

Kialegee Tribal Town of the Muscogee (Creek) Nation have expressed an interest in this proceeding and are invited to participate in consultations to develop the Programmatic Agreement and to sign as a concurring party to the Programmatic Agreement. For purposes of commenting on the Programmatic Agreement, we propose to restrict the service list for Project No. 13102-003 as follows:

John Eddins, Advisory Council on Historic Preservation, The Old Post Office Building, 1100 Pennsylvania Avenue, NW., Suite 803, Washington, DC 20004

Greg Rhinehart, Alabama Historical Commission, 468 South Perry Street, Montgomery, AL 36130-0900

Joseph Giliberti, U.S. Army Corps of Engineers, Mobile District, 109 Saint Joseph Street, MS-PDEI, Mobile, AL 36628-0001

Nicholas E. Josten, Agent, Birch Power Company, 2742 Saint Charles Avenue, Idaho Falls, ID 83404

Robert Thrower, THPO, Poarch Band of Creek Indians, 5811 Jack Springs Road, Atmore, AL 36502

Bryant Celestine, THPO, Alabama-Coushatta Tribe of Texas, 571 State Park Road 56, Livingston, TX 77351

Augustine Asbury, Alabama-Quassarte Tribal Town, P.O. Box 187, Wetumka, OK 74883

Lisa Baker, THPO, United Keetoowah Band of Cherokee Indians, 20525 S. Jules Valdez Road, Tahlequah, OK 74464

Dr. Ian Thompson, THPO, Choctaw Nation of Oklahoma, P.O. Box 1210, Durant, OK 74701

Johnnie Jacobs, Choctaw Nation of Oklahoma, P.O. Box 1210, Durant, OK 74701

Dana Masters, THPO, Jena Band of Choctaw Indians, P.O. Box 14, Jena, LA 71342

Emman Spain, THPO, Muscogee (Creek) Nation, P.O. Box 580, Okmulgee, OK 74447

Chief George Tiger or Representative, Kialegee Tribal Town of the Muscogee (Creek) Nation, P.O. Box 146, Wetumpka, OK 74883

Any person on the official service list for the above-captioned proceedings may request inclusion on the restricted service list, or may request that a restricted service list not be established, by filing a motion to that effect within 15 days of this notice date. An original plus five copies of any such motion must be filed with the Secretary of the Commission (888 First Street NE., Washington, DC 20426) and must be served on each person whose name appears on the official service list. If no

such motions are filed, the restricted service list will be effective at the end of the 15 day period. Otherwise, a further notice will be issued ruling on the motion.

Dated: August 12, 2013.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. 2013-20033 Filed 8-16-13; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 6618-007]

#### Christopher M. Anthony; Notice of Termination of Exemption by Implied Surrender and Soliciting Comments and Protests

Take notice that the following hydroelectric proceeding has been initiated by the Commission:

a. *Type of Proceeding:* Termination of exemption by implied surrender.

b. *Project No.:* 6618-007.

c. *Date Initiated:* August 13, 2013.

d. *Exemptee:* Christopher M. Anthony.

e. *Name and Location of Project:* The Frankfort Project is located at the head of tide on Marsh Stream, near the Town of Frankfort, in Waldo County, Maine.

f. *Filed Pursuant to:* 18 CFR 4.106.

g. *Exemptee Contact Information:* Christopher Anthony, Express Hydro Services, 312 Somerset Avenue, Pittsfield, Maine 04967.

h. *FERC Contact:* B. Peter Yarrington, (202) 502-6129 or [peter.yarrington@ferc.gov](mailto:peter.yarrington@ferc.gov).

i. Deadline for filing comments and protests is 30 days from the issuance of this notice by the Commission. Please file your submittal electronically via the Internet (eFiling) in lieu of paper. Please refer to the instructions on the Commission's Web site under <http://www.ferc.gov/docs-filing/efiling.asp> and filing instructions in the Commission's Regulations at 18 CFR

385.2001(a)(1)(iii). To assist you with eFilings you should refer to the submission guidelines document at <http://www.ferc.gov/help/submission-guide/user-guide.pdf>. In addition, certain filing requirements have statutory or regulatory formatting and other instructions. You should refer to a list of these "qualified documents" at <http://www.ferc.gov/docs-filing/efiling/filing.pdf>. You must include your name and contact information at the end of your comments. Please include the project number (P-6618-007) on any

documents or motions filed. The Commission strongly encourages electronic filings; otherwise, you should submit an original and seven copies of any submittal to the following address: The Secretary, Federal Energy Regulatory Commission, Mail Code: DHAC, PJ-12, 888 First Street NE., Washington, DC 20426.

j. *Description of Project Facilities:* The project consists of a powerhouse containing one generator unit rated at 400 kilowatts with a hydraulic capacity of 440 cubic feet per second, a Denil-style fishway, and appurtenant facilities. The dam used by the project, which is immediately adjacent to the powerhouse, is a 14-foot-high, 250-foot-long stone masonry structure owned by the Town of Frankfort.

k. *Description of Proceeding:* The project's exemption from licensing was granted September 20, 1982 (20 FERC ¶ 62,498). Article 2 of the exemption requires the exemptee to comply with any terms and conditions set by federal and state resource agencies for the protection of fish and wildlife resources. The exemptee has failed to comply with terms and conditions set by the U.S. Fish and Wildlife Service (FWS) and the state of Maine for designing, constructing, and operating fish passage facilities at the project.

