000 Comment PN*'' or ''*Comment PN*'').

[2] Impairments are the result of assigning TV stations to channels in the 600 MHz Band in order to accommodate market variation. *Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions,* GN Docket No. 12–268, Report and Order, 29 FCC Rcd 6567, 6604–6607, paras. 81–87 (2014) (''*Incentive Auction R&O*''). *See Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions,* GN Docket No. 12–268, *Second Report and Order and Further Notice of Proposed Rulemaking,* 29 FCC Rcd 13071 (2014) (adopting methodology for use during the incentive auction to predict inter-service interference between impairing TV stations and licensed wireless services in the 600 MHz Band).

conduct the simulations, the staff applied the clearing target selection procedure proposed in the *Auction 1000 Comment PN,*[3] with the following exceptions reflecting the range of comments in response to the *Comment PN.* Instead of accommodating impairments up to 20 percent, the simulations apply a standard of up to (but not equal to) the equivalent of one license block nationwide, as measured by weighted population (''weighted-pops'').[4] The simulations also apply equal weighting to impairments regardless of whether they are in the uplink or downlink portion of the band.[5] The data and information we release are illustrative only.[6] The Commission will adopt final decisions regarding the proposed initial clearing target selection procedure in a forthcoming *Auction 1000 Procedures PN.*[7]

2. In order to conduct the simulations released with this document, the staff had to make certain assumptions about protection of foreign TV stations. With respect to Canada, the simulations assume for illustrative purposes only that the Commission will not need to protect vacant allotments in Canada's TV bands, an option put forth in Industry Canada's *Consultation on Repurposing the 600 MHz Band* proceeding.[8] Mexico has not yet put forward any public plans for repurposing the 600 MHz Band; as a result, for purposes of these simulations all Mexican allotments are protected.[9] Due to insufficient data at this time, the simulations do not reflect any interference from Mexican TV stations into the United States.[10]

3. The simulations released with this document reflect three different illustrative broadcaster participation scenarios: (1) Participation by between 40 and 50 percent of broadcast stations; (2) participation between 50 and 60 percent; and (3) participation between 60 and 70 percent. We emphasize that these simulations model only the number of spectrum blocks that would be available under various initial clearing targets that would be feasible based on broadcaster participation in the auction. The simulations reflect no assumptions about auction outcomes in terms of which reverse auction participants would be selected as winning bidders, the winning bid amounts, the total proceeds of the forward auction, or whether the Commission would be able to close the auction at the initial clearing target.

4. For each of the three broadcaster participation scenarios, the Appendix provides information on the number of spectrum blocks that would be offered in the forward auction in each proposed license category (including totals nationwide, in the high-demand markets,[11] and by Partial Economic Area or ''PEA''), and the same breakdown showing the total weighted-pops for the licenses in each category. Under each scenario, the Appendix also shows results based on two approaches to assigning impairing stations to the 600 MHz Band: (1) The approach proposed in the *Comment PN,* under which the optimization software assigns stations within the 600 MHz Band so as to minimize impaired weighted-pops; and (2) an alternative approach that minimizes impaired weighted-pops but restricts the software from assigning stations to channels that could impair the duplex gap.[12]

5. The simulations indicate that the procedure proposed in the *Comment PN* for setting the initial clearing target, with the modifications described above, results in the selection of an initial clearing target of 84 megahertz in a scenario where 40 to 50 percent of broadcasters participate in the reverse auction (Scenario 1); an initial clearing target of 114 megahertz in a scenario where 50 to 60 percent participate (Scenario 2); and an initial clearing target of 126 megahertz in a scenario where 60 to 70 percent participate (Scenario 3). Under each scenario, the vast majority of the licenses offered in the band plan associated with eachclearing target are Category 1 licenses.[13] In Scenario 1, of the 2,842 possible

[3] *Auction 1000 Comment PN,* 29 FCC Rcd at 15762–69, paras. 27–45.

[4] ''Weighted-pops'' refers to the proposed approach of weighting the population in a given PEA based on an index of area-specific prices from prior auctions and counting population in each block in the PEA. *See id.,* 29 FCC Rcd at 15766–67, para. 38, 15803, paras. 162–63. The standard applied in the simulations would allow impairments at a smaller percentage of impaired weighted-pops at higher clearing targets and a larger percentage of impaired weighted-pops at lower clearing targets. We note that ''the equivalent of one block nationwide'' does not mean that one block would be impaired in each market, but rather that the total number of impaired weighted-pops cannot exceed the equivalent weighted-pops of one block nationwide in the aggregate. For example, under the clearing targets and associated band plans adopted in the *Incentive Auction R&O,* the equivalent of one block under an 84 megahertz clearing target would be approximately 14 percent of total weighted-pops nationwide, the equivalent of one block under a 114 megahertz clearing target would be approximately 11 percent, and the equivalent of one block under a 126 megahertz clearing target would be 10 percent.

[5] This variation from the *Comment PN* eliminates the proposed weighting on impairments in the downlink band, under which a downlink impairment would be counted as impairing the corresponding uplink band, but an uplink impairment would not be counted as impairing the corresponding downlink band. *Auction 1000 Comment PN,* 29 FCC Rcd at 15762, para. 29. We also note that the simulations apply a 10 percent standard for treating a county's entire population as impaired for the purposes of applying the primary objective; the *Comment PN* proposed a range between 10 and 20 percent. *See id.*

[6] *See Incentive Auction Task Force Releases Updated Constraint File Data Using Actual Channels and Staff Analysis Regarding Pairwise Approach to Preserving Population Served,* GN Docket No. 12–268, ET Docket No. 13–26, *Public Notice,* 29 FCC Rcd 5687, 5687 (June 2, 2014) (''*Aggregate Interference PN*'').

[7] *Auction 1000 Comment PN,* 29 FCC Rcd at 15753–54, para. 7.

[8] We emphasize that this proposal remains pending and has not been adopted by Industry Canada. We also note that, although Canada's *Consultation* indicates it is considering pursuing a joint repacking plan with the United States, for purposes of the simulations we do not assume a joint repacking plan. *See* Consultation on Repurposing the 600 MHz Band, Spectrum Management and Telecommunications, Industry Canada, SLPB–005–14, para. 41 (rel. December 18, 2014), *http://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf10891.html* (''*Consultation on Repurposing the 600 MHz Band*'').

[9] *See Incentive Auction R&O,* 29 FCC Rcd at 6677–80, paras. 246–57.

[10] We anticipate the Commission will have the data necessary to make these calculations in advance of the incentive auction, however. We note that including the predicted interference from Mexican stations would increase the impairment level in each of the scenarios. The simulations do reflect predicted interference from Canadian TV stations into the United States.

[11] ''High-demand markets'' is defined as the 40 largest PEAs by population. *Auction 1000 Comment PN,* 29 FCC Rcd at 15770, para. 51. These markets are considered high demand because the geographic areas they cover have usually generated the highest average prices per MHz-pop in prior spectrum license auctions and accounted for a substantial fraction of total auction revenues. Id.

[12] *Auction 1000 Comment PN,* 29 FCC Rcd at 15765–66, paras. 35–36. The Appendix refers to (1) as ''protecting the duplex gap'' and the alternative approach as ''not protecting the duplex gap.''

[13] In each of the simulations, at least 93.4 percent of licenses are Category 1 licenses, and Category 2 licenses comprise at most 1.3 percent of total possible licenses. Under the *Comment PN* proposal, ''Category 1'' licenses are licenses that contain impairments affecting between zero and 15 percent of the population in a PEA, ''Category 2'' licenses are licenses that contain impairments affecting greater than 15 percent but less than or equal to 50 percent of the population, and licenses with impairments affecting more than 50 percent of the population would not be offered in the auction. *See Auction 1000 Comment PN,* 29 FCC Rcd at 15797–98, paras. 145–46.

licenses,[14] only 46 are Category 2 licenses. For Scenario 2, of the 3,654 possible licenses, only 50 are Category 2 licenses. And for Scenario 3, of the 4,060 possible licenses, only 48 are Category 2 licenses. In all three scenarios, 88 to 93 percent of the licenses in the high-demand markets are Category 1 licenses and 84 to 88 percent of PEAs contain *only* Category 1 licenses.[15] The results also reflect that, in lower broadcaster participation scenarios, excluding stations altogether from the duplex gap would increase the number of Category 2 licenses and heavily impaired licenses that the Commission proposed not to offer in the incentive auction.[16]

II. Procedural Matters

6. This document is being issued pursuant to sections 0.31, 0.51, 0.61, and 0.131 of the Commission's rules by the Wireless Telecommunications Bureau and the Incentive Auction Task Force.[17]

A. Ex Parte Rules—Permit-But-Disclose Proceeding

7. Pursuant to § 1.1200(a) of the Commission's rules, this matter shall be treated as a ''permit-but-disclose'' proceeding in accordance with the Commission's ex parte rules. Persons making ex parte presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral ex parte presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the ex parte presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during ex parte meetings are deemed to be written ex parte presentations and must be filed consistent with rule § 1.1206(b). In proceedings governed by rule § 1.49(f) or for which the Commission has made available a method of electronic filing, written ex parte presentations and memoranda summarizing oral ex parte presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (*e.g.,* .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's ex parte rules.

B. Paperwork Reduction Analysis

8. This document does not change, or propose to change, the information collection requirements subject to the Paperwork Reduction Act of 1995 (''PRA''), Public Law 104–13, contained in the *Incentive Auction R&O.*[18] As a result, no new submission to the Office of Management and Budget is necessary to comply with the PRA requirements. In addition, it does not contain any new or modified ''information collection burden for small business concerns with fewer than 25 employees,'' pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, see 44 U.S.C. 3506(c)(4).

C. Regulatory Flexibility Analysis

9. The actions in this document have not changed, or proposed to change, the Final Regulatory Flexibility Analysis (''FRFA''), which was set forth in the *Incentive Auction R&O.*[19] Thus, no supplemental FRFA is necessary.

Federal Communications Commission.

Roger Sherman,

Chief, Wireless Telecommunications Bureau.

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[14] We note that for purposes of this impairment analysis, the total number of licenses analyzed at each clearing target level includes only those licenses that could be offered in the continental United States.

[15] For example, out of 406 PEAs, all but 62 will have only Category 1 licenses in the 84 megahertz initial clearing target scenario. The same is true for all but 53 in the 114 megahertz scenario and all but 47 in the 126 megahertz scenario. The total number of PEAs is 416, but the simulations results evaluate only impairments that affect the 406 PEAs in the continental United States. *See generally Wireless Telecommunications Bureau Provides Details About Partial Economic Areas,* GN Docket No. 12–268, Public Notice, 29 FCC Rcd 6491 (June 2, 2014). Further, under this scenario, of the 2,654 Category 1 licenses, 2,535 are entirely free of impairments (*i.e.* zero percent of the weighted-pops in the PEA are impaired). In Scenario 2, of the 3,469 Category 1 licenses, 3,334 are entirely free of impairments and in Scenario 3, of the 3,886 Category 1 licenses, 3,753 are entirely free of impairments. Once again, these totals reflect only those licenses that would be offered in the continental U.S. that are subject to impairments.

[16] In addition, the simulation results reflect that protecting the duplex gap at lower participation scenarios would result in the selection of lower clearing targets.

[17] 47 CFR 0.31, 0.51, 0.61, 0.131.

[18] *See Incentive Auction R&O,* 29 FCC Rcd at 6893, paras. 808–09.

[19] *See Incentive Auction R&O,* 29 FCC Rcd at 6893, para. 807.

Appendix

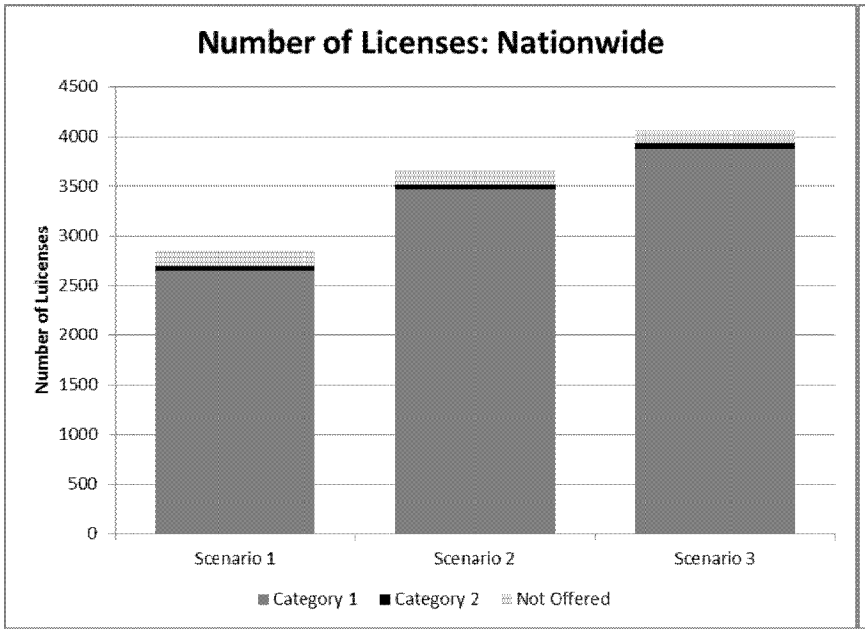
I. Overview

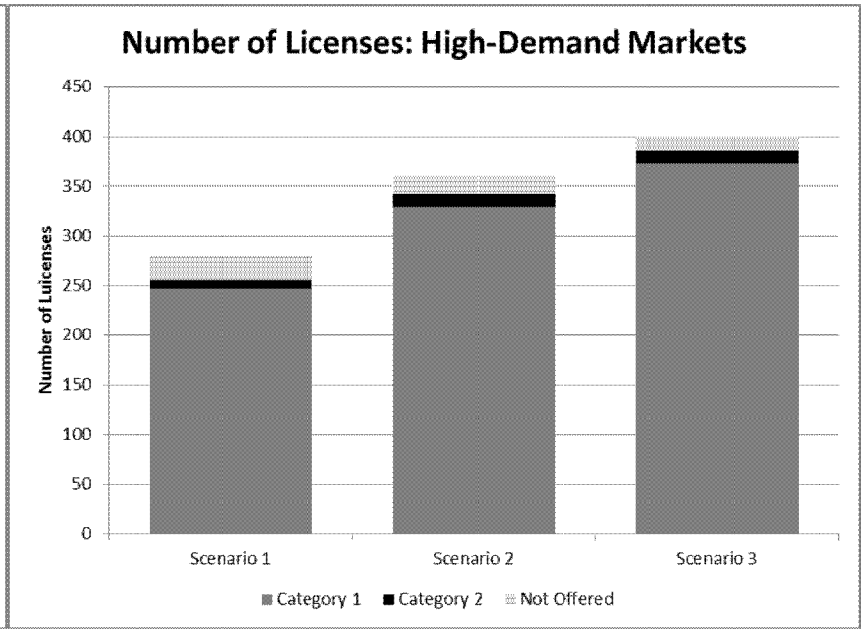
				Nationwide				High-Demand Markets**				PEA Analysis			
Scenario	Clearing (MHz)	Nationwide Impairment Threshold	Nationwide Impairment	Number of Category 1	Number of Unimpaired Category 1	Number of Category 2	Number Licenses Not Offered	Number of Category 1	Number of Unimpaired Category 1	Number of Category 2	Number Licenses Not Offered	Number of PEAs with only Category 1 Licenses Nationwide	Number of PEAs Nationwide With Less Than 3 Blocks Available	Number of PEAs with only Category 1 Licenses in High-Demand Markets	Number of PEAs With Less Than 3 Blocks Available in High-Demand Markets
1 (40-50% participation)	84	14%	13.1%	2654	2535	46	142	247	222	9	24	344	12	29	3
1 (40-50% participation; protecting Duplex Gap	84	14%	16.7%*	2631	2500	50	161	241	224	9	30	334	17	27	4
2 (50-60% participation)	114	11%	9.1%	3469	3334	50	135	329	302	13	18	353	9	32	1
2 (50-60% participation; protecting DG)	114	11%	11.5%*	3434	3282	56	164	321	298	17	22	339	11	29	2
3 (60-70% participation)	126	10%	4.1%	3886	3753	48	126	373	355	13	14	359	10	32	2
3 (60-70% participation; protecting DG)	126	10%	4.4%	3884	3750	45	131	373	355	12	15	358	10	32	2

* The highlighted cells indicate impairment that exceeds the standard considered so these clearing targets would not be chosen and the initial clearing target would be lowered.

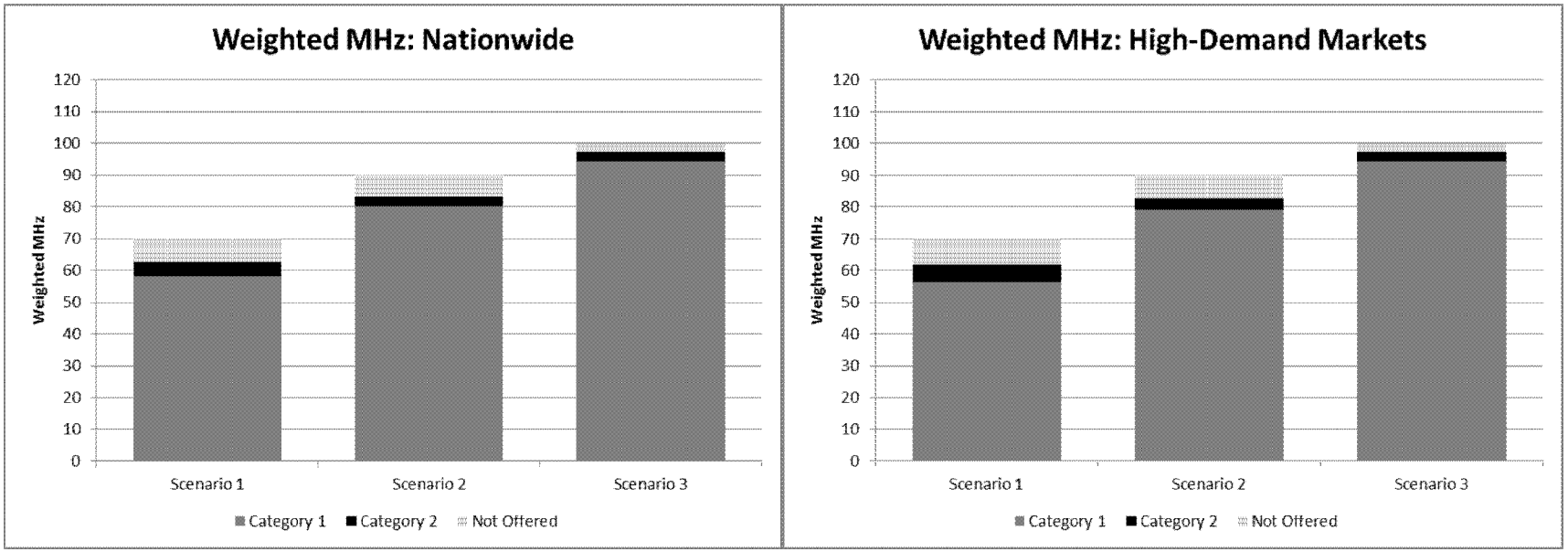
**"High-demand markets" is defined as the 40 largest PEAs by population.

II. Number of Licenses Available in the Forward Auction Nationwide and in High-Demand Markets (Not Protecting the Duplex Gap)

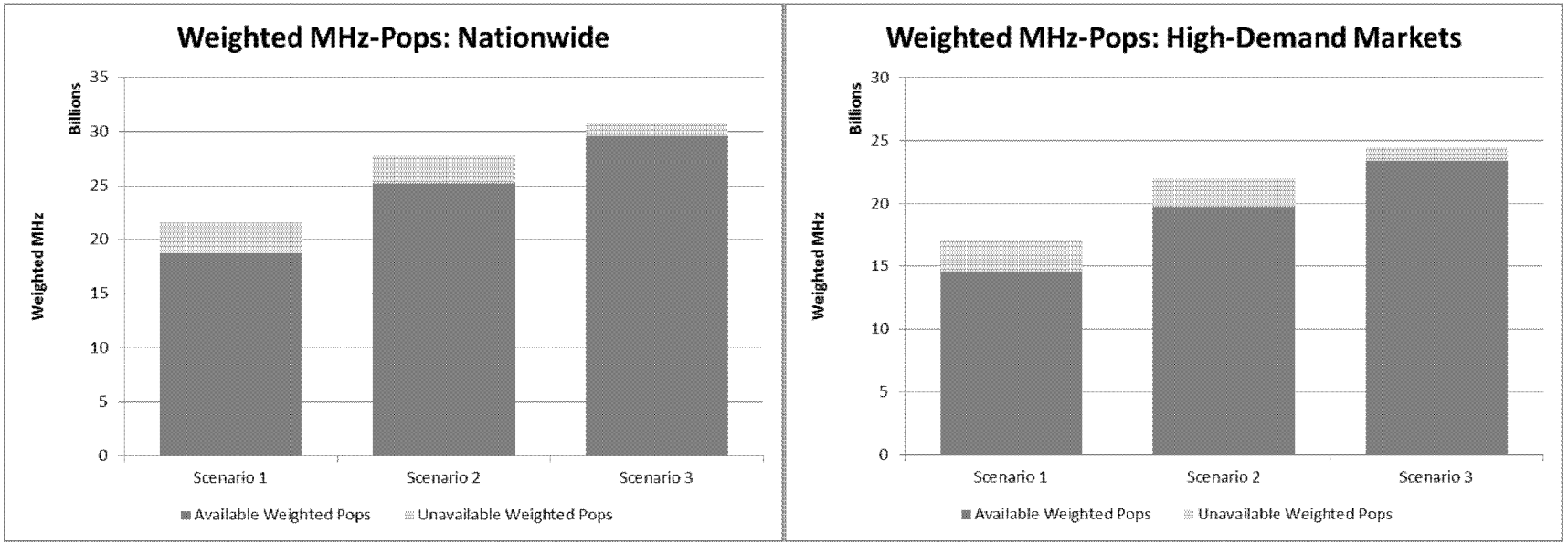




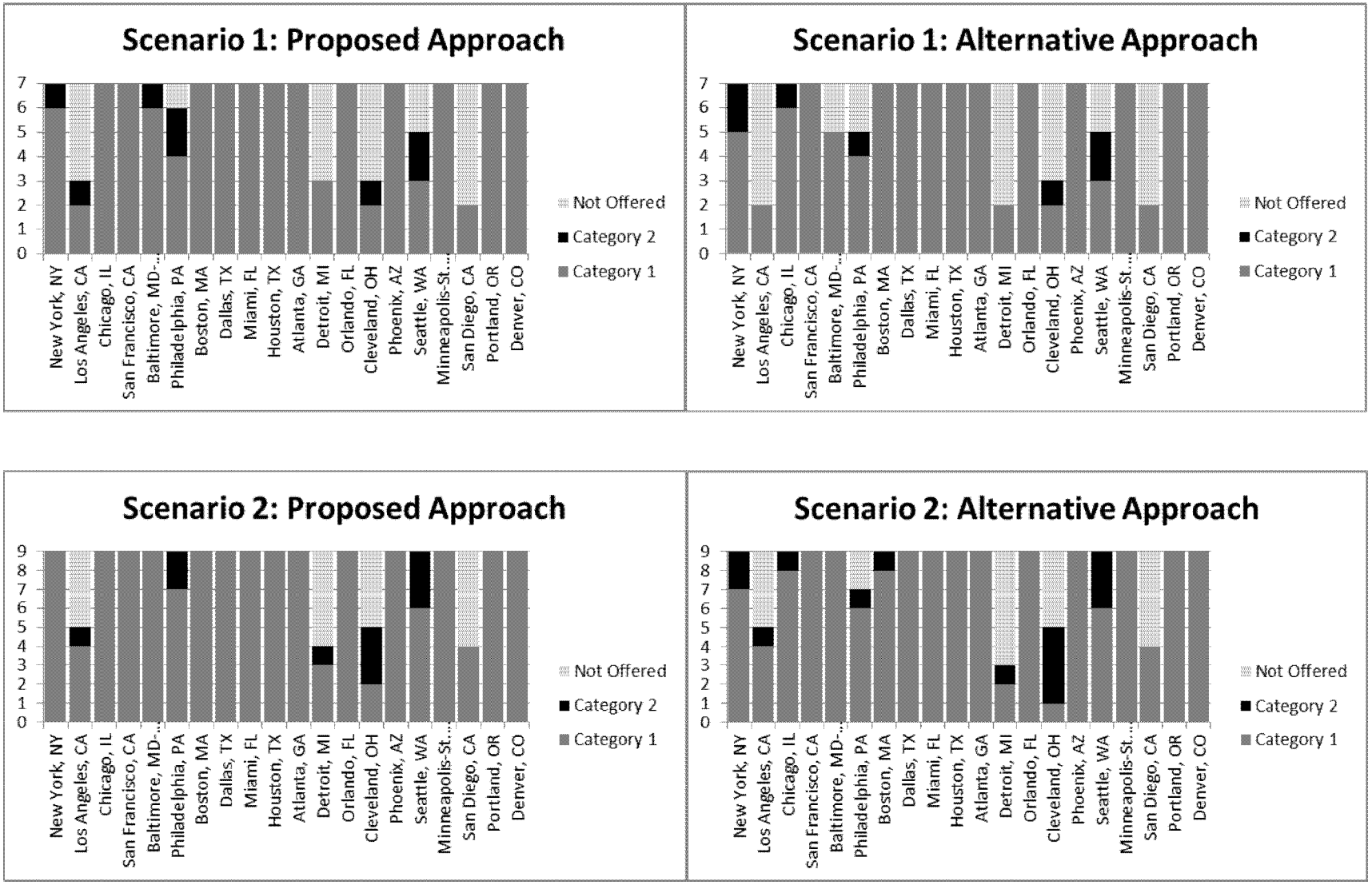
III. Weighted MHz Available in the Forward Auction Nationwide and in High-Demand Markets (Not Protecting the Duplex Gap)

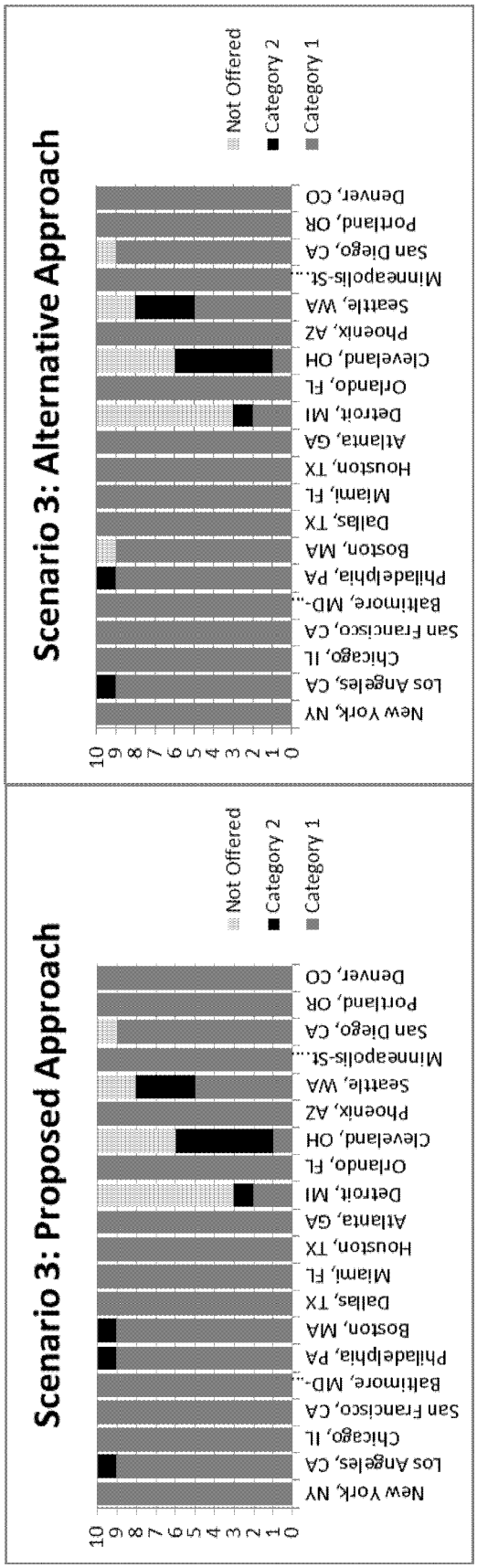


IV. Weighted MHz-Pops Available in the Forward Auction Nationwide and in High-Demand Markets (Not Protecting the Duplex Gap)



V. Impact of Protecting the Duplex Gap: Comparison of Forward Auction Licenses Available in the Top 20 PEAs




Scenario 3: Proposed Approach
Scenario 3: Alternative Approach
Not Offered
Category 2
Category 1
0
1
2
3
4
5
6
7
8
9
10
New York, NY
Los Angeles, CA
Chicago, IL
San Francisco, CA
Baltimore, MD-...
Philadelphia, PA
Boston, MA
Dallas, TX
Miami, FL
Houston, TX
Atlanta, GA
Detroit, MI
Orlando, FL
Cleveland, OH
Phoenix, AZ
Seattle, WA
Minneapolis-St...
San Diego, CA
Portland, OR
Denver, CO

[FR Doc. 2015–12806 Filed 5–22–15; 8:45 am]
BILLING CODE 6712–01–C

DEPARTMENT OF DEFENSE

Defense Acquisition Regulations System

48 CFR Parts 204, 232, 239, and Appendix F to Chapter 2

RIN 0750–AI54

Defense Federal Acquisition Regulation Supplement: Uniform Procurement Identification (DFARS Case 2015–D011)

AGENCY: Defense Acquisition Regulations System, Department of Defense (DoD).

ACTION: Proposed rule.

SUMMARY: DoD is proposing to amend the Defense Federal Acquisition Regulation Supplement (DFARS) to comply with the uniform procurement identification procedures implemented in the Federal Acquisition Regulation (FAR).

DATES: Comments on the proposed rule should be submitted in writing to the address shown below on or before July 27, 2015, to be considered in the formation of a final rule.

ADDRESSES: Submit comments identified by DFARS Case 2015–D011, using any of the following methods:

○ *Regulations.gov: http://www.regulations.gov.* Submit comments via the Federal eRulemaking portal by entering ''DFARS Case 2015–D011'' under the heading ''Enter keyword or ID'' and selecting ''Search.'' Select the link ''Submit a Comment'' that corresponds with ''DFARS Case 2015–D011.'' Follow the instructions provided at the ''Submit a Comment'' screen. Please include your name, company name (if any), and ''DFARS Case 2015–D011'' on your attached document.

○ *Email: osd.dfars@mail.mil.* Include DFARS Case 2015–D011 in the subject line of the message.

○ *Fax:* 571–372–6094.

○ *Mail:* Defense Acquisition Regulations System, Attn: Ms. Jennifer Johnson, OUSD(AT&L)DPAP/DARS, Room 3B941, 3060 Defense Pentagon, Washington, DC 20301–3060.

Comments received generally will be posted without change to *http://www.regulations.gov*, including any personal information provided. To confirm receipt of your comment(s), please check *www.regulations.gov*, approximately two to three days after submission to verify posting (except allow 30 days for posting of comments submitted by mail).

FOR FURTHER INFORMATION CONTACT: Jennifer Johnson, telephone 571–372–6176.

SUPPLEMENTARY INFORMATION:

I. Background

DoD is proposing to revise the DFARS to comply with the uniform procurement identification procedures implemented in the FAR through final rule 2012–023 (79 FR 61739, effective November 13, 2014). The final FAR rule implemented a uniform award identification system among various procurement transactions across the Federal Government, as recommended by the Government Accountability and Transparency Board. DFARS coverage of uniform procurement identification must be synchronized with the FAR coverage so that the identification numbers of DoD-issued contracts, orders, and other procurement instruments will comply with FAR subpart 4.16 as amended by final FAR rule 2012–023.

II. Discussion

This rule proposes to make the following amendments to the DFARS and its Appendix F:

- Subpart 204.70, Uniform Procurement Instrument Identification Numbers, is amended to relocate all text to subpart 204.16 and to revise the relocated text to comply with FAR subpart 4.16. Subpart 204.70 is reserved.
- Subpart 232.9, Prompt Payment, is amended to clarify the task and delivery order numbers for use on invoices and receiving reports.
- Subpart 239.74, Telecommunications Services, is amended to remove text on the type of procurement instrument.
- Appendix F, Material Inspection and Receiving Report, is amended to clarify the task and delivery order numbers for use on receiving reports.

III. Executive Orders 12866 and 13563

Executive Orders (E.O.s) 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This is not a significant regulatory action and, therefore, was not subject to review under section 6(b) of E.O. 12866, Regulatory Planning and Review, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

IV. Regulatory Flexibility Act

DoD does not expect this proposed rule to have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.,* because the rule implements procurement instrument identification procedures that are similar to procedures DoD has used for many years. However, an initial regulatory flexibility analysis has been performed and is summarized as follows:

DoD is proposing to amend the Defense Federal Acquisition Regulation Supplement (DFARS) to comply with the uniform procurement identification procedures implemented in the Federal Acquisition Regulation (FAR) through final FAR rule 2012–023.

Final FAR rule 2012–023 implemented a uniform award identification system among various procurement transactions across the Federal Government, as recommended by the Government Accountability and Transparency Board. DFARS coverage of uniform procurement identification must be synchronized with the FAR coverage so that the identification numbers of DoD-issued contracts, orders, and other procurement instruments will comply with FAR subpart 4.16 as amended by final rule 2012–023.

DoD does not expect this rule to have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.* The proposed rule affects all DoD contractors who will receive new task or delivery orders against DoD-issued contracts, purchase orders, calls against DoD-issued blanket purchase agreements, orders against DoD-issued basic ordering agreements, and certain types of contracts beginning in fiscal year 2016. At this time, the exact number of small entities is unknown.

The projected recordkeeping is limited to that required to properly record contract and other procurement instrument identification numbers and input them in documents (*e.g.,* invoices) as required under Government contracts. Preparation of these records requires clerical and analytical skills to create the documents and input them into the appropriate electronic systems.

The rule does not duplicate, overlap, or conflict with any other Federal rules.

There are no known significant alternative approaches to the rule that would meet the requirements.

DoD invites comments from small business concerns and other interested parties on the expected impact of this rule on small entities.

DoD will also consider comments from small entities concerning the existing regulations in subparts affected by this rule in accordance with 5 U.S.C. 610. Interested parties must submit such comments separately and should cite 5 U.S.C. 610 (DFARS Case 2015–D011), in correspondence.

V. Paperwork Reduction Act

This rule contains information collection requirements that require the approval of the Office of Management and Budget under the Paperwork Reduction Act (44 U.S.C. chapter 35); however, these changes to the DFARS do not impose additional information collection requirements to the paperwork burden previously approved under OMB Control Number 0704–0248, entitled Material Inspection and Receiving Report.

List of Subjects in 48 CFR Parts 204, 232, 239, and Appendix F to Chapter 2

Government procurement.

Amy G. Williams,

Editor, Defense Acquisition Regulations System.

Therefore, 48 CFR parts 204, 232, 239, and Appendix F to Chapter 2 are proposed to be amended as follows:

■ 1. The authority citation for 48 CFR parts 204, 232, 239, and Appendix F to chapter 2 continues to read as follows:

Authority: 41 U.S.C. 1303 and 48 CFR chapter 1.

PART 204—ADMINISTRATIVE MATTERS

■ 2. Add subpart 204.16 to read as follows:

Subpart 204.16—Uniform Procurement Instrument Identifiers

Sec.

204.1601 Policy.
204.1603 Procedures.
204.1670 Cross-reference to Federal Procurement Data System.
204.1671 Order of application for modifications.

Subpart 204.16—Uniform Procurement Instrument Identifiers

204.1601 Policy.

(a) *Establishment of a Procurement Instrument Identifier (PIID).* Do not reuse a PIID once it has been assigned. Do not assign the same PIID to more than one task or delivery order, even if they are issued under different base contracts or agreements.

(b) *Transition of PIID numbering.* Effective October 1, 2016, all components shall comply with the PIID numbering requirements of FAR subpart 4.16 and this subpart for all new solicitations, contracts, orders, and agreements issued, and any amendments and modifications to those new actions. Components are encouraged to transition to this numbering schema as soon as possible, but not earlier than October 1, 2015.

(c) *Change in the PIID after its assignment.* When this occurs, the new PIID is known as a continued contract.

(i) A continued contract—

(A) Does not constitute a new procurement;

(B) Incorporates all prices, terms, and conditions of the predecessor contract effective at the time of issuance of the continued contract;

(C) Operates as a separate contract independent of the predecessor contract once issued; and

(D) Shall not evade competition, expand the scope of work, or extend the period of performance beyond that of the predecessor contract.

(ii) When issuing a continued contract, the contracting officer shall—

(A) Issue an administrative modification to the predecessor contract to clearly state that—

(*1*) Any future awards provided for under the terms of the predecessor contract (*e.g.,* issuance of orders or exercise of options) will be accomplished under the continued contract; and

(*2*) Supplies and services already acquired under the predecessor contract shall remain solely under that contract for purposes of Government inspection, acceptance, payment, and closeout; and

(B) Follow the procedures at PGI 204.1601(b).

204.1603 Procedures.

(a) *Elements of a PIID.* DoD-issued PIIDs are thirteen characters in length. Use only alpha-numeric characters, as prescribed in FAR 4.1603 and this subpart. Do not use the letter ''I'' or ''O'' in any part of the PIID. Follow PIID numbering procedures in FAR 4.1603(a).

(3) *Position 9.* Do not use letters identified in FAR 4.1603(a)(3) as ''Reserved for future Federal Governmentwide use'' or ''Reserved for departmental use'' in position 9 of the PIID.

(4) *Positions 10 through 17.* In accordance with FAR 4.1603(a)(4), DoD-issued PIIDs shall only use positions 10 through 13 to complete the PIID. Enter the serial number of the instrument in these positions. A separate series of serial numbers may be used for any type of instrument listed in FAR 4.1603(a)(3). Components assign such series of PIID numbers sequentially. A component may reserve blocks of numbers or alpha-numeric numbers for use by its various components.

(b) *Elements of a supplementary PIID.* Follow supplementary PIID numbering procedures in FAR 4.1603(b) in addition to the requirements contained in paragraphs (2)(ii)(*1*) through(*3*) of this section.

(2)(ii) *Positions 2 through 6.* In accordance with FAR 4.1603(b)(2)(ii), DoD-issued supplementary PIIDs shall, for positions 2 through 6 of modifications to contracts and agreements, comply with the following:

(*1*) *Positions 2 through 3.* These are the first two digits in a serial number. They may be either alpha or numeric. Use the letters K, L, M, N, P, Q, S, T, U, V, W, X, Y, or Z only in position 2 and only in the following circumstances—

(*i*) Use K, L, M, N, P, and Q in position 2 only if the modification is issued by the Air Force and is a provisioned item order.

(*ii*) Use S, and only S, in position 2 to identify modifications issued to provide initial or amended shipping instructions when—

(*a*) The contract has either FOB origin or destination delivery terms; and

(*b*) The price changes.

(*iii*) Use T, U, V, W, X, or Y, and only those characters, in position 2 to identify modifications issued to provide initial or amended shipping instructions when—

(*a*) The contract has FOB origin delivery terms; and

(*b*) The price does not change.

(*iv*) Only use Z in position 2 to identify a modification which definitizes a letter contract or a previously issued undefinitized modification.

(*2*) *Positions 4 through 6.* These positions are always numeric. Use a separate series of serial numbers for each type of modification listed in paragraph (b)(2)(ii) of this section. Examples of proper numbering for positions 2–6 (the first position will be either ''A'' or ''P'') are as follows:

Normal modification	Provisioned items order (reserved for exclusive use by the Air Force only)	Shipping instructions
00001–99999	K0001–K9999	S0001–S9999.
then	KA001–KZ999	SA001–SZ999.
A0001–A9999	L0001–L9999	T0001–T9999.
B0001–B9999	LA001–LZ999	TA001–TZ999.
and so on to	M0001–M9999	U0001–U9999.
H0001–H9999	MA001–MZ999	UA001–UZ999.
then	N0001–N9999	V0001–V9999.
J0001–J9999	NA001–NZ999	VA001–VZ999.
then	P0001–P9999	W0001–W9999.
R0001–R9999	PA001–PZ999	WA001–WZ999.
then	Q0001–Q9999	X0001–X9999.
AA001–HZ999	QA001–QZ999	XA001–XZ999.
then		
JA001–JZ999		Y0001–Y9999.
RA001–RZ999		YA001–YZ999.

(*3*) If the contract administration office is changing the contract administration or disbursement office for the first time and is using computer generated modifications to notify many offices, it uses the six position supplementary number ARZ999. If either office has to be changed again during the life of the contract, the supplementary number will be ARZ998, and on down as needed.

204.1670 Cross-reference to Federal Procurement Data System.

Detailed guidance on mapping PIID and supplementary PIID numbers stored in the Electronic Document Access system to data elements reported in the Federal Procurement Data System can be found in PGI 204.1604–70.

204.1671 Order of application for modifications.

(a) Circumstances may exist in which the numeric order of the modifications to a contract is not the order in which the changes to the contract actually take effect.

(b) In order to determine the sequence of modifications to a contract or order, the modifications will be applied in the following order:

(1) Modifications will be applied in order of the effective date on the modification.

(2) In the event of two or more modifications with the same effective date, modifications will be applied in signature date order.

(3) In the event of two or more modifications with the same effective date and the same signature date, procuring contracting office modifications will be applied in numeric order, followed by contract administration office modifications in numeric order.

Subpart 204.70—[Removed and Reserved]

■ 3. Remove subpart 204.70, consisting of sections 204.7000 through 204.7007.

PART 232—CONTRACT FINANCING

■ 4. Add section 232.905 to subpart 232.9 to read as follows:

232.905 Payment documentation and process.

(b)(1)(iii) For task and delivery orders numbered in accordance with FAR 4.1603 and DFARS 204.1603, the 13-character order number will serve as the contract number on invoices and receiving reports. Task and delivery orders numbered with a four-position alpha-numeric call/order serial number shall include both the 13-position basic contract Procurement Instrument Identifier and the four-position order number.

PART 239—ACQUISITION OF INFORMATION TECHNOLOGY

239.7407 [Removed and Reserved]

■ 5. Remove and reserve section 239.7407.

■ 6. Amend Appendix F to Chapter 2, in section F–301, by revising paragraph (b)(1) to read as follows:

Appendix F to Chapter 2–Material Inspection and Receiving Report

* * * * *

F–301 Preparation instructions.

* * * * *

(b) * * *

(1) Contract no/delivery order no.

(i) Enter the 13-position alpha-numeric basic Procurement Instrument Identifier (PIID) of the contract. For task and delivery orders numbered in accordance with FAR 4.1603 and DFARS 204.1603, enter the 13-character order number only. If the order has only a four-position alpha numeric call/order serial number; enter both the 13-position basic contract PIID and the four-position order number.

(ii) Except as indicated in paragraph (b)(1)(iii) of this appendix, do not enter supplementary numbers used in conjunction with basic PIIDs to identify—

(A) Modifications of contracts and agreements;

(B) Modifications to calls or orders; or

(C) Document numbers representing contracts written between contractors.

(iii) When shipping instructions are furnished and shipment is made before receipt of the confirming contract modification (SF 30, Amendment of Solicitation/Modification of Contract), enter a comment in the Misc. Info Tab to this effect. This will appear in the Comments section of the printed WAWF RR.

* * * * *

[FR Doc. 2015–12344 Filed 5–22–15; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 21

[Docket No. FWS–HQ–MB–2014–0067; FF09M29000–156–FXMB1232090BPP0]

RIN 1018–BA69

Migratory Bird Permits; Programmatic Environmental Impact Statement

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of intent.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service, us, or we), intend to prepare a programmatic environmental impact statement (PEIS) pursuant to the National Environmental Policy Act to evaluate the potential environmental impacts of a proposal to authorize incidental take of migratory birds under the Migratory Bird Treaty Act. We are considering rulemaking to

address various approaches to regulating incidental take of migratory birds, including issuance of general incidental take authorizations for some types of hazards to birds associated with particular industry sectors; issuance of individual permits authorizing incidental take from particular projects or activities; development of memoranda of understanding with Federal agencies authorizing incidental take from those agencies' operations and activities; and/or development of voluntary guidance for industry sectors regarding operational techniques or technologies that can avoid or minimize incidental take. The rulemaking would establish appropriate standards for any such regulatory approach to ensure that incidental take of migratory birds is appropriately mitigated, which may include requiring measures to avoid or minimize take or securing compensation. We invite input from other Federal and State agencies, tribes, nongovernmental organizations, and members of the public on the scope of the PEIS, the pertinent issues we should address, and alternatives to our proposed approaches for regulating incidental take.

DATES: To ensure consideration of written comments, they must be submitted on or before July 27, 2015.

ADDRESSES: You may submit written comments by one of the following methods. Please do not submit comments by both methods.

- Federal eRulemaking Portal: *http://www.regulations.gov.* Follow the instructions for submitting comments to Docket No. FWS–HQ–MB–2014–0067.
- U.S. mail or hand-delivery: Submit by U.S. mail to Public Comments Processing, Attention: FWS–HQ–MB–2014–0067; Division of Policy and Directives Management; U.S. Fish and Wildlife Service; 5275 Leesburg Pike, MS–PPM, Falls Church, VA 22041–3803.

Please note in your submission that your comments are in regard to Incidental Take of Migratory Birds. We will post all information received on *http://www.regulations.gov.* This generally means that we will post any personal information you provide us (see the Public Availability of Comments section below for more information).

We will hold public Scoping Open Houses at the following times and locations:

- June 16, 2015 from 6:00 p.m. until 9:00 p.m. at Courtyard Sacramento CalExpo, 1782 Tribute Road Sacramento, CA 95815;
- June 18, 2015 from 5:00 p.m. until 8:00 p.m. at Holiday Inn Denver East—Stapleton, 3333 East Quebec Street, Denver, CO 80207;
- June 30, 2015 from 5:00 p.m. until 8:00 p.m. at Sheraton Westport Chalet, 191 Westport Plaza, St. Louis, MO 63146; and
- July 2, 2015 from 2:00 p.m. until 5:00 p.m. at Holiday Inn Arlington at Ballston, 4610 N. Fairfax Dr., Arlington, VA 22203.

In addition, we will present a public webinar on July 8, 2015. Additional information regarding these scoping sessions will be available on our Web site at *http://www.birdregs.org.*

FOR FURTHER INFORMATION CONTACT: Sarah P. Mott at 703–358–1910, or *Sarah_P_Mott@fws.gov.* Hearing or speech impaired individuals may call the Federal Relay Service at 800–877–8337 for TTY assistance.

SUPPLEMENTARY INFORMATION:

Background and Need for Action

In 1916, the United States and Great Britain (on behalf of Canada), signed a treaty to protect migratory birds. In 1918, Congress passed the Migratory Bird Treaty Act (MBTA) (16 U.S.C. 703–711) to implement the treaty with Canada. Among other things, the MBTA, as enacted, prohibited unauthorized killing and selling of birds covered by the treaty. The United States later signed bilateral treaties with Mexico, Japan, and the Union of Soviet Socialist Republics to protect migratory birds. After each treaty was signed, Congress amended the MBTA to cover the species addressed in that treaty.

The MBTA makes it unlawful to take or kill individuals of most bird species found in the United States, unless that taking or killing is authorized pursuant to regulation 16 U.S.C. 703, 704. ''Take'' is defined in part 10 of title 50 of the Code of Federal Regulations (CFR) as ''to pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to pursue, hunt, shoot, wound, kill, trap, capture, or collect'' (50 CFR 10.12). ''Migratory bird'' means any bird protected by any of the treaties and currently includes 1,027 bird species in the United States (50 CFR 10.13), regardless of whether the particular species actually migrates.

Of the 1,027 currently protected species, approximately 8% are either listed (in whole or in part) as threatened or endangered under the Endangered Species Act (ESA) (16 U.S.C. 1531 *et seq.*) and 25% are designated (in whole or in part) as Birds of Conservation Concern (BCC). BCC species are those birds that, without additional conservation actions, are likely to become candidates for listing under the ESA. According to the State of the Birds reports by the North American Bird Conservation Initiative (NABCI), most bird guilds (groups of birds that use the same habitat) are experiencing population declines, especially those using arid lands, grasslands, and ocean environments. Based on number of species within each guild, more raptors and waterbirds are on the ESA and BCC lists, respectively, with 43 percent and 41 percent of the species on these lists.

Many natural and anthropogenic sources (any activity, action, or component of a project, enterprise, or endeavor) cause bird mortality or otherwise contribute to declining populations. Bird habitat is lost or degraded every year due to urbanization, energy development, agriculture, and forestry practices. These rapidly accelerating impacts can be mitigated through a variety of approaches, such as voluntary incentives, habitat restoration or protection, and best management practices. In addition, millions of birds are directly killed by interaction with human structures and activities, such as collisions with manmade structures, electrocutions, chemicals, and fisheries bycatch. The cumulative effects of these sources of mortality are contributing to continental-scale population declines for many species (State of the Birds, NABCI 2009, 2010, 2011, 2013, 2014).

Many of these sources of avian mortality are becoming more prevalent across the landscape, and their impacts on bird populations are exacerbated by the effects of a changing climate. Birds in every habitat will likely be affected by anthropogenic sources and climate change, so conserving migratory bird populations will require a multifaceted, coordinated approach by governments, conservation organizations, industry, and the general public. An incidental take authorization program alone will not address all of the conservation needs of bird populations, but it could provide a framework to reduce existing human-caused mortality of birds and help avoid future impacts by promoting practical actions or conservation measures that will help industries and agencies avoid and minimize their impacts on birds. An authorization system created through rulemaking could encourage implementation of appropriate conservation measures to avoid or reduce avian mortality, such as the technologies and best management practices identified in current Service guidance for certain industry sectors, and could create a regulatory mechanism to obtain meaningful compensatory mitigation for bird mortality that cannot be avoided or

minimized through best practices or technologies. Compensatory mitigation for incidental take, especially on a watershed or landscape basis, can provide conservation benefits through funding of habitat replacement, restoration, or, in certain circumstances, acquisition.

The Service has longstanding regulations found at 50 CFR part 21 that authorize the issuance of permits to take migratory birds. A number of migratory bird regulations authorize purposeful take for a variety of purposes, including bird banding and marking, scientific collection, bird rehabilitation, raptor propagation, and falconry. Consistent with the Service's longstanding position that the MBTA applies to take that occurs incidental to, and which is not the purpose of, an otherwise lawful activity, we also have authorized incidental take by the Armed Forces during military-readiness activities (50 CFR 21.15) and in certain situations through special use permits described in 50 CFR 21.27.

We are now considering establishing more general authority to permit incidental take through general authorizations, individual permits, or interagency memoranda of understanding. This regulatory process would provide greater certainty for entities that have taken efforts to reduce incidental take and significantly benefit bird conservation by promoting implementation of appropriate conservation measures to avoid or reduce avian mortality. The process would also create a regulatory mechanism to obtain meaningful compensatory mitigation for bird mortality that cannot be avoided or minimized through best practices, risk management processes, or technologies. We are considering approaches that will minimize the administrative burden of compliance with this regulatory process for industry, other Federal agencies, and the Service, and will also consider continuation of our current efforts to work with interested industry sectors to develop voluntary guidance for avoiding or minimizing incidental take of migratory birds. These approaches will not affect 50 CFR 21.15, which was issued to allow the Armed Forces to incidentally take migratory birds during military-readiness activities.

We note that should we develop a permit system authorizing and limiting incidental take, we would not expect every person or business that may incidentally take migratory birds to obtain a permit, nor would we intend to expand our judicious use of our enforcement authority under the MBTA. The Service focuses its enforcement efforts under the MBTA on industries or activities that chronically kill birds and has historically pursued criminal prosecution under the Act only after notifying an industry of its concerns regarding avian mortality, working with the industry to find solutions, and proactively educating industry about ways to avoid or minimize take of migratory birds. Similarly, our permit program, if implemented, will focus on industries and activities that involve significant avian mortality and for which reasonable and effective measures to avoid or minimize take exist.

Need for Agency Action

We seek to provide legal clarity to Federal and State agencies, industry, and the public regarding compliance with the MBTA. At the same time, we have a legal responsibility under the MBTA and the treaties the Act implements to promote the conservation of migratory bird populations. We are considering actions, therefore, that can provide legal authorization for incidental take of migratory birds where authorization is appropriate, will promote adoption of measures to avoid or minimize incidental take, and will provide for appropriate mitigation, including compensation, for that take.

NEPA Analysis of Potential Incidental Take Authorization Options

The National Environmental Policy Act (NEPA) (42 U.S.C. 4321–4347) requires Federal agencies to undertake an assessment of environmental effects of any proposed action prior to making a final decision and implementing it. NEPA requirements apply to any Federal project, decision, or action that may have a significant impact on the quality of the human environment. NEPA also established the Council on Environmental Quality (CEQ), which issued regulations implementing the procedural provisions of NEPA (40 CFR parts 1500–1508). Among other considerations, CEQ regulations at 40 CFR 1508.28 recommend the use of tiering from a broader environmental impact statement (such as a national program or policy statement). Subsequent narrower statements or environmental analyses (such as regional or site-specific statements) would incorporate by reference the general discussions of the previous broad EIS and concentrate solely on the issues specific to the narrower statement.

Consistent with this guidance, we intend to complete a programmatic environmental impact statement (PEIS) to consider a number of approaches to regulating incidental take of migratory birds. The PEIS will address the potential environmental impacts of a range of reasonable alternatives for regulating and authorizing incidental take; the effectiveness of best practices or measures to mitigate take of migratory birds under the MBTA and adverse impacts to migratory bird resources; the potential for environmental impacts to non-bird resources, such as cultural resources, from measures to protect birds; the effects on migratory bird populations of sources of mortality other than incidental take; and the effects on migratory bird populations of impacts to migratory bird habitat, including, but not limited to, climate change. We will address our compliance with other applicable authorities in our proposed NEPA review.

Tribal Responsibilities

The Service has unique responsibilities to tribes including under the Bald and Golden Eagle Protection Act (16 U.S.C. 668–668d); the National Historic Preservation Act (16 U.S.C. 470 *et seq.*); the American Indian Religious Freedom Act (42 U.S.C. 1996); Native American Graves Protection and Repatriation Act (25 U.S.C. 3001); Religious Freedom Restoration Act of 1993 (42 U.S.C. 2000bb *et seq.*); Secretarial Order 3206, American Indian Tribal Rights, Federal–Tribal Trust Responsibilities, and the ESA (June 5, 1997): Executive Order 13007, Indian Sacred Sites (61 FR 26771, May 29, 1996): and the Service's Native American Policy. We apply the terms ''tribal'' or ''tribe(s)'' generally to federally recognized tribes and Alaska Native tribal entities. We will refer to Native Hawaiian Organizations separately when we intend to include those entities. The Service will separately consult with tribes and with Native Hawaiians on the proposals set forth in this notice of intent. We will also ensure that those tribes and Native Hawaiians wishing to engage directly in the NEPA process will have the opportunity to do so. As part of this process, we will protect the confidential nature of any consultations and other communications we have with tribes and Native Hawaiians.

Possible Actions

We are considering various approaches for authorizing incidental take of migratory birds. Each of these regulatory approaches would require us to promulgate new regulations under the MBTA, in compliance with applicable statutory and Executive Branch requirements for rulemaking.

We will also consider, as an alternative to these regulatory approaches, a continuation of our practice of working with interested industry sectors to develop voluntary guidance that identifies best management practices or technologies that can effectively avoid or minimize avian mortality from hazards in those sectors. These approaches may be considered separately or in any combination. Therefore, the PEIS will consider the effects from each approach, and the effects from combined approaches.

General Conditional Authorization for Incidental Take Associated With Particular Industry Sectors

One possible approach would be to establish a general conditional authorization for incidental take by certain hazards to birds associated with particular industry sectors, provided that those industry sectors adhere to appropriate standards for protection and mitigation of incidental take of migratory birds. The standards would include conservation measures or technologies that have been developed to address practices or structures that kill or injure birds. We are considering developing authorizations under this approach for a number of types of hazards to birds that are associated with particular industry sectors, described below. We selected these hazards and sectors because we know that they consistently take birds and we have substantial knowledge about measures these industries can take to prevent or reduce incidental bird deaths. We have a history of working with these industry sectors to address associated hazards to birds by issuing guidance and reviewing projects at the field level or by engaging in collaborative efforts to establish best management practices and standards.

- Oil, gas, and wastewater disposal pits can entrap birds that are attracted to a perceived source of water. Birds that land on or fall into the pit become covered with oil and may ultimately die from drowning, exhaustion, exposure, or effects of ingested oil. Closed containment systems or properly maintained netting prevents birds from entering these sites.
- Methane or other gas burner pipes at oil production sites and other locations provide a hazard to birds from burning, entrapment in pipes or vents, or direct mortality from flame flare. Removing perches, installing perch deterrents, and covering pipes and other small openings can minimize this take.
- Communication towers can have a significant impact on birds, especially birds migrating at night. Using recommended tower-siting practices and design features such as appropriate lighting, shorter tower heights, and eliminating or reducing the use of guy wires can minimize bird take caused by collisions with these structures.
- Electric transmission and distribution lines impact a variety of birds through electrocution and collision. To reduce electrocutions, poles can be made avian-safe through pole and equipment design or through post-construction retrofitting measures. Collisions are best minimized through appropriate siting considerations.

We may seek to develop additional general authorizations in this rulemaking for hazards to birds associated with other industry sectors. We are considering, for example, whether a general conditional authorization can be developed for hazards to birds related to wind energy generation, building on guidance we have developed jointly with that industry to address avian mortality. We seek input from the public and interested parties regarding the issues, environmental impacts, and mitigation techniques we should assess if we try to develop a general authorization for wind energy generation, and also on whether there are additional industry sectors for which general authorization of incidental take may be appropriate.

Individual Permits

A second possible approach would be to establish legal authority for issuing individual incidental take permits for projects or activities not covered under the described general, conditional authorization that present complexities or siting considerations that inherently require project-specific considerations, or for which there is limited information regarding adverse effects. We are considering ways to minimize the administrative burdens of obtaining individual incidental take permits for both applicants and the Service, such as combining environmental reviews for those permits with reviews being conducted for other Federal permits or authorizations. Our intention would be only to establish the authority and standards for issuance of individual permits in this rulemaking; we do not intend to issue any actual individual permits as part of this action. FWS will conduct site-specific NEPA reviews in connection with the future issuance of any such permit.

Memoranda of Understanding With Federal Agencies

A third possible approach would be to establish a procedure for authorizing incidental take by Federal agencies that commit in a memorandum of understanding (MOU) with us to consider impacts to migratory birds in their actions and to mitigate that take appropriately. We have negotiated MOUs with a number of Federal agencies under Executive Order 13186 (66 FR 3853, January 17, 2001), but we have not previously sought to authorize incidental take through those memoranda. Expanding existing MOUs and negotiating MOUs with additional Federal agencies could provide an efficient programmatic approach to regulating and authorizing incidental take caused by Federal agency programs and activities. We may also consider whether MOUs with Federal agencies might provide appropriate vehicles for authorizing take by third parties regulated by those agencies, even though the agencies themselves are not subject to the prohibitions of the MBTA when acting in their regulatory capacities.

The regulation we envision promulgating would not immediately authorize incidental take via existing MOUs, but would allow us to develop MOUs with interested agencies to authorize that take in the future. We will conduct appropriate NEPA analysis in connection with the development of any such memoranda if we pursue this option.

Development of Voluntary Guidance for Industry Sectors

We will also evaluate an approach that builds on our experience working with particular industry sectors to develop voluntary guidance that identifies best management practices or technologies that can be applied to avoid or minimize avian mortality resulting from specific hazards in those sectors. Under this approach, we would continue to work closely with interested industry sectors to assess the extent that their operations and facilities may pose hazards to migratory birds and to evaluate operational approaches or technological measures that can avoid or reduce the risk to migratory birds associated with those hazards. We would not provide legal authorization for incidental take of migratory birds by companies or individuals that comply with any such guidance, but would, as a matter of law-enforcement discretion, consider the extent to which a company or individual had complied with that guidance as a substantial factor in assessing any potential enforcement action for violation of the Act.

