

Applying the factors described above to the December 31, 2012 current and projected account balances, the pension benefit

statement would show the following lifetime income streams:

Account balance on last day of statement period (12/31/12)	Single life form (monthly payment for P's life with no survivor benefit)	Joint and 50% survivor form	
		Monthly payment during P's life	Monthly payment after P's death to surviving spouse
Current—\$125,000 .....	\$625	\$564	\$282
Projected—\$557,534 .....	2,788	2,514	1,257

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

**Phyllis C. Borzi,**

*Assistant Secretary, Employee Benefits Security Administration, Department of Labor.*

[FR Doc. 2013-10636 Filed 5-7-13; 8:45 am]

**BILLING CODE 4510-29-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 63

[EPA-HQ-OAR-2013-0358; FRL-9809-8]

#### Notice of Final Action on Petition From Earthjustice To List Coal Mines as a Source Category and To Regulate Air Emissions From Coal Mines

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Denial of petition for rulemaking.

**SUMMARY:** This action provides notice that on April 30, 2013, the Acting EPA Administrator, Bob Perciasepe, signed a letter denying a petition to add coal mines to the Clean Air Act (CAA) section 111 list of stationary source categories. The agency denied the petition because the EPA must prioritize its actions in light of limited resources and ongoing budget uncertainties, and at this time, cannot commit to conducting the process to determine whether coal mines should be added to the list of categories under CAA 111(b)(1)(A). The letter explains in detail the EPA's reasons for the denial.

**FOR FURTHER INFORMATION CONTACT:** Ms. Allison Mayer, Sector Policies and Programs Division (E143-03), Office of Air Quality Planning and Standards, Environmental Protection Agency, Research Triangle Park, North Carolina 27711; telephone number: (919) 541-4016; fax number: (919) 541-3470; email address: [mayer.allison@epa.gov](mailto:mayer.allison@epa.gov).

#### SUPPLEMENTARY INFORMATION:

#### I. How can I get copies of this document and other related information?

This **Federal Register** notice, the petition for rulemaking and the letter denying the petition for rulemaking are available in the docket that the EPA established under Docket ID Number EPA-HQ-OAR-2013-0358. All documents in the docket are listed on the [www.regulations.gov](http://www.regulations.gov) Web site. Publicly available docket materials are available either electronically through [www.regulations.gov](http://www.regulations.gov), or in hard copy at the EPA Docket Center (Air 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 Air Docket is (202) 566-1742.

#### II. Judicial Review

Any petitions for review of the letter denying the petition to list coal mines as a source category described in this Notice must be filed in the Court of Appeals for the District of Columbia Circuit by July 8, 2013.

#### List of Subjects in 40 CFR Part 63

Environmental protection, Administrative practice and procedure, Air pollution control, Intergovernmental relations.

Dated: April 30, 2013.

**Bob Perciasepe,**

*Acting EPA Administrator.*

[FR Doc. 2013-10827 Filed 5-7-13; 8:45 am]

**BILLING CODE 6560-50-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 13-313; MB Docket No. 13-51; RM-11692]

#### Radio Broadcasting Services; Ehrenberg, Arizona

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document requests comments on a Petition for Rule Making filed by S and H Broadcasting, LLC, proposing the substitution of Channel 228C2 for vacant Channel 286C2 at Ehrenberg, Arizona. The proposed channel substitution at Ehrenberg accommodates the contingent hybrid application that requests the city of license modification for Station KRSX-FM, from Channel 287A, Twentynine Palms, California, to Channel 286A, North Shore, California. A staff engineering analysis indicates that Channel 228C2 can be allotted to Ehrenberg, Arizona consistent with the minimum distance separation requirements of the Commission's Rules with a site restriction located 11.1 kilometers (6.9 miles) east of Ehrenberg. In this regard, the Audio Division, on its own motion, modifies the reference coordinates for proposed Channel 228C2 at Ehrenberg, Arizona to the least restricted site. The reference coordinates are 33-36-54 NL and 114-24-14 WL. Channel 228C2 at Ehrenberg is located within 320 kilometers (199 miles) of the U.S.-Mexican border, so concurrence by the Government of Mexico is required. Mexican concurrence has been requested for this vacant allotment, but has not yet been received.

