

reduce operational risk. Moreover, OCC has coordinated moving to a Friday night expiration process with options industry participants and has also obtained assurance from all such participants that they are able to adhere to OCC's Friday night expiration implementation schedule. Therefore, OCC does not believe the proposed rule change would impose a burden on competition.

*(C) Clearing Agency's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others*

While the matters discussed in this proposed rule change have been subject to extensive discussion with clearing members, including during an OCC Operations Roundtable, written comments were not and are not intended to be solicited with respect to the proposed rule change, and none have been received.

**III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action**

Within 45 days of the date of publication of this notice in the **Federal Register** or within such longer period up to 90 days (i) as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

- (A) By order approve or disapprove such proposed rule change, or
- (B) institute proceedings to determine whether the proposed rule change should be disapproved.

The proposal shall not take effect until all regulatory actions required with respect to the proposal are completed.<sup>17</sup>

**IV. Solicitation of Comments**

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Exchange Act. Comments may be submitted by any of the following methods:

<sup>17</sup> OCC also filed the proposed rule change as an advance notice under Section 806(e)(1) of the Clearing Supervision Act, 12 U.S.C. 5465(e)(1); SR-OCC-2013-802. Proposed changes filed under the Clearing Supervision Act may be implemented pursuant to Section 806(e)(1)(G) of the Clearing Supervision Act if the Commission does not object to the proposed change within 60 days of the later of (i) the date that the proposed change was filed with the Commission or (ii) the date that any additional information requested by the Commission is received. 12 U.S.C. 5465(e)(1)(G).

*Electronic Comments*

- Use the Commission's Internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an email to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include File Number SR-OCC-2013-04 on the subject line.

*Paper Comments*

- Send paper comments in triplicate to Elizabeth M. Murphy, Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549.

All submissions should refer to File Number SR-OCC-2013-04. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web site viewing and printing in the Commission's Public Reference Room, 100 F Street NE., Washington, DC 20549 on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of OCC and on OCC's Web site: ([http://www.optionsclearing.com/components/docs/legal/rules\\_and\\_bylaws/sr\\_occ\\_13\\_04.pdf](http://www.optionsclearing.com/components/docs/legal/rules_and_bylaws/sr_occ_13_04.pdf)). All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-OCC-2013-04 and should be submitted on or before May 28, 2013.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>18</sup>

**Kevin M. O'Neill,**  
*Deputy Secretary.*

[FR Doc. 2013-10605 Filed 5-3-13; 8:45 am]

**BILLING CODE 8011-01-P**

<sup>18</sup> 17 CFR 200.30-3(a)(12).

**DEPARTMENT OF TRANSPORTATION**

**Federal Highway Administration**

**Environmental Impact Statement: City of Buffalo, Erie County, New York**

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice of Intent.

**SUMMARY:** The FHWA is issuing this notice to advise the public that an environmental impact statement will be prepared for a proposed highway project in the City of Buffalo, Erie County, New York.

**FOR FURTHER INFORMATION CONTACT:** Jonathan D. McDade, Division Administrator, Federal Highway Administration, New York Division, Leo O'Brien Federal Building, 11A Clinton Avenue, Suite 719, Albany New York 12207, Telephone: (518) 431-4127.  
Or

Darrell F. Kaminski, Regional Director, NYSDOT Region 5; 100 Seneca Street, Buffalo, NY 14203, Telephone (716) 847-3238.

**SUPPLEMENTARY INFORMATION:** The FHWA, in cooperation with the New York State Department of Transportation, will prepare an Environmental Impact Statement (EIS) in accordance with the National Environmental Policy Act (NEPA) on a proposal to provide improved access to and from the US Border Port of Entry/Peace Bridge Plaza (Plaza), in the City of Buffalo, Erie County, New York. The primary need of the project is to address the limited direct access between the Plaza and Interstate 190. Existing direct access is limited and requires regional and international traffic to use the local street system. This limited access adds additional commercial traffic to the local streets which were originally designed to only meet the needs of local traffic. The purpose of the Project is to reduce the use of the local streets by interstate traffic and provide access to the existing Plaza at its current location. The primary objectives of the project are to address the need for direct access from the Plaza to the northbound lanes of Interstate 190, to redirect through traffic from Front Park, and to remove Baird Drive. Alternatives under consideration include: (1) The no-build alternative; and (2) an alternative to construct a new ramp from the Plaza to the northbound lanes of Interstate 190, to remove Baird Drive, and to provide alternate access from Porter Avenue to the Plaza.

Letters describing the proposed action and soliciting comments will be sent to the appropriate Cooperating and

Participating Agencies and to private organizations and citizens that have expressed an interest in this action. Public and agency outreach will consist of: (1) A formal public Scoping meeting to be held Buffalo NY in June 2013, (2) a public hearing, (3) meetings with the applicable Cooperating and Participating Agencies, (4) a meeting with the Section 106 Consulting Parties including federally recognized Indian tribes. Public notice will be given of the date, time and place of the meetings and hearing. The draft EIS will be available for public and agency review and comment prior to the public hearing.

To ensure that a full range of issues related to this proposed action are addressed and all significant issues are identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA or NYSDOT at the addresses provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Research, Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Issued on: April 30, 2013.