Public Comments

We request information from other interested government agencies, Native American tribes, Native Hawaiians, the

scientific community, industry, nongovernmental organizations, and other interested parties. We solicit input on the following:

(1) The approaches we are considering for authorizing incidental take;

(2) The specific types of hazards to birds associated with particular industry sectors that could be covered under general permits;

(3) Potential approaches to mitigate and compensate for the take of migratory birds;

(4) Other approaches, or combinations of approaches, we should consider with respect to the regulation and authorization of incidental take;

(5) Specific requirements for NEPA analyses related to these actions;

(6) Whether the actions we consider should distinguish between existing and new industry facilities and activities;

(7) Considerations for evaluating the significance of impacts to migratory birds and to other affected resources, such as cultural resources;

(8) Information regarding natural resources that may be affected by the proposal;

(9) Considerations for evaluating the interactions between affected natural resources;

(10) The benefits provided by current Federal programs to conserve migratory birds and the additional benefits that would be provided by a program to authorize incidental take;

(11) The potential costs to comply with the actions under consideration, including those borne by the Federal government and private sectors;

(12) The baseline for quantifying the costs and benefits of the proposal;

(13) Bird species having religious or cultural significance for tribes, bird species having religious or cultural significance for the general public, and impacts to cultural values from the actions being considered;

(14) Considerations for evaluating climate change effects to migratory bird resources and to other affected resources, such as cultural resources; and

(15) How to integrate existing guidance and plans, such as Avian Protection Plans, into the proposed regulatory framework.

You may submit your comments and materials by one of the methods described above under **ADDRESSES** at the beginning of this notice of intent.

Public Availability of Comments

Written comments we receive become part of the public record associated with this action. Your address, phone number, email address, or other personal identifying information that you include in your comment may become publicly available. You may ask us to withhold your personal identifying information from public review, but we cannot guarantee that we will be able to do so. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public disclosure in their entirety.

Authority

The authorities for this action are the MBTA, NEPA, and Executive Order 13186, Responsibilities of Federal Agencies to Protect Migratory Birds.

Dated: May 20, 2015.

Michael J. Bean,

Principal Deputy Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 2015–12666 Filed 5–22–15; 8:45 am]

BILLING CODE 4310–55–P

Notices

Federal Register
Vol. 80, No. 100
Tuesday, May 26, 2015

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

Submission for OMB Review; Comment Request

May 19, 2015.

The Department of Agriculture has submitted the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104–13. Comments regarding (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques and other forms of information technology.

Comments regarding this information collection received by June 25, 2015 will be considered. Written comments should be addressed to: Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), New Executive Office Building, 725–17th Street NW., Washington, DC 20503. Commentors are encouraged to submit their comments to OMB via email to: *OIRA_Submission@omb.eop.gov* or fax (202) 395–5806 and to Departmental Clearance Office, USDA, OCIO, Mail Stop 7602, Washington, DC 20250–7602. Copies of the submission(s) may be obtained by calling (202) 720–8681.

An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

Forest Service

Title: Airplane Pilot Qualifications and Approval Record, Helicopter Pilot Qualifications and Approval Record, Airplane Data Record, and Helicopter Data Record

OMB Control Number: 0596–0015.

Summary of Collection: The Forest Service (FS) is the largest owner and operator of aircraft in the federal government outside of the Department of Defense. The process by which FS operates, maintains, and provides aircraft is through the use of Federal Government contractual agreements with private industry. Two types of aviation contracts are used: Exclusive Use contracts and Call-When-Needed (CWN) contracts. Currently, in excess of 700 private companies contract with the FS for use in resource protection and administrative projects. In addition, the agency owns and operates 27 agency aircraft. The majority of FS flying is in support of wildland fire suppression. Contractor aircraft and pilots are used to place water and chemical retardants on fires, provide aerial delivery of firefighters to fires, perform reconnaissance, resource surveys, search for lost personnel, and fire detection. Contracts for such services established rigorous qualification requirements for pilots and specific condition/equipment/performance requirements for aircraft. The authority is granted under the Federal Aviation Administration Regulations in Title 14 (Aeronautics and Space) of the Code of Federal Regulations.

Need and Use of the Information: FS will collect information using FS forms to document the basis for approval of contract pilot and aircraft for use in specific FS aviation missions. The information collected from contract pilots in face to face meetings (such as name, age, pilots license number, number of hours flown in type of aircraft, etc.) is based on the length and type of contract but is usually done on an reoccurring annual basis. Without the information supplied on these forms, FS contracting officers and pilot/aircraft inspectors cannot determine if pilots and aircraft meet the detailed qualification, equipment, and condition requirements essential to safe, efficient accomplishment of FS specified flying missions and which are included in contract specifications.

Description of Respondents: Individuals or households; Business or other for-profit; State, Local or Tribal Government.

Number of Respondents: 2,244.

Frequency of Responses: Reporting: Annually.

Total Burden Hours: 3,927.

Charlene Parker,

Departmental Information Collection Clearance Officer.

[FR Doc. 2015–12592 Filed 5–22–15; 8:45 am]

BILLING CODE 3411–15–P

DEPARTMENT OF AGRICULTURE

Forest Service

Missoula Resource Advisory Committee

AGENCY: Forest Service, USDA.

ACTION: Notice of meeting.

SUMMARY: The Missoula Resource Advisory Committee (RAC) will meet in Missoula, Montana. The committee is authorized under the Secure Rural Schools and Community Self-Determination Act (Act) and operates in compliance with the Federal Advisory Committee Act. The purpose of the committee is to improve collaborative relationships and to provide advice and recommendations to the Forest Service concerning projects and funding consistent with the Title II of the Act. Additional RAC information, including the meeting agenda and the meeting summary/minutes can be found at the following Web site: *https://fsplaces.fs.fed.us/fsfiles/unit/wo/secure_rural_schools.nsf/RAC/D5F1A3E53310466588257546007119C9?OpenDocument.*

DATES: The meeting will be held on Tuesday, June 9, 2015, from 5:00 p.m. to 7:00 p.m.

All RAC meetings are subject to cancellation. For status of meeting prior to attendance, please contact the person listed under **FOR FURTHER INFORMATION CONTACT.**

ADDRESSES: The meeting will be held at Missoula County Courthouse, Room Admin B14, 199 West Pine Street, Missoula, Montana.

Written comments may be submitted as described under **SUPPLEMENTARY INFORMATION**. All comments, including names and addresses when provided, are placed in the record and are available for public inspection and copying. The public may inspect comments received at Missoula Ranger District. Please call ahead to facilitate entry into the building.

FOR FURTHER INFORMATION CONTACT: Katrina Kreyenhagen, RAC Coordinator, by phone at 406–329–3844, or via email at *kmkreyenhagen@fs.fed.us.*

Individuals who use telecommunication devices for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8:00 a.m. and 8:00 p.m., Eastern Standard Time, Monday through Friday. Please make requests in advance for sign language interpreting, assistive listening devices or other reasonable accommodation for access to the facility or proceedings by contacting the person listed above.

SUPPLEMENTARY INFORMATION: The purpose of the meeting is to:

1. Distribute submitted proposals to RAC members;

2. Allow the opportunity for project proponents to present their proposals; and

3. Receive public comment on the meeting subjects and proceedings.

The meeting is open to the public. The agenda will include time for people to make oral statements of three minutes or less. Anyone who would like to bring related matters to the attention of the committee may file written statements with the committee staff before or after the meeting. Written comments must be sent to Katrina Kreyenhagen; Lolo National Forest Supervisor's Office, Building 24 Fort Missoula Road, Missoula, Montana 59804; or by email to *kmkreyenhagen@fs.fed.us.*

Meeting Accommodations: If you are a person requiring reasonable accommodation, please make requests in advance for sign language interpreting, assistive listening devices or other reasonable accommodation for access to the facility or proceedings by contacting the person listed in the section titled **FOR FURTHER INFORMATION CONTACT.** All reasonable accommodation requests are managed on a case by case basis.

Dated: May 13, 2015.

Jennifer Hensiek,

District Ranger, Missoula Ranger District.

[FR Doc. 2015–12590 Filed 5–22–15; 8:45 am]

BILLING CODE 3411–11–P

DEPARTMENT OF AGRICULTURE

Grain Inspection, Packers and Stockyards Administration

Solicitation of Nominations for Members of the USDA Grain Inspection Advisory Committee

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

ACTION: Notice to solicit nominees.

SUMMARY: The Department of Agriculture's (USDA) Grain Inspection, Packers and Stockyards Administration (GIPSA) is seeking nominations for individuals to serve on the USDA Grain Inspection Advisory Committee (Advisory Committee). The Advisory Committee meets twice annually to advise GIPSA on the programs and services it delivers under the U.S. Grain Standards Act (USGSA). Recommendations by the Advisory Committee help GIPSA better meet the needs of its customers who operate in a dynamic and changing marketplace.

DATES: GIPSA will consider nominations received by June 25, 2015.

ADDRESSES: Submit nominations for the Advisory Committee by completing form AD–755 and mail to:

- Terri L. Henry, U.S. Department of Agriculture, 1400 Independence Ave. SW., Rm. 2542–S, Mail Stop 3611, Washington, DC 20250–3611, or
- FAX: 202–690–2173

Form AD–755 may be obtained via USDA's Web site: *http://www.gipsa.usda.gov/fgis/forms-fgis/ad755.pdf.*

FOR FURTHER INFORMATION CONTACT: Terri L. Henry, telephone (202) 205–8281 or email *Terri.L.Henry@usda.gov.*

SUPPLEMENTARY INFORMATION: As required by section 21 of the USGSA (7 U.S.C. 87j), as amended, the Secretary of Agriculture (Secretary) established the Advisory Committee on September 29, 1981, to provide advice to the GIPSA Administrator on implementation of the USGSA. The current authority for the Advisory Committee expires on September 30, 2015. As specified in the USGSA, each member's term is 3 years and no member may serve successive terms.

The Advisory Committee consists of 15 members, appointed by the Secretary, who represent the interests of grain producers, processors, handlers, merchandisers, consumers, exporters, and scientists with expertise in research related to the policies in section 2 of the USGSA (7 U.S.C. 74). While members of the Advisory Committee serve without compensation, USDA reimburses them for travel expenses, including per diem in lieu of subsistence, for travel away from their homes or regular places of business in performance of Advisory Committee service (see 5 U.S.C. 5703).

A list of current Advisory Committee members and other relevant information are available on the GIPSA at *http://www.gipsa.usda.gov/fgis/adcommit.html.*

GIPSA is seeking nominations for individuals to serve on the Advisory Committee to replace two members whose terms will expire August 12, 2015, and three members whose terms expire October 30, 2015.

Nominations are open to all individuals without regard to race, color, religion, gender, national origin, age, mental or physical disability, marital status, or sexual orientation. To ensure that recommendations of the Advisory Committee take into account the needs of the diverse groups served by the USDA, membership shall include, to the extent practicable, individuals with demonstrated ability to represent minorities, women, and persons with disabilities.

The final selection of Advisory Committee members and alternates is made by the Secretary.

Larry Mitchell,

Administrator, Grain Inspection, Packers and Stockyards Administration.

[FR Doc. 2015–12528 Filed 5–22–15; 8:45 am]

BILLING CODE 3410–KD–P

DEPARTMENT OF AGRICULTURE

National Agricultural Statistics Service

Notice of Intent To Seek Approval To Revise and Extend a Currently Approved Information Collection

AGENCY: National Agricultural Statistics Service, USDA.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the intention of the National Agricultural Statistics Service (NASS) to request revision and extension of a currently approved information collection, the Egg, Chicken, and Turkey Surveys. A revision to burden hours will be needed due to changes in the size of the target population, sampling design, and/or questionnaire length.

DATES: Comments on this notice must be received by July 27, 2015 to be assured of consideration.

ADDRESSES: You may submit comments, identified by docket number 0535–0004, by any of the following methods:

• *Email: ombofficer@nass.usda.gov*. Include docket number above in the subject line of the message.

• *E-fax:* (855) 838–6382.

• *Mail:* Mail any paper, disk, or CD–ROM submissions to: David Hancock, NASS Clearance Officer, U.S. Department of Agriculture, Room 5336 South Building, 1400 Independence Avenue SW., Washington, DC 20250–2024.

• *Hand Delivery/Courier:* Hand deliver to: David Hancock, NASS Clearance Officer, U.S. Department of Agriculture, Room 5336 South Building, 1400 Independence Avenue SW., Washington, DC 20250–2024.

FOR FURTHER INFORMATION CONTACT: R. Renee Picanso, Associate Administrator, National Agricultural Statistics Service, U.S. Department of Agriculture, (202) 720–4333. Copies of this information collection and related instructions can be obtained without charge from David Hancock, NASS Clearance Officer, at (202) 690–2388 or at *ombofficer@nass.usda.gov*.

SUPPLEMENTARY INFORMATION:

Title: Egg, Chicken, and Turkey Surveys.

OMB Number: 0535–0004.

Expiration Date of Approval: January 31, 2016.

Type of Request: Intent to seek approval to revise and extend an information collection for 3 years.

Abstract: The primary objective of the National Agricultural Statistics Service is to prepare and issue State and national estimates of crop and livestock production, prices, and disposition. The Egg, Chicken, and Turkey Surveys obtain basic poultry statistics from voluntary cooperators throughout the Nation. Statistics are published on placement of pullet chicks for hatchery supply flocks; hatching reports for broiler-type, egg-type, and turkey eggs; number of layers on hand; total table egg production; and production and value estimates for eggs, chickens, and turkeys. The frequencies of the surveys being conducted include weekly, monthly, and annually. This information is used by producers, processors, feed dealers, and others in marketing and supply channels as a basis for production and marketing decisions. Government agencies use these estimates to evaluate poultry product supplies. The information is an important consideration in government purchases for the National School Lunch Program and in formulation of export-import policy. The current expiration date for this docket is January 31, 2016. NASS intends to request that the surveys be approved for another 3 years.

Authority: These data will be collected under the authority of 7 U.S.C. 2204(a). Individually identifiable data collected under this authority are governed by section 1770 of the Food Security Act of 1985 as amended, 7 U.S.C. 2276, which requires USDA to afford strict confidentiality to non-aggregated data provided by respondents. This notice is submitted in accordance with the Paperwork Reduction Act of 1995, Public Law 104–13 (44 U.S.C. 3501, *et seq.*), and Office of Management and Budget regulations at 5 CFR part 1320.

NASS also complies with OMB Implementation Guidance, ''Implementation Guidance for Title V of the E-Government Act, Confidential Information Protection and Statistical Efficiency Act of 2002 (CIPSEA),'' **Federal Register**, Vol. 72, No. 115, June 15, 2007, p. 33362.

Estimate of Burden: Public reporting burden for this collection of information is estimated between 8 and 35 minutes per respondent per survey.

Respondents: Farmers, ranchers, farm managers, and farm contractors.

Estimated Number of Respondents: 2,200.

Estimated Total Annual Burden on Respondents: 2,800 hours. This will include burden for both the initial mailing and phone follow-up to non-respondents, as well as publicity and instruction materials mailed out with questionnaires.

Comments: Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on those who are to respond, through the use of appropriate automated, electronic, mechanical, technological, or other forms of information technology collection methods.

All responses to this notice will become a matter of public record and be summarized in the request for OMB approval.

Signed at Washington, DC, May 15, 2015.

R. Renee Picanso,

Associate Administrator.

[FR Doc. 2015–12640 Filed 5–22–15; 8:45 am]

BILLING CODE 3410–20–P

DEPARTMENT OF AGRICULTURE

Rural Housing Service

Notice of Request for Extension of a Currently Approved Information Collection

AGENCY: Rural Housing Service, USDA.

ACTION: Proposed collection; comments requested.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Rural Housing Service's (RHS) intention to request an extension for a currently approved information collection in support of the program for Self-Help Technical Assistance Grants (7 CFR part 1944–I).

DATES: Comments on this notice must be received by July 27, 2015 to be assured of consideration.

FOR FURTHER INFORMATION CONTACT: Andrea Birmingham, Loan Specialist, Single Family Housing Direct Loan Division, RHS, U.S. Department of Agriculture, Stop 0783, 1400 Independence Ave. SW., Washington, DC 20250–0783, Telephone (202) 720–1489.

SUPPLEMENTARY INFORMATION:

Title: 7 CFR 1944–I, Self-Help Technical Assistance Grants.

OMB Number: 0575–0043.

Expiration Date of Approval: July 15, 2015.

Type of Request: Extension of currently approved information collection.

Abstract: This subpart sets forth the policies and procedures and delegates authority for providing technical assistance funds to eligible applicants to finance programs of technical and supervisory assistance for the self-help housing loan program, as authorized under section 523 of the Housing Act of 1949 under 42 U.S.C 1472. This financial assistance may pay part or all of the cost of developing, administering or coordinating programs of technical and supervisory assistance to aid very low and low-income families in carrying out self-help housing efforts in rural areas. The primary purpose is to locate and work with families that otherwise do not qualify as homeowners, are below the 50 percent of median income, and living in substandard housing.

RHS will be collecting information from non-profit organizations to enter into grant agreements. These non-profit organizations will give technical and supervisory assistance, and in doing so, they must develop a final application for section 523 grant funds. This application includes Agency forms that

contain essential information for making a determination of eligibility.

Estimate of Burden: Public reporting burden for this collection of information is estimated to average 1.35 hours per response.

Respondents: Public or private nonprofit organizations, State, Local or Tribal Governments.

Estimated Number of Respondents: 105

Estimated Number of Responses per Respondent: 20

Estimated Number of Responses: 2,100

Estimated Total Annual Burden on Respondents: 3,867

Copies of this information collection can be obtained from Jeanne Jacobs, Regulations and Paperwork Management Branch, Support Services Division at (202) 692–0040.

Comments: Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the RHS, including whether the information will have practical utility; (b) the accuracy of RHS's estimate of the burden of the proposed collection of information including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology. Comments may be sent to Jeanne Jacobs, Regulations and Paperwork Management Branch, Support Services Division, U.S. Department of Agriculture, Rural Development, STOP 0742, 1400 Independence Ave. SW., Washington, DC 20250. All responses to this notice will be summarized and included in the request for OMB approval. All comments will become a matter of public record.

Dated: May 15, 2015.

David Lipsetz,

Acting Administrator, Rural Housing Service.

[FR Doc. 2015–12563 Filed 5–22–15; 8:45 am]

BILLING CODE 3410–XV–P

DEPARTMENT OF AGRICULTURE

Rural Utilities Service

Information Collection Activity; Comment Request

AGENCY: Rural Utilities Service, USDA.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35, as amended), the Rural Utilities Service (Agency) invites comments on this information collection for which it intends to request approval from the Office of Management and Budget (OMB).

DATES: Comments on this notice must be received by July 27, 2015.

FOR FURTHER INFORMATION CONTACT: Thomas P. Dickson, Acting Director, Program Development and Regulatory Analysis, Rural Utilities Service, 1400 Independence Ave. SW., STOP 1522, Room 5164 South Building, Washington, DC 20250–1522. Telephone: (202) 690–4492. FAX: (202) 720–8435.

SUPPLEMENTARY INFORMATION: The Office of Management and Budget's (OMB) regulation (5 CFR 1320) implementing provisions of the Paperwork Reduction Act of 1995 (Pub. L. 104–13) requires that interested members of the public and affected agencies have an opportunity to comment on information collection and recordkeeping activities (see 5 CFR 1320.8(d)). This notice identifies an information collection that RUS is submitting to OMB for extension.

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility; (b) the accuracy of the Agency's estimate of the burden of the proposed collection of information including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology. Comments may be sent to: Thomas P. Dickson, Acting Director, Program Development and Regulatory Analysis, Rural Utilities Service, U.S. Department of Agriculture, STOP 1522, 1400 Independence Ave. SW., Washington, DC 20250–1522. FAX: (202) 720–8435.

Title: State Telecommunications Modernization Plan.

OMB Control Number: 0572–0104.

Type of Request: Extension of a currently approved information collection.

Abstract: This information collection requirement stems from passage of the Rural Electrification Loan Restructuring Act (RELRA, Pub. L. 103–129) on November 1, 1993, which amended the Rural Electrification Act of 1936, 7 U.S.C. 901 *et seq.* (the RE Act). RELRA requires that a State Telecommunications Modernization Plan (Modernization Plan), covering at a minimum the Rural Utilities Service (RUS) borrowers in the state, be established in a state or RUS cannot make hardship or concurrent cost-of-money and Rural Telephone Bank (RTB) loans for construction in that state. It is the policy of RUS that every State has a Modernization Plan which provides for the improvement of the State's telecommunications network. A proposed Modernization plan must be submitted to RUS for approval. RUS will approve a proposed Modernization Plan if it conforms to the provisions of 7 CFR part 1751, subpart B.

Estimate of Burden: Public reporting burden for this collection of information is estimated to average 350 hours per response.

Respondents: Business or other for-profit; not-for-profit organizations.

Estimated Number of Respondents: 1.

Estimated Number of Responses per Respondent: 1.

Estimated Total Annual Burden on Respondents: 350.

Copies of this information collection can be obtained from MaryPat Daskal, Program Development and Regulatory Analysis, at (202) 720–7853, FAX: (202) 720–4120.

All responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

Dated: May 15, 2015.

Brandon McBride,

Administrator, Rural Utilities Service.

[FR Doc. 2015–12593 Filed 5–22–15; 8:45 am]

BILLING CODE P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

President's Export Council, Subcommittee on Export Administration; Notice of Partially Closed Meeting

The President's Export Council Subcommittee on Export Administration (PECSEA) will meet on June 9, 2015, 10:00 a.m., at the U.S. Department of Commerce, Herbert C. Hoover Building, Room 3407, 14th Street between Pennsylvania and Constitution Avenues NW., Washington,

DC The PECSEA provides advice on matters pertinent to those portions of the Export Administration Act, as amended, that deal with United States policies of encouraging trade with all countries with which the United States has diplomatic or trading relations and of controlling trade for national security and foreign policy reasons.

Agenda

Open Session

1. Opening remarks by the Chairman.
2. Opening remarks by the Bureau of Industry and Security.
3. Export Control Reform Update.
4. Presentation of papers or comments by the Public.
5. Data Transmission and Security Subcommittee Presentation.
6. Process Improvements and Trusted Trader Subcommittee Presentation.
7. Outreach Subcommittee Update.
8. Export Control Reform Statistics.

Closed Session

9. Discussion of matters determined to be exempt from the provisions relating to public meetings found in 5 U.S.C. app. 2 §§ 10(a)(1) and 10(a)(3).

The open session will be accessible via teleconference to 25 participants on a first come, first served basis. To join the conference, submit inquiries to Ms. Yvette Springer at *Yvette.Springer@bis.doc.gov* no later than June 2, 2015.

A limited number of seats will be available for the public session. Reservations are not accepted. To the extent that time permits, members of the public may present oral statements to the Committee. The public may submit written statements at any time before or after the meeting. However, to facilitate the distribution of public presentation materials to the Committee members, the Committee suggests that presenters forward the public presentation materials prior to the meeting to Ms. Springer via email.

The Assistant Secretary for Administration, with the concurrence of the delegate of the General Counsel, formally determined on February 25, 2015, pursuant to Section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. app. 2 § (10)(d)), that the portion of the meeting dealing with pre-decisional changes to the Commerce Control List and U.S. export control policies shall be exempt from the provisions relating to public meetings found in 5 U.S.C. app. 2 §§ 10(a)(1) and 10(a)(3). The remaining portions of the meeting will be open to the public.

For more information, call Yvette Springer at (202) 482–2813.

Dated: May 19, 2015.

Kevin J. Wolf,

Assistant Secretary for Export Administration.

[FR Doc. 2015–12595 Filed 5–22–15; 8:45 am]

BILLING CODE 3510–JT–P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

Regulations and Procedures Technical Advisory Committee; Notice of Partially Closed Meeting

The Regulations and Procedures Technical Advisory Committee (RPTAC) will meet June 9, 2015, 9:00 a.m., Room 3884, in the Herbert C. Hoover Building, 14th Street between Constitution and Pennsylvania Avenues NW., Washington, DC. The Committee advises the Office of the Assistant Secretary for Export Administration on implementation of the Export Administration Regulations (EAR) and provides for continuing review to update the EAR as needed.

Agenda

Public Session

1. Opening remarks by the Chairman.
2. Opening remarks by the Bureau of Industry and Security.
3. Presentation of papers or comments by the Public.
4. Export Enforcement update.
5. Regulations update.
6. Working group reports.
7. Automated Export System update.

Closed Session

8. Discussion of matters determined to be exempt from the provisions relating to public meetings found in 5 U.S.C. app. 2 sections 10(a)(1) and 10(a)(3).

The open session will be accessible via teleconference to 25 participants on a first come, first serve basis. To join the conference, submit inquiries to Ms. Yvette Springer at *Yvette.Springer@bis.doc.gov* no later than June 2, 2015.

A limited number of seats will be available for the public session. Reservations are not accepted. To the extent that time permits, members of the public may present oral statements to the Committee. The public may submit written statements at any time before or after the meeting. However, to facilitate the distribution of public presentation materials to the Committee members, the Committee suggests that presenters forward the public presentation materials prior to the meeting to Ms. Springer via email.

The Assistant Secretary for Administration, with the concurrence of the delegate of the General Counsel, formally determined on February 24, 2015, pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. app. 2(10)(d)), that the portion of the meeting dealing with pre-decisional changes to the Commerce Control List and U.S. export control policies shall be exempt from the provisions relating to public meetings found in 5 U.S.C. app. 2 sections 10(a)(1) and 10(a)(3). The remaining portions of the meeting will be open to the public.

For more information, call Yvette Springer at (202) 482–2813.

Dated: May 19, 2015.

Yvette Springer,

Committee Liaison Officer.

[FR Doc. 2015–12619 Filed 5–22–15; 8:45 am]

BILLING CODE 3510–JT–P

DEPARTMENT OF COMMERCE

International Trade Administration

Initiation of Antidumping and Countervailing Duty Administrative Reviews

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

SUMMARY: The Department of Commerce (''the Department'') has received requests to conduct administrative reviews of various antidumping and countervailing duty orders and findings with April anniversary dates. In accordance with the Department's regulations, we are initiating those administrative reviews.

DATES: Effective Date: May 26, 2015.

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

SUPPLEMENTARY INFORMATION:

Background

The Department has received timely requests, in accordance with 19 CFR 351.213(b), for administrative reviews of various antidumping and countervailing duty orders and findings with April anniversary dates.

All deadlines for the submission of various types of information, certifications, or comments or actions by the Department discussed below refer to the number of calendar days from the applicable starting time.

Notice of No Sales

If a producer or exporter named in this notice of initiation had no exports, sales, or entries during the period of review (''POR''), it must notify the Department within 30 days of publication of this notice in the **Federal Register**. All submissions must be filed electronically at *http://access.trade.gov* in accordance with 19 CFR 351.303.[1] Such submissions are subject to verification in accordance with section 782(i) of the Tariff Act of 1930, as amended (''the Act''). Further, in accordance with 19 CFR 351.303(f)(1)(i), a copy must be served on every party on the Department's service list.

Respondent Selection

In the event the Department limits the number of respondents for individual examination for administrative reviews, the Department intends to select respondents based on U.S. Customs and Border Protection (''CBP'') data for U.S. imports during the POR. We intend to release the CBP data under Administrative Protective Order (''APO'') to all parties having an APO within seven days of publication of this initiation notice and to make our decision regarding respondent selection within 21 days of publication of this **Federal Register** notice. The Department invites comments regarding the CBP data and respondent selection within five days of placement of the CBP data on the record of the applicable review. Rebuttal comments will be due five days after submission of initial comments.

In the event the Department decides it is necessary to limit individual examination of respondents and conduct respondent selection under section 777A(c)(2) of the Act:

In general, the Department has found that determinations concerning whether particular companies should be ''collapsed'' (*i.e.,* treated as a single entity for purposes of calculating antidumping duty rates) require a substantial amount of detailed information and analysis, which often require follow-up questions and analysis. Accordingly, the Department will not conduct collapsing analyses at the respondent selection phase of this review and will not collapse companies at the respondent selection phase unless there has been a determination to collapse certain companies in a previous segment of this antidumping proceeding (*i.e.,* investigation, administrative review, new shipper review or changed circumstances review). For any company subject to this review, if the Department determined, or continued to treat, that company as collapsed with others, the Department will assume that such companies continue to operate in the same manner and will collapse them for respondent selection purposes. Otherwise, the Department will not collapse companies for purposes of respondent selection. Parties are requested to (a) identify which companies subject to review previously were collapsed, and (b) provide a citation to the proceeding in which they were collapsed. Further, if companies are requested to complete the Quantity and Value (''Q&V'') Questionnaire for purposes of respondent selection, in general each company must report volume and value data separately for itself. Parties should not include data for any other party, even if they believe they should be treated as a single entity with that other party. If a company was collapsed with another company or companies in the most recently completed segment of this proceeding where the Department considered collapsing that entity, complete Q&V data for that collapsed entity must be submitted.

Deadline for Withdrawal of Request for Administrative Review

Pursuant to 19 CFR 351.213(d)(1), a party that has requested a review may withdraw that request within 90 days of the date of publication of the notice of initiation of the requested review. The regulation provides that the Department may extend this time if it is reasonable to do so. In order to provide parties additional certainty with respect to when the Department will exercise its discretion to extend this 90-day deadline, interested parties are advised that the Department does not intend to extend the 90-day deadline unless the requestor demonstrates that an extraordinary circumstance has prevented it from submitting a timely withdrawal request. Determinations by the Department to extend the 90-day deadline will be made on a case-by-case basis.

Separate Rates

In proceedings involving non-market economy (''NME'') countries, the Department begins with a rebuttable presumption that all companies within the country are subject to government control and, thus, should be assigned a single antidumping duty deposit rate. It is the Department's policy to assign all exporters of merchandise subject to an administrative review in an NME country this single rate unless an exporter can demonstrate that it is sufficiently independent so as to be entitled to a separate rate.

To establish whether a firm is sufficiently independent from government control of its export activities to be entitled to a separate rate, the Department analyzes each entity exporting the subject merchandise under a test arising from the *Final Determination of Sales at Less Than Fair Value: Sparklers from the People's Republic of China,* 56 FR 20588 (May 6, 1991), as amplified by *Final Determination of Sales at Less Than Fair Value: Silicon Carbide from the People's Republic of China,* 59 FR 22585 (May 2, 1994). In accordance with the separate rates criteria, the Department assigns separate rates to companies in NME cases only if respondents can demonstrate the absence of both *de jure* and *de facto* government control over export activities.

All firms listed below that wish to qualify for separate rate status in the administrative reviews involving NME countries must complete, as appropriate, either a separate rate application or certification, as described below. For these administrative reviews, in order to demonstrate separate rate eligibility, the Department requires entities for whom a review was requested, that were assigned a separate rate in the most recent segment of this proceeding in which they participated, to certify that they continue to meet the criteria for obtaining a separate rate. The Separate Rate Certification form will be available on the Department's Web site at *http://enforcement.trade.gov/nme/nme-sep-rate.html* on the date of publication of this **Federal Register** notice. In responding to the certification, please follow the ''Instructions for Filing the Certification'' in the Separate Rate Certification. Separate Rate Certifications are due to the Department no later than 30 calendar days after publication of this **Federal Register** notice. The deadline and requirement for submitting a Certification applies equally to NME-owned firms, wholly foreign-owned firms, and foreign sellers who purchase and export subject merchandise to the United States.

Entities that currently do not have a separate rate from a completed segment of the proceeding[2] should timely file a

[1] *See Antidumping and Countervailing Duty Proceedings: Electronic Filing Procedures; Administrative Protective Order Procedures,* 76 FR 39263 (July 6, 2011).

[2] Such entities include entities that have not participated in the proceeding, entities that were preliminarily granted a separate rate in any currently incomplete segment of the proceeding (*e.g.,* an ongoing administrative review, new shipper review, *etc.*) and entities that lost their separate rate in the most recently completed

Separate Rate Application to demonstrate eligibility for a separate rate in this proceeding. In addition, companies that received a separate rate in a completed segment of the proceeding that have subsequently made changes, including, but not limited to, changes to corporate structure, acquisitions of new companies or facilities, or changes to their official company name,[3] should timely file a Separate Rate Application to demonstrate eligibility for a separate rate in this proceeding. The Separate Rate Status Application will be available on the Department's Web site at *http://enforcement.trade.gov/nme/nme-sep-rate.html* on the date of publication of this **Federal Register** notice. In responding to the Separate Rate Status Application, refer to the instructions contained in the application. Separate Rate Status Applications are due to the Department no later than 30 calendar days of publication of this **Federal Register** notice. The deadline and requirement for submitting a Separate Rate Status Application applies equally to NME-owned firms, wholly foreign-owned firms, and foreign sellers that purchase and export subject merchandise to the United States.

For exporters and producers who submit a separate-rate status application or certification and subsequently are selected as mandatory respondents, these exporters and producers will no longer be eligible for separate rate status unless they respond to all parts of the questionnaire as mandatory respondents.

Initiation of Reviews

In accordance with 19 CFR 351.221(c)(1)(i), we are initiating administrative reviews of the following antidumping and countervailing duty orders and findings. We intend to issue the final results of these reviews not later than April 30, 2016.

	Period to be reviewed
Antidumping Duty Proceedings	
RUSSIA: Ammonium Nitrate A–821–811	4/1/14–3/31/15
JSC Acron/JSC Dorogobuzh	
MCC EuroChem/OJSC NAK Azot/OJSC Nevinnomyssky Azot	
THE PEOPLE'S REPUBLIC OF CHINA: Certain Activated Carbon A–570–904	4/1/14—3/31/15
AmeriAsia Advanced Activated Carbon Products Co., Ltd.	
Anhui Handfull International Trading (Group) Co., Ltd.	
Anhui Hengyuan Trade Co. Ltd.	
Anyang Sino-Shon International Trading Co., Ltd.	
Baoding Activated Carbon Factory	
Beijing Broad Activated Carbon Co., Ltd.	
Beijing Embrace Technology Co., Ltd.	
Beijing Haijian Jiechang Environmental Protection Chemicals	
Beijing Hibridge Trading Co., Ltd.	
Beijing Pacific Activated Carbon Products Co., Ltd.	
Bengbu Jiuton Trade Co., Ltd.	
Calgon Carbon (Tianjin) Co., Ltd.	
Carbon Activated Tianjin Co., Ltd.	
Changji Hongke Activated Carbon Co., Ltd.	
Chengde Jiayu Activated Carbon Factory	
Cherishmet Incorporated	
China National Building Materials and Equipment Import and Export Corp.	
China National Nuclear General Company Ningxia Activated Carbon Factory	
China Nuclear Ningxia Activated Carbon Plant	
China SDIC International Trade Co., Ltd.	
Da Neng Zheng Da Activated Carbon Co., Ltd.	
Datong Carbon Corporation	
Datong Changtai Activated Carbon Co., Ltd.	
Datong City Zuoyun County Activated Carbon Co., Ltd.	
Datong Fenghua Activated Carbon	
Datong Forward Activated Carbon Co., Ltd.	
Datong Fuping Activated Carbon Co. Ltd.	
Datong Guanghua Activated Co., Ltd.	
Datong Hongtai Activated Carbon Co., Ltd.	
Datong Huanqing Activated Carbon Co., Ltd.	
Datong Huaxin Activated Carbon	
Datong Huibao Active Carbon Co., Ltd.	
Datong Huibao Activated Carbon Co., Ltd.	
Datong Huiyuan Cooperative Activated Carbon Plant	
Datong Juqiang Activated Carbon Co., Ltd.	
Datong Kaneng Carbon Co. Ltd.	
Datong Locomotive Coal & Chemicals Co., Ltd.	
Datong Municipal Yunguang Activated Carbon Co., Ltd.	
Datong Tianzhao Activated Carbon Co., Ltd.	
DaTong Tri-Star & Power Carbon Plant	
Datong Weidu Activated Carbon Co., Ltd.	
Datong Xuanyang Activated Carbon Co., Ltd.	
Datong Zuoyun Biyun Activated Carbon Co., Ltd.	
Datong Zuoyun Fu Ping Activated Carbon Co., Ltd.	

segment of the proceeding in which they participated.

[3] Only changes to the official company name, rather than trade names, need to be addressed via a Separate Rate Application. Information regarding new trade names may be submitted via a Separate Rate Certification.

	Period to be reviewed
Dongguan Baofu Activated Carbon	
Dongguan SYS Hitek Co., Ltd.	
Dushanzi Chemical Factory	
Fu Yuan Activated Carbon Co., Ltd.	
Fujian Jianyang Carbon Plant	
Fujian Nanping Yuanli Activated Carbon Co., Ltd.	
Fujian Xinsen Carbon Co., Ltd	
Fujian Yuanli Active Carbon Co., Ltd.	
Fijian Zhixing Activated Carbon Co., Ltd.	
Fuzhou Taking Chemical	
Fuzhou Yihuan Carbon	
Great Bright Industrial	
Hangzhou Hengxing Activated Carbon	
Hangzhou Hengxing Activated Carbon Co., Ltd.	
Hangzhou Linan Tianbo Material (HSLATB)	
Hangzhou Nature Technology	
Hangzhou Waterland Environment Technologies Co., Ltd.	
Hebei Foreign Trade and Advertising Corporation	
Hebei Shenglun Import & Export Group Company	
Hegongye Ninxia Activated Carbon Factory	
Heilongjiang Provincial Hechang Import & Export Co., Ltd.	
Hongke Activated Carbon Co., Ltd.	
Huaibei Environment Protection Material Plant	
Huairen Huanyu Purification Material Co., Ltd.	
Huairen Jinbei Chemical Co., Ltd.	
Huaiyushan Activated Carbon Group	
Huatai Activated Carbon	
Huzhou Zhonglin Activated Carbon	
Inner Mongolia Taixi Coal Chemical Industry Limited Company	
Itigi Corp. Ltd.	
J&D Activated Carbon Filter Co. Ltd.	
Jacobi Carbons AB	
Jiangle County Xinhua Activated Carbon Co., Ltd.	
Jiangsu Taixing Yixin Activated Carbon Technology Co., Ltd.	
Jiangxi Hanson Import Export Co.	
Jiangxi Huaiyushan Activated Carbon	
Jiangxi Huaiyushan Activated Carbon Group Co.	
Jiangxi Huaiyushan Suntar Active Carbon Co., Ltd.	
Jiangxi Jinma Carbon	
Jiangxi Yuanli Huaiyushan Active Carbon Co., Ltd.	
Jianou Zhixing Activated Carbon	
Jiaocheng Xinxin Purification Material Co., Ltd.	
Jilin Bright Future Chemicals Company, Ltd.	
Jilin Province Bright Future Industry and Commerce Co., Ltd.	
Jing Mao (Dongguan) Activated Carbon Co., Ltd.	
Kaihua Xingda Chemical Co., Ltd.	
Kemflo (Nanjing) Environmental Tech	
Keyun Shipping (Tianjin) Agency Co., Ltd.	
Kunshan Actview Carbon Technology Co., Ltd.	
Langfang Winfield Filtration Co.	
Link Shipping Limited	
Longyan Wanan Activated Carbon	
Meadwestvaco (China) Holding Co., Ltd.	
Mindong Lianyi Group	
Nanjing Mulinsen Charcoal	
Nantong Ameriasia Advanced Activated Carbon Product Co., Ltd.	
Ningxi Baiyun Carbon Co., Ltd.	
Ningxia Baota Activated Carbon Co., Ltd.	
Ningxia Baota Active Carbon Plant	
Ningzxia Guanghua A/C Co., Ltd.	
Ningxia Blue-White-Black Activated Carbon (BWB)	
Ningxia Fengyuan Activated Carbon Co., Ltd.	
Ningxia Guanghua Activated Carbon Co., Ltd.	
Ningxia Guanghua Chemical Activated Carbon Co., Ltd.	
Ningxia Guanghua Cherishmet Activated Carbon Co., Ltd.	
Ningxia Haoqing Activated Carbon Co., Ltd.	
Ningxia Henghui Activated Carbon	
Ningxia Honghua Carbon Industrial Corporation	
Ningxia Huahui Activated Carbon Co., Ltd.	
Ningxia Huinong Xingsheng Activated Carbon Co., Ltd.	
Ningxia Jirui Activated Carbon	
Ningxia Lingzhou Foreign Trade Co., Ltd.	
Ningxia Luyuangheng Activated Carbon Co., Ltd.	
Ningxia Mineral & Chemical Limited	

	Period to be reviewed
Ningxia Pingluo County Yaofu Activated Carbon Plant	
Ningxia Pingluo Xuanzhong Activated Carbon Co., Ltd.	
Ningxia Pingluo Yaofu Activated Carbon Factory	
Ningxia Taixi Activated Carbon	
Ningxia Tianfu Activated Carbon Co., Ltd.	
Ninxia Tongfu Coking Co., Ltd.	
Ningxia Weining Active Carbon Co., Ltd.	
Ningxia Xingsheng Coal and Active Carbon Co., Ltd.	
Ningxia Xingsheng Coke & Activated Carbon Co., Ltd.	
Ningxia Yinchuan Lanqiya Activated Carbon Co., Ltd.	
Ningxia Yirong Alloy Iron Co., Ltd.	
Ningxia Zhengyuan Activated	
Nuclear Ningxia Activated Carbon Co., Ltd.	
OEC Logistic Qingdao Co., Ltd.	
OEC Logistics Co., Ltd. (Tianjin)	
Panshan Import and Export Corporation	
Pingluo Xuanzhong Activated Carbon Co., Ltd.	
Pingluo Yu Yang Activated Carbon Co., Ltd.	
Shanghai Activated Carbon Co., Ltd.	
Shanghai Astronautical Science Technology Development Corporation	
Shanghai Coking and Chemical Corporation	
Shanghai Goldenbridge International	
Shanghai Jiayu International Trading (Dezhou Jiayu and Chengde Jiayu)	
Shanghai Jinhu Activated Carbon (Xingan Shenxin and Jiangle Xinhua)	
Shanghai Light Industry and Textile Import & Export Co., Ltd.	
Shanghai Mebao Activated Carbon	
Shanghai Xingchang Activated Carbon	
Shanxi Blue Sky Purification Material Co., Ltd.	
Shanxi Carbon Industry Co., Ltd.	
Shanxi Dapu International Trade Co., Ltd.	
Shanxi DMD Corporation	
Shanxi Industry Technology Trading Co., Ltd.	
Shanxi Newtime Co., Ltd.	
Shanxi Qixian Foreign Trade Corporation	
Shanxi Qixian Hongkai Active Carbon Goods	
Shanxi Sincere Industrial Co., Ltd.	
Shanxi Supply and Marketing Cooperative	
Shanxi Tianli Ruihai Enterprise Co.	
Shanxi Tianxi Purification Filter Co., Ltd.	
Shanxi U Rely International Trade	
Shanxi Xiaoyi Huanyu Chemicals Co., Ltd.	
Shanxi Xinhua Activated Carbon Co., Ltd.	
Shanxi Xinhua Chemical Co., Ltd. (formerly Shanxi Xinhua Chemical Factory)	
Shanxi Xinhua Protective Equipment	
Shanxi Xinshidai Import Export Co., Ltd.	
Shanxi Xuanzhong Chemical Industry Co., Ltd.	
Shanxi Zuoyun Yunpeng Coal Chemistry	
Shenzhen Sihaiweilong Technology Co.	
Shijiazhuang Xinshuang Trade Co., Ltd.	
Sincere Carbon Industrial Co. Ltd.	
Sinoacarbon International Trading Co, Ltd.	
Taining Jinhu Carbon	
Tancarb Activated Carbon Co., Ltd.	
Tangshan Solid Carbon Co., Ltd.	
Tianchang (Tianjin) Activated Carbon	
Tianjin Century Promote International Trade Co., Ltd.	
Tianjin Channel Filters Co., Ltd.	
Tianjin Jacobi International Trading Co. Ltd.	
Tianjin Maijin Industries Co., Ltd.	
Taiyuan Hengxinda Trade Co., Ltd.	
Tonghua Bright Future Activated Carbon Plant	
Tonghua Xinpeng Activated Carbon Factory	
Top One International Trading Co., Ltd.	
Triple Eagle Container Line	
Uniclear New-Material Co., Ltd.	
United Manufacturing International (Beijing) Ltd.	
Valqua Seal Products (Shanghai) Co.	
VitaPac (HK) Industrial Ltd.	
Wellink Chemical Industry	
Xi Li Activated Carbon Co., Ltd.	
Xi'an Shuntong International Trade & Industrials Co., Ltd.	
Xiamen All Carbon Corporation	
Xingan County Shenxin Activated Carbon Factory	
Xinhua Chemical Company Ltd.	

	Period to be reviewed
Xuanzhong Chemical Industry	
Yangyuan Hengchang Active Carbon	
Yicheng Logistics	
Yinchuan Lanqiya Activated Carbon Co., Ltd.	
Zhejiang Topc Chemical Industry Co.	
Zhejiang Quizhou Zhongsen Carbon	
Zhejiang Xingda Activated Carbon Co., Ltd.	
Zhejiang Yun He Tang Co., Ltd.	
Zhuxi Activated Carbon	
Zuoyun Bright Future Activated Carbon Plant	
THE PEOPLE'S REPUBLIC OF CHINA: Drawn Stainless Steel Sinks A–570–983	4/1/14–3/31/15
B&R Industries Limited	
Elkay (China) Kitchen Solutions, Co., Ltd.	
Feidong Import and Export Co., Ltd.	
Foshan Shunde MingHao Kitchen Utensils Co., Ltd.	
Franke Asia Sourcing Ltd.	
Grand Hill Work Company	
Guangdong Dongyuan Kitchenware Industrial Co., Ltd.	
Guangdong G-Top Import & Export Co., Ltd.	
Guangdong New Shichu Import and Export Co., Ltd.	
Guangdong Yingao Kitchen Utensils Co., Ltd.	
Hangzhou Heng's Industries Co., Ltd.	
J&C Industries Enterprise Limited	
Jiangmen Hongmao Trading Co., Ltd.	
Jiangmen New Star Hi-Tech Enterprise Ltd.	
Jiangmen Pioneer Import & Export Co., Ltd.	
Jiangxi Zoje Kitchen & Bath Industry Co., Ltd.	
Ningbo Oulin Kitchen Utensils Co. Ltd.	
Primy Cooperation Limited	
Shenzhen Kehuaxing Industrial Ltd.	
Shunde Foodstuffs Import & Export Company Limited of Guangdong	
Tianjin ZNJ Industries Co., Ltd.	
Xinhe Stainless Steel Products Co., Ltd.	
Yuyao Afa Kitchenware Co., Ltd.	
Zhongshan Newecan Enterprise Development Corporation Limited	
Zhongshan Superte Kitchenware Co., Ltd./Zhongshan Superte Kitchenware Co., Ltd. invoiced as Foshan Zhaoshun Trade Co., Ltd.	
Zhuhai Kohler Kitchen & Bathroon Products Co., Ltd.	
THE PEOPLE'S REPUBLIC OF CHINA: Magnesium Metal A–570–896	4/1/14–3/31/15
Tianjin Magnesium International Co., Ltd.	
Tianjin Magnesium Metal Co., Ltd.	
THE PEOPLE'S REPUBLIC OF CHINA: Certain Steel Threaded Rod A–570–932	4/1/14–3/31/15
Aerospace Precision Corp. (Shanghai) Industry Co., Ltd.	
Aihua Holding Group Co. Ltd.	
Autocraft Industry Ltd.	
Autocraft Industry (Shanghai) Ltd.	
Billion Land Ltd.	
Bolt MFG. Trade Ltd.	
Brother Holding Group Co. Ltd.	
C and H International Corporation	
Certified Products International Inc.	
Changshu City Standard Parts Factory	
China Brother Holding Group Co. Ltd.	
China Friendly Nation Hardware Technology Limited	
EC International (Nantong) Co., Ltd.	
Fastco (Shanghai) Trading Co., Ltd.	
Fasten International Co., Ltd.	
Fastwell Industry Co. Ltd.	
Fuda Xiongzhen Macyinery Co., Ltd.	
Fuller Shanghai Co Ltd.	
Gem-Year Industrial Co. Ltd.	
Guangdong Honjinn Metal & Plastic Co., Ltd.	
Haiyan Dayu Fasterners Co., Ltd.	
Haiyan Evergreen Standard Parts Co. Ltd.	
Haiyan Hurras Import & Export Co. Ltd.	
Haiyan Jianhe Hardward Co. Ltd.	
Haiyan Julong Standard Part Co. Ltd.	
Hangzhou Everbright Imp. & Exp. Co. Ltd.	
Hangzhou Grand Imp & Exp. Co., Ltd.	
Hangzhou Great Imp & Exp. Co. Ltd.	
Hangzhou Lizhan Hardware Co. Ltd.	
Hangzhou Tongwang Machinery Co., Ltd.	
Jiangsu Zhongweiyu Communication Equipment Co. Ltd.	
Jiashan Steelfit Trading Co. Ltd.	

	Period to be reviewed
Jiashan Zhongsheng Metal Products Co., Ltd.	
Jiaxing Brother Standard Part Co., Ltd.; IFI & Morgan Ltd.; and RMB Fasteners Ltd.	
Jiaxing Xinyue Standard Part Co. Ltd.	
Jiaxing Yaoliang Import & Export Co., Ltd.	
Jinan Banghe Industry & Trade Co., Ltd.	
Macropower Industrial Inc.	
Midas Union Co., Ltd.	
Nanjing Prosper Import & Export Corporation Ltd.	
New Pole Power System Co. Ltd.	
Ningbiao Bolts & Nuts Manufacturing Co.	
Ningbo Beilun Milfast Metalworks Co. Ltd.	
Ningbo Beilun Pingxin Hardware Co., Ltd.	
Ningbo Dexin Fastener Co. Ltd.	
Ningbo Dongxin High-Strength Nut Co., Ltd.	
Ningbo Fastener Factory	
Ningbo Fengya Imp. And Exp. Co. Ltd.	
Ningbo Fourway Co., Ltd.	
Ningbo Haishu Holy Hardware Import and Export Co. Ltd.	
Ningbo Haishu Wit Import & Export Co. Ltd.	
Ningbo Haishu Yixie Import & Export Co. Ltd.	
Ningbo Jinding Fastening Pieces Co., Ltd.	
Ningbo MPF Manufacturing Co. Ltd.	
Ningbo Panxiang Imp. & Exp., Co. Ltd.	
Ningbo Yili Import & Export Co., Ltd.	
Ningbo Yinzhou Foreign Trade Co., Ltd.	
Ningbo Yinzhou Woafan Industry &Trade Co., Ltd.	
Ningbo Zhongjiang High Strength Bolts Co. Ltd.	
Ningbo Zhongjiang Petroleum Pipes & Machinery Co., Ltd.	
Orient International Holding Shanghai Rongheng Intl Trading Co. Ltd.	
Prosper Business and Industry Co., Ltd.	
Qingdao Free Trade Zone Health Intl.	
Qingdao Top Steel Industrial Co. Ltd.	
Shaanxi Succeed Trading Co., Ltd.	
Shanghai Autocraft Co., Ltd.	
Shanghai East Best Foreign Trade Co.	
Shanghai East Best International Business Development Co., Ltd.	
Shanghai Fortune International Co. Ltd.	
Shanghai Furen International Trading	
Shanghai Hunan Foreign Economic Co., Ltd.	
Shanghai Jiabao Trade Development Co. Ltd.	
Shanghai Nanshi Foreign Economic Co.	
Shanghai Overseas International Trading Co. Ltd.	
Shanghai Prime Machinery Co. Ltd.	
Shanghai Printing & Dyeing and Knitting Mill	
Shanghai Printing & Packaging Machinery Corp.	
Shanghai Recky International Trading Co., Ltd.	
Shanghai Sinotex United Corp. Ltd.	
Suntec Industries Co., Ltd.	
Suzhou Henry International Trading Co., Ltd.	
T and C Fastener Co. Ltd.	
T and L Industry Co. Ltd.	
Wuxi Metec Metal Co. Ltd.	
Zhejiang Heiter Industries Co., Ltd.	
Zhejiang Heiter MFG & Trade Co. Ltd.	
Zhejiang Jin Zeen Fasteners Co. Ltd.	
Zhejiang Junyue Standard Part Co., Ltd.	
Zhejiang Morgan Brother Technology Co. Ltd.	
Zhejiang New Oriental Fastener Co., Ltd.	
Zhejiang Zhenglian Industry Development Co., Ltd.	
Zhoushan Zhengyuan Standard Parts Co., Ltd.	
Countervailing Duty Proceedings	
THE PEOPLE'S REPUBLIC OF CHINA: Drawn Stainless Sinks C–570–984	1/1/14–12/31/14
B&R Industries Limited	
Guangdong Dongyuan Kitchenware Industrial Co., Ltd.	
Guangdong New Shichu Import and Export Co., Ltd.	
Guangdong Yingao Kitchen Utensils Co., Ltd.	
Zhongshan Superte Kitchenware Co., Ltd.	
Suspension Agreements	
None.	

Duty Absorption Reviews

During any administrative review covering all or part of a period falling between the first and second or third and fourth anniversary of the publication of an antidumping duty order under 19 CFR 351.211 or a determination under 19 CFR 351.218(f)(4) to continue an order or suspended investigation (after sunset review), the Secretary, if requested by a domestic interested party within 30 days of the date of publication of the notice of initiation of the review, will determine, consistent with *FAG Italia* v. *United States,* 291 F.3d 806 (Fed Cir. 2002), as appropriate, whether antidumping duties have been absorbed by an exporter or producer subject to the review if the subject merchandise is sold in the United States through an importer that is affiliated with such exporter or producer. The request must include the name(s) of the exporter or producer for which the inquiry is requested.

Gap Period Liquidation

For the first administrative review of any order, there will be no assessment of antidumping or countervailing duties on entries of subject merchandise entered, or withdrawn from warehouse, for consumption during the relevant provisional-measures ''gap'' period, of the order, if such a gap period is applicable to the POR.

Administrative Protective Orders and Letters of Appearance

Interested parties must submit applications for disclosure under administrative protective orders 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). Those procedures apply to administrative reviews included in this notice of initiation. Parties wishing to participate in any of these administrative reviews should ensure that they meet the requirements of these procedures (*e.g.,* the filing of separate letters of appearance as discussed at 19 CFR 351.103(d)).

Revised Factual Information Requirements

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 antidumping and countervailing duty 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. Please review the final rule, available at *http://enforcement.trade.gov/frn/2013/1304frn/2013-08227.txt,* prior to submitting factual information in this segment.

Any party submitting factual information in an antidumping duty or countervailing duty proceeding must certify to the accuracy and completeness of that information.[4] Parties are hereby reminded that revised certification requirements are in effect for company/government officials as well as their representatives. All segments of any antidumping duty or countervailing duty proceedings initiated on or after August 16, 2013, should use the formats for the revised certifications provided at the end of the *Final Rule.*[5] The Department intends to reject factual submissions in any proceeding segments if the submitting party does not comply with applicable revised certification requirements.

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

[5] *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 *http://enforcement.trade.gov/tlei/notices/factual_info_final_rule_FAQ_07172013.pdf.*

Revised Extension of Time Limits Regulation

On September 20, 2013, the Department modified its regulation concerning the extension of time limits for submissions in antidumping and countervailing duty proceedings: *Final Rule,* 78 FR 57790 (September 20, 2013). The modification clarifies that parties may request an extension of time limits before a time limit established under Part 351 expires, or as otherwise specified by the Secretary. In general, an extension request will be considered untimely if it is filed after the time limit established under Part 351 expires. For submissions which are due from multiple parties simultaneously, an extension request will be considered untimely if it is filed after 10:00 a.m. on the due date. Examples include, but are not limited to: (1) Case and rebuttal briefs, filed pursuant to 19 CFR 351.309; (2) factual information to value factors under 19 CFR 351.408(c), or to measure the adequacy of remuneration under 19 CFR 351.511(a)(2), filed pursuant to 19 CFR 351.301(c)(3) and rebuttal, clarification and correction filed pursuant to 19 CFR 351.301(c)(3)(iv); (3) comments concerning the selection of a surrogate country and surrogate values and rebuttal; (4) comments concerning U.S. Customs and Border Protection data; and (5) quantity and value questionnaires. Under certain circumstances, the Department may elect to specify a different time limit by which extension requests will be considered untimely for submissions which are due from multiple parties simultaneously. In such a case, the Department will inform parties in the letter or memorandum setting forth the deadline (including a specified time) by which extension requests must be filed to be considered timely. 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. These modifications are effective for all segments initiated on or after October 21, 2013. Please review the final rule, available at *http://www.gpo.gov/fdsys/pkg/FR-2013-09-20/html/2013-22853.htm,* prior to submitting factual information in these segments.

These initiations and this notice are in accordance with section 751(a) of the Act (19 U.S.C. 1675(a)) and 19 CFR 351.221(c)(1)(i).

Dated: May 18, 2015.

Christian Marsh,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2015–12653 Filed 5–22–15; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

Judges Panel of the Malcolm Baldrige National Quality Award

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

ACTION: Notice of partially closed meeting.

SUMMARY: The Judges Panel of the Malcolm Baldrige National Quality Award (Judges Panel) will meet in on Wednesday, June 10, 2015, from 9:00 a.m. to 3:30 p.m. Eastern time. The purpose of this meeting is to discuss and review the role and responsibilities of the Judges Panel and information received from the National Institute of Standards and Technology (NIST) in order to ensure the integrity of the Malcolm Baldrige National Quality Award (Award) selection process. The agenda will include: Judges Panel roles and processes; Baldrige Program updates; new business/public comment; lessons learned from the 2014 judging process; and the 2015 Award process. A portion of this meeting is closed to the public in order to protect the proprietary data to be examined and discussed.

DATES: The Judges Panel will be held on Wednesday, June 10, 2015 from 9:00 a.m. until 3:30 p.m. Eastern time. The portion of the meeting, from 9:00 a.m. to 11:30 a.m., will include discussions on the Judges Panel roles and processes and Baldrige program updates. This session is open to the public. Please note admittance instructions under the **SUPPLEMENTARY INFORMATION** section of this notice. The portion of the meeting from 12:30 p.m. to 3:30 p.m., will include discussions on lessons learned from the 2014 judging process and on the 2015 Award process. This session is closed to the public in order to protect the proprietary data to be examined and discussed.

ADDRESSES: The meeting will be held at the National Institute of Standards and Technology, Building 101, Lecture Room A, 100 Bureau Drive, Gaithersburg, Maryland 20899.

FOR FURTHER INFORMATION CONTACT: Robert Fangmeyer, Director, Baldrige Performance Excellence Program, National Institute of Standards and Technology, 100 Bureau Drive, Mail Stop 1020, Gaithersburg, Maryland 20899–1020, at telephone number (301) 975–2360, or by email at *robert.fangmeyer@nist.gov.*

SUPPLEMENTARY INFORMATION:

Authority: 15 U.S.C. 3711a(d)(1) and the Federal Advisory Committee Act, as amended, 5 U.S.C. App.

Pursuant to the Federal Advisory Committee Act, as amended, 5 U.S.C. App., notice is hereby given that the Judges Panel of the Malcolm Baldrige National Quality Award will meet on Wednesday, June 10, 2015 from 9:00 a.m. to 3:30 p.m. Eastern time. The Judges Panel is composed of twelve members, appointed by the Secretary of Commerce, chosen for their familiarity with quality improvement operations and competitiveness issues of manufacturing companies, services companies, small businesses, health care providers, and educational institutions. Members are also chosen who have broad experience in for-profit and nonprofit areas. The Judges Panel will assemble to discuss and review the role and responsibilities of the Judges Panel and information received from the National Institute of Standards and Technology in order to ensure the integrity of the Malcolm Baldrige National Quality Award selection process. The agenda will include: Judges Panel roles and processes; Baldrige Program updates; new business/public comment; lessons learned from the 2014 judging process; and the 2015 Award process. A portion of this meeting is closed to the public in order to protect the proprietary data to be examined and discussed.

The portion of the meeting, from 9:00 a.m. to 11:30 a.m. Eastern time, will include discussions on the Judges Panel roles and processes and Baldrige program updates and is open to the public. Individuals and representatives of organizations who would like to offer comments and suggestions related to the Panel of Judges' general process are invited to request a place on the agenda. Approximately one-half hour will be reserved for public comments, and speaking times will be assigned on a first-come, first-served basis. The amount of time per speaker will be determined by the number of requests received, but is likely to be about 3 minutes each. The exact time for public comments will be included in the final agenda that will be posted on the Baldrige Performance Excellence Program Web site at *http://www.nist.gov/baldrige/community/overseers.cfm.* Questions from the public will not be considered during this period. Speakers who wish to expand upon their oral statements, those who had wished to speak, but could not be accommodated on the agenda, and those who were unable to attend in person are invited to submit written statements to the Baldrige Performance Excellence Program, Attention Nancy Young, National Institute of Standards and Technology, 100 Bureau Drive, Mail Stop 1020, Gaithersburg, Maryland 20899–1020, via fax at 301–975–4967 or electronically by email to *nancy.young@nist.gov.*

All visitors to the National Institute of Standards and Technology site will have to pre-register to be admitted. Please submit your name, time of arrival, email address and phone number to Nancy Young no later than 4:00 p.m. Eastern time, Thursday, June 4, 2015, and she will provide you with instructions for admittance. Non-U.S. citizens must submit additional information; please contact Nancy Young. Contact Ms. Young, by email at *nancy.young@nist.gov* or by phone at (301) 975–2361. Also, please note that under the REAL ID Act of 2005 (Pub. L. 109–13), federal agencies, including NIST, can only accept a state-issued driver's license or identification card for access to federal facilities if issued by states that are REAL ID compliant or have an extension. NIST also currently accepts other forms of federal-issued identification in lieu of a state-issued driver's license. For detailed information please contact Ms. Young or visit: *http://www.nist.gov/public_affairs/visitor/.*

The portion of the meeting from 12:30 p.m. to 3:30 p.m. Eastern time, will include discussions on lessons learned from the 2013 judging process and on the 2014 Award process, and is closed to the public in order to protect the proprietary data to be examined and discussed. The Chief Financial Officer and Assistant Secretary for Administration, with the concurrence of the Acting, Assistant General Counsel for Administration, formally determined on May 19, 2015, pursuant to Section 10(d) of the Federal Advisory Committee Act, as amended by Section 5(c) of the Government in Sunshine Act, Public Law 94–409, that a portion of the meeting of the Judges Panel may be closed to the public in accordance with 5 U.S.C. 552b(c)(4) because the meeting is likely to disclose trade secrets and commercial or financial information obtained from a person which is privileged or confidential and 5 U.S.C. 552b(c)(9)(B) because for a government agency the meeting is likely to disclose

information that could significantly frustrate implementation of a proposed agency action. Portions of the meeting involve examination of prior year Award applicant data. Award applicant data are directly related to the commercial activities and confidential information of the applicants.

