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DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 932

[Doc. No. AMS–FV–14–0002; FV14–932–1 IR]

Olives Grown in California; Decreased Assessment Rate

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Interim rule with request for comments.

SUMMARY: This rule decreases the assessment rate established for the California Olive Committee (Committee) for the 2014 and subsequent fiscal years from $21.16 to $15.21 per ton of assessable olives handled. The Committee locally administers the marketing order, which regulates the handling of olives grown in California. Assessments upon olive handlers are used by the Committee to fund reasonable and necessary expenses of the program. The fiscal year began January 1 and ends December 31. The assessment rate will remain in effect indefinitely unless modified, suspended, or terminated.

DATES: Effective March 15, 2014; comments received by May 13, 2014 will be considered prior to issuance of a final rule.

ADDRESSES: Interested persons are invited to submit written comments concerning this rule. Comments must be sent to the Docket Clerk, Marketing Order and Agreement Division, Fruit and Vegetable Program, AMS, USDA, 1400 Independence Avenue SW., STOP 0237, Washington, DC 20250–0237; Fax: (202) 720–8938; or Internet: *http://www.regulations.gov.* Comments should reference the document number and the date and page number of this issue of the **Federal Register** and will be available for public inspection in the Office of the Docket Clerk during regular business hours, or can be viewed at: *http://www.regulations.gov.* All comments submitted in response to this rule will be included in the record and will be made available to the public. Please be advised that the identity of the individuals or entities submitting the comments will be made public on the internet at the address provided above.

FOR FURTHER INFORMATION CONTACT: Jerry L. Simmons, Marketing Specialist, or Martin Engeler, Regional Director, California Marketing Field Office, Marketing Order and Agreement Division, Fruit and Vegetable Program, AMS, USDA; Telephone: (559) 487–5901, Fax: (559) 487–5906, or Email: *Jerry.Simmons@ams.usda.gov* or *Martin.Engeler@ams.usda.gov.*

Small businesses may request information on complying with this regulation by contacting Jeffrey Smutny, Marketing Order and Agreement Division, Fruit and Vegetable Program, AMS, USDA, 1400 Independence Avenue SW., STOP 0237, Washington, DC 20250–0237; Telephone: (202) 720–2491, Fax: (202) 720–8938, or Email: *Jeffrey.Smutny@ams.usda.gov.*

SUPPLEMENTARY INFORMATION: This rule is issued under Marketing Agreement No. 148 and Order No. 932, both as amended (7 CFR part 932), regulating the handling of olives grown in California, hereinafter referred to as the ''order.'' The order is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), hereinafter referred to as the ''Act.''

The Department of Agriculture (USDA) is issuing this rule in conformance with Executive Orders 12866, 13175, and 13563.

This rule has been reviewed under Executive Order 12988, Civil Justice Reform. Under the marketing order now in effect, California olive handlers are subject to assessments. Funds to administer the order are derived from such assessments. It is intended that the assessment rate as issued herein will be applicable to all assessable olives beginning on January 1, 2014, and continue until amended, suspended, or terminated.

The Act provides that administrative proceedings must be exhausted before parties may file suit in court. Under section 608c(15)(A) of the Act, any handler subject to an order may file with USDA a petition stating that the order, any provision of the order, or any obligation imposed in connection with the order is not in accordance with law and request a modification of the order or to be exempted therefrom. Such handler is afforded the opportunity for a hearing on the petition. After the hearing, USDA would rule on the petition. The Act provides that the district court of the United States in any district in which the handler is an inhabitant, or has his or her principal place of business, has jurisdiction to review USDA's ruling on the petition, provided an action is filed not later than 20 days after the date of the entry of the ruling.

This rule decreases the assessment rate established for the Committee for the 2014 and subsequent fiscal years from $21.16 to $15.21 per ton of assessable olives.

The California olive marketing order provides authority for the Committee, with the approval of USDA, to formulate an annual budget of expenses and collect assessments from handlers to administer the program. The members of the Committee are producers and handlers of California olives. They are familiar with the Committee's needs and with the costs for goods and services in their local area, and are thus in a position to formulate an appropriate budget and assessment rate. The assessment rate is formulated and discussed in a public meeting. Thus, all directly affected persons have an opportunity to participate and provide input.

For the 2013 and subsequent fiscal years, the Committee recommended, and USDA approved, an assessment rate of $21.16 per ton of assessable olives that would continue in effect from fiscal year to fiscal year unless modified, suspended, or terminated by USDA upon recommendation and information submitted by the Committee or other information available to USDA.

The Committee met on December 9, 2013, and unanimously recommended 2014 fiscal year expenditures of $1,262,460 and an assessment rate of $15.21 per ton of assessable olives. In comparison, last year's budgeted expenditures were $1,289,198. The assessment rate of $15.21 is $5.95 lower than the rate currently in effect. The Committee recommended the lower assessment rate because the 2013–14 assessable olive receipts as reported by

the California Agricultural Statistics Service (CASS) are 79,495 tons, compared to 90,790 tons in 2012–13. Olives are an alternate-bearing crop, where crop size alternates between small and large crops, resulting in a higher 2012–13 volume crop and a lower 2013–14 volume crop. The lower assessment rate is possible due to a decrease in the overall budget and utilization of part of the reserve.

The major expenditures recommended by the Committee for the 2014 fiscal year include $346,500 for General Administration; $565,600 for Marketing Programs; $37,800 for Inspection Equipment Development; and $312,560 for Research Programs. Budgeted expenses for these items in 2013 were $333,800, $637,380, $105,000, and $213,018, respectively.

The assessment rate recommended by the Committee is based upon the actual revenue necessary to meet anticipated 2014 fiscal year expenses, given the actual olive tonnage received by handlers during the 2013–14 crop year, and taking into consideration the potential tonnage diverted by handlers into exempt uses. Actual assessable tonnage for the 2014 fiscal year is expected to be lower than the 2013–14 crop receipts of 79,495 tons reported by CASS because some olives may be diverted by handlers to uses that are exempt from marketing order requirements. Income derived from handler assessments and carryover reserve will be adequate to cover budgeted expenses. Funds in the reserve will be kept within the maximum amount of one fiscal year's expenses permitted by the order.

The assessment rate established in this rule will continue in effect indefinitely unless modified, suspended, or terminated by USDA based upon a recommendation and information submitted by the Committee or upon other available information.

Although this assessment rate is effective for an indefinite period, the Committee will continue to meet prior to or during each fiscal year to recommend a budget of expenses and consider recommendations for modification of the assessment rate. The dates and times of Committee meetings are available from the Committee or USDA. Committee meetings are open to the public and interested persons may express their views at these meetings. USDA will evaluate Committee recommendations and other available information to determine whether modification of the assessment rate is needed. Further rulemaking will be undertaken as necessary. The Committee's 2014 budget and those for subsequent fiscal years will be reviewed and, as appropriate, approved by USDA.

Initial Regulatory Flexibility Analysis

Pursuant to requirements set forth in the Regulatory Flexibility Act (RFA) (5 U.S.C. 601–612), the Agricultural Marketing Service (AMS) has considered the economic impact of this action on small entities. Accordingly, AMS has prepared this initial regulatory flexibility analysis.

The purpose of the RFA is to fit regulatory actions to the scale of businesses subject to such actions in order that small businesses will not be unduly or disproportionately burdened. Marketing orders issued pursuant to the Act, and the rules issued thereunder, are unique in that they are brought about through group action of essentially small entities acting on their own behalf.

There are approximately 1,000 producers of California olives in the production area and two handlers subject to regulation under the marketing order. Small agricultural producers are defined by the Small Business Administration (SBA) as those having annual receipts of less than $750,000 and small agricultural service firms are defined as those whose annual receipts are less than $7,000,000. (13 CFR 121.201)

Based upon information from the industry and CASS, the average grower price for 2013 was approximately $1,057.56 per ton of assessable olives and total grower deliveries were 79,495 tons. Based on production, producer prices, and the total number of California olive producers, the average annual producer revenue is less than $750,000. Thus, the majority of olive producers may be classified as small entities. Neither of the handlers may be classified as small entities.

This rule decreases the assessment rate established for the Committee and collected from handlers for the 2014 and subsequent fiscal years from $21.16 to $15.21 per ton of assessable olives, a decrease of $5.95. The Committee unanimously recommended 2014 expenditures of $1,262,460. The quantity of assessable California olives for the 2013–14 season is 79,495 tons. However, the quantity of olives actually assessed is expected to be slightly lower because some of the tonnage may be diverted by handlers to exempt outlets on which assessments are not paid. Income derived from the assessment rate of $15.21 combined with carryover reserve should provide an assessment income adequate to meet this year's expenses.

The major expenditures recommended by the Committee for the 2014 year includes $346,500 for General Administration; $565,600 for Marketing Programs; $37,800 for Inspection Equipment Development; and $312,560 for Research Programs. Budgeted expenses for these items in 2013 were $333,800, $637,380, $105,000, and $213,018, respectively.

The decrease in the assessment rate is possible due to a decrease in the overall budget and utilization of part of the reserve. Funds in the reserve will be kept within the maximum amount of one fiscal year's expenses permitted by the order.

The Committee reviewed and unanimously recommended 2014 fiscal year expenditures of $1,262,460, which included decreases in Marketing Programs and Inspection Equipment Development, and an increase in Research Programs and General Administration.

Prior to arriving at this budget, the Committee considered information from various sources, such as the Executive Subcommittee, Marketing Subcommittee, Inspection Subcommittee, and the Research Subcommittee. Alternative expenditure levels were discussed by these groups based upon the relative value of various projects to the olive industry. The assessment rate of $15.21 per ton of assessable olives was derived by considering anticipated expenses, the volume of assessable olives, potentially exempt olives, and other pertinent factors.

A review of historical information and preliminary information indicates that the grower price for the 2013 fiscal year was approximately $1,150.17 per ton for canning fruit, and $384.56 per ton for limited-use sizes. Approximately 87.9 percent of the olive crop were canning fruit sizes and 12.1 percent were limited use sizes. Grower revenue on 79,495 total tons of canning and limited-use sizes would be $84,070,570, given the current grower prices for those sizes. Therefore, the estimated assessment revenue for the 2014 fiscal year, as a percentage of total grower revenue, is expected to be approximately 1.4 percent.

This action decreases the assessment obligation imposed on handlers. Assessments are applied uniformly on all handlers, and some of the costs may be passed on to producers. However, decreasing the assessment rate reduces the burden on handlers, and may reduce the burden on producers. In addition, the Committee's meeting was widely publicized throughout the California olive industry and all interested persons

were invited to attend the meeting and participate in Committee deliberations on all issues. Like all Committee meetings, the December 9, 2013, meeting was a public meeting and all entities, both large and small, were able to express views on this issue. Finally, interested persons are invited to submit comments on this interim rule, including the regulatory and informational impacts of this action on small businesses.

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the order's information collection requirements have been previously approved by the Office of Management and Budget (OMB) and assigned OMB No. 0581–0178, Generic Vegetable Crops. No changes in those requirements as a result of this action are necessary. Should any changes become necessary, they would be submitted to OMB for approval.

This action imposes no additional reporting or recordkeeping requirements on either small or large California olive handlers. As with all Federal marketing order programs, reports and forms are periodically reviewed to reduce information requirements and duplication by industry and public sector agencies.

AMS is committed to complying with the E-Government Act, to promote the use of the internet and other information technologies to provide increased opportunities for citizen access to Government information and services, and for other purposes.

USDA has not identified any relevant Federal rules that duplicate, overlap or conflict with this rule.

A small business guide on complying with fruit, vegetable, and specialty crop marketing agreements and orders may be viewed at: *http://www.ams.usda.gov/MarketingOrdersSmallBusinessGuide.* Any questions about the compliance guide should be sent to Jeffrey Smutny at the previously mentioned address in the **FOR FURTHER INFORMATION CONTACT** section.

After consideration of all relevant material presented, including the information and recommendation submitted by the Committee, and other available information, it is hereby found that this rule, as hereinafter set forth, will tend to effectuate the declared policy of the Act.

Pursuant to 5 U.S.C. 553, it is also found and determined upon good cause that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice prior to putting this rule into effect, and that good cause exists for not postponing the effective date of this rule until 30 days after publication in the **Federal Register** because: (1) The 2014 fiscal year began on January 1, 2014, and the marketing order requires that the rate of assessment for each fiscal year apply to all assessable olives handled during such fiscal year; (2) this action decreases the assessment rate for assessable olives beginning with the 2014 fiscal year; (3) handlers are aware of this action which was unanimously recommended by the Committee at a public meeting; and, (4) this interim rule provides a 60-day comment period, and all comments timely received will be considered prior to finalization of this rule.

List of Subjects in 7 CFR Part 932

Marketing agreements, Olives, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR part 932 is amended as follows:

PART 932—OLIVES GROWN IN CALIFORNIA

■ 1. The authority citation for 7 CFR part 932 continues to read as follows:

Authority: 7 U.S.C. 601–674.

■ 2. Section 932.230 is revised to read as follows:

§ 932.230 Assessment rate.

On and after January 1, 2014, an assessment rate of $15.21 per ton is established for California olives.

Dated: February 18, 2014.

Rex A. Barnes,

Administrator, Agricultural Marketing Service.

[FR Doc. 2014–05557 Filed 3–13–14; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Part 35

[Docket Nos. RM01–8–000, RM10–12–000, RM12–3–000]

Order Updating Electric Quarterly Report Data Dictionary

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Order Updating Electric Quarterly Report (EQR) Data Dictionary.

SUMMARY: In this order, the Federal Energy Regulatory Commission (Commission) updates the EQR Data Dictionary to indicate how market participants should enter information in certain fields of the new EQR system so that the new system's validation process will more readily accept filings. These updates to the EQR Data Dictionary enable the implementation of the Commission's revised EQR filing process. This order also updates the EQR Data Dictionary's list of Balancing Authority names and abbreviations to reflect changes in the official source of such data.

DATES: This order is effective March 14, 2014. The definitions adopted in this order shall be used beginning with the filing of the third quarter (Q3), 2013 EQR.

FOR FURTHER INFORMATION CONTACT:

Astrid Kirstin Rapp (Technical Information), Office of Enforcement, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, (202) 502–6246.

Adam Batenhorst (Legal Information), Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, (202) 502–6150.

SUPPLEMENTARY INFORMATION:

Before Commissioners: Cheryl A. LaFleur, Acting Chairman; Philip D. Moeller, John R. Norris, and Tony Clark.

	Docket No.
Filing Requirements for El. Utility S.A.	RM01–8–000
Electricity Market Transparency Provisions of Section 220 of the Federal Power Act	RM10–12–000
Revisions to Electric Quarterly Report Filing Process	RM12–3–000

(Issued March 10, 2014.)

1. In this order we are updating the Electric Quarterly Report (EQR) Data Dictionary in order to conform to the changes to the EQR filing process mandated by Order No. 770.[1] Specifically, we are updating the EQR Data Dictionary to indicate how market participants should enter information into certain fields in the new EQR system so that the new system's validation process will more readily accept the filings. This order also updates Appendix B of the EQR Data Dictionary, which contains Balancing Authority names and abbreviations, to reflect changes in the official source of such data.

I. Background

2. On April 25, 2002, the Commission issued Order No. 2001, a final rule establishing revised public utility filing requirements.[2] This rule revised the Commission's filing requirements to require companies subject to the Commission's regulations under section 205 of the Federal Power Act (FPA)[3] to file EQRs summarizing transaction information for short-term and long-term cost-based sales and market-based rate sales and the contractual terms and conditions in their agreements for all jurisdictional services. The requirement to file EQRs replaced the requirement to file quarterly transaction reports summarizing a utility's market-based rate transactions and sales agreements that conformed to the utility's tariff.

3. In Order No. 2001, the Commission also adopted a new section in its regulations, 18 CFR 35.10b, which required that the EQRs are to be prepared in conformance with the Commission's software and guidance posted and available from the Commission's Web site. Since the issuance of Order No. 2001, as need has arisen, the Commission has issued orders to resolve questions raised by EQR users and has directed Staff to issue additional guidance on how to report certain transactions.[4]

4. On September 24, 2007, the Commission issued Order No. 2001–G, adopting an EQR Data Dictionary that collected in one document the definitions of certain terms and values used in filing EQR data and provided formal definitions for fields that were previously undefined. Since its creation, the Commission has revised the EQR Data Dictionary on several occasions to clarify terms and definitions as needed.[5]

5. On September 21, 2012, the Commission issued Order No. 768,[6] which, among other things, revised the existing EQR filing requirements to require market participants that are excluded from the Commission's jurisdiction under section 205 of the FPA[7] and have more than a *de minimis* market presence to file EQRs with the Commission. Order Nos. 768 and 768–A also updated the EQR Data Dictionary to reflect changes required by the inclusion of non-public utilities in the EQR process.

6. On November 15, 2012, the Commission issued Order No. 770, which revised the Commission's regulations to change the process for filing EQRs. In Order No. 770, the Commission announced that, due to technology changes that will render the current filing process outmoded and unsustainable, the Commission will discontinue the use of Commission-distributed software to file an EQR. The Commission reported that, instead, beginning with Q3 2013 EQRs, it will adopt a web-based approach to filing EQRs that will allow a public or non-public utility to file an EQR directly through the Commission's Web site, either through a web interface or by submitting an Extensible Mark-Up Language (XML)-formatted file (XML filing option).[8] In Order No. 770, the Commission also updated the EQR Data Dictionary.[9]

II. Discussion

7. As noted in Order No. 770, the Commission is developing a validation process in the new system that contains validation checks that will run against the data inputted by the EQR Seller or Agent.[10] The validation process includes checks for required fields, character formatting, and character limits. As a result, the implementation of the new EQR system directed by Order No. 770 requires several additional updates to the EQR Data Dictionary, as detailed below. These updates provide necessary guidance regarding the new EQR system and will help ensure that the EQR validation process accepts market participants' EQR filings. The new validation process will reject submissions that are not provided in the format expected for each particular field. Updating the EQR Data Dictionary to reflect these expectations will reduce the number of rejected filings, minimizing EQR filing burdens.[11] The updates to the EQR Data Dictionary are described below.

8. The Commission is updating the ''Required'' column for certain fields[12]

[1] *Revisions to Electric Quarterly Report Filing Process,* Order No. 770, 77 FR 71288 (Nov. 30, 2012), FERC Stats. & Regs. ¶ 31,338 (2012) (Order No. 770).

[2] *Revised Public Utility Filing Requirements,* Order No. 2001, 67 FR 31044 (May 8, 2002), FERC Stats. & Regs. ¶ 31,127, *reh'g denied,* Order No. 2001–A, 100 FERC ¶ 61,074, *reh'g denied,* Order No. 2001–B, 100 FERC ¶ 61,342, *order directing filing,* Order No. 2001–C, 101 FERC ¶ 61,314 (2002), *order directing filing,* Order No. 2001–D, 102 FERC ¶ 61,334, *order refining filing requirements,* Order No. 2001–E, 105 FERC ¶ 61,352 (2003), *order on clarification,* Order No. 2001–F, 106 FERC ¶ 61,060 (2004), *order revising filing requirements,* Order No. 2001–G, 72 FR 56735 (Oct. 4, 2007), 120 FERC ¶ 61,270, *order on reh'g and clarification,* Order No. 2001–H, 73 FR 1876 (Jan. 10, 2008), 121 FERC ¶ 61,289 (2007), *order revising filing requirements,* Order No. 2001–I, 73 FR 65526 (Nov. 4, 2008), FERC Stats. & Regs. ¶ 31,282 (2008).

[3] 16 U.S.C. 842d (2012).

[4] *See, e.g., Revised Public Utility Requirements for Electric Quarterly Reports* (Notice Providing Guidance on the Filing of Information on Transmission Capacity Reassignments in Electric Quarterly Reports), 124 FERC ¶ 61,244 (2008) (providing guidance on complying with the Commission's Order No. 890–B reporting requirements); Order No. 2001–E, 105 FERC ¶ 61,352 (2003) (standardizing the terminology for control areas); *Revised Public Utility Filing Requirements,* 67 FR 65973 (Oct. 29, 2002), FERC Stats. & Regs. ¶ 35,045 (2002) (providing general guidance for using the EQR software).

[5] *See, e.g.,* Order No. 2001–I, FERC Stats. & Regs. ¶ 31,282 (revising the EQR Data Dictionary to define and rename the Commencement Date of Contract Terms and clarifying information to be reported concerning ancillary services); Order No. 2001–H, 121 FERC ¶ 61,289 (clarifying information to be included in several EQR data fields).

[6] *Electric Market Transparency Provisions of Section 220 of the Federal Power Act,* Order No. 768, 77 FR 61896 (Oct. 11, 2012), FERC Stats. & Regs. ¶ 31,336 (2012), *order on reh'g,* Order No. 768–A, 143 FERC ¶ 61,054 (2013).

[7] 16 U.S.C. 842d (2012).

[8] Although it originally was anticipated that the new EQR filing system would be available in October 2013 for use in filing Q3 2013 EQRs, the Commission issued orders extending the deadline to file Q3 2013 and Q4 2013 EQRs to dates to be determined. *Filing Requirements for El. Utility, S.A.,* 145 FERC ¶ 61,031 (2013) (extending the deadline for Q3 2013 EQRs); *Filing Requirements for El. Utility, S.A.,* 145 FERC ¶ 61,282 (2013) (extending the deadline for Q4 2013 EQRs).

[9] The most current version of the EQR Data Dictionary (version 2.2) was issued on April 18, 2013 as an appendix to Order No. 768–A.

[10] Order No. 770, FERC Stats. & Regs. ¶ 31,338 at 31,764–65.

[11] Pursuant to the Paperwork Reduction Act, the burden estimates (for the EQR, also known as the FERC–920) related to the change to the new EQR system were accounted for previously in Order No. 770 for existing filers. The initial implementation burden for new non-public filers was accounted for in Order No. 768. Because the updates to the EQR Data Dictionary adopted in this order impose no new or revised burdens or regulatory requirements, under 5 U.S.C. 553(b), notice and comment procedures are unnecessary.

[12] *See, e.g.,* Contract Termination Date (Field Number 23); Actual Termination Date (Field Number 24); Extension Provision Description (Field Number 25); Quantity (Field Number 32); Units (Field Number 33); Rate (Field Number 34); Rate Minimum (Field Number 35); Rate Maximum (Field Number 36); Point of Receipt Balancing Authority (PORBA) (Field Number 39); Point of Receipt Specific Location (PORSL) (Field Number 40); Point of Delivery Balancing Authority (PODBA) (Field Number 41); Point of Delivery Specific Location (PODSL) (Field Number 42); Begin Date (Field Number 43); End Date (Field Number 44); Total Transmission Charge (Field Number 69); Filer

and making corresponding updates to the ''Value'' column for Index Price Publisher(s) To Which Sales Transactions Have Been Reported (Field Number 73). The ''Required'' column now indicates what information must be entered in these fields if that information is not specified in the contract (e.g., leave the field blank or enter ''None,'' ''N/A'', etc.) or required in the index publishing data. Similarly, the Commission is updating the ''Value'' column, for example, by specifying how contact information must be entered and the number of available integers or characters in certain fields to be consistent with Order No. 770 and the new validation process.[13] The Commission is also updating the ''Definition'' column to include guidance on required formatting and data values.[14]

9. Moreover, the Commission is removing specific references to comma-delimited text (CSV) files and related requirements in certain fields given that the new system allows the additional XML filing option.[15] The Commission also is updating the Company Identifier (Field Number 3), Contact Name (Field Number 4), Transactions Reported to Index Price Publisher(s) (Field Number 13), Contract Service Agreement ID (Field Number 20), and Contract Service Agreement ID (Field Number 49) to include references to ''Agent'' and ''Sellers,'' consistent with the terms adopted in Order No. 770.[16] The Commission is also revising the ''Definition'' for Begin Date (Field Number 43) and End Date (Field Number 44) to reflect the fact that time must also be noted in those fields, as indicated in the associated ''Value'' column. Further, the Commission is revising the ''Definition'' for Time Zone (Field Number 56) to clarify that it refers to transaction data (not contract data) because this field is associated with transactions.

10. In addition, the Commission is updating the list of Index Price Publishers in Appendix G to delete ''Dow Jones'' and updating the list of Exchange/Broker Services in Appendix H to add ''Nodal Exchange.'' Moreover, the Commission is updating the list of Balancing Authority names and abbreviations to reflect changes in the official source of such data, the Open Access Technology, Inc. (OATI) webRegistry, as indicated by Order No. 768–A.[17] Finally, the Commission is making the following clerical edits: (1) To state in the ''Definition'' of Filer Unique Identifier (Field Number 1) and Transaction Unique ID (Field Number 45) that one record for each transaction record ''must be included'' because this information is required; (2) to clarify in the ''Definition'' field of Filing Quarter (Field Number 14) that the reference number is used by the EQR System; and (3) to add a period to the ''Value'' of Point of Receipt Specific Location (PORSL) (Field Number 40). If information is not entered in the manner specified above, the filing may not be accepted by the new EQR validation process. As discussed above, these updates to the EQR Data Dictionary will reduce burden on EQR filers by clarifying system expectations to ensure that data makes it through the validation process.

III. Implementation Dates

11. This order will become effective March 14, 2014. The updated EQR Data Dictionary adopted in this order shall be used when the web-based approach is available, beginning with the filing of the Q3 2013 EQR.

IV. Document Availability

12. 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.

13. From the Commission's Home Page on the Internet, this information is available in the eLibrary. The full text of this document is available in the eLibrary both in PDF and Microsoft Word format for viewing, printing, and/or downloading. To access this document in eLibrary, type RM01–8, RM10–12, or RM12–3 in the docket number field. User assistance is available for eLibrary and the Commission's Web site during the Commission's normal business hours. For assistance contact the Commission's Online Support services at *FERCOnlineSupport@ferc.gov* or toll-free at (866) 208–3676, or for TTY, contact (202) 502–8659.

The Commission orders:

(A) The Commission hereby adopts the changes in the EQR Data Dictionary shown in the Attachment, as discussed in the body of this order.

(B) The definitions adopted in this order shall be applied to EQR filings beginning with the Q3 2013 EQR.

By the Commission.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

Note: Attachment will not be published in the Code of Federal Regulations.

Attachment

Electric Quarterly Report Data Dictionary Version 3.0 (Issued February 28, 2014)

BILLING CODE 6717–01–P

Unique Identifier (Field Number 71); Seller Company Name (Field Number 72); Index Price Publisher(s) To Which Sales Transactions Have Been Reported (Field Number 73); and Transactions Reported (Field Number 74).

[13] *See, e.g.,* Company Identifier (Field Number 3); Contact Name (Field Number 4); Contact Country Name (Field Number 10); Contact E-Mail (Field Number 12); Transactions Reported to Index Price Publisher(s) (Field Number 13); Contract Affiliate (Field Number 18); Rate Description (Field Number 37); Transaction Begin Date (Field Number 51); Transaction End Date (Field Number 52); and Trade Date (Field Number 53).

[14] *See, e.g.,* Filer Unique Identifier (Field Number 1); Rate Description (Field Number 37); and Transaction Unique ID (Field Number 45).

[15] *See* Filer Unique Identifier (Field Number 1); Filing Quarter (Field Number 14); Contact Unique ID (Field Number 15); and Transaction Unique ID (Field Number 45).

[16] *See* Order No. 770, FERC Stats. & Regs. ¶ 31,338 at 31,760.

[17] *See* Order No. 768–A, 143 FERC ¶ 61,054 at P 55.

EQR Data Dictionary
ID Data

Field #	Field	Required	Value	Definition
1	Filer Unique Identifier	✓	FS# (where "#" is an integer)	(Seller) – An identifier (e.g., "FS1", "FS2") used to designate a record containing Seller identification information One record for each seller company must be included in an EQR for a given quarter.
1	Filer Unique Identifier	✓	FA1	(Agent) – An identifier (i.e., "FA1") used to designate a record containing Agent identification information . One record with the FA1 identifier must be included in an EQR for a given quarter.
2	Company Name	✓	Unrestricted text (100 characters)	(Seller) – The name of the company that is authorized to make sales as indicated in the company's FERC tariff(s) or that is required to file the EQR under section 220 of the Federal Power Act.
2	Company Name	✓	Unrestricted text (100 characters)	(Agent) – The name of the entity completing the EQR filing. The Agent's Company Name need not be the name of the company under Commission jurisdiction.
3	Company Identifier	✓	A 6-digit integer preceded by the letter "C" (or in case of Agent, it may be a 6-digit integer preceded by the letter "D")	(Seller) – The Company Identifier (CID) obtained through the Commission's Company Registration system. (Agent) – The CID or Delegate Identifier (DID) obtained through the Commission's Company Registration system.
4	Contact Name	✓	"FirstName LastName" or "FirstName MiddleInitial LastName" or "FirstName MiddleName LastName" (50 characters)	(Seller) – The name of the contact for the company authorized to make sales as indicated in the company's FERC tariff(s) or that is required to file the EQR under section 220 of the Federal Power Act.
4	Contact Name	✓	"FirstName LastName" or "FirstName MiddleInitial LastName" or "FirstName MiddleName LastName" (50 characters)	(Agent) – Name of the person who prepared the filing
5	Contact Title	✓	Unrestricted text (50 characters)	Title of contact identified in Field Number 4.
6	Contact Address	✓	Unrestricted text	Street address for contact identified in Field Number 4.

EQR Data Dictionary
ID Data

Field #	Field	Required	Value	Definition
7	Contact City	✓	Unrestricted text (30 characters)	City for the contact identified in Field Number 4.
8	Contact State	✓	Unrestricted text (2 characters)	Two character state or province abbreviation for the contact identified in Field Number 4.
9	Contact Zip	✓	Unrestricted text (10 characters)	Zip code for the contact identified in Field Number 4.
10	Contact Country Name	✓	CA - Canada MX - Mexico US – United States UK – United Kingdom (2 characters)	Country (USA, Canada, Mexico, or United Kingdom) for contact address identified in Field Number 4.
11	Contact Phone	✓	Unrestricted text (20 characters)	Phone number of contact identified in Field Number 4.
12	Contact E-Mail	✓	Unrestricted text (200 characters)	E-mail address of contact identified in Field Number 4.
13	Transactions Reported to Index Price Publisher(s)	✓	Y – Yes N – No (1 character)	Sellers should indicate whether they have reported their sales transactions to index price publisher(s). If they have, Sellers should indicate specifically which index publisher(s) in Field Number 73.
14	Filing Quarter	✓	YYYYMM	A six digit reference number used by the EQR system to indicate the quarter and year of the filing. The first 4 numbers represent the year (e.g., 2007). The last 2 numbers represent the last month of the quarter (e.g., 03=1st quarter; 06=2nd quarter, 09=3rd quarter, 12= 4th quarter).