The exemptee completed installation of facilities for upstream and downstream passage of fish, including Atlantic salmon, pursuant to Article 2 in 1986; however, deficiencies in the design and construction of the facilities, and ongoing lack of maintenance, have prevented the successful operation of the facilities pursuant to Article 2. In 2009, Atlantic salmon using project waters were federally listed as endangered under the Endangered Species Act and in May 2012, Commission staff and staff from the FWS and National Marine Fisheries Service began to work intensively with the exemptee to correct ongoing problems with the fish passage facilities. To date, the exemptee has failed to make any significant progress in correcting the problems, despite notice from Commission staff that such failure constitutes violation of Article 2 and threatens endangered Atlantic salmon.

l. This notice is available for review and reproduction at the Commission in the Public Reference Room, Room 2A, 888 First Street NE., Washington, DC 20426. The filing may also be viewed on the Commission's Web site at <http://www.ferc.gov/docs-filing/elibrary.asp>. Enter the Docket number (P-6618-007) excluding the last three digits in the docket number field to access the notice. 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 toll-free 1-866-208-3676 or email [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov). For TTY, call (202) 502-8659.

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 and Protests*—Anyone may submit comments or protests in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210 and 385.211. In determining the appropriate action to take, the Commission will consider all protests filed. Any protests must be received on or before the specified deadline date for the particular proceeding.

o. *Filing and Service of Responsive Documents*—Any filing must (1) bear in all capital letters the title "COMMENTS or "PROTEST," as applicable; (2) set forth in the heading the project number of the proceeding to which the filing responds; (3) furnish the name, address, and telephone number of the person commenting or protesting; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments or protests must set forth their evidentiary basis and otherwise comply with the requirements of 18 CFR 4.34(b). All comments or protests should relate to project works which are the subject of the termination of exemption. A copy of any protest must be served upon each representative of the exemptee specified in item g above. A copy of all other filings in reference to this notice 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.

p. *Agency Comments*—Federal, state, and local agencies are invited to file comments on the described proceeding. If any agency does not file comments within the time specified for filing comments, it will be presumed to have no comments.

Dated: August 13, 2013.

**Kimberly D. Bose,**

*Secretary.*

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**BILLING CODE 6717-01-P**

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OAR-2013-0024; FRL 9900-21-OAR]

### California State Nonroad Engine Pollution Control Standards; Amendments to Spark Ignition Marine Engine and Boat Regulations; Request for Authorization; Opportunity for Public Hearing and Comment

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

**ACTION:** Notice of Opportunity for Public Hearing and Comment.

**SUMMARY:** The California Air Resources Board (CARB) has notified EPA that it has adopted amendments to the California Spark Ignition Marine Engine and Boat Regulations (2008 Marine SI Amendments or 2008 Amendments). CARB requested EPA confirmation that some of the 2008 Amendments are within the scope of prior EPA authorizations or alternatively that EPA grant full authorization for those amendments. CARB also requested confirmation that additional amendments require and merit full authorization. This notice announces that EPA has tentatively scheduled a public hearing and is now accepting written comment on California's request for authorization of the 2008 Marine SI Amendments.

**DATES:** EPA has tentatively scheduled a public hearing concerning CARB's request on September 16, 2013, at 9 a.m. EPA will hold a hearing only if any party notifies EPA by September 6, 2013, of their request to present oral testimony. Parties wishing to present oral testimony at the public hearing must provide written notice by September 6, 2013 to Julian Davis at the email address noted below. If EPA receives a request for a public hearing, that hearing will be held at 1310 L Street NW., Washington, DC 20005. If EPA does not receive a request for a public hearing, EPA will not hold a hearing, and instead will consider CARB's request based on written submissions to the docket. Any party may submit written comments until October 18, 2013.

By September 10, 2013, any person who plans to attend the hearing may check the following Web page for an update, <http://www.epa.gov/otaq/cafr.htm>, or may call Julian Davis at (734) 214-4029 to learn if a hearing will be held.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-HQ-OAR-2013-0024, by one of the following methods:

- *On-Line* at <http://www.regulations.gov/>: Follow the On-Line instructions for submitting comments. Direct your comments to Docket ID No. EPA-HQ-OAR-2013-0024.
- *Email*: [a-and-r-docket@epa.gov](mailto:a-and-r-docket@epa.gov).
- *Fax*: (202) 566-1741.
- *Mail*: Air and Radiation Docket, Docket ID No. EPA-HQ-OAR-2013-0024, U.S. Environmental Protection Agency, Mailcode: 6102T, 1200 Pennsylvania Avenue NW., Washington, DC 20460. Please include a total of two copies.
- *Hand Delivery*: EPA Docket Center, Public Reading Room, EPA West Building, Room 3334, 1301 Constitution Avenue NW., Washington, DC 20460. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

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 automatically be 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>.

EPA will make available for public inspection materials submitted by CARB, written comments received from