Kevin Kimball,

Chief of Staff.

[FR Doc. 2015–12573 Filed 5–22–15; 8:45 am]

BILLING CODE 3510–13–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XD959

Western Pacific Fishery Management Council; Public Meetings

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

ACTION: Notice of public meetings and hearings.

SUMMARY: The Western Pacific Fishery Management Council (Council) will hold meetings of its 119th Scientific and Statistical Committee (SSC) and its 163rd Council meeting to take actions on fishery management issues in the Western Pacific Region. The Council will also convene meetings of the Pelagic and International Standing Committee, Fishery Data Collection and Research Committee (FDCRC), Hawaii Standing Committee, and Executive and Budget Standing Committee.

DATES: The meetings will be held from June 9, 2015 through June 18, 2015. See **SUPPLEMENTARY INFORMATION** for specific dates, times and agendas.

ADDRESSES: The 119th SSC, Pelagic and International Standing Committee, FDCRC, Hawaii Standing Committee, and Executive and Budget Standing Committee will be held at the Council office, 1164 Bishop Street, Suite 1400, Honolulu, HI 96813; phone: (808) 522–8220. The 163rd Council meeting and the Fishers Forum will be held at the Harbor View Center, Pier 38, 1129 North Nimitz Highway, Honolulu, HI 96817; phone: (808) 983–1200. Background documents will be available from, and written comments should be sent to, Mr. Edwin Ebisui, Chair, Western Pacific Fishery Management Council, 1164 Bishop Street, Suite 1400, Honolulu, HI 96813; phone: (808) 522–8220 or fax: (808) 522–8226.

FOR FURTHER INFORMATION CONTACT: Kitty M. Simonds, Executive Director; phone: (808) 522–8220.

SUPPLEMENTARY INFORMATION:

The SSC meeting will be held between 8:30 a.m. and 5 p.m. on June 9–11, 2015. The Council's Pelagic and International Standing Committee and the FDCRC meetings will be held between 10 a.m. and 12 noon on June 15, 2015; Hawaii Standing Committee meeting will be held between 1 p.m. and 3 p.m. on June 15, 2015; Executive and Budget Standing Committee meeting will be held between 3 p.m. and 5 p.m. on June 15, 2015; and the 163rd Council meeting will be held between 8:30 a.m. and 5 p.m. on June 16–18, 2015. In addition, the Council will host a Fishers Forum on June 17, 2015, between 6 p.m. and 9 p.m.

In addition to the agenda items listed here, the SSC and Council will hear recommendations from Council advisory groups. Public comment periods will be provided throughout the agendas. The order in which agenda items are addressed may change. The meetings will run as late as necessary to complete scheduled business.

Schedule and Agenda for 119th SSC Meeting

8:30 a.m.–5 p.m., Tuesday, June 9, 2015

1. Introductions
2. Approval of Draft Agenda and Assignment of Rapporteurs
3. Status of the 118th SSC Meeting Recommendations
4. Report from the Pacific Islands Fisheries Science Center Director
5. Insular Fisheries
   - A. Review of the Bottomfish Stock Assessment Update for American Samoa, Guam, and Commonwealth of Northern Mariana Islands (CNMI)
   - B. Report on the Data Workshop for the MHI deep 7 Bottomfish
   - C. Main Hawaiian Islands (MHI) Deep 7 Bottomfish P-star Working Group Report
   - D. Specification of Acceptable Biological Catch for the MHI Deep 7 Bottomfish Fishery for Fishing Year 2015–16 (Action Item)
   - E. Evaluation of 2014 Catch to the 2014 Annual Catch Limits
   - F. Report from the Council Advisory Groups
     1. Joint Archipelagic Plan Team
     2. Fishery Data Collection and Research Committee—Technical Committee
     3. Advisory Panel
   - G. Public Comment
   - H. SSC Discussion and Recommendations
6. Program Planning
   - A. Overview of Management Strategy Evaluation Use in Fisheries
   - B. Report on SSC Subgroup Comments NS1, 3, and 7 Guidelines Proposed Rule
   - C. Western Pacific Regional Fishery Management Council 5-year Research Priorities
   - D. Annual Report Changes
   - E. Cooperative Research Priorities and Framework
   - F. Report from the Council Advisory Groups
     1. Advisory Panel
     2. Joint Archipelagic Plan Team
     3. Pelagic Plan Team
   - G. Public Comment
   - H. SSC Discussion and Recommendations

8:30 a.m.–5 p.m., Wednesday, June 10, 2015

7. Pelagic Fisheries
   - A. Hawaii Yellowfin and Bigeye Commercial Minimum Size Limit
     1. Hawaii Yellowfin Population Model
     2. Hawaii Yellowfin Survey Plan
   - B. Report on Hawaii Catch Shares Meeting
   - C. International Fisheries
     1. Report on Purse Seine Bigeye Tuna (BET) Workshop
     2. Report on Longline Vessel Day Scheme (VDS)
     3. Report on Tokelau Agreement
   - D. Report from the Council Advisory Groups
     1. Pelagic Plan Team
     2. Joint Archipelagic Plan Team
     3. Advisory Panel
   - E. Public Comment
   - F. SSC Discussion and Recommendations
8. Protected Species
   - A. Green Sea Turtle Status Review and Proposed Rule
   - B. Humpback Whale Status Review and Proposed Rule
   - C. Marine Mammals Reported under Catch Lost to Predators on Fishermen's Commercial Catch Reports to the State of Hawaii
   - D. Pilot Study of Interactions between Cetaceans and Small-Boat Fishing Operations in the Main Hawaiian Islands
   - E. Report of the False Killer Whale Take Reduction Team Meeting
   - F. Statistical Control Chart Approach for Wildlife Monitoring
   - G. Report of SSC Subcommittee on False Killer Whale Stock Boundary Revision and Bycatch Proration
   - H. Updates on Other Endangered Species Act and Marine Mammal Protection Act Actions
   - I. Report from the Council Advisory Groups

1. Protected Species Advisory Committee
2. Advisory Panel
3. Joint Archipelagic Plan Team
J. Public Comment
K. SSC Discussion and Recommendations

8:30 a.m.–5 p.m., Thursday, June 11, 2015

9. Other Business
A. 120th SSC Meeting
10. Summary of SSC Recommendations to the Council

Schedule and Agenda for the FDCRC

10 a.m.–12 noon, Monday, June 15, 2015

1. Welcome Remarks
2. Introductions
3. Update on Previous FDCRC Recommendations
4. Report on FDCRC-Technical Committee
a. Prioritization of Tasks
b. Endorsement of Proposals for Funding
c. Funding Identification
5. Alternative Summarization and Analytics Interface
6. Reporting Framework on Improvements by FDCRC Members
7. Public Comment
8. Discussions and Recommendations

Schedule and Agenda for Council Standing Committee Meetings

10 a.m.–12 noon, Monday, June 15, 2015

Pelagic and International Standing Committee
A. International
1. Report on Purse Seine BET Workshop
2. Report on Logline Vessel Day Scheme
B. Domestic
1. Hawaii Yellowfin and Bigeye Commercial Minimum Size Limit Update
2. Hawaii Cross Seamount Fishery Review
C. SSC Recommendations
D. Council Discussion and Recommendations

1 p.m.–3 p.m., Monday, June 15, 2015

Hawaii Standing Committee
1. Main Hawaiian Islands Bottomfish
a. P-star Working Group Report
b. MHI Deep-7 Bottomfish Data Workshop Report
c. Specification of Annual Catch Limit for the MHI Deep-7 Bottomfish Fishery for 2015–16 Fishing Year
2. Other Issues
3. Discussion and Recommendations

3 p.m.–5 p.m., Monday, June 15, 2015

Executive and Budget Standing Committee
1. Administrative Report
2. Financial Report
3. Magnuson Stevens Act reauthorization
4. Standard Operating Policies and Procedures
5. Meetings and Workshops
6. Council Family Changes
7. Other Issues
8. Committee Discussion and Action

Schedule and Agenda for 163rd Council Meeting

8:30 a.m.–5 p.m., Tuesday, June 16, 2015

1. Welcome and Introductions
2. Approval of the 163rd Agenda
3. Approval of the 162nd Meeting Minutes
4. Executive Director's Report
5. Agency Reports
A. National Marine Fisheries Service
1. Pacific Islands Regional Office
2. Pacific Islands Fisheries Science Center
B. NOAA Office of General Counsel, Pacific Islands Section
C. U.S. Fish and Wildlife Service
D. Enforcement
1. U.S. Coast Guard
2. NOAA Office of Law Enforcement
3. NOAA Office of General Counsel, Enforcement Section
E. Public Comment
F. Council Discussion and Action
6. Program Planning and Research
A. National Standard Guidelines 1, 3 & 7 SSC Subgroup Report
B. Research Priorities
1. WPRFMC Five-year Priorities
2. Cooperative Research Priorities
C. Stock Assessments
1. Western Pacific Stock Assessment Review (WPSAR) Policy
2. Review of Bottomfish Stock Assessment Update for American Samoa, Guam and CNMI
D. Evaluation of 2014 Annual Catch Limits
E. Update on Fishery Ecosystem Plan Review
F. Update on Fisheries Internship and Student Help Project
G. Report on Presidential Task Force on Illegal, Unreported, and Unregulated (IUU) fishing
H. U.S. Insular Areas Climate Change Meeting
I. Regional, National and International Outreach & Education
J. Advisory Group Report and Recommendations
1. Fishery Data Collection and Research Committee
2. Protected Species Advisory Committee
3. Advisory Panel
4. Joint Archipelagic Plan Team
5. Pelagic Plan Team
6. Scientific & Statistical Committee
K. Public Comment
L. Council Discussion and Action

8:30 a.m.–5 p.m., Wednesday, June 17, 2015

7. American Samoa Archipelago
A. Motu Lipoti
B. Fono Report
C. Enforcement Issues
D. Community Activities and Issues
1. Report on the Governor's Fisheries Task Force Initiatives
a. Fisheries Development
b. American Samoa Purse Seine Vessels and WCPFC Limits
c. Update on Fisheries Disaster Relief Project
2. Update on the Fagatogo Market
3. Update on funding for Super Alia Vessels and Local Fishery Business Development Initiatives
E. UN Decolonization
F. Education and Outreach Initiatives
G. Advisory Group Report and Recommendations
1. Protected Species Advisory Committee
2. Advisory Panel
3. Joint Archipelagic Plan Team
4. Pelagic Plan Team
5. Scientific & Statistical Committee
H. Public Comment
I. Council Discussion and Action
8. Hawaii Archipelago & Pacific Remote Island Areas (PRIA)
A. Moku Pepa
B. Legislative Report
C. Enforcement Issues
D. Main Hawaiian Islands Bottomfish (MHI)
1. P-star Working Group Report
2. MHI Deep-7 Bottomfish Data Workshop Report
3. Specification of Annual Catch Limit for the MHI Deep-7 Bottomfish Fishery for 2015–16 Fishing Year (Action Item)
E. Community Activities and Issues
1. Council Comments on Hawaiian Islands Humpback Whale National Marine Sanctuary Management Plan
F. Education and Outreach Initiatives
G. Advisory Group Report and Recommendations
1. Protected Species Advisory Committee
2. Advisory Panel
3. Joint Archipelagic Plan Team
4. Pelagic Plan Team
5. Scientific & Statistical Committee
H. Standing Committee Recommendations
I. Public Hearing
J. Council Discussion and Action
9. Protected Species
A. Green Sea Turtle
1. Status Review and Proposed Rule

2. Council Comments on Proposed Rule
B. Humpback Whale
1. Status Review and Proposed Rule
2. Council comments on Proposed Rule
C. False Killer Whales (FKW)
1. Report of FKW Take Reduction Team
2. Council Comments on TRT Recommendations
D. Report of SSC Subcommittee on FKW Stock Boundary Revision and Bycatch Proration
E. Updates on Other Endangered Species Act and Marine Mammal Protection Act
F. Advisory Group Report and Recommendations
1. Protected Species Advisory Committee
2. Advisory Panel
3. Pelagic Plan Team
4. Scientific & Statistical Committee
G. Public Comment
H. Council Discussion and Action
10. Public Comment on Non-agenda Items

6 p.m.–9 p.m., Wednesday, June 17, 2015

Fishers Forum: Seafood Safety and Traceability

8:30 a.m.–5 p.m., Thursday, June 18, 2015

11. Mariana Archipelago
A. Guam
1. Isla Informe
2. Legislative Report
3. Enforcement Issues
4. Community Activities and Issues
a. Status Report on Fishing Platform
b. Malesso Community Based Management Program (CBMP) Implementation
c. Report on Village of Yigo CBMP Meeting
d. Report on Indigenous Fishing Rights Initiatives
e. Micronesian Fishing Community Project Update
5. Education and Outreach Initiatives
B. CNMI
1. Arongol Falú
2. Legislative Report
3. Enforcement Issues
4. Community Activities and Issues
a. Report on Northern Islands CBMP meeting
b. Council comments on CNMI Joint Military Training Environmental Impact Statement (EIS)
5. Education and Outreach Initiatives
C. Update on Marianas Trench Marine National Monument
D. Advisory Group Report and Recommendations
1. Protected Species Advisory Committee
2. Advisory Panel
3. Joint Archipelagic Plan Team
4. Pelagic Plan Team
5. Scientific & Statistical Committee
E. Public Comment
F. Council Discussion and Action
12. Pelagic & International Fisheries
A. Hawaii Yellowfin and Bigeye Commercial Minimum Size Limit Update
B. Hawaii Cross Seamount Fishery Review
C. Report on Hawaii Catch Shares Meeting
D. International Fisheries
1. Report on Purse Seine BET Workshop
2. Report on Longline VDS
3. Tokelau Arrangement Update
E. Advisory Group Report and Recommendations
1. Protected Species Advisory Committee
2. Advisory Panel
3. Pelagic Plan Team
4. Joint Archipelagic Plan Team
5. Scientific & Statistical Committee
F. Standing Committee Recommendations
G. Public Comment
H. Council Discussion and Recommendations
13. Administrative Matters
A. Financial Reports
B. Administrative Reports
C. Council Family Changes
1. Advisory Panel Alternate Selection
2. Plan Team Realignment
3. SSC Membership
D. Magnuson Stevens Act Reauthorization
E. Standard Operating Policies and Procedures
F. Meetings and Workshops
1. Council Coordination Committee Meeting
G. Other Business
H. Standing Committee Recommendations
I. Public Comment
J. Council Discussion and Action
14. Other Business

Non-Emergency issues not contained in this agenda may come before the Council for discussion and formal Council action during its 163rd meeting. However, Council action on regulatory issues will be restricted to those issues specifically listed in this document and any regulatory issue arising after publication of this document that requires emergency action under section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take action to address the emergency.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Kitty M. Simonds, (808) 522–8220 (voice) or (808) 522–8226 (fax), at least 5 days prior to the meeting date.

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

Dated: May 20, 2015.

Tracey L. Thompson,

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

[FR Doc. 2015–12638 Filed 5–22–15; 8:45 am]

BILLING CODE 3510–22–P

CONSUMER PRODUCT SAFETY COMMISSION

Data Sources and Consumer Product-Related Incident Information; Notice of Hearing

AGENCY: Consumer Product Safety Commission.

ACTION: Notice.

SUMMARY: The U.S. Consumer Product Safety Commission (''CPSC,'' ''Commission,'' or ''we'') will conduct a public hearing to receive information from all interested parties about sources of consumer product-related incident information that could be used to inform the Commission's hazard identification, risk management, and regulatory enforcement work. We invite participation by members of the public.

DATES: The hearing will begin at 1 p.m. on June 24, 2015, and will conclude the same day. Requests to make oral presentations and texts of oral presentations must be received no later than 5 p.m. Eastern Daylight Time (EDT) on June 17, 2015.

ADDRESSES: The hearing will be in the Hearing Room, 4th Floor of the Bethesda Towers Building, 4330 East-West Highway, Bethesda, MD 20814. Requests to make oral presentations and texts of oral presentations should be captioned ''Data Sources and Consumer Product-Related Incident Information'' and sent by electronic mail (email) to: *cpsc-os@cpsc.gov,* or mailed or delivered to the Office of the Secretary, U.S. Consumer Product Safety Commission, 4330 East-West Highway, Room 820, Bethesda, MD 20814; telephone (301) 504–7923.

FOR FURTHER INFORMATION: For information about the hearing, or to request an opportunity to make an oral presentation, please send an email, call, or write Todd A. Stevenson, Office of the Secretary, U.S. Consumer Product Safety Commission, 4330 East-West Highway, Bethesda, MD 20814; email:

cpsc-os@cpsc.gov; telephone: (301) 504–7923; facsimile: (301) 504–0127.

SUPPLEMENTARY INFORMATION:

I. Background

The CPSC collects and analyzes data on consumer-product related injuries and deaths, from products under CPSC's jurisdiction, to identify consumer product-related hazards for agency action. A large portion of CPSC's injury information is collected through CPSC's National Electronic Injury Surveillance System (''NEISS''). NEISS is comprised of information coded from hospital emergency department records from a sample of hospitals in the United States. Because the member hospitals are part of a statistical sample, the 400,000 product-related injury reports submitted each year, along with an additional 350,000 non-CPSC injury reports used by other federal agencies, can be projected nationally. Although detailed product information or manufacturer names often are not available, NEISS does support special studies of selected product or hazard scenarios. NEISS data allow assessment of injury trends across time and provide information, such as age, gender, body part injured, and diagnosis, about those injured. NEISS data are available to the public for analysis. Although NEISS data are not a source of product related fatalities or non-emergency department treated injuries, their timely collection does afford CPSC staff an insight to potential product-related emerging hazards.

NEISS data are supplemented by reports collected through other channels, such as saferproducts.gov and the CPSC Hotline. CPSC staff reviews consumer-product related deaths, injuries and near-misses (events that did not result in an injury but had the potential to do so) by collecting and processing more than 40,000 anecdotal incident reports annually. Incident report sources include consumers, medical examiners, coroners, death certificates, health care professionals, state and federal government agencies, manufacturers, retailers, and news clips. These incident reports inform the work of CPSC staff to identify and reduce unreasonable consumer product-related risks.

The form and information content of incident reports vary across sources. News clips report more severe incidents such as carbon monoxide poisonings from generators and consumer product-related children's fatalities. The 6,000 clips are timely and are a valuable source of information that consumers or health officials may not report. The 5,000 reports that CPSC purchases from coroners and medical examiners provide information about an array of fatal events, including those associated with off-road vehicles, furniture tip-overs, and product ingestions. Reports from death certificates purchased from state vital records departments provide similar information but there can be a time lag in the submission of these reports to CPSC.

Good decision making requires high-quality data. The reports of greatest value to CPSC staff for identifying potential emerging hazards and informing risk mitigation decisions include information about the victim (e.g. name, age, gender, address) or submitter (e.g. name, address) that would allow CPSC investigators to make contact for further investigation. These reports should also describe the incident scenario or hazard pattern that makes it apparent why there would be a risk of harm, describe the severity of any injuries that occurred and the date of the incident, and include a description of the product, including the manufacturer and model.

II. The Hearing

Through this notice, the Commission invites the public to provide information on how other organizations, domestic and international, use the data and information collected by CPSC and how the CPSC might enhance the quality, accessibility, utility, and usability of its data and information.

The Commission also invites the public to provide information on other sources of consumer product-related injury and fatality information that contain the information associated with high-quality data. The most helpful input will include a discussion of the source's data quality, format, and information content and how the source might advance CPSC staff's work to maximize the quality and information content of incident reports available to inform the agency's hazard identification, risk mitigation, and regulatory enforcement work.

The Commission also invites the public to provide information regarding industry or other best practices and other successful substantive and technological approaches including but not limited to data collection, data processing, and data format.

In discussing the CPSC's data, presenters should recognize that the CPSC is faced with the challenge of distinguishing consumer product-related incidents that pose a risk of harm or potential risk of harm from those that do not meet customer expectations. This challenge informs the CPSC's approach to its data and many of the complexities associated with it.

Requests to make oral presentations and texts of oral presentations should be captioned ''Data Sources and Consumer Product-Related Incident Information'' and sent by electronic mail (email) to: *cpsc-os@cpsc.gov,* or mailed or delivered to the Office of the Secretary, U.S. Consumer Product Safety Commission, 4330 East-West Highway, Room 820, Bethesda, MD 20814; telephone (301) 504–7923; facsimile (301) 504–0127. Requests to make oral presentations and texts of oral presentations must be received no later than 5 p.m. Eastern Daylight Time (EDT) on June 17, 2015. All submissions received may be posted without change, including any personal identifiers, contact information, or other personal information. Presentations will be limited to approximately 10 minutes. The Commission reserves the right to impose further time limitations on all presentations and further restrictions to avoid duplication of presentations.

Dated: May 20, 2015.

Todd A. Stevenson,

Secretary, Consumer Product Safety Commission.

[FR Doc. 2015–12599 Filed 5–22–15; 8:45 am]

BILLING CODE 6355–01–P

CONSUMER PRODUCT SAFETY COMMISSION

Announcement of Consumer Product Safety Commission's Participation in 2015 Healthy Aging Summit

AGENCY: Consumer Product Safety Commission.

ACTION: Notice

SUMMARY: The U.S. Consumer Product Safety Commission (''CPSC,'' ''Commission,'' or ''we'') is announcing its intent to participate in the 2015 Healthy Aging Summit (''Summit''), sponsored by the Department of Health and Human Services, Office of Disease Prevention and Health Promotion (''HHS/ODPHP'') and the American College of Preventative Medicine (''ACPM''). The Summit will specifically highlight the science of healthy aging and preventive services and identify policy gaps that can be pursued to improve the quality of life for older adults. CPSC's focus in the Summit will be to solicit information on better ways that the CPSC and other stakeholders, including state and local governments and non-governmental organizations, can protect the senior population from consumer products that pose risks. The Summit will be held at the Omni Shoreham Hotel in Washington, DC, on July 27–28, 2015.

We invite interested parties to participate in or attend the Summit. Interested parties are invited to submit written comments to the CPSC related to the Summit. The comments submitted in writing can be in lieu of, or in addition to, participating in person at the Summit.

DATES: The Summit will be held from 7:30 a.m. to 6:30 p.m. on July 27, 2015, and from 7:00 a.m. to 5:00 p.m. on July 28, 2015. The CPSC session titled, ''Consumer Product Safety Listening Session,'' will take place on July 27, 2015, from 5:30 p.m. to 6:30 p.m. Individuals who wish to attend the Summit should register by July 13, 2015; on-site registration will be offered, but at a higher cost, on the day of the Summit. Any written comments should be submitted to the CPSC by July 27, 2015.

ADDRESSES: The Summit will be held at the Omni Shoreham Hotel, 2500 Calvert Street NW., Washington, DC 20008 on July 27–28, 2015. To attend the conference and provide oral comments during the CPSC Listening Session on July 27 from 5:30 p.m. to 6:30 p.m., you must register for the 2015 Healthy Aging Summit at *www.2015healthyagingsummit.org*. Time will be limited to three (3) minutes per commenter, subject to one hour time frame of the CPSC Listening Session. The ability to provide oral comments is on a first-come, first-served basis.

For any parties who wish to submit written comments, written submissions can be made to the CPSC in the following way:

Mail/Hand delivery/Courier to: Office of the Secretary, Consumer Product Safety Commission, Room 820, 4330 East West Highway, Bethesda, MD 20814; telephone (301) 504–7923; *Email* to: *cpsc-os@cpsc.gov*.

Instructions: All submissions received must include: the ''Consumer Product Safety Commission'' and title, ''2015 Healthy Aging Summit.'' All comments received may be posted without change, including any personal identifiers, contact information, or other personal information.

FOR FURTHER INFORMATION CONTACT: Patricia Adair, Directorate for Engineering Sciences, 5 Research Place, Rockville, MD 20850, telephone 301–987–2238, email *seniorsummit@cpsc.gov*.

SUPPLEMENTARY INFORMATION:

I. Background

In establishing and revising its priorities, the Commission takes into consideration the vulnerability of the population at risk including risks to children, the elderly, and the handicapped. There were an estimated 37,200 consumer product-related deaths in 2010. Almost 65 percent of these deaths were suffered by seniors (adults 65 and older), despite this group making up only 13 of the U.S. population. Seniors also have suffered an estimated 5 million injuries each year since 2008. The number, rate, and costs of serious injuries to seniors associated with consumer products rise every year and the size of the population of older adults in the United States is rising quickly as well. By 2030, older adults will comprise 20.6 percent of the U.S. population. By 2050, the senior population is expected to more than double, from 40 million in 2010, to more than 88 million.

In addition to the physical toll of injuries on the senior population, the societal costs are significant. CPSC estimates that the total societal costs of injuries related to, but not necessarily caused by, consumer products involving older adults, including pain and suffering costs, exceed $100 billion annually. See *http://www.cpsc.gov/en/About-CPSC/Commissioners/Robert-Adler/Commissioner-Adler-Statements/Acting-Chairman-Robert-Adler-Introduces-Senior-Safety-Initiative/*.

II. Topics for the Summit

In general, the Summit will focus on the science of healthy aging and preventive services and will identify policy gaps that can be addressed to improve the quality of life for older adults. The Summit will begin with a daily plenary session for all attendees. Concurrent sessions on a variety topics related to healthy aging will occur in the afternoon.

The full agenda can be found at the Summit Web site: *www.2015HealthyAgingSummit.org*.

CPSC's engagement in the Summit will focus on soliciting information relating to ways that CPSC and other stakeholders, including state and local governments and non-governmental organizations, can reduce the risk to the senior population from consumer products that pose risks. Areas of interest include, but are not limited to:

- Techniques or best practices for CPSC to provide messages to seniors and their caregivers;
- Programs or initiatives targeting senior safety;
- Strategies for improving safety in the home;
- Causes of injuries to seniors from consumer products;
- Human factors research needs about seniors;
- Fire safety and seniors; and
- Societal costs of injuries to seniors from consumer products.

A session specifically for participants to provide comments to CPSC titled, the ''Consumer Product Safety Listening Session,'' will be held on July 27, 2015, from 5:30 p.m. to 6:30 p.m. at the Summit. We invite you to share your comments at this session.

The Listening Session will open with a brief overview from CPSC on the topics of interest. The floor will then be open to pre-registered commenters. Each commenter will be limited to three (3) minutes.

CPSC would like to hear from you and is interested in comments and responses to the following questions related to the topics listed above:

1. What are the common safety issues and concerns when considering seniors and consumer product safety?

2. What consumer product(s) present(s) the greatest hazard(s) to the seniors? How can each hazard be mitigated?

3. What usage patterns for consumer products present special hazards to seniors?

4. What communications issues/opportunities exist for educating the senior population about hidden consumer product safety issues associated with aging?

5. What product safety design characteristics have been shown to be most helpful to seniors?

To provide oral comments during the CPSC Listening Session on July 27, 2015, from 5:30 p.m. to 6:30 p.m., you must register for the 2015 Healthy Aging Summit at: *www.2015healthyagingsummit.org* to attend the conference. Time will be limited to three (3) minutes per commenter, with the CPSC Listening Session limited to one hour. Commenters will be scheduled on a first-come, first-served basis. Written submissions can be made to the CPSC, as provided in the ADDRESSES portion of this notice.

Dated: May 20, 2015.

Todd A. Stevenson,

Secretary, Consumer Product Safety Commission.

[FR Doc. 2015–12589 Filed 5–22–15; 8:45 am]

BILLING CODE 6355–01–P

CONSUMER PRODUCT SAFETY COMMISSION

Commission Agenda and Priorities; Notice of Hearing

AGENCY: U.S. Consumer Product Safety Commission.

ACTION: Notice of public hearing.

SUMMARY: The U.S. Consumer Product Safety Commission (Commission) will conduct a public hearing to receive views from all interested parties about the Commission's agenda and priorities for fiscal year 2016, which begins on October 1, 2015, and for fiscal year 2017, which begins on October 1, 2016. We invite members of the public to participate. Written comments and oral presentations concerning the Commission's agenda and priorities for fiscal years 2016 and 2017 will become part of the public record.

DATES: The hearing will begin at 10 a.m. on June 24, 2015, and will conclude the same day. Requests to make oral presentations and the written text of any oral presentations must be received by the Office of the Secretary not later than 5 p.m. Eastern Daylight Time (EDT) on June 10, 2015.

ADDRESSES: The hearing will be in the Hearing Room, 4th Floor of the Bethesda Towers Building, 4330 East-West Highway, Bethesda, MD 20814. Requests to make oral presentations and texts of oral presentations should be captioned, ''Agenda and Priorities FY 2016 and/or 2017,'' and sent by electronic mail (email) to: *cpsc-os@cpsc.gov,* or mailed or delivered to the Office of the Secretary, U.S. Consumer Product Safety Commission, 4330 East-West Highway, Bethesda, MD 20814. Requests must be received no later than 5 p.m. EDT on June 10, 2015.

FOR FURTHER INFORMATION CONTACT: For information about the hearing, or to request an opportunity to make an oral presentation, please send an email, call, or write Todd A. Stevenson, Office of the Secretary, U.S. Consumer Product Safety Commission, 4330 East-West Highway, Bethesda, MD 20814; email: *cpsc-os@cpsc.gov;* telephone: (301) 504–7923; facsimile: (301) 504–0127. An electronic copy of the CPSC's budget request for fiscal year 2016 can be found at: *www.cpsc.gov/performance-and-budget.*

SUPPLEMENTARY INFORMATION: Section 4(j) of the Consumer Product Safety Act (CPSA) (15 U.S.C. 2053(j)), requires the Commission to establish an agenda for action under the laws the Commission administers, and to the extent feasible, select priorities for action at least 30 days before the beginning of each fiscal year. Section 4(j) of the CPSA provides further that before establishing its agenda and priorities, the Commission conduct a public hearing and provide an opportunity for the submission of comments.

The Commission is in the process of preparing the agency's fiscal year 2016 Operating Plan and fiscal year 2017 Congressional Budget Request. Fiscal year 2016 begins on October 1, 2015, and fiscal year 2017 begins on October 1, 2016. Through this notice, the Commission invites the public to comment on the following questions:

1. What are the priorities the Commission should consider emphasizing and dedicating resources toward in the fiscal year 2016 Operating Plan and/or the fiscal year 2017 Congressional Budget Request?

2. What activities should the Commission consider deemphasizing in the fiscal year 2016 Operating Plan and/or the fiscal year 2017 Congressional Budget Request?

3. Should the Commission consider making any changes or adjustments to the agency's proposed or ongoing education, safety standards activities, regulation, and enforcement efforts in fiscal years 2016 and/or 2017, keeping in mind the CPSC's existing policy on establishing priorities for Commission action (16 CFR 1009.8)? The CPSC's budget request for fiscal year 2016 can be found at: *www.cpsc.gov/performance-and-budget.* Comments are welcome on whether particular action items should be higher priority than others, should not be included, or should be added to the fiscal year 2016 and/or fiscal year 2017 agendas.

Persons who desire to make oral presentations at the hearing on June 24, 2015 should send an email, call, or write Todd A. Stevenson, Office of the Secretary, U.S. Consumer Product Safety Commission, 4330 East-West Highway, Bethesda, MD 20814; email: *cpsc-os@cpsc.gov;* telephone: (301) 504–7923; facsimile (301) 504–0127 not later than 5 p.m. EDT on June 10, 2015. Presentations should be limited to approximately 10 minutes. The Commission reserves the right to impose further time limitations on all presentations and further restrictions to avoid duplication of presentations.

Dated: May 20, 2015.

Todd A. Stevenson,

Secretary, U.S. Consumer Product Safety Commission.

[FR Doc. 2015–12600 Filed 5–22–15; 8:45 am]

BILLING CODE 6355–01–P

DEPARTMENT OF DEFENSE

Department of the Air Force

U.S. Air Force Academy Board of Visitors; Notice of Meeting

AGENCY: U.S. Air Force Academy Board of Visitors, Air Force, DoD.

ACTION: Meeting notice.

SUMMARY: In accordance with 10 U.S.C. Section 9355, the U.S. Air Force Academy (USAFA) Board of Visitors (BoV) will hold a meeting at the Cannon House Office Building, Room 334, Washington DC, on June 9, 2015. The meeting will begin at 9:30 a.m. and is scheduled to close to the public at 2:30 p.m. The purpose of this meeting is to review morale and discipline, social climate, curriculum, instruction, infrastructure, fiscal affairs, academic methods, and other matters relating to the Academy. Specific topics for this meeting include a Superintendent's update, which will include, but not be limited to, an update on recent events and upcoming summer programs; an update on the Pathways to Excellence Program; and a review of the incoming and graduating classes. Also included will be a Chairman's update; an Installation and Mission Support Center (IMSC) update; and an update on the Athletic Department and AFA Athletic Corporation. In accordance with 5 U.S.C. Section 552b, as amended, and 41 CFR Section 102–3.155, one session of this meeting shall be closed to the public because it involves matters covered by subsection (c)(6) of 5 U.S.C. Section 552b. Public attendance at the open portions of this USAFA BoV meeting shall be accommodated on a first-come, first-served basis up to the reasonable and safe capacity of the meeting room. In addition, any member of the public wishing to provide input to the USAFA BoV should submit a written statement in accordance with 41 CFR Section 102–3.140(c) and section 10(a)(3) of the Federal Advisory Committee Act and the procedures described in this paragraph. Written statements must address the following details: The issue, discussion, and a recommended course of action. Supporting documentation may also be included as needed to establish the appropriate historical context and provide any necessary background information. Written statements can be submitted to the Designated Federal Officer (DFO) at the Air Force address detailed below at any time. However, if a written statement is not received at least 10 calendar days before the first day of the meeting which is the subject

of this notice, then it may not be provided to or considered by the BoV until its next open meeting. The DFO will review all timely submissions with the BoV Chairman and ensure they are provided to members of the BoV before the meeting that is the subject of this notice. If after review of timely submitted written comments and the BoV Chairman and DFO deem appropriate, they may choose to invite the submitter of the written comments to orally present the issue during an open portion of the BoV meeting that is the subject of this notice. Members of the BoV may also petition the Chairman to allow specific personnel to make oral presentations before the BoV. In accordance with 41 CFR Section 102–3.140(d), any oral presentations before the BoV shall be in accordance with agency guidelines provided pursuant to a written invitation and this paragraph. Direct questioning of BoV members or meeting participants by the public is not permitted except with the approval of the DFO and Chairman. For the benefit of the public, rosters that list the names of BoV members and any releasable materials presented during the open portions of this BoV meeting shall be made available upon request.

Contact Information: For additional information or to attend this BoV meeting, contact Lt Col Chuck Parada, Accessions and Training Division, AF/A1PT, 1040 Air Force Pentagon, Washington, DC 20330, (703) 695–3446, *charles.n.parada.mil@mail.mil*.

Henry Williams,

Civ, Acting Air Force Federal Liaison Officer.

[FR Doc. 2015–12594 Filed 5–22–15; 8:45 am]

BILLING CODE 5001–10–P

DEPARTMENT OF DEFENSE

Department of the Army

[Docket ID USA–2015–0018]

Proposed Collection; Comment Request

AGENCY: U.S. Army Corps of Engineers, Department of Army, DoD.

ACTION: Notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995,* the Office of the Assistant Secretary of Defense for Civil Works announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on: (a) Whether the proposed 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 proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by July 27, 2015.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Mail:* Department of Defense, Office of the Deputy Chief Management Officer, Directorate of Oversight and Compliance, Regulatory and Audit Matters Office, 9010 Defense Pentagon, Washington, DC 20301–9010.

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.

Any associated form(s) for this collection may be located within this same electronic docket and downloaded for review/testing. Follow the instructions at *http://www.regulations.gov* for submitting comments. Please submit comments on any given form identified by docket number, form number, and title.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to the US Army Corps of Engineers, Institute for Water Resources, Casey Building, 8801 Telegraph Road, Alexandria, VA 22315, ATTN Meredith Bridgers or call 703–428–8458.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Recreation Use Survey; Generic Collection OMB Control Number 0710–XXXX.

Needs and Uses: The information collection requirement is necessary to produce recreation visitation and local expenditure estimates at US Army Corps of Engineers Water Resource Projects.

Affected Public: Public visitors to US Army Corps of Engineers managed recreation areas.

Annual Burden Hours: 1,768 hours.

Number of Respondents: 19,050.

Responses per Respondent: 1.11.

Average Burden per Response: 5.5 minutes (0.09 hours).

Survey name	Annual number of respondents	Minutes per response	Annual burden hours
Full Recreation Use Survey Only	16,550	5	1,379
Abbreviated Bus/Bike Survey Only	450	2	15
Full Recreation Use plus Follow-up Economic Survey*	2,000	11	367
Abbreviated Bus/Bike plus Follow-up Economic*	50	8	7
Total	19,050		1,768

*Individuals who participate in the Full Recreation Use Survey or the Bus or Bike survey have the option to receive a follow-up economic survey. Approximately 11% of the respondents are expected to complete both surveys.

Frequency: On occasion.

Respondents to this generic collection are public visitors to US Army Corps of Engineers Recreation Areas. Visitors exiting the recreation area by vehicle are stopped as potential respondents. Participation is voluntary. Respondents are asked questions in the following categories; characteristics of visit, quantity of people in the vehicle, description of overnight stay, activity participation, demographics, willingness to participate in follow-up Web survey. The follow-up Web survey asks questions in the following

categories; total party size, trip frequency, activity equipment characteristics.

Dated: May 19, 2015.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2015–12536 Filed 5–22–15; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DoD–2015–OS–0056]

Privacy Act of 1974; System of Records

AGENCY: Office of the Secretary of Defense, DoD.

ACTION: Notice to alter a System of Records.

SUMMARY: The Office of the Secretary of Defense proposes to alter a system of records, DMDC 18 DoD, entitled ''Synchronized Predeployment and Operational Tracker Enterprise Suite (SPOT–ES) Records.'' The Synchronized Predeployment and Operational Tracker Enterprise Suite (SPOT–ES) allows federal agencies and Combatant Commanders the ability to plan, manage, track, account for, and monitor and report on contracts, companies and contractor employees supporting contingency operations, humanitarian assistance operations, peace operations, disaster relief operations, military exercises, events, and other activities that require contractor support within and outside the U.S.

DATES: Comments will be accepted on or before June 25, 2015. This proposed action will be effective the date following the end of the comment period unless comments are received which result in a contrary determination.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

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

* *Mail:* Department of Defense, Office of the Deputy Chief Management Officer, Directorate for Oversight and Compliance, Regulatory and Audit Matters Office, 9010 Defense Pentagon, Washington, DC 20301–9010.

Instructions: All submissions received must include the agency name and docket number 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.

FOR FURTHER INFORMATION CONTACT: Ms. Cindy Allard, Chief, OSD/JS Privacy Office, Freedom of Information Directorate, Washington Headquarters Service, 1155 Defense Pentagon, Washington, DC 20301–1155, or by phone at (571) 372–0461.

SUPPLEMENTARY INFORMATION: The Office of the Secretary of Defense notices for systems of records subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended, have been published in the **Federal Register** and are available from the address in **FOR FURTHER INFORMATION CONTACT** or at the Defense Privacy and Civil Liberties Division Web site at *http://dpcld.defense.gov/.*

The proposed system report, as required by U.S.C. 552a(r) of the Privacy Act of 1974, as amended, was submitted on May 20, 2015, to the House Committee on Oversight and Government Reform, the Senate Committee on Governmental Affairs, and the Office of Management and Budget (OMB) pursuant to paragraph 4c of Appendix I to OMB Circular No. A–130, ''Federal Agency Responsibilities for Maintaining Records About Individuals,'' dated February 8, 1996 (February 20, 1996, 61 FR 6427).

Dated: May 20, 2015.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

DMDC 18 DoD

SYSTEM NAME:

Synchronized Predeployment and Operational Tracker Enterprise Suite (SPOT–ES) Records (October 24, 2013, 78 FR 63455).

CHANGES:

* * * * *

SYSTEM LOCATION:

Delete entry and replace with ''Defense Manpower Data Center, DoD Center Monterey Bay, 400 Gigling Road, Seaside, CA 93955–6771.

Stand-alone Joint Asset Movement Management System (JAMMS) machines are deployed as needed to locations within and outside the U.S. A list of current JAMMS locations can be provided upon written request to the system manager.''

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Delete entry and replace with ''Department of Defense (DoD) military personnel and civilian employees supporting contingency operations, humanitarian assistance operations, peace operations, disaster relief operations, events, and other activities that require support within and outside the U.S.

DoD contractor personnel supporting contingency operations, humanitarian assistance operations, peace operations, disaster relief operations, military exercises, events, and other activities that require contractor support within and outside the U.S.

Department of State (DOS) and United States Agency for International Development (USAID) contractor personnel supporting contingency operations, humanitarian assistance operations, peace operations, disaster relief operations both within and outside of the U.S., and during other missions or scenarios.

DOS and USAID civilian employees supporting contingency operations led by DoD or the DOS Office of Security Cooperation outside of the U.S.

Government civilian and contractor personnel of other Federal Agencies, *e.g.* the Department of Interior, Department of Homeland Security, Department of Treasury, Department of Justice, Department of Health and Human Services, Environmental Protection Agency, Department of Transportation, Department of Energy, and General Services Administration which may use the system to account for their personnel when supporting contingency operations, humanitarian assistance operations, peace operations, disaster relief operations, exercises, events, and other activities within and outside the U.S.

Civilian organizations and private citizens, including first responders, who are in the vicinity, are supporting, or are impacted by operations, *e.g.* contingency, humanitarian assistance, or disaster relief, and transit through a location where a JAMMS workstation is deployed.''

CATEGORIES OF RECORDS IN THE SYSTEM:

Delete entry and replace with ''Individual profile data: For contractor personnel, full name; blood type; Social Security Number (SSN); DoD Identification Number; Federal/foreign ID number or Government-issued ID number, *e.g.* passport and/or visa number; category of person (contractor); home, office, and deployed telephone numbers; home and deployed address; home, office, and deployed email

addresses; emergency contact name and telephone number; next of kin name, phone number and address; duty location and duty station; travel authorization documentation, *i.e.,* Letters of Authorization (LOAs), air travel itineraries, and movements in the area of operations; in-theater and Government authority points of contact; and security clearance information and pre-deployment processing information, including completed training certifications.

Contractor personnel performing private security functions: Type of media used to collect identity and the document ID. Authorized weapons and equipment, and other official deployment-related information, *e.g.* types of training received.

CONTRACT INFORMATION DATA:

Contract number, contractor company name, contract capabilities, contract value, contract/task order period of performance, theater business clearance, and company contact name, office address and phone number.

For DoD military and civilian personnel: full name, SSN, DoD Identification Number, category of person (civilian or military), and movements in the area of operations.

For other Federal agency personnel: full name, SSN, Government-issued ID number (*e.g.* passport and/or visa number), category of person (Federal civilian), and movements in the area of operations.

For non-Government personnel: full name, Government-issued ID number (*e.g.* passport and/or visa number), and movements in the area of operations.''

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Delete entry and replace with ''10 U.S.C. 113, Secretary of Defense; 10 U.S.C. 133, Under Secretary of Defense for Acquisition, Technology, and Logistics; 10 U.S.C. 2302, note, Contractors Performing Private Security Functions in Areas of Combat Operations or Other Significant Military Operations; DoD Directive 1000.25, DoD Personnel Identity Protection (PIP) Program; DoD Directive 1404.10, DoD Civilian Expeditionary Workforce; DoD Directive 3020.49, Orchestrating, Synchronizing, and Integrating Program Management of Contingency Acquisition Planning and Its Operational Execution; DoD Instruction 3020.41, Operational Contract Support (OCS); DoD Instruction 3020.50, Private Security Contractors (PSCs) Operating in Contingency Operations, Humanitarian or Peace Operations, or Other Military Operations or Exercises; DoD Instruction 6490.03, Deployment Health; and E.O. 9397 (SSN), as amended.''

PURPOSE(S):

Delete entry and replace with ''The Synchronized Predeployment and Operational Tracker Enterprise Suite (SPOT–ES) allows federal agencies and Combatant Commanders the ability to plan, manage, track, account for, and monitor and report on contracts, companies and contractor employees supporting contingency operations, humanitarian assistance operations, peace operations, disaster relief operations, military exercises, events, and other activities that require contractor support within and outside the U.S.

The SPOT is a web-based system providing a repository of military, Government civilian and contractor personnel, and contract information for DoD, DOS, USAID, other Federal agencies, and Combatant Commanders to centrally manage their supporting, deploying, deployed, and redeploying assets via a single authoritative source for up-to-date visibility of personnel assets and contract capabilities. Used as a management tool for statistical analysis, tracking, reporting, evaluating program effectiveness, and conducting research.

JAMMS is a stand-alone application that scans identity credentials (primarily held by military, Government civilians, and contractors) at key decentralized locations, *e.g.* dining facilities, billeting, central issue facilities, and aerial ports of debarkation. Also used as a management tool for statistical, tracking, reporting, evaluating program effectiveness, and conducting research.

The Total Operational Picture Support System (TOPSS) is a web-based application that integrates information from SPOT and JAMMS to provide trend analysis, widgets and reports from different views based on the user access level and parameters selected to support DoD, DOS, USAID, other Federal agencies, and Combatant Commanders requirements.''

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Delete entry and replace with ''In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act of 1974, as amended, the records contained herein may specifically be disclosed outside the DoD as a routine use pursuant to 5 U.S.C. 552a(b)(3) as follows:

To DOS and USAID to account for their Government civilian and contractor personnel supporting operations outside of the U.S., and to determine status of processing and deployment documentation, contracts, weapons and equipment, current and historical locations, company or organization where an individual is employed, and contact information.

To Federal agencies associated with the categories of individuals covered by the system to account for their Government civilian and contractor personnel supporting contingency operations, humanitarian assistance operations, peace operations, disaster relief operations, military exercises, events, and other activities that require support within and outside the U.S.

To contractor companies to account for their employees supporting contingency operations, humanitarian assistance operations, peace operations, disaster relief operations, military exercises, events, and other activities that require contractor support within and outside the U.S.

To applicable civilian organizations to account for their personnel located in an operational area.

To applicable facilities managers where JAMMS are deployed to account for Government services consumed and depict usage trends.

Law Enforcement Routine Use: If a system of records maintained by a DoD Component to carry out its functions indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the agency concerned, whether federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto.

Congressional Inquiries Disclosure Routine Use: Disclosure from a system of records maintained by a DoD Component may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Disclosure to the Department of Justice for Litigation Routine Use: A record from a system of records maintained by a DoD Component may be disclosed as a routine use to any component of the Department of Justice for the purpose of representing the Department of Defense, or any officer, employee or member of the Department

in pending or potential litigation to which the record is pertinent.

Disclosure of Information to the National Archives and Records Administration Routine Use: A record from a system of records maintained by a DoD Component may be disclosed as a routine use to the National Archives and Records Administration for the purpose of records management inspections conducted under authority of 44 U.S.C. 2904 and 2906.

Data Breach Remediation Purposes Routine Use: A record from a system of records maintained by a Component may be disclosed to appropriate agencies, entities, and persons when (1) The Component suspects or has confirmed that the security or confidentiality of the information in the system of records has been compromised; (2) the Component 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 this system or other systems or programs (whether maintained by the Component or another agency or entity) that rely upon the compromised information; and (3) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the Components efforts to respond to the suspected or confirmed compromise and prevent, minimize, or remedy such harm.

The DoD Blanket Routine Uses set forth at the beginning of the Office of the Secretary of Defense (OSD) compilation of systems of records notices may apply to this system. The complete list of DoD blanket routine uses can be found online at: *http://dpcld.defense.gov/Privacy/SORNsIndex/BlanketRoutineUses.aspx''*

* * * * *

RETRIEVABILITY:

Delete entry and replace with ''Within SPOT: Full name, SSN, DoD Identification Number, or Federal/foreign ID number.

Within JAMMS: Information may be retrieved at the specific machine used at a location within specified start and ending dates by last name.''

SAFEGUARDS:

Delete entry and replace with ''Electronic records in SPOT and TOPSS are maintained in a Government-controlled area accessible only to authorized personnel. Entry to these areas is restricted to those personnel with a valid requirement and authorization to enter. Physical entry is restricted by the use of lock, guards, and administrative procedures. Physical and electronic access is restricted to designated individuals having a need-to-know in the performance of official duties. Access to personal information is further restricted by the use of Public Key Infrastructure or login/password authorization. Information is accessible only by authorized personnel with appropriate clearance/access in the performance of their duties. Once access is gained, the system is set with an automatic timeout period to reduce the opportunity for unauthorized access.

For JAMMS, physical and electronic access is restricted to designated individuals having a need-to-know in the performance of official duties. Access to personal information is further restricted by the use of login/password authorization. Computers running the JAMMS software are located on Government installations where physical entry is restricted to authorized personnel. Each machine is physically secured with a combination lock and cable. While the computer is active, the view screen is oriented away from the cardholder, and access is controlled by an attendant on duty. While the data is at rest and when data is transferred to SPOT, the records are encrypted. Daily exports from JAMMS are uploaded, via encrypted file transfer, to SPOT as the mandated repository of information on contingency contract and contractor information.''

* * * * *

[FR Doc. 2015–12629 Filed 5–22–15; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DoD–2015–OS–0055]

Proposed Collection; Comment Request

AGENCY: Defense Logistics Agency (DLA), DoD.

ACTION: Notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995,* the Defense Logistics Agency (DLA) announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on: (a) Whether the proposed 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 proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by July 27, 2015.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Mail:* Department of Defense, Office of the Deputy Chief Management Officer, Directorate of Oversight and Compliance, Regulatory and Audit Matters Office, 9010 Defense Pentagon, Washington, DC 20301–9010.

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. Any associated form(s) for this collection may be located within this same electronic docket and downloaded for review/testing. Follow the instructions at *http://www.regulations.gov* for submitting comments. Please submit comments on any given form identified by docket number, form number, and title.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to the Defense Logistics Agency, Program Executive Office, 4800 Mark Center Drive—Suite 09E04, Alexandria, VA 22350, ATTN: Mr. Sheldon Soltis, 571–372–3325.

SUPPLEMENTARY INFORMATION:

Title; Associated Form(S); and OMB Number: Defense Information Security System (DISS) Family of Systems (FoS); OMB Number 0704–XXXX.

Needs and Uses: DISS requires personal data collection to facilitate the initiation, investigation and adjudication of information relevant to DoD security clearances and employment suitability determinations for active duty military, civilian employees and contractors requiring such credentials. As a Personnel Security System it is the authoritative source for clearance information resulting in accesses determinations to sensitive/classified information and

facilities. Specific uses include: Facilitation for DoD Adjudicators and Security Managers to obtain accurate up-to-date eligibility and access information on all personnel (military, civilian and contractor personnel) adjudicated by the DoD. The DoD Adjudicators and Security Managers are also able to update eligibility and access levels of military, civilian and contractor personnel nominated for access to sensitive DoD information.

Affected Public: Individuals and Federal Government.

Annual Burden Hours: 666,666.

Number of Respondents: 20,000.

Responses per Respondent: 100.

Average Burden per Response: 20 minutes.

Frequency: On occasion.

To comply with the Intelligence Report and Terrorism Prevention Act (IRTPA) of 2004, the Defense Information System for Security (DISS) program was established to design and implement an IT system to support Security and Suitability processes across the Department of Defense (DoD). Through an incremental approach, DISS will, in the future, replace legacy security clearance systems by phasing in new or enhanced systems as part of the DISS Family of Systems (FoS). The records within these applications are used for personnel security, suitability, fitness, access management, continuous evaluation of the subject, and National Security by providing a common, comprehensive medium to record, document, and store investigation and adjudicative documentation and adjudicative actions within the Department, federal agencies, non-DOD, and DOD contractors. These applications will provide an evaluation status, outcome, and updates of investigative and adjudicative actions and decisions from trusted information providers, requestors; provides the ability for visit requests; subjects to self-report required information; and/or provides the ability for the subjects to be continuously evaluated for the subject's security clearance. It will also be used to compile statistical data used for analyses and studies. Decentralized access is authorized at the adjudication facilities, personnel security interfaces, services, DOD Component, approved Non-DoD agencies, and Industry security offices with a DD254 and Industry who is directly supporting continuous evaluation.

The DISS has also been designated as the repository for adjudicative results for Suitability and HSPD–12 determinations by the 13 July 2011 USD(I) memo ''Storage of Adjudicative Results in the Defense Information System for Security.'' The DISS (CATS) has been designated as the DoD non-Intelligence Community IT system for case management and adjudications by the 10 April 2009 USD(I) memo ''Designation of the DoD Case Management and Adjudication Systems.'' Currently, CATS processes over 500,000 cases annually; electronically producing favorable adjudicative decisions for approximately 24% of Secret level cases. Further, the 3 May 2012 Deputy Secretary of Defense Memo ''DoD Central Adjudication Facilities (CAF) Consolidation'' consolidated all DoD Central Adjudication Facilities (CAF) into one consolidated DoD CAF responsible for personnel security adjudicative functions as well as favorable Suitability and HSPD–12 adjudications. The DISS (CATS) is the DOD CAF's designated IT case management system.

Respondents are Facility Security Managers or DoD Adjudicators who update eligibility and access levels of military, civilian and contractor personnel nominated for access to sensitive DoD information. DISS will be the authoritative source for clearance information resulting in accesses determinations to sensitive/classified information and facilities. Collection and maintenance of personal data in DISS is required to facilitate the initiation, investigation and adjudication of information relevant to DoD security clearances and employment suitability determinations for active duty military, civilian employees and contractors requiring such credentials.

Dated: May 20, 2015.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2015–12621 Filed 5–22–15; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Office of the Secretary

National Commission on the Future of the Army; Notice of Federal Advisory Committee Meeting

AGENCY: Department of Defense (DoD), Deputy Chief Management Officer.

ACTION: Notice of Federal Advisory Committee Meeting.

SUMMARY: The DoD is publishing this notice to announce two days of meetings of the National Commission on the Future of the Army (''the Commission''). The meetings will be partially closed to the public.

DATES: Date of the Closed Meetings: Tuesday, June 9, 2015, from 7:30 a.m. to 11:30 a.m. and Wednesday, June 10, 2015 from 12:00 p.m. to 1:00 p.m.

Date of the Open Meeting: Wednesday, June 10, 2015, from 8:00 a.m. to 10:00 a.m.

ADDRESSES: Address of Closed Meeting, June 9: FORSCOM Headquarters, 4710 Knox St. Fort Bragg North Carolina 28310.

Address of Closed Meeting June 10: North Carolina Joint Headquarters, 4105 Reedy Creek Rd, Raleigh, NC 27607.

Address of Open Meeting, June 10: Embassy Suites Meeting Room, Embassy Suites Hotel 4760 Lake Valley Dr. Fayetteville NC 28303.

FOR FURTHER INFORMATION CONTACT: Mr. Don Tison, Designated Federal Officer, National Commission on the Future of the Army, 700 Army Pentagon, Room 3E406, Washington, DC 20310–0700, Email: *dfo.public@ncfa.ncr.gov,* Desk (703) 692–9099. Facsimile (703) 697–8242.

SUPPLEMENTARY INFORMATION: This meeting will be held under the provisions of the Federal Advisory Committee Act (FACA) of 1972 (5 U.S.C., Appendix, as amended), the Government in the Sunshine Act of 1976 (5 U.S.C. 552b, as amended), and 41 CFR 102–3.150.

Purpose of Meetings:

During the closed meeting on Tuesday, June 9, 2015, the Commission will hear classified testimony from individual witnesses and engage in discussion on the operational environment, defense guidance, force requirements, and operational readiness.

During the open meeting on Wednesday, June 10, 2015, the Public will have the opportunity to provide verbal comments and immediately afterwards the Commission will discuss topics raised during the public comments session.

During the closed meeting on Wednesday, June 10, 2015, the Commission will hear testimony from individual witnesses on classified topics including force requirements from the Defense Planning Guidance, Contingency Plans, Defense Support to Civil Authorities, and Homeland Defense.

Agendas:

June 9, 2015—Closed Hearing: DoD military leaders will speak at the closed hearing on June 9, 2015 and have been asked to address: Operational and Mobilization issues including readiness deficiencies and force structure

requirements, Current and Projected readiness (training, equipping and manning) Requirements from the Defense Planning Guidance Army Readiness levels, Roles that assigned forces contribute to the National Defense Strategy including Executive Agency Missions Issues concerning force generation and the mobilization of National Guard and Reserve units to meet Combatant Commander requirements, Total Force Policy, multi component initiatives, operational challenges, readiness levels, and deficiencies

Speakers include, but are not limited to, the Commander of Army Forces Command, Commander of the Army Reserve, Commander of 1st Army; and the Commander Army Special Operations. All presentations and resulting discussion are classified.

June 10, 2015—Open Hearing: The Commission will hear verbal comments from Public, not to exceed five minutes and immediately afterwards the Commission will discuss topics raised during the public comments session.

June 10, 2015—Closed Hearing: The Commission will hear testimony on classified topics including force requirements from the Defense Planning Guidance, Contingency Plans, Defense Support to Civil Authorities, and Homeland Defense Implementing and Total Force Policy, including multi-component initiatives. Speakers include The Adjutant General of North Carolina

Meeting Accessibility:

In accordance with applicable law, 5 U.S.C. 552b(c), and 41 CFR 102–3.155, the DoD has determined that the portion of the meetings scheduled for Tuesday, June 9, 2015, from 7:30 a.m. to 11:30 p.m. and Wednesday, June 10, 2015 from 12:00 p.m. to 1:00 p.m. will be closed to the public. Specifically, the Assistant Deputy Chief Management Officer, with the coordination of the DoD FACA Attorney, has determined in writing that this portion of the meeting will be closed to the public because it will discuss matters covered by 5 U.S.C. 552b(c)(1). Pursuant to 41 CFR 102–3.140 through 102–3.165 and the availability of space, the meeting scheduled for June 10, 2015 from 8:00 a.m. to 10:00 a.m.at the Embassy Suites Hotel is open to the public. Seating is limited and pre-registration is strongly encouraged. Media representatives are also encouraged to register. Members of the media must comply with the rules of photography and video filming in the Embassy Suites Hotel. The closest public parking facility is located on the Embassy Suites property and along the streets. Visitors should keep their belongings with them at all times. The following items are strictly prohibited: any pointed object, *e.g.,* knitting needles and letter openers (pens and pencils are permitted); any bag larger than 18″ wide x 14″ high x 8.5″ deep; electric stun guns, martial arts weapons or devices; guns, replica guns, ammunition and fireworks; knives of any size; mace and pepper spray; razors and box cutters.

Written Comments:

Pursuant to section 10(a)(3) of the FACA and 41 CFR 102–3.105(j) and 102–3.140, the public or interested organizations may submit written comments to the Commission in response to the stated agenda of the open and/or closed meeting or the Commission's mission. The Designated Federal Officer (DFO) will review all submitted written statements. Written comments should be submitted to Mr. Donald Tison, DFO, via facsimile or electronic mail, the preferred modes of submission. Each page of the comment must include the author's name, title or affiliation, address, and daytime phone number. All comments received before Tuesday, June 2, 2015, will be provided to the Commission before the June 9, 2015, meeting. Comments received after Tuesday, June 2, 2015, will be provided to the Commission before its next meeting. All contact information may be found in the **FOR FURTHER INFORMATION CONTACT** section.

Oral Comments:

In addition to written statements, one and one half hours will be reserved for individuals or interest groups to address the Commission on June 10, 2015. Those interested in presenting oral comments to the Commission must summarize their oral statement in writing and submit with their registration. The Commission's staff will assign time to oral commenters at the meeting, for no more than five minutes each. While requests to make an oral presentation to the Commission will be honored on a first come, first served basis, other opportunities for oral comments will be provided at future meetings.