EQR Data Dictionary
Contract Data

Field #	Field	Required	Value	Definition
15	Contract Unique ID	✓	An integer preceded by the letter "C" (only used when importing contract data)	An identifier beginning with the letter "C" and followed by a number (e.g., "C1", "C2") used to designate a record containing contract information.
16	Seller Company Name	✓	Unrestricted text (100 characters)	The name of the company that is authorized to make sales as indicated in the company's FERC tariff(s) or that is required to file the EQR under section 220 of the Federal Power Act. This name must match the name provided as a Seller's "Company Name" in Field Number 2 of the ID Data (Seller Data).
17	Customer Company Name	✓	Unrestricted text (70 characters)	The name of the purchaser of contract products and services.
18	Contract Affiliate	✓	Y (Yes) N (No) (1 character)	The customer is an affiliate if it controls, is controlled by, or is under common control with the seller. This includes a division that operates as a functional unit. A customer of a seller who is an Exempt Wholesale Generator may be defined as an affiliate under the Public Utility Holding Company Act and the FPA.
19	FERC Tariff Reference	✓	Unrestricted text (60 characters)	The FERC tariff reference cites the document that specifies the terms and conditions under which a Seller is authorized to make transmission sales, power sales or sales of related jurisdictional services at cost-based rates or at market-based rates. If the sales are market-based, the tariff that is specified in the FERC order granting the Seller Market Based Rate Authority must be listed. If a non-public utility does not have a FERC Tariff Reference, it should enter "NPU" for the FERC Tariff Reference.
20	Contract Service Agreement ID	✓	Unrestricted text (30 characters)	Unique identifier given to each service agreement that can be used by the Seller to produce the agreement, if requested. The identifier may be the number assigned by FERC for those service agreements that have been filed with and accepted by the Commission, or it may be generated as part of an internal identification system.
21	Contract Execution Date	✓	YYYYMMDD	The date the contract was signed. If the parties signed on different dates, use the most recent date signed.
22	Commencement Date of Contract Terms	✓	YYYYMMDD	The date the terms of the contract reported in fields 18, 23 and 25 through 44 (as defined in the data dictionary) became effective. If those terms became effective on multiple dates (i.e., due to one or more amendments), the date to be reported in this field is the date the most recent amendment became effective. If the contract or the most recent reported amendment does not have an effective date, the date when service began pursuant to the contract or most recent reported amendment may be used. If the terms reported in fields 18, 23 and 25 through 44 have not been amended since January 1,

EQR Data Dictionary
Contract Data

Field #	Field	Required	Value	Definition
				2009, the initial date the contract became effective (or absent an effective date the initial date when service began) may be used.
23	Contract Termination Date	If specified in the contract. If not specified in the contract, field should remain blank.	YYYYMMDD	The date that the contract expires.
24	Actual Termination Date	If contract terminated. If contract has not terminated, field should remain blank.	YYYYMMDD	The date the contract actually terminates.
25	Extension Provision Description	✓ If not specified in contract, enter None or N/A.	Unrestricted text	Description of terms that provide for the continuation of the contract.
26	Class Name	✓	---	See definitions of each class name below.
26	Class Name	✓	F - Firm	For transmission sales, a service or product that always has priority over non-firm service. For power sales, a service or product that is not interruptible for economic reasons.
26	Class Name	✓	NF - Non-firm	For transmission sales, a service that is reserved and/or scheduled on an as-available basis and is subject to curtailment or interruption at a lesser priority compared to Firm service. For an energy sale, a service or product for which delivery or receipt of the energy may be interrupted for any reason or no reason, without liability on the part of either the buyer or seller.
26	Class Name	✓	UP - Unit Power Sale	Designates a dedicated sale of energy and capacity from one or more than one specified

EQR Data Dictionary
Contract Data

Field #	Field	Required	Value	Definition
				generation unit(s).
26	Class Name	✓	N/A - Not Applicable	To be used only when the other available Class Names do not apply.
27	Term Name	✓	LT - Long Term ST - Short Term N/A - Not Applicable	Contracts with durations of one year or greater are long-term. Contracts with shorter durations are short-term.
28	Increment Name	✓	---	See definitions for each increment below.
28	Increment Name	✓	H - Hourly	Terms of the contract (if specifically noted in the contract) set for up to 6 consecutive hours (≤ 6 consecutive hours).
28	Increment Name	✓	D - Daily	Terms of the contract (if specifically noted in the contract) set for more than 6 and up to 60 consecutive hours (>6 and ≤ 60 consecutive hours).
28	Increment Name	✓	W - Weekly	Terms of the contract (if specifically noted in the contract) set for over 60 consecutive hours and up to 168 consecutive hours (>60 and ≤ 168 consecutive hours).
28	Increment Name	✓	M - Monthly	Terms of the contract (if specifically noted in the contract) set for more than 168 consecutive hours up to, but not including, one year (>168 consecutive hours and < 1 year).
28	Increment Name	✓	Y - Yearly	Terms of the contract (if specifically noted in the contract) set for one year or more (≥ 1 year).
28	Increment Name	✓	N/A - Not Applicable	Terms of the contract do not specify an increment.
29	Increment Peaking Name	✓	---	See definitions for each increment peaking name below.
29	Increment Peaking Name	✓	FP - Full Period	The product described may be sold during those hours designated as on-peak and off-peak at the point of delivery.
29	Increment Peaking Name	✓	OP - Off-Peak	The product described may be sold only during those hours designated as off-peak at the point of delivery.
29	Increment Peaking Name	✓	P - Peak	The product described may be sold only during those hours designated as on-peak at the point of delivery.
29	Increment Peaking Name	✓	N/A - Not Applicable	To be used only when the increment peaking name is not specified in the contract.
30	Product Type Name	✓	---	See definitions for each product type below.

EQR Data Dictionary
Contract Data

Field #	Field	Required	Value	Definition
30	Product Type Name	✓	CB - Cost Based	Energy or capacity sold under a FERC-approved cost-based rate tariff.
30	Product Type Name	✓	CR - Capacity Reassignment	An agreement under which a transmission provider sells, assigns or transfers all or portion of its rights to an eligible customer.
30	Product Type Name	✓	MB - Market Based	Energy or capacity sold under the seller's FERC-approved market-based rate tariff.
30	Product Type Name	✓	T - Transmission	The product is sold under a FERC-approved transmission tariff.
30	Product Type Name	✓	NPU – Non-Public Utility	The product is sold by a non-public utility that is required to file the EQR under section 220 of the Federal Power Act.
30	Product Type Name	✓	Other	The product cannot be characterized by the other product type names.
31	Product Name	✓	See Product Name Table, Appendix A.	Description of product being offered.
32	Quantity	If specified in the contract. If not specified in the contract, field should remain blank.	Number with up to 4 decimals	Quantity for the contract product identified.
33	Units	If specified in the contract. If not specified in the contract, field should remain blank.	See Units Table, Appendix E.	Measure stated in the contract for the product sold.
34	Rate	One of four rate fields (34, 35, 36, or 37) must be included. If not	Number with up to 4 decimals	The charge for the product per unit as stated in the contract.

EQR Data Dictionary
Contract Data

Field #	Field	Required	Value	Definition
		specified in the contract, field should remain blank.		
35	Rate Minimum	One of four rate fields (34, 35, 36, or 37) must be included. If not specified in the contract, field should remain blank.	Number with up to 4 decimals	Minimum rate to be charged per the contract, if a range is specified.
36	Rate Maximum	One of four rate fields (34, 35, 36, or 37) must be included. If not specified in the contract, field should remain blank.	Number with up to 4 decimals	Maximum rate to be charged per the contract, if a range is specified.
37	Rate Description	One of four rate fields (34, 35, 36, or 37) must be included	Unrestricted text (up to 300 characters)	Text description of rate. If the rate is currently available on the FERC website, a citation of the FERC Accession Number and the relevant FERC tariff including page number or section may be included instead of providing the entire rate algorithm. If the rate is not available on the FERC website, include the rate algorithm, if rate is calculated. If the algorithm would exceed the 300 character field limit, it may be provided in a descriptive summary (including bases and methods of calculations) with a detailed citation of the relevant FERC tariff including page number and section.
38	Rate Units	If specified in the contract	See Rate Units Table, Appendix F.	Measure stated in the contract for the product sold.
39	Point of Receipt Balancing	If specified in the contract.	See Balancing Authority Table Appendix B.	The registered Balancing Authority (formerly called NERC Control Area) where service begins for a transmission or transmission-related jurisdictional sale. The Balancing

EQR Data Dictionary
Contract Data

Field #	Field	Required	Value	Definition
	Authority(PORBA)	If not specified in the contract, this field should remain blank.		Authority will be identified with the abbreviation used in OASIS applications. If receipt occurs at a trading hub, the term "Hub" should be used.
40	Point of Receipt Specific Location (PORSL)	If specified in the contract. If not specified in the contract, this field should remain blank.	Unrestricted text (50 characters). If "HUB" is selected for PORBA, see Hub Table, Appendix C.	The specific location at which the product is received if designated in the contract. If receipt occurs at a trading hub, a standardized hub name must be used. If more points of receipt are listed in the contract than can fit into the 50 character space, a description of the collection of points may be used. 'Various,' alone, is unacceptable unless the contract itself uses that terminology.
41	Point of Delivery Balancing Authority(PODBA)	If specified in the contract. If not specified in the contract, field should remain blank.	See Balancing Authority Table Appendix B.	The registered Balancing Authority (formerly called NERC Control Area) where a jurisdictional product is delivered and/or service ends for a transmission or transmission-related jurisdictional sale. The Balancing Authority will be identified with the abbreviation used in OASIS applications. If delivery occurs at the interconnection of two control areas, the control area that the product is entering should be used. If delivery occurs at a trading hub, the term "Hub" should be used.
42	Point of Delivery Specific Location (PODSL)	If specified in the contract. If not specified in the contract, field should remain blank.	Unrestricted text (50 characters). If "HUB" is selected for PODBA, see Hub Table, Appendix C.	The specific location at which the product is delivered if designated in the contract. If receipt occurs at a trading hub, a standardized hub name must be used.
43	Begin Date	If specified in the contract. If not specified in the contract,	YYYYMMDDHHMM	First date and time for the sale of the product at the rate specified.

EQR Data Dictionary
Contract Data

Field #	Field	Required	Value	Definition
		field should remain blank.		
44	End Date	If specified in the contract. If not specified in the contract, field should remain blank.	YYYYMMDDHHMM	Last date and time for the sale of the product at the rate specified.

EQR Data Dictionary
Transaction Data

Field #	Field	Required	Value	Definition
45	Transaction Unique ID	✓	An integer preceded by the letter "T" (only used when importing transaction data)	An identifier beginning with the letter "T" and followed by a number (e.g., "T1", "T2") used to designate a record containing transaction information. One record for each transaction record must be included in an EQR for a given quarter. A new transaction record must be used every time a price changes in a sale.
46	Seller Company Name	✓	Unrestricted text (100 Characters)	The name of the company that is authorized to make sales as indicated in the company's FERC tariff(s) or that is required to file the EQR under section 220 of the Federal Power Act. This name must match the name provided as a Seller's "Company Name" in Field 2 of the ID Data (Seller Data).
47	Customer Company Name	✓	Unrestricted text (70 Characters)	The name of the purchaser of contract products and services.
48	FERC Tariff Reference	✓	Unrestricted text (60 Characters)	The FERC tariff reference cites the document that specifies the terms and conditions under which a Seller is authorized to make transmission sales, power sales or sales of related jurisdictional services at cost-based rates or at market-based rates. If the sales are market-based, the tariff that is specified in the FERC order granting the Seller Market Based Rate Authority must be listed. If a non-public utility does not have a FERC Tariff Reference, it should enter "NPU" for the FERC Tariff Reference.
49	Contract Service Agreement ID	✓	Unrestricted text (30 Characters)	Unique identifier given to each service agreement that can be used by the Seller to produce the agreement, if requested. The identifier may be the number assigned by FERC for those service agreements that have been filed and approved by the Commission, or it may be generated as part of an internal identification system.
50	Transaction Unique Identifier	✓	Unrestricted text (24 Characters)	Unique reference number assigned by the Seller for each transaction.
51	Transaction Begin Date	✓	YYYYMMDDHHMM	First date and time the product is sold during the quarter.
52	Transaction End Date	✓	YYYYMMDDHHMM	Last date and time the product is sold during the quarter.
53	Trade Date	✓	YYYYMMDD	The date upon which the parties made the legally binding agreement on the price of a transaction.
54	Exchange/Brokerage Service		See Exchange/Brokerage Service Table, Appendix H.	If a broker service is used to consummate or effectuate a transaction, the term "Broker" shall be provided. If an exchange is used, the specific exchange that is used shall be selected from the Commission-provided list.
55	Type of Rate	✓	---	See type of rate definitions below.
55	Type of Rate	✓	Fixed	A fixed charge per unit of consumption. No variables are used to determine this rate.
55	Type of Rate	✓	Formula	A calculation of a rate based upon a formula that does not contain an electric index

EQR Data Dictionary
Transaction Data

Field #	Field	Required	Value	Definition
				component.
55	Type of Rate	✓	Electric Index	A calculation of a rate based upon an index or a formula that contains an electric index component. An electric index includes an index published by an index publisher such as those required to be listed in Field Number 73 or a price published by an RTO/ISO (e.g., PJM West or Illinois Hub).
55	Type of Rate	✓	RTO/ISO	If the price is the result of an RTO/ISO market or the sale is made to the RTO/ISO.
56	Time Zone	✓	See Time Zone Table, Appendix D.	The time zone in which the sale was made .
57	Point of Delivery Balancing Authority (PODBA)	✓	Balancing Authority Table Appendix B.	The registered Balancing Authority (formerly called NERC Control Area) abbreviation used in OASIS applications.
58	Point of Delivery Specific Location (PODSL)	✓	Unrestricted text (50 characters). If "HUB" is selected for PODBA, see Hub Table, Appendix C.	The specific location at which the product is delivered. If receipt occurs at a trading hub, a standardized hub name must be used.
59	Class Name	✓	---	See class name definitions below.
59	Class Name	✓	F - Firm	A sale, service or product that is not interruptible for economic reasons.
59	Class Name	✓	NF - Non-firm	A sale for which delivery or receipt of the energy may be interrupted for any reason or no reason, without liability on the part of either the buyer or seller.
59	Class Name	✓	UP - Unit Power Sale	Designates a dedicated sale of energy and capacity from one or more than one specified generation unit(s).
59	Class Name	✓	BA - Billing Adjustment	Designates an incremental material change to one or more transactions due to a change in settlement results. "BA" may be used in a refiling after the next quarter's filing is due to reflect the receipt of new information. It may not be used to correct an inaccurate filing.
59	Class Name	✓	N/A - Not Applicable	To be used only when the other available class names do not apply.
60	Term Name	✓	LT - Long Term ST - Short Term N/A - Not Applicable	Power sales transactions with durations of one year or greater are long-term. Transactions with shorter durations are short-term.
61	Increment Name	✓	---	See increment name definitions below.
61	Increment Name	✓	H - Hourly	Terms of the particular sale set for up to 6 consecutive hours (≤ 6 consecutive hours) Includes LMP based sales in ISO/RTO markets.
61	Increment Name	✓	D - Daily	Terms of the particular sale set for more than 6 and up to 60 consecutive hours (>6 and ≤ 60 consecutive hours). Includes sales over a peak or off-peak block during a single day.
61	Increment Name	✓	W - Weekly	Terms of the particular sale set for over 60 consecutive hours and up to 168 consecutive

EQR Data Dictionary
Transaction Data

Field #	Field	Required	Value	Definition
				hours (>60 and ≤ 168 consecutive hours). Includes sales for a full week and sales for peak and off-peak blocks over a particular week.
61	Increment Name	✓	M - Monthly	Terms of the particular sale set for set for more than 168 consecutive hours up to, but not including, one year (>168 consecutive hours and < 1 year). Includes sales for full month or multi-week sales during a given month.
61	Increment Name	✓	Y - Yearly	Terms of the particular sale set for one year or more (≥ 1 year). Includes all long-term contracts with defined pricing terms (fixed-price, formula, or index).
61	Increment Name	✓	N/A - Not Applicable	To be used only when other available increment names do not apply.
62	Increment Peaking Name	✓	---	See definitions for increment peaking below.
62	Increment Peaking Name	✓	FP - Full Period	The product described was sold during Peak and Off-Peak hours.
62	Increment Peaking Name	✓	OP - Off-Peak	The product described was sold only during those hours designated as off-peak at the point of delivery.
62	Increment Peaking Name	✓	P - Peak	The product described was sold only during those hours designated as on-peak at the point of delivery.
62	Increment Peaking Name	✓	N/A - Not Applicable	To be used only when the other available increment peaking names do not apply.
63	Product Name	✓	See Product Names Table, Appendix A.	Description of product being offered.
64	Transaction Quantity	✓	Number with up to 4 decimals.	The quantity of the product in this transaction record.
65	Price	✓	Number with up to 4 decimals.	Actual price charged for the product per unit. The price reported cannot be averaged or otherwise aggregated
66	Rate Units	✓	See Rate Units Table, Appendix F	Measure appropriate to the price of the product sold.
67	Standardized Quantity	✓	Number with up to 4 decimals.	For product names energy, capacity, and booked out power only. Specify the quantity in MWh if the product is energy or booked out power and specify the quantity in MW-month if the product is capacity or booked out power
68	Standardized Price	✓	Number with up to 4 decimals.	For product names energy, capacity, and booked out power only. Specify the price in $/MWh if the product is energy or booked out power and specify the price in $/MW-month if the product is capacity or booked out power.
69	Total Transmission Charge	✓ If no transmission	Number with up to 4 decimals.	Payments received for transmission services when explicitly identified.

EQR Data Dictionary
Transaction Data

Field #	Field	Required	Value	Definition
		charge to report, enter zero.		
70	Total Transaction Charge	✓	Number with up to 4 decimals	Transaction Quantity (Field 64) times Price (Field 65) plus Total Transmission Charge (Field 69).

EQR Data Dictionary
Index Reporting Data

Field #	Field	Required	Value	Definition
71	Filer Unique Identifier	✓ If Field 13 is Y	FS# (where "#" is an integer	The "FS" seller number from the ID Data table corresponding to the index reporting company.
72	Seller Company Name	✓ If Field 13 is Y	Unrestricted text (100 characters)	The name of the company that is authorized to make sales as indicated in the company's FERC tariff(s) or that is required to file the EQR under section 220 of the Federal Power Act. This name must match the name provided as a Seller's "Company Name" in Field Number 2 of the ID Data (Seller Data).
73	Index Price Publisher(s) To Which Sales Transactions Have Been Reported	✓ If Field 13 is Y	See Index Price Publisher Table, Appendix G.	The index price publisher(s) to which sales transactions have been reported.
74	Transactions Reported	✓ If Field 13 is Y	Unrestricted text (100 characters)	Description of the types of transactions reported to the index publisher identified in this record.

EQR Data Dictionary

Field #	Field	Required	Value	Definition
75	e-Tag ID	If an e-Tag ID was used to schedule the EQR transaction	Unrestricted text (30 Characters)	The e-Tag ID contains: The Source Balancing Authority where the generation is located; The Purchasing-Selling Balancing Authority Entity Code; the e-Tag Code; and the Sink Balancing Authority.
76	e-Tag Begin Date	If an e-Tag ID was used to schedule the EQR transaction	YYYYMMDD (csv import) MMDDYYYY (manual entry)	The first date the transaction is scheduled using the e-Tag ID reported in Field Number 75. Begin Date must not be before the Transaction Begin Date specified in Field Number 51 and must be reported in the same time zone specified in Field Number 56.
77	e-Tag End Date	If an e-Tag ID was used to schedule the EQR transaction	YYYYMMDD (csv import) MMDDYYYY (manual entry)	The last date the transaction is scheduled using the e-Tag ID reported in Field Number 75. End Date must not be after the Transaction End Date specified in Field Number 52 and must be reported in the same time zone specified in Field Number 56.
78	Transaction Unique Identifier	If an e-Tag ID was used to schedule the EQR transaction	Unrestricted text (24 Characters)	Unique reference number assigned by the seller for each transaction that must be the same as reported in Field Number 50.

**Compliance with e-Tag Data requirement has been delayed. *See Electricity Market Transparency Provisions of Section 220 of the Federal Power Act*, 142 FERC ¶ 61,105 (2013).

EQR Data Dictionary

Appendix A. Product Names

Product Name	Contract Product	Transaction Product	Definition
BLACK START SERVICE	✓	✓	Service available after a system -wide blackout where a generator participates in system restoration activities without the availability of an outside electric supply (Ancillary Service).
BOOKED OUT POWER		✓	Energy or capacity contractually committed bilaterally for delivery but not actually delivered due to some offsetting or countervailing trade (Transaction only).
CAPACITY	✓	✓	A quantity of demand that is charged on a $/KW or $/MW basis.
CUSTOMER CHARGE	✓	✓	Fixed contractual charges assessed on a per customer basis that could include billing service.
DIRECT ASSIGNMENT FACILITIES CHARGE	✓		Charges for facilities or portions of facilities that are constructed or used for the sole use/benefit of a particular customer.
EMERGENCY ENERGY	✓		Contractual provisions to supply energy or capacity to another entity during critical situations.
ENERGY	✓	✓	A quantity of electricity that is sold or transmitted over a period of time.
ENERGY IMBALANCE	✓	✓	Service provided when a difference occurs between the scheduled and the actual delivery of energy to a load obligation (Ancillary Service). For Contracts, reported if the contract provides for sale of the product. For Transactions, sales by third-party providers (i.e., non-transmission function) are reported.
EXCHANGE	✓	✓	Transaction whereby the receiver accepts delivery of energy for a supplier's account and returns energy at times, rates, and in amounts as mutually agreed if the receiver is not an RTO/ISO.
FUEL CHARGE	✓	✓	Charge based on the cost or amount of fuel used for generation.
GENERATOR IMBALANCE	✓	✓	Service provided when a difference occurs between the output of a generator located in the Transmission Provider's Control Area and a delivery schedule from that generator to (1) another Control Area or (2) a load within the Transmission Provider's Control Area over a single hour (Ancillary Service). For Contracts, reported if the contract provides for sale of the product. For Transactions, sales by third-party providers (i.e., non-transmission function) are reported.

EQR Data Dictionary

Appendix A. Product Names

Product Name	Contract Product	Transaction Product	Definition
GRANDFATHERED BUNDLED	✓	✓	Services provided for bundled transmission, ancillary services and energy under contracts effective prior to Order No. 888's OATTs.
INTERCONNECTION AGREEMENT	✓		Contract that provides the terms and conditions for a generator, distribution system owner, transmission owner, transmission provider, or transmission system to physically connect to a transmission system or distribution system.
MEMBERSHIP AGREEMENT	✓		Agreement to participate and be subject to rules of a system operator.
MUST RUN AGREEMENT	✓		An agreement that requires a unit to run.
NEGOTIATED-RATE TRANSMISSION	✓	✓	Transmission performed under a negotiated rate contract (applies only to merchant transmission companies).
NETWORK	✓		Transmission service under contract providing network service.
NETWORK OPERATING AGREEMENT	✓		An executed agreement that contains the terms and conditions under which a network customer operates its facilities and the technical and operational matters associated with the implementation of network integration transmission service.
OTHER	✓	✓	Product name not otherwise included.
POINT-TO-POINT AGREEMENT	✓		Transmission service under contract between specified Points of Receipt and Delivery.
REACTIVE SUPPLY & VOLTAGE CONTROL	✓	✓	Production or absorption of reactive power to maintain voltage levels on transmission systems (Ancillary Service).
REAL POWER TRANSMISSION LOSS	✓	✓	The loss of energy, resulting from transporting power over a transmission system.
REASSIGNMENT AGREEMENT	✓		Transmission capacity reassignment agreement.
REGULATION & FREQUENCY RESPONSE	✓	✓	Service providing for continuous balancing of resources (generation and interchange) with load, and for maintaining scheduled interconnection frequency by committing on-line generation where output is raised or lowered and by other non-generation resources capable of providing this service as necessary to follow the moment-by-moment changes in load (Ancillary Service). For Contracts, reported if the contract provides for sale of the product. For Transactions, sales by third-party providers (i.e., non-transmission function) are reported.

EQR Data Dictionary

Appendix A. Product Names

Product Name	Contract Product	Transaction Product	Definition
REQUIREMENTS SERVICE	✓	✓	Firm, load-following power supply necessary to serve a specified share of customer's aggregate load during the term of the agreement. Requirements service may include some or all of the energy, capacity and ancillary service products. (If the components of the requirements service are priced separately, they should be reported separately in the transactions tab.)
SCHEDULE SYSTEM CONTROL & DISPATCH	✓	✓	Scheduling, confirming and implementing an interchange schedule with other Balancing Authorities, including intermediary Balancing Authorities providing transmission service, and ensuring operational security during the interchange transaction (Ancillary Service).
SPINNING RESERVE	✓	✓	Unloaded synchronized generating capacity that is immediately responsive to system frequency and that is capable of being loaded in a short time period or non-generation resources capable of providing this service (Ancillary Service). For Contracts, reported if the contract provides for sale of the product. For Transactions, sales by third-party providers (i.e., non-transmission function) are reported.
SUPPLEMENTAL RESERVE	✓	✓	Service needed to serve load in the event of a system contingency, available with greater delay than SPINNING RESERVE. This service may be provided by generating units that are on-line but unloaded, by quick-start generation, or by interruptible load or other non-generation resources capable of providing this service (Ancillary Service). For Contracts, reported if the contract provides for sale of the product. For Transactions, sales by third-party providers (i.e., non-transmission function) are reported.
SYSTEM OPERATING AGREEMENTS	✓		An executed agreement that contains the terms and conditions under which a system or network customer shall operate its facilities and the technical and operational matters associated with the implementation of network.
TOLLING ENERGY	✓	✓	Energy sold from a plant whereby the buyer provides fuel to a generator (seller) and receives power in return for pre-established fees.
TRANSMISSION OWNERS AGREEMENT	✓		The agreement that establishes the terms and conditions under which a transmission owner transfers operational control over designated transmission facilities.
UPLIFT	✓	✓	A make-whole payment by an RTO/ISO to a utility.

EQR Data Dictionary

Appendix B. Balancing Authority*

Balancing Authority	Abbreviation	Outside US*
AEP Service Corp. -- Transmission System	AEP	
AESC, LLC - AEBN	AEBN	
AESC, LLC - Gleason	AEGL	
AESC, LLC - Lincoln Center	AELC	
AESC, LLC - Wheatland CIN	AEWC	
AESC, LLC - Wheatland IPL	AEWI	
Alabama Electric Cooperative, Inc.	AEC	
Alberta Electric System Operator	AESO	✓
Alliant Energy Corporate Services, LLC	ALEX	
Alliant Energy Corporate Services, LLC	ALWX	
Alliant Energy Corporate Services, LLC - East	ALTE	
Alliant Energy Corporate Services, LLC- West	ALTW	
Ameren Transmission	AMRN	
Ameren Transmission-Illinois	AMIL	
Ameren Transmission-Missouri	AMMO	
American Transmission Systems, Inc.	FE	
Aquila Networks - Kansas	WPEK	
Aquila Networks - Missouri Public Service	MPS	
Aquila Networks - West Plains Dispatch	WPEC	
Arizona Public Service Company	AZPS	
Associated Electric Cooperative, Inc.	AECI	
Avista Corp.	AVA	
B.C. Hydro & Power Authority	BCHA	✓
Batesville Balancing Authority	BBA	
Batesville Control Area	BCA	
BC Hydro T & D - Grid Operations	BCHA	✓
Big Rivers Electric Corp.	BREC	
Board of Public Utilities	KACY	
Bonneville Power Administration Transmission	BPAT	
BridgeCo	DSK1	
British Columbia Transmission Corporation	BCTC	✓
California Independent System Operator	CISO	
Carolina Power & Light Company - CPLW	CPLW	
Carolina Power and Light Company - East	CPLE	
Central and Southwest	CSWS	
Central Illinois Light Co	CILC	
Chelan County PUD	CHPD	

EQR Data Dictionary

Balancing Authority	Abbreviation	Outside US*
Cinergy Corporation	CIN	
City of Homestead	HST	
City of Independence P&L Dept.	INDN	
City of Tallahassee	TAL	
City Water Light & Power	CWLP	
Cleco Power LLC	CLEC	
Columbia Water & Light	CWLD	
Comision Federal de Electricidad	CFE	
Comision Federal de Electricidad	CFEN	✓
Commonwealth Edison	CE	✓
Constellation Energy Control and Dispatch	GRIF	
Constellation Energy Control and Dispatch - Arkansas	PUPP	
Constellation Energy Control and Dispatch - City of Benton, Arkansas	BUBA	
Constellation Energy Control and Dispatch - City of Ruston, LA	DERS	
Constellation Energy Control and Dispatch - Conway, Arkansas	CNWY	
Constellation Energy Control and Dispatch - Gila River	GRMA	
Constellation Energy Control and Dispatch - Glacier Wind Energy	GWA	
Constellation Energy Control and Dispatch - Harquehala	HGMA	
Constellation Energy Control and Dispatch - North Little Rock, AK	DENL	
Constellation Energy Control and Dispatch - Osceola Municipal Light an	OMLP	
Constellation Energy Control and Dispatch - Plum Point	PLUM	
Constellation Energy Control and Dispatch - Vermillion	DEVI	
Constellation Energy Control and Dispatch - West Memphis, Arkansas	WMUC	
Dairyland Power Cooperative	DPC	
Dayton Power & Light	DPL	
DECA, LLC	BERC	
DECA, LLC	DEHA	
DECA, LLC	DELO	
DECA, LLC	DEMG	
DECA, LLC	DESM	
DECA, LLC - Arlington Valley	DEAA	
DECA, LLC - Enterprise	DEEM	
DECA, LLC - Lee	DELI	
DECA, LLC - Murray	DEMT	
DECA, LLC - Sandersville	DESG	
DECA, LLC - Washington	DEWO	
Dominion Virginia Power	VAP	
Duke Energy Corporation	DUK	
Duquesne Light	DLCO	

EQR Data Dictionary

Balancing Authority	Abbreviation	Outside US*
East Kentucky Power Cooperative, Inc.	EKPC	
El Paso Electric	EPE	
Electric Energy, Inc.	EEI	
Empire District Electric Co., The	EDE	
Entergy	EES	
ERCOT ISO	ERCO	
Florida Municipal Power Pool	FMPP	
Florida Power & Light	FPL	
Florida Power Corporation	FPC	
Gainsville Regional Utilities	GVL	
Georgia System Operations Corporation	GSOC	
Georgia Transmission Corporation	GTC	
Grand River Dam Authority	GRDA	
Grant County PUD No.2	GCPD	
Great River Energy	GRE	
Great River Energy	GREC	
Great River Energy	GREN	
Great River Energy	GRES	
GridAmerica	GA	
Hoosier Energy	HE	
Hydro-Quebec, TransEnergie	HQT	✓
Idaho Power Company	IPCO	
Illinois Power Co.	IP	
Illinois Power Co.	IPRV	
Imperial Irrigation District	IID	
Indianapolis Power & Light Company	IPL	
ISO New England Inc.	ISNE	
JEA	JEA	
Kansas City Power & Light, Co	KCPL	
Lafayette Utilities System	LAFA	
LG&E Energy Transmission Services	LGEE	
Lincoln Electric System	LES	
Los Angeles Department of Water and Power	LDWP	
Louisiana Energy & Power Authority	LEPA	
Louisiana Generating, LLC	LAGN	
Louisiana Generating, LLC - City of Conway	CWAY	
Louisiana Generating, LLC - City of West Memphis	WMU	
Louisiana Generating, LLC - North Little Rock	NLR	
Madison Gas and Electric Company	MGE	

EQR Data Dictionary

Balancing Authority	Abbreviation	Outside US*
MHEB, Transmission Services	MHEB	✓
Michigan Electric Coordinated System	MECS	
Michigan Electric Coordinated System - CONS	CONS	
Michigan Electric Coordinated System - DECO	DECO	
MidAmerican Energy Company	MEC	
Midwest ISO	MISO	
Minnesota Power, Inc.	MP	
Montana-Dakota Utilities Co.	MDU	
Muscatine Power and Water	MPW	
Nebraska Public Power District	NPPD	
Nevada Power Company	NEVP	
New Brunswick Power Corporation	NBPC	✓
New Brunswick System Operator	NBSO	✓
New Horizons Electric Cooperative	NHC1	
New York Independent System Operator	NYIS	
North American Electric Reliability Council	TEST	
Northern Indiana Public Service Company	NIPS	
Northern States Power Company	NSP	
NorthWestern Energy	NWMT	
NRG South Central Generating LLC	MCLN	
Ohio Valley Electric Corporation	OVEC	
Oklahoma Gas and Electric	OKGE	
Ontario - Independent Electricity Market Operator	IMO	✓
Ontario - Independent Electricity System Operator	ONT	✓
OPPD CA/TP	OPPD	
Otter Tail Power Company	OTP	
P.U.D. No. 1 of Douglas County	DOPD	
PacifiCorp-East	PACE	
PacifiCorp-West	PACW	
PJM Interconnection	PJM	
Portland General Electric	PGE	
Public Service Company of Colorado	PSCO	
Public Service Company of New Mexico	PNM	
Puget Sound Energy Transmission	PSEI	
Reedy Creek Improvement District	RC	
Sacramento Municipal Utility District	SMUD	
Salt River Project	SRP	
Santee Cooper	SC	
SaskPower Grid Control Centre	SPC	✓

EQR Data Dictionary

Balancing Authority	Abbreviation	Outside US*
Seattle City Light	SCL	
Seminole Electric Cooperative	SEC	
Sierra Pacific Power Co. - Transmission	SPPC	
South Carolina Electric & Gas Company	SCEG	
South Mississippi Electric Power Association	SME	
South Mississippi Electric Power Association	SMEE	
Southeastern Power Administration - Hartwell	SEHA	
Southeastern Power Administration - Russell	SERU	
Southeastern Power Administration - Thurmond	SETH	
Southern Company Services, Inc.	SOCO	
Southern Illinois Power Cooperative	SIPC	
Southern Indiana Gas & Electric Co.	SIGE	
Southern Minnesota Municipal Power Agency	SMP	
Southwest Power Pool	SWPP	
Southwestern Power Administration	SPA	
Southwestern Public Service Company	SPS	
Sunflower Electric Power Corporation	SECI	
Tacoma Power	TPWR	
Tampa Electric Company	TEC	
Tennessee Valley Authority ESO	TVA	
Trading Hub	HUB	
TRANSLink Management Company	TLKN	
Tucson Electric Power Company	TEPC	
Turlock Irrigation District	TIDC	
Upper Peninsula Power Co.	UPPC	
Utilities Commission, City of New Smyrna Beach	NSB	
Westar Energy - MoPEP Cities	MOWR	
Western Area Power Administration - Colorado-Missouri	WACM	
Western Area Power Administration - Lower Colorado	WALC	
Western Area Power Administration - Upper Great Plains East	WAUE	
Western Area Power Administration - Upper Great Plains West	WAUW	
Western Farmers Electric Cooperative	WFEC	
Western Resources dba Westar Energy	WR	
Wisconsin Energy Corporation	WEC	
Wisconsin Public Service Corporation	WPS	
Yadkin, Inc.	YAD	

* Balancing Authorities outside the United States may only be used in the contract data section to identify specified receipt/delivery points in jurisdictional transmission contracts.

