

Notices

Federal Register

Vol. 78, No. 89

Wednesday, May 8, 2013

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

Rural Business-Cooperative Service

Amendment to Notice of Funding Availability for the Rural Energy for America Program

AGENCY: Rural Business-Cooperative Service, USDA.

ACTION: Notice.

SUMMARY: The Rural Business-Cooperative Service (Agency) published a notice in the **Federal Register** of March 29, 2013, (78 FR Doc. 2013-07275) announcing the acceptance of applications for funds available under the Rural Energy for America Program (REAP) for Fiscal Year 2013. The Consolidated and Further Continuing Appropriations Act, 2013 (Pub. L. 113-6), provides additional funding for REAP. To provide the public additional opportunity to apply for these additional funds, this Notice extends the application period from April 30, 2013, to May 31, 2013, for renewable energy systems and energy efficiency improvement projects grants and grant and loan combination applications and for renewable energy system feasibility study applications. The Agency is also adding a provision to ensure consistency with the intent of 2 CFR 25.205. A separate notice will be published to amend the funding available under REAP.

FOR FURTHER INFORMATION CONTACT: For information about this Notice, please contact Mr. Kelley Oehler, Branch Chief, USDA Rural Development, Energy Division, 1400 Independence Avenue SW., Washington, DC 20250. Telephone: (202) 720-6819. Email: kelly.oehler@wdc.usda.gov.

SUPPLEMENTARY INFORMATION: The Agency is amending the **DATES** section in the Notice of Funding Availability for the Rural Energy for America Program, which was published on March 29, 2013 (78 FR Doc. 2013-07275). To provide

the public additional time to submit applications as the result of additional funding being made available to the Agency, the Agency is extending the application deadline for three sets of applications: (1) Renewable energy system (RES) and energy efficiency improvement (EEI) grants, (2) RES and EEI grant and loan combinations and (3) RES feasibility study grants. For this set of applications, the deadline is being extended from April 30, 2013, to May 31, 2013. Note that the application deadline for RES and EEI guaranteed loan only applications is not being modified. The Agency is adding a provision to conform with the intent of 2 CFR 25.205, which allows the Agency to determine an applicant is not eligible for an award if the System for Award Management and Dun and Bradstreet Data Universal Numbering System requirements are not met. No other changes are being made to the March 29, 2013, Notice at this time.

Summary of Changes

1. In the third column on page 19183, the second paragraph under the **DATES** section is revised to read as follows:

For renewable energy system and energy efficiency improvement grant applications and combination grant and guaranteed loan applications, no later than 4:30 p.m. local time May 31, 2013.

2. In the third column on page 19183, the fourth paragraph under the **DATES** section is revised to read as follows:

For renewable energy system feasibility study applications, no later than 4:30 p.m. local time May 31, 2013.

3. In the first column on page 19187, subparagraph (d) is being added after subparagraph E. (4)(c) and before subparagraph (5), to read as follows:

(d) At the time the Agency is ready to make an award, if the applicant has not complied with subparagraph E. (4)(a) through (c) of this section, the Agency may determine the applicant is not eligible to receive the award.

Nondiscrimination Statement

USDA prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all

prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).

To file a complaint of discrimination, write to: USDA, Assistant Secretary for Civil Rights, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue SW., Stop 9410, Washington, DC 20250-9410 or call toll-free at (866) 632-9992 (English) or (800) 877-8339 (TDD) or (866) 377-8642 (English Federal-relay) or (800) 845-6136 (Spanish Federal-relay). USDA is an equal opportunity provider and employer.

Dated: April 29, 2013.

Lillian E. Salerno,

Acting Administrator, Rural Business-Cooperative Service.

[FR Doc. 2013-10941 Filed 5-7-13; 8:45 am]

BILLING CODE 3410-XY-P

DEPARTMENT OF AGRICULTURE

Rural Utilities Service

Oglethorpe Power Corporation: Proposed Biomass Power Plant

AGENCY: Rural Utilities Service, USDA.

ACTION: Notice of Availability of a Record of Decision.

SUMMARY: The Rural Utilities Service (RUS) has issued a Record of Decision (ROD) for the Environmental Impact Statement (EIS) related to providing financial assistance to the Oglethorpe Power Corporation (Oglethorpe) for the construction of a 100 megawatt (MW) biomass plant and related facilities (Proposal) in Warren County, Georgia. The Administrator of RUS has signed the ROD, which was effective upon signing. The EIS was prepared pursuant to the National Environmental Policy Act (NEPA) (U.S.C. 4231 et seq.) and in accordance with the Council on Environmental Quality's (CEQ) regulations for implementing the procedural provisions of NEPA (40 CFR Parts 1500-1508) and RUS' Environmental Policies and Procedures (7 CFR part 1794). As the lead federal agency, and as part of its broad environmental review process, RUS must take into account the effect of the Proposal on historic properties in

accordance with Section 106 of the National Historic Preservation Act (16 U.S.C. 470f) and its implementing regulation “Protection of Historic Properties” (36 CFR Part 800). Pursuant to 36 CFR 800.2(d)(3), RUS used its procedures for public involvement under NEPA, in part, to meet its responsibilities to solicit and consider the views of the public and other interested parties during the Section 106 review process. Accordingly, comments submitted in the EIS process also informed RUS’s decision making in the Section 106 review process. The purpose of the Proposal is to provide a reliable, long-term supply of renewable and sustainable energy at a reasonable cost to meet part of the electric energy needs of Oglethorpe’s members.