Registration: Individuals and entities who wish to attend the public hearing and meeting on Wednesday, June 10, 2015 are encouraged to register for the event with the Designated Federal Officer using the electronic mail and facsimile contact information found in the **FOR FURTHER INFORMATION CONTACT** section. The communication should include the registrant's full name, title, affiliation or employer, email address, day time phone number. This information will assist the Commission in contacting individuals should it decide to do so at a later date. If applicable, include written comments and a request to speak during the oral comment session. (Oral comment requests must be accompanied by a summary of your presentation.) Registrations and written comments should be typed.

Additional Information

The DoD sponsor for the Commission is the Deputy Chief Management Officer. The Commission is tasked to submit a report, containing a comprehensive study and recommendations, by February 1, 2016 to the President of the United States and the Congressional defense committees. The report will contain a detailed statement of the findings and conclusions of the Commission, together with its recommendations for such legislation and administrative actions it may consider appropriate in light of the results of the study. The comprehensive study of the structure of the Army will determine whether, and how, the structure should be modified to best fulfill current and anticipated mission requirements for the Army in a manner consistent with available resources.

Dated: May 19, 2015.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2015–12564 Filed 5–22–15; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Department of the Army, Corps of Engineers

Proposals by Non-Federal Interests for Feasibility Studies and for Modifications to an Authorized Water Resources Development Project, or Feasibility Study for Inclusion in the Annual Report to Congress on Future Water Resources Development

AGENCY: U.S. Army Corps of Engineers, DoD.

ACTION: Notice.

SUMMARY: Section 7001 of Water Resources Reform and Development Act (WRRDA) 2014 requires that the Secretary of the Army annually submit to the Congress a report that identifies feasibility reports, proposed feasibility studies submitted by non-Federal interests, and proposed modifications to an authorized water resources development project or feasibility study that meet certain criteria. The report is to be based, in part, upon an annual request for proposals by non-Federal interests.

DATES: Proposals must be submitted online by September 23, 2015.

ADDRESSES: Submit proposals online at: *http://www.usace.army.mil/Missions/CivilWorks/ProjectPlanning/WRRDA7001Proposals.aspx.* If a different method of submission is required, use the further information contact information to arrange an alternative submission process.

FOR FURTHER INFORMATION CONTACT: Send an email to the help desk at *WRRDA7001Proposal@usace.army.mil* or call Lisa Kiefel, Planning Community of Practice, Headquarters, USACE, Washington, DC at 202–761–0626.

SUPPLEMENTARY INFORMATION: Section 7001 of WRRDA 2014 requires the publication of a notice in the **Federal Register** to request proposals by non-Federal interests for feasibility studies and modifications to an authorized USACE water resources development project or feasibility study. Project feasibility reports that have successfully completed Executive Branch review, but have not been authorized will be included in the report table by the Secretary of the Army and these proposals do not need to be submitted in response to this notice.

Proposals by non-Federal interests must be entered online and require the following information:

1. The name of all non-Federal interests planning to act as the sponsor, including any non-Federal interest that has contributed to or is expected to contribute toward the non-Federal share of the proposed feasibility study or modification.

2. State if this proposal is for a feasibility study or a modification to an authorized USACE water resources development project or feasibility study and, if a modification, specify the authorized water resources development project or study that is proposed for modification.

3. State the specific project purpose(s) of the proposed study or modification.

4. Provide an estimate, to the extent practicable, of the total cost, and the Federal and non-Federal share of those costs, of the proposed study and, separately, an estimate of the cost of construction or modification.

5. Describe, to the extent applicable and practicable, an estimate of the anticipated monetary and nonmonetary benefits of the proposal with regard to benefits to the protection of human life and property; improvement to transportation; the national economy; the environment; or the national security interests of the United States.

6. Describe if local support exists for the proposal.

7. State if the non-Federal interest has the financial ability to provide for the required cost share, reference ER 1105–2–100.

8. Upload a letter or statement of support from each associated non-Federal interest.

All provided information may be included in the Annual Report to Congress on Future Water Resources Development. Therefore, please do not include information that is Confidential Business Information, information whose disclosure is restricted by statute, or other information that you would not want to appear in the annual report.

Process: Proposals received within the time frame set forth in this notice will be reviewed by the Chief of Engineers and Secretary of the Army and will be presented in one of two tables. The first table will be in the report itself, and the second table will be in an appendix. To be included in the report table, the proposals must meet the following criteria:

1. Are related to the missions and authorities of the USACE;

Involves a proposed or existing USACE water resources project or effort whose primary purpose is flood and storm damage reduction, commercial navigation, or aquatic ecosystem restoration. Following long-standing USACE practice, related proposals such as for recreation, hydropower, or water supply, are eligible for inclusion if undertaken in conjunction with such a project or effort.

2. Require specific congressional authorization, including by an Act of Congress;

This is envisioned to comprise the following cases:

a. Seeking Construction Authorization.

- Signed Chief's Reports or non-Federal feasibility reports submitted to the Secretary of the Army under Section 203 of WRDA 1986, as amended, under review,
- Signed Chief's Report or non-Federal feasibility reports not yet submitted to the Secretary of the Army under Section 203 of WRDA 1986, as amended,
- Ongoing feasibility studies that are expected to result in a Chief's Report or non-Federal feasibility studies that have not yet been submitted to the Secretary of the Army under Section 203 of WRDA 1986, as amended
- Proposed modifications to authorized water resources development projects requested by non-Federal interests through the Section 7001 of WRRDA 2014 process.

b. Seeking Study Authorization.

- New feasibility studies proposed by non-Federal interests through the Section 7001 of WRRDA 2014 process will be evaluated by the USACE to determine whether or not there is existing study authority, and
- Proposed modifications to studies requested by non-Federal interests through the Section 7001 of WRRDA 2014 process.

c. The following cases are not considered eligible to be included in the report and will be included in the appendix for transparency:

- Proposals for modifications to non-Federal activities where USACE has provided previous technical assistance. Authorization to provide technical assistance does not provide authorization of a water resources development project.
- Proposals for construction of a new (projects unrelated to currently authorized water resource development projects) water resources development project that is not the subject of a complete or ongoing, feasibility study.

d. In cases seeking new construction authorization, the Secretary of the Army will make clear that construction on any project included in the main report cannot proceed until: And

- For feasibility reports or ongoing feasibility studies, there is a signed Chief's Report that has been transmitted to Congress.
- For non-Federal feasibility reports submitted, or to be submitted, under Section 203 of WRDA 1986, as amended, the report has been transmitted to Congress;
- For modifications to authorized projects, a current decision document that has been transmitted to Congress.

3. Have not been congressionally authorized;

4. Have not been included in the report table of any previous Annual Report to Congress on Future Water Resources Development; and

- If the proposal was included in the report table in a previous Report to Congress on Future Water Resources Development, then the proposal is not eligible to be included in the report table. If a proposal was previously included in an appendix it may be re-submitted.

5. If authorized, could be carried out by the USACE.

- Whether following the USACE Chief's Report process, or Section 7001 of WRRDA 2014, a proposal for a project or a project modification would need a current decision document to provide updated information on the scope of the potential project and demonstrate a clear Federal interest. This

determination would include an assessment of whether the proposal is:

—Technically sound, economically viable and environmentally acceptable.

—Compliant with environmental and other laws including but not limited to National Environmental Policy Act, Endangered Species Act, Coastal Zone Management Act, and the National Historic Preservation Act.

—Compliant with statutes related to Water Resources Development including but not limited to the various water resources provisions related to the authorized cost of projects, level of detail, separable elements, fish and wildlife mitigation, project justification, matters to be addressed in planning, and the 1958 Water Supply Act.

—Feasibility study proposals submitted by non-Federal interests if authorized, are for the study only. Once a decision document is completed in accordance with Executive Branch policies and procedures, the Secretary will determine what projects to recommend for authorization.

—Section 902 of WRDA 1986 established a process for reauthorizing USACE projects. A post authorization report is required to be completed to support an increase to the 902 limit. Authority to undertake a 902 study is inherent in the project authority, so no authority is required to proceed with the study. The post authorization change report is the basis for the Administration to seek reauthorization to increase the 902 limit.

The Secretary shall include in the Annual Report to Congress on Future Water Resources Development a certification stating that each feasibility report, proposed feasibility study, and proposed modification to an authorized water resources development project or feasibility study included in the annual report meets the criteria established in Section 7001 of WRRDA 2014.

Please contact the appropriate division office or use the contact information above to assist with researching and identifying existing authorizations and existing USACE decision documents. Those proposals that do not meet the criteria will be included in an appendix table included in the Annual Report to Congress on Future Water Resources Development. Proposals in the appendix table will include a description of why those proposals did not meet the criteria.

Dated: May 18, 2015.

Steven L. Stockton,

Director of Civil Works.

[FR Doc. 2015–12626 Filed 5–22–15; 8:45 am]

BILLING CODE 3720–58–P

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

Sunshine Act Notice

AGENCY: Defense Nuclear Facilities Safety Board.

ACTION: Notice; correction.

SUMMARY: The Defense Nuclear Facilities Safety Board (Board) published a document in the **Federal Register** on May 20, 2015, (80 FR 28988), concerning notice of a closed meeting where the Board Members will discuss issues dealing with potential Recommendations to the Secretary of Energy. That notice stated that the Board would convene the closed meeting at the Defense Nuclear Facilities Safety Board, 625 Indiana Avenue NW., Room 352, Washington, DC 20004. The Board wishes to correct that notice to indicate that the closed meeting will be in Room 425.

FOR FURTHER INFORMATION CONTACT: Mark Welch, General Manager, Defense Nuclear Facilities Safety Board, 625 Indiana Avenue NW., Suite 700, Washington, DC 20004–2901, (800) 788–4016. This is a toll-free number.

Correction

In the **Federal Register** of May 20, 2015, in FR Doc. 2015–12391, on page 28988, under the **ADDRESSES** caption, first column, correct the statement to read:

Defense Nuclear Facilities Safety Board, 625 Indiana Avenue NW., Room 425, Washington, DC 20004.

Date: May 20, 2015.

Jessie H. Roberson,

Vice Chairman.

[FR Doc. 2015–12723 Filed 5–21–15; 4:15 pm]

BILLING CODE 3670–01–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2015–ICCD–0068]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Application for New Grants Under the Comprehensive Centers Program

AGENCY: Office of Elementary and Secondary Education (OESE), 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 an extension of an existing information collection.

DATES: Interested persons are invited to submit comments on or before June 25, 2015.

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–2015–ICCD–0068 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 2E115, Washington, DC 20202.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Britt Jung, 202–205–4513.

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: Application for New Grants under the Comprehensive Centers Program.

OMB Control Number: 1810–0709.

Type of Review: An extension of an existing information collection.

Respondents/Affected Public: State, Local and Tribal Governments.

Total Estimated Number of Annual Responses: 60.

Total Estimated Number of Annual Burden Hours: 6,900.

Abstract: The Comprehensive Centers program awards no less than 20 grants to provide demonstrated expertise in technical assistance, professional development, and training to State educational agencies and local educational agencies regarding the administration and implementation of the Elementary and Secondary Education Act of 1965. The collection of information is necessary for eligible applicants to apply and receive grants under the Comprehensive Centers program. The Comprehensive Centers program is a discretionary grant program authorized under the Education Technical Assistance Act of 2002 (ETAA).

Dated: May 19, 2015.

Tomakie Washington,

Acting Director, Information Collection Clearance Division, Office of the Chief Privacy Officer, Office of Management.

[FR Doc. 2015–12572 Filed 5–22–15; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

[OE Docket No. EA–365–A]

Application To Export Electric Energy; Centre Lane Trading Limited

AGENCY: Office of Electricity Delivery and Energy Reliability, DOE.

ACTION: Notice of application.

SUMMARY: Centre Lane Trading Limited (Applicant or CLT) has applied to renew its authority to transmit electric energy from the United States to Canada pursuant to section 202(e) of the Federal Power Act.

DATES: Comments, protests, or motions to intervene must be submitted on or before June 25, 2015.

ADDRESSES: Comments, protests, motions to intervene, or requests for more information should be addressed to: Office of Electricity Delivery and Energy Reliability, Mail Code: OE–20, U.S. Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585–0350. Because of delays in handling conventional mail, it is recommended that documents be transmitted by overnight mail, by electronic mail to *Electricity.Exports@hq.doe.gov*, or by facsimile to 202–586–8008.

SUPPLEMENTARY INFORMATION: Exports of electricity from the United States to a foreign country are regulated by the Department of Energy (DOE) pursuant to sections 301(b) and 402(f) of the Department of Energy Organization Act (42 U.S.C. 7151(b), 7172(f)) and require authorization under section 202(e) of the Federal Power Act (16 U.S.C. 824a(e)).

On June 9, 2010, DOE issued Order No. EA–365 to CLT, which authorized the Applicant to transmit electric energy from the United States to Canada as a power marketer for a five-year term using existing international transmission facilities. That authority expires on June 9, 2015. On April 22, 2015, CLT filed an application with DOE for renewal of the export authority contained in Order No. EA–365 for an additional five-year term.

In its application, CLT states that it does not own or operate any electric generation or transmission facilities, and it does not have a franchised service area. The electric energy that CLT proposes to export to Canada would be surplus energy purchased from third parties such as electric utilities and Federal power marketing agencies pursuant to voluntary agreements. The existing international transmission facilities to be utilized by CLT have previously been authorized by Presidential permits issued pursuant to Executive Order 10485, as amended, and are appropriate for open access transmission by third parties. The Applicant is also requesting expedited treatment of this renewal application and issuance of an Order as early as the Department may deem fit to avoid any lapse in CLT's authority to export electricity to Canada.

Procedural Matters: Any person desiring to be heard in this proceeding should file a comment or protest to the application at the address provided above. Protests should be filed in accordance with Rule 211 of the Federal Energy Regulatory Commission's (FERC) Rules of Practice and Procedures (18 CFR 385.211). Any person desiring to become a party to these proceedings should file a motion to intervene at the above address in accordance with FERC Rule 214 (18 CFR 385.214). Five copies of such comments, protests, or motions to intervene should be sent to the address provided above on or before the date listed above.

Comments and other filings concerning CLT's application to export electric energy to Canada should be clearly marked with OE Docket No. EA–365–A. An additional copy is to be provided directly to Jason Brandt, Centre Lane Trading Limited, 199 Bay Street, Suite 4500, Toronto, Ontario M5L 1G2 Canada.

A final decision will be made on this application after the environmental impacts have been evaluated pursuant to DOE's National Environmental Policy Act Implementing Procedures (10 CFR part 1021) and after a determination is made by DOE that the proposed action will not have an adverse impact on the sufficiency of supply or reliability of the U.S. electric power supply system.

Copies of this application will be made available, upon request, for public inspection and copying at the address provided above, by accessing the program Web site at *http://energy.gov/node/11845*, or by emailing Angela Troy at *Angela.Troy@hq.doe.gov*.

Issued in Washington, DC, on May 19, 2015.

Christopher Lawrence,

Electricity Policy Analyst, Office of Electricity Delivery and Energy Reliability.

[FR Doc. 2015–12624 Filed 5–22–15; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RA15–1–000]

Vaughn Thermal Corporation; Notice of Filing

Take notice that, on May 11, 2015, Vaughn Thermal Corporation (Vaughn) filed a Petition for Review of Denial of Adjustment Request, pursuant to section 504(b) of the Department of Energy Organization Act, 42 U.S.C. 7194(b), and section 385.1004 of the Commission's regulations, 18 CFR 385.1004. Vaughn's petition requests review of the April 9, 2015 Decision and Order issued in Case Number EXC–14–0003 by the Department of Energy's Office of Hearings and Appeals. In addition, Vaughn is concurrently requesting a hearing and expedited procedures in accord with section 385.1006 of the Commission's regulations, 18 CFR 385.1006.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the comment date. On or before the comment date, it is not necessary to serve motions to intervene or protests on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the ''eFiling'' link at *http://www.ferc.gov*. 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.

This filing is accessible on-line at *http://www.ferc.gov*, using the ''eLibrary'' link and is available for electronic review in the Commission's Public Reference Room in Washington, DC There is an ''eSubscription'' link on the Web site that enables subscribers to receive email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email *FERCOnlineSupport@ferc.gov*, or call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Comment Date: 5:00 p.m. Eastern Time on June 8, 2015.

Dated: May 18, 2015.

Kimberly D. Bose,

Secretary.

[FR Doc. 2015–12598 Filed 5–22–15; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project Nos. 5760–015 and 5762–009]

LaChute Hydro Company, Inc.; LaChute Hydro Company, LLC; Notice of Transfer of Exemptions

1. By letter filed April 24, 2015,[1] William B. Conway, Jr., Counsel for Enel Green Power North America, Inc. (EGPNA),[2] informed the Commission that the exemptions from licensing for the Upper LaChute River Project, FERC No. 5760 and the Lower LaChute River Project, FERC No. 5762, reinstated November 15, 1984,[3] have been transferred to LaChute Hydro Company, LLC, an affiliate of Enel Green Power. The projects are located on the LaChute River in Essex County, New York. The transfer of an exemption does not require Commission approval.

2. LaChute Hydro Company, LLC is now the exemptee of the Upper LaChute River Project, FERC No. 5760 and the Lower LaChute River Project, FERC No. 5762. All correspondence should be forwarded to: LaChute Hydro Company, LLC, c/o Enel Green Power North America, Inc., Attn: General Counsel, 1 Tech Drive, Suite 220, Andover, MA 01810.

Dated: May 19, 2015.

Kimberly D. Bose,

Secretary.

[FR Doc. 2015–12606 Filed 5–22–15; 8:45 am]

BILLING CODE 6717–01–P

[1] Seventeen other exempted projects which are to be transferred were included in the April 24, 2015 letter. These exemptions will be handled under separate proceedings.

[2] Enel Green Power North America, Inc. is a wholly owned subsidiary of Enel Green Power. Enel Green Power is a well-capitalized publicly traded company.

[3] 29 FERC ¶ 61,174, Order Reinstating Exemptions and Denying Applications for Preliminary Permit and License (1984).

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 10164–002]

SE Hazelton A, L.P.; SE Hazelton A, LLC; Notice of Transfer of Exemption

1. By letter filed April 24, 2015,[1] William B. Conway, Jr., Counsel for Enel Green Power North America, Inc. (EGPNA),[2] informed the Commission that the exemption from licensing for the Hazelton A Project, FERC No. 10164, originally issued August 11, 1987,[3] has been transferred to SE Hazelton A, LLC, an affiliate of Enel Green Power. The project is located on the Northside Canal in Jerome County, Idaho. The transfer of an exemption does not require Commission approval.

2. SE Hazelton A, LLC is now the exemptee of the Hazelton A Project, FERC No. 10164. All correspondence should be forwarded to: SE Hazelton A, LLC, c/o Enel Green Power North America, Inc., Attn: General Counsel, 1 Tech Drive, Suite 220, Andover, MA 01810.

Dated: May 19, 2015.

Kimberly D. Bose,

Secretary.

[FR Doc. 2015–12612 Filed 5–22–15; 8:45 am]

BILLING CODE 6717–01–P

[1] Seventeen other exempted projects which are to be transferred were included in the April 24, 2015 letter. These exemptions will be handled under separate proceedings.

[2] Enel Green Power North America, Inc. is a wholly owned subsidiary of Enel Green Power. Enel Green Power is a well-capitalized publicly traded company.

[3] 40 FERC ¶ 62,155, Order Granting Exemption From Licensing (Conduit) (1987).

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2837–032]

Erie Boulevard Hydropower, L.P.; Notice of Intent To File License Application, Filing of Pre-Application Document, and Approving Use of the Traditional Licensing Process

a. *Type of Filing:* Notice of Intent to File License Application and Request to Use the Traditional Licensing Process.

b. *Project No.:* 2837–032.

c. *Date Filed:* March 20, 2015.

d. *Submitted By:* Erie Boulevard Hydropower, L.P.

e. *Name of Project:* Granby Hydroelectric Project.

f. *Location:* On the Oswego River near the town of Fulton, in Oswego County, New York. The project does not affect federal lands.

g. *Filed Pursuant to:* 18 CFR 5.3 of the Commission's regulations

h. *Applicant Contact:* Steven P. Murphy, Brookfield Renewable Energy Group, 33 West 1st Street South, Fulton, New York, 13069; (315) 598–6130 or by email at *Steven.Murphy@brookfieldrenewable.com*.

i. *FERC Contact:* Allyson Conner at (202) 502–6082 or email at *allyson.conner@ferc.gov*.

j. Erie Boulevard Hydropower, L.P. (Erie) filed its request to use the Traditional Licensing Process on March 20, 2015. Erie provided public notice of its request on March 14, 15, and 18, 2015. In a letter dated May 19, 2015, the Director of the Division of Hydropower Licensing approved Erie's request to use the Traditional Licensing Process.

k. *With this notice, we are initiating informal consultation with:* (a) The U.S. Fish and Wildlife Service and the National Marine Fisheries Service under section 7 of the Endangered Species Act and the joint agency regulations thereunder at 50

l. CFR, Part 402; and (b) the New York State Historic Preservation Officer, as required by section 106, National

Historic Preservation Act, and the implementing regulations of the Advisory Council on Historic Preservation at 36 CFR 800.2.

m. With this notice, we are designating Erie as the Commission's non-federal representative for carrying out informal consultation pursuant to section 7 of the Endangered Species Act and consultation pursuant to section 106 of the National Historic Preservation Act.

n. Erie filed a Pre-Application Document (PAD; including a proposed process plan and schedule) with the Commission, pursuant to 18 CFR 5.6 (d) of the Commission's regulations.

o. A copy of the PAD is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site (*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 Online Support at *FERCOnlineSupport@ferc.gov*, (866) 208–3676 (toll free), or (202) 502–8659 (TTY). A copy is also available for inspection and reproduction at the address in paragraph h.

p. The licensee states its unequivocal intent to submit an application for a new license for Project No. 2837. Pursuant to 18 CFR 16.8, 16.9, and 16.10 each application for a new license and any competing license applications must be filed with the Commission at least 24 months prior to the expiration of the existing license. All applications for license for this project must be filed by March 31, 2018.

q. Register online at *http://www.ferc.gov/docs-filing/esubscription.asp* to be notified via email of new filing and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

Dated: May 19, 2015.

Kimberly D. Bose,

Secretary.

[FR Doc. 2015–12604 Filed 5–22–15; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Commission Staff Attendance

The Federal Energy Regulatory Commission hereby gives notice that members of the Commission's staff will attend the following meeting related to the Midcontinent Independent System Operator, Inc. (MISO)—PJM Interconnection, L.L.C. (PJM) Joint and Common Market Initiative (Docket No. AD14–3–000):

MISO/PJM Joint Stakeholder Meeting—May 27, 2015.

The above-referenced meeting will be held at: MISO Headquarters, 720 City Center Drive, Carmel, IN 46032–7574.

The above-referenced meeting is open to the public.

Further information may be found at *www.misoenergy.org*.

The discussions at the meeting described above may address matters at issue in the following proceedings:

Docket No. EL13–47, FirstEnergy Solutions Corp. and Allegheny Energy Supply Company, LLC v. PJM Interconnection, L.L.C.
Docket No. EL13–88, Northern Indiana Public Service Company v. Midcontinent Independent System Operator, Inc. and PJM Interconnection, L.L.C.
Docket No. EL11–34, Midcontinent Independent System Operator, Inc.
Docket No. EL14–21, Southwest Power Pool, Inc. v. Midcontinent Independent System Operator, Inc.
Docket No. EL14–30, Midcontinent Independent System Operator, Inc. v. Southwest Power Pool, Inc.
Docket No. ER10–1791, Midwest Independent Transmission System Operator, Inc.
Docket No. ER11–1844, Midwest Independent Transmission System Operator, Inc.
Docket No. ER13–1864, Southwest Power Pool, Inc.
Docket Nos. ER13–1923, ER13–1938, ER13–1943, ER13–1945, Midcontinent Independent System Operator, Inc.
Docket Nos. ER13–1924, ER13–1926, ER13–1927, ER13–1936, ER13–1944, ER13–1947, PJM Interconnection, L.L.C.
Docket Nos. ER13–1937, ER13–1939, Southwest Power Pool, Inc.
Docket No. ER14–1174, Southwest Power Pool, Inc.
Docket No. ER14–1736, Midcontinent Independent System Operator, Inc.
Docket No. ER14–2445, Midcontinent Independent System Operator, Inc.
Docket No. ER15–623, PJM Interconnection, L.L.C.

For more information, contact Valerie Teeter, Office of Energy Policy and Innovation, Federal Energy Regulatory Commission at (202) 502–8538 or *Valerie.Teeter@ferc.gov*.

Dated: May 19, 2015.

Kimberly D. Bose,

Secretary.

[FR Doc. 2015–12602 Filed 5–22–15; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project Nos. 175–028 and 1988–086]

Pacific Gas and Electric Company; Notice of Application Accepted for Filing, Soliciting Comments, Motions To Intervene, and Protests

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

a. *Type of Application:* Application for Temporary Variance of Minimum Flow Requirements.

b. *Project Nos.:* 175–028 and 1988–086.

c. *Date Filed:* May 12, 2015.

d. *Applicant:* Pacific Gas and Electric Company (licensee).

e. *Name of Projects:* Balch and Haas-Kings River.

f. *Location:* North Fork Kings River in Fresno County, California.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791(a)–825(r).

h. *Applicant Contact:* Mr. Jaime Hoffman, License Coordinator, Pacific Gas and Electric Company, Mail Code: N13E, P.O. Box 770000, San Francisco, CA 94177, Phone: (415) 973–1554.

i. *FERC Contact:* Mr. John Aedo, (415) 369–3335, or *john.aedo@ferc.gov.*

j. Deadline for filing comments, motions to intervene, protests, and recommendations is 15 days from the issuance date of this notice by the Commission (June 3, 2015). The Commission strongly encourages electronic filing. Please file motions to intervene, protests, comments, or recommendations using the Commission's eFiling system at *http://www.ferc.gov/docs-filing/efiling.asp*. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *http://www.ferc.gov/docs-filing/ecomment.asp*. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov*, (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426. Please include the project numbers (P–175–028 and 1988–086) on any comments, motions to intervene, protests, or recommendations filed.

k. *Description of Request:* The licensee requests a temporary variance of the minimum flow requirements in Helms Creek, North Fork Kings River

and Dinkey Creek from June 1 to December 31, 2015. The licensee requests Commission approval to adjust the instantaneous minimum flow requirement to a 24-hour average flow regime. The licensee also proposes to maintain minimum flows, such that the instantaneous requirement is decreased: From 4 to 3 cfs in Helms Creek below Courtright Dam (gage KI–17) from June 1 to November 30; from 2.5 to 2 cubic feet per second (cfs) in Helms Creek below Courtright Dam; from 15 to 10 cfs in the North Fork Kings River below Wishon Dam (gage KI–27); from 15 to 10 cfs in the Dinkey Creek Siphon at Balch (gage KI–31); from 2.5 to 2 cfs in the North Fork Kings River below Balch Diversion Dam (gage KI–9); from 10 to 7 cfs in the North Fork Kings River above Dinkey Creek (gage KI–21); and from 25 to 17 cfs in the North Fork Kings River below Dinkey Creek (gage KI–22). The licensee states that the flow reductions are necessary due to the ongoing drought conditions and historic low snowpack levels this year.

l. *Locations of the Application:* A copy of the application is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street NE., Room 2A, Washington, DC 20426, or by calling (202) 502–8371. This filing may also be viewed on the Commission's Web site at *http://www.ferc.gov/docs-filing/elibrary.asp*. Enter the docket number excluding the last three digits in the docket number field to access the document. You may also register online at *http://www.ferc.gov/docs-filing/esubscription.asp* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call 1–866–208–3676 or email *FERCOnlineSupport@ferc.gov,* for TTY, call (202) 502–8659. A copy is also available for inspection and reproduction at the address in item (h) above.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. *Comments, Protests, or Motions to Intervene:* Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

o. *Filing and Service of Responsive Documents:* Any filing must (1) bear in all capital letters the title ''COMMENTS'', ''PROTEST'', or ''MOTION TO INTERVENE'' as applicable; (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis and otherwise comply with the requirements of 18 CFR 4.34(b). All comments, motions to intervene, or protests should relate to project works which are the subject of proposed action. Agencies may obtain copies of the application directly from the applicant. A copy of any protest or motion to intervene must be served upon each representative of the applicant specified in the particular application. If an intervener files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency. A copy of all other filings in reference to this application must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 4.34(b) and 385.2010.

Dated: May 19, 2015.

Kimberly D. Bose,

Secretary.

[FR Doc. 2015–12603 Filed 5–22–15; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 77–275]

Southern California Edison Company; Notice of Application Accepted for Filing, Soliciting Comments, Motions To Intervene, and Protests

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

a. *Type of Application:* Application for Temporary Variance of Minimum Flow Requirements.

b. *Project No.:* 77–275.

c. *Date Filed:* May 13, 2015.

d. *Applicant:* Pacific Gas and Electric Company (licensee).

e. *Name of Project:* Potter Valley Project.

f. *Location:* Eel River and East Fork Russian River in Lake and Mendocino Counties, California.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791(a)–825(r).

h. *Applicant Contact:* Ms. Neva Geldard, License Coordinator, Pacific Gas and Electric Company, Mail Code: N13E, P.O. Box 770000, San Francisco, CA 94177, Phone: (415) 973–3076.

i. *FERC Contact:* Mr. John Aedo, (415) 369–3335, or *john.aedo@ferc.gov.*

j. Deadline for filing comments, motions to intervene, protests, and recommendations is 15 days from the issuance date of this notice by the Commission (June 2, 2015). The Commission strongly encourages electronic filing. Please file motions to intervene, protests, comments, or recommendations using the Commission's eFiling system at *http://www.ferc.gov/docs-filing/efiling.asp*. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *http://www.ferc.gov/docs-filing/ecomment.asp*. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov*, (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426. Please include the project number (P–77–275) on any comments, motions to intervene, protests, or recommendations filed.

k. *Description of Request:* The licensee requests a temporary variance of the minimum flow requirements in the Eel River below Cape Horn Dam, the Eel River below Scott Dam, and the East Branch of the Russian River. The licensee explains that due to current drought conditions and earlier flood season constraints, the storage in the project Lake Pillsbury is approximately 57 percent full. The licensee also states that despite the low reservoir storage level, flows at several compliance points have necessitated that the project operate under a normal water year classification. Therefore, in order to conserve water at the project and avoid reservoir bank sloughing and water turbidity, the licensee requests Commission approval to operate under the dry year summer flow requirements from through December 1, 2015. In

conjunction with the proposed variance, the licensee proposes to provide no more than 50 cfs to the Potter Valley Irrigation District (PVID) through the East Branch Russian River.

The licensee also proposes to establish a Potter Valley Drought Working Group, comprised of the resource agencies and stakeholders, which would meet twice monthly during the variance to determine appropriate release levels within the framework of the proposed variance. The licensee requests that once a flow is established, that a 24-hour average flow be used as the compliance criteria for the corresponding compliance point. Finally, the licensee proposes to file monthly compliance reports with the Commission, resource agencies and stakeholders, and to provide bi-monthly email reports to the resource agencies and stakeholders.

l. *Locations of the Application:* A copy of the application is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street NE., Room 2A, Washington, DC 20426, or by calling (202) 502–8371. This filing may also be viewed on the Commission's Web site at *http://www.ferc.gov/docs-filing/elibrary.asp*. Enter the docket number excluding the last three digits in the docket number field to access the document. You may also register online at *http://www.ferc.gov/docs-filing/esubscription.asp* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call 1–866–208–3676 or email *FERCOnlineSupport@ferc.gov*, for TTY, call (202) 502–8659. A copy is also available for inspection and reproduction at the address in item (h) above.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. *Comments, Protests, or Motions to Intervene:* Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

o. *Filing and Service of Responsive Documents:* Any filing must (1) bear in all capital letters the title ''COMMENTS'', ''PROTEST'', or ''MOTION TO INTERVENE'' as applicable; (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis and otherwise comply with the requirements of 18 CFR 4.34(b). All comments, motions to intervene, or protests should relate to project works which are the subject of proposed action. Agencies may obtain copies of the application directly from the applicant. A copy of any protest or motion to intervene must be served upon each representative of the applicant specified in the particular application. If an intervener files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency. A copy of all other filings in reference to this application must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 4.34(b) and 385.2010.

Dated: May 18, 2015.

Kimberly D. Bose,

Secretary.

[FR Doc. 2015–12597 Filed 5–22–15; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 14372–001]

Grand Coulee Project Hydroelectric Authority; Notice of Surrender of Preliminary Permit

Take notice that Grand Coulee Project Hydroelectric Authority, permittee for the proposed Rocky Coulee Wasteway Hydroelectric Project, has requested that its preliminary permit be terminated. The permit was issued on July 11, 2012, and would have expired on June 30, 2015.[1] The project would have been located on the Rocky Coulee Wasteway near Moses Lake in Grant County, Washington.

The preliminary permit for Project No. 14372 will remain in effect until the close of business, June 18, 2015. But, if the Commission is closed on this day, then the permit remains in effect until the close of business on the next day in which the Commission is open.[2] New applications for this site may not be submitted until after the permit surrender is effective.

Dated: May 19, 2015.

Kimberly D. Bose,

Secretary.

[FR Doc. 2015–12617 Filed 5–22–15; 8:45 am]

BILLING CODE 6717–01–P

[1] 140 FERC ¶ 62,036 122 (2012).

[2] 18 CFR § 385.2007(a)(2) (2014).

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 9070–002]

Bypass Limited; Bypass Limited, LLC; Notice of Transfer of Exemption

1. By letter filed April 24, 2015,[1] William B. Conway, Jr., Counsel for Enel Green Power North America, Inc. (EGPNA),[2] informed the Commission that the exemption from licensing for the Bypass Project, FERC No. 9070, originally issued September 26, 1985,[3] has been transferred to Bypass Limited, LLC, an affiliate of Enel Green Power. The project is located on the Main Canal at its intersection with the Bypass Canal in Jerome County, Idaho. The transfer of an exemption does not require Commission approval.

2. Bypass Limited, LLC is now the exemptee of the Bypass Project, FERC No. 9070. All correspondence should be forwarded to: Bypass Limited, LLC, c/o Enel Green Power North America, Inc., Attn: General Counsel, 1 Tech Drive, Suite 220, Andover, MA 01810.

Dated: May 19, 2015.

Kimberly D. Bose,

Secretary.

[FR Doc. 2015–12611 Filed 5–22–15; 8:45 am]

BILLING CODE 6717–01P

[1] Seventeen other exempted projects which are to be transferred were included in the April 24, 2015 letter. These exemptions will be handled under separate proceedings.

[2] Enel Green Power North America, Inc. is a wholly owned subsidiary of Enel Green Power. Enel Green Power is a well-capitalized publicly traded company.

[3] 32 FERC ¶ 62,661, Order Granting Exemption From Licensing for a Conduit Hydroelectric Project (1985).

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 7141–002]

Mill Shoals Hydro Company, Inc.; Mill Shoals Hydro Company, LLC; Notice of Transfer of Exemption

1. By letter filed April 24, 2015,[1] William B. Conway, Jr., Counsel for Enel Green Power North America, Inc. (EGPNA),[2] informed the Commission that the exemption from licensing for the Milstead Dam Project, FERC No. 7141, originally issued April 15, 1983,[3] has been transferred to Mill Shoals Hydro Company, LLC, an affiliate of Enel Green Power. The project is located on the Yellow River in Rockdale County, Georgia. The transfer of an exemption does not require Commission approval.

2. Mill Shoals Hydro Company, LLC is now the exemptee of the Milstead Dam Project, FERC No. 7141. All correspondence should be forwarded to: Mill Shoals Hydro Company, LLC, c/o Enel Green Power North America, Inc., Attn: General Counsel, 1 Tech Drive, Suite 220, Andover, MA 01810.

Dated: May 19, 2015.

Kimberly D. Bose,

Secretary.

[FR Doc. 2015–12609 Filed 5–22–15; 8:45 am]

BILLING CODE 6717–01P

[1] Seventeen other exempted projects which are to be transferred were included in the April 24, 2015 letter. These exemptions will be handled under separate proceedings.

[2] Enel Green Power North America, Inc. is a wholly owned subsidiary of Enel Green Power. Enel Green Power is a well-capitalized publicly traded company.

[3] 23 FERC ¶ 62,045, Notice of Exemption From Licensing (1983).

[1] Seventeen other exempted projects which are to be transferred were included in the April 24, 2015 letter. These exemptions will be handled under separate proceedings.

[2] Enel Green Power North America, Inc. is a wholly owned subsidiary of Enel Green Power. Enel Green Power is a well-capitalized publicly traded company.

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 5633–011]

Hydro Development Group, Inc., Hydro Development Group Acquisition, LLC; Notice of Transfer of Exemption

1. By letter filed April 24, 2015,[1] William B. Conway, Jr., Counsel for Enel Green Power North America, Inc. (EGPNA),[2] informed the Commission that the exemption from licensing for the Number 3 Mill Project, FERC No. 5633, originally issued July 14, 1982,[3] has been transferred to Hydro Development Group Acquisition, LLC, an affiliate of Enel Green Power. The project is located on the South Branch Oswegatchie River in St. Lawrence County, New York. The transfer of an exemption does not require Commission approval.

2. Hydro Development Group Acquisition, LLC is now the exemptee of the Number 3 Mill Project, FERC No. 5633. All correspondence should be forwarded to: Hydro Development Group Acquisition, LLC, c/o Enel Green Power North America, Inc., Attn: General Counsel, 1 Tech Drive, Suite 220, Andover, MA 01810.

Dated: May 19, 2015.

Kimberly D. Bose,

Secretary.

[FR Doc. 2015–12605 Filed 5–22–15; 8:45 am]

BILLING CODE 6717–01–P

[3] 20 FERC ¶ 62,054, Order Granting Exemption from Licensing of a Small Hydroelectric Project of 5 Megawatts or Less (1982).

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP15–144–000]

Florida Gas Transmission Company, LLC; Notice of Intent To Prepare an Environmental Assessment for the Proposed Jacksonville Expansion Project, and Request for Comments On Environmental Issues

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental assessment (EA) that will discuss the environmental impacts of the Jacksonville Expansion Project (Project). The Project would involve constructing and operating interstate natural gas transmission facilities by the Florida Gas Transmission Company, LLC (FGT) in Bradford, Clay, Columbia, and Suwannee Counties, Florida. Specifically, FGT would construct: (1) About 3 miles of pipeline in Suwannee and Columbia Counties; (2) about 5.7 miles of pipeline in Bradford County; and (3) a new compressor unit and regulation station in Bradford County. The Commission will use this EA in its decision-making process to determine whether the project is in the public convenience and necessity.

This notice announces the opening of the scoping process the Commission will use to gather input from the public and interested agencies on the Project. You can make a difference by providing us with your specific comments or concerns about the Project. Your comments should focus on the potential environmental impacts, reasonable alternatives, and measures to avoid or minimize environmental impacts. Your input will help the Commission staff determine what issues they need to evaluate in the EA. To ensure that your comments are timely and properly recorded, please send your comments so that the Commission receives them in Washington, DC on or before June 15, 2015.

If you sent comments on this Project to the Commission before the opening of this docket on March 31, 2015, you will need to file those comments in Docket No. CP15–144–000 to ensure they are considered as part of this proceeding.

This notice is being sent to the Commission's current environmental mailing list for this project. State and local government representatives should notify their constituents of this proposed project and encourage them to comment on their areas of concern.

If you are a landowner receiving this notice, an FGT representative may contact you about the acquisition of an easement to construct, operate, and maintain the proposed facilities. The company would seek to negotiate a mutually acceptable agreement. However, if the Commission approves the Project, that approval conveys with it the right of eminent domain. Therefore, if easement negotiations fail to produce an agreement, the pipeline company could initiate condemnation proceedings where compensation would be determined in accordance with state law.

The ''For Citizens'' section of the FERC Web site (*www.ferc.gov*) provides more information about the FERC and the environmental review process. This section also includes information about getting involved in FERC jurisdictional projects, and a citizens' guide entitled ''An Interstate Natural Gas Facility On My Land? What Do I Need to Know?'' This guide addresses a number of frequently asked questions, including the use of eminent domain and how to participate in the Commission's proceedings.

Public Participation

For your convenience, there are three methods you can use to submit your comments to the Commission. The Commission encourages electronic filing of comments and has expert staff available to assist you at (202) 502–8258 or *efiling@ferc.gov.* Please carefully

follow these instructions so that your comments are properly recorded.

(1) You can file your comments electronically using the *eComment* feature on the Commission's Web site (*www.ferc.gov*) under the link to *Documents and Filings.* This is an easy method for submitting brief, text-only comments on a project;

(2) You can file your comments electronically by using the *eFiling* feature on the Commission's Web site (*www.ferc.gov*) under the link to *Documents and Filings.* With eFiling, you can provide comments in a variety of formats by attaching them as a file with your submission. New eFiling users must first create an account by clicking on ''*eRegister.''* If you are filing a comment on a particular project, please select ''Comment on a Filing'' as the filing type; or

(3) You can file a paper copy of your comments by mailing them to the following address. Be sure to reference the project docket number (CP15–144–000) with your submission: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Room 1A, Washington, DC 20426.

Summary of the Proposed Project

According to FGT, the purpose of the Project is to provide a total of approximately 75,000 MMBtu/d of natural gas capacity to be delivered at various amounts at several points throughout Florida. To accomplish this, FGT proposes to:

- Construct approximately 3.0 miles of 30-inch-diameter looping pipeline and associated facilities [1] in Suwannee and Columbia Counties;
- install one new compressor unit, re-wheel an existing turbine compressor unit, and construct and modify piping and valves at Compressor Station 16 in Bradford County;
- construct approximately 5.7 miles of 20-inch-diameter looping pipeline and associated facilities in Bradford County; and
- construct a new regulation station in Bradford County.

FGT would also own, operate, and maintain these interstate natural gas transmission facilities. The general location of the project facilities is shown in Appendix 1.[2]

Land Requirements for Construction

Construction of the proposed facilities would disturb about 140 acres of land. Following construction, FGT would maintain about 50 acres of land; the remaining land would be restored/stabilized and allowed to revert to former uses. Where feasible, FGT proposes to use existing rights-of-way for construction and operation of the proposed facilities. Both of the proposed pipelines would be 100% collocated with other existing FGT pipelines.

The EA Process

The National Environmental Policy Act (NEPA) requires the Commission to take into account the potential environmental impacts of a proposed project whenever it considers the issuance of a Certificate of Public Convenience and Necessity. NEPA also requires us [3] to discover and address concerns the public may have about proposals. This process is referred to as ''scoping.'' The main goal of the scoping process is to focus the analysis in the EA on the important environmental issues. By this notice, the Commission requests public comments on the scope of the issues to address in the EA. We will consider all filed comments during the preparation of the EA.

In the EA we will discuss impacts that could occur as a result of the construction and operation of the proposed project under these general headings:

- Geology and soils;
- land use;
- water resources, fisheries, and wetlands;
- cultural resources;
- vegetation and wildlife;
- air quality and noise;
- endangered and threatened species;
- public safety; and
- cumulative impacts.

We will also evaluate reasonable alternatives to the proposed project or portions of the project, and make recommendations on how to lessen or avoid impacts on the various resource areas.

The EA will present our independent analysis of the issues. The EA will be available in the public record through eLibrary and depending on the comments received during the scoping process we may also publish and distribute the EA to the public for an allotted comment period. We will consider all comments on the EA before making our recommendations to the Commission. To ensure we have the opportunity to consider and address your comments, please carefully follow the instructions in the Public Participation section below.

With this notice, we are asking agencies with jurisdiction by law and/or special expertise with respect to the environmental issues of this project to formally cooperate with us in the preparation of the EA.[4] Agencies that would like to request cooperating agency status should follow the instructions for filing comments provided under the Public Participation section of this notice.

Consultations Under Section 106 of the National Historic Preservation Act

In accordance with the Advisory Council on Historic Preservation's implementing regulations for section 106 of the National Historic Preservation Act, we are using this notice to initiate consultation with the applicable State Historic Preservation Office (SHPO), and to solicit their views and those of other government agencies, interested Indian tribes, and the public on the project's potential effects on historic properties.[5] We will define the project-specific Area of Potential Effects (APE) in consultation with the SHPO as the project develops. On natural gas facility projects, the APE at a minimum encompasses all areas subject to ground disturbance (examples include construction right-of-way, contractor/pipe storage yards, compressor stations, and access roads). Our EA for this project will document our findings on the impacts on historic properties and summarize the status of consultations under section 106.

Environmental Mailing List

The environmental mailing list includes federal, state, and local government representatives and agencies; elected officials; environmental and public interest groups; Native American Tribes; other interested parties; and local libraries and newspapers. This list also includes all affected landowners (as defined in the Commission's regulations) who are potential right-of-way grantors, whose property may be used temporarily for

[1] Associated facilities include new or relocated pig launchers and receivers, valves, and cathodic protection equipment.

[2] The appendices referenced in this notice will not appear in the **Federal Register.** Copies of appendices were sent to all those receiving this notice in the mail and are available at *www.ferc.gov* using the link called ''eLibrary'' or from the Commission's Public Reference Room, 888 First Street NE., Washington, DC 20426, or call (202) 502-8371. For instructions on connecting to eLibrary, refer to the last page of this notice.

[3] ''We,'' ''us,'' and ''our'' refer to the environmental staff of the Commission's Office of Energy Projects.

[4] The Council on Environmental Quality regulations addressing cooperating agency responsibilities are at Title 40, Code of Federal Regulations, Part 1501.6.

[5] The Advisory Council on Historic Preservation's regulations are at Title 36, Code of Federal Regulations, Part 800. Those regulations define historic properties as any prehistoric or historic district, site, building, structure, or object included in or eligible for inclusion in the National Register of Historic Places.

project purposes, or who own homes within certain distances of aboveground facilities, and anyone who submits comments on the project. We will update the environmental mailing list as the analysis proceeds to ensure that we send the information related to this environmental review to all individuals, organizations, and government entities interested in and/or potentially affected by the proposed project.

If we publish and distribute the EA, copies of the EA will be sent to the environmental mailing list for public review and comment. If you would prefer to receive a paper copy of the document instead of the CD version or would like to remove your name from the mailing list, please return the attached Information Request (Appendix 2).

Becoming an Intervenor

In addition to involvement in the EA scoping process, you may want to become an ''intervenor'' which is an official party to the Commission's proceeding. Intervenors play a more formal role in the process and are able to file briefs, appear at hearings, and be heard by the courts if they choose to appeal the Commission's final ruling. An intervenor formally participates in the proceeding by filing a request to intervene. Instructions for becoming an intervenor are in the User's Guide under the ''e-filing'' link on the Commission's Web site.

Additional Information

Additional information about the project is available from the Commission's Office of External Affairs, at (866) 208–FERC, or on the FERC Web site at *www.ferc.gov* using the ''eLibrary'' link. Click on the eLibrary link, click on ''General Search'' and enter the docket number CP15–144 (note: the last three digits are excluded). Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at *FercOnlineSupport@ferc.gov* or toll free at (866) 208–3676, or for TTY, contact (202) 502–8659. The eLibrary link also provides access to the texts of formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. Go to *www.ferc.gov/docs-filing/esubscription.asp.*

Finally, public meetings or site visits will be posted on the Commission's calendar located at *www.ferc.gov/EventCalendar/EventsList.aspx* along with other related information.

Dated: May 19, 2015.

Kimberly D. Bose,

Secretary.

[FR Doc. 2015–12615 Filed 5–22–15; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER15–1714–000]

Targray Americas Inc.; Supplemental Notice That Initial Market-Based Rate Filing Includes Request for Blanket Section 204 Authorization

This is a supplemental notice in the above-referenced proceeding of Targray Americas Inc.'s application for market-based rate authority, with an accompanying rate tariff, noting that such application includes a request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability.

Any person desiring to intervene or to protest should file with the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant.

Notice is hereby given that the deadline for filing protests with regard to the applicant's request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability, is June 8, 2015.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at *http://www.ferc.gov*. To facilitate electronic service, persons with Internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically should submit an original and 5 copies of the intervention or protest to the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426.

The filings in the above-referenced proceeding are accessible in the Commission's eLibrary system by clicking on the appropriate link in the above list. They are also available for electronic review in the Commission's Public Reference Room in Washington, DC. There is an eSubscription link on the Web site that enables subscribers to receive email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email *FERCOnlineSupport@ferc.gov.* or call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: May 19, 2015.

Kimberly D. Bose,

Secretary.

[FR Doc. 2015–12616 Filed 5–22–15; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 6756–008]

Sweetwater Hydroelectric, Inc.; Lower Valley, LLC; Notice of Transfer of Exemption

1. By letter filed April 24, 2015,[1] William B. Conway, Jr., Counsel for Enel Green Power North America, Inc. (EGPNA),[2] informed the Commission that the exemption from licensing for the Lower Valley Project, FERC No. 6756, originally issued November 9, 1982,[3] has been transferred to Lower Valley, LLC, an affiliate of Enel Green Power. The project is located on the Sugar River in Sullivan County, New Hampshire. The transfer of an exemption does not require Commission approval.

2. Lower Valley, LLC is now the exemptee of the Lower Valley Project, FERC No. 6756. All correspondence should be forwarded to: Lower Valley, LLC, c/o Enel Green Power North America, Inc., Attn: General Counsel, 1 Tech Drive, Suite 220, Andover, MA 01810.

[1] Seventeen other exempted projects which are to be transferred were included in the April 24, 2015 letter. These exemptions will be handled under separate proceedings.

[2] Enel Green Power North America, Inc. is a wholly owned subsidiary of Enel Green Power. Enel Green Power is a well-capitalized publicly traded company.

[3] 21 FERC ¶ 62,216, Notice of Exemption from Licensing (1982).

Dated: May 19, 2015.

Kimberly D. Bose,

Secretary.

[FR Doc. 2015–12608 Filed 5–22–15; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No., 5766–008]

TKO Power, Inc., TKO Power, LLC; Notice of Transfer of Exemption

1. By letter filed April 24, 2015,[1] William B. Conway, Jr., Counsel for Enel Green Power North America, Inc. (EGPNA),[2] informed the Commission that the exemption from licensing for the Nichols Project, FERC No. 5766, originally issued April 22, 1982,[3] has been transferred to TKO Power, LLC, an affiliate of Enel Green Power. The project is located on South Fork Bear Creek in Shasta County, California. The transfer of an exemption does not require Commission approval.

2. TKO Power, LLC is now the exemptee of the Nichols Project, FERC No. 5766. All correspondence should be forwarded to: TKO Power, LLC, c/o Enel Green Power North America, Inc., Attn: General Counsel, 1 Tech Drive, Suite 220, Andover, MA 01810.

Dated: May 19, 2015.

Kimberly D. Bose,

Secretary.

[FR Doc. 2015–12607 Filed 5–22–15; 8:45 am]

BILLING CODE 6717–01–P

[1] Seventeen other exempted projects which are to be transferred were included in the April 24, 2015 letter. These exemptions will be handled under separate proceedings.

[2] Enel Green Power North America, Inc. is a wholly owned subsidiary of Enel Green Power. Enel Green Power is a well-capitalized publicly traded company.

[3] 19 FERC ¶ 62,111, Order Granting Exemption from Licensing of a Small Hydroelectric Project of 5 MW or Less (1982).

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP15–18–000]

Eastern Shore Natural Gas Company; Notice of Onsite Environmental Review

On June 2, 2015 the Office of Energy Projects staff will be in Chester County, Pennsylvania to gather data related to the environmental analysis of the proposed White Oak Mainline Expansion Project. Staff will examine Eastern Shore Natural Gas Company's (ESNG) proposed pipeline route as well as several alternative routes filed by ESNG on November 21, 2014 and March 6, 2015. This will assist staff in completing its comparative evaluation of environmental impacts of the proposed project. Viewing of this area is anticipated to be from public access points and ESNG rights-of-way.

All interested parties planning to attend must provide their own transportation. Those attending should meet at the following location:

- June 2, 2015 at 10:00 a.m. at Crossan Park, located at 91 Parsons Road, Landenberg, Pennsylvania

Please use the FERC's free eSubscription service to keep track of all formal issuances and submittals in these dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. To register for this service, go to *www.ferc.gov/docs-filing/esubscription.asp*.

Information about specific onsite environmental reviews is posted on the Commission's calendar at *http://www.ferc.gov/EventCalendar/EventsList.aspx*. For additional information, contact Office of External Affairs at (866) 208–FERC.

Dated: May 19, 2015.

Kimberly D. Bose,

Secretary.

[FR Doc. 2015–12614 Filed 5–22–15; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER15–1731–000]

Celesta Energy, Inc.; Supplemental Notice That Initial Market-Based Rate Filing Includes Request for Blanket Section 204 Authorization

This is a supplemental notice in the above-referenced proceeding of Celesta Energy, Inc.'s application for market-based rate authority, with an accompanying rate tariff, noting that such application includes a request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability.

Any person desiring to intervene or to protest should file with the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant.

Notice is hereby given that the deadline for filing protests with regard to the applicant's request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability, is June 8, 2015.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at *http://www.ferc.gov.* To facilitate electronic service, persons with Internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically should submit an original and 5 copies of the intervention or protest to the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426.

The filings in the above-referenced proceeding are accessible in the Commission's eLibrary system by clicking on the appropriate link in the above list. They are also available for electronic review in the Commission's Public Reference Room in Washington, DC. There is an eSubscription link on the Web site that enables subscribers to receive email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email *FERCOnlineSupport@ferc.gov* or call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: May 19, 2015.

Kimberly D. Bose,

Secretary.

[FR Doc. 2015–12601 Filed 5–22–15; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 8961–002]

BP Hydro Associates; Lowline Rapids, LLC; Notice of Transfer of Exemption

1. By letter filed April 24, 2015,[1] William B. Conway, Jr., Counsel for Enel Green Power North America, Inc.

[1] Seventeen other exempted projects which are to be transferred were included in the April 24, 2015 letter. These exemptions will be handled under separate proceedings.

(EGPNA),[2] informed the Commission that the exemption from licensing for the Lower Low Line Project, FERC No. 8961, originally issued April 16, 1986,[3] has been transferred to Lowline Rapids, LLC, an affiliate of Enel Green Power. The project is located on the Low Line Canal in Twin Falls County, Idaho. The transfer of an exemption does not require Commission approval.

2. Lowline Rapids, LLC is now the exemptee of the Lower Low Line Project, FERC No. 8961. All correspondence should be forwarded to: Lowline Rapids, LLC, c/o Enel Green Power North America, Inc., Attn: General Counsel, 1 Tech Drive, Suite 220, Andover, MA 01810.

Dated: May 19, 2015.

Kimberly D. Bose,

Secretary.

[FR Doc. 2015–12610 Filed 5–22–15; 8:45 am]

BILLING CODE 6717–01–P

[2] Enel Green Power North America, Inc. is a wholly owned subsidiary of Enel Green Power. Enel Green Power is a well-capitalized publicly traded company.

[3] 35 FERC ¶ 62,104, Order Granting Exemption From Licensing (Conduit) (1986).

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 11945–033]

Dorena Hydro, LLC; Notice of Application Accepted for Filing, Soliciting Comments, Motions To Intervene, and Protests

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

a. *Type of Application:* Application to amend license.

b. *Project No.:* 11945–033.

c. *Date Filed:* April 14, 2015.

d. *Applicant:* Dorena Hydro, LLC.

e. *Name of Project:* Dorena Lake Dam Hydroelectric Project.

f. *Location:* The project is located on the U.S. Army Corps of Engineers' Dorena Lake Dam on the Row River in Lane County, Oregon.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791a–825r.

h. *Applicant Contact:* Peter Clermont, President, Dorena Hydro, LLC, 1498 E. Main Street, Suite 103348, Cottage Grove, OR 97424, (647) 291–7416.

i. *FERC Contact:* Mr. Steven Sachs, (202) 502–8666, or *steven.sachs@ferc.gov.*

j. Deadline for filing comments, motions to intervene, protests, and recommendations is 30 days from the date of issuance of this notice. The Commission strongly encourages electronic filing. Please file motions to intervene, protests, comments, or recommendations using the Commission's eFiling system at *http://www.ferc.gov/docs-filing/efiling.asp.* Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *http://www.ferc.gov/docs-filing/ecomment.asp.* You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov*, (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426. Please include the project number (P–11945–033) on any comments, motions to intervene, protests, or recommendations filed.

k. *Description of Request:* The licensee requests the license be amended to incorporate significant changes made to the project during construction that were not authorized in the license. The modified facilities consist of: (1) A 433-foot-long, 10-foot diameter steel penstock; (2) a 38-foot-wide, 42-foot-long siphon house; (3) a 62-foot-wide, 67-foot-long powerhouse; (4) a 6.1-megawatt (MW) vertical Kaplan turbine and a 1.4–MW horizontal Francis turbine; and (5) a 115-foot-long, 34-foot-wide concrete lined tailrace.

l. *Locations of the Application:* A copy of the application is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street NE., Room 2A, Washington, DC 20426, or by calling (202) 502–8371. This filing may also be viewed on the Commission's Web site at *http://www.ferc.gov/docs-filing/elibrary.asp.* Enter the docket number excluding the last three digits in the docket number field to access the document. You may also register online at *http://www.ferc.gov/docs-filing/esubscription.asp* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call 1–866–208–3676 or email *FERCOnlineSupport@ferc.gov,* for TTY, call (202) 502–8659. A copy is also available for inspection and reproduction at the address in item (h) above.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. *Comments, Protests, or Motions to Intervene:* Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

o. *Filing and Service of Responsive Documents:* Any filing must (1) bear in all capital letters the title ''COMMENTS'', ''PROTEST'', or ''MOTION TO INTERVENE'' as applicable; (2) set forth in the heading, the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis and otherwise comply with the requirements of 18 CFR 4.34(b). All comments, motions to intervene, or protests should relate to project works which are the subject of the license surrender. Agencies may obtain copies of the application directly from the applicant. A copy of any protest or motion to intervene must be served upon each representative of the applicant specified in the particular application. If an intervener files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency. A copy of all other filings in reference to this application must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 4.34(b) and 385.2010.

Dated: May 19, 2015.

Kimberly D. Bose,

Secretary.

[FR Doc. 2015–12613 Filed 5–22–15; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

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

Filings Instituting Proceedings

Docket Numbers: CP15–488–000.
Applicants: Transcontinental Gas Pipe Line Company, LLC.
Description: Transcontinental Gas Pipe Line Company, LLC submits an application for the abandonment of Rate Schedule FT Firm transportation service provided to UGI Penn Natural Gas, Inc.
Filed Date: 5/07/15.
Accession Number: 20150507–5173.
Comments Due: 5 p.m. ET 5/28/15.

Docket Numbers: CP15–335–000.
Applicants: Texas Gas Transmission, LLC.
Description: Joint Application of Texas Gas Transmission, LLC and Gulf South Pipeline Company, LP for Authorization to Abandon Leased Capacity and to Reacquire the Capacity.
Filed Date: 4/30/15.
Accession Number: 20150430–5183.
Comments Due: 5 p.m. ET 5/28/15.

Docket Numbers: RP10–729–000.
Applicants: Portland Natural Gas Transmission System.
Description: Compliance filing per 154.501: Refund Report.
Filed Date: 4/15/15.
Accession Number: 20150415–5136.
Comments Due: 5 p.m. ET 5/27/15.

Docket Numbers: RP15–902–000.
Applicants: Black Marlin Pipeline Company.
Description: Black Marlin Pipeline Company's 2014 Cash-Out Report.
Filed Date: 4/21/15.
Accession Number: 20150421–5233.
Comments Due: 5 p.m. ET 5/27/15.

Docket Numbers: RP15–903–000.
Applicants: Discovery Gas Transmission LLC.
Description: Imbalance Cash-out Report for 2014 Activity for Discovery Gas Transmission LLC.
Filed Date: 4/23/15.
Accession Number: 20150423–5193.
Comments Due: 5 p.m. ET 5/27/15.

Docket Numbers: RP15–979–000.
Applicants: Rager Mountain Storage Company LLC.
Description: Petition for Declaratory Order [including Pro Forma sheets] of Rager Mountain Storage Company LLC.
Filed Date: 5/8/15.
Accession Number: 20150508–5215.
Comments Due: 5 p.m. ET 6/8/15.

Docket Numbers: RP15–980–000.
Applicants: Gulf South Pipeline Company, LP.
Description: § 4(d) rate filing per 154.204: Cap Rel Neg Rate Agmt (EOG 34687 to Trans LA 44689) to be effective 5/12/2015.
Filed Date: 5/11/15.
Accession Number: 20150511–5089.
Comments Due: 5 p.m. ET 5/26/15.

Docket Numbers: RP15–981–000.
Applicants: Gulf South Pipeline Company, LP.
Description: § 4(d) rate filing per 154.204: Cap Rel Neg Rate Agmt (Encana 37663 to Texla 44653) to be effective 5/4/2015.
Filed Date: 5/11/15.
Accession Number: 20150511–5090.
Comments Due: 5 p.m. ET 5/26/15.