EQR Data Dictionary

Appendix C. PODSL Hub Names

HUB	Definition
ADHUB	The aggregated Locational Marginal Price (“LMP”) nodes defined by PJM Interconnection, LLC as the AEP/Dayton Hub.
AEPGenHub	The aggregated Locational Marginal Price (“LMP”) nodes defined by PJM Interconnection, LLC as the AEPGenHub.
COB	The set of delivery points along the California-Oregon commonly identified as and agreed to by the counterparties to constitute the COB Hub.
Cinergy (into)	The set of delivery points commonly identified as and agreed to by the counterparties to constitute delivery into the Cinergy balancing authority.
Entergy (into)	The set of delivery points commonly identified as and agreed to by the counterparties to constitute delivery into the Entergy balancing authority
FE Hub	The aggregated Elemental Pricing nodes ("Epnodes") defined by the Midwest Independent Transmission System Operator, Inc., as FE Hub (MISO).
Four Corners	The set of delivery points at the Four Corners power plant commonly identified as and agreed to by the counterparties to constitute the Four Corners Hub.
Illinois Hub (MISO)	The aggregated Elemental Pricing nodes ("Epnodes") defined by the Midwest Independent Transmission System Operator, Inc., as Illinois Hub (MISO).
Indiana Hub (MISO)	The aggregated Elemental Pricing nodes ("Epnodes") defined by the Midwest Independent Transmission System Operator, Inc., as Indiana Hub (MISO).
Mead	The set of delivery points at or near Hoover Dam commonly identified as and agreed to by the counterparties to constitute the Mead Hub.
Michigan Hub (MISO)	The aggregated Elemental Pricing nodes ("Epnodes") defined by the Midwest Independent Transmission System Operator, Inc., as Michigan Hub (MISO).
Mid-Columbia (Mid-C)	The set of delivery points along the Columbia River commonly identified as and agreed to by the counterparties to constitute the Mid-Columbia Hub
Minnesota Hub (MISO)	The aggregated Elemental Pricing nodes ("Epnodes") defined by the Midwest IndependentTransmission System Operator, Inc., as Minnesota Hub (MISO).
NEPOOL (Mass Hub)	The aggregated Locational Marginal Price (“LMP”) nodes defined by ISO New England Inc., as Mass Hub
NIHUB	The aggregated Locational Marginal Price (“LMP”) nodes defined by PJM Interconnection, LLC as the Northern Illinois Hub.
NOB	The set of delivery points along the Nevada-Oregon border commonly identified as and agreed to by the counterparties to constitute the NOB Hub.
NP15	The set of delivery points north of Path 15 on the California transmission grid commonly identified as and agreed to by the counterparties to constitute the NP15 Hub.
NWMT	The set of delivery points commonly identified as and agreed to by the counterparties to constitute delivery into the

EQR Data Dictionary

Appendix C. PODSL Hub Names

HUB	Definition
	Northwestern Energy Montana balancing authority.
PJM East Hub	The aggregated Locational Marginal Price nodes ("LMP") defined by PJM Interconnection, LLC as the PJM East Hub.
PJM South Hub	The aggregated Locational Marginal Price ("LMP") nodes defined by PJM Interconnection, LLC as the PJM South Hub.
PJM West Hub	The aggregated Locational Marginal Price ("LMP") nodes defined by PJM Interconnection, LLC as the PJM Western Hub.
Palo Verde	The switch yard at the Palo Verde nuclear power station west of Phoenix in Arizona. Palo Verde Hub includes the Hassayampa switchyard 2 miles south of Palo Verde.
SOCO (into)	The set of delivery points commonly identified as and agreed to by the counterparties to constitute delivery into the Southern Company balancing authority.
SP15	The set of delivery points south of Path 15 on the California transmission grid commonly identified as and agreed to by the counterparties to constitute the SP15 Hub.
TVA (into)	The set of delivery points commonly identified as and agreed to by the counterparties to constitute delivery into the Tennessee Valley Authority balancing authority.
ZP26	The set of delivery points associated with Path 26 on the California transmission grid commonly identified as and agreed to by the counterparties to constitute the ZP26 Hub.

EQR Data Dictionary

Appendix D. Time Zone

Time Zone	Definition
AD	*Atlantic Daylight*
AP	*Atlantic Prevailing*
AS	*Atlantic Standard*
CD	*Central Daylight*
CP	*Central Prevailing*
CS	*Central Standard*
ED	*Eastern Daylight*
EP	*Eastern Prevailing*
ES	*Eastern Standard*
MD	*Mountain Daylight*
MP	*Mountain Prevailing*
MS	*Mountain Standard*
N/A	*Not Applicable*
PD	*Pacific Daylight*
PP	*Pacific Prevailing*
PS	*Pacific Standard*
UT	*Universal Time*

EQR Data Dictionary

Appendix E. Units

Units	Definition
KV	*Kilovolt*
KVA	*Kilovolt Amperes*
KVR	*Kilovar*
KW	*Kilowatt*
KWH	*Kilowatt Hour*
KW-DAY	*Kilowatt Day*
KW-MO	*Kilowatt Month*
KW-WK	*Kilowatt Week*
KW-YR	*Kilowatt Year*
MVAR-YR	*Megavar Year*
MW	*Megawatt*
MWH	*Megawatt Hour*
MW-DAY	*Megawatt Day*
MW-MO	*Megawatt Month*
MW-WK	*Megawatt Week*
MW-YR	*Megawatt Year*
RKVA	*Reactive Kilovolt Amperes*

EQR Data Dictionary

Appendix F. Rate Units

Rate Units	Definition
$/KV	*dollars per kilovolt*
$/KVA	*dollars per kilovolt amperes*
$/KVR	*dollars per kilovar*
$/KW	*dollars per kilowatt*
$/KWH	*dollars per kilowatt hour*
$/KW-DAY	*dollars per kilowatt day*
$/KW-MO	*dollars per kilowatt month*
$/KW-WK	*dollars per kilowatt week*
$/KW-YR	*dollars per kilowatt year*
$/MW	*dollars per megawatt*
$/MWH	*dollars per megawatt hour*
$/MW-DAY	*dollars per megawatt day*
$/MW-MO	*dollars per megawatt month*
$/MW-WK	*dollars per megawatt week*
$/MW-YR	*dollars per megawatt year*
$/MVAR-YR	*dollars per megavar year*
$/RKVA	*dollars per reactive kilovar amperes*
CENTS	*cents*
CENTS/KVR	*cents per kilovolt amperes*
CENTS/KWH	*cents per kilowatt hour*
FLAT RATE	*rate not specified in any other units*

EQR Data Dictionary

Appendix G. Index Price Publisher

Index PricePublisher Abbreviation	Index Price Publisher
AM	*Argus Media*
EIG	*Energy Intelligence Group, Inc.*
IP	*Intelligence Press*
P	*Platts*
B	*Bloomberg*
Pdx	*Powerdex*
SNL	*SNL Energy*
IR	*Insight Research Inc*

Appendix H. Exchange/Broker Services

Exchange/Brokerage Service	Definition
BROKER	*A broker was used to consummate or effectuate the transaction.*
ICE	*Intercontinental Exchange*
NODAL	*Nodal Exchange*

[FR Doc. 2014–05583 Filed 3–13–14; 8:45 am]

BILLING CODE 6717–01–C

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

DEPARTMENT OF THE TREASURY

19 CFR Part 133

Trademarks, Trade Names, and Copyrights

CFR Correction

In Title 19 of the Code of Federal Regulations, Parts 0 to 140, revised as of April 1, 2013, on page 882, the general authority to part 133 is correctly revised to read ''**Authority:** 15 U.S.C. 1124, 1125, 1127; 17 U.S.C. 101, 601, 602, 603; 19 U.S.C. 66, 1202, 1499, 1526, 1624; 31 U.S.C. 9701;''

[FR Doc. 2014–05804 Filed 3–13–14; 8:45 am]

BILLING CODE 1505–01–D

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2014–0115]

Drawbridge Operation Regulation; Gulf Intracoastal Waterway, Galveston, TX

AGENCY: Coast Guard, DHS.

ACTION: Notice of deviation from drawbridge regulation.

SUMMARY: The Coast Guard has issued a temporary deviation from the operating schedule that governs the operation of the Galveston Causeway Railroad Vertical Lift Bridge across the Gulf Intracoastal Waterway, mile 357.2 west of Harvey Locks, at Galveston, Galveston County, Texas. The deviation is necessary in order to conduct maintenance on the bridge. These actions are essential for the continued safe operation of the bridge. This deviation allows the bridge to remain temporarily closed to navigation for 10 hours during day light hours and will operate normally at all other times.

DATES: This deviation is effective from 7 a.m. to 5 p.m., March 24 through March 28, 2014.

ADDRESSES: The docket for this deviation, [USCG–2014–0115] is available at *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 deviation. 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 deviation, call or email David Frank, Bridge Administration Branch, Coast Guard; telephone 504–671–2128, email *David.M.Frank@uscg.mil.* If you have questions on viewing the docket, call Cheryl F. Collins, Program Manager, Docket Operations, telephone 202–366–9826.

SUPPLEMENTARY INFORMATION: The BNSF Railway Company requested a temporary deviation from the operating schedule on the the Galveston Causeway Railroad Vertical Lift Bridge across the Gulf Intracoastal Waterway, mile 357.2 west of Harvey Locks, at Galveston, Galveston County, Texas.

The bridge has a vertical clearance of 8.0 feet above mean high water, elevation 3.0 feet NAVD88, in the closed-to-navigation position and 73 feet above mean high water in the open-to-navigation position. In accordance with 33 CFR 117.5, the draw shall open on signal for the passage of vessels.

This temporary deviation allows the vertical lift bridge to remain closed to navigation from 7 a.m. through 5 p.m., March 24 through March 28, 2014. The bridge will operate normally at all other times. During this deviation, the bridge owner will complete periodic maintenance requirements and grease all operating cables of the bridge.

Navigation at the site of the bridge consists mainly of tows with barges and some recreational pleasure craft. Based on known waterway users, as well as coordination with those waterway users, it has been determined that this closure will not have a significant effect on these vessels. No alternate routes are available.

In accordance with 33 CFR 117.35, the drawbridge must return to its regular operating schedule immediately at the end of the effective period of this temporary deviation.

This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: February 26, 2014.

David M. Frank,

Bridge Administrator.

[FR Doc. 2014–05546 Filed 3–13–14; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2014–0114]

Drawbridge Operation Regulation; Lake Pontchartrain, Between Jefferson and St. Tammany Parishes, LA

AGENCY: Coast Guard, DHS.

ACTION: Notice of deviation from drawbridge regulation.

SUMMARY: The Coast Guard has issued a temporary deviation from the operating schedule that governs the draws of bascule span of the Greater New Orleans Expressway Commission Causeway across Lake Pontchartrain between Metairie, Jefferson Parish and Mandeville, St. Tammany Parish, Louisiana. This deviation allows the draws of the bridge to remain closed to navigation for six weeks to allow for the replacement of electrical parts of the bridge. This deviation is necessary to provide for the continued safe operation of the bridge.

DATES: This deviation is effective from 5:30 a.m. on Monday March 24, 2014 through 7 p.m. on Friday, May 2, 2014.

ADDRESSES: The docket for this deviation, [USCG–2014–0114] is available at *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 deviation. 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 deviation, call or email David Frank, Bridge Administration Branch, Coast Guard; telephone 504–671–2128, email *David.M.Frank@uscg.mil.* If you have questions on viewing the docket, call Cheryl F. Collins, Program Manager, Docket Operations, telephone 202–366–9826.

SUPPLEMENTARY INFORMATION: The Greater New Orleans Expressway Commission requested a temporary deviation from the published regulation for the Greater New Orleans Expressway Commission Causeway bascule bridge across Lake Pontchartrain. The deviation allows the draws of the north bascule span to remain closed to

navigation for six consecutive weeks from 5:30 a.m. on Monday March 24, 2014 through 7 p.m. on Friday, May 2, 2014 to facilitate the replacement of electrical components of the bridge.

Presently, in accordance with 33 CFR 117.467(b), the draw of the Greater New Orleans Expressway Commission Causeway bascule bridge shall open on signal if at least three hours notice is given; except that the draw need not be open for the passage of vessels Monday through Fridays except Federal holidays, from 5:30 a.m. to 9:30 a.m. and 3 p.m. to 7 p.m.. The draw will open on signal for any vessel in distress or vessel waiting immediately following the closures listed above.

The bascule span provides a vertical clearance of 42.6 feet above mean high water, elevation 2.6 feet NGVD in the closed-to-navigation position, and unlimited clearance in the open-to-navigation position. During the closure period, the bridge will not be able to open for vessels to transit through the bascule spans of the bridge. In case of an emergency, the bridge owner will be able to hand crank the draws of the bridge to the open-to-navigation position. As an alternate route, the south channel fixed spans of the bridge provide a vertical clearance of 50 feet above mean high water. Navigation on the waterway consists of small tugs with tows, fishing vessels, sailing vessels, and other recreational craft.

In accordance with 33 CFR 117.35, the draw bridge must return to its regular operating schedule immediately at the end of the effective period of this temporary deviation. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: February 26, 2014.

David M. Frank,

Bridge Administrator.

[FR Doc. 2014–05537 Filed 3–13–14; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 1

RIN 2900–AO45

Disclosures to Participate in State Prescription Drug Monitoring Programs

AGENCY: Department of Veterans Affairs.

ACTION: Final rule.

SUMMARY: This document adopts as final, without change, an interim final rule published in the **Federal Register** that amended the Department of Veterans Affairs' (VA) regulations concerning the sharing of certain patient information in order to implement VA's authority to participate in State Prescription Drug Monitoring Programs (PDMP).

DATES: This rule is effective on March 14, 2014.

FOR FURTHER INFORMATION CONTACT: Stephania Griffin, Director, Information Access and Privacy Office (10P2C1), Veterans Health Administration, 810 Vermont Avenue NW., 20420, 704–245–2492. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: On February 11, 2013, VA published in the **Federal Register** (78 FR 9589) an interim final rule promulgating 38 CFR 1.483 and 1.515, regulations to implement certain provisions of 38 U.S.C. 5701 and 7332. The interim final rule authorized VA to disclose certain types of information about veterans to PDMPs. The types of information that VA is authorized to disclose to PDMPs include demographic information of veterans and dependents of veterans who are prescribed a controlled substance, information about the prescribed controlled substances, and prescriber information. Interested persons were invited to submit comments on or before April 12, 2013, and we received 2 comments. Both comments expressed support for the interim final rule and do not recommend any changes to the rule. One commenter suggested that VA focus on the states with a high veteran population and work with the Office of National Drug Control Policy. We appreciate the commenter's suggestion. VA will take this suggestion into consideration. Based on the rationale set forth in the interim final rule, we adopt the interim final rule as a final rule without change.

Effect of Rulemaking

Title 38 of the Code of Federal Regulations, as revised by this final rulemaking, represents VA's implementation of its legal authority on this subject. Other than future amendments to this regulation or governing statutes, no contrary guidance or procedures are authorized. All existing or subsequent VA guidance must be read to conform with this rulemaking if possible or, if not possible, such guidance is superseded by this rulemaking.

Unfunded Mandates

The Unfunded Mandates Reform Act of 1995 requires, at 2 U.S.C. 1532, that agencies prepare an assessment of anticipated costs and benefits before issuing any rule that may result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of $100 million or more (adjusted annually for inflation) in any one year. This final rule will have no such effect on State, local, and tribal governments, or on the private sector.

Paperwork Reduction Act

This final rule contains no provisions constituting a collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3521).

Regulatory Flexibility Act

The Secretary hereby certifies that this regulatory action will not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act, 5 U.S.C. 601–12. This regulatory action affects only individuals and will not affect any small entities. Therefore, pursuant to 5 U.S.C. 605(b), this rulemaking is exempt from the initial and final flexibility analysis requirements of sections 603 and 604.

Executive Orders 12866 and 13563

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, when regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, and other advantages; distributive impacts; and equity). Executive Order 13563 (Improving Regulation and Regulatory Review) emphasizes the importance of quantifying both costs and benefits, reducing costs, harmonizing rules, and promoting flexibility. Executive Order 12866 (Regulatory Planning and Review) defines a ''significant regulatory action,'' which requires review by the Office of Management and Budget (OMB), as ''any regulatory action that is likely to result in a rule that may: (1) Have an annual effect on the economy of $100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities; (2) Create a serious inconsistency or otherwise interfere with an action taken or planned by another agency; (3) Materially alter the budgetary impact of entitlements, 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 set forth in this Executive Order.''

The economic, interagency, budgetary, legal, and policy implications of this regulatory action have been examined, and it has been determined not to be a significant regulatory action under Executive Order 12866. VA's impact analysis can be found as a supporting document at *http://www.regulations.gov,* usually within 48 hours after the rulemaking document is published. Additionally, a copy of the rulemaking and its impact analysis are available on VA's Web site at *http://www1.va.gov/orpm/,* by following the link for ''VA Regulations Published.''

Catalog of Federal Domestic Assistance

The Catalog of Federal Domestic Assistance numbers and titles for this rule are 64.012 Veterans Prescription Service and 64.019 Veterans Rehabilitation—Alcohol and Drug Dependence.

Signing Authority

The Secretary of Veterans Affairs, or designee, approved this document and authorized the undersigned to sign and submit the document to the Office of the Federal Register for publication electronically as an official document of the Department of Veterans Affairs. Jose D. Riojas, Chief of Staff, Department of Veteran Affairs, approved this document on February 27, 2014, for publication.

List of Subjects in 38 CFR Part 1

Administrative practice and procedure, Archives and records, Cemeteries, Claims, Courts, Crime, Flags, Freedom of information, Government contracts, Government employees, Government property, Infants and children, Inventions and patents, Parking, Penalties, Privacy, Reporting and recordkeeping requirements, Seals and insignia, Security measures, Wages.

Accordingly, the interim final rule amending 38 CFR part 1, which was published on February 11, 2013, at 78 FR 9589, is adopted as a final rule without change.

Dated: March 11, 2014

William F. Russo,

Deputy Director, Office of Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs.

[FR Doc. 2014–05691 Filed 3–13–14; 8:45 am]

BILLING CODE 8320–01–P

POSTAL SERVICE

39 CFR Part 121

Service Standards for Destination Sectional Center Facility Rate Standard Mail; Correction

AGENCY: Postal Service™.

ACTION: Final rule; correction.

SUMMARY: The Postal Service published in the **Federal Register** of March 5, 2014, a document concerning revisions to the service standards for Standard Mail that is eligible for Destination Sectional Center Facility (DSCF) rates. Inadvertently Table 5 and Table 6 of Appendix A to part 121 were amended to contain incorrect information. This document corrects the information in those Tables.

DATES: *Effective:* April 10, 2014.

FOR FURTHER INFORMATION CONTACT: Anthony Frost, Industry Engagement and Outreach, at 202–268–8093; or Prathmesh Shah, Processing and Distribution Center Operations, at 404–792–3195.

SUPPLEMENTARY INFORMATION: The Postal Service published a document (FR Doc. 2014–04784) in the **Federal Register** of March 5, 2014, (79 FR 12390) revising the service standards for Standard Mail that is eligible for DSCF rates. In this document, the ''Periodicals'' row in Table 5 of Appendix A to part 121, and the ''Periodicals'' and ''Package Services'' rows in Table 6 of Appendix A to part 121, were inadvertently amended to contain incorrect information. This document corrects the information in those Tables.

In rule FR Doc. 2014–04784 published on March 5, 2014, (79 FR 12390) make the following correction. At the top of page 12394, correct Tables 5 and 6 to read as follows:

TABLE 5—DESTINATION ENTRY SERVICE STANDARD DAY RANGES FOR MAIL TO THE CONTIGUOUS 48 STATES AND THE DISTRICT OF COLUMBIA

Mail class	CONTIGUOUS UNITED STATES			
	Destination entry (at appropriate facility)			
	DDU (Days)	SCF (Days)	ADC (Days)	NDC (Days)
Periodicals	1	1	1–2	2–3
Standard Mail	2	3–4	.....	5
Package Services	1	2	.....	3

TABLE 6—DESTINATION ENTRY SERVICE STANDARD DAY RANGES FOR MAIL TO NON-CONTIGUOUS STATES AND TERRITORIES.

Mail class	Destination entry (at appropriate facility)									
	DDU (Days)	SCF (Days)			ADC (Days)			NDC (Days)		
		Alaska	Hawaii, Guam, & American Samoa	Puerto Rico & USVI	Alaska	Hawaii, Guam, & American Samoa	Puerto Rico & USVI	Alaska	Hawaii, Guam, & American Samoa	Puerto Rico & USVI
Periodicals	1	1–3	1	1–3	1–4 (AK) 11 (JNU) 11 (KTN)	1 (HI) 2 (GU)	1–4	10–11	10	8–10
Standard Mail	2	3–4	3–5	3–5	.....	.....	.....	14	13	12
Package Services	1	2	2–3	2–3	.....	.....	.....	12	11	11

AK = Alaska 3-digit ZIP Codes 995–997; JNU = Juneau AK 3-digit ZIP Code 998; KTN = Ketchikan AK 3-digit

ZIP Code 999; HI = Hawaii 3-digit ZIP Codes 967 and 968; GU = Guam 3-digit ZIP Code 969.

Dated: March 10, 2014.

Stanley F. Mires,

Attorney, Legal Policy & Legislative Advice.

[FR Doc. 2014–05572 Filed 3–13–14; 8:45 am]

BILLING CODE 7710–12–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R07–OAR–2014–0118; FRL–9907–77–Region 7]

Approval and Promulgation of Implementation Plans; State of Iowa

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: Environmental Protection Agency (EPA) is approving revisions to the State Implementation Plan (SIP) for the State of Iowa. These revisions will amend the SIP to include revisions to Iowa air quality rule, Chapter 33, ''Special Regulations and Construction Permit Requirements for Major Stationary Sources—Prevention of Significant Deterioration (PSD) of Air Quality.'' This rule amendment makes the state regulation consistent with the Federal regulation for the fine Particulate Matter ($PM_{2.5}$) PSD program. This revision will amend source obligation provisions as they apply to recordkeeping and will provide a mechanism to allow industry to request rescission of a PSD permit, both of which match the Federal regulations. This action is also consistent with the state's request to not include, into the SIP, provisions relating to Significant Impact Levels (SILs) and Significant Monitoring Concentrations (SMCs). These provisions were vacated and remanded by the U.S. Court of Appeals for the District of Columbia on January 22, 2013.

DATES: This direct final rule will be effective May 13, 2014, without further notice, unless EPA receives adverse comment by April 14, 2014. If EPA receives adverse comment, we 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–R07–OAR–2014–0118, by one of the following methods:

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

2. *Email: Algoe-eakin.amy@epa.gov*

3. *Mail or Hand Delivery:* Amy Algoe-Eakin, Environmental Protection Agency, Air Planning and Development Branch, 11201 Renner Boulevard, Lenexa, Kansas 66219.

Instructions: Direct your comments to Docket ID No. EPA–R07–OAR–2014–0118. 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 through *www.regulations.gov* or email information that you consider to be CBI or otherwise protected. 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, i.e., 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 form. Publicly available docket materials are available either electronically in *www.regulations.gov* or in hard copy at the Environmental Protection Agency, Air Planning and Development Branch, 11201 Renner Boulevard, Lenexa, Kansas 66219. The Regional Office's official hours of business are Monday through Friday, 8:00 a.m. to 4:30 p.m. excluding legal holidays. The interested persons wanting to examine these documents should make an appointment with the office at least 24 hours in advance.

FOR FURTHER INFORMATION CONTACT: Amy Algoe-Eakin, Environmental Protection Agency, Air Planning and Development Branch, 11201 Renner Boulevard, Lenexa, Kansas 66219 at (913) 551–7942, or by email at *Algoe-eakin.amy@epa.gov.*

SUPPLEMENTARY INFORMATION: Throughout this document ''we,'' ''us,'' or ''our'' refer to EPA. This section provides additional information by addressing the following:

I. What is being addressed in this document?
II. Have the requirements for approval of a SIP revision been met?
III. What action is EPA taking?

I. What is being addressed in this document?

EPA is approving revisions into the SIP to include amendments to the Iowa air quality rules as they apply to Prevention of Significant Deterioration (PSD) of Air Quality.

The rules are amended to correspond with the Federal regulation for implementation of the $PM_{2.5}$ PSD program as identified in 40 CFR 52.21.

The following definitions are revised to match the Federal regulation: Baseline area; baseline date; enforceable permit condition; Federally enforceable; regulated New Source Review (NSR) pollutant, and significant.

Revisions adopted by reference include ambient air increments that include thresholds for $PM_{2.5}$, PSD exemptions to incorporate $PM_{2.5}$, source impact analysis requirements to include $PM_{2.5}$, and requirements for sources that impact Federal Class I areas to include $PM_{2.5}$. Source obligation provisions are revised to match current Federal PSD regulations. This revision also clarifies the conditions whereby source owners and operators must keep records and the specific records that must be kept. For the purposes of record keeping, the Federal definition of ''reasonable possibility'' has been added. A rule has been added to establish provisions for rescinding a PSD permit and is commensurate with the Federal provisions.

This action is also consistent with the state's request to not include the SIP provisions relating to Significant Impact Levels and Significant Monitoring Concentrations. On January 22, 2013, the U.S. Court of Appeals for the District of Columbia vacated and remanded the provisions at 40 CFR 51.166(k)(2) and

52.21(k)(2) concerning implementation of the $PM_{2.5}$ SILs and vacated the provisions at 40 CFR 51.166(i)(5)(i)(c) and 52.21(i)(5)(i)(c) (adding the $PM_{2.5}$ SMC) that were promulgated as part of the October 20, 2010 rule, ''Prevention of Significant Deterioration (PSD) for Particulate Matter less than 2.5 Micrometers ($PM_{2.5}$)—Increments, Significant Impact Levels and Significant Monitoring Concentrations,'' 75 FR 64864.

II. Have the requirements for approval of a SIP revision been met?

The state submittal has met the public notice requirements for SIP submissions in accordance with 40 CFR 51.102. The submittal also satisfied the completeness criteria of 40 CFR part 51, appendix V. The revision meets the substantive SIP requirements of the CAA, including section 110 and implementing regulations.

III. What action is EPA taking?

EPA is approving the state's request to revise the SIP to include amendments to the Iowa air quality rules as they apply to PSD of Air Quality. The rule is amended to correspond with the final Federal regulation necessary for $PM_{2.5}$ implementation for the PSD program. This revision also revises source obligation provisions as they apply to recordkeeping, and provides a mechanism to allow industry to request rescission of a PSD permit, both of which will match federal regulations. Per the state's July 23, 2013 request, EPA is not including provisions of the 2010 $PM_{2.5}$ PSD—Increments, SILs and SMCs rule (75 FR 64865, October 20, 2010) relating to SILs and SMCs that were affected by the January 22, 2013 U.S. Court of Appeals decision into SIP.

We are processing this action as a direct final action because the revisions make routine changes to the existing rules which are noncontroversial. Therefore, we do not anticipate any adverse comments. Please note that if EPA receives adverse comment on part of this rule and if that part can be severed from the remainder of the rule, EPA may adopt as final those parts of the rule that are not the subject of an adverse comment.

Statutory and Executive Order Reviews

Under the CAA, 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 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 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.

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 May 13, 2014. 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, Air quality, Prevention of significant deterioration, Incorporation by reference, Particulate matter, Reporting and recordkeeping requirements.

Dated: February 28, 2014.

Karl Brooks,

Regional Administrator, Region 7.

Chapter I, title 40 of the Code of Federal Regulations 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 Q—Iowa

■ 2. Section 52.820(c) is amended by revising in the table, under Chapter 33, the entry for 567–33.3 to read as follows:

52.820 Identification of plan.

* * * * *

(c) * * *

EPA-APPROVED IOWA REGULATIONS

Iowa citation	Title	State effective date	EPA approval date	Explanation
Iowa Department of Natural Resources Environmental Protection Commission [567]				
*	*	*	*	*
Chapter 33—Special Regulations and Construction Permit Requirements for Major Stationary Sources—Prevention of Significant Deterioration (PSD) of Air Quality				
*	*	*	*	*
567–33.3	Special construction permit requirement for major stationary sources in areas designated attainment or unclassified (PSD).	9/12/12	3/14/14 *[Insert FR page number where the document begins]*.	Provisions of the 2010 $PM_{2.5}$ PSD—Increments, SILs and SMCs rule (75 FR 64865, October 20, 2010) relating to SILs and SMCs that were affected by the January 22, 2013 U.S. Court of Appeals decision are not SIP approved. In addition, we have not approved Iowa's rule incorporating EPA's 2007 revision of the definition of "chemical processing plants" (the "Ethanol Rule," 72 FR 24060 (May 1, 2007) or EPA's 2008 "fugitive emissions rule," 73 FR 77882 (December 19, 2008).
*	*	*	*	*

* * * * *

[FR Doc. 2014–05512 Filed 3–13–14; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R09–OAR–2013–0599; FRL–9906–92–Region–9]

Approval and Promulgation of Implementation Plans; California San Francisco Bay Area and Chico Nonattainment Areas; Fine Particulate Matter Emissions Inventories

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 California State Implementation Plan (SIP) concerning emissions inventories for the 2006 24-hour fine particle National Ambient Air Quality Standard (NAAQS) for the San Francisco Bay Area and Chico $PM_{2.5}$ nonattainment areas. We are approving these emissions inventories under the Clean Air Act (CAA or the Act).

DATES: This rule is effective on May 13, 2014 without further notice, unless EPA receives adverse comments by April 14, 2014. If we receive such comments, we will publish a timely withdrawal in the **Federal Register** to notify the public that this direct final rule will not take effect.

ADDRESSES: Submit comments, identified by docket number EPA–R09–OAR–2013–0599, by one of the following methods:

1. *Federal eRulemaking Portal: www.regulations.gov.* Follow the on-line instructions.
2. *Email: steckel.andrew@epa.gov.*
3. *Mail or deliver:* Andrew Steckel (Air-4), U.S. Environmental Protection Agency Region IX, 75 Hawthorne Street, San Francisco, CA 94105–3901.

Instructions: All comments 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 Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Information that you consider CBI or otherwise protected should be clearly identified as such and should not be submitted through *www.regulations.gov* or email. *www.regulations.gov* is an "anonymous access" system, and EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send email directly to EPA, your email address will be automatically captured and included as part of the public comment. 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: Generally, documents in the docket for this action are available

electronically at *www.regulations.gov* and in hard copy at EPA Region IX, 75 Hawthorne Street, San Francisco, California 94105–3901. While all documents in the docket are listed at *www.regulations.gov*, some information may be publicly available only at the hard copy location (e.g., copyrighted material, large maps), and some may not be publicly available in either location (e.g., CBI). To inspect the hard copy materials, please schedule an appointment during normal business hours with the contact listed in the **FOR FURTHER INFORMATION CONTACT** section.

FOR FURTHER INFORMATION CONTACT: Nancy Levin, EPA Region IX, (415) 972–3848, *levin.nancy@epa.gov.*

SUPPLEMENTARY INFORMATION: Throughout this document, ''we,'' ''us,'' and ''our'' refer to EPA.

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I. Background

A. $PM_{2.5}$ NAAQS

Under section 109 of the CAA, EPA establishes national ambient air quality standards (NAAQS or ''standards'') for certain pervasive air pollutants (referred to as ''criteria pollutants'') and conducts periodic reviews of the NAAQS to determine whether they should be revised or whether new NAAQS should be established.