The Final EIS evaluated the potential environmental impacts of and alternatives to the Project proposed by Oglethorpe for RUS financing to construct the 100 megawatt (MW) biomass plant and related facilities (Proposal) in Warren County, Georgia.

ADDRESSES: To obtain copies of the ROD, or for further information, contact: Ms. Stephanie Strength, Environmental Protection Specialist, USDA, Rural Utilities Service, 1400 Independence Avenue SW., Stop 1571, Room 2244-S, Washington, DC 20250-1571, telephone: (970) 403-3559, fax: (202) 690-0649, or email: stephanie.strength@wdc.usda.gov. The ROD is available online at: <http://www.rurdev.usda.gov/UWP-OglethorpePower.html> and at the: Warren County Public Library, 10 Warren Street, Warrenton, Georgia 30828, Phone (706) 465-2656.

SUPPLEMENTARY INFORMATION: Oglethorpe proposes to own, operate, and maintain the Proposal in Warren County, Georgia. Three alternatives are evaluated in detail in the Final EIS; the no action alternative, and the proposed action at two different locations: Warren County (the Proposal) and Appling County (the Alternate). These alternatives were evaluated in terms of cost-effectiveness, technical feasibility, and environmental factors (e.g., soils, topography and geology, water resources, air quality, biological resources, the acoustic environment, recreation, cultural and historic resources, visual resources, transportation, farmland, land use, human health and safety, the socioeconomic environment, environmental justice, and cumulative effects).

The Proposal would be constructed on an approximately 343-acre site located three-fourths mile east of the

city limit of Warrenton, Georgia. The tallest structure would be the stack, with a maximum estimated height of approximately 220 feet.

A Notice of Availability (NOA) of the Draft EIS was published in the **Federal Register** at 76 FR 20624, on April 13, 2011, and in newspapers of general circulation within the Proposal’s area of environmental impact. Public hearings on the Draft EIS were held in the project area on May 5, 2011, and public comments were accepted through May 31, 2011. All comments on the Draft EIS have been entered into the administrative record, responses are included in the Final EIS, and the Final EIS was modified as appropriate. RUS published its NOA of the Final EIS for the proposed Project in the **Federal Register** on December 15, 2011 at 76 FR 77963. The U.S. Environmental Protection Agency acknowledged receipt of the Final EIS on December 9, 2011, from RUS. The 30-day waiting period ended on January 9, 2012. Fifteen comments were received that did not result in the need for changes or further comment in RUS’s ROD.

RUS carefully studied public health and safety, environmental impacts, and engineering aspects of the Project. Based on an evaluation of the information and impact analyses presented in the EIS, RUS finds that the evaluation of reasonable alternatives is consistent with NEPA and RUS Environmental Policies and Procedures. Details regarding RUS’s regulatory authority, rationale for the decision, and compliance with applicable regulations are included in the ROD. Because the proposed Project may involve action in floodplains or wetlands, this Notice also serves as a final notice of action in floodplains and wetlands (in accordance with Executive Orders 11988 and 11990).

This ROD is not a decision on Oglethorpe’s loan application and therefore not an approval of the expenditure of federal funds. This notice of the ROD concludes RUS’s environmental review process in accordance with NEPA and RUS’s Environmental Policies and Procedures (7 CFR part 1794). The ultimate decision as to loan approval depends upon the conclusion of this environmental review process plus financial and engineering analyses. Issuance of the ROD will allow these reviews to proceed.

Dated: March 15, 2013.

John Charles Padalino,
Acting Administrator, Rural Utilities Service.
[FR Doc. 2013-10861 Filed 5-7-13; 8:45 am]

BILLING CODE P

DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-904]

Certain Activated Carbon From the People’s Republic of China: Preliminary Results of Antidumping Duty Administrative Review; 2011-2012

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

SUMMARY: In response to requests from interested parties, the Department of Commerce (“Department”) is conducting the administrative review of the antidumping duty order on certain activated carbon from the People’s Republic of China (“PRC”) for the period of review (“POR”) April 1, 2011, through March 31, 2012. The Department has preliminarily determined that sales have been made below normal value (“NV”). Additionally, the Department has preliminarily determined not to revoke the order, in part, with respect to Jacobi Carbons AB (“Jacobi”).

DATES: *Effective Date:* May 8, 2013.

FOR FURTHER INFORMATION CONTACT: Bob Palmer, Emeka Chukwudebe, and Ricardo Martinez Rivera, AD/CVD Operations, Office 9, Import Administration, International Trade Administration, Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-9068, (202) 482-0219, and (202) 482-4532, respectively.

SUPPLEMENTARY INFORMATION:

Scope of the Order

The merchandise subject to the order is certain activated carbon.¹ The products are currently classifiable under the Harmonized Tariff Schedule of the United States (“HTSUS”) subheading 3802.10.00. Although the HTSUS subheading is provided for convenience and customs purposes, the written description of the scope of the order remains dispositive.²

¹ See “Decision Memorandum for the Preliminary Results of Antidumping Duty Administrative Review: Certain Activated Carbon from the People’s Republic of China,” (“Preliminary Decision Memorandum”) from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Import Administration, issued concurrently with this notice, for a complete description of the Scope of the Order.

² See Notice of Antidumping Duty Order: Certain Activated Carbon from the People’s Republic of China, 72 FR 20988 (April 27, 2007) (“Order”).