Docket Numbers: RP15–982–000.
Applicants: Gulf South Pipeline Company, LP.
Description: § 4(d) rate filing per 154.204: Amendment to Neg Rate Agmt (BG 39431–3) to be effective 5/5/2015.
Filed Date: 5/11/15.
Accession Number: 20150511–5091.
Comments Due: 5 p.m. ET 5/26/15.

Docket Numbers: RP15–983–000.
Applicants: Gulf South Pipeline Company, LP.
Description: § 4(d) rate filing per 154.204: Amendments to Neg Rate Agmts (Southern 41616–1, 41617–1) to be effective 5/1/2015.
Filed Date: 5/11/15.
Accession Number: 20150511–5092.
Comments Due: 5 p.m. ET 5/26/15.

Docket Numbers: RP15–986–000.
Applicants: Equitrans, L.P.
Description: § 4(d) rate filing per 154.204: Negotiated Capacity Release Agreeement—5/14/2015 to be effective 5/14/2015.
Filed Date: 5/14/15.
Accession Number: 20150514–5138.
Comments Due: 5 p.m. ET 5/26/15.

Docket Numbers: RP15–987–000.
Applicants: Transcontinental Gas Pipe Line Company.
Description: § 4(d) rate filing per 154.204: Non-Conforming Agreements_ NEC to be effective 5/15/2015.
Filed Date: 5/15/15.
Accession Number: 20150515–5003.
Comments Due: 5 p.m. ET 5/27/15.

Docket Numbers: RP15–988–000.
Applicants: Transcontinental Gas Pipe Line Company.
Description: § 4(d) rate filing per 154.204: Non-Conforming Agreements_ Rockaway to be effective 5/15/2015.
Filed Date: 5/15/15.
Accession Number: 20150515–5004.
Comments Due: 5 p.m. ET 5/27/15.

Docket Numbers: RP15–989–000.
Applicants: Transcontinental Gas Pipe Line Company.
Description: § 4(d) rate filing per 154.204: Update List of Non-Confoming Service Agreements (NEC_Rockaway) to be effective 5/15/2015.
Filed Date: 5/15/15.
Accession Number: 20150515–5063.
Comments Due: 5 p.m. ET 5/27/15.

Docket Numbers: RP15–990–000.
Applicants: Tennessee Gas Pipeline Company, L.L.C.
Description: § 4(d) rate filing per 154.204: Settlement—2015—pro forma to be effective 11/1/2015.
Filed Date: 5/15/15.
Accession Number: 20150515–5084.
Comments Due: 5 p.m. ET 5/22/15.

Docket Numbers: RP15–991–000.
Applicants: Twin Eagle Resource Management, LLC, Enserco Energy LLC.
Description: Joint Petition of Twin Eagle Resource Management, LLC and Enserco Energy LLC for Temporary Waiver of Waiver of Capacity Release Regulations and Policies, and Request for Expedited Action.
Filed Date: 5/15/15.
Accession Number: 20150515–5128.
Comments Due: 5 p.m. ET 5/22/15.

Docket Numbers: RP15–992–000.
Applicants: Texas Eastern Transmission, LP.
Description: § 4(d) rate filing per 154.204: EQT Energy 8936600 11–1–2015 Negotiated Rate to be effective 11/1/2015.
Filed Date: 5/18/15.
Accession Number: 20150518–5144.
Comments Due: 5 p.m. ET 6/1/15.

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

Filings in Existing Proceedings

Docket Numbers: RP15–460–001.
Applicants: Texas Eastern Transmission, LP.
Description: Compliance filing per 154.203: TETLP Mainline-Lateral Fuel RP15–460 Compliance Filing to be effective 12/31/9998.
Filed Date: 4/16/15.
Accession Number: 20150416–5216.
Comments Due: 5 p.m. ET 5/21/15.

Docket Numbers: RP15–983–001.
Applicants: Gulf South Pipeline Company, LP.
Description: Tariff Amendment per 154.205(b): Amendment to Filing in Docket No. RP15–983–000 to be effective 5/1/2015.

Filed Date: 5/13/15.
Accession Number: 20150513–5157.
Comments Due: 5 p.m. ET 5/26/15.

Any person desiring to protest in any of the above proceedings must file in accordance with Rule 211 of the Commission's Regulations (18 CFR 385.211) on or before 5:00 p.m. Eastern time on the specified comment date.

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

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

Dated: May 18, 2015.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2015–12535 Filed 5–22–15; 8:45 am]

BILLING CODE 6717–01–P

EXPORT-IMPORT BANK OF THE U.S.

[Public Notice 2015–3002]

Agency Information Collection Activities: Comment Request

AGENCY: Export-Import Bank of the U.S.

ACTION: Submission for OMB review and comments request.

Form Title: EIB 11–08, Application for Global Credit Express Revolving Line of Credit.

SUMMARY: The Export-Import Bank of the United States (Ex-Im Bank), as a part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal Agencies to comment on the proposed information collection, as required by the Paperwork Reduction Act of 1995.

The Application for Global Credit Express Revolving Line of Credit is used to determine the eligibility of the applicant and the transaction for Export-Import Bank assistance under its Working Capital Guarantee and Direct Loan Program. This form is used by small U.S. businesses with limited export experience. This program relies to a large extent on the exporter's qualifying score on the FICO (Fair Isaac Corporation) SBSS (Small Business Scoring Service). Therefore the financial and credit information needs are minimized. This is a request to renew an existing form. The only change is to enhance a question about company ownership so as to improve the quality of information derived from the question.

The form can be viewed at: *http://www.exim.gov/pub/pending/EIB11-08-Final.pdf.*

DATES: Comments should be received on or before June 25, 2015 to be assured of consideration.

ADDRESSES: Comments may be submitted electronically on *http://www.regulations.gov* (EIB:11–08) or by mail to Office of Information and Regulatory Affairs, 725 17th Street NW., Washington, DC 20038 Attn: OMB Number 3048–0038.

SUPPLEMENTARY INFORMATION:

Titles and Form Number: EIB 11–08, Application for Global Credit Express Revolving Line of Credit.

OMB Number: 3048–0038.

Type of Review: Regular.

Need and Use: The Application for Global Credit Express Revolving Line of Credit is used to determine the eligibility of the applicant and the transaction for Export-Import Bank assistance under its Working Capital Guarantee and Direct Loan Program.

Affected Public: This form affects entities involved in the export of U.S. goods and services.

Annual Number of Respondents: 130.

Estimated Time per Respondent: 1.5 hours.

Annual Burden Hours: 195 hours.

Frequency of Reporting or Use: As needed.

Government Expenses:

Reviewing Time per Year: 195 hours.

Average Wages per Hour: $42.50.

Average Cost per Year: $8,287.5 (time*wages).

Benefits and Overhead: 20%.

Total Government Cost: $9,945.

Bonita Jones-McNeil,

Records Management Division, Office of the Chief Information Officer.

[FR Doc. 2015–12518 Filed 5–22–15; 8:45 am]

BILLING CODE 6690–01–P

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

Sunshine Act Notice

May 21, 2015.

TIME AND DATE: 10:00 a.m., Wednesday, June 3, 2015.

PLACE: The Richard V. Backley Hearing Room, Room 511N, 1331 Pennsylvania Avenue NW., Washington, DC 20004 (enter from F Street entrance).

STATUS: Open.

MATTERS TO BE CONSIDERED: The Commission will consider and act upon the following in open session: *Secretary of Labor* v. *The American Coal Company,* Docket No. LAKE 2009–35. (Issues include whether the Administrative Law Judge correctly interpreted the term ''repeated failure'' with regard to allegations that the operator is liable for flagrant penalties.)

Any person attending this meeting who requires special accessibility features and/or auxiliary aids, such as sign language interpreters, must inform the Commission in advance of those needs. Subject to 29 CFR 2706.150(a)(3) and 2706.160(d).

CONTACT PERSON FOR MORE INFO: Emogene Johnson (202) 434–9935/(202) 708–9300 for TDD Relay/1–800–877–8339 for toll free.

Sarah L. Stewart,

Deputy General Counsel.

[FR Doc. 2015–12804 Filed 5–21–15; 4:15 pm]

BILLING CODE 6735–01–P

FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The applications will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act (12 U.S.C. 1843). Unless otherwise noted, nonbanking activities will be conducted throughout the United States.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than June 18, 2015.

A. Federal Reserve Bank of St. Louis (Yvonne Sparks, Community Development Officer) P.O. Box 442, St. Louis, Missouri 63166–2034:

1. *Pulaski Financial Corp.,* St. Louis, Missouri; to become a bank holding company through the conversion of its wholly owned subsidiary, Pulaski Bank, Creve Coeur, Missouri, from a federal savings bank to a national association charter.

In connection with this proposal, Applicant also has applied to engage in lending activities, pursuant to section 225.28(b)(2).

Board of Governors of the Federal Reserve System, May 20, 2015.

Michael J. Lewandowski,

Associate Secretary of the Board.

[FR Doc. 2015–12625 Filed 5–22–15; 8:45 am]

BILLING CODE 6210–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

Statement of Organization, Functions, and Delegations of Authority

Part C (Centers for Disease Control and Prevention) of the Statement of Organization, Functions, and Delegations of Authority of the Department of Health and Human Services (45 FR 67772–76, dated October 14, 1980, and corrected at 45 FR 69296, October 20, 1980, as amended most recently at 80 FR 1745–17459, dated April 1, 2015) is amended to reflect the reorganization of the Office of Public Health Preparedness and Response, Centers for Disease Control and Prevention.

Section C–B, Organization and Functions, is hereby amended as follows:

Delete item (8) of the functional statement for the *Office of the Director (CGE1), Division of Strategic National Stockpile (CGE), Office of Public Health Preparedness and Response (CG),* and renumber remaining items accordingly.

Delete in its entirety the mission statement for the *Division of State and Local Readiness (CGC)* and insert the following:

Division of State and Local Readiness (CGC): The Division of State and Local Readiness provides program support, technical assistance, guidance, technical integration and capacity building of preparedness planning across the public health, healthcare, and emergency management sectors and fiscal oversight to state, local, tribal and territorial public health department grantees for the development, monitoring and evaluation of public health capabilities, plans, infrastructure and systems to prepare for and respond to terrorism, outbreaks of disease, natural disasters and other public health emergencies.

After the title and functional statement for the *Field Services Branch (CGCD), Division of State and Local Readiness (CGC), Office of Public Health Preparedness and Response (CGA),* insert the following:

Public Health and Health Systems Capacity Building Branch (CGCE). (1) Facilitates the improvement of the preparedness and response capabilities of the nation's public health and healthcare system in collaboration with Hospital Preparedness Program/Assistant Secretary for Preparedness and Response (HPP/ASPR) to strengthen the intersect between public health, healthcare systems, and emergency management at the state and local level, specifically, this branch strives to improve medical countermeasure planning at the state and local level; (2) creates a system for assuring coordination, collaboration, and communication between HPP/ASPR and the Division of State and Local Readiness, CDC; (3) improves states and local healthcare systems planning and response through development of guidance, tools, program monitoring, technical assistance, and training; (4) improves the delivery of technical assistance to the public health and healthcare sector; (5) serves as an agent of information to improve awardee access to healthcare preparedness tools and expertise; (6) assures healthcare system preparedness in the top 10 Urban Areas Security Initiative (UASI) regions covered by executive order 13527; (7) facilitates the enhancement of healthcare preparedness at the state/local public health department level to have a national impact; (8) provides health communications guidance and products before, during, and after an event to assist state/local public health departments and the healthcare systems in developing risk communicating strategies and messages; and (9) collaborates with the Division of Strategic National Stockpile, Response and Logistics Branches during exercises or upon a federal deployment of DSNS assets.

James Seligman,

Acting Chief Operating Officer, Centers for Disease Control and Prevention.

[FR Doc. 2015–12513 Filed 5–22–15; 8:45 am]

BILLING CODE 4160–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

Proposed Information Collection Activity; Comment Request

Proposed Projects:

Title: Trafficking Victim Assistance Program Data.

OMB No.: 0970—NEW.

Description: The Trafficking Victims Protection Act of 2000 (TVPA), as amended, authorizes the Secretary of Health and Human Services to expand benefits and services to foreign nationals in the United States who are victims of severe forms of trafficking in persons. Such benefits and services may include services to assist potential victims of trafficking. (Section 107(b)(1)(B) of the TVPA, 22 U.S.C. 7105(b)(1)(B)).

ORR intends award cooperative agreements in fiscal year 2015 to approximately three organizations that will ensure national coverage. The awarded organization must provide comprehensive case management and referrals to qualified persons, either directly through its own organization or by partnering with other organizations through contracts or both.

Persons qualified for services under this grant are victims of a severe form of trafficking in persons who have received certification from ORR; potential victims of a severe form of trafficking who are actively seeking to achieve ORR certification; and minor dependent children of foreign victims of severe forms of trafficking in persons or potential victims of trafficking.

To help measure each grant project's performance and the success of the program in assisting participants, and to assist grantees to assess and improve their projects over the course of the project period, ORR proposes to collect information from TVAP grant project participants through the grantees on a monthly, quarterly, or annual basis, including participant demographics (age, sex, and country of origin), type of trafficking experienced (sex, labor, or both), and immigration status during participation.

This information will help ORR assess the project's performance in assisting victims of trafficking and will better enable TVAP grantees to meet the program objectives and to monitor and evaluate the quality of case management services provided by any subcontractors. ORR will also include aggregate information in reports to Congress to help inform strategies and

policies to assist victims of human trafficking.

Respondents: Individual participants in TVAP projects.

ANNUAL BURDEN ESTIMATES

Instrument	Number of respondents	Number of responses per respondent	Average burden hours per response	Total burden hours
Request for Information	1250	1	.25	312.5

Estimated Total Annual Burden Hours: 312.5.

In compliance with the requirements of Section 506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Administration for Children and Families is soliciting public comment on the specific aspects of the information collection described above. Copies of the proposed collection of information can be obtained and comments may be forwarded 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. Email address: *infocollection@acf.hhs.gov*. All requests should be identified by the title of the information collection.

The Department specifically requests comments on: (a) Whether the proposed 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 proposed collection of information; (c) 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. Consideration will be given to comments and suggestions submitted within 60 days of this publication.

Robert Sargis,

Reports Clearance Officer.

[FR Doc. 2015–12591 Filed 5–22–15; 8:45 am]

BILLING CODE 4184–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2014–N–1819]

Agency Information Collection Activities; Submission for Office of Management and Budget Review; Comment Request; Spousal Influence on Consumer Understanding of and Response to Direct-to-Consumer Prescription Drug Advertisements

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing that a proposed collection of information has been submitted to the Office of Management and Budget (OMB) for review and clearance under the Paperwork Reduction Act of 1995.

DATES: Fax written comments on the collection of information by June 25, 2015.

ADDRESSES: To ensure that comments on the information collection are received, OMB recommends that written comments be faxed to the Office of Information and Regulatory Affairs, OMB, Attn: FDA Desk Officer, FAX: 202–395–7285, or emailed to *oira_submission@omb.eop.gov.* All comments should be identified with the OMB control number 0910–NEW and title ''Spousal Influence on Consumer Understanding of and Response to Direct-to-Consumer (DTC) Prescription Drug Advertisements''. Also include the FDA docket number found in brackets in the heading of this document.

FOR FURTHER INFORMATION CONTACT: FDA PRA Staff, Office of Operations, Food and Drug Administration, 8455 Colesville Rd., COLE–14526, Silver Spring, MD 20993–0002, *PRAStaff@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION: In compliance with 44 U.S.C. 3507, FDA has submitted the following proposed collection of information to OMB for review and clearance.

Spousal Influence on Consumer Understanding of and Response to Direct-to-Consumer Prescription Drug Advertisements—(OMB Control Number 0910–NEW)

Section 1701(a)(4) of the Public Health Service Act (42 U.S.C. 300u(a)(4)) authorizes FDA to conduct research relating to health information. Section 1003(d)(2)(C) of the Federal Food, Drug, and Cosmetic Act (the FD&C Act) (21 U.S.C. 393(d)(2)(C)) authorizes FDA to conduct research relating to drugs and other FDA regulated products in carrying out the provisions of the FD&C Act.

Consumers are often thought of as individual targets for prescription drug advertisements (ads), as if they are always exposed to DTC ads individually and subsequently make judgments about advertised products on their own. However, judgments about prescription drugs portrayed in DTC television ads are likely made in social contexts much of the time. For example, a potential consumer and his or her spouse (*e.g.,* marital or domestic partner) may view an ad together and discuss drug benefits, side effects, and risks. These social interactions may result in unique reactions relative to consumers who view DTC prescription drug television ads alone. For example, spouses may influence their partner by expressing concern about risks and side effects that might occur, or pressuring their partner to consider the drug despite its risks and side effects. These outcomes have important public health implications. The Office of Prescription Drug Promotion plans to examine differences between consumers viewing prescription drug ads with a spouse versus alone through empirical research.

The main study will be preceded by pretesting designed to delineate the procedures and measures used in the main study. Pretest and main study participants will be couples who are married or in a marital-like living arrangement in which one member (consumer) has asthma and the other does not (spouse). All participants will be 18 years of age or older and married or cohabiting for 6 months or longer. We will exclude individuals who work in

healthcare or marketing settings because their knowledge and experiences may not reflect those of the average consumer. Data collection will take place in person.

Participants will be randomly assigned to one of four experimental conditions in a 2 x 2 design, as depicted in Table 1. We will compare one version of an ad that depicts a low benefit and low risk drug with a second version that depicts a high benefit and high risk drug. Participants will be randomly assigned to view the ad alone or together with their spouse. Participants in both viewing conditions will individually complete a prequestionnaire. In the ''together'' condition, participants will view the ad with their spouse and then engage in a brief discussion together about the ad. In the ''alone'' condition, participants will view the ad without their spouse, take a short break, and then respond to a postquestionnaire consisting of questions about information in the ad. The short break in the ''alone'' condition will facilitate reflection about the ad to mirror discussion engaged in by those in the ''together'' condition. The consumer in the ''together'' condition will complete the same postquestionnaire administered to those in the ''alone'' condition, and the spouse will complete a slightly different questionnaire that assesses key measures that relate to consumer reactions. These procedures are depicted in Table 2. Participation is estimated to take approximately 60 minutes.

Measures are designed to assess memory and understanding of risk and benefit information as well as other ad content, intention to seek more information about the product, and variables pertaining to the consumer-spouse relationship such as relationship closeness and communication style. The questionnaire is available upon request.

TABLE 1—EXPERIMENTAL STUDY DESIGN

Viewing condition	Risk/benefit condition	
	Low risk/low benefit	High risk/high benefit
Alone	Condition A	Condition B
Together	Condition C	Condition D

TABLE 2—OVERVIEW OF DATA COLLECTION PROCESS FOR ALONE AND TOGETHER CONDITIONS

Steps	Viewing condition	
	Alone	Together
1	Consumer completes prequestionnaire	Consumer and spouse complete prequestionnaire separately (spouse completes selected measures).
2	Consumer views advertising stimuli alone	Consumer and spouse view advertising stimuli together.
3	5 minute break	Couples engage in a 5 minute semi-structured conversation related to the advertising stimuli.
4	Consumer completes postquestionnaire	Consumer and spouse complete postquestionnaire separately (spouse completes selected measures).

In the **Federal Register** of November 14, 2014 (79 FR 68278), FDA published a 60-day notice requesting public comment on the proposed collection of information. FDA received comments from two organizations in response to our **Federal Register** notice. In the following section, we outline the observations and suggestions raised in the comments and provide our responses.

(Comment from Abbvie) It is difficult to ascertain how the Agency will utilize the results of this study should it demonstrate that the perception of ads differs when viewed alone or with someone else. Regulating companion versus solitary viewing practices would present insurmountable legal and practical hurdles. Rather than conduct this study, we suggest that FDA resources and tax payer dollars would be better directed to research that enhances the quality of how we communicate benefit and risk information to consumers regardless of the setting in which the ad is viewed.

(Response) Much research in the social sciences demonstrates the strong influence of environmental and social conditions under which humans think and act. In regard to prescription drug advertising, it may be that when a risk is perceived as particularly negative, viewing with a partner reinforces this perception. Conversely, it may be that partners downplay risks or emphasize benefits, leading to alternate perceptions and intentions. These potential outcomes have implications for public health. Thus, it is important to generate insight about not only the message portrayed in DTC TV ads but also the conditions under which these messages are received and processed. Pending findings from this research, organizations involved in developing DTC drug communications may be encouraged to remain aware of the social context in which DTC ads are often viewed and the influence of this context on consumer perceptions, judgments, and decisions. Consideration of this broader context may facilitate the development of better DTC drug communications that remain accurate and balanced regardless of setting.

(Comment from Eli Lilly) Compelling a discussion between the consumer and spouse about the advertisement is likely to generate data that may or may not be applicable in a real-world setting. Consider removing the prescribed interaction and allow a discussion to occur if the couple so chooses.

(Response) Allowing a discussion to occur if the couple chooses could confound the research design and undermine our ability to make conclusive statements. Implementing the procedures systematically across the sample is a stronger study design (Ref. 1). There is a long tradition in the social and behavioral sciences of studying marital communication as proposed (Ref. 2). This research tradition continues because this method is more objective than participant self-reports (Ref. 3). Also, measures taken from these spousal communications are linked with important real world outcomes including health behavior and well-being (Ref. 4, Ref. 5), divorce, and marital satisfaction (Ref. 6, Ref. 2). This research method compels a discussion between partners as a way to understand the content and style of their communication. Thus, our proposed study is in keeping with the methods in this research area.

(Comment from Eli Lilly) We are challenged to understand how this research yields any useful, actionable information when it is impractical to

influence who is watching TV advertisements at any given time.

(Response) As stated in response to a previous comment, it is important to generate insight about not only the message portrayed in DTC TV ads but also the conditions under which these messages are received and processed. Such insight may facilitate the development of better DTC drug communications regardless of setting.

(Comment from Eli Lilly) Include a ''General Population'' control group.

(Response) Researching each medical condition, or general population sample, requires significant resources. We are interested in response to the ads among consumers for whom the ad is personally relevant (*i.e.,* they or their partner have been diagnosed with asthma). We are committed to conducting this research using our available resources while ensuring the integrity of the research by collecting data on a high prevalence condition for which participants might be thought of as sufficiently representative of the average consumer, thus allowing us to draw conclusions about broad perceptual and cognitive processing outcomes.

(Comment from Eli Lilly) Q12 invites speculation from respondents who may be unable to evaluate what is or is not a ''serious'' side effect. Consider eliminating this question or re-phrasing to: ''Please rate the seriousness of the side effects for [Drug X] that you remember from the ad.''

(Response) We have conducted cognitive interviews to refine and improve the survey questions. Through this process, we found that a number of participants had difficulty reading and/or answering Q12 in its original form. We also tested an alternative version of this question that conforms to the reviewer's re-phrasing, ''In your opinion, how serious are the side effects of [Drug X]?'' Many cognitive interview participants preferred this alternative version, and we will adopt it for the final questionnaire.

(Comment from Eli Lilly) Response options in Q16 may be interpreted qualitatively (*i.e.,* on the whole, the risks outweigh the benefits) or literally (*i.e.,* how many more risks were stated than benefits). Rephrasing to reflect true intent is recommended.

(Response) We appreciate this comment. This item was tested in a rigorous cognitive interview protocol and there was no indication that participants had difficulty interpreting the response options. However, we will also be conducting pretesting which will provide an additional opportunity to identify and remove questions that do not function as intended, further refining the questionnaire prior to the main study.

(Comment from Eli Lilly) Q19b is ambiguous and unclear. Rephrasing or deletion is recommended.

(Response) We tested this item as part of our cognitive interview protocol. The majority of participants understood this question, and their answers suggest that the question did a good job of distinguishing between those who focused on the arguments and facts presented in the ad versus those who paid more attention to peripheral cues, such as the visual narrative. Because the item functioned as intended, we intend to retain Q19b.

(Comment from Eli Lilly) Q20 is ambiguous and unclear. Rephrasing or deletion is recommended.

(Response) In our cognitive interviews, some participants had difficulty understanding the meaning of the introductory phrase ''In these thoughts''. Due to the ambiguity of Q20 as a whole, we will remove this item from the questionnaire.

(Comment from Eli Lilly) Q21 instructions could bias respondents to evaluate each statement as risk-related. Consider rephrasing to, ''The following statements describe how people deal with various situations.''

(Response) The Q21 battery is a validated scale specifically designed to measure attitudes toward risk (Ref. 7). Respondents are meant to evaluate the statements as though they are risk-related. Therefore, we will retain the Q21 battery.

(Comment from Eli Lilly) The scale for Q25 should be made consistent with other scales to ensure internal consistency. A scale with a midpoint is recommended.

(Response) When developing the questionnaires, we included a number of questions from existing multi-items scales. The number and format of response options differed from scale to scale (*e.g.,* 6-points vs. 10-points, fully labelled vs. anchors-only, etc.). We will revise the Likert-type response scales so that the number of levels and labeling formats across questions is consistent.

To examine differences between experimental conditions, we will conduct inferential statistical tests such as analysis of variance. With the sample size described in Table 3, we will have sufficient power to detect small-to-medium sized effects in the main study.

FDA estimates the burden of this collection of information as follows:

TABLE 3—ESTIMATED ANNUAL REPORTING BURDEN [1]

Activity	Number of respondents	Number of responses per respondent	Total annual responses	Average burden per response	Total hours
Pretesting					
Number to Complete the Screener	700	1	700	0.08 (5 minutes)	56
Number of Completes	120	1	120	1	120
Main Study					
Number to Complete the Screener	4,060	1	4,060	0.08 (5 minutes)	325
Number of Completes	792	1	792	1	792
Total					1,293

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.

References

The following references have been placed on display in the Division of Dockets Management (see **ADDRESSES**) and may be seen by interested persons between 9 a.m. and 4 p.m., Monday through Friday, and are available electronically at *http://www.regulations.gov.* (FDA has verified all the Web site addresses in this reference section, but we are not responsible for any

subsequent changes to the Web sites after this document publishes in the **Federal Register**.)

Reis, H., and C. Judd, *Handbook of Research Methods in Social and Personality Psychology,* 2nd Ed. New York: Cambridge University Press (2014).

Kerig, P.K., and D.H. Baucom, (Eds.). *Couple Observational Coding Systems,* Mahwah, NJ: Erlbaum (2004).

Bakeman, R., Behavioral Observation and Coding, In H.T. Reis & C.M. Judd (Eds.) *Handbook of Research Methods in Social and Personality Psychology,*pp. 138–159. New York: Cambridge University Press (2000).

Ewart, C.K., C.B. Taylor, H.C. Kraemer, and W.S. Agras. ''High Blood Pressure and Marital Discord: Not Being Nasty Matters More Than Being Nice,'' *Health Psychology,* 10, pp. 155–163 (1991).

Spitzberg, B.H., and W.R. Cupach, *Handbook of Interpersonal Competence Research,* NY: Springer-Verlag (1989).

Gottman, J.M., *What Predicts Divorce? The Relationship Between Marital Processes and Marital Outcomes.* Hillsdale, NJ: Erlbaum (1994).

Rohrmann, B., ''Risk Attitude Scales: Concepts, Questionnaires, Utilizations [Project Report],'' University of Melbourne, Australia. Retrieved from *http://www.rohrmannresearch.net/pdfs/rohrmann-racreport.pdf* (2005).

Dated: May 18, 2015.

Leslie Kux,

Associate Commissioner for Policy.

[FR Doc. 2015–12582 Filed 5–22–15; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Mandatory Guidelines for Federal Workplace Drug Testing Programs

AGENCY: Substance Abuse and Mental Health Services Administration (SAMHSA), Department of Health and Human Services.

ACTION: HHS Approval of Entities That Certify Medical Review Officers (MRO).

SUMMARY: The current version of the Department of Health and Human Services (HHS) Mandatory Guidelines for Federal Workplace Drug Testing Programs (Mandatory Guidelines), effective on October 1, 2010, addresses the role and qualifications of Medical Review Officers (MROs) and HHS approval of entities that certify MROs.

Subpart M—Medical Review Officer (MRO), Section 13.1(b) of the Mandatory Guidelines, ''Who may serve as an MRO?'' states as follows: ''Nationally recognized entities that certify MROs or subspecialty boards for physicians performing a review of Federal employee drug test results that seek approval by the Secretary must submit their qualifications and a sample examination. Based on an annual objective review of the qualifications and content of the examination, the Secretary shall annually publish a list in the **Federal Register** of those entities and boards that have been approved.''

HHS has completed its review of entities that certify MROs, in accordance with requests submitted by such entities to HHS.

The HHS Secretary approves the following MRO certifying entities that offer MRO certification through examination:

American Association of Medical Review Officers (AAMRO), P.O. Box 12873, Research Triangle Park, NC 27709; Phone: (800) 489–1839; Fax: (919) 490–1010; Email: *cferrell@aamro.com*; Web site: *http://www.aamro.com/*.

Medical Review Officer Certification Council (MROCC), 836 Arlington Heights Road, #327, Elk Grove Village, IL 60007; Phone: (847) 631–0599; Fax: (847) 483–1282; Email: *mrocc@mrocc.org*; Web site: *http://www.mrocc.org/*.

DATES: HHS approval is effective May 26, 2015.

FOR FURTHER INFORMATION CONTACT: Jennifer Fan, Pharm.D., J.D., Division of Workplace Programs (DWP), Center for Substance Abuse Prevention (CSAP), Substance Abuse and Mental Health Services Administration (SAMHSA), 1 Choke Cherry Road, Room 7–1038, Rockville, MD 20857; Telephone: (240) 276–1759; Email: *jennifer.fan@samhsa.hhs.gov*

Dated: May 15, 2015.

Sylvia M. Burwell,

Secretary.

[FR Doc. 2015–12559 Filed 5–22–15; 8:45 am]

BILLING CODE 4160–20–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of General Medical Sciences; 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 General Medical Sciences Initial Review Group; Training and Workforce Development Subcommittee—C.

Date: June 8, 2015.

Time: 8:30 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Hotel Monaco Alexandria, 480 King Street, Alexandria, VA 22314.

Contact Person: Mona R. Trempe, Ph.D., Scientific Review Officer, Office of Scientific Review, National Institute of General Medical Sciences, National Institutes of Health, 45 Center Drive, Room 3An.12A, Bethesda, MD 20892–4874, 301–594–3998, *trempemo@mail.nih.gov*.

This notice is being published less than 15 days prior to the meeting due to the timing limitations imposed by the review and funding cycle.

(Catalogue of Federal Domestic Assistance Program Nos. 93.375, Minority Biomedical Research Support; 93.821, Cell Biology and Biophysics Research; 93.859, Pharmacology, Physiology, and Biological Chemistry Research; 93.862, Genetics and Developmental Biology Research; 93.88, Minority Access to Research Careers; 93.96, Special Minority Initiatives, National Institutes of Health, HHS)

Dated: May 19, 2015.

Melanie J. Gray,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2015–12543 Filed 5–22–15; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Prospective Grant of Exclusive License: Development of Autologous Tumor Infiltrating Lymphocyte Adoptive Cells for the Treatment of Lung, Breast, Bladder, and HPV-Positive Cancers

AGENCY: National Institutes of Health, HHS.

ACTION: Notice.

SUMMARY: This is notice, in accordance with 35 U.S.C. 209 and 37 CFR 404, that the National Institutes of Health, Department of Health and Human Services, is contemplating the grant of an exclusive patent license to the current licensee, Lion Biotechnologies, Inc., which is located in Woodland Hills, California to practice the inventions embodied in the following patent applications and applications claiming priority to these applications:

1. U.S. Provisional Patent Application No. 61/237,889, filed August 26, 2009 entitled ''Adoptive cell therapy with young T cells'' (HHS Ref No. E–273–2009/0–US–01);

2. U.S. Patent No. 8,383,099 issued February 26, 2013 entitled ''Adoptive cell therapy with young T cells'' (HHS Ref No. E–273–2009/0–US–02);

3. U.S. Patent Application No. 13/742,541 filed January 16, 2013 entitled ''Adoptive cell therapy with young T cells'' (HHS Ref No. E–273–2009/0–US–03);

4. U.S. Provisional Patent Application No. 61/466,200 filed March 22, 2011 entitled ''Methods of growing tumor infiltrating lymphocytes in gas-permeable containers'' (HHS Ref No. E–114–2011/0–US–01);

5. PCT Application No. PCT/US2012/029744 filed March 20, 2012 entitled ''Methods of growing tumor infiltrating lymphocytes in gas-permeable containers'' (HHS Ref No. E–114–2011/0–US–01);

6. U.S. Patent Application No. 13/424,646 filed May 20, 2012 entitled ''Methods of growing tumor infiltrating lymphocytes in gas-permeable containers'' (HHS Ref No. E–114–2011/0–US–01);

7. U.S. Provisional Patent Application No. 61/846,161 filed July 15, 2013 entitled ''Methods of Preparing Anti-human Papillomavirus Antigen T Cells'' (HHS Ref No. E–494–2013/0–US–01);

8. PCT Application No. PCT/US2014/046478 filed July 14, 2014 entitled ''Methods of Preparing Anti-human Papillomavirus Antigen T Cells'' (HHS Ref No. E–494–2013/0–PCT–02);

The patent rights in these inventions have been assigned to the United States of America.

The prospective exclusive license territory may be worldwide and the field of use may be limited to the use of the Licensed Patent Rights to develop, manufacture, distribute, sell and use unselected whole autologous tumor infiltrating lymphocyte (TIL) adoptive cell therapy products for the treatment of lung, breast, bladder, and HPV-positive cancers. Specifically excluded from this license are methods of generating or using selected subpopulations of TIL and the use of T cell receptors isolated from TIL.

DATES: Only written comments and/or applications for a license which are received by the NIH Office of Technology Transfer on or before June 25, 2015 will be considered.

ADDRESSES: Requests for copies of the patent application, inquiries, comments, and other materials relating to the contemplated exclusive license should be directed to: Whitney A. Hastings, Ph.D., Senior Licensing and Patenting Manager, Office of Technology Transfer, National Institutes of Health, 6011 Executive Boulevard, Suite 325, Rockville, MD 20852–3804; Telephone: (301) 451–7337; Facsimile: (301) 402–0220; Email: *hastingw@mail.nih.gov.*

SUPPLEMENTARY INFORMATION: Isolating cells from the tumor infiltrating lymphocytes (TIL) of a patient tumor sample provides a suitable initial lymphocyte culture for further in vitro manipulations. NIH scientist have discovered that taking the isolated cells through one cycle of rapid expansion (including exposure to IL–2), rather than multiple cycles, yields lymphocyte cultures with higher affinity and longer persistence in patients. In addition, they have found that through the use of gas permeable (GP) flasks, they could obtain large quantities of highly reactive TIL from patient tumor samples for anti-cancer immunotherapy. If an adoptive T cell transfer immunotherapy is to gain regulatory approval and successfully treat a wide array of patients, it will need to be rapid, reliable, and technically simple. One of the most critical factors to this approach is the generation of effective lymphocyte cultures that will rapidly and repeatedly attack the target cells when infused into patients.

The prospective exclusive license may be granted unless within thirty (30) days from the date of this published notice, the NIH receives written evidence and argument that establishes that the grant of the license would not be consistent with the requirements of 35 U.S.C. 209 and 37 CFR Part 404.

Complete applications for a license in the field of use filed in response to this notice will be treated as objections to the grant of the contemplated exclusive license. Comments and objections submitted to this notice will not be made available for public inspection and, to the extent permitted by law, will not be released under the Freedom of Information Act, 5 U.S.C. 552.

Dated: May 19, 2015.

Richard U. Rodriguez,

Acting Director, Office of Technology Transfer, National Institutes of Health.

[FR Doc. 2015–12539 Filed 5–22–15; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Request From the Interagency Committee on Human Nutrition Research (ICHNR) for Comments on the Draft National Nutrition Research Roadmap 2015–2020: Advancing Nutrition Research To Improve and Sustain Health

SUMMARY: The Draft *National Nutrition Research Roadmap (NNRR)* identifies research priorities for human nutrition and describes the role of ICHNR departments and agencies in addressing those priorities over the next five to ten years. ICHNR seeks input about identified research and resource gaps and opportunities and the short- and long-term initiatives proposed to address them. To review the NNRR, please visit *https://prevention.nih.gov/nnrr.*

DATES: To ensure consideration, your responses must be received by 11:59 p.m. Eastern Standard Time on June 25, 2015.

ADDRESSES: Responses to this Notice must be submitted via email to *NNRRfeedback@nih.gov* or postal mail to the National Institutes of Health, Division of Nutrition Research Coordination, Two Democracy Plaza, Room 635, 6707 Democracy Boulevard—MSC 5461, Bethesda, Maryland 20892–5461.

FOR FURTHER INFORMATION CONTACT: Dr. Sheila Fleischhacker, Senior Public Health & Science Policy Advisor, National Institutes of Health, Division of Nutrition Research Coordination, Two Democracy Plaza, Room 635, 6707 Democracy Boulevard—MSC 5461, Bethesda, Maryland 20892–5461. Telephone: 301–594–7440, Fax: 301–480–3768, Email: *NNRRfeedback@nih.gov.*

SUPPLEMENTARY INFORMATION:

Background

Improved nutrition could be one of the most cost-effective approaches to address many of the societal, environmental, and economic challenges facing the nation today, including the morbidity, mortality, and economic burden associated with chronic diseases and disorders. That is, nutrition plays an integral role in human growth and development, in the maintenance of good health and functionality, and in the prevention and treatment of infectious, acute and chronic diseases, as well as genetic disorders such as inborn errors of

metabolism. To effectively and efficiently advance the role of nutrition in improving and sustaining health, efforts must be made to coordinate nutrition research supported by the federal government, as well as federal workforce development and training efforts that support nutrition research.

Created in 1983, the Interagency Committee on Human Nutrition Research (ICHNR) aims to increase the overall effectiveness and productivity of federally supported or conducted human nutrition research. The ICHNR includes representatives from the departments of Agriculture (USDA), Health and Human Services (HHS), Defense (DoD) and Commerce; the Federal Trade Commission (FTC), the National Aeronautics and Space Administration (NASA), the National Science Foundation (NSF), the Agency for International Development (USAID), the Environmental Protection Agency (EPA), the Veterans Health Administration (VHA), and the White House Office of Science and Technology Policy (OSTP). Early in 2013, the ICHNR recognized the need for a written plan to coordinate federal human nutrition research. The ICHNR anticipates that an interagency plan for federal human nutrition research could foster a coordinated approach that would address knowledge gaps, accelerate innovations, and strengthen the capacity of the multidisciplinary workforce that is required to bring these innovations to fruition.

To develop a national plan, the ICHNR created a National Nutrition Research Roadmap (NNRR) Subcommittee with representatives from each of the participating ICHNR departments and agencies. Beginning in the summer of 2014, the NNRR Subcommittee and its subsidiary Writing Group, with the assistance of more than 80 federal experts, developed the Draft *National Nutrition Research Roadmap,* which was reviewed and approved by the ICHNR to seek public comment on. Initial discussions addressed common knowledge gaps, opportunities, and research themes extracted from a variety of publications and Web sites, including human nutrition research reviews, as well as federal and non-United States strategic plans and reports. These discussions yielded the following three framing questions that covered the broad spectrum of research likely to yield accelerated progress in nutrition research to improve and sustain health for all Americans. Within these three questions, the following eleven topical areas were identified based on the following criteria: population impact, feasibility, and emerging scientific opportunities, given advances in research knowledge and capacity. In finalizing these topical areas, consideration was given to research gaps across the lifecycle, particularly for at-risk groups such as pregnant women, children, and older adults, in nutrition-related chronic diseases contributing most to the morbidity and mortality in the United States, and in understanding of the role nutrition for optimal performance and military readiness.

Question 1: How can we better understand and define eating patterns to improve and sustain health?
Question 1 Topic 1 (Q1T1): How do we enhance our understanding of the role of nutrition in health promotion and disease prevention and treatment?
Question 1 Topic 2 (Q1T2): How do we enhance our understanding of individual differences in nutritional status and variability in response to diet?
Question 1 Topic 3 (Q1T3): How do we enhance population-level food- and nutrition-related health monitoring systems and their integration with other data systems to increase our ability to evaluate change in food supply, composition, consumption, and health status?

Question 2: What can be done to help people choose healthy eating patterns?
Question 2 Topic 1 (Q2T2): How can we more effectively characterize the interactions among the demographic, behavioral, lifestyle, social, cultural, economic, and environmental factors that influence eating choices?
Question 2 Topic 2 (Q2T2): How do we develop, enhance and evaluate interventions at multiple levels to improve and sustain healthy eating patterns?
Question 2 Topic 3 (Q2T3): Applying systems science in nutrition research, how can simulation modeling advance exploration of the impact of multiple interventions?
Question 2 Topic 4 (Q2T4): How can interdisciplinary research identify effective approaches to enhance the environmental sustainability of healthy eating patterns?

Question 3: How can we engage innovative methods and systems to accelerate discoveries in human nutrition?
Question 3 Topic 1 (Q3T1): How can we enhance innovations in measuring dietary exposure, including use of biomarkers?
Question 3 Topic 2 (Q3T2): How can basic biobehavioral science be applied to better understand eating behaviors?
Question 3 Topic 3 (Q3T3): How can we use behavioral economics theories and other social science innovations to improve eating patterns?
Question 3 Topic 4 (Q3T4): How can we advance nutritional sciences through the use of research innovations involving Big Data?

The Draft *Roadmap* was developed to engage federal science agency leaders, along with relevant program and policy staff who rely on federally supported human nutrition research, in addition to the broader research community. Each topical area first provides a rationale that explains the importance of the topical area to improving and sustaining health; then identifies research gaps and opportunities; and concludes with suggested short- (approximately 1–3 years) and long-term (approximately 3–5 years) research and resource initiatives. The NNRR Subcommittee also put forth recommendations for developing a workforce able to advance nutritional sciences research.

Each of the participating ICHNR agencies or departments briefly describes their contributions to human nutrition research and gathered insights from senior leadership on agency contributions relevant to the identified topical areas.

Critical ingredients to addressing the research needs put forth in this Draft *Roadmap* will be interagency collaborations and public-private partnerships among government, academia, and private entities. These types of collaborations and partnerships could potentially:

- Expand the scope, interdisciplinary nature, and potential of a project;
- Enhance the likelihood of broader and more rapid implementation of the results;
- Allow for needed expertise to advance project goals;
- Reduce the cost of a project to an individual collaborator; and
- Increase the likelihood of adequate funding for meritorious projects.

Implementing the National Nutrition Research Roadmap

The ICHNR will distribute this *Roadmap* to encourage all relevant federal departments and agencies to coordinate human nutrition research programs to identify solutions to critical, nutrition-related, chronic disease prevention and health promotion issues. The aim is to have participating departments and agencies develop specific goals, objectives, and strategies based on the *Roadmap* and to identify their unique and collaborative roles, responsibilities, and the required resources and timeframes to accomplish those research goals. Given the strong trans-agency interests in a number of these areas of research, we hope to foster several coordinated research efforts to address research gaps and opportunities identified in this *Roadmap* and monitor their progress. We also hope the dissemination of these critical research gaps and opportunities will inspire the broader scientific community—at all developmental stages—to accelerate advances in human nutrition research to help improve and sustain the health of all Americans.

Information Requested

This Notice invites public comment on the Draft *National Nutrition Research Roadmap 2015–2020: Advancing Nutrition Research to Improve and Sustain Health.* Input is being sought regarding the Roadmap's key questions, topics, research gaps and opportunities, and the short- and long-term research and resource initiatives that would address those gaps and opportunities.

General Information

All of the following fields in the response are optional and voluntary. Any personal identifiers will be removed when responses are compiled. Proprietary, classified, confidential, or sensitive information should not be included in your response. This Notice is for planning purposes only and is not a solicitation for applications or an obligation on the part of the United States (U.S.) government to provide support for any ideas identified in response to it. Please note that the U.S. government will not pay for the preparation of any comment submitted or for its use of that comment.

Please indicate if you are one of the following: Investigator, administrator, student, patient advocate, Dean/or Institutional administrator, NIH employee, or other. If you are an investigator, please indicate your career level and main area of research interest, including whether the focus is clinical or basic sciences. If you are a member of a particular advocacy or professional organization, please indicate the name and primary focus of your organization (*i.e.,* research support, patient care, etc.) and whether you are responding on behalf of your organization (if not, please indicate your position within the organization). Please provide your name and email address.

Privacy Act Notification Statement: We are requesting your comments on the Draft *National Nutrition Research Roadmap 2015–2020: Advancing Nutrition Research to Improve and Sustain Health.* The information you provide may be disclosed to ICHNR staff and to contractors working on our behalf. Submission of this information is voluntary. However, the information you provide will help to categorize responses by scientific area of expertise, organizational entity or professional affiliation.

Collection of this information is authorized under 42 U.S.C. 203, 24 1, 2891–1 and 44 U.S.C. 310 I and Section 30 l and 493 of the Public Health Service Act regarding the establishment of the National Institutes of Health, its general authority to conduct and fund research and to provide training assistance, and its general authority to maintain records in connection with these and its other functions.

Dated: May 19, 2015.

Lawrence A. Tabak,

Deputy Director, National Institutes of Health.

[FR Doc. 2015–12628 Filed 5–22–15; 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; Small Business: Innovative Immunology Research.

Date: June 19, 2015.

Time: 8:00 a.m. to 8:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Embassy Suites at the Chevy Chase Pavilion, 4300 Military Road NW., Washington, DC 20015.

Contact Person: Andrea Keane-Myers, BS, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4218, Bethesda, MD 20892, 301–435–1221, *andrea.keane-myers@nih.gov*.

Name of Committee: Genes, Genomes, and Genetics Integrated Review Group; Therapeutic Approaches to Genetic Diseases Study Section.

Date: June 23–24, 2015.

Time: 4:00 p.m. to 12:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Four Seasons Hotel Seattle, 99 Union Street, Seattle, WA 98101.

Contact Person: Elaine Sierra-Rivera, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6184, MSC 7804, Bethesda, MD 20892, 301–435–1779 *riverase@csr.nih.gov*.

Name of Committee: Cell Biology Integrated Review Group; Development—1 Study Section.

Date: June 24, 2015.

Time: 8:00 a.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Admiral Fell Inn, 888 South Broadway, Baltimore, MD 21231.

Contact Person: Jonathan Arias, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5170, MSC 7840, Bethesda, MD 20892, 301–435–2406, *ariasj@csr.nih.gov*.

Name of Committee: Brain Disorders and Clinical Neuroscience Integrated Review Group; Acute Neural Injury and Epilepsy Study Section.

Date: June 24–25, 2015.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Embassy Suites at the Chevy Chase Pavilion, 4300 Military Road NW., Washington, DC 20015.

Contact Person: Seetha Bhagavan, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5194, MSC 7846, Bethesda, MD 20892, (301) 237–9838, *bhagavas@csr.nih.gov*.

Name of Committee: Population Sciences and Epidemiology Integrated Review Group; Social Sciences and Population Studies B Study Section.

Date: June 24, 2015.

Time: 8:00 a.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Melrose Hotel, 2430 Pennsylvania Ave., NW., Washington, DC 20037.

Contact Person: Karin F Helmers, Ph.D., Scientific Review Officer, Center for

Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3148, MSC 7770, Bethesda, MD 20892, (301) 254–9975, *helmersk@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; RFA–RM–14–030: Nuclear Organization and Function Interdisciplinary Consortium (NOFIC) (U54).

Date: June 24–25, 2015.

Time: 8:00 a.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Courtyard by Marriott, 5520 Wisconsin Avenue, Chevy Chase, MD 20815.

Contact Person: Kee Hyang Pyon, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5148, MSC 7806, Bethesda, MD 20892, *pyonkh2@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; SBIR/STTR Informatics.

Date: June 24, 2015.

Time: 9:00 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.

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: Center for Scientific Review Special Emphasis Panel; PAR–14–166: Early Phase Clinical Trials in Imaging and Image-Guided Interventions.

Date: June 24, 2015.

Time: 11:00 a.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Chiayeng Wang, Ph.D., Scientific Review Officer, Center for Scientific Review, 6701 Rockledge Drive, Room 5213, MSC 7852, Bethesda, MD 20892, 301–435–2397, *chiayeng.wang@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Innovative Therapies and Tools for Screenable Disorders in Newborns.

Date: June 24, 2015.

Time: 12:00 p.m. to 2:30 p.m.

Agenda: To review and evaluate grant applications.

Place: Four Seasons Hotel Seattle, 99 Union Street, Seattle, WA 98101.

Contact Person: Elaine Sierra-Rivera, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6184, MSC 7804, Bethesda, MD 20892, 301–435–1779, *riverase@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: May 19, 2015.

Michelle Trout,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2015–12546 Filed 5–22–15; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Announcement of Requirements and Registration for: ''Harnessing Insights From Other Disciplines To Advance Drug Abuse and Addiction Research'' Challenge

Authority: 15 U.S.C. 3719.

SUMMARY: The National Institute on Drug Abuse (NIDA), a component of the National Institutes of Health (NIH), is seeking from the general public ideas on how to adapt specialized knowledge from other disciplines to inform new directions and discoveries in drug abuse and addiction research. With the ''Harnessing insights from other disciplines to advance drug abuse and addiction research'' challenge (the ''Challenge''), NIDA aims to gain insights into new methods or approaches that could transform discovery in order to significantly expand our basic knowledge about drug abuse and addiction processes, accelerate the development of novel and more effective prevention and treatment strategies, and/or enhance our capacity to implement, monitor, and improve upon evidence-based interventions.

This Challenge is soliciting written proposals that outline novel approaches to addressing research challenges in the drug use and addiction field by leveraging concepts or technologies from other disciplines. This Challenge is being issued as part of NIDA's strategic planning process for 2016–2020. Winning proposals may be used to guide the development of new research programs within NIDA.

DATES:

(1) Submission Period begins May 26, 2015, 9:00 a.m., EST

(2) Submission Period ends June 22, 2015, 11:59 p.m., EST

(3) Judging Period June 23, 2015 to July 17, 2015

(4) Winners Announced July 30, 2015

FOR FURTHER INFORMATION CONTACT: Dr. Emily Einstein, Ph.D., Science Policy Branch, Office of Science Policy and Communication, National Institute on Drug Abuse, Phone: 301–443–6071, Email: *emily.einstein@nih.gov*.

SUPPLEMENTARY INFORMATION:

Subject of the Challenge

For the past four decades, the National Institute on Drug Abuse (NIDA) has led the way in supporting research to prevent and treat drug abuse and addiction and to mitigate the impact of their consequences, which include the spread of HIV/AIDS and other infectious diseases. To confront the most pressing aspects of the complex disease of addiction and to tackle its underlying causes, NIDA's strategic approach is multipronged and includes research programs in basic, clinical, and translational sciences. These programs support studies in genetics, functional neuroimaging, social neuroscience, medication and behavioral therapies, prevention, and health services, including cost-effectiveness research. NIDA's evolving portfolio has produced a vast body of knowledge that informs strategic directions for future research, and this Challenge represents a new approach to broaden the pool of testable ideas.

Scientific knowledge about drug addiction and its treatment has increased markedly over the past couple of decades. Today, we have a better understanding of the effects of drugs on the brain, as well as new and more effective treatments than were available in the past. A changing healthcare landscape may provide opportunities to further enhance the quality of addiction prevention and treatment. Still, addiction remains a pressing public health issue, and this Challenge seeks to accelerate progress in the field of drug abuse and addiction research by incentivizing a broader community of stakeholders—including those not formally involved in biomedical or addiction-related disciplines—to propose new ideas or innovations that leverage concepts or technologies from other disciplines to advance drug abuse and addiction research.

While preparing their proposals, applicants should bear in mind NIDA's traditional priority areas, persistent roadblocks that hamper progress, and evolving and emerging opportunities. Some illustrative examples are discussed below; however, proposals may address any challenge within the drug use and addiction field.

NIDA priority areas. NIDA's charge, to bring the power of science to bear on drug abuse and addiction, has two critical components. The first is the strategic support and conduct of research across a broad range of disciplines. The second is ensuring the rapid and effective dissemination and implementation of the results of that research to significantly improve

prevention and treatment and to inform policy as it relates to drug use and addiction. These aims are currently met by a broad range of projects in basic, clinical, and translational sciences. For more information on current NIDA research programs please visit *www.drugabuse.gov.*

Roadblocks to progress in addiction research and its translation. There are many scientific and non-scientific roadblocks that hamper progress on drug use and addiction research. For example, one of the most frequently cited obstacles to clinical advances in the field of drug use disorders is the lack of interest by the pharmaceutical industry in developing new addiction medications. This is largely due to the low success rate of clinical trials for neurotherapeutics and the perceived lack of financial incentives to pursue new pharmacotherapies for substance use disorders. Other key obstacles include the reluctance of some primary care providers to address substance abuse with their patients. On the basic research side, reproducibility, transparency, data sharing, and training a diverse workforce remain areas in need of improvement.

Emerging Opportunities. New discoveries, technologies, paradigms, and ways of thinking play a key role in our efforts to understand addiction, to develop better ways to influence addiction trajectories, and to mitigate its consequences. The examples below are meant to illustrate just a few areas of rapidly evolving technologies and emerging opportunities from which the drug use and addiction field expects to reap significant benefits in the near future.

Genomics and Epigenomics. Recent technological developments have led to important advances in linking genes and their regulation with behavior. We now have an unprecedented capacity to screen for thousands of genetic and epigenetic variations and catalogue how they modulate substance use disorder risk by influencing gene expression, brain maturation, neural architecture, and behavioral patterns. In addition, advances in epigenetics research are enabling increased understanding of how environmental factors (*e.g.,* parenting style, drug exposure) can affect the expression of specific genes to either strengthen or weaken risk for substance use and addiction. Similar approaches could be applied to leverage advances in metabolomics, proteomics, connectomes, transcriptomics and systems biology to better characterize the role of these systems in drug use and addiction.

Big Data. Behavioral disorders including drug use disorders are incredibly complex, with multiple biological, environmental, and developmental factors contributing to risk. Very large data sets (on the scale of tera- or petabytes, typically referred to as ''Big Data'') sets are essential platforms for the analysis of such complex systems, overlaying genetic, molecular, cellular, environmental, behavioral, and structural and functional brain imaging data. Big Data also brings analysis opportunities in many other areas, such as social media and socio-economic mapping which, when combined with health information, could lead to an improved understanding of predictors of psychiatric illness risk (including addiction), trajectory, and treatment responses. This area of development presents significant opportunities for innovation for research.

Data Sharing. Data sharing is a critical component that allows the results of NIDA's research to be distributed to investigators and the public in order to promote new research, encourage further analyses, and disseminate information to the community. Secondary analyses of shared data multiply the scientific contribution of the original research. The development of new strategies to facilitate effective data sharing and analysis is one area in which new ideas could spur significant advancement.

Informatics. NIDA is already pursuing several avenues to realize the research and clinical potential of various informatics tools. Notable examples include:

○ Development of a comprehensive clinical decision support systems based on advanced database analysis techniques.

○ Research in theoretical and applied areas of medical and clinical informatics, including the study of new methods for acquiring, representing, processing, and managing data within the Intramural Research program (IRP) clinical and research programs.

○ Development of transactional electronic recording and telemetry methods for implementation in various research environments such as clinical neuroimaging, pharmacology and therapeutics, and nicotine psychopharmacology research.

○ Development of innovative, field-deployable tools to measure exposures to psychosocial stress and addictive substances within geographic contexts in real time.

○ Research into technology based delivery of behavioral treatment interventions including contingency management.

Despite these ongoing efforts there is a significant need for new strategies for leveraging advances in informatics to advance research on drug use and related disorders.

This Challenge welcomes bold new ideas in these fields within the vast scientific, clinical and technological realms. In summary, the overarching goal of the present Challenge is to identify and parlay the untapped power of other (unexpected) technologies, fields, and innovations to inspire transformative advances in the area of addiction research.

Statutory Authority

This Challenge is consistent with and advances the mission of NIDA as described in 42 U.S.C. 285o. The general purpose of NIDA is to conduct and support biomedical and behavioral research and health services research, research training, and health information dissemination with respect to the prevention of drug abuse and the treatment of drug abusers. Consistent with this authority, one of NIDA's strategic goals is to support research to improve the quality of addiction treatment. Novel measures, conceptual models or creative, yet feasible ideas, and related research agendas that achieve the goals underlying this Challenge will help set priorities for future research and, accordingly, will support this strategic goal.

Rules for Participating in the Challenge

1. To be eligible to win a prize under this Challenge, an individual or entity:

a. Shall have registered to participate in the Challenge under the rules promulgated by NIDA and published in this Notice;

b. Shall have complied with all the requirements in this Notice;

c. In the case of a private entity, shall be incorporated in and maintain a primary place of business in the United States, and in the case of an individual, whether participating singly or in a group, shall be a citizen or permanent resident of the United States. However, non-U.S. citizens and non-permanent residents can participate as a member of a team that otherwise satisfies the eligibility criteria. Non-U.S. citizens and non-permanent residents are not eligible to win a monetary prize (in whole or in part). Their participation as part of a winning team, if applicable, may be recognized when the results are announced.

d. In the case of an individual, whether participating singly or in a

group, must be at least 18 years old at the time of submission;

e. May not be a Federal entity;

f. May not be a Federal employee acting within the scope of his/her employment, and further, in the case of HHS employees, may not work on their submission(s) during assigned duty hours;

g. May not be an employee of the National Institutes of Health (NIH), a judge of the Challenge, or any other party involved with the design, production, execution, or distribution of the Challenge or the immediate family of such a party (*i.e.,* spouse, parent, step-parent, child, or step-child).

2. Federal grantees may not use Federal funds to develop their Challenge submissions unless use of such funds is consistent with the purpose of their grant award and specifically requested to do so due to the Challenge design.

3. Federal contractors may not use Federal funds from a contract to develop their Challenge submissions or to fund efforts in support of their Challenge submission.

4. Submissions must not infringe upon any copyright or any other rights of any third party. Each participant warrants that he or she is the sole author and owner of the work and that the work is wholly original.

5. By participating in this Challenge, each individual (whether competing singly or in a group) and entity agrees to assume any and all risks and to waive claims against the Federal Government and its related entities (as defined in the COMPETES Act), except in the case of willful misconduct, for any injury, death, damage, or loss of property, revenue, or profits, whether direct, indirect, or consequential, arising from their participation in the Challenge, whether the injury, death, damage, or loss arises through negligence or otherwise.

6. Based on the subject matter of the Challenge, the type of work that it will possibly require, as well as an analysis of the likelihood of any claims for death, bodily injury, or property damage, or loss potentially resulting from Challenge participation, no individual (whether competing singly or in a group) or entity participating in the Challenge is required to obtain liability insurance or demonstrate financial responsibility in order to participate in this Challenge.

7. By participating in this Challenge, each individual (whether competing singly or in a group) or entity agrees to indemnify the Federal Government against third party claims for damages arising from or related to Challenge activities.

8. An individual or entity shall not be deemed ineligible because the individual or entity used Federal facilities or consulted with Federal employees during the Challenge if the facilities and employees are made available to all individuals and entities participating in the Challenge on an equitable basis.

9. Each individual (whether competing singly or in a group) or entity retains title and full ownership in and to their submission and each participant expressly reserves all intellectual property rights (*e.g.,* copyright) in their submission. However, by participating in this Challenge, each participant grants to NIDA, and others acting on behalf of NIDA, an irrevocable, paid-up, royalty-free, non-exclusive, worldwide license to use, copy for use, and display publicly all parts of the submission for the purposes of the Challenge. This license may include posting or linking to the submission on the official NIDA Web site and making it available for use by the public.

10. The NIH reserves the right, in its sole discretion, to (a) cancel, suspend, or modify the Challenge, and/or (b) not award any prizes if no submissions are deemed worthy.

11. Each individual (whether competing singly or in a group) and entity participating in this Challenge agrees to follow applicable local, State, and Federal laws and regulations.

12. Each individual (whether participating singly or in a group) and entity participating in this Challenge must comply with all terms and conditions of these rules, and participation in this Challenge constitutes each such participant's full and unconditional agreement to abide by these rules. Winning is contingent upon fulfilling all requirements herein.

Submission Requirements

Each submission for this Challenge should consist of a white paper of no more than 6 (double spaced) pages describing a concept for an innovative research initiative to advance drug abuse and addiction research. The white paper must include but not limited to the following:

1. Cover page: indicate title of the proposal and which of the following broadly defined categories would best describe its area of applicability: Prevention, Behavioral treatments, Medications development, Epidemiology, Basic Sciences, Neuroscience, Services and service research, or Other (define).

2. Executive Summary (250 word limit).

3. A description of the innovative concept or technology and how it was effectively applied within another field.

4. A proposal for how the concept can be applied to an outstanding question in drug abuse/addiction research, including a discussion of why that question is important to address.