On July 18, 1997, EPA revised the NAAQS for particulate matter to add new standards for fine particles, using $PM_{2.5}$ (particles less than or equal to 2.5 micrometers in diameter) as the indicator for the pollutant. EPA established primary and secondary [1] annual and 24-hour standards for $PM_{2.5}$ (62 FR 38652). The annual standard was set at 15.0 micrograms per cubic meter (μg/m³), based on a 3-year average of annual mean $PM_{2.5}$ concentrations, and the 24-hour standard was set at 65 μg/m³, based on the 3-year average of the 98th percentile of 24-hour $PM_{2.5}$ concentrations at each population-oriented monitor within an area.

On October 17, 2006 (71 FR 61144), EPA revised the level of the 24-hour $PM_{2.5}$ NAAQS to 35 μg/m³, based on a 3-year average of the 98th percentile of 24-hour concentrations. EPA also retained the 1997 annual $PM_{2.5}$ standard at 15.0 μg/m³ based on a 3-year average of annual mean $PM_{2.5}$ concentrations, but with tighter constraints on the spatial averaging criteria.

B. Designation of $PM_{2.5}$ Nonattainment Areas

Effective December 14, 2009, EPA established the initial air quality designations for most areas in the United States for the 2006 24-hour $PM_{2.5}$ NAAQS. See 74 FR 58688 (November 13, 2009). Among the various areas designated in 2009, EPA designated the San Francisco Bay Area and the Chico area in California as nonattainment for the 2006 24-hour $PM_{2.5}$ NAAQS.[2] [3] The boundaries for these areas are described in 40 CFR 81.305.

C. Submittal Requirements for $PM_{2.5}$ Nonattainment Areas

Section 172(c)(3) of the CAA requires a state with an area designated as nonattainment to submit for EPA approval a comprehensive, accurate, and current inventory of actual emissions for the nonattainment area. EPA's requirements for an emissions inventory for the $PM_{2.5}$ NAAQS are set forth in 40 CFR 51.1008.[4] [5] This direct final approval is limited to the emissions inventories for direct $PM_{2.5}$ and $PM_{2.5}$ precursors submitted by the California Air Resources Board (CARB) for the San Francisco Bay Area and Chico nonattainment areas as required under section 172(c)(3) of the CAA as applicable to the 2006 $PM_{2.5}$ 24-hour NAAQS.

On January 9, 2013 (78 FR 1760), EPA finalized a determination that the San Francisco Bay Area nonattainment area had attained the 2006 24-hour $PM_{2.5}$ NAAQS. On September 10, 2013 (78 FR 55225), EPA finalized a determination that the Chico nonattainment area had also attained the 2006 24-hour $PM_{2.5}$ NAAQS. These determinations of attainment were based upon complete, quality-assured, and certified ambient air monitoring data showing that each area had monitored attainment of the 2006 24-hour $PM_{2.5}$ NAAQS based on the most-recent three years of monitoring data. Based on these determinations, the requirements for each area to submit an attainment demonstration, together with reasonably available control measures, a reasonable further progress (RFP) plan, and contingency measures for failure to meet RFP and attainment deadlines, are suspended for so long as the area continues to attain the 2006 24-hour $PM_{2.5}$ NAAQS. The emissions inventory submittal requirement in CAA section 172(c)(3) is not suspended by the determination of attainment, and the State has submitted the Chico and San Francisco Bay Area inventories to address the section 172(c)(3) requirement.

II. Procedural Requirements for Adoption and Submittal of SIP Revisions

Sections 110(a)(1) and 110(l) of the Act require states to provide reasonable notice and public hearing prior to adoption of SIP revisions. Section 110(k)(1)(B) requires EPA to determine whether a SIP submittal is complete within 60 days of receipt. Any plan that we have not affirmatively determined to be complete or incomplete will become complete six months after the day of submittal by operation of law. A finding of completeness does not approve the submittal as part of the SIP nor does it indicate that the submittal is approvable. It does start a 12-month

[1] For a given air pollutant, ''primary'' national ambient air quality standards are those determined by EPA as requisite to protect the public health, and ''secondary'' standards are those determined by EPA as requisite to protect the public welfare from any known or anticipated adverse effects associated with the presence of such air pollutant in the ambient air. See CAA section 109(b).

[2] The San Francisco Bay Area $PM_{2.5}$ nonattainment area includes southern Sonoma, Napa, Marin, Contra Costa, San Francisco, Alameda, San Mateo, Santa Clara and the western part of Solano counties.

[3] The Chico $PM_{2.5}$ nonattainment area includes the southwestern two-thirds of Butte County, California. Butte County lies in the central portion of northern California's Sacramento Valley Air Basin, which stretches from Sacramento County in the south to Shasta County in the north.

[4] 40 CFR 51.1008 (a)(2) and (b) do not apply for the Bay Area or Chico because they relate to requirements for attainment demonstrations and reasonable further progress (RFP), which were suspended for both the Bay Area (78 FR 1760) and Chico (78 FR 55225) $PM_{2.5}$ nonattainment areas on January 9, 2013 and September 10, 2013, respectively.

[5] Although the U.S. Court of Appeals for the District of Columbia (DC Circuit) recently remanded this rule and directed EPA to re-promulgate it pursuant to subpart 4 of part D, title I of the CAA (*see Natural Resources Defense Council* v. *EPA,* 706 F.2d 428 (D.C. Cir. 2013)), the court's ruling in this case does not affect EPA's action on these emission inventories. Subpart 4 of part D, title I of the Act contains no specific provision governing emission inventories for PM_{10} or $PM_{2.5}$ nonattainment areas that supersedes the general emission inventory requirement for all nonattainment areas in CAA section 172(c)(3). *See* ''State Implementation Plans; General Preamble for the Implementation of Title I of the Clean Air Act Amendments of 1990,'' 57 FR 13498, 13539 (April 16, 1992).

clock for EPA to act on the SIP submittal. See CAA section 110(k)(2).

A. Submittal for the San Francisco Bay Area Nonattainment Area

In this action, we are approving, as a revision to the California SIP, CARB's January 14, 2013 submittal of the 2010 $PM_{2.5}$ Emissions Inventory for the San Francisco Bay Area (Bay Area emissions inventory).[6] CARB's submittal to EPA documents the public review process followed by San Francisco Bay Area Air Quality Management District (BAAQMD) and CARB in adopting the Bay Area emissions inventory prior to submittal to EPA as a revision to the SIP. The documentation provides evidence that reasonable notice of a public hearing was provided to the public and that a public hearing was conducted prior to adoption. CARB's submittal documents the adoption of the Bay Area emissions inventory by the BAAQMD Board of Directors on November 7, 2012. The submittal also documents CARB's December 6, 2012 Board resolution approving the Bay Area emissions inventory.[7] On January 14, 2013, CARB submitted the Bay Area emissions inventory to EPA for approval as a revision to the California SIP.

CARB's January 14, 2013 submittal of the Bay Area emissions inventory became complete by operation of law on July 14, 2013.

Based on the documentation included in CARB's submittal, we find that the submittal of the Bay Area emissions inventory, as a SIP revision, satisfies the procedural requirements of sections 110(l) of the Act for revising SIPs. For further details, please see EPA's December 20, 2013 Technical Support Document (TSD) for the Bay Area emissions inventory.

B. Submittal for Chico Nonattainment Area

In this action, we are also approving, as a revision to the California SIP, CARB's November 15, 2012 submittal of a 2011 $PM_{2.5}$ emissions inventory for the Chico $PM_{2.5}$ nonattainment area (Chico emissions inventory).[8] CARB's submittal documents the public review process followed by Butte County Air Quality Management District (BCAQMD) and CARB in adopting the Chico emissions inventory prior to submittal to EPA. The documentation provides evidence that reasonable notice of a public hearing was provided to the public and that a public hearing was conducted prior to adoption. CARB's submittal documents the adoption of the emissions inventory by the BCAQMD Board of Directors. On September 27, 2012, the BCAQMD Board of Directors approved the emissions inventory and directed BCAQMD staff to forward the Chico emissions inventory to CARB, the Governor of California's designee for SIP matters.[9] CARB's submittal also documents its October 18, 2012 Board resolution regarding the Chico emissions inventory.[10]

CARB's November 15, 2012 submittal of the Chico emissions inventory became complete by operation of law on May 15, 2013.

Based on the documentation included in CARB's submittal, we find that the submittal of the Chico emissions inventory as a SIP revision satisfies the procedural requirements of sections 110(l) of the Act for revising SIPs. For further details, please see EPA's December 20, 2013 TSD for the Chico emissions inventory.

III. Analysis of State's Submittals

Section 172(c)(3) of the CAA requires states to submit a comprehensive, accurate, and current inventory of actual emissions for each nonattainment area. EPA's requirements for an emissions inventory for the $PM_{2.5}$ NAAQS are set forth in 40 CFR 51.1008. For the $PM_{2.5}$ NAAQS, the pollutants to be inventoried are $PM_{2.5}$, VOC, NO_X, SO_2, and NH_3.[11]

A. San Francisco Bay Area Emissions Inventory

The Bay Area emissions inventory provides a 2010 inventory in tons per day (tpd) winter-time emissions estimates for $PM_{2.5}$ and $PM_{2.5}$ precursors (i.e., nitrogen oxides (NO_X), volatile organic compounds (VOCs),[12] ammonia (NH_3), and sulfur dioxide (SO_2)). Monitoring data for the San Francisco Bay Area nonattainment area indicates that high $PM_{2.5}$ concentrations occur primarily during the winter months; therefore, the Bay Area emissions inventory is a winter-season inventory.[13] The source categories include stationary sources, area sources, on-road mobile sources and off-road mobile sources. A summary of the Bay Area emissions inventory is provided in Table 1 below, and the detailed Bay Area emissions inventory is found in Attachment 1 of CARB's submittal. CARB received no public comments on this submittal.

TABLE 1—SAN FRANCISCO BAY AREA PLANNING AREA 2010 WINTER EMISSIONS INVENTORY IN TONS PER DAY (TPD)

Source category [14]	$PM_{2.5}$	VOC	NO_X	SO_2	NH_3
Industrial and Commercial Processes	5.5	13.7	3.0	7.1	6.2
Petroleum Product/Solvent Evaporation	0.1	69.7	0.0	0.0	0.0
Combustion Stationary Sources—Fireplaces	13.1	5.3	1.1	0.2	1.2
Combustion Stationary Sources—Wood Stoves	3.7	2.8	0.5	0.1	0.5
Combustion Stationary Sources—Other	7.5	6.3	54.4	17.9	1.1
On-Road Mobile	7.3	107.4	197.6	0.9	8.7
Off-Road Mobile	4.3	39.6	90.4	2.8	0.0

[6] CARB adopted the 2010 $PM_{2.5}$ Emission Inventory for the Bay Area in 2012 and refers to the submittal as the ''2012 $PM_{2.5}$ Emission Inventory to the State Implementation Plan for the San Francisco Bay Area.'' However, the actual inventory in the 2012 CARB submittal (Appendix D) is titled, ''Bay Area Winter Emissions Inventory for Primary $PM_{2.5}$ & PM Precursors: Year 2010.'' For purposes of this action, any reference to the 2012 $PM_{2.5}$ Emissons Inventory is equivalent to the Bay Area 2010 winter-time $PM_{2.5}$ emission inventory.

[7] CARB Resolution 12–37, December 6, 2012.

[8] CARB adopted the 2011 $PM_{2.5}$ Emission Inventory for the Chico nonattainment area in 2012 and refers to it as the ''2012 $PM_{2.5}$ Emission Inventory Submittal to the State Implementation Plan for the Chico, CA/Butte County (partial) Planning Area.'' However, the actual inventory in the CARB submittal (Appendix D) is titled ''Chico Nonattainment Area (Partial Butte County) 2011 Daily Winter-Time Emissions Inventory (Base Year 2005-Grown and Controlled in Tons Per Day).'' For purposes of this action, any reference to the 2012 $PM_{2.5}$ Emissions Inventory is equivalent to the Chnico 2011 winter-time $PM_{2.5}$ emission inventory.

[9] BCAQMD Revised Resolution No. 2012–12, September 27, 2012.

[10] CARB Resolution 12–31, October 18, 2012.

[11] Emissions Inventory Guidance for Implementation of Ozone and Particulate Matter National Ambient Air Quality Standards (NAAQS) and Regional Haze Regulations, EPA–454/R–05–001, August 2005, updated November 2005. *http://www.epa.gov/ttn/chief/eidocs/eiguid/eiguidfinal_nov2005.pdf*.

[12] BAAQMD uses the term Reactive Organic Gas (ROG) rather than VOC. EPA formerly defined the regulated organic compounds in outdoor air as ROG. However, EPA later changed that terminology to ''VOC,'' which we use here.

[13] November 20, 2013 email correspondence from Amir Fanai (BAAQMD) to Nancy Levin (EPA), ''FW_Annual v. winter inventory (with attachment).'' See also ''Understanding Particulate Matter,'' 2012, BAAQMD, page 75. Also see ARB Staff Report, ''Analysis of the 2012 $PM_{2.5}$ Emissions Inventory Submittal to the State Implementation Plan for the San Francisco Bay Area,'' page 2.

TABLE 1—SAN FRANCISCO BAY AREA PLANNING AREA 2010 WINTER EMISSIONS INVENTORY IN TONS PER DAY (TPD)—Continued

Source category [14]	$PM_{2.5}$	VOC	NO_X	SO_2	NH_3
Miscellaneous Other—Consumer Products (excluding pesticides)	0.0	44.1	0.0	0.0	0.5
Miscellaneous Other—other	7.9	5.1	0.2	0.0	19.1
Totals [a]	49	294	347	29	37

[a] Totals rounded consistent with submittal.

The Bay Area emissions inventory includes emissions estimates from stationary sources, area sources, on-road mobile sources, and off-road mobile sources. The methodologies used to derive the 2010 inventory for $PM_{2.5}$ are as follows: [15]

- The stationary source emissions inventory is based on 2010 data of actual emissions reported by all permitted facilities.
- Area-wide source emissions were calculated based on reported data for fuel usage, product sales, population, employment data, and other parameters covering a wide range of activities.
- The BAAQMD used residential 2005–2006 wood burning surveys and mass balance calculations to estimate emissions from fireplaces and woodstoves.[16]
- Commercial cooking did not include condensable emissions for purposes of methodological consistency, since methods to measure condensable emissions from other sources are not available.
- The on-road emissions inventory, which consists of mobile sources such as trucks, automobiles, buses, and motorcycles, was prepared by CARB using EMFAC2011,[17] an EPA-approved CARB model for on-road motor vehicle emissions.
- The off-road mobile source category includes aircraft, trains and boats, and off-road vehicles and equipment used for construction, farming, commercial, industrial, and recreational activities.[18] Off-road emissions were estimated by CARB using category-specific methods and models, and OFFROAD2007.[19]
- Ship emissions were based on actual data where possible. Commercial boat emissions were calculated based on data collected from CARB's 2004 Statewide Commercial Harbor Craft Survey. Aircraft emissions are based on actual 2010 activity data.
- Paved road emissions were estimated by CARB, based on their 2011 guidance and EPA's AP–42, Fifth Edition, Volume 1, Chapter 13.2.1, Final Section.[20]

As noted above, high $PM_{2.5}$ concentrations in the San Francisco Bay Area nonattainment area occur primarily during the winter months and, therefore, the BAAQMD submitted a winter season inventory. The high winter concentrations are mainly due to meteorological factors, but also are affected by increased residential wood burning during the winter. In addition, cool weather promotes the formation of ammonium nitrate.[21] Residential wood burning and diesel vehicles comprise about two thirds of the directly emitted $PM_{2.5}$ emissions. On-road motor vehicles make up the largest source of NO_X and VOC emissions.

EPA has reviewed the results, procedures, and methodologies for the Bay Area emissions inventory. The BAAQMD used standard procedures to develop its emissions inventory. The BAAQMD appropriately used seasonal emissions inventories. After reviewing the CARB submittal of the Bay Area emissions inventory and supporting documentation, EPA finds the Bay Area emissions inventory meets the requirements of the CAA and EPA guidance and, therefore, we are approving it.

B. Chico Emissions Inventory

The SIP revision submitted by CARB on November 15, 2012 for the Chico nonattainment area provides a 2011 winter-time emissions inventory with emissions estimates in tpd for $PM_{2.5}$ and $PM_{2.5}$ precursors (i.e., NO_X, VOCs,[22] NH_3, and SO_2). Monitoring data for the Chico nonattainment area indicates that high $PM_{2.5}$ concentrations occur primarily during the winter months; therefore, the submitted inventory is a winter-season inventory.[23] The source categories include stationary sources, area sources, on-road mobile sources, and off-road mobile sources. A summary of the inventory is provided in Table 2 below, and a detailed inventory is found in Appendix D of CARB's submittal.

[14] The source categories and totals in Table 1 represent the combined totals from various subcategories of sources listed in the Bay Area Winter Emissions Inventory for Primary $PM_{2.5}$ & PM Precursors: Year 2010. See Table 1 in Attachment 1 of the TSD. This summary also breaks out "Combustion Stationary Sources" into fireplaces, woodstoves, and other; and "Miscellaneous Other Sources" into Consumer Products (excluding pesticides) and other.

[15] "Understanding Particulate Matter," 2012, BAAQMD, pages 82–87. *http://www.baaqmd.gov/~/media/Files/Planning%20and%20Research/Plans/PM%20Planning/ParticulatesMatter_Nov%207.ashx.*

[16] In their "Spare the Air Tonight Study, 2005–2006 Winter Wood Smoke Season (2006)" the BAAQMD used probability-based sampling techniques to obtain a representative sample of adult population in the district. A total of 2,625 randomly selected residents participated in a telephone survey on one of 28 interviewing dates between November 22, 2005 and February 17, 2006. The methodology and protocols used are described in the following report: Spare the Air Tonight Study, 2005–2006 Winter Wood Smoke Season, Conducted for the Bay Area Air Quality Management District, 2006.

[17] See 78 FR 14533 (March 6, 2013) regarding EPA approval of the latest version of the California EMFAC model (short for EMissionFACtor) and announcement of its availability. The software and detailed information on the EMFAC vehicle emission model can be found on the following CARB Web site: *http://www.arb.ca.gov/msei/msei.htm.*

[18] *See http://www.arb.ca.gov/msei/categories.htm.*

[19] Email from Gabe Ruiz, CARB, to John Ungvarsky, EPA, December 17, 2013. While BAAQMD's "Understanding Particulate Matter" refers to a CARB "OFFROAD2011" model, EPA staff confirmed that CARB "did not produce an integrated version of the OFFROAD model for 2011 (i.e., there is no OFFROAD2011). Instead, off-road emissions were estimated using a suite of models that provide inventory estimates specific to different categories of vehicles. Many of these category-specific models were developed to support recent regulations including in-use off-road equipment, ocean-going vessels, and others. In those instances when a category-specific model was not created, OFFROAD2007 was used."

[20] AP–42 Fifth Edition, Volume 1, Chapter 13.2.1, Final Section, November 2006, *http://www.epa.gov/ttn/chief/ap42/ch13/final/c13s0201.pdf,* and Understanding Particulate Matter, page 87, footnote 18. See the Technical Support Document for today's action for additional information on methods used by CARB to calculate paved road emissions.

[21] "Understanding Particulate Matter," 2012, BAAQMD, page 75.

[22] BCAQMD uses the term Reactive Organic Gas (ROG) rather than VOC. EPA formerly defined the regulated organic compounds in outdoor air as ROG. However, EPA later changed that terminology to "VOC."

[23] 2012 $PM_{2.5}$ Emission Inventory Submittal to the State Implementation Plan for the Chico, CA/Butte County (partial) Planning Area, Figure 4–1.

CARB received no public comments on this submittal.

TABLE 2—CHICO 2011 DAILY WINTER-SEASON EMISSIONS INVENTORY FOR $PM_{2.5}$ AND PRECURSORS (TPD) [24]

Emissions inventory category	$PM_{2.5}$	VOC	NO_X	SO_2	NH_3
Stationary Sources [25]	0.81	1.69	2.13	0.07	0.07
Area Sources:					
Residential Wood Heating	2.36	3.40	0.28	0.05	0.15
All Other Residential Heating	0.04	0.03	0.59	0.02	0.00
Agricultural (Managed) Burning	1.16	0.93	0.68	0.11	0.12
Construction Fugitives	0.10	0.00	0.00	0.00	0.00
Agricultural Fugitives	0.19	0.32	0.00	0.00	0.58
Paved and Unpaved Road Dust (Construction Fugitives)	0.33	0.00	0.00	0.00	0.00
All Other Area Sources (General Area Sources)	0.08	4.34	0.00	0.00	3.61
[a] Mobile Sources:					
On-Road	0.27	3.23	8.71	0.03	0.23
Off-Road	0.23	2.34	4.82	0.06	0.002
Totals [a]	5.57	16.28	17.22	0.33	4.77

[25] Totals may not precisely match categories because of rounding but are consistent with submittal.

For the Chico nonattainment area, the BCAQMD used a base year of 2005, which was the latest completed comprehensive inventory available.[26] This base year inventory was then ''grown and controlled'' [27] for 2011. For the $PM_{2.5}$ NAAQS, the pollutants to be inventoried are $PM_{2.5}$, VOC, NO_X, SO_2, and NH_3.[28] The inventory includes emissions estimates from stationary sources, area sources, on-road mobile sources, and off-road mobile sources. The submittal also includes $PM_{2.5}$ emissions in BCAQMD's 2011 Emissions Reduction Credit (ERC) register and Community Bank reserve. These potential future emissions are not included in the 2011 winter-time $PM_{2.5}$ emissions inventory for Chico, but BCAQMD recognizes their potential to be emitted in the future if authorized to meet New Source Review requirements.

TABLE 3—CHICO 2011 WINTER-TIME $PM_{2.5}$ ERCS (TPD)

2011 ERC Registry (October–April)	0.30
Community Bank (October–April)	0.06
Total	0.36

The stationary point source emissions inventory was developed from information the BCAQMD has on file for permitted facilities. The source categories include, but are not limited to, most fuel combustion, waste disposal, cleaning and surface coating, petroleum marketing and production, and industrial process facilities, as well as those subject to the federal Title V program. For this inventory, stationary sources also include auto body shops, dry cleaners, and gasoline stations. General area sources include solvent evaporation and other sources for which BCAQMD followed CARB's methodologies to calculate the emissions inventory estimates.[30] The BCAQMD developed the woodstove/fireplace emissions estimates using California housing data, Butte County Association of Governments' growth predictions, and CARB emissions factors to determine the potential reductions from BCAQMD Rule 207, Residential Wood Combustion.)[31]

Mobile sources include on-road and off-road emissions. On-road mobile source emissions were estimated by CARB using the EMFAC2011model. Off-road emissions were estimated by CARB using category-specific methods and models, and OFFROAD2007.[32] Residential wood heating accounts for almost half of the winter directly emitted $PM_{2.5}$ emissions, and mobile sources are the largest contributors to NO_X emissions.

EPA has reviewed the results, procedures, and methodologies for the submitted emissions inventory. The BCAQMD used standard procedures to develop its emissions inventory. The BCAQMD appropriately used seasonal emissions inventories. After reviewing the CARB submittal of the Chico emissions inventory and supporting documentation, EPA finds the emissions inventory meets the requirements of the CAA and EPA guidance and, therefore, we are approving it.

IV. Final Action

EPA is taking direct final action to approve the $PM_{2.5}$ and $PM_{2.5}$ precursor emissions inventories submitted by CARB on January 14, 2013 for the San Francisco Bay Area nonattainment area, and on November 15, 2012 for the Chico nonattainment area. EPA has determined that this action is consistent with sections 110 and 172(c)(3) of the CAA. EPA is publishing this rule without prior proposal because the Agency views this as a non-controversial revision and anticipates no adverse comments. However, in the Proposed Rules section of this **Federal Register**, we are simultaneously proposing approval of the same submitted emissions inventories. If we

[24] Ibid., Table 5–1.

[25] Includes Fuel Combustion, Waste Disposal, Cleaning and Surface Coatings, Petroleum Production and Marketing, Industrial Processes, and Solvent Evaporation.

[26] Email from Armen Kamian, BCAQMD to Nancy Levin, EPA, August 8, 2013.

[27] ''Grown'' refers to including population growth, new roads, additional housing units, increased road traffic, etc. ''Controlled'' refers to including control measures.

[28] Emissions Inventory Guidance for Implementation of Ozone and Particulate Matter National Ambient Air Quality Standards (NAAQS) and Regional Haze Regulations, EPA–454/R–05–001, August 2005, updated November 2005. *http://www.epa.gov/ttn/chief/eidocs/eiguid/eiguidfinal_nov2005.pdf.*

[29] Implementation Guidance for the 2006 24-Hour Fine Particle (PM2.s) National Ambient Air Quality Standards (NAAQS). U.S. EPA Memorandum from S. Page, March 2, 2012.

[30] *See http://www.arb.ca.gov/msei/areas src/inde0.htm.*

[31] Memorandum, Control Profile Rule 207 Residential Wood Combustion, and attachment from Gail Williams, BCAQMD to Anna Komorniczak and Monique Davis, CARB, October 12, 2010; District Rule 207 Wood Burning Devices (Adopted October 25, 2001; Recodified August 22, 2002; Amended December 11, 2008).

[32] December 16, 2013 email from Armen Kamian, BCAQMD to Nancy Levin, EPA Region 9.

receive adverse comments by April 14, 2014, we will publish a timely withdrawal in the **Federal Register** to notify the public that the direct final approval will not take effect, and we will address the comments in a subsequent final action based on the proposal. If we do not receive timely adverse comments, the direct final approval will be effective without further notice on May 13, 2014. This will incorporate these emissions inventories into the federally enforceable SIP.

Please note that if EPA receives adverse comment on an amendment, paragraph, or section of this SIP revision, and if that provision may be severed from the remainder of the revision, EPA may adopt as final those provisions of the revision that are not the subject of an adverse comment.

IV. 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 application of those requirements would be inconsistent with the Clean Air Act; and
- does not provide EPA with the discretionary authority to address disproportionate human health or environmental effects with practical, appropriate, and legally permissible methods under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, this action 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.

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 May 13, 2014. 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, Nitrogen dioxide, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Dated: January 30, 2014.

Jared Blumenfeld,

Regional Administrator, Region IX.

Part 52, Chapter I, Title 40 of the Code of Federal Regulations 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 F—California

■ 2. Section 52.220 is amended by adding paragraphs (c)(434) and (435) to read as follows:

§ 52.220 Identification of plan.

* * * * *

(c) * * *

(434) A plan revision submitted on November 15, 2012 by the Governor's Designee.

(i) [Reserved]

(ii) Additional materials.

(A) Butte County Air Quality Management District.

(1) ''2012 $PM_{2.5}$ Emission Inventory Submittal to the State Implementation Plan for the Chico, CA/Butte County (partial) Planning Area,'' as submitted by the California Air Resources Board on November 15, 2012. The document in CARB's submittal is titled, ''Chico Nonattainment Area (Partial Butte County) 2011 Daily Winter-Time Emissions Inventory (Base Year 2005—Grown and Controlled in Tons Per Day.''

(435) A plan revision submitted on January 14, 2013 by the Governor's Designee.

(i) [Reserved]

(ii) Additional materials.

(A) San Francisco Bay Area Air Quality Management District.

(1) ''2012 $PM_{2.5}$ Emission Inventory to the State Implementation Plan for the San Francisco Bay Area'' as submitted by the California Air Resources Board on January 14, 2013. The document in

CARB's submittal is titled, ''Bay Area Winter Emissions Inventory for Primary $PM_{2.5}$ & PM Precursors: Year 2010.''

* * * * *

[FR Doc. 2014–05527 Filed 3–13–14; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 80

[EPA–HQ–OAR–2006–0318; FRL–9907–91–OAR]

RIN 2060–AN63

Regulation of Fuel and Fuel Additives: Reformulated Gasoline Requirements for the Atlanta Covered Area

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: In this final rule, the Environmental Protection Agency (EPA) has determined that the Atlanta metro area is not a federal reformulated gasoline (RFG) covered area and, therefore, that there is no requirement to use RFG in the Atlanta area. Atlanta is the only RFG covered area formerly classified as a severe ozone nonattainment area under the 1-hour ozone National Ambient Air Quality Standard that was redesignated to attainment for that standard before its revocation, and at a time when it was designated as nonattainment for the 8-hour ozone standard with a classification less than severe. EPA has determined that the statute is ambiguous as to whether RFG is required in this situation. EPA believes that the comprehensive planning conducted by the State through the SIP process, the array of regulatory tools at the State's disposal, and the current limited emissions benefits of RFG in Atlanta as compared to the current state fuel (as explained elsewhere in the document) indicate that it would be appropriate to interpret the relevant statutory language to not require RFG use in Atlanta.

DATES: This final rule is effective March 14, 2014

ADDRESSES: EPA has established a docket for this action under Docket ID No. EPA–HQ–OAR–2006–0318. All documents in the docket are listed on the *www.regulations.gov* Web site. 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, 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 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.

FOR FURTHER INFORMATION CONTACT: Kurt Gustafson, Office of Transportation and Air Quality, mailcode 6406J, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC. 20460; telephone number: 202–343–9219; fax number 202–343–2800; email address: *gustafson.kurt@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

This action may affect you if you produce, distribute, or sell gasoline for use in the Atlanta area. The table below gives some examples of entities that may have to comply with the regulations. However, since these are only examples, you should examine carefully these and other existing regulations in 40 CFR part 80. If you have any questions, please call the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

Category	NAICS codes [a]	SIC codes [b]	Examples of potentially regulated entities
Industry	324110	2911	Petroleum Refiners.
Industry	422710	5171	Gasoline Marketers and Distributors.
	422720	5172	
Industry	484220	4212	Gasoline Carriers.
	484230	4213	

[a] North American Industry Classification System (NAICS).
[b] Standard Industrial Classification (SIC) system code.

Outline of This Preamble

I. Background
A. The Ozone National Ambient Air Quality Standard and State Implementation Plans
B. Reformulated Gasoline
C. Transition from the 1-Hour Ozone to the 1997 8-Hour Ozone NAAQS
D. Legal History of the RFG Requirement in Atlanta
E. Proposed Options
II. Evaluation of the Emission Benefits Provided by RFG
III. Quantifying the Difference in VOC Benefits Between RFG and Conventional Gasoline
IV. Proposed Options To Address Whether Atlanta Remains a Federal RFG Covered Area
V. Public Comment Summary.
VI. What action is EPA taking?
VII. Application of This Interpretation to the Atlanta Area
VIII. Statutory and Executive Order Reviews

I. Background

Based on the Atlanta metropolitan area's failure to achieve the 1-hour ozone standard according to a statutorily-prescribed deadline, the area was reclassified as a severe ozone nonattainment area and required to use RFG. However, as a result of pending legal proceedings, RFG has never been implemented in Atlanta, and Atlanta has not relied on emissions reductions from federal RFG in its EPA-approved ozone SIP. In the interim, the air quality in Atlanta has improved; due in part to various control strategies in place as well as vehicle fleet changes, and EPA has redesignated the area as in attainment with both the 1-hour and 1997 8-hour ozone standards. Atlanta is currently designated a marginal nonattainment area under the 2008 8-hour ozone standard. Although the Clean Air Act clearly imposes the obligation to use RFG on areas one year after they are reclassified as a severe nonattainment area, it is ambiguous as to when such RFG covered areas may discontinue use of RFG. The State has sought through a petition to EPA and associated litigation to avoid the implementation of the RFG program in Atlanta following classification of the area as a severe nonattainment area under the one-hour ozone standard. The RFG requirement has been stayed pending resolution of the litigation, and during the time that Atlanta was

redesignated to attainment for the one-hour ozone standard. The State has an approved State Implementation Plan (SIP) that has not relied on RFG benefits and a SIP-approved fuel program that achieves all of the nitrogen oxides (NO_X), toxics, and 98.4% of the volatile organic compound (VOC) benefits provided by the RFG program. After considering a number of factors, including the benefits of using RFG rather than the SIP-approved low-RVP ''Georgia gas,'' EPA has interpreted the statutory provisions and concluded that Atlanta is not required to use RFG.