**DATES:** Comments must be filed on or before June 10, 2013, and reply comments on or before June 25, 2013.

**ADDRESSES:** Secretary, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner as follows: Peter Gutmann,

Esq., Womble Carlyle Sandridge & Rice, LLP, 1200 19th Street NW., 5th Floor, Washington, DC 20036.

**FOR FURTHER INFORMATION CONTACT:** Rolanda F. Smith, Media Bureau, (202) 418-2700.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MB Docket No.13-51, adopted April 18, 2013, and released April 19, 2013. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Information Center at Portals II, CY-A257, 445 12th Street SW., Washington, DC 20554. This document may also be purchased from the Commission's duplicating contractors, Best Copy and Printing, Inc., 445 12th Street SW., Room CY-B402, Washington, DC 20554, telephone 1-800-378-3160 or via email [www.BCPIWEB.com](http://www.BCPIWEB.com). 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).

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

#### List of Subjects in 47 CFR Part 73

Radio, Radio broadcasting.

Federal Communications Commission.

**Nazifa Sawez,**

*Assistant Chief, Audio Division, Media Bureau.*

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 47 CFR Part 73 as follows:

#### PART 73—RADIO BROADCAST SERVICES

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

**Authority:** 47 U.S.C. 154, 303, 334, 336 and 339.

#### § 73.202 [Amended]

■ 2. Section 73.202(b), the Table of FM Allotments under Arizona, is amended by removing Channel 286C2 and by adding Channel 228C3 at Ehrenberg.

[FR Doc. 2013-10850 Filed 5-7-13; 8:45 am]

**BILLING CODE 6712-01-P**

### DEPARTMENT OF COMMERCE

#### National Oceanic and Atmospheric Administration

#### 50 CFR Part 622

[Docket No. 130312235-3235-01]

RIN 0648-BD04

#### Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery Off the Southern Atlantic States; Regulatory Amendment 18

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

**ACTION:** Proposed rule; request for comments.

**SUMMARY:** NMFS proposes regulations to implement Regulatory Amendment 18 (Regulatory Amendment 18) to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region (FMP), as prepared and submitted by the South Atlantic Fishery Management Council (Council). If implemented, this rule would update the annual catch limits (ACLs) for vermilion snapper and red porgy, modify the vermilion snapper commercial trip limit, and remove the recreational 5-month seasonal closure for vermilion snapper. The purpose of this rule is to help achieve optimum yield (OY) for snapper-grouper resources in accordance with the requirements of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

**DATES:** Written comments must be received on or before June 7, 2013.

**ADDRESSES:** You may submit comments on the proposed rule, identified by "NOAA-NMFS-2013-0049" by any of the following methods:

- **Electronic Submission:** Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to [www.regulations.gov](http://www.regulations.gov)#!/docketDetail;D=NOAA-NMFS-2013-0049, click the "Comment Now!" icon,

complete the required fields, and enter or attach your comments.

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

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

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

**FOR FURTHER INFORMATION CONTACT:** Kate Michie, telephone: 727-824-5305, or email: [kate.michie@noaa.gov](mailto:kate.michie@noaa.gov).

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

#### Background

The Magnuson-Stevens Act requires NMFS and regional fishery management councils to prevent overfishing and achieve, on a continuing basis, the OY from federally managed fish stocks. These mandates are intended to ensure that fishery resources are managed for the greatest overall benefit to the nation, particularly with respect to providing food production and recreational opportunities, and protecting marine ecosystems. To further this goal, the Magnuson-Stevens Act requires fishery managers to end overfishing of stocks and to minimize bycatch and bycatch mortality to the extent practicable.

#### Vermilion Snapper Stock Status

A Southeast Data, Assessment, and Review (SEDAR) stock assessment update for South Atlantic vermilion snapper was completed in October 2012 (SEDAR 17 update). SEDAR is organized