5. A cogent rationale for why the proposed concept would work in the field of drug use and addiction research.

The white paper must not contain any information directly identifying the participants.

To register for this Challenge, participants must go to *www.challenge.gov* and search for ''Harnessing insights from other disciplines to advance drug abuse and addiction research.'' Click on the title to go to the Challenge platform Web site, which contains instructions on how to register and submit.

All submissions must be in English. Each submission must consist of a PDF file, containing the white paper document. The PDF documents must be formatted to be no larger than 8.5'' by 11.0'', with at least 1 inch margins and can include a maximum of two figures. The white paper must be no more than 6 pages long. Font size must be no smaller than 11 point Arial. The participant must not use HHS's logo or official seal or the logo of NIH or NIDA in the submission, and must not claim federal government endorsement.

Amount of the Prize

Up to three monetary prizes may be awarded: $15,000 for 1st Place, $7,000 for 2nd Place, $3,000 for 3rd Place for a total prize award pool of up to $25,000. The names of the winners and the titles of their submissions will be posted on the NIDA Web site. The award approving official for this Challenge is the Director of the National Institute on Drug Abuse.

Payment of the Prize

Prizes awarded under this Challenge will be paid by electronic funds transfer and may be subject to Federal income taxes. The NIH will comply with the Internal Revenue Service withholding and reporting requirements, where applicable.

Basis Upon Which Winner Will Be Selected

The judging panel will make recommendations to the Award Approving Official based upon the following three criteria and point allocation:

1. *Novelty of the concept (5 points):* Concepts shall move the field beyond the existing paradigms commonly used

in addiction research, and focus on novel, underserved, neglected, complex, or intractable aspects of the addiction phenomenon. How novel is the concept? Does it address important basic or clinical features/effects that are not currently or adequately addressed and/or with a fresh perspective?

2. *Feasibility (5 points):* Ideas, concepts and the approaches, measures and systems derived from them must be rooted on a rational, scientific or otherwise cogent background that would guarantee a modicum of feasibility given the current challenges and state of the art in the field of addiction. How well does the research agenda describe the gaps in the relevant areas of science that need to be addressed by this new approach/concept to be achieved and implemented? Does the agenda describe a logical, feasible plan and timeframe for addressing those gaps?

3. *Importance of the question being addressed/likelihood of impact (5 points):* How effective would the successful completion of the project be in addressing addiction, enhancing prevention, or improving clinical outcomes? How well does it consider factors relevant to the ultimate success of the concept? How well does it harness innovations from other fields to the existing addiction knowledge base toward advancing drug abuse and addiction research?

Scores from each criterion will be weighted equally. The score for each submission will be the sum of the scores from each of the 5 voting judges, for a maximum of 75 points. NIDA reserves the right to make an award to submissions scoring less than 75 points if NIDA deems any sufficiently meritorious. All submissions will be held until after the deadline is reached for a simultaneous judging process. NIDA reserves the right to disqualify and remove any submission that is deemed, in NIDA's or the judging panel's discretion, inappropriate, offensive, defamatory, or demeaning. NIDA reserves the right not to award any prizes in case none is found to be sufficiently meritorious.

The evaluation process will begin by anonymizing and removing those that are not responsive to this Challenge or not in compliance with all of the rules of eligibility. Submissions that are responsive and in compliance will undergo a preliminary review by the Challenge Judges with expertise in the relevant areas of science Challenge Judges will examine all responsive and compliant submissions, as well comments from program staff, if any, and score the submissions in accordance with the judging criteria outlined above. Judges will meet to discuss the most meritorious submissions. Final recommendations will be determined by electronic (majority) vote of the judges.

Challenge Judges

Dr. Nora Volkow, Director, National Institute on Drug Abuse (NIDA)—Ex Officio
Dr. Roger Little, Deputy Director, Division of Basic Neuroscience and Behavioral Research, NIDA
Dr. David Epstein, Associate Scientist, Intramural Research Program, NIDA
Dr. David Liu, Team Leader, Medical Officer, Center for Clinical Trials Network, NIDA
Dr. Maureen Boyle, Chief, Science Policy Branch, Office of Science Policy and Communication, NIDA
Dr. Meyer D. Glantz, Associate Director for Science, Division of Epidemiology, Services, and Prevention Research
Dr. Ruben Baler, Health Scientist Administrator, Science Policy Branch, Office of Science Policy and Communication, NIDA
Dr. Steve Grant, Chief, Clinical Neuroscience Branch, Division of Clinical Neuroscience and Behavioral Research, NIDA
Dr. Philip Krieter, Pharmacologist, Division of Pharmacotherapies and Medical Consequences of Drug Abuse, NIDA
Dr. Gerald McLaughlin, Chief, Scientific Review Branch, Division of Extramural Research, NIDA

Dated: May 11, 2015.

Nora D. Volkow,

Director, National Institute on Drug Abuse, National Institutes of Health.

[FR Doc. 2015–12632 Filed 5–22–15; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Heart, Lung, and Blood Institute; 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: Heart, Lung, and Blood Initial Review Group; NHLBI Mentored Transition to Independence Review Committee.

Date: June 11–12, 2015.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: The William F. Bolger Center, 9600 Newbridge Drive, Potomac, MD 20854.

Contact Person: Giuseppe Pintucci, Ph.D. Scientific Review Officer, Office of Scientific Review/DERA National Heart, Lung, and Blood Institute, 6701 Rockledge Drive, Room 7192, , Bethesda, MD 20892, 301–435–0287, *Pintuccig@nhlbi.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.233, National Center for Sleep Disorders Research; 93.837, Heart and Vascular Diseases Research; 93.838, Lung Diseases Research; 93.839, Blood Diseases and Resources Research, National Institutes of Health, HHS)

Dated: May 19, 2015.

Carolyn Baum,

Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2015–12538 Filed 5–22–15; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Amended Notice of Meeting

Notice is hereby given of a change in the meeting of the Systemic Injury by Environmental Exposure, June 17, 2015, 08:00 a.m. to June 18, 2015, 05:00 p.m., Hyatt Regency Bethesda, One Bethesda Metro Center, 7400 Wisconsin Avenue, Bethesda, MD, 20814 which was published in the **Federal Register** on May 13, 2015, 80 FR Pg. 28630.

The meeting will be held on 06/18/2015–06/19/2015 instead of 06/17/2015–06/18/2015. The meeting time and location remains the same. The meeting is closed to the public.

Dated: May 19, 2015.

Michelle Trout,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2015–12545 Filed 5–22–15; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Center for Complementary & Integrative; HEALTH 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 Center for Complementary and Integrative Health Special Emphasis Panel; Fellowships, Training, Career Development.

Date: July 1, 2015.

Time: 12:00 p.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Two Democracy Plaza, 6707 Democracy Boulevard, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Martina Schmidt, Ph.D., Scientific Review Officer, National Center for Complementary & Integrative Health, NIH, 6707 Democracy Blvd., Suite 401, Bethesda, MD 20892, 301–594–3456, *schmidman@mail.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.213, Research and Training in Complementary and Alternative Medicine, National Institutes of Health, HHS)

Dated: May 19, 2015.

Michelle Trout,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2015–12544 Filed 5–22–15; 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: Healthcare Delivery and Methodologies Integrated Review Group; Community-Level Health Promotion Study Section.

Date: June 15–16, 2015.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Embassy Suites DC Convention Center, 900 10th St. NW., Washington, DC 20001.

Contact Person: Ping Wu, Ph.D., Scientific Review Officer, HDM IRG, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3166, Bethesda, MD 20892, 301–451–8428, *wup4@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Genes and Genomes.

Date: June 16, 2015.

Time: 2:00 p.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: Richard A. Currie, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 1108, MSC 7890, Bethesda, MD 20892, (301) 435–1219, *currieri@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Neural Trauma and Stroke.

Date: June 17, 2015.

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 (Telephone Conference Call).

Contact Person: Alexei Kondratyev, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5200, MSC 7846, Bethesda, MD 20892, 301–435–1785, *kondratyevad@csr.nih.gov.*

Name of Committee: Healthcare Delivery and Methodologies Integrated Review Group; Community Influences on Health Behavior Study Section.

Date: June 18–19, 2015.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: The St. Regis Washington DC, 923 16th Street NW., Washington, DC 20006.

Contact Person: Wenchi Liang, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3150, MSC 7770, Bethesda, MD 20892, 301–435–0681, *liangw3@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Cardiovascular and Surgical Devices.

Date: June 22, 2015.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Hilton Alexandria Mark Center, 5000 Seminary Road, Alexandria, VA 22311.

Contact Person: Donald Scott Wright, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5108, MSC 7854, Bethesda, MD 20892, (301) 435–8363, *wrightds@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Cancer, Cardiovascular, and Sleep Epidemiology Panel A.

Date: June 22–23, 2015.

Time: 8:00 a.m. to 2:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Embassy Suites at the Chevy Chase Pavilion, 4300 Military Road NW., Washington, DC 20015.

Contact Person: Denise Wiesch, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3138, MSC 7770, Bethesda, MD 20892, (301) 437–3478, *wieschd@csr.nih.gov.*

Name of Committee: Digestive, Kidney and Urological Systems Integrated Review Group; Hepatobiliary Pathophysiology Study Section.

Date: June 22–23, 2015.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Embassy Suites at the Chevy Chase Pavilion, 4300 Military Road NW., Washington, DC 20015.

Contact Person: Bonnie L. Burgess-Beusse, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 2182, MSC 7818, Bethesda, MD 20892, 301–435–1783, *beusseb@mail.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Biological Chemistry, Biophysics and Drug Discovery.

Date: June 22–23, 2015.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Handlery Union Square Hotel, 351 Geary Street, San Francisco, CA 94102.

Contact Person: Sergei Ruvinov, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4158, MSC 7806, Bethesda, MD 20892, 301–435–1180, *ruvinser@csr.nih.gov.*

Name of Committee: Healthcare Delivery and Methodologies Integrated Review Group; Health Services Organization and Delivery Study Section.

Date: June 22–23, 2015.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Sir Francis Drake Hotel, 450 Powell Street at Sutter, San Francisco, CA 94102.

Contact Person: Jacinta Bronte-Tinkew, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3164, MSC 7770, Bethesda, MD 20892, (301) 806–0009, *brontetinkewjm@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Research Project Grant.

Date: June 22, 2015.

Time: 10:00 a.m. to 1:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: Rebecca Henry, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3158, MSC 7770, Bethesda, MD 20892, 301–435–1717, *henryrr@mail.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Liver and Toxicology.

Date: June 22, 2015.

Time: 11:30 a.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: Mushtaq A. Khan, DVM, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 2176, MSC 7818, Bethesda, MD 20892, 301–435–1778, *khanm@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Bio-Organic Biomedical Mass Spectrometry Resource.

Date: June 22–24, 2015.

Time: 6:00 p.m. to 2:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Residence Inn Bethesda, 7335 Wisconsin Avenue, Bethesda, MD 20814.

Contact Person: David R. Filpula, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6181, MSC 7892, Bethesda, MD 20892, 301–435–2902, *filpuladr@mail.nih.gov*.

Name of Committee: Digestive, Kidney and Urological Systems Integrated Review Group; Pathobiology of Kidney Disease Study Section.

Date: June 23, 2015.

Time: 8:00 a.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Kinzie Hotel, 20 West Kinzie Street, Chicago, IL 60654.

Contact Person: Atul Sahai, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 2188, MSC 7818, Bethesda, MD 20892, 301–435–1198, *sahaia@csr.nih.gov*.

Name of Committee: Endocrinology, Metabolism, Nutrition and Reproductive Sciences Integrated Review Group; Pregnancy and Neonatology Study Section.

Date: June 23–24, 2015.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Residence Inn Bethesda, 7335 Wisconsin Avenue, Bethesda, MD 20814.

Contact Person: Michael Knecht, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6176, MSC 7892, Bethesda, MD 20892, (301) 435–1046, *knechtm@csr.nih.gov*.

Name of Committee: Molecular, Cellular and Developmental Neuroscience Integrated Review Group; Molecular Neuropharmacology and Signaling Study Section.

Date: June 23–24, 2015.

Time: 8:00 a.m. to 12:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Inn of Chicago, 162 East Ohio Street, Chicago, IL 60611.

Contact Person: Deborah L Lewis, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4183, MSC 7850, Bethesda, MD 20892, 301–408–9129, *lewisdeb@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; RFA Panel: Online Courses and Open Educational Resources for Managing, Curating & Sharing Big Data (R25).

Date: June 23, 2015.

Time: 1:00 p.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6705 Rockledge Drive, Bethesda, MD 20817 (Telephone Conference Call).

Contact Person: Raymond Jacobson, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5858, MSC 7849, Bethesda, MD 20892, 301–996–7702, *jacobsonrh@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: May 19, 2015.

Melanie J. Gray,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2015–12540 Filed 5–22–15; 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; PAR14–143/144: Behavioral and Social Measures for Dental, Oral and Craniofacial Research.

Date: June 8, 2015.

Time: 11:30 a.m. to 12:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: Wenchi Liang, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3150, MSC 7770, Bethesda, MD 20892, 301–435–0681, *liangw3@csr.nih.gov*.

This notice is being published less than 15 days prior to the meeting due to the timing limitations imposed by the review and funding cycle.

Name of Committee: Center for Scientific Review Special Emphasis Panel; RFA Panel: Training in Biomedical Big Data Science.

Date: June 10, 2015.

Time: 2:00 p.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: Marie-Jose Belanger, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5181, MSC, Bethesda, MD 20892, *belangerm@csr.nih.gov*.

This notice is being published less than 15 days prior to the meeting due to the timing limitations imposed by the review and funding cycle.

(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: May 19, 2015.

Melanie J. Gray,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2015–12541 Filed 5–22–15; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Heart, Lung, and Blood Institute; 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 Heart, Lung, and Blood Institute Special Emphasis Panel; NHLBI Program Project for Molecular Mechanisms in Salt Sensitivity.

Date: June 16, 2015.

Time: 1:00 p.m. to 3:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Room 7202, Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: Melissa E Nagelin, Ph.D. , Scientific Review Officer, Office of Scientific Review/DERA, National Heart, Lung, and Blood Institute, 6701 Rockledge Drive, Room 7202, Bethesda, MD 20892, 301–435–0297 *nagelinmh2@nhlbi.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.233, National Center for Sleep Disorders Research; 93.837, Heart and Vascular Diseases Research; 93.838, Lung Diseases Research; 93.839, Blood Diseases and Resources Research, National Institutes of Health, HHS)

Dated: May 19, 2015.

Carolyn Baum,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2015–12534 Filed 5–22–15; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Mental Health; Amended Notice of Meeting

Notice is hereby given of a change in the meeting of the National Advisory Mental Health Council, May 29, 2015, 8:30 a.m. to May 29, 2015, 5:00 p.m., National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Conference Room C/D/E, Rockville, MD, 20852 which was published in the **Federal Register** on April 29, 2015, 80 FR 23806.

The meeting notice is amended to change the starting time of the Closed Session from 8:30 a.m. to 9:00 a.m. The meeting is partially Closed to the public.

Dated: May 19, 2015.

Carolyn Baum,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2015–12537 Filed 5–22–15; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[USCG–2015–0099; OMB Control Number 1625–0069]

Collection of Information Under Review by Office of Management and Budget

AGENCY: Coast Guard, DHS.

ACTION: Thirty-day notice requesting comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 the U.S. Coast Guard is forwarding the Information Collection Request (ICR), abstracted below, to the Office of Management and Budget (OMB), Office of Information and Regulatory Affairs (OIRA), requesting approval of an extension of a currently approved collection: 1625–0069, Ballast Water Management for Vessels with Ballast Tanks Entering U.S. Waters. Review and comments by OIRA ensure we only impose paperwork burdens commensurate with our performance of duties.

DATES: Comments must reach the Coast Guard and OIRA on or before June 25, 2015.

ADDRESSES: You may submit comments identified by Coast Guard docket number [USCG–2015–0099] to the Docket Management Facility (DMF) at the U.S. Department of Transportation (DOT) and/or to OIRA. To avoid duplicate submissions, please use only one of the following means:

(1) *Online:* (a) To Coast Guard docket at *http://www.regulations.gov.* (b) To OIRA by email via: *OIRA-submission@omb.eop.gov* .

(2) *Mail:* (a) DMF (M–30), DOT, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590–0001 (b) To OIRA, 725 17th Street NW., Washington, DC 20503, attention Desk Officer for the Coast Guard.

(3) *Hand Delivery:* To DMF address above, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202–366–9329.

(4) *Fax:* (a) To DMF, 202–493–2251. (b) To OIRA at 202–395–6566. To ensure your comments are received in a timely manner, mark the fax, attention Desk Officer for the Coast Guard.

The DMF maintains the public docket for this Notice. Comments and material received from the public, as well as documents mentioned in this Notice as being available in the docket, will become part of the docket and will be available for inspection or copying at room W12–140 on the West Building Ground Floor, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. You may also find the docket on the Internet at *http://www.regulations.gov.*

Copies of the ICRs are available through the docket on the Internet at *http://www.regulations.gov.* Additionally, copies are available from: Commandant (CG–612), Attn: Paperwork Reduction Act Manager, U.S. Coast Guard, 2703 Martin Luther King Jr Ave SE., STOP 7710, Washington, DC 20593–7710.

FOR FURTHER INFORMATION CONTACT: Mr. Anthony Smith, Office of Information Management, telephone 202–475–3532 or fax 202–372–8405, for questions on these documents. Contact Ms. Cheryl Collins, Program Manager, Docket Operations, 202–366–9826, for questions on the docket.

SUPPLEMENTARY INFORMATION:

Public Participation and Request for Comments

This Notice relies on the authority of the Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended. An ICR is an application to OIRA seeking the approval, extension, or renewal of a Coast Guard collection of information (Collection). The ICR contains information describing the Collection's purpose, the Collection's likely burden on the affected public, an explanation of the necessity of the Collection, and other important information describing the Collections. There is one ICR for each Collection.

The Coast Guard invites comments on whether this ICR should be granted based on the Collection being necessary for the proper performance of Departmental functions. In particular, the Coast Guard would appreciate comments addressing: (1) The practical utility of the Collection; (2) the accuracy of the estimated burden of the

Collection; (3) ways to enhance the quality, utility, and clarity of information subject to the Collection; and (4) ways to minimize the burden of the Collection on respondents, including the use of automated collection techniques or other forms of information technology. These comments will help OIRA determine whether to approve the ICR referred to in this Notice.

We encourage you to respond to this request by submitting comments and related materials. Comments to Coast Guard or OIRA must contain the OMB Control Number of the ICR. They must also contain the docket number of this request, [USCG 2015–0099], and must be received by June 25, 2015. We will post all comments received, without change, to *http://www.regulations.gov.* They will include any personal information you provide. We have an agreement with DOT to use their DMF. Please see the ''Privacy Act'' paragraph below.

Submitting Comments

If you submit a comment, please include the docket number [USCG–2015–0099]; indicate the specific section of the document to which each comment applies, providing a reason for each comment. You may submit your comments and material online (via *http://www.regulations.gov*), by fax, mail, or hand delivery, but please use only one of these means. If you submit a comment online via *www.regulations.gov*, it will be considered received by the Coast Guard when you successfully transmit the comment. If you fax, hand deliver, or mail your comment, it will be considered as having been received by the Coast Guard when it is received at the DMF. We recommend you include your name, mailing address, an email address, or other contact information in the body of your document so that we can contact you if we have questions regarding your submission.

You may submit comments and material by electronic means, mail, fax, or delivery to the DMF at the address under **ADDRESSES**, but please submit them by only one means. To submit your comment online, go to *http://www.regulations.gov*, and type ''USCG–2015–0099'' in the ''Search'' box. If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit comments by mail and would like to know that they reached the Facility, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period and will address them accordingly.

Viewing Comments and Documents

To view comments, as well as documents mentioned in this Notice as being available in the docket, go to *http://www.regulations.gov*, click on the ''read comments'' box, which will then become highlighted in blue. In the ''Search'' box insert ''USCG–2015–0099'' and click ''Search.'' Click the ''Open Docket Folder'' in the ''Actions'' column. You may also visit the DMF in Room W12–140 on the ground floor of the DOT West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

OIRA posts its decisions on ICRs online at *http://www.reginfo.gov/public/do/PRAMain* after the comment period for each ICR. An OMB Notice of Action on each ICR will become available via a hyperlink in the OMB Control Numbers: 1625–0069.

Privacy Act

Anyone can search the electronic form of comments received in dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review a Privacy Act statement regarding Coast Guard public dockets in the January 17, 2008, issue of the **Federal Register** (73 FR 3316).

Previous Request for Comments

This request provides a 30-day comment period required by OIRA. The Coast Guard published the 60-day notice (80 FR 15240, March 23, 2015) required by 44 U.S.C. 3506(c)(2). That Notice elicited no comments.

Information Collection Request

1. *Title:* Ballast Water Management for Vessels with Ballast Tanks Entering U.S. Waters.

OMB Control Number: 1625–0069.

Type of Request: Extension of a currently approved collection.

Respondents: Owners and operators of certain vessels.

Abstract: The information is needed to carry out the reporting and recordkeeping requirements of 16 United States Code 4711 regarding the management of ballast water, to prevent the introduction and spread of aquatic nuisance species into U.S. waters.

Forms: None.

Burden Estimate: The estimated burden remains 60,961 hours a year.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended.

Dated: May 14, 2015.

Thomas P. Michelli,

U.S. Coast Guard, Chief Information Officer, Acting.

[FR Doc. 2015–12551 Filed 5–22–15; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID: FEMA–2015–0013; OMB No. 1660–0008]

Agency Information Collection Activities: Proposed Collection; Comment Request; Elevation Certificate/Floodproofing Certificate

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: The Federal Emergency Management Agency, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on a revision of a currently approved information collection. In accordance with the Paperwork Reduction Act of 1995, this notice seeks comments concerning the National Flood Insurance Program Elevation Certificate and Flood proofing Certificate for Non-Residential Structures.

DATES: Comments must be submitted on or before July 27, 2015.

ADDRESSES: To avoid duplicate submissions to the docket, please use only one of the following means to submit comments:

(1) *Online.* Submit comments at *www.regulations.gov* under Docket ID FEMA–2015–0013. Follow the instructions for submitting comments.

(2) *Mail.* Submit written comments to Docket Manager, Office of Chief Counsel, DHS/FEMA, 500 C Street SW., Room 8NE, Washington, DC 20472–3100.

(3) *Facsimile.* Submit comments to (202) 212–4701.

All submissions received must include the agency name and Docket ID. Regardless of the method used for submitting comments or material, all submissions will be posted, without change, to the Federal eRulemaking Portal at *http://www.regulations.gov,* and will include any personal information you provide. Therefore,

submitting this information makes it public. You may wish to read the Privacy Act notice that is available via the link in the footer of *www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Mary Chang, Insurance Examiner, FEMA, (202) 212–4701. You may contact the Records Management Division for copies of the proposed collection of information at facsimile number (202) 212–4701 or email address: *FEMA-Information-Collections-Management@fema.dhs.gov.*

SUPPLEMENTARY INFORMATION: Communities participating in the National Flood Insurance Program (NFIP) are required to adopt a floodplain management ordinance that meets or exceeds the minimum floodplain management requirements of the NFIP. In accordance with FEMA's minimum floodplain management criteria, communities must require that all new construction and substantial improvement of residential structures and non-residential structures have the lowest floor (including basement) elevated to above the base flood elevation, unless, for residential structures, the community is granted an exception by FEMA for the allowance of basements under 44 CFR 60.6(b) or (c). 44 CFR 60.3(c)(2) and (3)(i). New construction and substantial improvement of non-residential structures can also be floodproofed so that together with attendant utility and sanitary facilities are designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability to resist hydrostatic and hydrodynamic loads and effects of buoyancy. 44 CFR 60.3(c)(3)(ii). The Elevation Certificate and Floodproofing Certificate is one convenient way for a community to document building compliance. Title 44 CFR 61.7 and 61.8 require proper investigation to estimate the risk premium rates necessary to provide flood insurance.

Collection of Information

Title: Elevation Certificate/Floodproofing Certificate.

Type of Information Collection: Revision of a currently approved information collection.

OMB Number: 1660–0008.

FEMA Forms: FEMA Form 086–0–33, Elevation Certificate and FEMA Form 086–0–34, Flood proofing Certificate.

Abstract: The Elevation Certificate and Flood proofing Certificate and used in conjunction with the flood insurance application to rate Post-FIRM building in Special Flood Hazard Areas. Post-FIRM buildings are buildings constructed after the publication of the initial Flood Insurance Rate Map (FIRM) for the community. The Elevation Certificate and Flood proofing Certificate is also a convenient way for a NFIP participating community to document building compliance with FEMA's minimum floodplain management criteria.

Affected Public: Individuals or households; Business or other for-profit; Not-for-profit institutions; Farms, State, Local or Tribal government.

Number of Respondents: 9,322.

Number of Responses: 9,322.

Estimated Total Annual Burden Hours: 34,950.

Estimated Cost: The estimated annual cost to respondents operations and maintenance costs for technical services is $3,262,700. There are no annual start-up or capital costs.

Comments

Comments may be submitted as indicated in the **ADDRESSES** caption above. Comments are solicited to (a) evaluate whether the proposed data collection is necessary for the proper performance of the agency, including whether the information shall have practical utility; (b) evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) enhance the quality, utility, and clarity of the information to be collected; and (d) minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Dated: May 15, 2015.

Janice P. Waller,

Acting Director, Records Management Division, Mission Support, Federal Emergency Management Agency, Department of Homeland Security.

[FR Doc. 2015–12558 Filed 5–22–15; 8:45 am]

BILLING CODE 9110–11–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLIDT000000.L11200000.DD0000.241A.00; 4500069133]

Notice of Public Meetings, Twin Falls District Resource Advisory Council, Idaho

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of public meeting.

SUMMARY: In accordance with the Federal Land Policy and Management Act (FLPMA), the Federal Advisory Committee Act of 1972 (FACA), the U.S. Department of the Interior, Bureau of Land Management (BLM) Twin Falls District Resource Advisory Council (RAC) will meet as indicated below.

DATES: The Twin Falls District RAC will participate in a field tour of the Raft River Geothermal project and the Burley Sage-Grouse Landscape Habitat Restoration project. The tour will take place June 18, 2015. RAC members will meet at the Burley BLM Field Office, 15 East 200 South, Burley, Idaho 83318 for a short meeting prior to departing for the Malta area. The public comment period will take place from 9:10 a.m. to 9:40 a.m.

FOR FURTHER INFORMATION CONTACT: Heather Tiel-Nelson, Twin Falls District, Idaho, 2536 Kimberly Road, Twin Falls, Idaho 83301, (208) 736–2352.

SUPPLEMENTARY INFORMATION: The 15-member RAC advises the Secretary of the Interior, through the Bureau of Land Management, on a variety of planning and management issues associated with public land management in Idaho. The purpose of the June 18th field tour is to learn about the proposed geothermal development in the Raft River valley and to view the success of the Burley Landscape Sage-Grouse Habitat Restoration project. Additional topics may be added and will be included in local media announcements.

More information is available at *www.blm.gov/id/st/en/res/resource_advisory.3.html.* RAC meetings are open to the public.

Authority: 43 CFR 1784.4–1.

Michael C. Courtney,

BLM Twin Falls District Manager.

[FR Doc. 2015–12649 Filed 5–22–15; 8:45 am]

BILLING CODE 4310–GG–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–957]

Certain Touchscreen Controllers and Products Containing the Same Institution of investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on April 21, 2015, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, on behalf of Synaptics Incorporated of San Jose, California. Supplements were filed on May 7, 2015. The complaint, as supplemented, alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain touchscreen controllers and products containing the same by reason of infringement of certain claims of U.S. Patent No. 7,868,874 (''the '874 patent''); U.S. Patent No. 8,338,724 (''the '724 patent''); U.S. Patent No. 8,558,811 (''the '811 patent''); and U.S. Patent No. 8,952,916 (''the '916 patent''). The complaint further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337.

The complainant requests that the Commission institute an investigation and, after the investigation, issue a limited exclusion order and cease and desist orders.

ADDRESSES: The complaint, except for any confidential information contained therein, is 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., Room 112, Washington, DC 20436, telephone (202) 205–2000. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (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.*

FOR FURTHER INFORMATION CONTACT: The Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205–2560.

Authority: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 CFR 210.10 (2015).

Scope Of Investigation: Having considered the complaint, the U.S. International Trade Commission, on May 19, 2015, ORDERED THAT—

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain touchscreen controllers and products containing the same by reason of infringement of one or more of claims 1, 5, 6, 11, 16, 23–26, 39, 50, 51, 56, 57, 61, 62, and 64 of the '874 patent; claims 1–3, 5, 8, 12, and 19–22 of the '724 patent; claims 1, 3, 4, 7, 11, 12, 15, 16–18, 20, 23, and 25 of the '811 patent; and claims 1–3, 7, 9, 10, and 13–16 of the'916 patent, and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainant is: Synaptics Incorporated, 1251 McKay Drive, San Jose, CA 95131.

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

Shenzhen Huiding Technology Co., Ltd. a/k/a, Shenzhen Goodix Technology Co., Ltd., Floor 2 and 13, Phase B, Tengfei Industrial Building, Futian Freetrade Zone, Shenzhen 518000, China.

Goodix Technology Inc., 6370 Lusk Boulevard, Suite F204, San Diego, CA 92121.

BLU Products, Inc., 10814 NW 33rd Street, No. 100, Doral, FL 33172.

(c) The Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street SW., Suite 401, Washington, DC 20436; and

(3) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 CFR 210.13. Pursuant to 19 CFR 201.16(e) and 210.13(a), such responses will be considered by the Commission if received not later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.

Dated: May 20, 2015.

Lisa R. Barton,

Secretary to the Commission.

[FR Doc. 2015–12630 Filed 5–22–15; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Consent Decree Under the Clean Air Act

On May 14, 2015, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the Central District of Illinois in the lawsuit entitled *United States* v. *Enviro-Safe Refrigerants, Inc.,* Civil Action No. 1:15–cv–1196.

The United States of America, on behalf of the United States Environmental Protection Agency (''EPA''), filed a claim against Defendant Enviro-Safe Refrigerants, Inc. (''Enviro-Safe'') to obtain injunctive relief and civil penalties pursuant to Clean Air Act Sections 113 and 612, and the Significant New Alternatives Policy program regulations promulgated at 40 CFR part 82, subpart G §§ 82.170–82.184 (commonly known as the ''SNAP'' program). The United States alleged that Enviro-Safe had marketed and sold flammable hydrocarbon refrigerants as direct replacements for ozone-depleting substances without providing the

requisite information to EPA regarding such products. In resolving the United States' claims against Enviro-Safe, the proposed Decree requires a payment of $300,000 in civil penalty and imposes various restrictions on Enviro-Safe's future marketing activities to compel compliance with both the specific language and underlying intent of the SNAP regulations.

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. *Enviro-Safe Refrigerants, Inc.,* D.J. Ref. No. 90–5–2–1–11014. All comments must be submitted no later than 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.justice.gov/enrd/consent-decrees.* We will provide a paper copy of the Consent Decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

Please enclose a check or money order for $9.50 (25 cents per page reproduction cost) payable to the United States Treasury. For a paper copy without the exhibits and signature pages, the cost is $6.25.

Randall M. Stone,

Acting Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 2015–12586 Filed 5–22–15; 8:45 am]

BILLING CODE 4410–15–P

DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed First Amendment To Consent Decree Under The Clean Water Act (''CWA'')

On May 19, 2015, the Department of Justice lodged a proposed First Amendment to Consent Decree with the United States District Court for the District of Columbia, in the lawsuit entitled *United States of America* v. *District of Columbia Water and Sewer Authority, et al., and the District of Columbia,* Civil Action No. 1:00–cv–00183 (TFH).

The proposed First Amendment to Consent Decree, if approved, will amend and supersede the 2005 Clean Water Act Consent Decree in the same action. Under the 2005 Consent Decree, DC Water was required to implement its Long Term Control Plan (LTCP) which primarily consisted of the construction of a system of pumps and three underground storage tunnels to store excess flows pending treatment. The proposed Amendment provides for the incorporation of Green Infrastructure (GI) in the Potomac River and Rock Creek sewersheds, reduction of the size of the tunnel in the Potomac River, and construction of facilities at the Blue Plains wastewater treatment plant including a Tunnel Dewatering Pumping Station and an Enhanced Clarification Facility. Construction of the Anacostia tunnel has begun according to schedule and will not be affected by this proposed Amendment. The final compliance date of 2025 imposed in the 2005 Consent Decree would be extended to 2030.

The publication of this notice opens a period for public comment on the proposed First Amendment to Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States of America* v. *District of Columbia Water and Sewer Authority, et al., and the District of Columbia,* Civil Action No. 1:00–cv–00183 (TFH), D.J. Ref. No. 90–5–1–1–07137. 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 proposed First Amendment to Consent Decree may be examined and downloaded at this Justice Department Web site: *http://www.justice.gov/enrd/consent-decrees.* We will provide a paper copy of the proposed First Amendment to 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 $180.00 (25 cents per page reproduction cost) payable to the United States Treasury. For a paper copy without the exhibits and signature pages, the cost is $13.00.

Robert Brook,

Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 2015–12588 Filed 5–22–15; 8:45 am]

BILLING CODE 4410–15–P

DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Consent Decree Under the Clean Air Act

On May 19, 2015, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the Eastern District of Michigan in the lawsuit entitled *United States and Michigan Department of Environmental Quality* v. *AK Steel Corporation,* Civil Action No. 15–11804.

The United States filed this lawsuit under the Clean Air Act (CAA), naming AK Steel Corporation as the defendant. The complaint seeks injunctive relief and civil penalties for violations of the environmental regulations that govern iron and steel mills and the emission of particulate matter from certain sources at defendant's iron and steel mill in Dearborn, Wayne County, Michigan. The Michigan Department of Environmental Quality (MDEQ) joined the complaint as a co-plaintiff asserting the same claims under equivalent state laws and regulations. Under the proposed consent decree, AK Steel agrees to implement procedures to improve future compliance with the CAA and State regulations, and pay a total of $1,353,126 in civil penalties, to be divided equally between the United States and MDEQ. Under the proposed consent decree, AK Steel also agrees to fund the installation of air filtration systems at nearby public schools. In return, the United States and MDEQ agree not to sue the defendant under section 113 of the CAA related to its past violations.

The publication of this notice opens a period for public comment on the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States and MDEQ* v. *AK Steel Corp.,* D.J. Ref. No. 90–5–2–1–

10702. 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 proposed Consent Decree may be examined and downloaded at this Justice Department Web site: *http://www.justice.gov/enrd/consent-decrees*. We will provide a paper copy of the proposed Consent Decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

Please enclose a check or money order for $14.00 (25 cents per page reproduction cost) payable to the United States Treasury.

Randall M. Stone,

Acting Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 2015–12583 Filed 5–22–15; 8:45 am]

BILLING CODE 4410–15–P

NUCLEAR REGULATORY COMMISSION

[NRC–2015–0121]

Protective Action Recommendations for Members of the Public on Bodies of Water

AGENCY: Nuclear Regulatory Commission.

ACTION: Draft regulatory issue summary; request for comment.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is seeking public comment on a draft regulatory issue summary (RIS), RIS 2015–XX, ''Protective Action Recommendations for Members of the Public on Bodies of Water within the Emergency Planning Zone.'' This RIS addresses the development of protective action recommendations (PARs) for members of the public who are on bodies of water within the plume exposure pathway emergency planning zones (EPZ) for nuclear power reactors.

DATES: Submit comments by July 10, 2015. Comments received after this date will be considered if it is practical to do so, but the Commission is able to assure consideration only for comments received before this date.

ADDRESSES: You may submit comments by any of the following methods (unless this document describes a different method for submitting comments on a specific subject):

- *Federal Rulemaking Web site:* Go to *http://www.regulations.gov* and search for Docket ID NRC–2015–0121. Address questions about NRC dockets to Carol Gallagher; telephone: 301–415–3463; email: *Carol.Gallagher@nrc.gov.* For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *Mail comments to:* Cindy Bladey, Office of Administration, Mail Stop: OWFN–12–H08, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

For additional direction on obtaining information and submitting comments, see ''Obtaining Information and Submitting Comments'' in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Matthew Humberstone, Office of Nuclear Reactor Regulation; telephone: 301–415–1464, email: *Matthew.Humberstone@nrc.gov;* U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC–2015–0121 when contacting the NRC about the availability of information for this action. You may obtain publicly-available information related to this action by any of the following methods:

- *Federal Rulemaking Web site:* Go to *http://www.regulations.gov* and search for Docket ID NRC–2015–0121.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly-available documents online in the ADAMS Public Documents collection at *http://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''*ADAMS Public Documents''* and then select ''*Begin Web-based ADAMS Search.''* For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to *pdr.resource@nrc.gov.* The draft RIS, ''Protective Action Recommendations for Members of the Public on Bodies of Water within the Emergency Planning Zone,'' is available in ADAMS under Accession No. ML15022A610.
- *NRC's PDR:* You may examine and purchase copies of public documents at the NRC's PDR, Room O1–F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

B. Submitting Comments

Please include Docket ID NRC–2015–0121 in the subject line of your comment submission, in order to ensure that the NRC is able to make your comment submission available to the public in this docket.

The NRC cautions you not to include identifying or contact information that you do not want to be publicly disclosed in your comment submission. The NRC will post all comment submissions at *http://www.regulations.gov* as well as enter the comment submissions into ADAMS. The NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment submissions into ADAMS.

II. Background

The NRC is requesting public comments on the draft RIS. The NRC issues RISs to communicate with stakeholders on a broad range of regulatory matters. This may include communicating and restating staff technical positions on regulatory matters. The NRC staff has developed draft RIS 2015–XX to clarify its position on compliance with section 50.47(b)(10) of Title 10 of the *Code of Federal Regulations.* Specifically, power reactor licensees need to have PARs for the members of the public on bodies of water within the plume exposure pathway EPZ during a general emergency. The draft RIS is available in ADAMS under Accession No. ML15022A610.

Dated at Rockville, Maryland, this 19th day of May 2015.

For the Nuclear Regulatory Commission.

Sheldon Stuchell,

Chief, Generic Communications Branch, Division of Policy and Rulemaking, Office of Nuclear Reactor Regulation.

[FR Doc. 2015–12514 Filed 5–22–15; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2014–0272]

Information Collection: Requests to Non-Agreement States for Information

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of submission to the Office of Management and Budget; request for comment.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) has recently submitted a request for renewal of an existing collection of information to the Office of Management and Budget (OMB) for review. The information collection is entitled, ''Requests to Non-Agreement States for Information.''

DATES: Submit comments by June 25, 2015.

ADDRESSES: Submit comments directly to the OMB reviewer at: Vlad Dorjets, Desk Officer, Office of Information and Regulatory Affairs (3150–0200), NEOB–10202, Office of Management and Budget, Washington, DC 20503; telephone: (202) 395–7315, email: *Vladik_Dorjets@omb.eop.gov*.

FOR FURTHER INFORMATION CONTACT: Tremaine Donnell, NRC Clearance Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: (301) 415–6258; email: *INFOCOLLECTS.Resource@nrc.gov*.

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC–2014–0272 when contacting the NRC about the availability of information for this action. You may obtain publicly-available information related to this action by any of the following methods:

- *Federal Rulemaking Web site:* Go to *http://www.regulations.gov* and search for Docket ID NRC–2014–0272.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly-available documents online in the ADAMS Public Documents collection at *http://www.nrc.gov/reading-rm/adams.html*. To begin the search, select ''*ADAMS Public Documents*'' and then select ''*Begin Web-based ADAMS Search*.'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, (301) 415–4737, or by email to *pdr.resource@nrc.gov*. The supporting statement is available in ADAMS under Accession ML15091A198.
- *NRC's PDR:* You may examine and purchase copies of public documents at the NRC's PDR, Room O1–F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.
- *NRC's Clearance Officer:* A copy of the collection of information and related instructions may be obtained without charge by contacting the NRC's Clearance Officer, Tremaine Donnell, Office of Information Services, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: (301) 415–6258; email: *INFOCOLLECTS.Resource@NRC.GOV*.

B. Submitting Comments

The NRC cautions you not to include identifying or contact information in comment submissions that you do not want to be publicly disclosed in your comment submission. All comment submissions are posted at *http://www.regulations.gov* and entered into ADAMS. Comment submissions are not routinely edited to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the OMB, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that comment submissions are not routinely edited to remove such information before making the comment submissions available to the public or entering the comment into ADAMS.

II. Background

Under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the NRC recently submitted a request for renewal of an existing collection of information to OMB for review entitled, ''Requests to Non-Agreement States for Information.'' The NRC hereby informs potential respondents that an agency may not conduct or sponsor, and that a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The NRC published a **Federal Register** notice with a 60-day comment period on this information collection on January 8, 2015 (80 FR 1051).

1. *The title of the information collection:* Requests to Non-Agreement States for Information.

2. *OMB approval number:* 3150–0200

3. *Type of submission:* Revision

4. *The form number if applicable:* Not applicable

5. *How often the collection is required or requested:* On occasion

6. *Who will be required or asked to respond:* The 15 Non-Agreement States (13 States, the District of Columbia, and the Commonwealth of Puerto Rico that have not signed 274(b) Agreements with the NRC)

7. *The estimated number of annual responses:* 120

8. *The estimated number of annual respondents:* 15

9. *An estimate of the total number of hours needed annually to comply with the information collection requirement or request:* 1,089

10. *Abstract:* The NRC is seeking to revise this information collection to be a plan for a generic collection of information. The need and practicality of the collection can be evaluated, but the details of the specific individual collections will not be known until a later time. Requests may be made of Non-Agreement States that are similar to those of Agreement States to provide a more complete overview of the national program for regulating radioactive materials. This information would be used in the decision-making of the Commission. With Agreement States and as part of the NRC's cooperative post-agreement program with the States pursuant to section 274(b), information on licensing and inspection practices, and/or incidents, and other technical and statistical information are exchanged. Therefore, information requests sought may take the form of surveys, *e.g.,* telephonic and electronic surveys/polls and facsimiles.

Dated at Rockville, Maryland, this 14th day of May 2015.

For the Nuclear Regulatory Commission.

Tremaine Donnell,

NRC Clearance Officer, Office of Information Services.

[FR Doc. 2015–12388 Filed 5–22–15; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2015–0128]

Biweekly Notice; Applications and Amendments to Facility Operating Licenses and Combined Licenses Involving No Significant Hazards Considerations

AGENCY: Nuclear Regulatory Commission.

ACTION: Biweekly notice.

SUMMARY: Pursuant to Section 189a. (2) of the Atomic Energy Act of 1954, as amended (the Act), the U.S. Nuclear Regulatory Commission (NRC) is publishing this regular biweekly notice. The Act requires the Commission to publish notice of any amendments issued, or proposed to be issued and grants the Commission the authority to issue and make immediately effective any amendment to an operating license or combined license, as applicable, upon a determination by the Commission that such amendment involves no significant hazards consideration, notwithstanding the pendency before the Commission of a request for a hearing from any person.

This biweekly notice includes all notices of amendments issued, or proposed to be issued from April 30, 2015, to May 13, 2015. The last biweekly notice was published on May 12, 2015.

DATES: Comments must be filed by June 25, 2015. A request for a hearing must be filed by July 27, 2015.

ADDRESSES: You may submit comments by any of the following methods (unless this document describes a different method for submitting comments on a specific subject):

- *Federal Rulemaking Web Site:* Go to *http://www.regulations.gov* and search for Docket ID NRC–2015–0128. Address questions about NRC dockets to Carol Gallagher; telephone: 301–415–3463; email: *Carol.Gallagher@nrc.gov*. For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *Mail comments to:* Cindy Bladey, Office of Administration, Mail Stop: OWFN–12–H08, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

For additional direction on obtaining information and submitting comments, see ''Obtaining Information and Submitting Comments'' in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Janet Burkhardt, Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington DC 20555–0001; telephone: 301–415–1384, email: *Janet.Burkhardt@nrc.gov*.

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC–2015–0128 when contacting the NRC about the availability of information for this action. You may obtain publicly-available information related to this action by any of the following methods:

- *Federal Rulemaking Web Site:* Go to *http://www.regulations.gov* and search for Docket ID NRC–2015–0128.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly-available documents online in the ADAMS Public Documents collection at *http://www.nrc.gov/reading-rm/adams.html*. To begin the search, select ''*ADAMS Public Documents*'' and then select ''*Begin Web-based ADAMS Search.*'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to *pdr.resource@nrc.gov*. The ADAMS accession number for each document referenced (if it is available in ADAMS) is provided the first time that it is mentioned in the **SUPPLEMENTARY INFORMATION** section.
- *NRC's PDR:* You may examine and purchase copies of public documents at the NRC's PDR, Room O1–F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

B. Submitting Comments

Please include Docket ID NRC–2015–0128, facility name, unit number(s), application date, and subject in your comment submission.

The NRC cautions you not to include identifying or contact information that you do not want to be publicly disclosed in your comment submission. The NRC posts all comment submissions at *http://www.regulations.gov* as well as entering the comment submissions into ADAMS. The NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment submissions into ADAMS.

II. Notice of Consideration of Issuance of Amendments to Facility Operating Licenses and Combined Licenses and Proposed No Significant Hazards Consideration Determination

The Commission has made a proposed determination that the following amendment requests involve no significant hazards consideration. Under the Commission's regulations in § 50.92 of Title 10 of the *Code of Federal Regulations* (10 CFR), this means that operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated, or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. The basis for this proposed determination for each amendment request is shown below.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendment until the expiration of 60 days after the date of publication of this notice. The Commission may issue the license amendment before expiration of the 60-day period provided that its final determination is that the amendment involves no significant hazards consideration. In addition, the Commission may issue the amendment prior to the expiration of the 30-day comment period should circumstances change during the 30-day comment period such that failure to act in a timely way would result, for example in derating or shutdown of the facility. Should the Commission take action prior to the expiration of either the comment period or the notice period, it will publish in the **Federal Register** a notice of issuance. Should the Commission make a final No Significant Hazards Consideration Determination, any hearing will take place after issuance. The Commission expects that the need to take this action will occur very infrequently.

A. Opportunity To Request a Hearing and Petition for Leave To Intervene

Within 60 days after the date of publication of this notice, any person(s) whose interest may be affected by this action may file a request for a hearing and a petition to intervene with respect to issuance of the amendment to the subject facility operating license or combined license. Requests for a hearing and a petition for leave to intervene shall be filed in accordance with the Commission's ''Agency Rules of Practice and Procedure'' in 10 CFR part 2. Interested person(s) should consult a current copy of 10 CFR 2.309, which is available at the NRC's PDR, located at One White Flint North, Room O1–F21, 11555 Rockville Pike (first floor), Rockville, Maryland 20852. The NRC's regulations are accessible electronically from the NRC Library on the NRC's Web site at *http://www.nrc.gov/reading-rm/doc-collections/cfr/*. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or a presiding officer designated by the Commission or by the Chief Administrative Judge of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary or the Chief Administrative Judge of the Atomic Safety and Licensing Board will issue a notice of a hearing or an appropriate order.

As required by 10 CFR 2.309, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following general requirements: (1) The name, address, and telephone number of the requestor or petitioner; (2) the nature of the requestor's/petitioner's right under the Act to be made a party to the proceeding; (3) the nature and extent of the requestor's/petitioner's property, financial, or other interest in the proceeding; and (4) the possible effect of any decision or order which may be entered in the proceeding on the requestor's/petitioner's interest. The petition must also identify the specific contentions which the requestor/petitioner seeks to have litigated at the proceeding.

Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the requestor/petitioner shall provide a brief explanation of the bases for the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the requestor/petitioner intends to rely in proving the contention at the hearing. The requestor/petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the requestor/petitioner intends to rely to establish those facts or expert opinion. The petition must include sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the requestor/petitioner to relief. A requestor/petitioner who fails to satisfy these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing.

If a hearing is requested, the Commission will make a final determination on the issue of no significant hazards consideration. The final determination will serve to decide when the hearing is held. If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment. If the final determination is that the amendment request involves a significant hazards consideration, then any hearing held would take place before the issuance of any amendment unless the Commission finds an imminent danger to the health or safety of the public, in which case it will issue an appropriate order or rule under 10 CFR part 2.

B. Electronic Submissions (E-Filing)

All documents filed in NRC adjudicatory proceedings, including a request for hearing, a petition for leave to intervene, any motion or other document filed in the proceeding prior to the submission of a request for hearing or petition to intervene, and documents filed by interested governmental entities participating under 10 CFR 2.315(c), must be filed in accordance with the NRC's E-Filing rule (72 FR 49139; August 28, 2007). The E-Filing process requires participants to submit and serve all adjudicatory documents over the internet, or in some cases to mail copies on electronic storage media. Participants may not submit paper copies of their filings unless they seek an exemption in accordance with the procedures described below.

To comply with the procedural requirements of E-Filing, at least ten 10 days prior to the filing deadline, the participant should contact the Office of the Secretary by email at *hearing.docket@nrc.gov*, or by telephone at 301–415–1677, to request (1) a digital identification (ID) certificate, which allows the participant (or its counsel or representative) to digitally sign documents and access the E-Submittal server for any proceeding in which it is participating; and (2) advise the Secretary that the participant will be submitting a request or petition for hearing (even in instances in which the participant, or its counsel or representative, already holds an NRC-issued digital ID certificate). Based upon this information, the Secretary will establish an electronic docket for the hearing in this proceeding if the Secretary has not already established an electronic docket.

Information about applying for a digital ID certificate is available on the NRC's public Web site at *http://www.nrc.gov/site-help/e-submittals/getting-started.html*. System requirements for accessing the E-Submittal server are detailed in the NRC's ''Guidance for Electronic Submission,'' which is available on the agency's public Web site at *http://www.nrc.gov/site-help/e-submittals.html*. Participants may attempt to use other software not listed on the Web site, but should note that the NRC's E-Filing system does not support unlisted software, and the NRC Meta System Help Desk will not be able to offer assistance in using unlisted software.

If a participant is electronically submitting a document to the NRC in accordance with the E-Filing rule, the participant must file the document using the NRC's online, Web-based submission form. In order to serve documents through the Electronic Information Exchange System, users will be required to install a Web browser plug-in from the NRC's Web site. Further information on the Web-based submission form, including the installation of the Web browser plug-in, is available on the NRC's public Web site at *http://www.nrc.gov/site-help/e-submittals.html*.

Once a participant has obtained a digital ID certificate and a docket has been created, the participant can then

submit a request for hearing or petition for leave to intervene. Submissions should be in Portable Document Format (PDF) in accordance with NRC guidance available on the NRC's public Web site at *http://www.nrc.gov/site-help/e-submittals.html.* A filing is considered complete at the time the documents are submitted through the NRC's E-Filing system. To be timely, an electronic filing must be submitted to the E-Filing system no later than 11:59 p.m. Eastern Time on the due date. Upon receipt of a transmission, the E-Filing system time-stamps the document and sends the submitter an email notice confirming receipt of the document. The E-Filing system also distributes an email notice that provides access to the document to the NRC's Office of the General Counsel and any others who have advised the Office of the Secretary that they wish to participate in the proceeding, so that the filer need not serve the documents on those participants separately. Therefore, applicants and other participants (or their counsel or representative) must apply for and receive a digital ID certificate before a hearing request/petition to intervene is filed so that they can obtain access to the document via the E-Filing system.

A person filing electronically using the NRC's adjudicatory E-Filing system may seek assistance by contacting the NRC Meta System Help Desk through the ''Contact Us'' link located on the NRC's public Web site at *http://www.nrc.gov/site-help/e-submittals.html*, by email to *MSHD.Resource@nrc.gov*, or by a toll-free call at 1–866–672–7640. The NRC Meta System Help Desk is available between 8 a.m. and 8 p.m., Eastern Time, Monday through Friday, excluding government holidays.

Participants who believe that they have a good cause for not submitting documents electronically must file an exemption request, in accordance with 10 CFR 2.302(g), with their initial paper filing requesting authorization to continue to submit documents in paper format. Such filings must be submitted by: (1) First class mail addressed to the Office of the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, Attention: Rulemaking and Adjudications Staff; or (2) courier, express mail, or expedited delivery service to the Office of the Secretary, Sixteenth Floor, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852, Attention: Rulemaking and Adjudications Staff. Participants filing a document in this manner are responsible for serving the document on all other participants. Filing is considered complete by first-class mail as of the time of deposit in the mail, or by courier, express mail, or expedited delivery service upon depositing the document with the provider of the service. A presiding officer, having granted an exemption request from using E-Filing, may require a participant or party to use E-Filing if the presiding officer subsequently determines that the reason for granting the exemption from use of E-Filing no longer exists.

Documents submitted in adjudicatory proceedings will appear in the NRC's electronic hearing docket which is available to the public at *http://ehd1.nrc.gov/ehd/*, unless excluded pursuant to an order of the Commission, or the presiding officer. Participants are requested not to include personal privacy information, such as social security numbers, home addresses, or home phone numbers in their filings, unless an NRC regulation or other law requires submission of such information. However, in some instances, a request to intervene will require including information on local residence in order to demonstrate a proximity assertion of interest in the proceeding. With respect to copyrighted works, except for limited excerpts that serve the purpose of the adjudicatory filings and would constitute a Fair Use application, participants are requested not to include copyrighted materials in their submission.

Petitions for leave to intervene must be filed no later than 60 days from the date of publication of this notice. Requests for hearing, petitions for leave to intervene, and motions for leave to file new or amended contentions that are filed after the 60-day deadline will not be entertained absent a determination by the presiding officer that the filing demonstrates good cause by satisfying the three factors in 10 CFR 2.309(c)(1)(i)–(iii).

For further details with respect to these license amendment applications, see the application for amendment which is available for public inspection in ADAMS and at the NRC's PDR. For additional direction on accessing information related to this document, see the ''Obtaining Information and Submitting Comments'' section of this document.

Dominion Nuclear Connecticut, Inc., Docket No. 50–423, Millstone Power Station, Unit 3 (MPS3), New London County, Connecticut

Date of amendment request: August 19, 2014, as supplemented by letter dated January 26, 2015. Publicly-available versions are in ADAMS under Accession Nos. ML14237A099 and ML15033A381, respectively.

Description of amendment request: The amendment would revise the MPS3 Technical Specification (TS) 3/4.7.1.2, ''Auxiliary Feedwater System,'' Surveillance Requirement (SR) 4.7.1.2.1.b. The proposed change is consistent with the Standard Technical Specifications for Westinghouse Plants (NUREG–1431, Revision 4).

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. The proposed amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated.

Response: No.

The proposed amendment associated with the modifications to the existing surveillance requirement will not cause an accident to occur and will not result in any change in the operation of the associated accident mitigation equipment. The ability of the equipment associated with the proposed amendment to mitigate the design basis accidents will not be affected. The proposed Technical Specification surveillance requirement is sufficient to ensure the required accident mitigation equipment will be available and function properly for design basis accident mitigation. In addition, the design basis accidents will remain the same postulated events described in the MPS3 Final Safety Analysis Report, and the consequences of those events will not be affected.

Therefore, the proposed amendment will not significantly increase the probability or consequences of an accident previously evaluated.

2. The proposed amendment does not create the possibility of a new or different kind of accident from any accident previously evaluated.

Response: No.

The proposed amendment to the Technical Specifications surveillance requirement does not impact any system or component that could cause an accident. The proposed amendment does not involve a physical alteration of the plant. No new or different types of equipment will be installed and there are no physical modifications to existing equipment associated with the proposed amendment. The proposed amendment will not alter the way any structure, system, or component functions, and will not alter the manner in which the plant is operated or require any new operator actions. There will be no adverse effect on plant operation or accident mitigation equipment. The response of the plant and the operators following an accident will not be different. In addition, the proposed amendment does not create the possibility of a new failure mode associated with any equipment or personnel failures.

Therefore, the proposed amendment will not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. The proposed amendment does not involve a significant reduction in a margin of safety?

Response: No.

The proposed amendment to the Technical Specification surveillance requirement will not cause an accident to occur and will not result in any change in the operation of the associated accident mitigation equipment. The equipment associated with the proposed Technical Specification surveillance requirement will continue to be able to mitigate the design basis accidents as assumed in the safety analysis. The proposed surveillance requirement is adequate to ensure proper operation of the affected accident mitigation equipment. In addition, the proposed amendment will not affect equipment design or operation, and there are no changes being made to the Technical Specification required safety limits or safety system settings. The proposed amendment, in conjunction with the IST [Inservice Testing] Program, will provide adequate control measures to ensure the accident mitigation functions are maintained.

Therefore, the proposed amendment will not result in a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: Lillian M. Cuoco, Senior Counsel, Dominion Resource Services, Inc., 120 Tredegar Street, RS–2, Richmond, VA 23219.

NRC Acting Branch Chief: Michael I. Dudek.

Duke Energy Carolinas, LLC, Docket Nos. 50–269, 50–270, and 50–287, Oconee Nuclear Station (ONS), Units 1, 2, and 3, Oconee County, South Carolina

Date of amendment request: September 18, 2014. A publicly-available version is in ADAMS under Accession No. ML14269A078.

Description of amendment request: The amendment would revise the Technical Specifications (TS) to define a new time limit for restoring inoperable Reactor Coolant System (RCS) leakage detection instrumentation to operable status and establish alternate methods of monitoring RCS leakage when one or more required monitors are inoperable.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed change modifies the operability requirements for the Reactor Coolant System (RCS) leakage detection instrumentation to include a containment atmosphere gaseous radioactivity monitor and incorporates a reduction in the time allowed for the plant to operate when the only TS-required operable RCS leakage detection instrumentation monitor is the containment atmosphere gaseous radioactivity monitor. Accidents described in the ONS Updated Final Safety Analysis Report involving RCS leakage are both small and large breaks in reactor coolant pressure boundary (RCPB) piping. Such accidents already assume RCPB leakage (*i.e.,* gross leakage). Thus, any change to Technical Specifications involving equipment that monitor[s] RCPB leakage is not a precursor to any accident previously evaluated. In addition, any change to Technical Specifications involving equipment that monitor[s] RCPB leakage is not used to mitigate the consequences of any accident previously evaluated.

Therefore, it is concluded that the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed change modifies the operability requirements for the RCS leakage detection instrumentation to include a containment atmosphere gaseous radioactivity monitor and incorporates a reduction in the time allowed for the plant to operate when the only TS-required operable RCS leakage detection instrumentation monitor is the containment atmosphere gaseous radioactivity monitor. The proposed change does not involve a physical alteration of the plant (no new or different type of equipment will be installed) or a change in the methods governing normal plant operation. The proposed change maintains sufficient continuity and diversity of leak detection capability that the probability of piping evaluated and approved for Leak-Before-Break progressing to pipe rupture remains extremely low.

Therefore, it is concluded that the proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

Response: No.

The proposed change modifies the operability requirements for the RCS leakage detection instrumentation to include a containment atmosphere gaseous radioactivity monitor and incorporates a reduction in the time allowed for the plant to operate when the only TS-required operable RCS leakage detection instrumentation monitor is the containment atmosphere gaseous radioactivity monitor. By adding the option of utilizing a containment atmosphere gaseous radioactivity monitor in place of the existing containment atmosphere particulate radioactivity monitor, ONS more closely conforms to NUREG–1430, Revision 3.0 TS limiting conditions for operation requirements for RCS leakage detection instrumentation. Since NUREG–1430 is an NRC-controlled document, the reduction in margin of safety for adding the option of utilizing a containment atmosphere gaseous radioactivity monitor in place of the existing containment atmosphere particulate radioactivity monitor is acceptable to the NRC and not considered significant. The reduced amount of time the plant is allowed to operate with only the containment atmosphere gaseous radioactivity monitor operable increases the margin of safety by increasing the likelihood that an increase in RCS leakage will be detected before it potentially results in gross failure.

Therefore, it is concluded that the proposed change does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: Lara S. Nichols, Deputy General Counsel, Duke Energy Corporation, 550 South Tryon Street—DEC45A, Charlotte, NC 28202–1802.

NRC Branch Chief: Robert J. Pascarelli.

Energy Northwest, Docket No. 50–397, Columbia Generating Station (CGS), Benton County, Washington

Date of amendment request: March 17, 2015. A publicly-available version is in ADAMS under Accession No. ML15093A178.

Description of amendment request: The amendment would modify the CGS Technical Specifications (TSs) by relocating specific surveillance frequencies to a licensee-controlled program consistent with NRC-approved Technical Specifications Task Force (TSTF) Traveler TSTF–425, Revision 3, ''Relocate Surveillance Frequencies to Licensee Control—RITSTF [Risk-Informed Technical Specifications Task Force] Initiative 5b,'' dated March 18, 2009 (ADAMS Accession No. ML090850642). The availability of this TS improvement program was announced in the **Federal Register** on July 6, 2009 (74 FR 31996). Energy Northwest has proposed certain plant-specific variations and deviations from TSTF–425, Revision 3, as described in its application dated March 17, 2015.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed change involve a significant increase in the probability or consequences of any accident previously evaluated?