A. The Ozone National Ambient Air Quality Standard and State Implementation Plans

EPA has set National Ambient Air Quality Standards (NAAQS) for six principal pollutants, including ozone. After establishing a NAAQS, EPA, based on recommendations from the States, designates areas as either in attainment with the NAAQS, in nonattainment with the NAAQS, or as unclassifiable. The CAA (or Act) also specifies that ozone nonattainment areas are to be further classified at the time of designation as marginal, moderate, serious, severe or extreme, based on the severity of the air quality in the area. Section 110(a)(2) of the Act requires each State to adopt, and EPA to review and approve, a State Implementation Plan (SIP) that identifies how that State will attain and/or maintain each NAAQS, such as the ozone NAAQS. Specifically, SIPs must identify control measures and strategies that demonstrate how each area will attain and maintain the NAAQS. These plans are developed through a public process, formally adopted by the State, and submitted by the Governor's designee to EPA. The CAA requires EPA to review each plan and any plan revisions in a public process and to approve or disapprove them.

The contents of a typical SIP fall into several categories: (1) State-adopted control measures which consist of rules/regulations, source-specific requirements (e.g., orders and consent decrees) and other control obligations; (2) State-submitted comprehensive air quality plans, such as attainment plans, maintenance plans, and rate of progress plans, demonstrating how these state regulatory and source-specific controls, in conjunction with federal programs, will bring and/or keep air quality in compliance with federal air quality standards; (3) State-submitted ''non-regulatory'' requirements, such as emission inventories, small business compliance assistance programs; demonstrations of legal authority, monitoring networks, etc.; and (4) additional requirements promulgated by EPA (in the absence of a commensurate State provision) to satisfy a mandatory section 110 or part D (Clean Air Act) requirement.

B. Reformulated Gasoline

The 1990 amendments to the CAA directed EPA to issue regulations that specify how gasoline can be ''reformulated'' so as to result in significant reductions in vehicle emissions of ozone-forming and toxic air pollutants relative to a 1990 baseline fuel, and to require the use of such reformulated gasoline in certain ''covered areas.'' In addition, some other areas with ozone levels exceeding the ozone NAAQS may opt-in to the federal RFG program, and several areas have done so.

The term ''covered area'' is defined in section 211(k)(10)(D) as follows:

> [T]he 9 ozone nonattainment areas having a 1980 population in excess of 250,000 and having the highest ozone design value during the period 1987 through 1989 shall be ''covered areas'' for purposes of this subsection. Effective one year after the reclassification of any ozone nonattainment area as a severe ozone nonattainment area under section 181(b) of this title, such severe area shall also be a ''covered area'' for purposes of this subsection.

The second sentence of section 211(k)(10)(D) identifies areas that become covered areas because they have been reclassified as a severe ozone nonattainment area under CAA section 181(b). These are called ''bump-up'' areas. Five areas were reclassified to severe for the 1-hour NAAQS: Baton Rouge, Atlanta, Sacramento, San Joaquin Valley, and Sacramento, San Joaquin Valley, and Washington, DC (which was already an opt-in area). They became mandatory RFG covered areas one year after their reclassification as a severe area. The areas that are RFG covered areas based on the bump-up provision were designated as ozone nonattainment areas by operation of law at the time of the 1990 CAA amendments, and their bump-up to severe occurred by operation of law based on EPA's determination under section 181(b) that the areas failed to attain the 1-hour ozone NAAQS by the applicable date. Thus, their reclassification to severe was not based on a determination that their air quality met the severe area ozone design value. Instead, reclassification was based on their failure to meet the applicable attainment date. The bump-up to severe has two effects—a later attainment date is set for the area, and a variety of additional control measures become mandatory for the area. The federal RFG program becomes a mandatory control measure in an area one year after the area is bumped up to a severe classification.

C. Transition From the 1-Hour Ozone to the 8-Hour Ozone NAAQS

Today's rule follows from previous EPA action in replacing the 1-hour ozone standard with a more protective 8-hour ozone NAAQS. *See* 69 FR 23951 (April 30, 2004).[1] EPA has issued two rules that clarify the extent to which CAA obligations that existed under the 1-hour ozone standard continue in effect under the 8-hour NAAQS. These rules are the Phase 1 implementation rule, 69 FR 23951 (April 30, 2004), and the Phase 2 implementation rule. *See* 70 FR 71612 (November 29, 2005).

In the Phase 1 rule, EPA addressed two interrelated key issues regarding the transition from the 1-hour ozone NAAQS to the 8-hour ozone NAAQS. First, it identified the time at which the 1-hour ozone NAAQS would be revoked (i.e., no longer apply). Second, it identified the extent to which certain regulatory requirements related to 1-hour ozone NAAQS attainment status would apply after transition to the 8-hour NAAQS. On the first issue, EPA decided that the 1-hour ozone NAAQS would be revoked in full, including the associated designations and classifications, one year following the effective date of the designations for the 8-hour ozone NAAQS. For most areas, which were designated effective June 15, 2004, that means the 1-hour ozone NAAQS and the related designation and classification no longer applied as of June 15, 2005. On the second issue, the approach, generally referred to as ''anti-backsliding,'' adopted in the Phase 1 rule established that all areas designated nonattainment for the 8-hour ozone NAAQS and designated nonattainment for the 1-hour ozone NAAQS at the time of designation for the 8-hour ozone NAAQS (the ''trigger date'') remain subject to mandatory control measures that applied by virtue of the area's classification for the 1-hour ozone NAAQS. These control measures are called ''applicable requirements,'' and are primarily the control measures that areas were required to adopt and implement based on the area's 1-hour nonattainment classification. Thus, in the Phase 1 rule, EPA adopted an anti-backsliding approach and established a trigger date for determining which 1-

[1] Subsequent to the publication of the 1997 8-hour ozone NAAQS, EPA revised and established a new 8-hour ozone NAAQS on March 27, 2008 (hereafter referred to as the 2008 8-hour ozone NAAQS). *See* 73 FR 16436.

hour ozone control ''applicable requirements'' continued to apply after revocation of the 1-hour ozone NAAQS. RFG is not a SIP ''applicable requirement'' addressed by the Phase I rule, so the rule did not resolve the extent to which RFG requirements related to 1-hour ozone classifications would apply after the transition to the 8-hour ozone standard.

In the Phase 2 Ozone Implementation Rule, EPA interpreted section 211(k)(10)(D) as requiring that the nine original mandatory RFG covered areas (those identified by reference to their 1980 population and their 1987–1989 ozone design value) remain covered areas, and thus are required to use RFG, at least until they are redesignated to attainment for the 8-hour ozone NAAQS. EPA explained that the statute identifies these areas as covered areas by virtue of historical facts that are not altered by EPA's transition to the 8-hour ozone standard, and that they will continue to be ''ozone nonattainment areas'' until they are redesignated to attainment for the 8-hour ozone NAAQS. Thus they will continue to meet the definition of covered area at least until they are redesignated to attainment for the 8-hour ozone NAAQS. *See* 70 FR 71612, 71685 (November 29, 2005).

In the Phase 2 rule EPA also identified two distinct types of areas that had been reclassified or ''bumped-up'' to severe for the 1-hour ozone standard prior to revocation of that standard: (1) Those that lost their classification as severe ozone nonattainment areas solely as a result of the revocation of the 1-hour ozone NAAQS and classification at a lower classification (e.g., subpart 1, marginal, moderate or serious) under the new 8-hour ozone NAAQS; and (2) those that lost their severe classification through redesignation to attainment for the 1-hour NAAQS prior to revocation of that standard. EPA explained that section 211(k)(10)(D) is ambiguous on the issue of whether and how long a bump-up area continues to be a covered area when it is no longer classified as severe. The text of the provision could be read to set the defining criteria as the occurrence of reclassification to severe, a historical fact that does not change based on subsequent changes in classification. It could also be read as identifying areas that are reclassified to severe, but as leaving unresolved what happens when they are no longer so classified. Given this ambiguity, EPA determined that it had the discretion to determine whether section 211(k)(10)(D) authorizes removal of a bump-up area from the RFG program in the two different situations when such a bump-up area is no longer classified as severe. EPA decided in the phase 2 rule that those bump-up areas that lost their severe status solely as a result of revocation of the 1-hour ozone NAAQS and classification at a lower classification under the 8-hour ozone standard would remain covered areas at least until they are redesignated to attainment for the 8-hour ozone NAAQS. In making this decision EPA relied on an antibacksliding approach similar to that relied upon in the Phase 1 rule. *See* 69 FR 23857. (April 30, 2004).[2] However, EPA did not address in the Phase 2 rule whether RFG would continue to be required in bump-up areas that lost their severe status as a result of redesignation to attainment for the 1-hour ozone NAAQS before revocation of the 1-hour ozone NAAQS, and which are classified at a lower classification than severe under the 8-hour ozone NAAQS. Atlanta was the only such area. EPA designated Atlanta as a marginal nonattainment area under the 1997 8-hour ozone standard, 70 FR 34660 (June 15, 2005), and redesignated Atlanta from nonattainment to attainment for the 1-hour ozone NAAQS, prior to revocation of the 1-hour ozone NAAQS. *See* 56 FR 56694 (November 6, 1991). EPA subsequently redesignated Atlanta to attainment for the 1997 8-hour standard. *See* 78 FR 72040 (December 2, 2013). Atlanta is currently designated marginal nonattainment for the 2008 8-hour ozone NAAQS.

D. Legal History of the RFG Requirement in Atlanta

As explained above, 13 counties in the Atlanta 1-hour ozone nonattainment area became an RFG covered area when Atlanta was reclassified as a severe ozone nonattainment area on January 1, 2004. Atlanta was required under the statute to begin using RFG on January 1, 2005. In August 2004, Georgia petitioned EPA to waive the RFG requirement for Atlanta, based on ''absurd results'' (NOx impact leading to increased ozone). In September, 2004, EPA denied Georgia's petition on grounds that expected adverse impacts were related to ethanol in RFG. The State had not requested a waiver of the RFG oxygen content requirement, and EPA determined that it lacked authority to waive the entire RFG requirement in this situation. Georgia then filed two lawsuits related to RFG in Atlanta. First, Georgia alleged in U.S. District Court that EPA must conduct a conformity analysis prior to RFG taking effect in Atlanta. The court denied Georgia's motion for a preliminary injunction, but the State appealed this ruling to the United States Court of Appeals for the 11th Circuit, and the District Court granted the State's request for a stay of the RFG requirement pending appeal. Second, the State challenged EPA's denial of its RFG waiver request in the 11th Circuit. While this litigation was ongoing, Atlanta was redesignated to attainment for the 1-hour ozone standard, on June 14, 2005, before that standard was revoked on June 15, 2005. At that time Atlanta was classified as marginal under the new 1997 8-hour ozone standard. All actions in the 11th Circuit Court of Appeals were stayed, at the parties' request, to allow EPA and the State to consider the impact of the Energy Policy Act of 2005 (revoking the RFG oxygen content requirement but also requiring a broader program for increasing use of renewable fuels throughout the U.S.) and Atlanta's redesignation to attainment of the 1-hour ozone standard prior to its revocation. The judicial stay of the RFG requirement in Atlanta remains in place during the stay of the litigation. As a result of these proceedings, RFG has never been implemented in Atlanta, and Atlanta has not relied on emissions reductions from federal RFG in its SIP.

E. Proposed Options

In our proposed rulemaking of June 23, 2006 (71 FR 36042), EPA sought comment on two alternative proposals regarding reformulated gasoline requirements for Atlanta. In the time since we published the proposal, a number of factors have transpired which are taken into account in today's action. When Georgia first sought a waiver of the RFG program, the fuel used to meet the Georgia gas SIP requirements did not contain ethanol, but virtually all RFG was being blended with 10% ethanol. The renewable fuels program initiated by Congress in the 2005 Energy Policy Act, and enhanced in the Energy Independence and Security Act of 2007, requires that transportation fuel contain volumes of renewable fuel, including ethanol, that are defined for each calendar year and increase over time to 36 billion gallons in 2022. As a result of implementing the RFS program, ethanol is now being blended into virtually all gasoline (RFG and conventional) throughout the US, including the

[2] One of the bump-up areas that EPA determined in the Phase 2 rule should continue to use RFG at least until redesignation to attainment for the 8-hour ozone NAAQS was Baton Rouge. This area was subsequently redesignated to attainment for the 8-hour NAAQS and, for reasons set forth in a determination dated April 23,2012, EPA issued an interpretive rule specifying that it was no longer required to use RFG.

Atlanta market. In addition, EPA also updated the modeling tools to incorporate the most up-to-date emission information into the release of Motor Vehicle Emissions Simulator (MOVES) model. This allowed EPA to run the MOVES model to estimate the difference in emissions between RFG and Georgia gas. More importantly, since the time that the proposal was published, the Atlanta area has been able to achieve attainment with the 1997 8-hour ozone standard without ever having implemented RFG.

At the time of the proposed rule, Atlanta was classified as marginal nonattainment for the 1997 8-hour NAAQS. On December 2, 2013 EPA reclassified Atlanta to attainment for the 1997 8-hour standard. However, Atlanta is currently classified as marginal nonattainment under the 2008 8-hour standard. Thus, the issue for resolution in today's rule is the same as at the time of proposal—the extent to which an area formerly classified as a severe nonattainment area under the 1-hour standard must continue to be an RFG covered area if it was reclassified to attainment before the 1-hour standard was revoked and is classified as less than severe under the 8-hour ozone NAAQS. Under the first option for which EPA sought comment, Atlanta would be required to use federal reformulated gasoline (RFG) at least until it is redesignated to attainment for the 8-hour ozone NAAQS. The anti-backsliding trigger date would be the same as that in the Phase 1 implementation rule—the effective date of the 1997 8-hour ozone NAAQS designations. On that date Atlanta was classified as a severe area for the 1-hour ozone NAAQS, and the requirement to use RFG was mandatory, starting January 1, 2005, based on that classification. The subsequent redesignation to attainment of the 1-hr ozone NAAQS would not change the continuing obligation to use RFG after the trigger date. Under the second option, which EPA is finalizing today, the State could request the removal of RFG, and EPA would grant such a request, upon a demonstration that removal would not result in loss of any RFG-related emission reductions relied upon in the State's Implementation Plan for ozone. The trigger date for Atlanta under this second option would be the date of revocation of the 1-hour ozone NAAQS. The use of this trigger date would mean that if RFG was a mandatory obligation on that date, then the obligation would continue after revocation of the 1-hour NAAQS. If RFG was not a mandatory obligation on that date then it would not continue after the date of revocation. Hence the primary issue under this option would be whether RFG should be considered a mandatory obligation as of the trigger date. As noted above, section 211(k)(10)(D) of the Act is ambiguous on whether the obligation to use RFG would continue to apply as of this trigger date, since the prior redesignation to attainment for the 1-hour ozone NAAQS means the area was no longer classified as a severe area as of that date. The issue is not whether a requirement that applied on the trigger date should continue to apply after revocation, but whether this specific federal requirement would or would not apply on the trigger date. These options are described in more detail in Section III of this preamble.

II. Evaluation of the Emissions Benefits Provided by RFG

The CAA, as amended in 1990, mandated certain requirements for the reformulated gasoline program. The Act specified that during 1995 through 1999 (Phase I RFG), for volatile organic compounds (VOC) and toxics, RFG must comply with the more stringent of either a set of formulas or an emission reductions performance standard, measured on a mass basis, equal to 15 percent reduction from baseline emissions. Baseline emissions were the emissions of 1990 model year vehicles operated on a specified baseline gasoline. The Act also mandated compositional specifications for RFG which included a 2.0 weight percent oxygen minimum and a 1.0 volume percent benzene maximum. For the year 2000 and beyond (Phase II RFG), the Act specified that RFG must comply with the more stringent of a set of formulas or VOC and toxic pollutant performance standards providing for a 25 percent reduction from baseline emissions. EPA adopted the RFG requirements in 40 CFR 80.40 through 80.70. The original Phase II emission reductions required specified percentage reductions of RFG relative to the 1990 statutory baseline, as noted below: [3]

[3] 59 FR 7716 (February 16, 1994). The percentage reductions reflect a comparison of emissions performance of a vehicle with 1990's type emission control technology using RFG and emissions performance of the same vehicles using 1990 average conventional gasoline. EPA subsequently amended the regulations to require somewhat less stringent summertime VOC requirements in the Chicago and Milwaukee ozone nonattainment areas. 66 FR 37156 (July 17, 2001).

COMPLEX MODEL EMISSION PERFORMANCE REDUCTION [4]

Summertime VOC	Region 1	Region 2
Per gallon	27.5	25.9
Averaging	29.0	27.4
Minimum	25.0	23.4
NO_X [5]		
Per gallon	5.5	5.5
Averaging	6.8	6.8
Minimum	3.0	3.0
Toxics		
Per gallon	20	20
Averaging	21.5	21.5
Benzene [6]		
Per gallon	1.0	1.0
Averaging	.95/1.3 per g max.	.95/1.3 per g max

A. Subsequent Regulatory Changes

1. Changes to Gasoline

Since the RFG standards were implemented, there have been a number of important changes to gasoline controls. Perhaps the most significant of these was implementation of the Tier 2 gasoline sulfur standards. 65 FR 6698 (Feb. 10, 2000). In addition, in 2007 EPA adopted the Mobile Source Air Toxics (MSAT) rule. Beginning in 2011, the MSAT rule required refiners to meet a benzene content standard on all their gasoline, both reformulated and conventional, nationwide. 72 FR 8431 (February 26, 2007). In this rule EPA also removed the NO_X performance requirements from the RFG program regulations. 72 FR 8498 (February 26, 2007); 40 CFR 80.41(e)(2). Finally, in the Energy Policy Act of 2005 Congress modified the requirements for RFG by removing the requirement that it contain oxygenate and replaced it with a mandate that gasoline nationwide contain increasing volumes of renewable fuels. The result of all these actions is that now the requirements for federal RFG and conventional gasoline (CG) with respect to NO_X, toxics

[4] The complex model reductions refer to VOC control Regions 1 and 2. The geographic scope of these regions is defined in 40 CFR 80.71 For the most part, Region 1 refers to the south and west and Region 2 refers to the upper midwest and northeast.

[5] A NO_X performance standard was not required for RFG under CAA section 211(k); however, EPA added this requirement under the general authority provided by section 211(c), as part of the RFG program.

[6] The benzene standards are in terms of a volume percent of the fuel, not a percent emissions reduction.

emissions performance and renewable fuel content are essentially the same.

2. Changes to Vehicle Standards

Since Congress mandated the RFG program through the 1990 CAA Amendments, there have also been a number of important changes to vehicle emission standards. In 1993, EPA promulgated the enhanced evaporative emission standards which reduced the impact of changes in fuel volatility, or RVP, on evaporative emissions (i.e. VOCs including toxics). *See* 58 FR 16002 (March 24, 1993). This was followed in 2000 with Tier 2 vehicle standards which not only further reduced evaporative emissions, but also reduced exhaust emissions by an order of magnitude. *See* 65 FR 6698 (February 10, 2000). The result is that the percent reduction standards for RFG based on the response of 1990 technology vehicles to fuel changes compared to 1990 gasoline are not relevant to today's fleet of vehicles or those in the future. Furthermore, while fuels may still have a significant percentage impact on vehicle emissions in the future, the magnitude of the impact is much smaller than at the time the CAA was amended in 1990. As a result, the magnitude of the emissions reductions associated with the use of RFG is much smaller now than in the past.

B. Summertime VOC Performance of RFG

Several regulatory requirements directly or indirectly limit the RVP level in reformulated and conventional gasoline supplied during late spring and summer, when ozone is of most concern. In 1989, EPA promulgated regulations that set maximum limits for the RVP of gasoline sold during the summer ozone control season—June 1st to September 15th. These regulations were referred to as Phase I of a two-phase nationwide program, which was designed to reduce the volatility of commercial gasoline during the summer ozone control season. *See* 54 FR 11868 (March 22, 1989). In 1990, EPA promulgated more stringent volatility controls under Phase II of the program. *See* 55 FR 23658 (June 11, 1990). These requirements established maximum RVP standards of 9.0 psi or 7.8 psi, depending on the State, and the month.

The 1990 amendments of the CAA mandated certain requirements for both summertime fuel volatility and the reformulated gasoline program. The amendments established a new provision, section 211(h), addressing gasoline volatility. Section 211(h) requires EPA to promulgate regulations making it unlawful to sell, offer for sale, dispense, supply, offer for supply, transport, or introduce into commerce gasoline with an RVP level in excess of 9.0 psi during the ozone control season. It further requires EPA to establish more stringent RVP standards in nonattainment areas if we find such standards ''necessary to generally achieve comparable evaporative emissions (on a per vehicle basis) in nonattainment areas, taking into consideration the enforceability of such standards, the need of an area for emission control, and economic factors.'' Section 211(h) prohibits EPA from establishing a volatility standard more stringent than 9.0 psi in an attainment area, except that we may impose a lower (more stringent) standard in any former ozone nonattainment area redesignated to attainment. In 1991, EPA modified the Phase II volatility regulations to be consistent with section 211(h) of the CAA. *See* 56 FR 64704 (December 12, 1991).

The 1990 amendments also established requirements that RFG achieve increased control of emissions of VOC during the summertime ozone season. For the year 2000 and beyond, EPA established summertime VOC performance standards as specified in the Table in Section II.B above. In addition to the two Federal fuel programs that regulate summertime VOC emissions under sections 211(h) and 211(k), the CAA also provides a limited mechanism under section 211(c) for States to establish more stringent fuel standards. EPA has approved several State low volatility gasoline programs under this authority.

Although the volatility regulations at 40 CFR 80.27 applies to RFG as well as CG, the RFG regulations effectively require RVP levels below those required under the section 211(h) RVP regulations. Under the RFG regulations, refiners and importers must designate RFG produced or imported for use during the summertime VOC control period as VOC-controlled, and all other RFG as non-VOC-controlled. The RVP in the VOC-controlled RFG supplied since 1998 is effectively controlled through the VOC emissions performance standards. While other gasoline parameters also affect VOC emission performance (as determined by the Complex Model that is used in the RFG program), RVP reduction from the statutory baseline is by far the primary means to achieve the VOC reduction standards, particularly with the more recent gasoline sulfur and oxygenate changes to gasoline. Hence, the VOC performance standards effectively limit RVP in RFG. As a result, the RFG emissions performance standards not only constrain average RVP levels below those permitted by the more general volatility regulations, but generally constrain maximum RVP levels as well.

III. Quantifying the Difference in VOC Benefits Between RFG and Conventional Gas

EPA conducted emissions modeling using the MOtor Vehicle Emission Simulator (MOVES) [7] to estimate the difference in VOC emissions from RFG relative to the typical CG that it would replace in Atlanta. EPA's fuel property database was used to develop a CG fuel formulation to represent GA gasoline.[8] In this modeling the VOC emissions estimates represent the 2013 ozone season and EPA used national level default runs with inputs focused on fuel property changes.

From this MOVES modeling approach, EPA determined that RFG would achieve a 1.58 percent greater reduction in VOC emissions performance during the summer ozone season (June 1 to September 15) compared to the Georgia SIP fuel program, i.e. Georgia gas.[9]

IV. Proposed Options To Address Whether Atlanta Remains a Federal RFG Covered Area

As mentioned above, EPA sought comment on two options for the Atlanta covered area via the proposed rulemaking. Under the first option, the Area would be required to use RFG at least until it is redesignated to attainment for the 8-hour ozone NAAQS. The anti-backsliding trigger date would be the same as that in the Phase 1 implementation rule—the effective date of the 1997 8-hour ozone NAAQS designations. On that date Atlanta was classified as a severe area for the 1-hour ozone NAAQS, and the requirement to use RFG was mandatory, starting January 1, 2005, based on that classification. The subsequent redesignation to attainment of the 1-hr

[7] This emission model developed by the Office of Transportation and Air Quality estimates emissions for mobile sources covering a broad range of pollutants and allows multiple scale analysis. MOVES is used to estimate emissions from cars, trucks and motorcycles. MOVES2010b is the latest version of MOVES and incorporates new features and a number of performance improvements compared to previous versions.

[8] Since actual in-use fuel varies in its constituents within allowable regulatory tolerances there is no one correct formulation even for Georgia gasoline. EPA's database of fuel properties was therefore the best available source of fuel constituencies to represent typical Georgia CG .

[9] There is no VOC performance requirement for RFG outside of the summer ozone season; for those time periods RFG and CG would be expected to have similar VOC performance.

ozone NAAQS would not change the continuing obligation to use RFG after the trigger date. . This option would emphasize that the area is still an ozone nonattainment area notwithstanding its redesignation to attainment of the 1-hour ozone NAAQS.[10] Under the first option, EPA would exercise its discretion to require continued use of RFG in Atlanta, based on the area's continued status as an ozone nonattainment area under the 8-hour ozone NAAQS. Atlanta would remain an RFG covered area at least until it is redesignated to attainment for the 8-hour ozone NAAQS. This approach is consistent with the approach adopted in the Phase 2 implementation final rule for other areas that were bumped-up to severe but were not redesignated to attainment for the 1-hour ozone NAAQS prior to revocation of that standard. *See* 70 FR 71612 (November 29, 2005).

Under the second option, the trigger date for Atlanta would be the date of revocation of the 1-hour ozone NAAQS. The use of this trigger date would mean that if RFG was a mandatory obligation on that date, then the obligation would continue after revocation of the 1-hour NAAQS. If RFG was not a mandatory obligation on that date then it would not continue after the date of revocation. Hence the primary issue under this option would be whether RFG should be considered a mandatory obligation as of the trigger date. As noted above, section 211(k)(10)(D) of the Act is ambiguous on whether the obligation to use RFG would continue to apply as of this trigger date, since the prior redesignation to attainment for the 1-hour ozone NAAQS means the area was no longer classified as a severe area as of that date. The issue is not whether a requirement that applied on the trigger date should continue to apply after revocation, but whether this specific federal requirement would or would not apply on the trigger date. To the extent this issue could be seen as overlapping with the more general issue of having an antibacksliding approach, EPA believes that both the statutory language and the indicia of Congressional intent on how to resolve this issue under section 211(k)(10)(D) are ambiguous. Under this second option, EPA would exercise its discretion and resolve the ambiguity by allowing the RFG requirement to no longer apply for the Atlanta area, based on the removal of the severe classification upon redesignation to attainment for the 1-hour ozone NAAQS. EPA would condition, this, however, on the State requesting such removal of RFG and demonstrating that removal would not result in a loss of emissions reductions relied upon in the SIP. This second option would place somewhat more emphasis on flexibility for the State in determining whether this Federal ozone related control measure should apply in the area, for the following reasons. The only area to which this proposal would apply is Atlanta, which is currently implementing a state low sulfur, low RVP fuel control measure that has been approved into its SIP.[11] The removal of Atlanta as an RFG covered area would simplify the tasks confronting the fuel refining and distribution system, an additional fuel that meets both the state fuel requirements and the Federal RFG requirements would not need to be produced and distributed. This would directionally reduce the burden on a fuel infrastructure system that has been tasked to meet several new Federal fuel requirements adopted over the last few years. In addition, this option acknowledges the significant progress Atlanta has made in reducing ozone levels and attaining the 1-hour ozone NAAQS, and the fact that Atlanta's significant progress in reducing ozone levels has occurred without the use of RFG. Because the option requires a demonstration that dropping the RFG requirement will not lead to a loss in emissions reductions relied upon in the SIP, this option should not adversely affect Atlanta's SIP planning for future attainment of the 8-hour standard.

EPA believes it has discretion in choosing the appropriate trigger date for purposes of anti-backsliding. The use of the date of revocation of the 1-hour ozone NAAQS as the trigger date under this option would not raise the SIP planning concerns that led to rejection of this as an appropriate trigger date for the Phase 1 rule. EPA rejected the date of revocation as a trigger date for the Phase 1 rule because it would interfere with SIP planning, especially for areas required to submit SIP plans by the date of revocation. *See* 70 FR 5596 (February 3, 2005) Here, the date of revocation has already passed. In addition, Atlanta has demonstrated attainment of the 1-hour ozone NAAQS and the 1997 8-hour ozone NAAQS without relying on the use of RFG and there are no indications that the second option would interfere with Atlanta's SIP planning for attainment of the 2008 8-hour ozone NAAQS.

V. Public Comment Summary

EPA received five sets of comments in response to the NPRM. Four of those comments urged adoption of the second option which would remove the RFG requirement with assurance of no loss of emission reductions relied upon in the SIP. The comments reflected that this option would assure no loss of emission benefits relied upon in the SIP and would avoid a new ''boutique'' blend of fuel from being distributed in the Atlanta market where 13 core counties would be RFG required areas, but where fuel in 32 additional surrounding counties would meet differing SIP fuel requirements.

The Renewable Fuels Association (RFA) submitted comments that identified an alternate approach, and absent that, supported adoption of Option 1. RFA's main comments are summarized and EPA's response provided separately, below:

Comment: An additional and preferable alternative would be for EPA to certify Georgia gas as RFG.

Response: The regulatory specifications for the two fuels are different: Georgia gas has an RVP cap to control VOC emissions whereas RFG must meet a VOC performance requirement. In addition, as demonstrated through the MOVES modeling described above, use of RFG would result in slightly lower VOC emissions than Georgia gas. The characteristics of RFG are specified in laws and regulations. EPA cannot determine that a fuel that does not meet those characteristics can be certified as RFG. Therefore, it is not a viable option to simply certify Georgia gas as RFG.[12]

Comment: The distinction between Atlanta and the other bump up areas EPA addressed in the phase II rule, for which EPA has required RFG use at least until redesignation to attainment

[10] At the time of the proposed rule, Atlanta was classified as marginal nonattainment for the 1997 8-hour NAAQS. On December 2, 2013 EPA reclassified Atlanta to attainment for the 1997 8-hour standard. However, Atlanta is currently classified as marginal nonattainment under the 2008 8-hour standard. Thus, the issue for resolution in today's rule is the same as at the time of proposal—the extent to which an area formerly classified as a severe nonattainment area under the 1-hour standard must continue to be an RFG covered area if it was reclassified to attainment before the 1-hour standard was revoked and is classified as less than severe under the 8-hour ozone NAAQS.

[11] In an effort to limit the number of different types of state fuels required around the country and thus, increase fungibility of fuels, the Energy Policy Act of 2005 (EPAct), included a ''boutique fuels'' provision. The provision requires EPA to publish a list of the ''total number of fuels'' approved into SIPs as of September 1, 2004, and, importantly, limits EPA's future fuel approvals for a state to a fuel that is already in use in their Petroleum Administration for Defense District. The Georgia State fuel program was included on the list that EPA published for approval, 71 FR 32532, (June 6, 2006), and thus the Georgia fuel would not be limited by the EPAct boutique fuel listing provisions.

[12] Clean Air Act section 211(k) and in 40 CFR 80.40 through 80.70.

for the 8-hour standard, amounts to ''form over substance'' since Atlanta is in non-attainment for the 8-hour standard like those other bump up areas.

Response: The redesignation of Atlanta to attainment for the 1-hour ozone standard was a significant event and is relevant to considering Atlanta different than the other bump-up areas which had not been redesignated to attainment for the 1-hour ozone standard prior to its revocation. Atlanta's legal status is different than that of other bump-up areas since it is the only area that was redesignated to attainment of the 1-hour NAAQS before that standard was revoked. As discussed above, the statute is ambiguous with respect to RFG requirements after an area is no longer classified as a severe area, based on redesignation to attainment for the 1-hour standard. Thus, Atlanta's attainment status under the 1-hour standard before that standard was revoked is not a matter of ''form'' only, but an important issue with respect to statutory construction. In the proposal EPA explained that Atlanta's unique circumstances supported consideration of a different approach for Atlanta than that adopted in the Phase 2 rule for the bump-up areas that lost their classification of severe based solely on the revocation of the 1-hour standard. *See* 71 FR at 36045–46. EPA continues to believe these differences are substantive and support the interpretation adopted in this final rule.

Comment: Analysis of other provisions of the CAA (211(h) and (m)), and EPA's own statements in its 9/29/1998 rule (which was struck down in a judicial challenge) expanding eligibility to opt-in to RFG to former nonattainment areas, demonstrate that the statute is not ambiguous in the context of Atlanta, and that EPA has no discretion to remove the RFG requirement.

Response: EPA disagrees with this comment. Both CAA Sections 221(h) and (m) include provisions addressing their applicability to nonattainment areas that are redesignated to attainment of the relevant NAAQS. In contrast, 211(k) includes no such provisions. There is no reason to assume, as the commenter does, that this necessarily means that RFG covered areas must continue to use RFG indefinitely, regardless of air quality improvements. It simply means that Congress has not addressed the issue of RFG requirements when an RFG covered area is redesignated to attainment for the ozone NAAQS. With respect to EPA's statements in the preamble to the 1998 rule that sought to expand RFG opt-in opportunities, EPA attempted to resolve ambiguity it perceived in the statute in favor of expanded opt-in eligibility due to the considerable emissions benefits of RFG at that time. This rule was later invalidated in a judicial challenge. Today EPA is interpreting different ambiguous language in a much different context, where there are very limited benefits to RFG use as compared to Georgia gas, and where the State has been redesignated to attainment of the 1-hour ozone NAAQS prior to its revocation, and redesignated to attainment of the 1997 8-hour ozone NAAQS, without ever using RFG to reach these milestones. Therefore, EPA does not agree that its statements in the preamble to the 1998 rule necessitate a continued RFG requirement in Atlanta.