**Jonathan D. McDade,**

*Division Administrator, New York Division, Federal Highway Administration, Albany, NY.*

[FR Doc. 2013-10660 Filed 5-3-13; 8:45 am]

**BILLING CODE 4910-22-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Notice of Final Federal Agency Actions on Transportation Project in Washington State

**AGENCY:** Federal Highway Administration (FHWA), U.S. DOT.

**ACTION:** Notice of Limitation on Claims for Judicial Review of Actions by FHWA and Other Federal Agencies.

**SUMMARY:** This notice announces actions taken by the FHWA and other Federal agencies that are final within the meaning of 23 U.S.C. 139(l)(1). The actions relate to the Interstate 90 (I-90) Snoqualmie Pass East Project, located between Hyak and Easton (Milepost [MP] 55.1 to 70.3) in Kittitas County, Washington. The action by FHWA is the Record of Decision (ROD), which selects avalanche bridges for construction on I-90 between MP 57.9 and 58.4. Actions by other Federal agencies include issuing amendments to previously issued permits.

**DATES:** By this notice, FHWA is advising the public of final agency actions subject to 23 U.S.C. 139(l)(1). A claim seeking judicial review of the Federal agency actions on the listed highway project will be barred unless the claim is filed on or before October 3, 2013. If the Federal law that authorizes judicial review of a claim provides a time period of less than 150 days for filing such claim, then that shorter time period still applies.

**FOR FURTHER INFORMATION CONTACT:**

Liana Liu, Area Engineer, North Central and South Central Region, Federal Highway Administration, 711 South Capital Way, Suite 501, Olympia, WA 98501-0943, telephone: (360) 753-9553, email address: *Liana.Liu@dot.gov*; or Jason Smith, Environmental Manager, South Central Region, Washington State Department of Transportation, 2809 Rudkin Road, Union Gap, WA 98903, telephone: (509) 577-1750, email address: *SmithJW@wsdot.wa.gov*.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that the FHWA and other Federal agencies have taken final agency actions related to the I-90 Snoqualmie Pass East Project in the State of Washington. FHWA, in cooperation with the Washington State Department of Transportation (WSDOT), prepared a Draft Environmental Impact Statement (EIS) (FHWA-WA-EIS-05-01-D) and Final EIS (FHWA-WA-EIS-05-01-F) for proposed improvements to a 15-mile portion of I-90 immediately east of Snoqualmie Pass in the Cascade Mountains, from Hyak at MP 55.1 to Easton Hill at MP 70.3. FHWA issued a ROD for the project in October 2008 and construction has continued since 2009. In September 2011, the contractor selected to construct the portion of the project from MP 57.34 to 60.23 along Keechelus Lake proposed a design modification that meets the project's purpose and need while reducing construction and maintenance costs. FHWA and WSDOT prepared a Draft Supplemental EIS (FHWA-WA-EIS-05-01-DS) to evaluate the design modification, which includes construction of eastbound and westbound avalanche bridges instead of the new, expanded snowshed that was originally part of the I-90 project Selected Alternative.

The actions by the Federal agencies, and the laws under which such actions were taken, are described in the Final Supplemental EIS (FHWA-WA-EIS-05-01-FS) and ROD issued concurrently on March 12, 2013, and in other documents in the FHWA administrative record. These documents are available by contacting FHWA or

WSDOT at the addresses provided above. The combined Final Supplemental EIS and ROD can also be downloaded electronically from the project Web site at *www.wsdot.wa.gov/projects/I90/SnoqualmiePassEast*, or viewed at area public libraries.

This notice applies to all Federal agency decisions on the project as of the issuance date of this notice and all laws under which such actions were taken, including but not limited to:

*General:* National Environmental Policy Act [42 U.S.C. 4321-4351]; Federal-Aid Highway Act [23 U.S.C. 109].

*Wildlife:* Endangered Species Act [16 U.S.C. 1531-1544]; Migratory Bird Treaty Act [16 U.S.C. 703-712].

(Catalog of Federal Domestic Assistance Program No. 20.205, Highway Research, Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

**Authority:** 23 U.S.C. 139(l)(1), as amended by Moving Ahead for Progress in the 21st Century Act (MAP-21), Pub. L. 112-141, § 1308, 126 Stat. 405 (2012).

Issued on: April 29, 2013.

**Daniel M. Mathis,**

*Division Administrator, Olympia, WA.*

[FR Doc. 2013-10661 Filed 5-3-13; 8:45 am]

**BILLING CODE 4910-RY-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2013-0122]

#### Qualification of Drivers; Application for Exemptions; Hearing

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), DOT.

**ACTION:** Notice of applications for exemptions; request for comments.

**SUMMARY:** FMCSA announces that 16 individuals have applied for a medical exemption from the hearing requirement in the Federal Motor Carrier Safety Regulations (FMCSRs). In accordance with the statutory requirements concerning applications for exemptions, FMCSA requests public comments on these requests. The statute and implementing regulations concerning exemptions require that exemptions must provide an equivalent or greater level of safety than if they were not granted. If the Agency determines the exemptions would satisfy the statutory requirements and decides to grant these requests after reviewing the public comments submitted in response