Response: No.

The proposed change relocates the specified frequencies for periodic surveillance requirements to licensee control under a new Surveillance Frequency Control Program. Surveillance frequencies are not an initiator to any accident previously evaluated. As a result, the probability of any accident previously evaluated is not significantly increased. The systems and components required by the technical specifications for which the surveillance frequencies are relocated are still required to be operable, meet the acceptance criteria for the surveillance requirements, and be capable of performing any mitigation function assumed in the accident analysis. As a result, the consequences of any accident previously evaluated are not significantly increased.

Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any previously evaluated?

Response: No.

No new or different accidents result from utilizing the proposed change. The changes do not involve a physical alteration of the plant (*i.e.,* no new or different type of equipment will be installed) or a change in the methods governing normal plant operation. In addition, the changes do not impose any new or different requirements. The changes do not alter assumptions made in the safety analysis. The proposed changes are consistent with the safety analysis assumptions and current plant operating practice.

Therefore, the proposed changes do not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed change involve a significant reduction in the margin of safety?

Response: No.

The design, operation, testing methods, and acceptance criteria for systems, structures, and components (SSCs), specified in applicable codes and standards (or alternatives approved for use by the NRC) will continue to be met as described in the plant licensing basis (including the final safety analysis report and bases to the Technical Specifications (TS)), because these are not affected by changes to the surveillance frequencies. Similarly, there is no impact to safety analysis acceptance criteria as described in the plant licensing basis. To evaluate a change in the relocated surveillance frequency, Energy Northwest will perform a probabilistic risk evaluation using the guidance contained in NRC approved [Nuclear Energy Institute (NEI) 04–10, Revision 1, ''Risk-Informed Technical Specifications Initiative 5b, Risk-Informed Method for Control of Surveillance Frequencies,'' April 2007 (ADAMS Accession No. ML071360456)] in accordance with the TS Surveillance Frequency Control Program. NEI 04–10, Revision 1, methodology provides reasonable acceptance guidelines and methods for evaluating the risk increase of proposed changes to surveillance frequencies consistent with Regulatory Guide 1.177 [Revision 1, ''An Approach for Plant-Specific, Risk-Informed Decisionmaking: Technical Specifications,'' May 2011 (ADAMS Accession No. ML100910008)].

Therefore, the proposed changes do not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: William A. Horin, Esq., Winston & Strawn, 1700 K Street NW., Washington, DC 20006–3817.

NRC Branch Chief: Michael T. Markley.

PSEG Nuclear LLC, Docket Nos. 50–272 and 50–311, Salem Nuclear Generating Station, Units 1 and 2, Salem County, New Jersey

Date of amendment request: March 9, 2015, as supplemented by letter dated April 10, 2015. Publicly-available versions are in ADAMS under Accession Nos. ML15068A359 and ML15100A406, respectively.

Description of amendment request: The amendment would create new Technical Specification (TS) 3.9.2.1, ''Refueling Operations/Unborated Water Source Isolation Valves,'' to isolate unborated water sources in Mode 6 (Refueling) and revise the exiting TS 3.9.2, ''Refueling Operations/Instrumentation,'' to support using the Gamma-Metrics Post Accident Neutron Monitors (PANM) for neutron flux indication during Mode 6. TS 3.9.2 is renumbered as TS 3.9.2.2 and the TS language is re-worded to be consistent with the language in NUREG–1431, Revision 4, ''Standard Technical Specifications Westinghouse Plants.''

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Do the proposed changes involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

A boron dilution event during Mode 6 has been precluded through the proposed Technical Specification (TS) Limiting Condition for Operation 3.9.2.1, which requires isolating unborated water sources by securing valves in the closed position.

The primary function of the source range neutron flux monitors in Mode 6 is to inform the operators of unexpected changes in core reactivity. The proposed change to allow using the Gamma-Metric PANM for neutron flux monitoring during Mode 6 does not increase the probability of an accident previously evaluated, because the source range neutron flux monitors are not accident initiators or precursors.

The use of Gamma-Metrics PANM, does not significantly increase the consequences of a boron dilution event. Boron dilution during Mode 6 has been precluded by isolating unborated water sources by securing valves in the closed position. The use of Gamma Metrics PANM, does not affect the integrity of the fission product barriers utilized for the mitigation of radiological dose consequences as a result of an accident.

Therefore, the proposed changes do not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Do the proposed changes create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The Gamma-Metrics PANMs are used for monitoring neutron flux and criticality assessment in Mode 6. The proposed changes will not adversely affect this monitoring capability. The proposed changes do not involve any physical modification of plant systems, structures, or components, or changes in parameters governing plant operation. No new accident scenarios, failure mechanisms, or single failures are introduced as a result of any of the proposed changes. Source range neutron flux monitors are not accident initiators.

Therefore, the proposed changes do not create the possibility of a new or different kind of accident from any previously evaluated.

3. Do the proposed changes involve a significant reduction in a margin of safety?

Response: No.

Margin of safety is related to the confidence in the ability of the fission product barriers to perform their intended functions. These barriers include the fuel cladding, the reactor coolant system pressure boundary, and the containment. The proposed TS changes do not affect any of these barriers. No accident mitigating equipment will be adversely impacted by the proposed changes. Boron dilution during Mode 6 has been precluded by isolating unborated water sources by securing valves in the closed position. The Gamma-Metrics PANM are not explicitly credited in any accident analysis for Mode 6. The existing safety margins are preserved.

Therefore, the proposed changes do not involve a significant reduction in the margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: Jeffrie J. Keenan, PSEG Nuclear LLC—N21, P.O. Box 236, Hancocks Bridge, NJ 08038.

NRC Branch Chief: Douglas A. Broaddus.

Southern Nuclear Operating Company, Inc., Docket Nos. 50–348 and 50–364, Joseph M. Farley Nuclear Plant, Units 1 and 2, Houston County, Alabama

Date of amendment request: April 13, 2015. A publicly-available version is in ADAMS under Accession No. ML15103A656.

Description of amendment request: The amendments would revise the Technical Specifications consistent with NRC-approved Technical Specification Task Force (TSTF) Technical Change Traveler 432–A, Revision 1, ''Change in Technical Specifications End States, WCAP–16294,'' dated November 29, 2010.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed change modifies the end state (*e.g.,* mode or other specified condition) which the Required Actions specify must be entered if compliance with the Limiting Conditions for Operation (LCO) is not restored. The requested Technical Specifications (TS) permit an end state of Mode 4 rather than an end state of Mode 5 contained in the current TS. In some cases, other Conditions and Required Actions are revised to implement the proposed change. Required Actions are not an initiator of any accident previously evaluated. Therefore, the proposed change does not affect the probability of any accident previously evaluated. The affected systems continued to be required to be operable by the TS and the Completion Times specified in the TS to restore equipment to operable status or take other remedial Actions remain unchanged. WCAP–16294–NP–A, Rev. 1, ''Risk-Informed Evaluation of Changes to Tech Spec Required Action Endstates for Westinghouse NSSS PWRs,'' demonstrates that the proposed change does not significantly increase the consequences of any accident previously evaluated.

Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed change modifies the end state (*e.g.,* mode or other specified condition) which the Required Actions specify must be entered if compliance with the LCO is not restored. In some cases, other Conditions and Required Actions are revised to implement the proposed change. The change does not involve a physical alteration of the plant (*i.e.,* no new or different type of equipment will be installed) or a change in the methods governing normal plant operation. In addition, the change does not impose any new requirements. The change does not alter assumptions made in the safety analysis.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed changes involve a significant reduction in a margin of safety?

Response: No.

The proposed change modifies the end state (*e.g.,* mode or other specified condition) which the Required Actions specify must be entered if compliance with the LCO is not restored. In some cases, other Conditions and Required Actions are revised to implement the proposed change. Remaining within the Applicability of the LCO is acceptable because WCAP–16294–NP–A demonstrates that the plant risk in MODE 4 is similar to or lower than MODE 5. As a result, no margin of safety is significantly affected.

Therefore, the proposed changes do not involve a significant reduction in the margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: Leigh D. Perry, SVP & General Counsel of Operations and Nuclear, Southern Nuclear Operating Company, 40 Iverness Center Parkway, Birmingham, AL 35201.

NRC Branch Chief: Robert J. Pascarelli.

Tennessee Valley Authority, Docket Nos. 50–259, 50–260, and 50–296, Browns Ferry Nuclear Plant, Units 1, 2, and 3, Limestone County, Alabama

Date of amendment request: February 17, 2015. A publicly-available version is in ADAMS under Accession No. ML15050A179.

Description of amendment request: The amendment would revise Table 3.3.6.1–1, ''Primary Containment Isolation Instrumentation,'' of the Technical Specifications to correct an inadvertent omission made by Amendment Nos. 251, 290, and 249 for Units 1, 2, and 3, respectively (ADAMS Accession No. ML042730028). Specifically, the proposed revision would add the number ''3'' to indicate Mode 3 for Function 5.g, Standby Liquid Control System (SLCS) initiation, to the column entitled, ''Applicable Modes or Other Specified Conditions.'' When this inadvertent error is corrected, SLCS will be required to be operable in Modes 1, 2, and 3.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration. The NRC staff has reviewed the licensee's analysis against the standards of 10 CFR 50.92(c). The NRC staff's review is presented below:

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed change corrects Table 3.3.6.1–1 as stated above. As corrected, Function 5.g, SLCS initiation, will be required to be capable of performing its design safety function and is not rendered inoperable if the reactor is placed into Mode 3. SLCS initiation operable in Mode 3 is in the units' current licensing bases. Thus, no previously evaluated accident consequence will be increased by this change. Furthermore, the SLCS initiation was not postulated to be an initiator of any previously evaluated accident.

Thus, restoring the requirement for SLCS initiation to be available in Mode 3 will not have any impact on the probability of occurrence of any previously evaluated accident.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed change does not involve a physical alteration of the plant (*i.e.,* no new or different type of equipment will be installed) and does not change the methods governing normal plant operation. In addition, the proposed change does not impose any new or different requirements.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

Response: No.

The proposed change does not affect any current plant safety margin, analysis method, acceptance criterion, safety limit, safety system setting, or reliability of equipment assumed in the safety analyses.

Therefore, the proposed change does not involve a significant reduction in a margin of safety.

Based on this review, it appears that the three standards of 10 CFR 50.92(c)

are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: General Counsel, Tennessee Valley Authority, 400 West Summit Hill Drive, 6A West Tower, Knoxville, TN 37902.

NRC Branch Chief: Shana R. Helton.

Tennessee Valley Authority, Docket No. 50–390, Watts Bar Nuclear Plant, Unit 1, Rhea County, Tennessee

Date of amendment request: April 6, 2015. A publicly-available version is in ADAMS under Accession No. ML15117A462.

Description of amendment request: The amendment would revise the Technical Specifications (TSs) by modifying the acceptance criteria for the emergency diesel generator (DG) steady state frequency range in associated surveillance requirements.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The DGs are required to be operable in the event of a design basis accident coincident with a loss of offsite power to mitigate the consequences of the accident. The DGs are not accident initiators and therefore these changes do not involve a significant increase in the probability of an accident previously evaluated.

The accident analyses assume that at least one load group bus is provided with power either from the offsite circuits or the DGs. The change proposed in this license amendment request will continue to assure that the DGs have the capacity and capability to assume their maximum design basis accident loads. The proposed change does not significantly alter how the plant would mitigate an accident previously evaluated.

The proposed change does not adversely affect accident initiators or precursors nor alter the design assumptions, conditions, and configuration of the facility or the manner in which the plant is operated and maintained. The proposed change does not adversely affect the ability of structures, systems, and components (SSC) to perform their intended safety function to mitigate the consequences of an initiating event within the assumed acceptance limits. The proposed change does not affect the source term, containment isolation, or radiological release assumptions used in evaluating the radiological consequences of any accident previously evaluated. Further, the proposed change does not increase the types and amounts of radioactive effluent that may be released offsite, nor significantly increase individual or cumulative occupational/public radiation exposure.

Therefore, this proposed amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed amendment create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed change does not involve a change in the plant design, system operation, or the use of the DGs. The proposed change requires the DGs to meet SR [surveillance requirement] acceptance criteria that envelope the actual demand requirements for the DGs during design basis conditions. These revised acceptance criteria continue to demonstrate the capability and capacity of the DGs to perform their required functions. There are no new failure modes or mechanisms created due to testing the DGs within the proposed acceptance criteria. Testing of the DGs at the proposed acceptance criteria does not involve any modification in the operational limits or physical design of plant systems. There are no new accident precursors generated due to the proposed test loadings.

Therefore, the proposed amendment does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed amendment involve a significant reduction in a margin of safety?

Response: No.

The proposed change will continue to demonstrate that the DGs meet the TS definition of operability, that is, the proposed acceptance criteria will continue to demonstrate that the DGs will perform their safety function. The proposed testing will also continue to demonstrate the capability and capacity of the DGs to supply their required loads for mitigating a design basis accident.

The proposed change does not alter the manner in which safety limits, limiting safety system settings or limiting conditions for operation are determined. The safety analysis acceptance criteria are not affected by this change. The proposed change will not result in plant operation in a configuration outside the design basis.

Therefore, the proposed amendment does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: General Counsel, Tennessee Valley Authority, 400 West Summit Hill Dr., ET 11A, Knoxville, TN 37902.

NRC Branch Chief: Jessie F. Quichocho.

III. Notice of Issuance of Amendments to Facility Operating Licenses and Combined Licenses

During the period since publication of the last biweekly notice, the Commission has issued the following amendments. The Commission has determined for each of these amendments that the application complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment.

A notice of consideration of issuance of amendment to facility operating license or combined license, as applicable, proposed no significant hazards consideration determination, and opportunity for a hearing in connection with these actions, was published in the **Federal Register** as indicated.

Unless otherwise indicated, the Commission has determined that these amendments satisfy the criteria for categorical exclusion in accordance with 10 CFR 51.22. Therefore, pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared for these amendments. If the Commission has prepared an environmental assessment under the special circumstances provision in 10 CFR 51.22(b) and has made a determination based on that assessment, it is so indicated.

For further details with respect to the action see (1) the applications for amendment, (2) the amendment, and (3) the Commission's related letter, Safety Evaluation and/or Environmental Assessment as indicated. All of these items can be accessed as described in the ''Obtaining Information and Submitting Comments'' section of this document.

DTE Electric Company, Docket No. 50–341, Fermi 2, Monroe County, Michigan

Date of amendment request: July 2, 2014.

Description of amendment: The amendment revised the Cyber Security Plan (CSP) Milestone 8 implementation date. Milestone 8 pertains to full implementation of the CSP for all safety, security, and emergency preparedness functions.

Date of issuance: May 7, 2015.

Effective date: As of the date of issuance and shall be implemented within 60 days of issuance.

Amendment No.: 200. A publicly-available version is in ADAMS under

Accession No. ML15096A043; documents related to this amendment are listed in the Safety Evaluation enclosed with the amendment.

Facility Operating License No. NPF–43: Amendment revised the Facility Operating License.

Date of initial notice in ***Federal Register:*** September 9, 2014 (79 FR 53458).

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated May 7, 2015.

No significant hazards consideration comments received: No.

Energy Northwest, Docket No. 50–397, Columbia Generating Station (CGS), Benton County, Washington

Date of application for amendment: November 17, 2014, as supplemented by letter dated March 17, 2015.

Brief description of amendment: The amendment modified Technical Specification (TS) 2.0, ''Safety Limits,'' to revise values for the safety limit minimum critical power ratio (SLMCPR) for single and two recirculation loop operation due to core loading fuel management changes for the upcoming operating cycle. Specifically, the amendment would increase the numeric values of SLMCPR in TS Section 2.1.1.2 to incorporate the results of the CGS Cycle 23 SLMCPR analysis.

Date of issuance: May 11, 2015.

Effective date: As of its date of issuance and shall be implemented before plant start-up from the spring 2015 refueling outage (Cycle 23).

Amendment No.: 234. A publicly-available version is in ADAMS under Accession No. ML15098A254; documents related to this amendment are listed in the Safety Evaluation enclosed with the amendment.

Renewed Facility Operating License No. NPF–21: The amendment revised the Facility Operating License and TS.

Date of initial notice in ***Federal Register:*** February 3, 2015 (80 FR 5800). The supplemental letter dated March 17, 2015, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination as published in the **Federal Register**.

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated May 11, 2015.

No significant hazards consideration comments received: No.

Entergy Nuclear Operations, Inc., Docket No. 50–293, Pilgrim Nuclear Power Station, Plymouth County, Massachusetts

Date of amendment request: December 10, 2014, as supplemented by letters dated February 13 and March 11, 2015.

Brief description of amendment: This amendment revised the minimum critical power ratio from ≥1.08 to ≥1.10 for two recirculation loop operation and from ≥1.11 to ≥1.12 for single recirculation loop operation in Technical Specification (TS) 2.1, ''Safety Limits.''

Date of issuance: May 6, 2015.

Effective date: As of the date of issuance, and shall be implemented within 60 days of issuance.

Amendment No.: 243. A publicly-available version is in ADAMS under Accession No. ML15114A021; documents related to this amendment are listed in the Safety Evaluation enclosed with the amendment.

Renewed Facility Operating License No. DPR–35: Amendment revised the License and TS.

Date of initial notice in ***Federal Register:*** March 12, 2015 (80 FR 13030). The supplement dated March 11, 2015, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the NRC staff's original proposed no significant hazards consideration determination as published in the **Federal Register**.

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated May 6, 2015.

No significant hazards consideration comments received: No.

Entergy Operations, Inc., System Energy Resources, Inc., South Mississippi Electric Power Association, and Entergy Mississippi, Inc., Docket No. 50–416, Grand Gulf Nuclear Station, Unit 1, Claiborne County, Mississippi

Date of application for amendment: October 7, 2014, as supplemented by letter dated January 6, 2015.

Brief description of amendment: The amendment revised Surveillance Requirements (SRs) related to gas accumulation for the emergency core cooling system and reactor core isolation cooling system. The amendment also added new SRs related to gas accumulation for the residual heat removal, shutdown cooling, and containment spray systems. The NRC staff has concluded that the Technical Specification (TS) changes are consistent with NRC-approved Technical Specifications Task Force (TSTF) Standard Technical Specifications Change Traveler TSTF–523, Revision 2, ''Generic Letter 2008–01, Managing Gas Accumulation,'' dated February 21, 2013, as part of the consolidated line item improvement process. The TS Bases changes associated with these SRs were also changed as proposed by the TSTF.

Date of issuance: May 12, 2015.

Effective date: As of the date of issuance and shall be implemented within 90 days of issuance.

Amendment No: 202. A publicly-available version is in ADAMS under Accession No. ML15104A623; documents related to this amendment are listed in the Safety Evaluation enclosed with the amendment.

Facility Operating License No. NPF–29: The amendment revised the Facility Operating License and TS.

Date of initial notice in ***Federal Register:*** February 17, 2015 (80 FR 8360).

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated May 12, 2015.

No significant hazards consideration comments received: No.

Exelon Generation Company, LLC, Docket Nos. 50–352 and 50–353, Limerick Generating Station, Units 1 and 2, Montgomery County, Pennsylvania

Date of amendment request: July 10, 2014.

Brief description of amendments: The amendments revised and added Technical Specification (TS) surveillance requirements to address the concerns discussed in Generic Letter 2008–01, ''Managing Gas Accumulation in Emergency Core Cooling, Decay Heat Removal, and Containment Spray Systems,'' dated January 11, 2008. The TS changes are based on TS Task Force (TSTF) Traveler TSTF–523, Revision 2, ''Generic Letter 2008–01, Managing Gas Accumulation,'' dated February 21, 2013.

Date of issuance: May 11, 2015.

Effective date: As of the date of issuance and shall be implemented within 120 days.

Amendment Nos.: 216 and 178. A publicly-available version is in ADAMS under Accession No. ML15083A403; documents related to these amendments are listed in the Safety Evaluation enclosed with the amendments.

Renewed Facility Operating License Nos. NPF–39 and NPF–85: Amendments revised the Renewed Facility Operating License and TS.

Date of initial notice in ***Federal Register:*** September 2, 2014 (79 FR 52064).

The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated May 11, 2015.

No significant hazards consideration comments received: No.

STP Nuclear Operating Company, Docket Nos. 50–498 and 50–499, South Texas Project, Units 1 and 2, Matagorda County, Texas

Date of amendment request: January 6, 2014, as supplemented by letters dated June 9, December 4, and December 17, 2014.

Brief description of amendments: The license amendments revised Technical Specification (TS) 3.3.1, ''Reactor Trip System Instrumentation,'' with respect to the required actions and allowed outage times for inoperable reactor trip breakers.

Date of issuance: April 29, 2015.

Effective date: As of the date of issuance and shall be implemented within 90 days of issuance.

Amendment Nos.: Unit 1—205; Unit 2—193. A publicly-available version is in ADAMS under Accession No. ML15075A146; documents related to these amendments are listed in the Safety Evaluation enclosed with the amendments.

Facility Operating License Nos. NPF–76 and NPF–80: The amendments revised the Facility Operating Licenses and TS.

Date of initial notice in ***Federal Register:*** August 5, 2014 (79 FR 45481). The supplemental letters dated December 4 and December 17, 2014, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination as published in the **Federal Register**.

The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated April 29, 2015.

No significant hazards consideration comments received: No.

Dated at Rockville, Maryland, this 18th day of May, 2015.

For the Nuclear Regulatory Commission.

A. Louise Lund,

Acting Director, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.

[FR Doc. 2015–12661 Filed 5–22–15; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2015–0001]

Sunshine Act Meeting Notice

DATE: May 25, June 1, 8, 15, 22, 29, 2015.

PLACE: Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

STATUS: Public and closed.

Week of May 25, 2015

There are no meetings scheduled for the week of May 25, 2015.

Week of June 1, 2015—Tentative

There are no meetings scheduled for the week of June 1, 2015.

Week of June 8, 205—Tentative

Tuesday, June 9, 2015

9:30 a.m. Briefing on NRC Insider Threat Program (Closed—Ex. 1 & 2)

Thursday, June 11, 2015

10:00 a.m. Meeting with the Advisory Committee on Reactor Safeguards (Public Meeting)
(Contact: Edwin Hackett, 301–415–7360)

This meeting will be webcast live at the Web address—*http://www.nrc.gov/.*

Week of June 15, 2015—Tentative

There are no meetings scheduled for the week of June 15, 2015.

Week of June 22, 2015—Tentative

Tuesday, June 23

9:00 a.m. Briefing on Human Capital and Equal Employment Opportunity (Public Meeting)
(Contact: Dafna Silberfeld, 301–287–0737)

This meeting will be webcast live at the Web address—*http://www.nrc.gov/.*

Thursday, June 25, 2015

9:00 a.m. Briefing on Proposed Revisions to Part 10 CFR part 61 and Low-Level Radioactive Waste Disposal (Public Meeting)
(Contact: Gregory Suber, 301–415–8087)

This meeting will be webcast live at the Web address—*http://www.nrc.gov/.*

Week of June 29, 2015—Tentative

There are no meetings scheduled for the week of June 29, 2015.

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The schedule for Commission meetings is subject to change on short notice. For more information or to verify the status of meetings, contact Glenn Ellmers at 301–415–0442 or via email at *Glenn.Ellmers@nrc.gov.*

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Additional Information

By a vote of 4–0 on May 18 and 20, 2015, the Commission determined pursuant to U.S.C. 552b(e) and 9.107(a) of the Commission's rules that an Affirmation Session for *Pacific Gas & Electric Company (Diablo Canyon Power Plant, Units 1 and 2), Petition to Intervene and Request for Hearing by Friends of the Earth* be held with less than one week notice to the public. The meeting was held May 21, 2015.

* * * * *

The NRC Commission Meeting Schedule can be found on the Internet at: *http://www.nrc.gov/public-involve/public-meetings/schedule.html.*

* * * * *

The NRC provides reasonable accommodation to individuals with disabilities where appropriate. If you need a reasonable accommodation to participate in these public meetings, or need this meeting notice or the transcript or other information from the public meetings in another format (*e.g.* braille, large print), please notify Kimberly Meyer, NRC Disability Program Manager, at 301–287–0727, by videophone at 240–428–3217, or by email at *Kimberly.Meyer-Chambers@nrc.gov.* Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

* * * * *

Members of the public may request to receive this information electronically. If you would like to be added to the distribution, please contact the Nuclear Regulatory Commission, Office of the Secretary, Washington, DC 20555 (301–415–1969), or email *Brenda.Akstulewicz@nrc.gov* or *Patricia.Jimenez@nrc.gov.*

Dated: May 21, 2015.

Glenn Ellmers,

Policy Coordinator, Office of the Secretary.

[FR Doc. 2015–12790 Filed 5–21–15; 4:15 pm]

BILLING CODE 7590–01–P

NUCLEAR WASTE TECHNICAL REVIEW BOARD

Board Meeting

June 24, 2015—The U.S. Nuclear Waste Technical Review Board will meet to discuss DOE activities related to transporting spent nuclear fuel.

Pursuant to its authority under section 5051 of Public Law 100–203, Nuclear Waste Policy Amendments Act of 1987, the U.S. Nuclear Waste

Technical Review Board will meet in Golden, Colorado, on June 24, 2015, to review U.S. Department of Energy (DOE) activities related to transporting spent nuclear fuel (SNF). The main focus of the meeting will be on DOE's efforts to prepare for the transportation of SNF from commercial nuclear power plants to a potential interim storage site and/or to a geologic repository.

The Nuclear Waste Policy Amendments Act (NWPAA) of 1987 charges the Board with conducting an ongoing and independent evaluation of the technical and scientific validity of DOE activities related to implementing the Nuclear Waste Policy Act of 1982.

The meeting will be held at the Denver Marriott West, 1717 Denver West Boulevard, Golden, Colorado 80401; Tel. 303–279–9100. A block of rooms has been reserved for meeting attendees at a group rate. Reservations may be made by phone: (800) 228–9290 or online: *http://www.marriott.com/meeting-event-hotels/group-corporate-travel/groupCorp.mi?resLinkData=US%20Nuclear%20Waste%20Technical%20Review%20Board%20Meeting%5Edenwe%60NWTNWTA%60187%60USD%60false%606/22/15%606/26/15%606/1/15&app=resvlink&stop_mobi=yes*. Reservations must be made by Monday, June 1, 2015, to ensure receiving the meeting rate.

The meeting will begin at 8:00 a.m. on Wednesday, June 24, 2015, and is scheduled to adjourn at 5:00 p.m. Among the topics that will be discussed at the meeting are DOE's plans for the transportation of SNF from commercial nuclear power plants to a potential interim storage site and/or to a geologic repository. Specifically, DOE will discuss research and development efforts and new equipment designs. Other perspectives on the transportation of SNF will be presented by representatives from the Nuclear Regulatory Commission, an international nuclear utility, and stakeholder groups. A detailed meeting agenda will be available on the Board's Web site: *www.nwtrb.gov* approximately one week before the meeting. The agenda may also be requested by email or telephone at that time from Davonya Barnes of the Board's staff.

The meeting will be open to the public, and opportunities for public comment will be provided before the lunch break and at the end of the day. Those wanting to speak are encouraged to sign the ''Public Comment Register'' at the check-in table. Depending on the number of people who sign up to speak, it may be necessary to set a time limit on individual remarks. However, written comments of any length may be submitted, and all comments received in writing will be included in the record of the meeting posted on the Board's Web site. The meeting will also be webcast at: *https://www.webcaster4.com/Webcast/Page/909/8356*.

Transcripts of the meeting will be available on the Board's Web site no later than July 13, 2015. Copies will also be available by electronic transmission, on computer disk, or in paper format, and may be requested from Davonya Barnes, at that time.

The Board was established in the NWPAA as an independent federal agency in the Executive Branch to review the technical and scientific validity of DOE activities related to implementing the NWPA and to provide objective expert advice to Congress and the Secretary of Energy on technical and scientific issues related to SNF and high-level radioactive waste management and disposal. Board members are experts in their fields and are appointed to the Board by the President from a list of candidates submitted by the National Academy of Sciences. The Board reports its findings, conclusions, and recommendations to Congress and the Secretary of Energy. All Board reports, correspondence, congressional testimony, and meeting transcripts and related materials are posted on the Board's Web site.

For information on the meeting agenda, contact Daniel Ogg: *ogg@nwtrb.gov* or Karyn Severson: *severson@nwtrb.gov*. For information on lodging or logistics, contact Linda Coultry: *coultry@nwtrb.gov*. To request copies of the meeting agenda or the transcript, contact Davonya Barnes: *barnes@nwtrb.gov*. All four can be reached by mail at 2300 Clarendon Boulevard, Suite 1300, Arlington, VA 22201–3367; by telephone at 703–235–4473; or by fax at 703–235–4495.

Dated: May 20, 2015.

Nigel Mote,

Executive Director, U.S. Nuclear Waste Technical Review Board.

[FR Doc. 2015–12618 Filed 5–22–15; 8:45 am]

BILLING CODE P

DEPARTMENT OF STATE

[Delegation of Authority 384]

Delegation to the Under Secretary for Arms Control and International Security of Authority To Provide Notifications Regarding Russian Proposals for New or Modified Aircraft or Sensors Under the Open Skies Treaty

By virtue of the authority vested in the Secretary of State, including Section 1 of the State Department Basic Authorities Act, as amended (22 U.S.C. 2651a), and Presidential Memorandum ''Delegation of Authority Under the National Defense Authorization Act for Fiscal Year 2015,'' dated March 27, 2015, and to the extent authorized by law, I hereby delegate to the Under Secretary for Arms Control and International Security the authority to prepare and submit to Congress the notification required by Subsection 1242(a) of the National Defense Authorization Act (NDAA) for Fiscal Year 2015 (Pub. L. 113–291) concerning Russian proposals for new or modified aircraft or sensors under the Open Skies Treaty.

Any act, executive order, regulation or procedure subject to, or affected by, this delegation shall be deemed to be such act, executive order, regulation or procedure as amended from time to time.

Notwithstanding this delegation of authority, the Secretary, the Deputy Secretary, or the Deputy Secretary for Management and Resources may at any time exercise any authority or function delegated by this delegation of authority.

This delegation of authority shall be published in the **Federal Register**.

Dated: May 6, 2015.

John F. Kerry,

Secretary of State.

[FR Doc. 2015–12646 Filed 5–22–15; 8:45 am]

BILLING CODE 4710–08–P

DEPARTMENT OF STATE

[Public Notice: 9143]

Culturally Significant Objects Imported for Exhibition Determinations: ''Gates of the Lord: The Tradition of Krishna Paintings'' Exhibition

SUMMARY: Notice is hereby given of the following Determinations: Pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat.

2681, *et seq.*; 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236–3 of August 28, 2000 (and, as appropriate, Delegation of Authority No. 257 of April 15, 2003), I hereby determine that the objects to be included in the exhibition ''Gates of the Lord: The Tradition of Krishna Paintings,'' imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to loan agreements with the foreign owners or custodians. I also determine that the exhibition or display of the exhibit objects at The Art Institute of Chicago, Chicago, Illinois, from on or about September 13, 2015, until on or about January 3, 2016, and at possible additional exhibitions or venues yet to be determined, is in the national interest. I have ordered that Public Notice of these Determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: For further information, including a list of the exhibit objects, contact the Office of Public Diplomacy and Public Affairs in the Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6471; email: *section2459@state.gov*). The mailing address is U.S. Department of State, L/PD, SA–5, Suite 5H03, Washington, DC 20522–0505.

Dated: May 14, 2015.

Kelly Keiderling,

Principal Deputy Assistant Secretary, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2015–12645 Filed 5–22–15; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF STATE

[Public Notice: 9146]

International Security Advisory Board (ISAB) Meeting Notice; Closed Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App § 10(a)(2), the Department of State announces a meeting of the International Security Advisory Board (ISAB) to take place on June 24, 2015, at the Department of State, Washington, DC.

Pursuant to section 10(d) of the Federal Advisory Committee Act, 5 U.S.C. 10(d), and 5 U.S.C. 552b(c)(1), it has been determined that this Board meeting will be closed to the public because the Board will be reviewing and discussing matters properly classified in accordance with Executive Order 13526. The purpose of the ISAB is to provide the Department with a continuing source of independent advice on all aspects of arms control, disarmament, nonproliferation, political-military affairs, international security, and related aspects of public diplomacy. The agenda for this meeting will include classified discussions related to the Board's studies on current U.S. policy and issues regarding arms control, international security, nuclear proliferation, and diplomacy.

For more information, contact Christopher Herrick, Acting Executive Director of the International Security Advisory Board, U.S. Department of State, Washington, DC 20520, telephone: (202) 647–9683.

Dated: May 8, 2015.

Christopher Herrick,

Acting Executive Director, International Security Advisory Board, U.S. Department of State.

[FR Doc. 2015–12652 Filed 5–22–15; 8:45 am]

BILLING CODE 4710–24–P

DEPARTMENT OF STATE

[Public Notice: 9145]

30-Day Notice of Proposed Information Collection: Statement Regarding a Lost or Stolen U.S. Passport Book and/or Card

ACTION: Notice of request for public comment and submission to OMB of proposed collection of information.

SUMMARY: The Department of State has submitted the information collection described below to the Office of Management and Budget (OMB) for approval. In accordance with the Paperwork Reduction Act of 1995 we are requesting comments on this collection from all interested individuals and organizations. The purpose of this Notice is to allow 30 days for public comment.

DATES: Submit comments directly to the Office of Management and Budget (OMB) up to June 25, 2015.

ADDRESSES: Direct comments to the Department of State Desk Officer in the Office of Information and Regulatory Affairs at the Office of Management and Budget (OMB). You may submit comments by the following methods:

- *Email: oira_submission@omb.eop.gov.* You must include the DS form number, information collection title, and the OMB control number in the subject line of your message.
- *Fax:* 202–395–5806. Attention: Desk Officer for Department of State.

FOR FURTHER INFORMATION CONTACT: Direct requests for additional information regarding the collection listed in this notice, including requests for copies of the proposed collection instrument and supporting documents, to U.S. Department of State, Bureau of Consular Affairs, Passport Services, Office of Legal Affairs and Law Enforcement Liaison, 2201 C Street NW., Washington, DC 20520, who may be reached on (202) 485–6373 or at *PPTFormsOfficer@state.gov.*

SUPPLEMENTARY INFORMATION:

- *Title of Information Collection:* Statement Regarding a Lost or Stolen U.S. Passport Book and/or Card.
- *OMB Control Number:* 1405–0014.
- *Type of Request:* Revision of a Currently Approved Collection.
- *Originating Office:* Bureau of Consular Affairs, Passport Services, Office of Legal Affairs and Law Enforcement Liaison (CA/PPT/S/L).
- *Form Number:* DS–64.
- *Respondents:* Individuals or Households.
- *Estimated Number of Respondents:* 527,334 respondents per year.
- *Estimated Number of Responses:* 527,334 responses per year.
- *Average Time Per Response:* 10 minutes.
- *Total Estimated Burden Time:* 87,889 hours per year.
- *Frequency:* On occasion.
- *Obligation to Respond:* Required to Obtain or Retain a Benefit.

We are soliciting public comments to permit the Department to:

- Evaluate whether the proposed information collection is necessary for the proper functions of the Department.
- Evaluate the accuracy of our estimate of the time and cost burden for this proposed collection, including the validity of the methodology and assumptions used.
- Enhance the quality, utility, and clarity of the information to be collected.
- Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Please note that comments submitted in response to this Notice are public record. Before including any detailed personal information, you should be aware that your comments as submitted, including your personal information, will be available for public review.

Abstract of proposed collection:

The Secretary of State is authorized to issue U.S. passports under 22 U.S.C. 211a *et seq.,* 8 U.S.C. 1104, and Executive Order 11295 (August 5, 1966). Department of State regulations provide that individuals whose valid U.S. passports were lost or stolen must make

a report of the lost or stolen passport to the Department of State before they receive a new passport so that the lost or stolen passport can be invalidated (22 CFR part 51). The Enhanced Border Security and Visa Entry Reform Act of 2002 (8 U.S.C. 1737) requires the Department of State to collect accurate information on lost or stolen U.S. passports and to enter that information into a data system. Form DS–64 collects information identifying the person who held the lost or stolen passport and describing the circumstances under which the passport was lost or stolen. As required by the cited authorities, we use the information collected to accurately identify the passport that must be invalidated and to make a record of the circumstances surrounding the lost or stolen passport. False statements made knowingly or willfully on passport forms, in affidavits or other supporting documents are punishable by fine and/or imprisonment under U.S. law. (18 U.S.C. 1001, 1542, 1621).

Methodology:

This form is used in conjunction with a Form DS–11, ''Application for a U.S. Passport'', or submitted separately to report loss or theft of a U.S. passport. Passport Services collects the information when a U.S. citizen or non-citizen national applies for a new U.S. passport and has been issued a previous, still valid U.S. passport that has been lost or stolen, or when a passport holder independently reports it lost or stolen. Passport applicants can either download the form from the internet or obtain one at any Passport Agency or Acceptance Facility. The Department is now testing a new online submission process for reports of lost or stolen U.S. passports. The online form DS–64 does not increase the estimated public burden of the information collection and does not request any new information from the passport bearer. The Department expects to launch the online DS–64 in the near future.

Dated: May 19, 2015.

Brenda S. Sprague,

Deputy Assistant Secretary for Passport Services, Bureau of Consular Affairs, Department of State.

[FR Doc. 2015–12647 Filed 5–22–15; 8:45 am]

BILLING CODE 4710–06–P

SUSQUEHANNA RIVER BASIN COMMISSION

Projects Approved for Consumptive Uses of Water; Correction

AGENCY: Susquehanna River Basin Commission.

ACTION: Notice; correction.

SUMMARY: The Susquehanna River Basin Commission published a document in the **Federal Register** of May 15, 2015, concerning projects approved by rule by the Susquehanna River Basin Commission during the period set forth in **DATES**. The document contained incorrect dates.

FOR FURTHER INFORMATION CONTACT: Jason E. Oyler, Regulatory Counsel, telephone: (717) 238–0423, ext. 1312; fax: (717) 238–2436; email: *joyler@srbc.net*.

Correction

In the **Federal Register** of May 15, 2015, in FR Doc. 80–94, on page 28039, in the third column, correct the **DATES** caption to read:

DATES: March 1–31, 2015.

Authority: Pub. L. 91–575, 84 Stat. 1509 *et seq.,* 18 CFR parts 806, 807, and 808.

Dated: May 19, 2015.

Stephanie L. Richardson,

Secretary to the Commission.

[FR Doc. 2015–12557 Filed 5–22–15; 8:45 am]

BILLING CODE 7040–01–P

TENNESSEE VALLEY AUTHORITY

Meeting of the Regional Energy Resource Council

AGENCY: Tennessee Valley Authority (TVA).

ACTION: Notice of meeting.

SUMMARY: The TVA Regional Energy Resource Council (RERC) will hold a meeting on Tuesday, June 16 and Wednesday, June 17, 2015, regarding regional energy related issues in the Tennessee Valley.

The RERC was established to advise TVA on its energy resource activities and the priorities among competing objectives and values. Notice of this meeting is given under the Federal Advisory Committee Act (FACA), 5 U.S.C. App. 2.

The meeting agenda includes the following:

1. Welcome and Introductions
2. Recap of April 2015 meeting
3. TVA's Integrated Resource Plan: Review of the public comments received, findings and recommendations, and next steps
4. Public Comments
5. Council discussion and advice

The RERC will hear opinions and views of citizens by providing a public comment session starting at 8:45 a.m. EDT on Wednesday, June 17. Persons wishing to speak are requested to register at the door by 8:15 a.m. EDT on Wednesday, June 17 and will be called on during the public comment period. Handout materials should be limited to one printed page. Written comments are also invited and may be mailed to the Regional Energy Resource Council, Tennessee Valley Authority, 400 West Summit Hill Drive, WT–9D, Knoxville, Tennessee 37902.

DATES: The meeting will be held on Tuesday, June 16, 2015, from 1:00 p.m. to 4:45 p.m. and Wednesday, June 17, 2015, from 8:30 a.m. to 11:45 a.m. EDT.

ADDRESSES: The meeting will be held at the Tennessee Valley Authority, 400 West Summit Hill Drive, Knoxville, TN 37902, and will be open to the public. Anyone needing special access or accommodations should let the contact below know at least a week in advance.

FOR FURTHER INFORMATION CONTACT: Beth Keel, 400 West Summit Hill Drive, WT–9D, Knoxville, Tennessee 37902, (865) 632–6113.

Dated: May 18, 2015.

Joseph J. Hoagland,

Vice President, Stakeholder Relations, Tennessee Valley Authority.

[FR Doc. 2015–12642 Filed 5–22–15; 8:45 am]

BILLING CODE 8120–08–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Public Meeting: Four Dimensional Trajectory Demonstration (4DT) Project Industry Day

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

ACTION: Notice of public meeting.

SUMMARY: The Federal Aviation Administration (FAA) is hosting an industry day to introduce the Four Dimensional Trajectory Demonstration (4DT) project to the aviation community and to provide detailed instructions on how the community may participate in project activities.

DATES: The public meeting will be held on June 24, 2015 from 8:30 a.m. to 3:00 p.m.

ADDRESSES: The public meeting will be held at the FAA's Florida NextGen Test Bed (FTB), 557 Innovation Way, Daytona Beach, FL 32114. Tel: (386) 226–6418.

FOR FURTHER INFORMATION CONTACT: Natee Wongsangpaiboon, 4DT Project Manager, Technology Development & Prototyping Division ANG–C5, Federal Aviation Administration, 800 Independence Ave. SW., Washington,

DC 20591; or by telephone at (202) 267–5411; email: *natee.wongsangpaiboon@faa.gov.*

SUPPLEMENTARY INFORMATION: Pursuant to section 10(a) (2) of the Federal Advisory Committee Act: (Pub. L No. 92–463, 5 U.S.C. App.) notice is hereby given for an Industry Day meeting to introduce the Four Dimensional Trajectory Demonstration (4DT) project to the aviation community.

Background:

○ The 4D Trajectory Demonstration Project will conduct a demonstration of the key 4DT Trajectory Based Operations (TBO) services, including Dynamic Required Navigational Performance (DRNP), Advanced Interval Management (AIM), and Air Traffic Control (ATC) Winds. It will also demonstrate the use of Aeronautical Telecommunication Network (ATN) Baseline 2 data link for the exchange of 4D Trajectories between ground automation systems and aircraft to exercise TBO concepts.

○ The purpose of the project is to demonstrate the technical feasibility and evaluate benefits of the advanced TBO services enabled by modern data link technologies. The 4D Trajectory demonstration will leverage the availability of ATN baseline 2 data link standards, advanced Performance Based Navigation (PBN) and surveillance avionics suites, common flight object for trajectory exchange between Air Traffic Management (ATM) automation and Flight Operations Center (FOC) automation.

Registration:

○ Attendance is open to the interested public but limited to space availability and is on a first come, first serve basis. A webcast will be provided for those who cannot attend in person. To attend the Industry Day (in person or via webcast), participants must register via the following link: *https://www.eventbrite.com/e/4dt-demonstration-industry-day-tickets-16997639397*

Issued in Washington, DC, on May 18, 2015.

Paul V. Fontaine,

Director, Portfolio Management and Technology Development Directorate, ANG–C, NextGen Office, Federal Aviation Administration.

[FR Doc. 2015–12526 Filed 5–22–15; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket No. FRA 2015–0007–N–11]

Proposed Agency Information Collection Activities; Comment Request

AGENCY: Federal Railroad Administration, DOT.

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 and its implementing regulations, the Federal Railroad Administration (FRA) hereby announces that it is seeking an extension of the following currently approved information collection activities. On April 27, 2015, FRA published in the **Federal Register** its Safety Advisory titled *Mechanical Inspections and Wheel Impact Load Detector Standards for Trains Transporting Large Amounts of Class 3 Flammable Liquids* (*FRA Safety Advisory 2015–01*). *See* 80 FR 23318. The information collection activities associated with FRA Safety Advisory 2015–01 received a six-month emergency approval from OMB on April 30, 2015. FRA seeks a regular clearance (extension of the current approval for three years) to continue this effort to enhance the mechanical safety of tank cars in high hazard flammable trains transporting large quantities of Class 3 flammable liquids. Before submitting these information collection requirements for clearance by the Office of Management and Budget (OMB), FRA is soliciting public comment on specific aspects of the activities identified below.

DATES: Comments must be received no later than July 27, 2015.

ADDRESSES: Submit written comments on any or all of the following proposed activities by mail to either: Mr. Robert Brogan, Office of Safety, Planning and Evaluation Division, RRS–21, Federal Railroad Administration, 1200 New Jersey Ave. SE., Mail Stop 17, Washington, DC 20590, or Ms. Kimberly Toone, Office of Information Technology, RAD–20, Federal Railroad Administration, 1200 New Jersey Ave. SE., Mail Stop 35, Washington, DC 20590. Commenters requesting FRA to acknowledge receipt of their respective comments must include a self-addressed stamped postcard stating, ''Comments on OMB control number 2130–0607.'' Alternatively, comments may be transmitted via facsimile to (202) 493–6216 or (202) 493–6497, or via email to Mr. Brogan at *Robert.Brogan@dot.gov,* or to Ms. Toone at *Kim.Toone@dot.gov.* Please refer to the assigned OMB control number in any correspondence submitted. FRA will summarize comments received in response to this notice in a subsequent notice and include them in its information collection submission to OMB for approval.

FOR FURTHER INFORMATION CONTACT: Mr. Robert Brogan, Office of Planning and Evaluation Division, RRS–21, Federal Railroad Administration, 1200 New Jersey Ave. SE., Mail Stop 17, Washington, DC 20590 (telephone: (202) 493–6292) or Ms. Kimberly Toone, Office of Information Technology, RAD–20, Federal Railroad Administration, 1200 New Jersey Ave. SE., Mail Stop 35, Washington, DC 20590 (telephone: (202) 493–6132). (These telephone numbers are not toll-free.)

SUPPLEMENTARY INFORMATION: The Paperwork Reduction Act of 1995 (PRA), Public Law 104–13, sec. 2, 109 Stat. 163 (1995) (codified as revised at 44 U.S.C. 3501–3520), and its implementing regulations, 5 CFR part 1320, require Federal agencies to provide 60-days notice to the public for comment on information collection activities before seeking approval for reinstatement or renewal by OMB. 44 U.S.C. 3506(c)(2)(A); 5 CFR 1320.8(d)(1), 1320.10(e)(1), 1320.12(a). Specifically, FRA invites interested respondents to comment on the following summary of proposed information collection activities regarding: (i) Whether the information collection activities are necessary for FRA to properly execute its functions, including whether the activities will have practical utility; (ii) the accuracy of FRA's estimates of the burden of the information collection activities, including the validity of the methodology and assumptions used to determine the estimates; (iii) ways for FRA to enhance the quality, utility, and clarity of the information being collected; and (iv) ways for FRA to minimize the burden of information collection activities on the public by automated, electronic, mechanical, or other technological collection techniques or other forms of information technology (*e.g.,* permitting electronic submission of responses). *See* 44 U.S.C. 3506(c)(2)(A)(I)–(iv); 5 CFR 1320.8(d)(1)(I)–(iv). FRA believes that soliciting public comment will promote its efforts to reduce the administrative and paperwork burdens associated with the collection of information mandated by Federal regulations. In summary, FRA reasons that comments received will advance three objectives: (i) Reduce reporting burdens; (ii) ensure that it

organizes information collection requirements in a ''user friendly'' format to improve the use of such information; and (iii) accurately assess the resources expended to retrieve and produce information requested. *See* 44 U.S.C. 3501.

Below is a brief summary of the currently approved information collection activities that FRA will submit for clearance by OMB as required under the PRA:

Title: FRA Safety Advisory 2015–01, Mechanical Inspections and Wheel Impact Detector Standards for Trains Transporting Large Amounts of Class 3 Flammable Liquids.

OMB Control Number: 2130–0607.

Abstract: Recent derailments have occurred involving trains transporting large quantities of petroleum crude oil and ethanol. Preliminary investigation of one of these recent derailments involving a crude oil train indicates that a mechanical defect involving a broken tank car wheel may have caused or contributed to the incident. FRA is issuing this Safety Advisory to make recommendations to enhance the mechanical safety of the cars in trains transporting large quantities of flammable liquids. This Safety Advisory recommends that railroads use highly qualified individuals to conduct the brake and mechanical inspections and recommends a reduction to the impact threshold levels the industry currently uses for wayside detectors that measure wheel impacts to ensure the wheel integrity of tank cars in those trains.

Affected Public: Businesses.

Frequency of Submission: One-time; on occasion.

Respondent Universe: 70 Railroads.

Reporting Burden:

Safety Advisory 2015–01	Respondent universe (railroads)	Total annual responses	Average time per response (minutes)	Total annual burden hours
(1) Maintenance Advisories from Railroads to Car Owners after Wheel Impact Load Detector (WILD) Automatic Notification that Detects an Impact Above Threshold of 60kips.	70	350,000 Advisories	1	5,833
(2) Records of Initial Terminal Brake Inspection by Qualified Mechanical Inspector and Records of Freight Car Inspections at Initial Terminals with Designated Inspectors.	70	1,000 Inspections/Records	30	500

Form Number(s): N/A.

Total Estimated Responses: 351,000.

Total Estimated Annual Burden: 6,333 hours.

Status: Regular Review.

Pursuant to 44 U.S.C. 3507(a) and 5 CFR 1320.5(b), 1320.8(b)(3)(vi), FRA informs all interested parties that it may not conduct or sponsor, and a respondent is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Authority: 44 U.S.C. 3501–3520.

Erin McCartney,

Acting Chief Financial Officer.

[FR Doc. 2015–12579 Filed 5–22–15; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket No. FRA–2015–0007–N–14]

Proposed Agency Information Collection Activities; Comment Request

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 and its implementing regulations, the Federal Railroad Administration (FRA) hereby announces that it is seeking renewal of the following currently approved information collection activities. Before submitting the information collection request (ICR) below for clearance by the Office of Management and Budget (OMB), FRA is soliciting public comment on specific aspects of the activities identified below.

DATES: Comments must be received no later than July 27, 2015.

ADDRESSES: Submit written comments on any or all of the following proposed activities by mail to either: Mr. Robert Brogan, Office of Safety, Planning and Evaluation Division, RRS–21, Federal Railroad Administration, 1200 New Jersey Ave. SE., Mail Stop 17, Washington, DC 20590, or Ms. Kimberly Toone, Office of Information Technology, RAD–20, Federal Railroad Administration, 1200 New Jersey Ave., SE., Mail Stop 35, Washington, DC 20590. Commenters requesting FRA to acknowledge receipt of their respective comments must include a self-addressed stamped postcard stating, ''Comments on OMB control number 2130–0006.'' Alternatively, comments may be transmitted via facsimile to (202) 493–6216 or (202) 493–6497, or via email to Mr. Brogan at *Robert.Brogan@dot.gov,* or to Ms. Toone at *Kim.Toone@dot.gov.* Please refer to the assigned OMB control number in any correspondence submitted. FRA will summarize comments received in response to this notice in a subsequent notice and include them in its information collection submission to OMB for approval.

FOR FURTHER INFORMATION CONTACT: Mr. Robert Brogan, Office of Planning and Evaluation Division, RRS–21, Federal Railroad Administration, 1200 New Jersey Ave. SE., Mail Stop 17, Washington, DC 20590 (telephone: (202) 493–6292) or Ms. Kimberly Toone, Office of Information Technology, RAD–20, Federal Railroad Administration, 1200 New Jersey Ave. SE., Mail Stop 35, Washington, DC 20590 (telephone: (202) 493–6132). (These telephone numbers are not toll-free.)

SUPPLEMENTARY INFORMATION: The Paperwork Reduction Act of 1995 (PRA), Public Law 104–13, sec. 2, 109 Stat. 163 (1995) (codified as revised at 44 U.S.C. 3501–3520), and its implementing regulations, 5 CFR part 1320, require Federal agencies to provide 60-days notice to the public for comment on information collection activities before seeking approval for reinstatement or renewal by OMB. 44 U.S.C. 3506(c)(2)(A); 5 CFR 1320.8(d)(1), 1320.10(e)(1), 1320.12(a). Specifically, FRA invites interested respondents to comment on the following summary of proposed information collection activities regarding (i) whether the information collection activities are necessary for FRA to properly execute its functions, including whether the activities will have practical utility; (ii) the accuracy of FRA's estimates of the burden of the information collection activities, including the validity of the methodology and assumptions used to determine the estimates; (iii) ways for FRA to enhance the quality, utility, and clarity of the information being

collected; and (iv) ways for FRA to minimize the burden of information collection activities on the public by automated, electronic, mechanical, or other technological collection techniques or other forms of information technology (*e.g.,* permitting electronic submission of responses). *See* 44 U.S.C. 3506(c)(2)(A)(i)–(iv); 5 CFR 1320.8(d)(1)(i)–(iv). FRA believes that soliciting public comment will promote its efforts to reduce the administrative and paperwork burdens associated with the collection of information mandated by Federal regulations. In summary, FRA reasons that comments received will advance three objectives: (i) Reduce reporting burdens; (ii) ensure that it organizes information collection requirements in a ''user friendly'' format to improve the use of such information; and (iii) accurately assess the resources expended to retrieve and produce information requested. *See* 44 U.S.C. 3501.

Below is a brief summary of currently approved information collection activities that FRA will submit for clearance by OMB as required under the PRA:

Title: Railroad Signal System Requirements.

OMB Control Number: 2130–0006.

Abstract: The regulations pertaining to railroad signal systems are contained in 49 CFR parts 233 (Signal System Reporting Requirements), 235 (Instructions Governing Applications for Approval of a Discontinuance or Material Modification of a Signal System), and 236 (Rules, Standards, and Instructions Governing the Installation, Inspection, Maintenance, and Repair of Systems, Devices, and Appliances). Section 233.5 provides that each railroad must report to FRA within 24 hours after learning of an accident or incident arising from the failure of a signal appliance, device, method, or system to function or indicate as required by part 236 of this Title that results in a more favorable aspect than intended or other condition hazardous to the movement of a train. Section 233.7 sets forth the specific requirements for reporting signal failures within 15 days in accordance with the instructions printed on Form FRA F 6180.14.

Finally, § 233.9 sets forth the specific requirements for the ''Signal System Five Year Report.'' It requires that every five years each railroad must file a signal system status report. The report is to be prepared on a form issued by FRA in accordance with the instructions and definitions provided. Title 49 of the Code of Federal Regulations, part 235 sets forth the specific conditions under which FRA approval of modification or discontinuance of railroad signal systems is required and prescribes the methods available to seek such approval. The application process prescribed under part 235 provides a vehicle enabling FRA to obtain the necessary information to make logical and informed decisions concerning carrier requests to modify or discontinue signaling systems. Section 235.5 requires railroads to apply for FRA approval to discontinue or materially modify railroad signaling systems. Section 235.7 defines material modifications and identifies those changes that do not require agency approval. Section 235.8 provides that any railroad may petition FRA to seek relief from the requirements under 49 CFR part 236. Sections 235.10, 235.12, and 235.13 describe where the petition must be submitted, what information must be included, the organizational format, and the official authorized to sign the application. Section 235.20 sets forth the process for protesting the granting of a carrier application for signal changes or relief from the rules, standards, and instructions.

This section provides the information that must be included in the protest, the address for filing the protest, the item limit for filing the protest, and the requirement that a person requesting a public hearing explain the need for such a forum. Section 236.110 requires that the test results of certain signaling apparatus be recorded and specifically identify the tests required under §§ 236.102–109; §§ 236.377–236.387; §§ 236.576; 236.577; and §§ 236.586–589. Section 236.110 further provides that the test results must be recorded on pre-printed or computerized forms provided by the carrier and that the forms show the name of the railroad, place and date of the test conducted, equipment tested, test results, repairs, and the condition of the apparatus. This section also requires that the employee conducting the test must sign the form and that the record be retained at the office of the supervisory official having the proper authority. Results of tests made in compliance with § 236.587 must be retained for 92 days, and results of all other tests must be retained until the next record is filed, but in no case less than one year. Additionally, § 236.587 requires each railroad to make a departure test of cab signal, train stop, or train control devices on locomotives before that locomotive enters the equipped territory. This section further requires that whoever performs the test must certify in writing that the test was properly performed. The certification and test results must be posted in the locomotive cab with a copy of the certification and test results retained at the office of the supervisory official having the proper authority. However, if it is impractical to leave a copy of the certification and test results at the location of the test, the test results must be transmitted to either the dispatcher or one other designated official who must keep a written record of the test results and the name of the person performing the test. All records prepared under this section are required to be retained for 92 days. Finally, § 236.590 requires the carrier to clean and inspect the pneumatic apparatus of automatic train stop, train control, or cab signal devices on locomotives every 736 days, and to stencil, tag, or otherwise mark the pneumatic apparatus indicating the last cleaning date.

Form Number(s): FRA F 6180.47; FRA F 6180.14.

Affected Public: Businesses.

Respondent Universe: 1 Class I railroad.

Frequency of Submission: On occasion.

Reporting Burden:

CFR Section	Respondent universe	Total annual responses	Average time per response	Total annual burden hours
233.5—Accidents resulting from signal failure—telephone report to FRA.	754 railroads	10 telephone calls	30 minutes	5 hours.
233.7—Signal Failure Reports	754 railroads	100 reports	15 minutes	25 hours.
235.5—Filing of Applications for changes to Signal Systems.	80 railroads	20 applications	10 hours	200 hours.
235.8—Relief from requirements of Part 236 of this Title.	80 railroads	24 relief requests/applications.	2.5 hours	60 hours.
235.20—Protests against application for relief from Part 236 requirements.	80 railroads	35 protest letters	30 minutes	18 hours.

CFR Section	Respondent universe	Total annual responses	Average time per response	Total annual burden hours
236.110—Results of Tests made in compliance with sections 236.102–109; sections 236.376–387; section 236.576; section 236.577; sections 236.586–589; and sec. 236.917(a)—Records.	80 railroads	936,660 forms	27 minutes.15 minutes.	393,397 hours.
236.587—Departure Test—Record	18 railroads	730,000 tests/records	4 minutes	48,667 hours.
236.590—Pneumatic Apparatus—Inspection, cleaning, and results of Inspection—Record.	18 railroads	6,697 stencilings/tags	22.5 minutes	2,511 hours.

Total Estimated Responses: 1,673,546.

Total Estimated Annual Burden: 444,883 hours.

Status: Extension of a Currently Approved Collection.

Pursuant to 44 U.S.C. 3507(a) and 5 CFR 1320.5(b), 1320.8(b)(3)(vi), FRA informs all interested parties that it may not conduct or sponsor, and a respondent is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Authority: 44 U.S.C. 3501–3520.

Rebecca Pennington,

Chief Financial Officer.

[FR Doc. 2015–12584 Filed 5–22–15; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket No. FRA 2015–0007–N–13]

Proposed Agency Information Collection Activities; Comment Request

AGENCY: Federal Railroad Administration, DOT.

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 and its implementing regulations, the Federal Railroad Administration (FRA) hereby announces that it is seeking an extension of the following currently approved information collection activities. On April 27, 2015, FRA published in the **Federal Register** its Emergency Order No. 30 titled *Emergency Order Establishing a Maximum Operating Speed of 40 mph in High-Threat Urban Areas for Certain Trains Transporting Large Quantities of Class 3 Flammable Liquids. See* 80 FR 23321. The information collection activities associated with the Joint Safety Advisory received a six-month emergency approval from OMB on April 30, 2015. FRA seeks a regular clearance (extension of the current approval for one year) so that it can continue to receive and evaluate special petitions of approval from railroads requesting relief from this Emergency Order. In these petition requests, railroads must state their proposed alternative action that will provide at least an equivalent level of safety to that provided by this Emergency Order. Before submitting these information collection requirements for clearance by the Office of Management and Budget (OMB), FRA is soliciting public comment on specific aspects of the activities identified below.

DATES: Comments must be received no later than July 27, 2015.

ADDRESSES: Submit written comments on any or all of the following proposed activities by mail to either: Mr. Robert Brogan, Office of Safety, Planning and Evaluation Division, RRS–21, Federal Railroad Administration, 1200 New Jersey Ave. SE., Mail Stop 17, Washington, DC 20590, or Ms. Kimberly Toone, Office of Information Technology, RAD–20, Federal Railroad Administration, 1200 New Jersey Ave. SE., Mail Stop 35, Washington, DC 20590. Commenters requesting FRA to acknowledge receipt of their respective comments must include a self-addressed stamped postcard stating, ''Comments on OMB control number 2130–0609.'' Alternatively, comments may be transmitted via facsimile to (202) 493–6216 or (202) 493–6497, or via email to Mr. Brogan at *Robert.Brogan@dot.gov,* or to Ms. Toone at *Kim.Toone@dot.gov.* Please refer to the assigned OMB control number in any correspondence submitted. FRA will summarize comments received in response to this notice in a subsequent notice and include them in its information collection submission to OMB for approval.