Comment: EPA failed to consider the toxic pollutant emissions benefits of RFG.

Response: Since the comments were received, EPA has adopted and implemented the Mobile Source Air Toxics Rule (MSAT2). As a result of this rule, conventional gasoline must meet the same toxics requirements as RFG. Accordingly, although EPA agrees with the commenter that it is appropriate to consider toxic pollutant emissions of RFG as compared to Georgia gas in finalizing this rule; this consideration does not weigh in favor of requiring Atlanta to use RFG.

Comment: EPA's discussion of infrastructure concerns ignored investments made by some companies to provide RFG to Atlanta.

Response: In late 2005, Congress passed the Energy Policy Act which directed EPA to remove the oxygenate requirement in RFG and to establish a renewable fuels standard program to require increasing use of renewable fuels such as ethanol in motor vehicle gasoline. The statute was considerably amended in 2007 to require that even larger volumes of renewable fuel be used, with volumes increasing annually to 36 billion gallons in 2022. The investments referenced by the commenters related principally to the production, distribution, and blending of ethanol. In light of the statutory changes noted above, such infrastructure changes have likely been used to provide renewable fuel for satisfying the new renewable fuel standard requirements. This same infrastructure will therefore continue to be needed regardless of whether RFG is required in Atlanta. Moreover, requiring three fuel blends (conventional gasoline, Georgia gas, and RFG) to be distributed in the region would likely present distribution, tankage, and fuel fungibility challenges and constraints. This factor therefore weighs against requiring continued use of RFG in Atlanta.

In soliciting comment on the proposal, we suggested consideration of three criteria: (1) Current 8-hour ozone designation, (2) the likely effect on ozone NAAQS attainment, and (3) the likely effect on the fuel infrastructure. We have considered these same factors in finalizing this rule, and have also considered the fact that in light of recent regulatory improvements to conventional gasoline requirements, there is no toxic pollutant emissions benefit to using RFG as compared to Georgia gas. Emissions impacts associated with this decision are described in detail in Section II of this preamble. The fact that Georgia has not relied on RFG for purposes of its approved ozone SIP means that removing the RFG requirement will have no impact on ozone NAAQS attainment. EPA further believes that removing the requirement for RFG in Atlanta will remove significant potential hurdles in fuel fungibility. Were RFG to be required in the 13 counties that were bumped up to severe under the 1-hour ozone standard, the Georgia gas program would continue to require Georgia gas be supplied to the remaining 32 counties covered by that requirement (45 county area). Therefore, by removing the RFG requirement, EPA removes the potential that three distinct fuels (CG, RFG, and GA gas) would be produced for the region. Removing regulatory impediments that may result in a fractured market enhances the fungibility of fuel and protects consumers in times of fuel supply shortages. For the reasons discussed herein, EPA believes it is appropriate to adopt the second option discussed in the proposal.

VI. What action is EPA taking?

In this action, EPA has determined that an area reclassified as a severe ozone nonattainment area under the 1-hour ozone standard as a result of failure to meet attainment deadlines, and which was then redesignated to attainment for the 1-hour ozone standard prior to revocation of that standard (i.e. Atlanta), is not required to remain an RFG covered area, even if it is currently designated as an ozone nonattainment area (marginal) for the 8-hour ozone NAAQS. Our determination is based upon an interpretation of section 211(k)(10)(D), consideration of the appropriate anti-backsliding approach under the circumstances in question, and the public comments we have received.

Given the ambiguity in section 211(k)(10)(D) on the issue of whether and how long a bump-up area continues to be a covered area when it is no longer classified as severe, EPA has exercised discretion in this action to determine appropriate requirements for the Atlanta area. Atlanta is unique among the bump-up areas in that it was redesignated to attainment for the 1-hour ozone NAAQS prior to that standard's revocation. At the time, Atlanta was also designated nonattainment and classified as marginal for the 1997 8-hour NAAQS. For Atlanta, the choice of a reasonable trigger date makes a difference in whether the requirement to use RFG continues after revocation of the 1-hour ozone NAAQS.

In the Phase 2 rule, EPA recognized that section 211(k)(10)(D) of the CAA is ambiguous with respect to whether and how long a bump-up area continues to be an RFG covered area when it is no longer classified as severe. Given this ambiguity, EPA stated that it has discretion to determine whether section 211(k)(10)(D) authorizes removal of a bump-up area from the RFG program when it is no longer classified as severe, and to set appropriate criteria for such removal. *See* 70 FR at 71686. EPA believes that the comprehensive planning conducted by states through the SIP process, the array of regulatory tools at the states' disposal, and based on its unique circumstances, the limited emissions benefits currently attributable to RFG in the Atlanta area indicate that it would be appropriate to no longer require that the Atlanta bump-up area be an RFG covered area. Providing the State the discretion whether to include federal RFG as part of the required control measures relied upon for ozone attainment and maintenance recognizes the central role played by the States in developing SIPs, including developing the maintenance plan, and the array of tools available to States to achieve attainment and maintenance.

Therefore, EPA is interpreting the definition of covered area in section 211(k)(10)(D) for an area formerly classified as a severe ozone nonattainment area under the 1-hour ozone NAAQS that was redesignated to attainment for that standard before its revocation, and which is currently designated as nonattaiment for the 8-hour ozone standard with a classification less than severe, as allowing removal of RFG upon request by the State and demonstration that removal would not result in loss of any RFG-related emission reductions relied upon in the State's Implementation Plan.

VII. Application of This Interpretation to the Atlanta Area

Atlanta meets the criteria specified in today's rule for removal as an RFG covered area, including the State having requested such removal and the State not having relied on emission from federal RFG in its approved SIP. Therefore, the effect of today's action is that Atlanta is no longer a federal RFG covered area and there is no present requirement to use federal RFG in the Atlanta area. Today's action does not limit Atlanta's opportunity to opt-in to the federal RFG program in the future if the requirements are met for an opt-in. Moreover, if the Atlanta area was ever to be reclassified as a severe nonattainment area under the 8-hour ozone NAAQS, the nonattainment area would become an RFG covered area as a result.

VIII. Statutory and Executive Order Reviews

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

As of November 14, 2013, the Office of Management and Budget (OMB), determined that this action is not a ''significant regulatory action'' under the terms of Executive Order 12866 (58 FR 51735, October 4, 1993) and is therefore not subject to review under Executive Orders 12866 and 13563 (76 FR 3821, January 21, 2011).

B. Paperwork Reduction Act

This action does not impose any new information collection burden. This action removes an existing requirement not yet implemented. However, the Office of Management and Budget (OMB) has previously approved the information collection requirements contained in the final RFG/antidumping rulemaking (see 59 FR 7716, February 16, 1994) and under the provisions of the *Paperwork Reduction Act,* 44 U.S.C. 3501 *et seq.* has assigned OMB control number 2060–0277 (EPA ICR No. 1591.25). The OMB control numbers for EPA's regulations in 40 CFR are listed in 40 CFR part 9.

C. Regulatory Flexibility Act

The Regulatory Flexibility Act (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 impacts of today's rule on small entities, small entity is defined as: (1) A small business *that has not more than 1,500 employees (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; and (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 action on small entities, I certify that this action will not have a significant economic impact on a substantial number of small entities, as the option finalized herein removes a regulatory requirement not yet implemented.

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, or 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. This action removes an existing regulatory requirement not yet implemented.

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. This action removes an existing requirement not yet implemented. Thus, Executive Order 13132 does not apply to this action. Although section 6 of Executive Order 13132 does not apply to this action, the State of Georgia submitted comments to the proposal and supported the option being finalized today.

F. Executive Order 13175

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

substantial direct effects on tribal governments, 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. This final rule does not create a mandate for any tribal government nor would the rule impose any enforceable duties on these entities. Thus, Executive Order 13175 does not apply to this action.

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

EPA interprets EO 13045 (62 FR 19885, April 23, 1997) as applying only to those regulatory actions that concern health or safety risks, such that the analysis required under section 5–501 of the EO has the potential to influence the regulation. This action is not subject to EO 13045 because it implements specific standards established by Congress in statutes.

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

This action is not subject to Executive Order 13211 (66 FR 28355 (May 22, 2001)), because it is not a significant regulatory action under Executive Order 12866.

I. National Technology Transfer and Advancement Act

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 involved technical standards. Therefore, EPA did not consider 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 (EO) 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. For the option finalized in this rule to be implemented, the State must demonstrate that removal of the RFG requirement would not result in loss of emission reductions relied upon in the ozone state implementation plan and it has done so. Moreover, since RFG has never actually been implemented in Atlanta, this action will not result in an actual change in emissions.

K. Statutory Authority

The Statutory authority for the action finalized today is granted to EPA by sections 211(k) and 301 of the Clean Air Act, as amended; 42 U.S.C. 7545(k) and 7601.

L. 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. EPA will submit a report containing this rule 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). This rule will be effective upon publication in the **Federal Register**.

List of Subjects in 40 CFR Part 80

Environmental protection, Administrative practice and procedure, Air pollution control, Confidential business information, Diesel fuel, Energy, Forest and forest products, Fuel additives, Gasoline, Imports, Labeling, Motor vehicle pollution, Penalties, Petroleum, Reporting and recordkeeping requirements.

Dated: March 7, 2014.

Gina McCarthy,

Administrator.

Accordingly, 40 CFR part 80 is amended as follows:

PART 80—REGULATION OF FUELS AND FUEL ADDITIVES

■ 1. The authority citation for part 80 continues to read as follows:

Authority: 42 U.S.C. 7414, 7542, 7545, and 7601(a).

■ 2. Section 80.70 is amended by revising paragraph (m)(2) to read as follows:

§ 80.70 Covered areas.

* * * * *

(m) * * *

(2) An area identified as a covered area pursuant to this paragraph (m), based on its classification as a severe non-attainment area under the 1-hour ozone NAAQS, but which is redesignated to attainment for the 1-hour ozone NAAQS, may be removed as a covered area at the request of a State providing that the State does not rely on RFG in any State Implementation Plan.

[FR Doc. 2014–05697 Filed 3–13–14; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 229

[Docket No. 131017871–4175–02]

RIN 0648–BD72

List of Fisheries for 2014

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

ACTION: Final rule.

SUMMARY: The National Marine Fisheries Service (NMFS) publishes its final List of Fisheries (LOF) for 2014, as required by the Marine Mammal Protection Act (MMPA). The final LOF for 2014 reflects new information on interactions between commercial fisheries and marine mammals. NMFS must classify each commercial fishery on the LOF into one of three categories under the MMPA based upon the level of mortality and serious injury of marine mammals that occurs incidental to each

fishery. The classification of a fishery on the LOF determines whether participants in that fishery are subject to certain provisions of the MMPA, such as registration, observer coverage, and take reduction plan (TRP) requirements.

DATES: This final rule is effective April 14, 2014.

ADDRESSES: Comments regarding the burden-hour estimates, or any other aspect of the collection of information requirements contained in this rule, should be submitted in writing to Chief, Marine Mammal and Sea Turtle Conservation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Silver Spring, MD 20910, or to the Office of Information and Regulatory Affairs at *OIRA_submissions@omb.eop.gov.*

FOR FURTHER INFORMATION CONTACT: Lisa White, Office of Protected Resources, 301–427–8494; Allison Rosner, Greater Atlantic Region, 978–281–9328; Jessica Powell, Southeast Region, 727–824–5312; Elizabeth Petras, West Coast Region (CA), 562–980–3238; Brent Norberg, West Coast Region (WA/OR), 206–526–6550; Kim Rivera, Alaska Region, 907–586–7424; Nancy Young, Pacific Islands Region, 808–725–5156. Individuals who use a telecommunications device for the hearing impaired may call the Federal Information Relay Service at 1–800–877–8339 between 8 a.m. and 4 p.m. Eastern time, Monday through Friday, excluding Federal holidays.

SUPPLEMENTARY INFORMATION:

What is the list of fisheries?

Section 118 of the MMPA requires NMFS to place all U.S. commercial fisheries into one of three categories based on the level of incidental mortality and serious injury of marine mammals occurring in each fishery (16 U.S.C. 1387(c)(1)). The classification of a fishery on the LOF determines whether participants in that fishery may be required to comply with certain provisions of the MMPA, such as registration, observer coverage, and take reduction plan requirements. NMFS must reexamine the LOF annually, considering new information in the Marine Mammal Stock Assessment Reports (SARs) and other relevant sources, and publish in the **Federal Register** any necessary changes to the LOF after notice and opportunity for public comment (16 U.S.C. 1387 (c)(1)(C)).

How does NMFS determine in which category a fishery is placed?

The definitions for the fishery classification criteria can be found in the implementing regulations for section 118 of the MMPA (50 CFR 229.2). The criteria are also summarized here.

Fishery Classification Criteria

The fishery classification criteria consist of a two-tiered, stock-specific approach that first addresses the total impact of all fisheries on each marine mammal stock and then addresses the impact of individual fisheries on each stock. This approach is based on consideration of the rate, in numbers of animals per year, of incidental mortalities and serious injuries of marine mammals due to commercial fishing operations relative to the potential biological removal (PBR) level for each marine mammal stock. The MMPA (16 U.S.C. 1362 (20)) defines the PBR level as the maximum number of animals, not including natural mortalities, that may be removed from a marine mammal stock while allowing that stock to reach or maintain its optimum sustainable population. This definition can also be found in the implementing regulations for section 118 of the MMPA (50 CFR 229.2).

Tier 1: If the total annual mortality and serious injury of a marine mammal stock, across all fisheries, is less than or equal to 10 percent of the PBR level of the stock, all fisheries interacting with the stock will be placed in Category III (unless those fisheries interact with other stock(s) in which total annual mortality and serious injury is greater than 10 percent of PBR). Otherwise, these fisheries are subject to the next tier (Tier 2) of analysis to determine their classification.

Tier 2, Category I: Annual mortality and serious injury of a stock in a given fishery is greater than or equal to 50 percent of the PBR level (i.e., frequent incidental mortality and serious injury of marine mammals).

Tier 2, Category II: Annual mortality and serious injury of a stock in a given fishery is greater than 1 percent and less than 50 percent of the PBR level (i.e., occasional incidental mortality and serious injury of marine mammals).

Tier 2, Category III: Annual mortality and serious injury of a stock in a given fishery is less than or equal to 1 percent of the PBR level (i.e., a remote likelihood or no known incidental mortality and serious injury of marine mammals).

While Tier 1 considers the cumulative fishery mortality and serious injury for a particular stock, Tier 2 considers fishery-specific mortality and serious injury for a particular stock. Additional details regarding how the categories were determined are provided in the preamble to the final rule implementing section 118 of the MMPA (60 FR 45086, August 30, 1995).

Because fisheries are classified on a per-stock basis, a fishery may qualify as one Category for one marine mammal stock and another Category for a different marine mammal stock. A fishery is typically classified on the LOF at its highest level of classification (e.g., a fishery qualifying for Category III for one marine mammal stock and for Category II for another marine mammal stock will be listed under Category II).

Other Criteria That may be Considered

There are several fisheries on the LOF classified as Category II that have no recent documented mortalities or injuries of marine mammals, or fisheries that did not result in a mortality and serious injury rate greater than 1 percent of a stock's PBR level based on known interactions. NMFS has classified these fisheries by analogy to other Category I or II fisheries that use similar fishing techniques or gear that are known to cause mortality or serious injury of marine mammals, or according to factors discussed in the final LOF for 1996 (60 FR 67063, December 28, 1995) and listed in the regulatory definition of a Category II fishery: ''In the absence of reliable information indicating the frequency of incidental mortality and serious injury of marine mammals by a commercial fishery, NMFS will determine whether the incidental mortality or serious injury is 'frequent,' 'occasional,' or 'remote' by evaluating other factors such as fishing techniques, gear used, methods used to deter marine mammals, target species, seasons and areas fished, qualitative data from logbooks or fisher reports, stranding data, and the species and distribution of marine mammals in the area, or at the discretion of the Assistant Administrator for Fisheries'' (50 CFR 229.2).

Further, eligible commercial fisheries not specifically identified on the LOF are deemed to be Category II fisheries until the next LOF is published (50 CFR 229.2).

How does NMFS determine which species or stocks are included as incidentally killed or injured in a fishery?

The LOF includes a list of marine mammal species or stocks incidentally killed or injured in each commercial fishery. The list of species or stocks incidentally killed or injured includes ''serious'' and ''non-serious'' documented injuries as described later in the List of Species or Stocks Incidentally Killed or Injured in the Pacific Ocean and the Atlantic Ocean,

Gulf of Mexico, and Caribbean sections. To determine which species or stocks are included as incidentally killed or injured in a fishery, NMFS annually reviews the information presented in the current SARs. The SARs are based upon the best available scientific information and provide the most current and inclusive information on each stock's PBR level and level of interaction with commercial fishing operations. The best available scientific information used in the SARs reviewed for the 2014 LOF generally summarizes data from 2007–2011. NMFS also reviews other sources of new information, including observer data, stranding data, and fisher self-reports from that time period.

In the absence of reliable information on the level of mortality or injury of a marine mammal stock, or insufficient observer data, NMFS will determine whether a species or stock should be added to, or deleted from, the list by considering other factors such as: Changes in gear used, increases or decreases in fishing effort, increases or decreases in the level of observer coverage, and/or changes in fishery management that are expected to lead to decreases in interactions with a given marine mammal stock (such as a TRP or a fishery management plan (FMP)). In these instances, NMFS will provide case-specific justification in the LOF for changes to the list of species or stocks incidentally killed or injured and may rely on data outside the 5-year (2007–2011) SAR data period.

Where does NMFS obtain information on the level of observer coverage in a fishery on the LOF?

The best available information on the level of observer coverage and the spatial and temporal distribution of observed marine mammal interactions is presented in the SARs. Data obtained from the observer program and observer coverage levels are important tools in estimating the level of marine mammal mortality and serious injury in commercial fishing operations. Starting with the 2005 SARs, each SAR includes an appendix with detailed descriptions of each Category I and II fishery on the LOF, including the observer coverage in those fisheries. The SARs generally do not provide detailed information on observer coverage in Category III fisheries because, under the MMPA, Category III fisheries are not required to accommodate observers aboard vessels due to the remote likelihood of mortality and serious injury of marine mammals. Fishery information presented in the SARs' appendices and other resources referenced during the tier analysis may include: level of observer coverage, target species, levels of fishing effort, spatial and temporal distribution of fishing effort, characteristics of fishing gear and operations, management and regulations, and interactions with marine mammals. Copies of the SARs are available on the NMFS Office of Protected Resources Web site at: *http://www.nmfs.noaa.gov/pr/sars/.* Information on observer coverage levels in Category I and II fisheries can also be found in the Category I and II fishery fact sheets on the NMFS Office of Protected Resources Web site: *http://www.nmfs.noaa.gov/pr/interactions/lof/.* Additional information on observer programs in commercial fisheries can be found on the NMFS National Observer Program's Web site: *http://www.st.nmfs.gov/st4/nop/.*

How do I find out if a specific fishery is in category I, II, or III?

This rule includes three tables that list all U.S. commercial fisheries by LOF Category. Table 1 lists all of the commercial fisheries in the Pacific Ocean (including Alaska); Table 2 lists all of the commercial fisheries in the Atlantic Ocean, Gulf of Mexico, and Caribbean; and Table 3 lists all U.S.-authorized commercial fisheries on the high seas. A fourth table, Table 4, lists all commercial fisheries managed under applicable TRPs or take reduction teams (TRTs).

Are high seas fisheries included on the LOF?

Beginning with the 2009 LOF, NMFS includes high seas fisheries in Table 3 of the LOF, along with the number of valid High Seas Fishing Compliance Act (HSFCA) permits in each fishery. As of 2004, NMFS issues HSFCA permits only for high seas fisheries analyzed in accordance with the National Environmental Policy Act (NEPA) and the Endangered Species Act (ESA). The authorized high seas fisheries are broad in scope and encompass multiple specific fisheries identified by gear type. For the purposes of the LOF, the high seas fisheries are subdivided based on gear type (e.g., trawl, longline, purse seine, gillnet, troll, etc.) to provide more detail on composition of effort within these fisheries. Many fisheries operate in both U.S. waters and on the high seas, creating some overlap between the fisheries listed in Tables 1 and 2 and those in Table 3. In these cases, the high seas component of the fishery is not considered a separate fishery, but an extension of a fishery operating within U.S. waters (listed in Table 1 or 2). NMFS designates those fisheries in Tables 1, 2, and 3 by a ''*'' after the fishery's name. The number of HSFCA permits listed in Table 3 for the high seas components of these fisheries operating in U.S. waters does not necessarily represent additional effort that is not accounted for in Tables 1 and 2. Many vessels/participants holding HSFCA permits also fish within U.S. waters and are included in the number of vessels and participants operating within those fisheries in Tables 1 and 2.

HSFCA permits are valid for five years, during which time FMPs can change. Therefore, some vessels/participants may possess valid HSFCA permits without the ability to fish under the permit because it was issued for a gear type that is no longer authorized under the most current FMP. For this reason, the number of HSFCA permits displayed in Table 3 is likely higher than the actual U.S. fishing effort on the high seas. For more information on how NMFS classifies high seas fisheries on the LOF, see the preamble text in the final 2009 LOF (73 FR 73032; December 1, 2008).

Where can I find specific information on fisheries listed on the LOF?

Starting with the 2010 LOF, NMFS developed summary documents, or fishery fact sheets, for each Category I and II fishery on the LOF. These fishery fact sheets provide the full history of each Category I and II fishery, including: when the fishery was added to the LOF, the basis for the fishery's initial classification, classification changes to the fishery, changes to the list of species or stocks incidentally killed or injured in the fishery, fishery gear and methods used, observer coverage levels, fishery management and regulation, and applicable TRPs or TRTs, if any. These fishery fact sheets are updated after each final LOF and can be found under ''How Do I Find Out if a Specific Fishery is in Category I, II, or III?'' on the NMFS Office of Protected Resources' Web site: *http://www.nmfs.noaa.gov/pr/interactions/lof/,* linked to the ''List of Fisheries by Year'' table. NMFS plans to develop similar fishery fact sheets for each Category III fishery on the LOF. However, due to the large number of Category III fisheries on the LOF and the lack of accessible and detailed information on many of these fisheries, the development of these fishery fact sheets will take significant time to complete. NMFS anticipates posting Category III fishery fact sheets along with the final 2015 LOF, although this timeline may be revised as this effort progresses.

Am I required to register under the MMPA?

Owners of vessels or gear engaging in a Category I or II fishery are required under the MMPA (16 U.S.C. 1387(c)(2)), as described in 50 CFR 229.4, to register with NMFS and obtain a marine mammal authorization to lawfully take non-endangered and non-threatened marine mammals incidental to commercial fishing operations. Owners of vessels or gear engaged in a Category III fishery are not required to register with NMFS or obtain a marine mammal authorization.

How do I register and receive my authorization certificate and mortality/injury reporting forms?

NMFS has integrated the MMPA registration process, implemented through the Marine Mammal Authorization Program (MMAP), with existing state and Federal fishery license, registration, or permit systems for Category I and II fisheries on the LOF. Participants in these fisheries are automatically registered under the MMAP and are not required to submit registration or renewal materials directly under the MMAP. In the Pacific Islands, West Coast, and Alaska regions, NMFS will issue vessel or gear owners an authorization certificate and/or mortality/injury reporting forms via U.S. mail or with their state or Federal license at the time of renewal. In the Northeast region, NMFS will issue vessel or gear owners an authorization certificate via U.S. mail automatically at the beginning of each calendar year; but vessel or gear owners must request or print mortality/injury reporting forms by contacting the NMFS Northeast Regional Office at 978–281–9328 or by visiting the Northeast Regional Office Web site (*http://www.nero.noaa.gov/mmap*). In the Southeast region, NMFS will issue vessel or gear owners notification of registry and vessel or gear owners may receive their authorization certificate and/or mortality/injury reporting form by contacting the Southeast Regional Office at 727–209–5952 or by visiting the Southeast Regional Office Web site (*http://sero.nmfs.noaa.gov/pr/mm/mmap.htm*) and following the instructions for printing the necessary documents. Mortality/injury forms are also available online at *http://www.nmfs.noaa.gov/pr/pdfs/interactions/mmap_reporting_form.pdf.*

The authorization certificate, or a copy, must be on board the vessel while it is operating in a Category I or II fishery, or for non-vessel fisheries, in the possession of the person in charge of the fishing operation (50 CFR 229.4(e)). Although efforts are made to limit the issuance of authorization certificates to only those vessel or gear owners that participate in Category I or II fisheries, not all state and Federal permit systems distinguish between fisheries as classified by the LOF. Therefore, some vessel or gear owners in Category III fisheries may receive authorization certificates even though they are not required for Category III fisheries. Individuals fishing in Category I and II fisheries for which no state or Federal permit is required must register with NMFS by contacting their appropriate Regional Office (see **ADDRESSES**).

How do I renew my registration under the MMAP?

In Alaska and Northeast regional fisheries, registrations of vessel or gear owners are automatically renewed and participants should receive an authorization certificate by January 1 of each new year. In Pacific Islands regional fisheries, vessel or gear owners receive an authorization certificate by January 1 for state fisheries and with their permit renewal for federal fisheries. In West Coast regional fisheries, vessel or gear owners receive authorization with each renewed state fishing license, the timing of which varies based on target species. Vessel or gear owners who participate in these regions and have not received authorization certificates by January 1 or with renewed fishing licenses must contact the appropriate NMFS Regional Office (see **ADDRESSES**).

In Southeast regional fisheries, vessel or gear owners' registrations are automatically renewed and participants will receive a letter in the mail by January 1 instructing them to contact the Southeast Regional Office to have an authorization certificate mailed to them or to visit the Southeast Regional Office Web site (*http://sero.nmfs.noaa.gov/pr/mm/mmap.htm*) to print their own certificate.

Am I required to submit reports when I kill or injure a marine mammal during the course of commercial fishing operations?

In accordance with the MMPA (16 U.S.C. 1387(e)) and 50 CFR 229.6, any vessel owner or operator, or gear owner or operator (in the case of non-vessel fisheries), participating in a fishery listed on the LOF must report to NMFS all incidental mortalities and injuries of marine mammals that occur during commercial fishing operations, regardless of the category in which the fishery is placed (I, II, or III) within 48 hours of the end of the fishing trip. ''Injury'' is defined in 50 CFR 229.2 as a wound or other physical harm. In addition, any animal that ingests fishing gear or any animal that is released with fishing gear entangling, trailing, or perforating any part of the body is considered injured, regardless of the presence of any wound or other evidence of injury, and must be reported. Mortality/injury reporting forms and instructions for submitting forms to NMFS can be downloaded from: *http://www.nmfs.noaa.gov/pr/pdfs/interactions/mmap_reporting_form.pdf* or by contacting the appropriate Regional office (see **ADDRESSES**). Forms may be faxed directly to the NMFS Office of Protected Resources at 301–713–4060 or 301–713–0376. Reporting requirements and procedures can be found in 50 CFR 229.6.

Am I required to take an observer aboard my vessel?

Individuals participating in a Category I or II fishery are required to accommodate an observer aboard their vessel(s) upon request from NMFS. MMPA section 118 states that an observer may not be required on a vessel if the facilities for quartering an observer or performing observer functions are inadequate or unsafe; thereby exempting vessels too small to accommodate an observer from this requirement. However, observer requirements will not be exempted, regardless of vessel size, for U.S. Atlantic Ocean, Caribbean, Gulf of Mexico large pelagics longline vessels operating in special areas designated by the Pelagic Longline Take Reduction Plan implementing regulations (50 CFR 229.36(d)). Observer requirements can be found in 50 CFR 229.7.

Am I required to comply with any marine mammal take reduction plan regulations?

Table 4 in this rule provides a list of fisheries affected by TRPs and TRTs. TRP regulations can be found at 50 CFR 229.30 through 229.37. A description of each TRT and copies of each TRP can be found at: *http://www.nmfs.noaa.gov/pr/interactions/trt/*. It is the responsibility of fishery participants to comply with applicable take reduction regulations.

Where can I find more information about the LOF and the MMAP?

Information regarding the LOF and the Marine Mammal Authorization Program, including registration procedures and forms, current and past LOFs, information on each Category I

and II fishery, observer requirements, and marine mammal mortality/injury reporting forms and submittal procedures, may be obtained at: *http://www.nmfs.noaa.gov/pr/interactions/lof/,* or from any NMFS Regional Office at the addresses listed below:

NMFS, Greater Atlantic Regional Fisheries Office, 55 Great Republic Drive, Gloucester, MA 01930–2298, Attn: Allison Rosner;

NMFS, Southeast Region, 263 13th Avenue South, St. Petersburg, FL 33701, Attn: Jessica Powell;

NMFS, West Coast Region, Long Beach Office, 501 W. Ocean Blvd., Suite 4200, Long Beach, CA 90802–4213, Attn: Elizabeth Petras;

NMFS, West Coast Region, Seattle Office, 7600 Sand Point Way NE., Seattle, WA 98115, Attn: Brent Norberg, Protected Resources Division;

NMFS, Alaska Region, Protected Resources, P.O. Box 22668, 709 West 9th Street, Juneau, AK 99802, Attn: Kim Rivera; or

NOAA/IRC, 1845 Wasp Blvd., Building 176, Honolulu, HI 96818, Attn: NMFS/PIRO/PRD/Nancy Young.

Sources of Information Reviewed for the Final 2014 LOF

NMFS reviewed the marine mammal incidental mortality and serious injury information presented in the SARs for all fisheries to determine whether changes in fishery classification are warranted. The SARs are based on the best scientific information available at the time of preparation, including the level of mortality and serious injury of marine mammals that occurs incidental to commercial fishery operations and the PBR levels of marine mammal stocks. The information contained in the SARs is reviewed by regional Scientific Review Groups (SRGs) representing Alaska, the Pacific (including Hawaii), and the U.S. Atlantic, Gulf of Mexico, and Caribbean. The SRGs were created by the MMPA to review the science that informs the SARs, and to advise NMFS on marine mammal population status, trends, and stock structure, uncertainties in the science, research needs, and other issues.

NMFS also reviewed other sources of new information, including marine mammal stranding data, observer program data, fisher self-reports through the Marine Mammal Authorization Program, reports to the SRGs, conference papers, FMPs, and ESA documents.

The LOF for 2014 was based on, among other things, information provided in the NEPA and ESA documents analyzing authorized high seas fisheries; stranding data; fishermen self-reports through the MMAP; and SARs, primarily the draft 2013 SARs, which are generally based on data from 2007–2011. The final SARs referenced in this LOF include: 2007 (73 FR 21111, April 18, 2008), 2008 (74 FR 19530, April 29, 2009), 2009 (75 FR 12498, March 16, 2010), 2010 (76 FR 34054, June 10, 2011), 2011 (77 FR 29969, May 21, 2012); and 2012 (78 FR 19446, April, 1 2013) and the draft SAR for 2013 (78 FR 66681, November 6, 2013). The SARs are available at: *http://www.nmfs.noaa.gov/pr/sars/.*

Comments and Responses

NMFS received three comment letters on the proposed LOF for 2014 (78 FR 73477, December 6, 2013). Comments were received from the U.S. Department of the Interior (DOI), Hawaii Longline Association (HLA), and Washington Department of Fish and Wildlife (WDFW). Comments on issues outside of the scope of the LOF were noted, but generally without response.

Comments on Commercial Fisheries in the Pacific Ocean

Comment 1: DOI provided fishery description information and marine mammal incidental interaction data for the CA Dungeness crab pot fishery. The Redwood National and State Parks wildlife observation/beach carcass database has 12 reports of dead whales since 1994. Whale species in the database include: gray, humpback, and fin whales. No known causes of death were attributed to the strandings.

Response: NMFS acknowledges this comment.

Comment 2: The WDFW recommends NMFS update the estimated number of vessels/persons for the WA salmon purse seine fishery to 75 and for the WA salmon reef net fishery to 11, based on the number of current WA State licenses issued for the respective fisheries.

Response: NMFS acknowledges the comment and revises the estimated number of vessels/persons from 440 to 75 for the WA salmon purse seine fishery and from 53 to 11 for the WA salmon reef net fishery.