FOR FURTHER INFORMATION CONTACT: Mr. Robert Brogan, Office of Planning and Evaluation Division, RRS–21, Federal Railroad Administration, 1200 New Jersey Ave. SE., Mail Stop 17, Washington, DC 20590 (telephone: (202) 493–6292) or Ms. Kimberly Toone, Office of Information Technology, RAD–20, Federal Railroad Administration, 1200 New Jersey Ave. SE., Mail Stop 35, Washington, DC 20590 (telephone: (202) 493–6132). (These telephone numbers are not toll-free.)

SUPPLEMENTARY INFORMATION: The Paperwork Reduction Act of 1995 (PRA), Public Law 104–13, sec. 2, 109 Stat. 163 (1995) (codified as revised at 44 U.S.C. 3501–3520), and its implementing regulations, 5 CFR part 1320, require Federal agencies to provide 60-days notice to the public for comment on information collection activities before seeking approval for reinstatement or renewal by OMB. 44 U.S.C. 3506(c)(2)(A); 5 CFR 1320.8(d)(1), 1320.10(e)(1), 1320.12(a). Specifically, FRA invites interested respondents to comment on the following summary of proposed information collection activities regarding: (i) Whether the information collection activities are necessary for FRA to properly execute its functions, including whether the activities will have practical utility; (ii) the accuracy of FRA's estimates of the burden of the information collection activities, including the validity of the methodology and assumptions used to determine the estimates; (iii) ways for FRA to enhance the quality, utility, and clarity of the information being collected; and (iv) ways for FRA to minimize the burden of information collection activities on the public by automated, electronic, mechanical, or other technological collection techniques or other forms of information technology (*e.g.,* permitting electronic submission of responses). *See* 44 U.S.C. 3506(c)(2)(A)(I)–(iv); 5 CFR 1320.8(d)(1)(I)–(iv). FRA believes that soliciting public comment will promote its efforts to reduce the administrative and paperwork burdens associated with the collection of information mandated by Federal regulations. In summary, FRA reasons that comments received will advance three objectives: (i) Reduce reporting burdens; (ii) ensure that it organizes information collection requirements in a ''user friendly'' format to improve the use of such information; and (iii) accurately assess the resources expended to retrieve and produce information requested. *See* 44 U.S.C. 3501.

Below is a brief summary of the currently approved information

collection activities that FRA will submit for clearance by OMB as required under the PRA:

Title: FRA Emergency Order No. 30, Emergency Order Establishing a Maximum Operating Speed Operating Speed of 40 mph in High-Threat Urban Areas for Certain Trains Transporting Large Quantities of Class 3 Flammable Liquids.

OMB Control Number: 2130–0609.

Abstract: FRA is issuing Emergency Order No. 30 (E.O. or Order) to require that trains transporting large amounts of Class 3 flammable liquid through certain highly populated areas adhere to a maximum authorized operating speed limit. FRA has determined that public safety compels issuance of the Order. The Order is necessary due to the recent occurrence of railroad accidents involving trains transporting petroleum crude oil and ethanol and the increasing reliance on railroads to transport voluminous amounts of those hazardous materials in recent years. Under the E.O., an affected train is one that contains: (1) 20 or more loaded tank cars in a continuous block, or 35 or more loaded tank cars, of Class 3 flammable liquid; and (2) at least one DOT Specification 111 (DOT–111) tank car (including those built in accordance with Association of American Railroads (AAR) Casualty Prevention Circular 1232 (CPC–1232)) loaded with a Class 3 flammable liquid. Affected trains must not exceed 40 miles per hour (mph) in high-threat urban areas (HTUAs) as defined in 49 CFR 1580.3. This Order takes effect immediately.

Affected Public: Businesses.

Frequency of Submission: One-time; on occasion.

Respondent Universe: 70 Railroads.

Reporting Burden:

Emergency order item No. 30	Respondent universe	Total annual responses	Average time per response	Total annual burden hours
(1) Petitions for Special Approval to Take Actions *Not* in Accordance with This Order.	70 Railroads	25 Petitions	40 hours	1,000 hours

Form Number(s): N/A.

Total Estimated Responses: 25.

Total Estimated Annual Burden: 1,000 hours.

Status: Regular Review.

Pursuant to 44 U.S.C. 3507(a) and 5 CFR 1320.5(b), 1320.8(b)(3)(vi), FRA informs all interested parties that it may not conduct or sponsor, and a respondent is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Authority: 44 U.S.C. 3501–3520.

Erin McCartney,

Acting Chief Financial Officer.

[FR Doc. 2015–12578 Filed 5–22–15; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket No. FRA 2015–0007–N–12]

Proposed Agency Information Collection Activities; Comment Request

AGENCY: Federal Railroad Administration, DOT.

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 and its implementing regulations, the Federal Railroad Administration (FRA) hereby announces that it is seeking an extension of the following currently approved information collection activities. On April 23, 2015, FRA and the Pipeline and Hazardous Materials Administration (PHMSA) jointly published in the **Federal Register** a Safety Advisory titled *Hazardous Materials: Information Requirements Related to the Transportation of Trains Carrying Specified Volumes of Flammable Liquids* (*FRA Safety Advisory 2015–02; Docket No. PHMSA–2015–0118, Notice 15–11*). *See* 80 FR 22778. The information collection activities associated with the Joint Safety Advisory received a six-month emergency approval from OMB on April 30, 2015. FRA seeks a regular clearance (extension of the current approval for three years) so that its personnel and PHMSA personnel can continue to collect certain information that is essential during the course of an investigation immediately following a train accident. Before submitting these information collection requirements for clearance by the Office of Management and Budget (OMB), FRA is soliciting public comment on specific aspects of the activities identified below.

DATES: Comments must be received no later than July 27, 2015.

ADDRESSES: Submit written comments on any or all of the following proposed activities by mail to either: Mr. Robert Brogan, Office of Safety, Planning and Evaluation Division, RRS–21, Federal Railroad Administration, 1200 New Jersey Ave. SE., Mail Stop 17, Washington, DC 20590, or Ms. Kimberly Toone, Office of Information Technology, RAD–20, Federal Railroad Administration, 1200 New Jersey Ave. SE., Mail Stop 35, Washington, DC 20590. Commenters requesting FRA to acknowledge receipt of their respective comments must include a self-addressed stamped postcard stating, ''Comments on OMB control number 2130–0608.'' Alternatively, comments may be transmitted via facsimile to (202) 493–6216 or (202) 493–6497, or via email to Mr. Brogan at *Robert.Brogan@dot.gov,* or to Ms. Toone at *Kim.Toone@dot.gov.* Please refer to the assigned OMB control number in any correspondence submitted. FRA will summarize comments received in response to this notice in a subsequent notice and include them in its information collection submission to OMB for approval.

FOR FURTHER INFORMATION CONTACT:

Mr. Robert Brogan, Office of Planning and Evaluation Division, RRS–21, Federal Railroad Administration, 1200 New Jersey Ave. SE., Mail Stop 17, Washington, DC 20590 (telephone: (202) 493–6292) or Ms. Kimberly Toone, Office of Information Technology, RAD–20, Federal Railroad Administration, 1200 New Jersey Ave. SE., Mail Stop 35, Washington, DC 20590 (telephone: (202) 493–6132). (These telephone numbers are not toll-free.)

SUPPLEMENTARY INFORMATION: The Paperwork Reduction Act of 1995 (PRA), Public Law 104–13, sec. 2, 109 Stat. 163 (1995) (codified as revised at 44 U.S.C. 3501–3520), and its implementing regulations, 5 CFR part 1320, require Federal agencies to provide 60-days notice to the public for comment on information collection activities before seeking approval for reinstatement or renewal by OMB. 44 U.S.C. 3506(c)(2)(A); 5 CFR 1320.8(d)(1), 1320.10(e)(1), 1320.12(a). Specifically, FRA invites interested respondents to comment on the following summary of proposed information collection activities regarding: (i) Whether the information collection activities are necessary for FRA to properly execute its functions, including whether the activities will have practical utility; (ii)

the accuracy of FRA's estimates of the burden of the information collection activities, including the validity of the methodology and assumptions used to determine the estimates; (iii) ways for FRA to enhance the quality, utility, and clarity of the information being collected; and (iv) ways for FRA to minimize the burden of information collection activities on the public by automated, electronic, mechanical, or other technological collection techniques or other forms of information technology (*e.g.,* permitting electronic submission of responses). *See* 44 U.S.C. 3506(c)(2)(A)(I)–(iv); 5 CFR 1320.8(d)(1)(I)–(iv). FRA believes that soliciting public comment will promote its efforts to reduce the administrative and paperwork burdens associated with the collection of information mandated by Federal regulations. In summary, FRA reasons that comments received will advance three objectives: (i) Reduce reporting burdens; (ii) ensure that it organizes information collection requirements in a ''user friendly'' format to improve the use of such information; and (iii) accurately assess the resources expended to retrieve and produce information requested. *See* 44 U.S.C. 3501.

Below is a brief summary of the currently approved information collection activities that FRA will submit for clearance by OMB as required under the PRA:

Title: FRA Safety Advisory 2015–02, Hazardous Materials: Information Requirements Related to the Transportation of Trains Carrying Specified Volumes of Flammable Liquids.

OMB Control Number: 2130–0608.

Abstract: Due to recent derailments involving ''high hazard flammable trains'' (HHFTs), FRA and PHMSA have conducted several post-accident investigations and to ensure that stakeholders are fully aware of each agency's investigative authority and cooperate with agency personnel conducting such investigations, where time is of the essence in gathering evidence, the agencies are issuing a Safety Advisory (FRA Safety Advisory 2015–02 and Docket NO. PHMSA–2015–0118, Notice No. 15–11) to remind railroads operating HHFTs—defined as a train comprised of 20 or more loaded tank cars of a Class 3 flammable liquid in a continuous block, or a train with 35 or more loaded tank cars of a Class 3 flammable liquid across the entire train—as well as the offerors of Class 3 flammable liquids transported on such trains, of their obligation to provide PHMSA and FRA, as expeditiously as possible, with information agency personnel need to conduct investigations immediately following an accident or incident.

Affected Public: Businesses.

Frequency of Submission: One-time; On occasion.

Respondent Universe: 70 Railroads/Stakeholders.

Reporting Burden:

FRA Safety Advisory 2015–02; Docket No. PHMSA–2015–0118	Respondent universe	Total annual responses	Average time per response	Total annual burden hours
(1) Records of High Hazard Flammable Trains Containing Information Specified in This Safety Advisory Provided Upon Request to FRA/PHMSA Personnel After Train Accident.	70 Railroads	50 Records ..	2 hours	100 hours.

Form Number(s): N/A.

Total Estimated Responses: 50.

Total Estimated Annual Burden: 100 hours.

Status: Regular Review.

Pursuant to 44 U.S.C. 3507(a) and 5 CFR 1320.5(b), 1320.8(b)(3)(vi), FRA informs all interested parties that it may not conduct or sponsor, and a respondent is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Authority: 44 U.S.C. 3501–3520.

Erin McCartney,

Acting Chief Financial Officer.

[FR Doc. 2015–12580 Filed 5–22–15; 8:45 am]

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FEDERAL REGISTER

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Part II

Department of Defense

Defense Acquisition Regulations System

48 CFR Parts 212, 213, 219 *et al.*

Defense Federal Acquisition Regulation Supplement; Final Rules and Proposed Rule

DEPARTMENT OF DEFENSE

Defense Acquisition Regulations System

48 CFR Parts 212, 219, and 252

RIN 0750–A142

Defense Federal Acquisition Regulation Supplement: Advancing Small Business Growth (DFARS Case 2014–D009)

AGENCY: Defense Acquisition Regulations System, Department of Defense (DoD).

ACTION: Final rule.

SUMMARY: DoD is issuing a final rule amending the Defense Federal Acquisition Regulation Supplement (DFARS) to clarify that entering into a contract award may cause a small business to eventually exceed the applicable small business size standard.

DATES: Effective May 26, 2015.

FOR FURTHER INFORMATION CONTACT: Ms. Lee Renna, telephone 571–372–6095.

SUPPLEMENTARY INFORMATION:

I. Background

DoD published a proposed rule in the **Federal Register** at 79 FR 65917 on November 6, 2014, to implement policy to ensure that a small business contractor is made aware that entering into a covered contract conveys its acknowledgement that doing so may cause it to eventually exceed the small business size standard of the North American Industry Classification System (NAICS) code identified in the solicitation and contract. This clarification is required by section 1611 of the National Defense Authorization Act for Fiscal Year 2014, Public Law 113–66, (10 U.S.C. 2419).

There were no public comments submitted in response to the proposed rule.

II. Discussion and Analysis

Minor editorial changes have been made from the proposed rule as follows: (1) In the heading at 219.303, the acronym ''(NAICS) was removed; (2) At DFARS 219.309, paragraph (a) was renumbered as paragraph (1), and a reference was changed from ''$70,000,000'' to read ''$70 million''; and (3) DFARS 252.219–7000, paragraph (b), was revised slightly in the first sentence to reflect more standardized provision language and to spell out ''NAICS'' to reflect the North American Industry Classification System.

III. Executive Orders 12866 and 13563

Executive Orders (E.O.s) 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This is not a significant regulatory action and, therefore, was not subject to review under section 6(b) of E.O. 12866, Regulatory Planning and Review, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

IV. Regulatory Flexibility Act

DoD has certified that this rule will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.* This conclusion is based on the following:

This rule does not create or alleviate any financial burden on small businesses. The purpose of the rule is only to advise small businesses that entering into a DoD contract may eventually cause such businesses to exceed the small business size standard associated with the applicable NAICS code, and to encourage these businesses to develop the competencies typically desired of other than small businesses.

V. Paperwork Reduction Act

The rule does not contain any information collection requirements that require the approval of the Office of Management and Budget under the Paperwork Reduction Act (44 U.S.C. chapter 35).

List of Subjects in 48 CFR Parts 212, 219, and 252

Government procurement.

Amy G. Williams,

Editor, Defense Acquisition Regulations System.

Therefore, 48 CFR parts 212, 219, and 252 are amended as follows:

■ 1. The authority citation for 48 CFR parts 212 and 252 continues to read as follows:

Authority: 41. U.S.C. 1303 and 48 CFR chapter 1.

PART 212—ACQUISITION OF COMMERCIAL ITEMS

■ 2. Amend section 212.301 by adding a new paragraph (f)(vi)(C) to read as follows:

212.301 Solicitation provisions and contract clauses for the acquisition of commercial items.

(f) * * *

(vi) * * *

(C) Use the provision at 252.219–7000, Advancing Small Business Growth, as prescribed in 219.309(1), to comply with 10 U.S.C. 2419.

* * * * *

PART 219—SMALL BUSINESS PROGRAMS

■ 3. The authority citation for 48 CFR part 219 is revised to read as follows:

Authority: 41. U.S.C. 1303 and 48 CFR chapter 1.

■ 4. Amend section 219.303 by revising the section heading to read as follows:

219.303 Determining North American Industry Classification System codes and size standards.

* * * * *

■ 5. Add section 219.309 to subpart 219.3 to read as follows:

219.309 Solicitation provisions and contract clauses.

(1) Use the provision at 252.219–7000, Advancing Small Business Growth, in solicitations, including solicitations using FAR part 12 procedures for acquisition of commercial items, when the estimated annual value of the contract is expected to exceed—

(i) The small business size standard, if expressed in dollars, for the North American Industry Classification System (NAICS) code assigned by the contracting officer; or

(ii) $70 million, if the small business size standard is expressed as number of employees for the NAICS code assigned by the contracting officer.

PART 252—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

■ 6. Add section 252.219–7000 to read as follows:

252.219–7000 Advancing Small Business Growth.

As prescribed in 219.309(1), use the following provision:

Advancing Small Business Growth (May 2015)

(a) This provision implements 10 U.S.C. 2419.

(b) The Offeror acknowledges by submission of its offer that by acceptance of the contract resulting from this solicitation, the Offeror may exceed the applicable small business size standard of the North American Industry Classification System (NAICS) code assigned to the contract and would no longer qualify as a small business concern for that NAICS code. (Small business size standards matched to industry NAICS codes are published by the Small Business Administration and are available at *http://www.sba.gov/content/table-small-business-size-standards*.) The Offeror is therefore encouraged to develop the capabilities and characteristics typically desired in contractors that are competitive as other-than-small contractors in this industry.

(c) For procurement technical assistance, the Offeror may contact the nearest Procurement Technical Assistance Center (PTAC). PTAC locations are available at *www.dla.mil/SmallBusiness/Pages/ptac.aspx.*

(End of provision)

[FR Doc. 2015–12338 Filed 5–22–15; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Defense Acquisition Regulations System

48 CFR Parts 212, 213, and 252

RIN 0750–AI40

Defense Federal Acquisition Regulation Supplement: Past Performance Information Retrieval System—Statistical Reporting (PPIRS–SR) (DFARS Case 2014–D015)

AGENCY: Defense Acquisition Regulations System, Department of Defense (DoD).

ACTION: Final rule.

SUMMARY: DoD is issuing a final rule amending the Defense Federal Acquisition Regulation Supplement (DFARS) to require contracting officers to consider information in the Statistical Reporting module of the Past Performance Information Retrieval System when evaluating past performance of offerors under competitive solicitations for supplies using simplified acquisition procedures.

DATES: Effective May 26, 2015.

FOR FURTHER INFORMATION CONTACT: Ms. Jennifer Hawes, telephone 571–372–6115.

SUPPLEMENTARY INFORMATION:

I. Background

DoD published a proposed rule in the **Federal Register** at 80 FR 4848 on January 29, 2015, to revise the DFARS to add a new provision at DFARS 252.213–7000, Notice to Prospective Suppliers on the Use of Past Performance Information Retrieval System—Statistical Reporting in Past Performance Evaluations, for use in competitive solicitations for supplies using FAR part 13 simplified acquisition procedures, including those for acquisitions valued at less than or equal to $1 million under FAR 13.5. One respondent submitted a public comment in response to the proposed rule.

II. Discussion and Analysis

DoD reviewed the public comment in the development of the final rule. A discussion of the comment and the changes made to the rule is provided below:

A. Analysis of Public Comment

Comment: A respondent commented that streamlining a formal and systematic process will improve the opportunities for small businesses and reduce bias in the award of Government contracts.

Response: No changes were made a result of this comment.

B. Other Changes

The final rule includes a clarification in the prescription at DFARS 213.106–2–70 that the provision is applicable for use in competitive solicitations using FAR part 12 procedures for the acquisition of commercial items. A minor editorial change is also made at 212.301(f)(v) to address the reference to the DFARS provision 252.213–7000, Notice to Prospective Suppliers on Use of Past Performance Information Retrieval System—Statistical Reporting in Past Performance Evaluations, in the same manner as the other content of this section.

III. Executive Orders 12866 and 13563

Executive Orders (E.O.s) 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This is not a significant regulatory action and, therefore, was not subject to review under section 6(b) of E.O. 12866, Regulatory Planning and Review, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

IV. Regulatory Flexibility Act

A final regulatory flexibility analysis has been prepared consistent with the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.,* and is summarized as follows:

This rule amends the Defense Federal Acquisition Regulation Supplement (DFARS) to require contracting officers to consider information available in Past Performance Information Retrieval System-Statistical Reporting (PPIRS–SR) when evaluating the past performance of offerors under competitive solicitations for supplies using FAR part 13 simplified acquisition procedures (including acquisitions under the authority of FAR subpart 13.5 valued at less than or equal to $1 million).

This rule will help fill the gap between the higher DoD threshold for the collection and evaluation of past performance information and the thresholds at FAR 15.304(c)(3)(i). PPIRS–SR collects quantifiable delivery and quality data from existing systems and uses that data to classify each supplier's performance by Federal supply class and product service code. Contracting officers will use this objective data to help make better-informed best value award decisions for supply contracts valued at less than or equal to $1 million.

No comments were received from the public regarding the initial regulatory flexibility analysis.

This rule will apply to small businesses submitting offers on competitive solicitations for supplies issued using simplified acquisition procedures valued at less than $1 million. According to a report generated in the Federal Procurement Data System, in fiscal year 2013, DoD made 15,258 new competitive awards for commercial supplies valued at less than or equal to $1 million to 4,018 unique small businesses.

The rule creates no new reporting, recordkeeping, or other compliance requirements. There are no known significant alternatives to the rule. The impact of this rule on small business is not expected to be significant.

V. Paperwork Reduction Act

The rule does not contain any information collection requirements that require the approval of the Office of Management and Budget under the Paperwork Reduction Act (44 U.S.C. chapter 35).

List of Subjects in 48 CFR Part 212, 213, and 252

Government procurement.

Amy G. Williams,

Editor, Defense Acquisition Regulations System.

Therefore, 48 CFR parts 212, 213, and 252 are amended as follows:

■ 1. The authority citation for 48 CFR parts 212, 213, and 252 continues to read as follows:

Authority: 41 U.S.C. 1303 and 48 CFR chapter 1.

PART 212—ACQUISITION OF COMMERCIAL ITEMS

■ 2. In section 212.301, redesignate paragraphs (f)(v) through (xviii) as paragraphs (f)(vi) through (xix), respectively, and add a new paragraph (f)(v) to read as follows:

212.301 Solicitation provisions and contract clauses for the acquisition of commercial items.

(f) * * *

(v) *Part 213—Simplified Acquisition Procedures.* Use the provision at 252.213–7000, Notice to Prospective Suppliers on Use of Past Performance Information Retrieval System—Statistical Reporting in Past Performance Evaluations, as prescribed in 213.106–2–70.

* * * * *

PART 213—SIMPLIFED ACQUISITION PROCEDURES

■ 3. Add sections 213.106–2 and 213.106–2–70 to subpart 213.1 to read as follows:

213.106–2 Evaluation of quotations or offers.

(b)(i) For competitive solicitations for supplies using FAR part 13 simplified acquisition procedures, including acquisitions valued at less than or equal to $1 million under the authority at FAR subpart 13.5, the contracting officer shall—

(A) Consider data available in the statistical reporting module of the Past Performance Information Retrieval System (PPIRS–SR) regarding the supplier's past performance history for the Federal supply class (FSC) and product or service code (PSC) of the supplies being purchased. Procedures for the use of PPIRS–SR in the evaluation of quotations or offers are provided in the PPIRS–SR User's Manual available under the references section of the PPIRS Web site at *www.ppirs.gov;*

(B) Ensure the basis for award includes an evaluation of each supplier's past performance history in PPIRS–SR for the FSC and PSC of the supplies being purchased; and

(C) In the case of a supplier without a record of relevant past performance history in PPIRS–SR for the FSC or PSC of the supplies being purchased, the supplier may not be evaluated favorably or unfavorably for its past performance history.

213.106–2–70 Solicitation provision.

Use the provision at 252.213–7000, Notice to Prospective Suppliers on the Use of Past Performance Information Retrieval System—Statistical Reporting in Past Performance Evaluations, in competitive solicitations for supplies when using FAR part 13 simplified acquisition procedures, including competitive solicitations using FAR part 12 procedures for the acquisition of commercial items and acquisitions valued at less than or equal to $1 million under the authority at FAR subpart 13.5.

PART 252—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

■ 4. Add new section 252.213–7000 to read as follows:

252.213–7000 Notice to Prospective Suppliers on Use of Past Performance Information Retrieval System—Statistical Reporting in Past Performance Evaluations.

As prescribed in 213.106–2–70, use the following provision:

Notice to Prospective Suppliers on Use of Past Peformance Information Retrieval System—Statistical Reporting in Past Performance Evaluations (May 2015)

(a) The Past Performance Information Retrieval System—Statistical Reporting (PPIRS–SR) application (*http://www.ppirs.gov/*) will be used in the evaluation of suppliers' past performance in accordance with DFARS 213.106–2(b)(i).

(b) PPIRS–SR collects quality and delivery data on previously awarded contracts and orders from existing Department of Defense reporting systems to classify each supplier's performance history by Federal supply class (FSC) and product or service code (PSC). The PPIRS–SR application provides the contracting officer quantifiable past performance information regarding a supplier's quality and delivery performance for the FSC and PSC of the supplies being purchased.

(c) The quality and delivery classifications identified for a supplier in PPIRS–SR will be used by the contracting officer to evaluate a supplier's past performance in conjunction with the supplier's references (if requested) and other provisions of this solicitation under the past performance evaluation factor. The Government reserves the right to award to the supplier whose quotation or offer represents the best value to the Government.

(d) PPIRS–SR classifications are generated monthly for each contractor and can be reviewed by following the access instructions in the PPIRS–SR User's Manual found at *https://www.ppirs.gov/ppirsfiles/pdf/PPIRS–SR_UserMan.pdf.* Contractors are granted access to PPIRS–SR for their own classifications only. Suppliers are encouraged to review their own classifications, the PPIRS–SR reporting procedures and classification methodology detailed in the PPIRS–SR User's Manual, and PPIRS–SR Evaluation Criteria available from the references at *http://www.ppirs.gov/ppirsfiles/reference.htm.* The method to challenge a rating generated by PPIRS–SR is provided in the User's Manual.

(End of provision)

[FR Doc. 2015–12339 Filed 5–22–15; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Defense Acquisition Regulations System

48 CFR Parts 212, 225, and 252

RIN 0750–AI41

Defense Federal Acquisition Regulation Supplement: Photovoltaic Devices from the United States (DFARS Case 2015–D007)

AGENCY: Defense Acquisition Regulations System, Department of Defense (DoD).

ACTION: Proposed rule.

SUMMARY: DoD is proposing to amend the Defense Federal Acquisition Regulation Supplement (DFARS) to implement a section of the National Defense Authorization Act for Fiscal Year 2015 that revises the restrictions relating to utilization of domestic photovoltaic devices.

DATES: Comments on the proposed rule should be submitted in writing to the address shown below on or before July 27, 2015, to be considered in the formation of a final rule.

ADDRESSES: Submit comments identified by DFARS Case 2015–D007, using any of the following methods:

○ *Regulations.gov: http://www.regulations.gov.* Submit comments via the Federal eRulemaking portal by entering ''DFARS Case 2015–D007'' under the heading ''Enter keyword or ID'' and selecting ''Search.'' Select the link ''Submit a Comment'' that corresponds with ''DFARS Case 2015–D007.'' Follow the instructions provided at the ''Submit a Comment'' screen. Please include your name, company name (if any), and ''DFARS Case 2015–D007'' on your attached document.

○ *Email: osd.dfars@mail.mil.* Include DFARS Case 2015–D007 in the subject line of the message.

○ *Fax:* 571–372–6094.

○ *Mail:* Defense Acquisition Regulations System, Attn: Amy G. Williams, OUSD(AT&L)DPAP/DARS, Room 3B941, 3060 Defense Pentagon, Washington, DC 20301–3060.

Comments received generally will be posted without change to *http://www.regulations.gov*, including any personal information provided. To confirm receipt of your comment(s), please check *www.regulations.gov*, approximately two to three days after submission to verify posting (except allow 30 days for posting of comments submitted by mail).

FOR FURTHER INFORMATION CONTACT: Ms. Amy G. Williams, Defense Acquisition Regulations System, OUSD(AT&L)DPAP/DARS, Room 3B941, 3060 Defense Pentagon, Washington, DC 20301–3060. Telephone 571–372–6106.

SUPPLEMENTARY INFORMATION:

I. Background

DoD is proposing to revise the DFARS to implement section 858 of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2015 (Pub. L. 113–291), which addresses utilization of domestic photovoltaic devices.

DFARS currently addresses utilization of domestic photovoltaic devices at DFARS 225.7017, Utilization of domestic photovoltaic devices, and the associated clause at 252.225–7017, Photovoltaic Devices, and provision at 252.225–7018, Photovoltaic Devices—Certificate. The current regulations that implement section 846 of the NDAA for FY 2011 (Pub. L. 111–383) were first published as an interim rule under DFARS Case 2011–D046 on December 20, 2011 (76 FR 78858) and finalized on May 22, 2012 (77 FR 30368). Some clarification of the rules of origin for photovoltaic devices to be utilized under covered contracts were published as an interim rule under FAR Case 2014–D006 on December 18, 2013 (78 FR 76993) and finalized on April 21, 2014 (79 FR 22041). Those clarifications are not affected by this rule.

II. Discussion and Analysis

A. Analysis and Interpretation of Statutory Requirements

Although section 858 of the NDAA for FY 2015 does not contain specific language to rescind or supersede section 846 of the NDAA for FY 2011, DoD has determined through detailed comparison of the two statutes that compliance with section 858 will meet or exceed the requirements for compliance with section 846.

The most significant differences between the two statutes are as follows:

1. Covered Contracts

Section 846 applied to contracts awarded by DoD, including energy savings performance contracts, utility service contracts, land leases, and private housing contracts, to the extent that such contracts result in ownership of photovoltaic devices by DoD. Section 846 further provides that DoD is deemed to own a photovoltaic device if the device is—

- Installed on DoD property or in a facility owned by DoD; and
- Reserved for the exclusive use of DOD for the full economic life of the device.

Section 858 applies to any contract awarded by DoD that provides for a photovoltaic device to be—

- Installed inside the United States on DoD property or in a facility owned by DoD; or
- Reserved for the exclusive use of DoD in the United States for the full economic life of the device.

These conditions are generally the same except—

(1) Section 858 explicitly restricts applicability to the U.S., which is still equivalent to the section 846 applicability, because the Buy American Act invoked in section 846 does not apply overseas; and

(2) Section 858 substitutes ''or'' for ''and'' in connecting the two conditions. Therefore, either one of the conditions is sufficient to make the law applicable and compliance with section 858 will meet and exceed compliance with section 846.

Land leases are not addressed in this rule. Although section 846 mentioned land leases as an example of the type of contract that might be a covered contract, the current DFARS regulations do not address land leases, because land leases are outside the scope of the FAR and DFARS. As used in the FAR and DFARS, the term ''acquisition'' means the ''acquiring by contract with appropriated funds of supplies or service (including construction). . . .'' Section 858 does not mention or affect land leases.

2. Requirements

Section 846 required that, with some exceptions, photovoltaic devices provided under covered contracts comply with the Buy American Act. The Buy American Act requires, for use inside the United States, that manufactured articles, materials and supplies be manufactured in the U.S., substantially all from articles, materials, or supplies mined, produced, or manufactured in the U.S.

Section 858 requires that any photovoltaic device installed under a covered contract be manufactured in the U.S. substantially all from articles, materials or supplies mined, produced, or manufactured in the United States. This requirement is the same as the basic requirement of the Buy American Act, but because this requirement is now separated from the explicit application of the Buy American Act, the exceptions and waivers that apply to the Buy American Act do not automatically apply to section 858, unless provided for and authorized by section 858.

However, to the extent section 858 does not differ from the Buy American

Act, it is reasonable and within the regulatory authority of DoD to apply a similar interpretation to that which has developed with regard to the Buy American Act over the years. Consequently, it is not necessary, nor would it be desirable, to reinterpret elements of the Buy American Act that appear unchanged in section 858.

Executive Order (E.O.) 10582, Prescribing Uniform Procedures for Certain Determinations under the Buy-American Act, signed December 17, 1954, has interpreted ''substantially all'' in the Buy American Act to mean that the cost of domestic components is at least 50 percent of the value of all components. It is reasonable to interpret the same language regarding ''substantially all'' in section 858 to have the same meaning established by the E.O. for interpretation of the Buy American Act.

3. Exceptions for Domestic Nonavailability and Micro-Purchase Threshold

The Buy American Act provides exceptions for domestic nonavailability and acquisitions below the micro-purchase threshold. These exceptions are not provided in section 858.

4. Public Interest Determination

The Buy American Act provides for individual or class determinations that application of the Buy American Act is inconsistent with the public interest. Through public interest class determinations, DoD does not apply the Buy American Act to (1) qualifying country end products; or (2) U.S.-made end products, if the World Trade Organization Government Procurement Agreement applies (*i.e.,* the aggregate value of the photovoltaic devices to be utilized is $204,000 or more). Section 858 allows determinations that application of the restriction in 858 is not in the public interest, but only on a case-by-case basis. Therefore, in order to allow a contractor to utilize a qualifying country photovoltaic device or a U.S.-made photovoltaic device, an individual public interest determination would be necessary.

5. Determination of Unreasonable Cost

Both the Buy American Act and section 858 allow a determination not to utilize a domestic product if the cost of the domestic product is unreasonable. The section 858 determination must be on a case-by-case basis. With regard to determining that the cost of a domestic item is unreasonable, E.O. 10582 provides a methodology to determine unreasonable cost, using a minimum differential of 6 percent, but also provides that the head of an executive agency may determine that the use of a higher differential between the cost of materials of domestic origin and the cost of materials of foreign origin ''is not unreasonable.'' The then Secretary of Defense, Cyrus Vance, signed a memorandum on May 7, 1964, providing for application of a 50 percent differential under the Buy American Act. Therefore, DoD proposes to continue application of a 50 percent evaluation factor when determining whether the price of domestic photovoltaic devices is unreasonable when the estimated aggregate value of the photovoltaic devices to be utilized is less than $204,000 (the World Trade Organization Government Procurement Agreement threshold). DoD considers it reasonable and within its regulatory discretion to use 50 percent as the evaluation factor for determination that the cost of a domestic photovoltaic device is unreasonable. By continuing an established and familiar practice, there will be less confusion in implementation.

The application of an evaluation factor to foreign products to determine whether the price of domestic products is reasonable is not applicable when the World Trade Organization Government Procurement Agreement applies, because there is a prohibition under that agreement to buying any products that are not designated, domestic, U.S.-made, or qualifying country products. DoD has waived the application of the Buy American Act to U.S.-made products, so no evaluation factor is applicable. Likewise, if applicability of section 858 to U.S.-made photovoltaic devices is waived, then no evaluation factor is applicable.

6. Exemption for Commercially Available Off-the-Shelf (COTS) Items

Pursuant to 41 U.S.C. 1907 and determinations by the Administrator of Federal Procurement Policy, the component test of the Buy American Act does not apply to the acquisition of COTS items. This exemption does not apply to photovoltaic devices utilized under section 858, because section 858 no longer invokes the restrictions of the Buy American Act.

7. Trade Agreements or Otherwise Provided by Law

Both section 846 and section 858 state that the restrictions are subject to the exceptions provided in the Trade Agreements Act or otherwise provided by law. The Trade Agreements Act (19 U.S.C. 2501 *et seq.*) provides authority for the President to waive the Buy American Act and other discriminatory provisions (*e.g.,* sections 846 and 858) for eligible products from designated countries. This authority has been delegated to the United States Trade Representative (USTR). The USTR has confirmed that the trade agreements provide an exception to the domestic source restrictions of section 858.

B. Regulatory Implementation

DoD is proposing changes to the DFARS as follows:

1. Definitions (DFARS 225.7017–1). Amend the definition of ''covered contract'' to conform to the wording of section 858, specifically adding ''inside the United States'' and changing ''and'' to ''or'' for the two conditions.

2. Restriction (DFARS 225.7017–3). Amend the restriction to cite section 858 and replace the reference to the Buy American Act with the specific requirements of section 858 for utilization of domestic photovoltaic devices, including ''substantially all'' domestic components.

3. Exceptions (225.7017–3). Delete the automatic exceptions for qualifying countries and Buy American unreasonable cost.

4. Waiver (DFARS 225.7017–4). Add a new section on waivers on a case-by case basis. This section provides examples of circumstances in which it may be appropriate to waive the restrictions of section 858, based on ''Inconsistent with the public interest,'' in order to allow—

- Utilization of U.S.-made photovoltaic if the aggregate value of photovoltaic devices to be utilized on the contract is $204,000 or more, the threshold for the World Trade Organization Government Procurement Agreement;
- Utilization of photovoltaic devices from a qualifying country; or
- Unreasonable cost, applicable only when the aggregate value of the photovoltaic devices to be installed under the contract is less than $204,000 (the World Trade Organization Government Procurement Agreement threshold) and utilizing the evaluation factor of 50 percent, consistent with DoD implementation of other domestic source restrictions such as the Buy American Act and Balance of Payments Program.

5. Solicitation provision and contract clause (DFARS 225.7017–5). Amend the clause prescription to conform to the revised definition of ''covered contract.''

6. Provision and clause (DFARS 252.225–7017 and 252.225–7018).

- Amend the definition of ''domestic photovoltaic device'' in the clause to include the requirement that the cost of components mined, produced, or

manufactured in the United States must exceed 50 percent of the cost of all components.

• Amend the restrictions in the clause to remove qualifying country photovoltaic devices and U.S.-made photovoltaic devices from being automatically acceptable unless the contractor specified their use in its offer.

• Update the statutory references in the clause.

• Remove the $3,000 micro-purchase threshold from paragraph (c)(1) of the clause and from paragraph (b)(1) of the provision, because these thresholds were associated only with the Buy American Act, not section 858.

• Amend the certificate to accommodate the requirement for case-by-case determinations in order to allow contractors to utilize qualifying country or U.S.-made photovoltaic devices or to determine that the price of a domestic photovoltaic device is unreasonable.

III. Executive Orders 12866 and 13563

Executive Orders (E.O.s) 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This is not a significant regulatory action and, therefore, was not subject to review under section 6(b) of E.O. 12866, Regulatory Planning and Review, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

IV. Determination of Applicability

Consistent with the determinations that DoD made with regard to application of the requirements of section 846 of NDAA for FY 2011, DoD does not intend to apply the requirements of section 858 of the NDAA for FY 2015 to contracts at or below the simplified acquisition threshold (SAT), but does intend to apply the rule to contracts for the acquisition of commercial items, including COTS items.

A. Applicability to Contracts at or Below the Simplified Acquisition Threshold

41 U.S.C. 1905 governs the applicability of laws to contracts or subcontracts in amounts not greater than the simplified acquisition threshold. It is intended to limit the applicability of laws to such contracts or subcontracts. 41 U.S.C. 1905 provides that if a provision of law contains criminal or civil penalties, or if the FAR Council makes a written determination that it is not in the best interest of the Federal Government to exempt contracts or subcontracts at or below the SAT, the law will apply to them. The Director, DPAP, is the appropriate authority to make comparable determinations for regulations to be published in the DFARS, which is part of the FAR system of regulations. DoD does not intend to make that determination. Therefore, this rule will not apply below the simplified acquisition threshold.

B. Applicability to Contracts for the Acquisition of Commercial Items, Including COTS items

41 U.S.C. 1906 governs the applicability of laws to contracts for the acquisition of commercial items, and is intended to limit the applicability of laws to contracts for the acquisition of commercial items. 41 U.S.C. 1906 provides that if a provision of law contains criminal or civil penalties, or if the FAR Council makes a written determination that it is not in the best interest of the Federal Government to exempt commercial item contracts, the provision of law will apply to contracts for the acquisition of commercial items. Likewise, 41 U.S.C. 1907 governs the applicability of laws to COTS items, with the Administrator for Federal Procurement Policy being the decision authority to determine that it is in the best interest of the Government to apply a provision of law to acquisitions of COTS items in the FAR. The Director, DPAP, is the appropriate authority to make comparable determinations for regulations to be published in the DFARS, which is part of the FAR system of regulations.

Therefore, given that the requirements of section 858 of the NDAA for FY 2015 were enacted to promote utilization of domestic photovoltaic devices, and since photovoltaic devices are generally COTS items, DoD has determined that it is in the best interest of the Federal Government to apply the rule to contracts for the acquisition of commercial items, including COTS items, as defined at FAR 2.101. An exception for contracts for the acquisition of commercial items, including COTS items, would exclude the contracts intended to be covered by the law, thereby undermining the overarching public policy purpose of the law.

V. Regulatory Flexibility Act

DoD does not expect this proposed rule to have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq*. However, an initial regulatory flexibility analysis has been performed and is summarized as follows:

This rule proposes to implement section 858 of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2015 (Pub. L. 113–291), by proposing changes to the regulatory coverage on utilization of domestic photovoltaic devices under certain covered contracts.

The objectives of this rule are to further promote utilization of domestic photovoltaic devices under DoD contracts, if such contract does not include DoD purchase of photovoltaic devices as end products, but will nevertheless provide for a photovoltaic device to be (1) installed inside the United States on DoD property or in a facility owned by DoD; or (2) reserved for the exclusive use of DoD in the United States for the full economic life of the device. The legal basis for the rule is section 858 of the NDAA for FY 2015.

This rule generally applies at the prime contract level to other than small entities. When purchasing renewable power generated via on-site photovoltaic devices, DoD can either purchase the photovoltaic devices and thereby own, operate, and maintain the devices for their full economic life (already covered in DFARS part 225 under standard Buy American Act/Trade Agreements regulations) or, for example, may do some variation of the following:

a. Enter into an energy savings performance contract, which is a contracting method in which the contractor provides capital to facilitate energy savings projects and maintains them in exchange for a portion of the energy savings generated. Under this arrangement, the Government would take title to the devices during contract performance or at the conclusion of the contract. For example, the Defense Logistics Agency—Energy uses the master Department of Energy indefinite delivery-indefinite quantity contract and awards task orders off that contract. Of the 16 contractors, all are large businesses. There are subcontracting goals that each contractor has to meet, but the ultimate task order award is made to a large business.

b. Enter into a power purchase agreement, also referred to as a utility service contract, for the purchase of the power output of photovoltaic devices that are installed on DoD land or buildings, but owned, operated, and maintained by the contractor. At the conclusion of the contract, DoD would

either require the contractor to dismantle and remove the photovoltaic equipment or abandon the equipment in place. Prime contractors for this type of contract would generally be large businesses, based on the capital costs involved in these projects. However, many developers tend to subcontract out the majority of work to smaller companies.

There are approximately 80 manufacturers of photovoltaic devices. We do not currently have data available on whether any of the manufacturers of photovoltaic devices are small entities, because FPDS does not collect such data on subcontractors.

There are no new reporting burdens under this rule. There are some negligible variations to the existing reporting burdens. Furthermore, since the prime contractors subject to this rule are other than small businesses, the reporting requirements will not impact small entities.

However, under section 858, if the aggregate value of the photovoltaic devices to be utilized under a contract is less than $204,000, or unless a waiver is obtained for the utilization of U.S.-made products when the aggregate value of the photovoltaic devices is $204,000 or more, there will be a requirement to track the origin of the components of the domestic photovoltaic devices. However, DoD estimates that most covered contracts will involve utilization of photovoltaic devices with an aggregate value in excess of $204,000 and expects to grant waivers as appropriate.

The rule does not duplicate, overlap, or conflict with any other Federal rules.

DoD did not identify any significant alternatives that meet the requirements of the statute and would have less impact on small entities. The ability for the Government to grant a waiver of section 858 if it is inconsistent with the public interest to preclude utilization of U.S.-made photovoltaic devices when the World Trade Organization Government Procurement Agreement is applicable (*i.e.,* the aggregate value of the photovoltaic devices to be utilized is $204,000 or more) will greatly reduce the burden on manufacturers of photovoltaic devices, regardless of size of the entity.

DoD invites comments from small business concerns and other interested parties on the expected impact of this rule on small entities.

DoD will also consider comments from small entities concerning the existing regulations in subparts affected by this rule in accordance with 5 U.S.C. 610. Interested parties must submit such comments separately and should cite 5 U.S.C. 610 (DFARS Case 2015–D017), in correspondence.

VI. Paperwork Reduction Act

The rule contains information collection requirements that require the approval of the Office of Management and Budget under the Paperwork Reduction Act (44 U.S.C. chapter 35); however, these changes to the DFARS do not impose additional information collection requirements to the paperwork burden previously approved under OMB Control Number 0704–0229, entitled ''Defense Federal Acquisition Regulation Supplement (DFARS) Part 225, Foreign Acquisition, and related clauses at DFARS 252.225.''

List of Subjects in 48 CFR Parts 212, 225, and 252

Government procurement.

Amy G. Williams,

Editor, Defense Acquisition Regulations System.

Therefore, 48 CFR parts 212, 225, and 252 are proposed to be amended as follows:

■ 1. The authority citation for parts 212, 225, and 252 continues to read as follows:

Authority: 41 U.S.C. 1303 and 48 CFR chapter 1.

PART 212—ACQUISITION OF COMMERCIAL ITEMS

■ 2. In section 212.301, revise paragraphs (f)(x)(I) and (f)(x)(J) to read as follows:

212.301 Solicitation provisions and contract clauses for the acquisition of commercial items.

(f) * * *

(x) * * *

(I) Use the clause at 252.225–7017, Photovoltaic Devices, as prescribed in 225.7017–5(a), to comply with section 858 of Public Law 113–291).

(J) Use the provision at 252.225–7018, Photovoltaic Devices—Certificate, as prescribed in 225.7017–5(b), to comply with section 959 of Public Law 113–291.

* * * * *

PART 225—FOREIGN ACQUISITION

■ 3. Revise sections 225.7017–1 through 225.7017–4 to read as follows:

225.7017–1 Definitions.

As used in this section—

Covered contract means a contract awarded by DoD that, by means other than DoD purchase as end products, provides for a photovoltaic device to be—

(1) Installed inside the United States on DoD property or in a facility owned by DoD; or

(2) Reserved for the exclusive use of DoD in the United States for the full economic life of the device.

Designated country photovoltaic device, domestic photovoltaic device, foreign photovoltaic device, Free Trade Agreement country photovoltaic device, photovoltaic device, qualifying country photovoltaic device, and *U.S.-made photovoltaic device* are defined in the clause at 252.225–7017, Photovoltaic Devices.

225.7017–2 Restriction.

In accordance with section 858 of the National Defense Authorization Act for Fiscal Year 2015, photovoltaic devices provided under any covered contract shall be manufactured in the United States substantially all from articles, materials, or supplies mined, produced, or manufactured in the United States, except as provided in 225.7017–3 and 225–7017–4.

225.7017–3 Exceptions.

(a) *Free Trade Agreements.* For a covered contract that utilizes photovoltaic devices valued at $25,000 or more, photovoltaic devices may be utilized from a country covered under the acquisition by a Free Trade Agreement, depending upon dollar threshold (see FAR subpart 25.4).

(b) *World Trade Organization—Government Procurement Agreement.* For covered contracts that utilize photovoltaic devices that are valued at $204,000 or more, only domestic photovoltaic devices or designated country photovoltaic devices may be utilized, unless acquisition of U.S.-made or qualifying country photovoltaic devices is allowed pursuant to a waiver in accordance with 225.7017–4(a).

225.7017–4 Waivers.

The head of the contracting activity is authorized to waive, on a case-by-case basis, the application of the restriction in 225.7017–2 upon determination that one of the following circumstances applies (see PGI 225.7017–4 for sample determinations and findings):

(a) *Inconsistent with the public interest.* For example, a public interest waiver may be appropriate to allow—

(1) Utilization of U.S.-made photovoltaic devices if the aggregate value of the photovoltaic devices to be utilized under the contract exceeds $204,000; or

(2) Utilization of photovoltaic devices from a qualifying country, regardless of dollar value.

(b) *Unreasonable cost.* A determination that the cost of a

domestic photovoltaic device is unreasonable may be appropriate if—

(1) The aggregate value of the photovoltaic devices to be utilized under the contract does not exceed $204,000; and

(2) The offeror documents to the satisfaction of the contracting officer that the price of the foreign photovoltaic devices plus 50 percent is less than the price of comparable domestic photovoltaic devices.

■ 4. Add section 225.7017–5 to read as follows:

225.7017–5 Solicitation provision and contract clause.

(a)(1) Use the clause at 252.225–7017, Photovoltaic Devices, in solicitations, including solicitations using FAR part 12 procedures for the acquisition of commercial items, for a contract that—

(i) Is expected to exceed the simplified acquisition threshold; and

(ii) May be a covered contract, *i.e.,* a contract that provides for a photovoltaic device to be—

(A) Installed inside the United States on DoD property or in a facility owned by DoD; or

(B) Reserved for the exclusive use of DoD in the United States for the full economic life of the device.

(2) Use the clause in the resultant contract, including contracts using FAR part 12 procedures for the acquisition of commercial items, if it is a covered contract.

(b) Use the provision at 252.225–7018, Photovoltaic Devices—Certificate, in solicitations, including solicitations using FAR part 12 procedures for the acquisition of commercial items, that contain the clause at 252.225–7017.

PART 252—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

■ 5. Section 252.225–7017 is amended by—

■ a. In the introductory text, removing ''225.7017–4(a)'' and adding ''225.7017–5(a)'' in its place;

■ b. Removing the clause date ''(JAN 2014)'' and adding ''(DATE)'' in its place;

■ c. In paragraph (a), revising the definition of ''Domestic photovoltaic device''; and

■ d. Revising paragraphs (b) and (c).

The revisions read as follows:

252.225–7017 Photovoltaic Devices.

* * * * *

(a) * * *

Domestic photovoltaic device means a photovoltaic device—

(i) Manufactured in the United States; and

(ii) The cost of its components that are mined, produced, or manufactured in the United States exceeds 50 percent of the cost of all components. The cost of components includes transportation costs to the place of incorporation into the end product and U.S. duty (whether or not a duty-free entry certificate is issued). Scrap generated, collected, and prepared for processing in the United States is considered domestic.

* * * * *

(b) This clause implements section 858 of the National Defense Authorization Act for Fiscal Year 2015 (Pub. L. 113–291).

(c) *Restriction.* If the Contractor specified in its offer in the Photovoltaic Devices–Certificate provision of the solicitation that the estimated value of the photovoltaic devices to be utilized in performance of this contract would be—

(1) Less than $25,000, then the Contractor shall utilize only domestic photovoltaic devices unless, in its offer, it specified utilization of qualifying country or other foreign photovoltaic devices in paragraph (c)(2) of the Photovoltaic Devices–Certificate provision of the solicitation. If the Contractor certified in its offer that it will utilize a qualifying country photovoltaic device, the Contractor shall utilize a qualifying country photovoltaic device as specified, or, at the Contractor's option, a domestic photovoltaic device;

(2) $25,000 or more but less than $79,507, then the Contractor shall utilize in the performance of this contract only domestic photovoltaic devices unless, in its offer, it specified utilization of Canadian, qualifying country, or other foreign photovoltaic devices in paragraph (c)(3) of the Photovoltaic Devices–Certificate provision of the solicitation. If the Contractor certified in its offer that it will utilize a qualifying country photovoltaic device or a Canadian photovoltaic device, the Contractor shall utilize a qualifying country photovoltaic device or a Canadian photovoltaic device as specified, or, at the Contractor's option, a domestic photovoltaic device;

(3) $79,507 or more but less than $100,000, then the Contractor shall utilize under this contract only domestic photovoltaic devices, or Free Trade Agreement country photovoltaic devices (other than Bahrainian, Korean, Moroccan, Panamanian, or Peruvian photovoltaic devices), unless, in its offer, it specified utilization of qualifying country or other foreign photovoltaic devices in paragraph (c)(4) of the Photovoltaic Devices–Certificate provision of the solicitation. If the Contractor certified in its offer that it will utilize a qualifying country photovoltaic device or a Free Trade Agreement country photovoltaic device (other than a Bahrainian, Korean, Moroccan, Panamanian, or Peruvian photovoltaic device), the Contractor shall utilize a qualifying country photovoltaic device; a Free Trade Agreement country photovoltaic device (other than a Bahrainian, Korean, Moroccan, Panamanian, or Peruvian photovoltaic device) as specified, or, at the Contractor's option, a domestic photovoltaic device;

(4) $100,000 or more but less than $204,000, then the Contractor shall utilize under this contract only domestic photovoltaic devices, or Free Trade Agreement country photovoltaic devices (other than Bahrainian, Moroccan, Panamanian, or Peruvian photovoltaic devices), unless, in its offer, it specified utilization of qualifying country or other foreign photovoltaic devices in paragraph (c)(4) of the Photovoltaic Devices–Certificate provision of the solicitation. If the Contractor certified in its offer that it will utilize a qualifying country photovoltaic device or a Free Trade Agreement country photovoltaic device (other than a Bahrainian, Moroccan, Panamanian, or Peruvian photovoltaic device), the Contractor shall utilize a qualifying country photovoltaic device; a Free Trade Agreement country photovoltaic device (other than a Bahrainian, Moroccan, Panamanian, or Peruvian photovoltaic device) as specified, or, at the Contractor's option, a domestic photovoltaic device; or

(5) $204,000 or more, then the Contractor shall utilize under this contract only domestic or designated country photovoltaic devices unless, in its offer, it specified utilization of U.S.-made or qualifying country photovoltaic devices in paragraph (c)(5) of the Photovoltaic Devices–Certificate provision of the solicitation. If the Contractor certified in its offer that it will utilize a designated country, U.S.-made, or qualifying country photovoltaic device, the Contractor shall utilize a designated country, U.S.-made, or qualifying country photovoltaic device as specified, or, at the Contractor's option, a domestic photovoltaic device.

* * * * *

■ 6. Section 252.225–7018 is amended by—

■ a. In the introductory text, removing ''225.7017–4(b)'' and adding ''225.7017–5(b)'' in its place;

■ b. Removing the clause date ''(JAN 2014)'' and adding ''(DATE)'' in its place;
■ c. Revising paragraph (b);
■ d. In paragraph (c), removing ''(See *http://www.cbp.gov/xp/cgov/trade/legal/rulings/.*)'' and adding ''(See *http://www.cbp.gov/trade/rulings.*)'' in its place; and
■ e. Revising paragraph (d).

The revisions read as follows:

252.225–7018 Photovoltaic Devices—Certificate.

* * * * *

(b) *Restrictions.* The following restrictions apply, depending on the estimated aggregate value of photovoltaic devices to be utilized under a resultant contract:

(1) If less than $204,000, then—

(i) The Government will not accept an offer specifying the use of other foreign photovoltaic devices in paragraphs (d)(2)(iii), (d)(3)(iii), (d)(4)(iii), or (d)(5)(iii) of this provision, unless the Offeror documents to the satisfaction of the Contracting Officer that the price of the foreign photovoltaic device plus 50 percent is less than the price of a comparable domestic photovoltaic device and the Government determines in accordance with DFARS 225.217–4 that the price of a comparable domestic photovoltaic device would be unreasonable; and

(ii) The Government will not accept an offer specifying the use of a qualifying country photovoltaic device unless the Government determines in accordance with 225.217–4 that it is in the public interest to allow use of a qualifying country photovoltaic device.

(2) If $204,000 or more, then the Government will consider only offers that utilize photovoltaic devices that are domestic or designated country photovoltaic devices, unless the Government determines in accordance with DFARS 225.7017–4, that it is in the public interest to allow use of a qualifying country photovoltaic device or a U.S.-made photovoltaic device.

* * * * *

(d) *Certification and identification of country of origin. [The Offeror shall check the block and fill in the blank for one of the following paragraphs, based on the estimated value and the country of origin of photovoltaic devices to be utilized in performance of the contract:*

___(1) No photovoltaic devices will be utilized in performance of the contract.

(2) If less than $25,000—

__ (i) The Offeror certifies that each photovoltaic device to be utilized in performance of the contract is a domestic photovoltaic device;

__ (ii) The Offeror certifies that each photovoltaic device to be utilized in performance of the contract is a qualifying country photovoltaic device *[Offeror to specify country of origin_____];* or

__ (iii) The foreign (other than qualifying country) photovoltaic devices to be utilized in performance of the contract are the product of _____. *[Offeror to specify country of origin, if known, and provide documentation that the cost of a domestic photovoltaic device would be unreasonable in comparison to the cost of the proposed foreign photovoltaic device, i.e., that the price of the foreign photovoltaic device plus 50 percent is less than the price of a comparable domestic photovoltaic device.*

(3) If $25,000 or more but less than $79,507—

__ (i) The Offeror certifies that each photovoltaic device to be utilized in performance of the contract is a domestic photovoltaic device or a Canadian photovoltaic device *[Offeror to specify country of origin_____];*

__ (ii) The Offeror certifies that each photovoltaic device to be utilized in performance of the contract is a qualifying country photovoltaic device *[Offeror to specify country of orgin_____];* or

__ (iii) The foreign (other than qualifying country or Canadian) photovoltaic devices to be utilized in performance of the contract are the product of _____. *[Offeror to specify country of origin, if known, and provide documentation that the cost of a domestic photovoltaic device would be unreasonable in comparison to the cost of the proposed foreign photovoltaic device, i.e., that the price of the foreign photovoltaic device plus 50 percent is less than the price of a comparable domestic photovoltaic device.]*

(4) If $79,507 or more but less than $100,000—

__ (i) The Offeror certifies that each photovoltaic device to be utilized in performance of the contract is a domestic photovoltaic device; a Free Trade Agreement country photovoltaic device (other than a Bahrainian, Korean, Moroccan, Panamanian, or Peruvian photovoltaic device) *[Offeror to specify country of origin _____];*

__ (ii) The Offeror certifies that each photovoltaic device to be utilized in performance of the contract is a qualifying country (except Australian or Canadian) photovoltaic device; *[Offeror to specify country of origin _____];* or

__ (iii) The offered foreign photovoltaic devices (other than those from countries listed in paragraph (d)(4)(i) or (d)(4)(ii) of this provision) are the product of _____. *[Offeror to specify country of origin, if known, and provide documentation that the cost of a domestic photovoltaic device would be unreasonable in comparison to the cost of the proposed foreign photovoltaic device, i.e., that the price of the foreign photovoltaic device plus 50 percent is less than the price of a comparable domestic photovoltaic device.]*

(5) If $100,000 or more but less than $204,000—

__ (i) The Offeror certifies that each photovoltaic device to be utilized in performance of the contract is a domestic photovoltaic device; a Free Trade Agreement country photovoltaic device (other than a Bahrainian, Moroccan, Panamanian, or Peruvian photovoltaic device) *[Offeror to specify country of origin _____];*

__ (ii) The Offeror certifies that each photovoltaic device to be utilized in performance of the contract is a qualifying country (except Australian or Canadian) photovoltaic device *[Offeror to specify country of origin _____];* or

__ (iii) The offered foreign photovoltaic devices (other than those from countries listed in paragraph (d)(4)(i) or (d)(4)(ii) of this provision) are the product of _____. *[Offeror to specify country of origin, if known, and provide documentation that the cost of a domestic photovoltaic device would be unreasonable in comparison to the cost of the proposed foreign photovoltaic device, i.e., that the price of the foreign photovoltaic device plus 50 percent is less than the price of a comparable domestic photovoltaic device.]*

(6) If $204,000 or more, the Offeror certifies that each photovoltaic device to be used in performance of the contract is—

__ (i) A domestic or designated country photovoltaic device *[Offeror to specify country of origin _____];*

__ (ii) A U.S.-made photovoltaic device; or

__ (iii) A qualifying country photovoltaic device. *[Offeror to specify country of origin _____].*

* * * * *

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FEDERAL REGISTER

Vol. 80 Tuesday,

No. 100 May 26, 2015

Part III

The President

Proclamation 9285—National Maritime Day, 2015

Federal Register
Vol. 80, No. 100
Tuesday, May 26, 2015

Presidential Documents

Title 3—

The President

Proclamation 9285 of May 20, 2015

National Maritime Day, 2015

By the President of the United States of America

A Proclamation

For over two centuries, proud mariners have set sail in defense of our people and in pursuit of opportunity. Through periods of conflict and times of peace, our Nation has relied on the United States Merchant Marine to transport goods to and from our shores and deliver troops and supplies around the world. On National Maritime Day, we honor the women and men who take to the seas to boost our economy and uphold the values we cherish.

Our Nation is forever indebted to the brave privateers who helped secure our independence, fearlessly supplying our Revolutionary forces with muskets and ammunition. Throughout history, their legacy has been carried forward by courageous seafarers who have faithfully served our Nation as part of the United States Merchant Marine—bold individuals who emerged triumphant in the face of attacks from the British fleet in the War of 1812, and who empowered the Allied forces as they navigated perilous waters during World War II. Today, patriots who share their spirit continue to stand ready to protect our seas and the livelihoods they support.

Ninety percent of the world's commerce moves by sea, and businesses across our country rely on domestic and international trade every day. Helping to protect our vital shipping routes, Merchant Mariners are critical to our effort to combat piracy and uphold the maritime security on which the global supply chain relies. And in times of war or national emergency, they bolster our national security as a ''fourth arm of defense.'' Whether transporting commercial goods or military equipment, battling tough weather or enemy fire, they strive and sacrifice to secure a brighter future for all Americans. On this day, we reaffirm the importance of their contributions and salute all those who serve this noble cause.

The Congress, by a joint resolution approved May 20, 1933, has designated May 22 of each year as ''National Maritime Day,'' and has authorized and requested the President to issue annually a proclamation calling for its appropriate observance.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, do hereby proclaim May 22, 2015, as National Maritime Day. I call upon the people of the United States to mark this observance and to display the flag of the United States at their homes and in their communities. I also request that all ships sailing under the American flag dress ship on that day.

IN WITNESS WHEREOF, I have hereunto set my hand this twentieth day of May, in the year of our Lord two thousand fifteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

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