Comment 3: The HLA supports the proposed change that indicates the Main Hawaiian Islands (MHI) insular false killer whale is not a basis for the Hawaii-based deep-set longline fishery's Category I classification.

Response: NMFS acknowledges this comment and is finalizing the proposed change to remove the superscript following the MHI insular false killer whale, to indicate that the stock does not drive the fishery's Category I classification.

Comment 4: HLA contends that the Hawaii-based deep-set longline fishery does not interact with MHI insular false killer whales, and that the regulations implementing the False Killer Whale Take Reduction Plan have eliminated the likelihood of any theoretical future interactions between the fishery and the MHI insular false killer whale stock. HLA opposes including the stock on the list of marine mammals injured or killed in the deep-set fishery.

Response: NMFS determines which species or stocks are included as incidentally killed or injured in a fishery by annually reviewing the information presented in the current SARs, among other relevant sources. The SARs are based on the best available scientific information and provide the most current and inclusive information on each stock, including range, abundance, PBR, and level of interaction with commercial fishing operations. The LOF does not duplicate the analyses or evaluation of the data and calculations contained within the SARs.

The 2014 LOF is based on the draft 2013 SARs, which include data from 2007–2011. The draft 2013 SAR for false killer whales indicates that an average of 0.1 mortalities or serious injuries of MHI insular false killer whales occurred each year incidental to the Hawaii-based deep-set longline fishery from 2007–2011 (Carretta et al., 2013). Because the estimate of mortality and serious injury for the stock in this fishery is greater than zero for the period of time covered by the 2014 LOF, the stock is being retained on the list of marine mammal stocks incidentally killed or injured in the fishery. For a more complete analysis of the methodology for determining mortality and serious injury of MHI insular false killer whales, the commenter is referred to the draft 2013 SAR.

As noted above, the most recent data used to inform the 2014 LOF are from 2011. The False Killer Whale Take Reduction Plan (77 FR 71260) was published on November 29, 2012, and its implementing regulations went into effect on December 31, 2012 and February 27, 2013. False killer whale mortality and serious injury estimates in the Hawaii-based deep-set longline fishery for 2012 and 2013 have not yet been finally evaluated or published in a SAR and, therefore, could not be considered for the 2014 LOF. Any changes in the false killer whale mortality and serious injury estimate that may result from the Take Reduction Plan will be evaluated in a future SAR and will be considered in a future LOF.

Comment 5: HLA supports the proposed removal of all ''unknown'' stocks from the list of marine mammals incidentally injured or killed in the Hawaii deep-set and shallow-set longline fisheries on Table 3.

Response: NMFS acknowledges this comment and is finalizing the removal of all ''unknown'' stocks of species injured or killed in the Hawaii deep-set and shallow-set longline fisheries on Table 3.

Comment 6: The HLA opposes the continued inclusion of short-finned pilot whales on the list of species injured or killed in the Hawaii shallow-set longline fishery because it is not supported by the available data. HLA states that, in the absence of data confirming that the fishery is interacting with short-finned pilot whales, NMFS may not add the species to the list of species or stocks that are incidentally killed or injured by the fishery.

Response: The draft 2013 SAR for the Hawaii stock of short-finned pilot whales states that two unidentified cetaceans, known to be either false killer whales or short-finned pilot whales (i.e., ''blackfish''), were observed seriously injured in the shallow-set longline fishery on the high seas from 2007–2011 (Carretta et al., 2013). When the species of a blackfish cannot be positively identified, NMFS prorates the interaction to each stock based on distance from shore (McCracken, 2010). Until all animals that are taken can be identified to either species (e.g., using photos, tissue samples), this prorating approach constitutes the best available information and ensures that potential impacts to all species and stocks are assessed. Based on this approach, the estimated average annual mortality and serious injury of short-finned pilot whales in the fishery on the high seas is 0.1 (Carretta et al., 2013). Therefore, NMFS is retaining short-finned pilot whales on the list of species or stocks that are incidentally killed or injured by the fishery.

Comment 7: HLA notes that for fisheries that operate both in the U.S. EEZ and on the high seas, marine mammal species for which an interaction has occurred in either the EEZ or the high seas are included on the lists of species injured or killed in both the EEZ and the high seas (i.e., on both Tables 1 or 2 and Table 3). This results in a mistaken implication that a given fishery may interact with a certain species in one geographic area (e.g., within the EEZ) when that fishery has only been observed to interact with the species in another geographic area (e.g., on the high seas). HLA requests that NMFS correct the LOF to attribute species interactions in transboundary fisheries to only those geographic regions where interactions are actually observed. This change would not result in underreporting of species injured or killed, but would avoid the arbitrary result of takes being attributed to fisheries in areas in which no take has ever been observed.

Response: As described in the preamble, NMFS has included high seas fisheries in Table 3 of the LOF since 2009. Several fisheries operate in both U.S. waters and on the high seas, creating some overlap between the fisheries listed in Tables 1 and 2 and those in Table 3. In these cases, the high seas component of the fishery is not considered a separate fishery, but an extension of a fishery operating within U.S. waters. For these fisheries, the lists of species or stocks injured or killed in Table 3 are identical to their Table 1 or 2 counterparts, except for those species or stocks with distributions known to occur on only one side of the EEZ boundary. Because the fisheries and the marine mammal lists are the same, takes of these animals are not being attributed to one geographic area or the other, even when that information may be available. The take is attributed to the specific fishery with the marine mammal interaction. This parallel list structure is explained in the footnotes for each table.

Comments on Commercial Fisheries in the Atlantic Ocean, Gulf of Mexico, and Caribbean

Comment 8: DOI recommends that NMFS remove the Florida stock of the West Indian manatee from the list of species/stocks incidentally killed or injured in the Category II, Southeastern U.S. Atlantic, Gulf of Mexico shrimp trawl fishery. FWS notes that there have been no Florida manatee mortalities or serious injuries in this fishery since 1988.

Response: NMFS acknowledges this comment and corrects a typographical error which inadvertently left the Florida stock of the West Indian manatee on the list of species/stocks incidentally killed or injured in the Southeastern U.S. Atlantic, Gulf of Mexico shrimp trawl fishery. NMFS removed Florida stock of the West Indian manatee in the final rule for the 2013 LOF (78 FR 53345).

Comment 9: DOI recommends that NMFS remove the Florida stock of the West Indian manatee from the list of species/stocks incidentally killed or injured in the Category II Atlantic blue crab trap/pot fishery. FWS notes between 1982 and 2012 there have been 12 serious injuries and no deaths of Florida manatees in the Atlantic blue crab trap/pot fishery. For the most recent five-year period of record (2008–2012) four manatees were seriously injured (0.8 manatees per year).

Response: NMFS finds the inclusion of the Florida stock of West Indian manatee on the list of species/stocks incidentally killed or injured in the Atlantic blue crab trap/pot fishery to be appropriate, with the superscript reference, because three serious injuries have been documented in the most recent five-year period. In the draft 2013 SARs, the PBR for the West Indian manatee was 14.98, and 3 serious injuries (0.6 manatee per year) were reported from 2007–2011 in Atlantic blue crab pot gear, 4% (0.6/14.98) of the stock's PBR. The DOI comment letter notes that 4 serious injuries (0.8 manatee per year) were reported from 2008–2012, which brings annual M/SI to 5% of PBR (0.8/14.98).

Comment 10: DOI recommends NMFS consider adding the Inland Coastal Georgia, Northeastern Coastal Florida bait shrimp trawl fishery as a Category III fishery on the LOF. During the period from 1989 to 2005, four manatees were killed in the Inland Coastal Georgia, Northeastern Coastal Florida bait shrimp trawl fishery. There have been no Florida manatee mortalities or serious injuries in this fishery since 2005.

Response: The Inland Coastal Georgia, Northeastern Coastal Florida bait shrimp fishery is categorized as part of the Southeastern U.S. Atlantic, Gulf of Mexico shrimp trawl fishery on the List of Fisheries. NMFS appreciates and notes the specific mortality and serious injury data. Since no mortalities or serious injuries have been documented in the most recent five-year period (2007–2011), the Florida stock of West Indian manatees will not be added to the list of species or stocks incidentally killed or injured by the Southeastern U.S. Atlantic, Gulf of Mexico shrimp trawl fishery.

Summary of Changes From the Proposed Rule

NMFS updates the estimated number of vessels/persons in the ''WA salmon purse seine'' fishery from 440 to 75.

NMFS updates the estimated number of vessels/persons in the ''WA salmon reef net'' fishery from 53 to 11.

NMFS corrects a typographical error and removes West Indian manatee (FL) from the list of species/stock incidentally killed or injured in the ''Southeastern U.S. Atlantic, Gulf of Mexico shrimp trawl'' fishery.

Summary of Changes to the LOF for 2014

The following summarizes changes to the LOF for 2014 in the estimated number of vessels/persons in a particular fishery and the species or stocks that are incidentally killed or injured in a particular fishery. The LOF for 2014 has no changes to fishery classifications or to fisheries that are subject to a take reduction plan. The classifications and definitions of U.S. commercial fisheries for 2014 are identical to those provided in the LOF for 2013 with the changes discussed below. State and regional abbreviations used in the following paragraphs include: AK (Alaska), CA (California), DE (Delaware), FL (Florida), GMX (Gulf of Mexico), HI (Hawaii), MA (Massachusetts), ME (Maine), NC (North Carolina), NY (New York), OR (Oregon), RI (Rhode Island), SC (South Carolina), VA (Virginia), WA (Washington), and WNA (Western North Atlantic).

Commercial Fisheries in the Pacific Ocean

Number of Vessels/Persons

NMFS updates the estimated number of vessels/persons in the commercial fisheries operating in the Pacific Ocean as follows:

NMFS updates the estimated number of vessels/persons in the ''CA thresher shark/swordfish drift gillnet (≥14 in mesh)'' fishery from 25 to 19.

NMFS updates the estimated number of vessels/persons in the ''CA spot prawn pot'' fishery from 27 to 28.

NMFS updates the estimated number of vessels/persons in the ''CA Dungeness crab pot'' fishery from 534 to 570.

NMFS updates the estimated number of vessels/persons in the ''CA pelagic longline'' fishery from 6 to 1.

NMFS updates the estimated number of vessels/persons in the ''CA coonstripe shrimp, rock crab, tanner crab pot/trap'' fishery from 305 to 203.

NMFS updates the estimated number vessels/persons in the ''CA spiny lobster trap'' fishery from 225 to 198.

List of Species or Stocks Incidentally Killed or Injured in the Pacific Ocean

NMFS updates the list of species or stocks incidentally killed or injured by commercial fisheries operating in the Pacific Ocean as follows:

NMFS adds minke whale (CA/OR/WA stock) to the list of species/stocks incidentally killed or injured in the ''CA thresher shark and swordfish drift gillnet'' fishery.

NMFS adds grey whale (Eastern North Pacific) to the list of species/stocks incidentally killed or injured in the ''Bering Sea, Aleutian Islands crab pot'' fishery.

NMFS changes the false killer whale stock name from ''HI Insular'' to ''MHI Insular'' on the list of species/stocks incidentally killed or injured in the ''HI deep-set (tuna target) longline'' fishery and removes the superscript ''1'' to indicate the stock is no longer driving the fishery's Category I classification.

NMFS adds sperm whale (HI stock) to the list of species/stocks incidentally killed or injured in the ''HI deep-set (tuna target) longline'' fishery.

NMFS adds Blainville's beaked whale (HI stock) to the list of species/stocks incidentally killed or injured in the ''HI shallow-set (swordfish target) longline'' fishery.

NMFS adds Cuvier's beaked whale (unknown stock), short-finned pilot whale (unknown stock), and bottlenose dolphin (unknown stock) to the list of species/stocks incidentally killed or injured in the ''American Samoa longline'' fishery.

Commercial Fisheries in the Atlantic Ocean, Gulf of Mexico, and Caribbean

List of Species or Stocks Incidentally Killed or Injured

NMFS updates the list of species or stocks incidentally killed or injured by commercial fisheries operating in the Atlantic Ocean, Gulf of Mexico, and Caribbean as follows:

NMFS adds several stocks to the list of species/stocks incidentally killed or injured in the ''Atlantic Ocean, Gulf of Mexico, Caribbean passenger vessel'' fishery. NMFS adds the following bottlenose dolphin stocks: (1) Northern migratory coastal stock, (2) Southern migratory coastal stock, (3) Southern South Carolina/Georgia coastal stock, (4) Northern Florida coastal stock, (5) Central Florida coastal stock, (6) Northern North Carolina estuarine stock, (7) Northern Georgia/Southern South Carolina estuarine stock, (8) Jacksonville estuarine system stock.

NMFS adds bottlenose dolphin (Western North Atlantic offshore stock) to the list of species/stocks incidentally killed or injured in the ''Gulf of Maine, U.S. Mid-Atlantic tuna, shark, swordfish hook-and-line/harpoon'' fishery.

NMFS removes bottlenose dolphin (Western North Atlantic offshore stock) from the list of species/stocks incidentally killed or injured in the ''Mid-Atlantic mid-water trawl'' fishery.

Commercial Fisheries on the High Seas

Removal of Fisheries From the LOF

NMFS removes: (1) Category II Western Pacific pelagic ''pot vessel,'' ''factory mothership,'' and ''multipurpose vessels not elsewhere identified (NEI);'' (2) Category II Pacific highly migratory species ''pot vessel'' and ''multipurpose vessels (NEI);'' (3) Category II South Pacific albacore troll ''pot vessel'' and ''multipurpose vessels (NEI);'' and (4) Category II Atlantic highly migratory species ''multipurpose vessels (NEI)'' fisheries from the LOF.

NMFS corrects a typographical mistake and removes the Category III ''Atlantic highly migratory species purse seine'' fisheries from the LOF.

Number of Vessels/Persons

NMFS updates the estimated number of HSFCA permits for commercial fisheries operating on the high seas as follows:

Category	High seas fishery	Number of HSFCA permits (Final 2013 LOF)	Number of HSFCA permits (Final 2014 LOF)
I	Atlantic highly migratory species longline	79	84
II	Atlantic highly migratory species drift gillnet	2	1
II	Atlantic highly migratory species trawl	5	1
II	South Pacific tuna fisheries purse seine	38	40
II	South Pacific albacore troll longline	11	13
II	South Pacific tuna fisheries longline	10	8
II	Pacific highly migratory species handline/pole and line	40	46
II	South Pacific albacore troll handline/pole and line	7	9

Category	High seas fishery	Number of HSFCA permits (Final 2013 LOF)	Number of HSFCA permits (Final 2014 LOF)
II	Western Pacific pelagic handline/pole and line	6	5
II	Atlantic highly migratory species troll	5	4
II	South Pacific albacore troll	36	33
II	South Pacific tuna fisheries troll	3	2
II	Western Pacific pelagic troll	22	19
II	Pacific highly migratory species liners nei	1	3
III	Pacific highly migratory species longline	96	101
III	Pacific highly migratory species purse seine	6	8
III	Pacific highly migratory species troll	263	262

List of Species or Stocks Incidentally Killed or Injured in High Seas Fisheries

NMFS updates the list of species or stocks incidentally killed or injured by commercial fisheries on the high seas as follows:

NMFS removes the following ''unknown'' stocks from the list of species/stocks incidentally killed or injured in the Category I ''Western Pacific Pelagic longline (HI Deep-set component)'' fishery: bottlenose dolphin, false killer whale, pantropical spotted dolphin, Risso's dolphin, short-finned pilot whale, and striped dolphin.

NMFS adds sperm whale (HI stock) to the list of species/stocks incidentally killed or injured in the Category I ''Western Pacific Pelagic longline (HI Deep-set component)'' fishery.

NMFS removes the following ''unknown'' stocks from the list of species/stocks incidentally killed or injured in the Category II ''Western Pacific Pelagic longline (HI Shallow-set component)'' fishery: bottlenose dolphin, Kogia sp. whale (pygmy or dwarf sperm whale), Risso's dolphin, short-finned pilot whale, and striped dolphin.

NMFS adds false killer whale (HI Pelagic stock), short-beaked common dolphin (CA/OR/WA), and Blainville's beaked whale (HI stock) to the list of species/stocks incidentally killed or injured in the Category II ''Western Pacific Pelagic longline (HI Shallow-set component)'' fishery.

NMFS corrects a typographical error and removes pygmy sperm whale (WNA stock) from the list of species/stocks incidentally killed or injured in the ''Atlantic Highly Migratory Species longline'' fishery.

List of Fisheries

The following tables set forth the list of U.S. commercial fisheries according to their classification under section 118 of the MMPA. Table 1 lists commercial fisheries in the Pacific Ocean (including Alaska); Table 2 lists commercial fisheries in the Atlantic Ocean, Gulf of Mexico, and Caribbean; Table 3 lists commercial fisheries on the high seas; and Table 4 lists fisheries affected by TRPs or TRTs.

In Tables 1 and 2, the estimated number of vessels or persons participating in fisheries operating within U.S. waters is expressed in terms of the number of active participants in the fishery, when possible. If this information is not available, the estimated number of vessels or persons licensed for a particular fishery is provided. If no recent information is available on the number of participants, vessels, or persons licensed in a fishery, then the number from the most recent LOF is used for the estimated number of vessels or persons in the fishery. NMFS acknowledges that, in some cases, these estimations may be inflations of actual effort, such as for many of the Mid-Atlantic and New England fisheries. However, in these cases, the numbers represent the potential effort for each fishery, given the multiple gear types for which several state permits may allow. Changes made to Mid-Atlantic and New England fishery participants will not affect observer coverage or bycatch estimates as observer coverage and bycatch estimates are based on vessel trip reports and landings data. Table 1 and 2 serve to provide a description of the fishery's potential effort (state and Federal). If NMFS is able to extract more accurate information on the gear types used by state permit holders in the future, the numbers will be updated to reflect this change. For additional information on fishing effort in fisheries found on Table 1 or 2, contact the relevant regional office (contact information included above in **SUPPLEMENTARY INFORMATION**).

For high seas fisheries, Table 3 lists the number of currently valid HSFCA permits held. Although this likely overestimates the number of active participants in many of these fisheries, the number of valid HSFCA permits is the most reliable data on the potential effort in high seas fisheries at this time. As noted previously in this rule, the number of HSFCA permits listed in Table 3 for the high seas components of fisheries that also operate within U.S. waters does not necessarily represent additional effort that is not accounted for in Tables 1 and 2. Many vessels/persons holding HSFCA permits also fishing within U.S. waters and are included in the number of vessels and participants operating within those fisheries in Tables 1 and 2.

Tables 1, 2, and 3 also list the marine mammal species or stocks incidentally killed or injured (seriously or non-seriously) in each fishery based on observer data, logbook data, stranding reports, disentanglement network data, and MMAP reports. The best available scientific information included in these reports is based on data through 2011. This list includes all species or stocks known to be injured or killed in a given fishery but also includes species or stocks for which there are anecdotal records of a mortality or injury. Additionally, species identified by logbook entries, stranding data, or fishermen self-reports (i.e., MMAP reports) may not be verified. In Tables 1 and 2, NMFS has designated those stocks driving a fishery's classification (i.e., the fishery is classified based on mortalities and serious injuries and of a marine mammal stock that are greater than or equal to 50 percent [Category I], or greater than 1 percent and less than 50 percent [Category II], of a stock's PBR) by a ''[1]'' after the stock's name.

In Tables 1 and 2, there are several fisheries classified as Category II that have no recent documented mortalities and injuries of marine mammals, or fisheries that did not result in a mortality or serious injury rate greater than 1 percent of a stock's PBR level based on known interactions. NMFS has

classified these fisheries by analogy to other Category I or II fisheries that use similar fishing techniques or gear that are known to cause mortality or serious injury of marine mammals, as discussed in the final LOF for 1996 (60 FR 67063, December 28, 1995), and according to factors listed in the definition of a ''Category II fishery'' in 50 CFR 229.2 (i.e., fishing techniques, gear used, methods used to deter marine mammals, target species, seasons and areas fished, qualitative data from logbooks or fisher reports, stranding data, and the species and distribution of marine mammals in the area). NMFS has designated those fisheries listed by analogy in Tables 1 and 2 by a ''[2]'' after the fishery's name.

There are several fisheries in Tables 1, 2, and 3 in which a portion of the fishing vessels cross the EEZ boundary and therefore operate both within U.S. waters and on the high seas. These fisheries, though listed separately between Table 1 or 2 and Table 3, are considered the same fishery on either side of the EEZ boundary. NMFS has designated those fisheries in each table by a ''*'' after the fishery's name.

TABLE 1—LIST OF FISHERIES—COMMERCIAL FISHERIES IN THE PACIFIC OCEAN

Fishery Description	Estimated number of vessels/ persons	Marine mammal species and stocks incidentally killed or injured
Category I		
LONGLINE/SET LINE FISHERIES:		
HI deep-set (tuna target) longline/set line * ^	129	Bottlenose dolphin, HI Pelagic. False killer whale, MHI Insular. False killer whale, HI Pelagic.[1] False killer whale, Palmyra Atoll. Pantropical spotted dolphin, HI. Risso's dolphin, HI. Short-finned pilot whale, HI. Sperm whale, HI. Striped dolphin, HI.
GILLNET FISHERIES:		
CA thresher shark/swordfish drift gillnet (≥14 in mesh) *	19	Bottlenose dolphin, CA/OR/WA offshore. California sea lion, U.S. Humpback whale, CA/OR/WA. Long-beaked common dolphin, CA. Minke whale, CA/OR/WA. Northern elephant seal, CA breeding. Northern right-whale dolphin, CA/OR/WA. Pacific white-sided dolphin, CA/OR/WA. Risso's dolphin, CA/OR/WA. Short-beaked common dolphin, CA/OR/WA. Sperm Whale, CA/OR/WA [1].
Category II		
GILLNET FISHERIES:		
CA halibut/white seabass and other species set gillnet (>3.5 in mesh)	50	California sea lion, U.S. Harbor seal, CA. Humpback whale, CA/OR/WA.[1] Long-beaked common dolphin, CA. Northern elephant seal, CA breeding. Sea otter, CA. Short-beaked common dolphin, CA/OR/WA.
CA yellowtail, barracuda, and white seabass drift gillnet (mesh size ≥3.5 in and <14 in) [2].	30	California sea lion, U.S. Long-beaked common dolphin, CA. Short-beaked common dolphin, CA/OR/WA.
AK Bristol Bay salmon drift gillnet [2]	1,863	Beluga whale, Bristol Bay. Gray whale, Eastern North Pacific. Harbor seal, Bering Sea. Northern fur seal, Eastern Pacific. Pacific white-sided dolphin, North Pacific. Spotted seal, AK. Steller sea lion, Western U.S.
AK Bristol Bay salmon set gillnet [2]	982	Beluga whale, Bristol Bay. Gray whale, Eastern North Pacific. Harbor seal, Bering Sea. Northern fur seal, Eastern Pacific. Spotted seal, AK.
AK Kodiak salmon set gillnet	188	Harbor porpoise, GOA.[1] Harbor seal, GOA. Sea otter, Southwest AK. Steller sea lion, Western U.S.

TABLE 1—LIST OF FISHERIES—COMMERCIAL FISHERIES IN THE PACIFIC OCEAN—Continued

Fishery Description	Estimated number of vessels/ persons	Marine mammal species and stocks incidentally killed or injured
AK Cook Inlet salmon set gillnet	738	Beluga whale, Cook Inlet. Dall's porpoise, AK. Harbor porpoise, GOA. Harbor seal, GOA. Humpback whale, Central North Pacific.[1] Steller sea lion, Western U.S.
AK Cook Inlet salmon drift gillnet	569	Beluga whale, Cook Inlet. Dall's porpoise, AK. Harbor porpoise, GOA.[1] Harbor seal, GOA. Steller sea lion, Western U.S.
AK Peninsula/Aleutian Islands salmon drift gillnet[2]	162	Dall's porpoise, AK. Harbor porpoise, GOA. Harbor seal, GOA. Northern fur seal, Eastern Pacific
AK Peninsula/Aleutian Islands salmon set gillnet[2]	114	Harbor porpoise, Bering Sea. Steller sea lion, Western U.S.
AK Prince William Sound salmon drift gillnet	537	Dall's porpoise, AK. Harbor porpoise, GOA.[1] Harbor seal, GOA. Northern fur seal, Eastern Pacific. Pacific white-sided dolphin, North Pacific. Sea otter, South Central AK. Steller sea lion, Western U.S.[1]
AK Southeast salmon drift gillnet	474	Dall's porpoise, AK. Harbor porpoise, Southeast AK. Harbor seal, Southeast AK. Humpback whale, Central North Pacific.[1] Pacific white-sided dolphin, North Pacific. Steller sea lion, Eastern U.S.
AK Yakutat salmon set gillnet[2]	167	Gray whale, Eastern North Pacific. Harbor Porpoise, Southeastern AK. Harbor seal, Southeast AK. Humpback whale, Central North Pacific (Southeast AK).
WA Puget Sound Region salmon drift gillnet (includes all inland waters south of US-Canada border and eastward of the Bonilla-Tatoosh line-Treaty Indian fishing is excluded).	210	Dall's porpoise, CA/OR/WA. Harbor porpoise, inland WA.[1] Harbor seal, WA inland.
PURSE SEINE FISHERIES:		
AK Cook Inlet salmon purse seine	82	Humpback whale, Central North Pacific.[1]
AK Kodiak salmon purse seine	379	Humpback whale, Central North Pacific.[1]
TRAWL FISHERIES:		
AK Bering Sea, Aleutian Islands flatfish trawl	34	Bearded seal, AK. Gray whale, Eastern North Pacific. Harbor porpoise, Bering Sea. Harbor seal, Bering Sea. Humpback whale, Western North Pacific.[1] Killer whale, AK resident.[1] Killer whale, GOA, AI, BS transient.[1] Northern fur seal, Eastern Pacific. Ringed seal, AK. Ribbon seal, AK. Spotted seal, AK. Steller sea lion, Western U.S.[1] Walrus, AK.
AK Bering Sea, Aleutian Islands pollock trawl	95	Bearded Seal, AK. Dall's porpoise, AK. Harbor seal, AK. Humpback whale, Central North Pacific. Humpback whale, Western North Pacific. Northern fur seal, Eastern Pacific. Ribbon seal, AK. Ringed seal, AK. Spotted seal, AK. Steller sea lion, Western U.S.[1]
AK Bering Sea, Aleutian Islands rockfish trawl	10	Killer whale, ENP AK resident[1]. Killer whale, GOA, AI, BS transient.[1]
POT, RING NET, AND TRAP FISHERIES:		

TABLE 1—LIST OF FISHERIES—COMMERCIAL FISHERIES IN THE PACIFIC OCEAN—Continued

Fishery Description	Estimated number of vessels/ persons	Marine mammal species and stocks incidentally killed or injured
CA spot prawn pot	28	Gray whale, Eastern North Pacific. Humpback whale, CA/OR/WA.[1]
CA Dungeness crab pot	570	Gray whale, Eastern North Pacific. Humpback whale, CA/OR/WA.[1]
OR Dungeness crab pot	433	Gray whale, Eastern North Pacific. Humpback whale, CA/OR/WA.[1]
WA/OR/CA sablefish pot	309	Humpback whale, CA/OR/WA.[1]
WA coastal Dungeness crab pot/trap	228	Gray whale, Eastern North Pacific. Humpback whale, CA/OR/WA.[1]
LONGLINE/SET LINE FISHERIES:		
HI shallow-set (swordfish target) longline/set line * –	20	Blainville's beaked whale, HI. Bottlenose dolphin, HI Pelagic. False killer whale, HI Pelagic.[1] Humpback whale, Central North Pacific. Kogia sp. whale (Pygmy or dwarf sperm whale), HI. Risso's dolphin, HI. Short-finned pilot whale, HI. Striped dolphin, HI
American Samoa longline[2]	24	Bottlenose dolphin, unknown. Cuvier's beaked whale, unknown. False killer whale, American Samoa. Rough-toothed dolphin, American Samoa. Short-finned pilot whale, unknown.
HI shortline[2]	11	None documented.
Category III		
GILLNET FISHERIES:		
AK Kuskokwim, Yukon, Norton Sound, Kotzebue salmon gillnet.	1,702	Harbor porpoise, Bering Sea.
AK miscellaneous finfish set gillnet	3	Steller sea lion, Western U.S.
AK Prince William Sound salmon set gillnet	30	Harbor seal, GOA. Steller sea lion, Western U.S.
AK roe herring and food/bait herring gillnet	990	None documented.
CA set gillnet (mesh size <3.5 in)	304	None documented.
HI inshore gillnet	36	Bottlenose dolphin, HI. Spinner dolphin, HI.
WA Grays Harbor salmon drift gillnet (excluding treaty Tribal fishing).	24	Harbor seal, OR/WA coast.
WA/OR herring, smelt, shad, sturgeon, bottom fish, mullet, perch, rockfish gillnet.	913	None documented.
WA/OR lower Columbia River (includes tributaries) drift gillnet.	110	California sea lion, U.S. Harbor seal, OR/WA coast.
WA Willapa Bay drift gillnet	82	Harbor seal, OR/WA coast. Northern elephant seal, CA breeding.
PURSE SEINE, BEACH SEINE, ROUND HAUL, THROW NET AND TANGLE NET FISHERIES:		
AK Southeast salmon purse seine	415	None documented in the most recent 5 years of data.
AK Metlakatla salmon purse seine	10	None documented.
AK miscellaneous finfish beach seine	1	None documented.
AK miscellaneous finfish purse seine	2	None documented.
AK octopus/squid purse seine	0	None documented.
AK roe herring and food/bait herring beach seine	6	None documented.
AK roe herring and food/bait herring purse seine	367	None documented.
AK salmon beach seine	31	None documented.
AK salmon purse seine (excluding salmon purse seine fisheries listed as Category II).	935	Harbor seal, GOA.
CA anchovy, mackerel, sardine purse seine	65	California sea lion, U.S. Harbor seal, CA.
CA squid purse seine	80	Long-beaked common dolphin, CA Short-beaked common dolphin, CA/OR/WA.
CA tuna purse seine *	10	None documented.
WA/OR sardine purse seine	42	None documented.
WA (all species) beach seine or drag seine	235	None documented.
WA/OR herring, smelt, squid purse seine or lampara	130	None documented.
WA salmon purse seine	75	None documented.
WA salmon reef net	11	None documented.
HI opelu/akule net	22	None documented.
HI inshore purse seine	<3	None documented.

TABLE 1—LIST OF FISHERIES—COMMERCIAL FISHERIES IN THE PACIFIC OCEAN—Continued

Fishery Description	Estimated number of vessels/ persons	Marine mammal species and stocks incidentally killed or injured
HI throw net, cast net	29	None documented.
HI hukilau net	26	None documented.
HI lobster tangle net	0	None documented.
DIP NET FISHERIES:		
CA squid dip net	115	None documented.
WA/OR smelt, herring dip net	119	None documented.
MARINE AQUACULTURE FISHERIES:		
CA marine shellfish aquaculture	unknown	None documented.
CA salmon enhancement rearing pen	>1	None documented.
CA white seabass enhancement net pens	13	California sea lion, U.S.
HI offshore pen culture	2	None documented.
OR salmon ranch	1	None documented.
WA/OR salmon net pens	14	California sea lion, U.S. Harbor seal, WA inland waters.
TROLL FISHERIES:		
AK North Pacific halibut, AK bottom fish, WA/OR/CA albacore, groundfish, bottom fish, CA halibut non-salmonid troll fisheries *.	1,320 (120 AK)	None documented.
AK salmon troll	2,008	Steller sea lion, Eastern U.S. Steller sea lion, Western U.S.
American Samoa tuna troll	7	None documented.
CA/OR/WA salmon troll	4,300	None documented.
HI trolling, rod and reel	1,560	Pantropical spotted dolphin, HI.
Commonwealth of the Northern Mariana Islands tuna troll	40	None documented.
Guam tuna troll	432	None documented.
LONGLINE/SET LINE FISHERIES:		
AK Bering Sea, Aleutian Islands Pacific cod longline	154	Dall's Porpoise, AK. Northern fur seal, Eastern Pacific.
AK Bering Sea, Aleutian Islands rockfish longline	0	None documented.
AK Bering Sea, Aleutian Islands Greenland turbot longline	36	Killer whale, AK resident.
AK Bering Sea, Aleutian Islands sablefish longline	28	None documented.
AK Gulf of Alaska halibut longline	1,302	None documented.
AK Gulf of Alaska Pacific cod longline	107	Steller sea lion, Western U.S.
AK Gulf of Alaska rockfish longline	0	None documented.
AK Gulf of Alaska sablefish longline	291	Sperm whale, North Pacific.
AK halibut longline/set line (state and Federal waters)	2,280	None documented in the most recent 5 years of data.
AK octopus/squid longline	2	None documented.
AK state-managed waters longline/setline (including sablefish, rockfish, lingcod, and miscellaneous finfish).	1,323	None documented.
WA/OR/CA groundfish, bottomfish longline/set line	367	Bottlenose dolphin, CA/OR/WA offshore.
WA/OR North Pacific halibut longline/set line	350	None documented.
CA pelagic longline	1	None documented in the most recent 5 years of data.
HI kaka line	17	None documented.
HI vertical longline	9	None documented.
TRAWL FISHERIES:		
AK Bering Sea, Aleutian Islands Atka mackerel trawl	9	Ribbon seal, AK. Steller sea lion, Western U.S.
AK Bering Sea, Aleutian Islands Pacific cod trawl	93	Steller sea lion, Western U.S.
AK Gulf of Alaska flatfish trawl	41	Northern elephant seal, North Pacific.
AK Gulf of Alaska Pacific cod trawl	62	Steller sea lion, Western U.S.
AK Gulf of Alaska pollock trawl	62	Dall's porpoise, AK. Fin whale, Northeast Pacific. Northern elephant seal, North Pacific. Steller sea lion, Western U.S.
AK Gulf of Alaska rockfish trawl	34	None documented.
AK food/bait herring trawl	4	None documented.
AK miscellaneous finfish otter/beam trawl	282	None documented.
AK shrimp otter trawl and beam trawl (statewide and Cook Inlet).	33	None documented.
AK state-managed waters of Cook Inlet, Kachemak Bay, Prince William Sound, Southeast AK groundfish trawl.	2	None documented.
CA halibut bottom trawl	53	None documented.
WA/OR/CA shrimp trawl	300	None documented.
WA/OR/CA groundfish trawl	160–180	California sea lion, U.S. Dall's porpoise, CA/OR/WA. Harbor seal, OR/WA coast. Northern fur seal, Eastern Pacific. Pacific white-sided dolphin, CA/OR/WA. Steller sea lion, Eastern U.S.

TABLE 1—LIST OF FISHERIES—COMMERCIAL FISHERIES IN THE PACIFIC OCEAN—Continued

Fishery Description	Estimated number of vessels/ persons	Marine mammal species and stocks incidentally killed or injured
POT, RING NET, AND TRAP FISHERIES:		
AK statewide miscellaneous finfish pot	243	None documented.
AK Aleutian Islands sablefish pot	8	None documented.
AK Bering Sea, Aleutian Islands Pacific cod pot	68	None documented.
AK Bering Sea, Aleutian Islands crab pot	296	Grey whale, Eastern North Pacific.
AK Bering Sea sablefish pot	6	None documented.
AK Gulf of Alaska crab pot	389	None documented.
AK Gulf of Alaska Pacific cod pot	154	Harbor seal, GOA.
AK Southeast Alaska crab pot	415	Humpback whale, Central North Pacific (Southeast AK).
AK Southeast Alaska shrimp pot	274	Humpback whale, Central North Pacific (Southeast AK).
AK shrimp pot, except Southeast	210	None documented.
AK octopus/squid pot	26	None documented.
AK snail pot	1	None documented.
CA coonstripe shrimp, rock crab, tanner crab pot or trap	203	Gray whale, Eastern North Pacific. Harbor seal, CA.
CA spiny lobster	198	Gray whale, Eastern North Pacific.
OR/CA hagfish pot or trap	54	None documented.
WA/OR shrimp pot/trap	254	None documented.
WA Puget Sound Dungeness crab pot/trap	249	None documented.
HI crab trap	9	None documented.
HI fish trap	9	None documented.
HI lobster trap	<3	Hawaiian monk seal.
HI shrimp trap	4	None documented.
HI crab net	6	None documented.
HI Kona crab loop net	48	None documented.
HANDLINE AND JIG FISHERIES:		
AK miscellaneous finfish handline/hand troll and mechanical jig.	456	None documented.
AK North Pacific halibut handline/hand troll and mechanical jig.	180	None documented.
AK octopus/squid handline	0	None documented.
American Samoa bottomfish	12	None documented.
Commonwealth of the Northern Mariana Islands bottomfish.	28	None documented.
Guam bottomfish	>300	None documented.
HI aku boat, pole, and line	3	None documented.
HI Main Hawaiian Islands deep-sea bottomfish handline	567	Hawaiian monk seal.
HI inshore handline	378	None documented.
HI tuna handline	459	None documented.
WA groundfish, bottomfish jig	679	None documented.
Western Pacific squid jig	<3	None documented.
HARPOON FISHERIES:		
CA swordfish harpoon	30	None documented.
POUND NET/WEIR FISHERIES:		
AK herring spawn on kelp pound net	411	None documented.
AK Southeast herring roe/food/bait pound net	4	None documented.
WA herring brush weir	1	None documented.
HI bullpen trap	<3	None documented.
BAIT PENS:		
WA/OR/CA bait pens	13	California sea lion, U.S.
DREDGE FISHERIES:		
Coastwide scallop dredge	108 (12 AK)	None documented.
DIVE, HAND/MECHANICAL COLLECTION FISHERIES:		
AK abalone	0	None documented.
AK clam	156	None documented.
WA herring spawn on kelp	4	None documented.
AK Dungeness crab	2	None documented.
AK herring spawn on kelp	266	None documented.
AK urchin and other fish/shellfish	521	None documented.
CA abalone	0	None documented.
CA sea urchin	583	None documented.
HI black coral diving	<3	None documented.
HI fish pond	16	None documented.
HI handpick	57	None documented.
HI lobster diving	29	None documented.
HI spearfishing	143	None documented.
WA/CA kelp	4	None documented.
WA/OR sea urchin, other clam, octopus, oyster, sea cucumber, scallop, ghost shrimp hand, dive, or mechanical collection.	637	None documented.

TABLE 1—LIST OF FISHERIES—COMMERCIAL FISHERIES IN THE PACIFIC OCEAN—Continued

Fishery Description	Estimated number of vessels/ persons	Marine mammal species and stocks incidentally killed or injured
WA shellfish aquaculture	684	None documented.
COMMERCIAL PASSENGER FISHING VESSEL (CHARTER BOAT) FISHERIES:		
AK/WA/OR/CA commercial passenger fishing vessel	>7,000 (2,702 AK)	Killer whale, unknown. Steller sea lion, Eastern U.S. Steller sea lion, Western U.S.
HI charter vessel	114	Pantropical spotted dolphin, HI.
LIVE FINFISH/SHELLFISH FISHERIES:		
CA nearshore finfish live trap/hook-and-line	93	None documented.

List of Abbreviations and Symbols Used in Table 1: AK—Alaska; CA—California; GOA—Gulf of Alaska; HI—Hawaii; OR—Oregon; WA—Washington; [1] Fishery classified based on mortalities and serious injuries of this stock, which are greater than or equal to 50 percent (Category I) or greater than 1 percent and less than 50 percent (Category II) of the stock's PBR; [2] Fishery classified by analogy; * Fishery has an associated high seas component listed in Table 3; ^ The list of marine mammal species or stocks killed or injured in this fishery is identical to the list of species or stocks killed or injured in high seas component of the fishery, minus species or stocks have geographic ranges exclusively on the high seas. The species or stocks are found, and the fishery remains the same, on both sides of the EEZ boundary. Therefore, the EEZ components of these fisheries pose the same risk to marine mammals as the components operating on the high seas.

TABLE 2—LIST OF FISHERIES—COMMERCIAL FISHERIES IN THE ATLANTIC OCEAN, GULF OF MEXICO, AND CARIBBEAN

Fishery description	Estimated number of vessels; persons	Marine mammal species and stocks incidentally killed or injured
CATEGORY I		
GILLNET FISHERIES:		
Mid-Atlantic gillnet	5,509	Bottlenose dolphin, Northern Migratory coastal.[1] Bottlenose dolphin, Southern Migratory coastal.[1] Bottlenose dolphin, Northern NC estuarine system.[1] Bottlenose dolphin, Southern NC estuarine system.[1] Bottlenose dolphin, WNA offshore. Common dolphin, WNA. Gray seal, WNA. Harbor porpoise, GME;BF. Harbor seal, WNA. Harp seal, WNA. Humpback whale, Gulf of Maine. Long-finned pilot whale, WNA. Minke whale, Canadian east coast. Risso's dolphin, WNA. Short-finned pilot whale, WNA. White-sided dolphin, WNA.
Northeast sink gillnet	4,375	Bottlenose dolphin, WNA offshore. Common dolphin, WNA. Fin whale, WNA. Gray seal, WNA. Harbor porpoise, GME/BF.[1] Harbor seal, WNA. Harp seal, WNA. Hooded seal, WNA. Humpback whale, Gulf of Maine. Long-finned Pilot whale, WNA. Minke whale, Canadian east coast. North Atlantic right whale, WNA. Risso's dolphin, WNA. Short-finned Pilot whale, WNA. White-sided dolphin, WNA.
TRAP/POT FISHERIES:		
Northeast/Mid-Atlantic American lobster trap/pot	11,693	Harbor seal, WNA. Humpback whale, Gulf of Maine. Minke whale, Canadian east coast. North Atlantic right whale, WNA.[1]
LONGLINE FISHERIES:		

TABLE 2—LIST OF FISHERIES—COMMERCIAL FISHERIES IN THE ATLANTIC OCEAN, GULF OF MEXICO, AND CARIBBEAN—Continued

Fishery description	Estimated number of vessels; persons	Marine mammal species and stocks incidentally killed or injured
Atlantic Ocean, Caribbean, Gulf of Mexico large pelagics longline *.	420	Atlantic spotted dolphin, GMX continental and oceanic. Atlantic spotted dolphin, WNA. Bottlenose dolphin, Northern GMX oceanic. Bottlenose dolphin, WNA offshore. Common dolphin, WNA. Cuvier's beaked whale, WNA. Killer whale, GMX oceanic. Long-finned pilot whale, WNA.[1] Mesoplodon beaked whale, WNA. Northern bottlenose whale, WNA. Pantropical spotted dolphin, Northern GMX. Pantropical spotted dolphin, WNA. Risso's dolphin, Northern GMX. Risso's dolphin, WNA. Short-finned pilot whale, Northern GMX. Short-finned pilot whale, WNA.[1] Sperm whale, GMX oceanic.
CATEGORY II		
GILLNET FISHERIES:		
Chesapeake Bay inshore gillnet [2]	1,126	None documented in the most recent 5 years of data.
Gulf of Mexico gillnet [2]	724	Bottlenose dolphin, GMX bay, sound, and estuarine. Bottlenose dolphin, Northern GMX coastal. Bottlenose dolphin, Western GMX coastal.
NC inshore gillnet	1,323	Bottlenose dolphin, Northern NC estuarine system.[1] Bottlenose dolphin, Southern NC estuarine system.[1]
Northeast anchored float gillnet [2]	421	Harbor seal, WNA. Humpback whale, Gulf of Maine. White-sided dolphin, WNA.
Northeast drift gillnet [2]	311	None documented.
Southeast Atlantic gillnet [2]	357	Bottlenose dolphin, Central FL coastal. Bottlenose dolphin, Northern FL coastal. Bottlenose dolphin, SC/GA coastal. Bottlenose dolphin, Southern Migratory coastal.
Southeastern U.S. Atlantic shark gillnet	30	Bottlenose dolphin, Central FL coastal.[1] Bottlenose dolphin, Northern FL coastal. North Atlantic right whale, WNA.
TRAWL FISHERIES:		
Mid-Atlantic mid-water trawl (including pair trawl)	322	Common dolphin, WNA. Long-finned pilot whale, WNA. Risso's dolphin, WNA. Short-finned pilot whale, WNA. White-sided dolphin, WNA.[1]
Mid-Atlantic bottom trawl	631	Bottlenose dolphin, WNA offshore. Common dolphin, WNA.[1] Gray seal, WNA. Harbor seal, WNA. Long-finned pilot whale, WNA.[1] Risso's dolphin, WNA.[1] Short-finned pilot whale, WNA.[1] White-sided dolphin, WNA.
Northeast mid-water trawl (including pair trawl)	1,103	Gray seal, WNA. Harbor seal, WNA. Long-finned pilot whale, WNA.[1] Short-finned pilot whale, WNA.[1] Common dolphin, WNA. White-sided dolphin, WNA.
Northeast bottom trawl	2,987	Bottlenose dolphin, WNA offshore. Common dolphin, WNA. Gray seal, WNA. Harbor porpoise, GME/BF. Harbor seal, WNA. Harp seal, WNA. Long-finned pilot whale, WNA. Minke whale, Canadian East Coast. Short-finned pilot whale, WNA. White-sided dolphin, WNA.[1]

TABLE 2—LIST OF FISHERIES—COMMERCIAL FISHERIES IN THE ATLANTIC OCEAN, GULF OF MEXICO, AND CARIBBEAN—Continued

Fishery description	Estimated number of vessels; persons	Marine mammal species and stocks incidentally killed or injured
Southeastern U.S. Atlantic, Gulf of Mexico shrimp trawl	4,950	Atlantic spotted dolphin, GMX continental and oceanic. Bottlenose dolphin, Eastern GMX coastal.[1] Bottlenose dolphin, GMX bay, sound, estuarine.[1] Bottlenose dolphin, GMX continental shelf. Bottlenose dolphin, Northern GMX coastal. Bottlenose dolphin, SC/GA coastal.[1] Bottlenose dolphin, Western GMX coastal.[1]
TRAP/POT FISHERIES:		
Southeastern U.S. Atlantic, Gulf of Mexico stone crab trap/pot[2].	1,282	Bottlenose dolphin, Biscayne Bay estuarine. Bottlenose dolphin, Central FL coastal. Bottlenose dolphin, Eastern GMX coastal. Bottlenose dolphin, FL Bay. Bottlenose dolphin, GMX bay, sound, estuarine (FL west coast portion). Bottlenose dolphin, Indian River Lagoon estuarine system. Bottlenose dolphin, Jacksonville estuarine system. Bottlenose dolphin, Northern GMX coastal.
Atlantic mixed species trap/pot[2]	3,467	Fin whale, WNA. Humpback whale, Gulf of Maine.
Atlantic blue crab trap/pot	8,557	Bottlenose dolphin, Central FL coastal.[1] Bottlenose dolphin, Charleston estuarine system.[1] Bottlenose dolphin, Indian River Lagoon estuarine system.[1] Bottlenose dolphin, Jacksonville estuarine system.[1] Bottlenose dolphin, Northern FL coastal.[1] Bottlenose dolphin, Northern GA/Southern SC estuarine system.[1] Bottlenose dolphin, Northern Migratory coastal.[1] Bottlenose dolphin, Northern NC estuarine system.[1] Bottlenose dolphin, SC/GA coastal.[1] Bottlenose dolphin, Southern GA estuarine system.[1] Bottlenose dolphin, Southern Migratory coastal.[1] Bottlenose dolphin, Southern NC estuarine system[1] West Indian manatee, FL.[1]
PURSE SEINE FISHERIES:		
Gulf of Mexico menhaden purse seine	40–42	Bottlenose dolphin, GMX bay, sound, estuarine. Bottlenose dolphin, Northern GMX coastal.[1] Bottlenose dolphin, Western GMX coastal.[1]
Mid-Atlantic menhaden purse seine[2]	5	Bottlenose dolphin, Northern Migratory coastal. Bottlenose dolphin, Southern Migratory coastal.
HAUL/BEACH SEINE FISHERIES:		
Mid-Atlantic haul/beach seine	565	Bottlenose dolphin, Northern Migratory coastal.[1] Bottlenose dolphin, Northern NC estuarine system.[1] Bottlenose dolphin, Southern Migratory coastal.[1]
NC long haul seine	372	Bottlenose dolphin, Northern NC estuarine system.[1] Bottlenose dolphin, Southern NC estuarine system.
STOP NET FISHERIES:		
NC roe mullet stop net	13	Bottlenose dolphin, Northern Migratory coastal.[1]
POUND NET FISHERIES:		
VA pound net	67	Bottlenose dolphin, Northern NC estuarine system. Bottlenose dolphin, Southern Migratory coastal.[1] Bottlenose dolphin, Southern NC estuarine system.[1]
CATEGORY III		
GILLNET FISHERIES:		
Caribbean gillnet	>991	None documented in the most recent 5 years of data.
DE River inshore gillnet	unknown	None documented in the most recent 5 years of data.
Long Island Sound inshore gillnet	unknown	None documented in the most recent 5 years of data.
RI, southern MA (to Monomoy Island), and NY Bight (Raritan and Lower NY Bays) inshore gillnet.	unknown	None documented in the most recent 5 years of data.
Southeast Atlantic inshore gillnet	unknown	None documented.
TRAWL FISHERIES:		
Atlantic shellfish bottom trawl	>58	None documented.
Gulf of Mexico butterfish trawl	2	Bottlenose dolphin, Northern GMX oceanic. Bottlenose dolphin, Northern GMX continental shelf.
Gulf of Mexico mixed species trawl	20	None documented.
GA cannonball jellyfish trawl	1	Bottlenose dolphin, Southern South Carolina/Georgia.
MARINE AQUACULTURE FISHERIES:		

TABLE 2—LIST OF FISHERIES—COMMERCIAL FISHERIES IN THE ATLANTIC OCEAN, GULF OF MEXICO, AND CARIBBEAN—Continued

Fishery description	Estimated number of vessels; persons	Marine mammal species and stocks incidentally killed or injured
Finfish aquaculture	48	Harbor seal, WNA.
Shellfish aquaculture	unknown	None documented.
PURSE SEINE FISHERIES:		
Gulf of Maine Atlantic herring purse seine	>7	Harbor seal, WNA. Gray seal, WNA.
Gulf of Maine menhaden purse seine	>2	None documented.
FL West Coast sardine purse seine	10	Bottlenose dolphin, Eastern GMX coastal.
U.S. Atlantic tuna purse seine *	5	Long-finned pilot whale, WNA. Short-finned pilot whale, WNA.
LONGLINE/HOOK–AND–LINE FISHERIES:		
Northeast/Mid-Atlantic bottom longline/hook-and-line	>1,207	None documented.
Gulf of Maine, U.S. Mid-Atlantic tuna, shark swordfish hook-and-line/harpoon.	428	Bottlenose dolphin, WNA offshore. Humpback whale, Gulf of Maine.
Southeastern U.S. Atlantic, Gulf of Mexico, and Caribbean snapper-grouper and other reef fish bottom longline/hook-and-line.	>5,000	Bottlenose dolphin, GMX continental shelf.
Southeastern U.S. Atlantic, Gulf of Mexico shark bottom longline/hook-and-line.	<125	Bottlenose dolphin, Eastern GMX coastal. Bottlenose dolphin, Northern GMX continental shelf.
Southeastern U.S. Atlantic, Gulf of Mexico, and Caribbean pelagic hook-and-line/harpoon.	1,446	None documented.
U.S. Atlantic, Gulf of Mexico trotline	unknown	None documented.
TRAP/POT FISHERIES:		
Caribbean mixed species trap/pot	>501	None documented.
Caribbean spiny lobster trap/pot	>197	None documented.
FL spiny lobster trap/pot	1,268	Bottlenose dolphin, Biscayne Bay estuarine Bottlenose dolphin, Central FL coastal. Bottlenose dolphin, Eastern GMX coastal. Bottlenose dolphin, FL Bay estuarine.
Gulf of Mexico blue crab trap/pot	4,113	Bottlenose dolphin, Eastern GMX coastal. Bottlenose dolphin, GMX bay, sound, estuarine. Bottlenose dolphin, Northern GMX coastal. Bottlenose dolphin, Western GMX coastal. West Indian manatee, FL.
Gulf of Mexico mixed species trap/pot	unknown	None documented.
Southeastern U.S. Atlantic, Gulf of Mexico golden crab trap/pot.	10	None documented.
U.S. Mid-Atlantic eel trap/pot	unknown	None documented.
STOP SEINE/WEIR/POUND NET/FLOATING TRAP FISHERIES:		
Gulf of Maine herring and Atlantic mackerel stop seine/weir.	>1	Gray seal, WNA. Harbor porpoise, GME/BF. Harbor seal, WNA. Minke whale, Canadian east coast. Atlantic white-sided dolphin, WNA.
U.S. Mid-Atlantic crab stop seine/weir	2,600	None documented.
U.S. Mid-Atlantic mixed species stop seine/weir/pound net (except the NC roe mullet stop net).	unknown	Bottlenose dolphin, Northern NC estuarine system.
RI floating trap	9	None documented.
DREDGE FISHERIES:		
Gulf of Maine mussel dredge	unknown	None documented.
Gulf of Maine, U.S. Mid-Atlantic sea scallop dredge	>403	None documented.
U.S. Mid-Atlantic/Gulf of Mexico oyster dredge	7,000	None documented.
U.S. Mid-Atlantic offshore surf clam and quahog dredge	unknown	None documented.
HAUL/BEACH SEINE FISHERIES:		
Caribbean haul/beach seine	15	None documented in the most recent 5 years of data.
Gulf of Mexico haul/beach seine	unknown	None documented.
Southeastern U.S. Atlantic haul/beach seine	25	None documented.
DIVE, HAND/MECHANICAL COLLECTION FISHERIES:		
Atlantic Ocean, Gulf of Mexico, Caribbean shellfish dive, hand/mechanical collection.	20,000	None documented.
Gulf of Maine urchin dive, hand/mechanical collection	unknown	None documented.
Gulf of Mexico, Southeast Atlantic, Mid-Atlantic, and Caribbean cast net.	unknown	None documented.
COMMERCIAL PASSENGER FISHING VESSEL (CHARTER BOAT) FISHERIES:		

TABLE 2—LIST OF FISHERIES—COMMERCIAL FISHERIES IN THE ATLANTIC OCEAN, GULF OF MEXICO, AND CARIBBEAN—Continued

Fishery description	Estimated number of vessels; persons	Marine mammal species and stocks incidentally killed or injured
Atlantic Ocean, Gulf of Mexico, Caribbean commercial passenger fishing vessel.	4,000	Bottlenose dolphin, Biscayne Bay estuarine. Bottlenose dolphin, Central FL coastal. Bottlenose dolphin, Eastern GMX coastal. Bottlenose dolphin, GMX bay, sound, estuarine. Bottlenose dolphin, Indian River Lagoon estuarine system. Bottlenose dolphin, Jacksonville estuarine system. Bottlenose dolphin, Northern FL coastal. Bottlenose dolphin, Northern GA/Southern SC estuarine. Bottlenose dolphin, Northern GMX coastal. Bottlenose dolphin, Northern migratory coastal. Bottlenose dolphin, Northern NC estuarine. Bottlenose dolphin, Southern migratory coastal. Bottlenose dolphin, Southern NC estuarine system. Bottlenose dolphin, Southern SC/GA coastal. Bottlenose dolphin, Western GMX coastal.

List of Abbreviations and Symbols Used in Table 2: DE—Delaware; FL—Florida; GA—Georgia; GME/BF—Gulf of Maine/Bay of Fundy; GMX—Gulf of Mexico; MA—Massachusetts; NC—North Carolina; SC—South Carolina; VA—Virginia; WNA—Western North Atlantic; [1] Fishery classified based on mortalities and serious injuries of this stock, which are greater than or equal to 50 percent (Category I) or greater than 1 percent and less than 50 percent (Category II) of the stock's PBR; [2] Fishery classified by analogy; * Fishery has an associated high seas component listed in Table 3.

TABLE 3—LIST OF FISHERIES—COMMERCIAL FISHERIES ON THE HIGH SEAS

Fishery description	Number of HSFCA permits	Marine mammal species and stocks incidentally killed or injured
Category I		
LONGLINE FISHERIES:		
Atlantic Highly Migratory Species *	84	Atlantic spotted dolphin, WNA. Bottlenose dolphin, Northern GMX oceanic. Bottlenose dolphin, WNA offshore. Common dolphin, WNA. Cuvier's beaked whale, WNA. Long-finned pilot whale, WNA. Mesoplodon beaked whale, WNA. Risso's dolphin, WNA. Short-finned pilot whale, WNA.
Western Pacific Pelagic (HI Deep-set component) *^	124	Bottlenose dolphin, HI Pelagic. False killer whale, HI Pelagic. Pantropical spotted dolphin, HI. Risso's dolphin, HI. Short-finned pilot whale, HI. Sperm whale, HI. Striped dolphin, HI.
Category II		
DRIFT GILLNET FISHERIES:		
Atlantic Highly Migratory Species	1	Undetermined.
Pacific Highly Migratory Species *^	4	Long-beaked common dolphin, CA. Humpback whale, CA/OR/WA. Northern right-whale dolphin, CA/OR/WA. Pacific white-sided dolphin, CA/OR/WA. Risso's dolphin, CA/OR/WA. Short-beaked common dolphin, CA/OR/WA.
TRAWL FISHERIES:		
Atlantic Highly Migratory Species **	1	Undetermined.
CCAMLR	0	Antarctic fur seal.
Western Pacific Pelagic	0	Undetermined.
PURSE SEINE FISHERIES:		
South Pacific Tuna Fisheries	40	Undetermined.
Western Pacific Pelagic	3	Undetermined.
LONGLINE FISHERIES:		
CCAMLR	0	None documented.
South Pacific Albacore Troll	13	Undetermined.

TABLE 3—LIST OF FISHERIES—COMMERCIAL FISHERIES ON THE HIGH SEAS—Continued

Fishery description	Number of HSFCA permits	Marine mammal species and stocks incidentally killed or injured
South Pacific Tuna Fisheries **	8	Undetermined.
Western Pacific Pelagic (HI Shallow-set component) *^	28	Blainville's beaked whale, HI. Bottlenose dolphin, HI Pelagic. False killer whale, HI Pelagic. Humpback whale, Central North Pacific. Kogia sp. whale (Pygmy or dwarf sperm whale), HI. Risso's dolphin, HI. Short-beaked common dolphin, CA/OR/WA. Short-finned pilot whale, HI Striped dolphin, HI.
HANDLINE/POLE AND LINE FISHERIES:		
Atlantic Highly Migratory Species	3	Undetermined.
Pacific Highly Migratory Species	46	Undetermined.
South Pacific Albacore Troll	9	Undetermined.
Western Pacific Pelagic	5	Undetermined.
TROLL FISHERIES:		
Atlantic Highly Migratory Species	4	Undetermined.
South Pacific Albacore Troll	33	Undetermined.
South Pacific Tuna Fisheries **	2	Undetermined.
Western Pacific Pelagic	19	Undetermined.
LINERS NEI FISHERIES:		
Pacific Highly Migratory Species **	3	Undetermined.
South Pacific Albacore Troll	1	Undetermined.
Western Pacific Pelagic	1	Undetermined.
Category III		
LONGLINE FISHERIES:		
Pacific Highly Migratory Species *	101	None documented in the most recent 5 years of data.
PURSE SEINE FISHERIES		
Pacific Highly Migratory Species *^	8	None documented.
TROLL FISHERIES:		
Pacific Highly Migratory Species *^	262	None documented.

List of Terms, Abbreviations, and Symbols Used in Table 3:

GMX—Gulf of Mexico; NEI—Not Elsewhere Identified; WNA—Western North Atlantic.

* Fishery is an extension/component of an existing fishery operating within U.S. waters listed in Table 1 or 2. The number of permits listed in Table 3 represents only the number of permits for the high seas component of the fishery.

** These gear types are not authorized under the Pacific HMS FMP (2004), the Atlantic HMS FMP (2006), or without a South Pacific Tuna Treaty license (in the case of the South Pacific Tuna fisheries). Because HSFCA permits are valid for five years, permits obtained in past years exist in the HSFCA permit database for gear types that are now unauthorized. Therefore, while HSFCA permits exist for these gear types, it does not represent effort. In order to land fish species, fishers must be using an authorized gear type. Once these permits for unauthorized gear types expire, the permit-holder will be required to obtain a permit for an authorized gear type.

^ The list of marine mammal species or stocks killed or injured in this fishery is identical to the list of marine mammal species or stocks killed or injured in U.S. waters component of the fishery, minus species or stocks that have geographic ranges exclusively in coastal waters, because the marine mammal species or stocks are also found on the high seas and the fishery remains the same on both sides of the EEZ boundary. Therefore, the high seas components of these fisheries pose the same risk to marine mammals as the components of these fisheries operating in U.S. waters.

TABLE 4—FISHERIES AFFECTED BY TAKE REDUCTION TEAMS AND PLANS

Take reduction plans	Affected fisheries
Atlantic Large Whale Take Reduction Plan (ALWTRP)—50 CFR 229.32	*Category I:* Mid-Atlantic gillnet. Northeast/Mid-Atlantic American lobster trap/pot. Northeast sink gillnet. *Category II:* Atlantic blue crab trap/pot. Atlantic mixed species trap/pot. Northeast anchored float gillnet. Northeast drift gillnet. Southeast Atlantic gillnet. Southeastern U.S. Atlantic shark gillnet.* Southeastern, U.S. Atlantic, Gulf of Mexico stone crab trap/pot.^

TABLE 4—FISHERIES AFFECTED BY TAKE REDUCTION TEAMS AND PLANS—Continued

Take reduction plans	Affected fisheries
Bottlenose Dolphin Take Reduction Plan (BDTRP)—50 CFR 229.35	*Category I:* Mid-Atlantic gillnet. *Category II:* Atlantic blue crab trap/pot. Chesapeake Bay inshore gillnet fishery. Mid-Atlantic haul/beach seine. Mid-Atlantic menhaden purse seine. NC inshore gillnet. NC long haul seine. NC roe mullet stop net. Southeast Atlantic gillnet. Southeastern U.S. Atlantic shark gillnet. Southeastern U.S. Atlantic, Gulf of Mexico shrimp trawl.^ Southeastern, U.S. Atlantic, Gulf of Mexico stone crab trap/pot.^ VA pound net.
False Killer Whale Take Reduction Plan (FKWTRP)—50 CFR 229.37 ..	*Category I:* HI deep-set (tuna target) longline/set line. *Category II:* HI shallow-set (swordfish target) longline/set line.
Harbor Porpoise Take Reduction Plan (HPTRP)—50 CFR 229.33 (New England) and 229.34 (Mid-Atlantic).	*Category I:* Mid-Atlantic gillnet. Northeast sink gillnet.
Pelagic Longline Take Reduction Plan (PLTRP)—50 CFR 229.36	*Category I:* Atlantic Ocean, Caribbean, Gulf of Mexico large pelagics longline.
Pacific Offshore Cetacean Take Reduction Plan (POCTRP)—50 CFR 229.31.	*Category I:* CA thresher shark/swordfish drift gillnet (≥14 in mesh).
Take reduction teams	**Affected Fisheries**
Atlantic Trawl Gear Take Reduction Team (ATGTRT)	*Category II:* Mid-Atlantic bottom trawl. Mid-Atlantic mid-water trawl (including pair trawl). Northeast bottom trawl. Northeast mid-water trawl (including pair trawl).

*Only applicable to the portion of the fishery operating in U.S. waters;
^Only applicable to the portion of the fishery operating in the Atlantic Ocean.

Classification

The Chief Counsel for Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration (SBA) at the proposed rule stage that this rule would not have a significant economic impact on a substantial number of small entities. No comments were received on that certification, and no new information has been discovered to change that conclusion. Accordingly, no regulatory flexibility analysis is required, and none has been prepared.

This rule contains collection-of-information requirements subject to the Paperwork Reduction Act. The collection of information for the registration of individuals under the MMPA has been approved by the Office of Management and Budget (OMB) under OMB control number 0648–0293 (0.15 hours per report for new registrants and 0.09 hours per report for renewals). The requirement for reporting marine mammal mortalities or injuries has been approved by OMB under OMB control number 0648–0292 (0.15 hours per report). These estimates include the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding these reporting burden estimates or any other aspect of the collections of information, including suggestions for reducing burden, to NMFS and OMB (see **ADDRESSES** and **SUPPLEMENTARY INFORMATION**).

Notwithstanding any other provision of law, no person is 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 currently valid OMB control number.

This rule has been determined to be not significant for the purposes of Executive Order 12866.

An environmental assessment (EA) was prepared under the National Environmental Policy Act (NEPA) for regulations to implement section 118 of the MMPA in June 1995. NMFS revised that EA relative to classifying U.S. commercial fisheries on the LOF in December 2005. The 1995 EA, 2005 EA, and 2014 EA concluded that implementation of MMPA section 118 regulations would not have a significant impact on the human environment. This rule would not make any significant change in the management of reclassified fisheries; therefore, this rule is not expected to change the analysis or conclusion of the 2014 EA. If NMFS takes a management action, for example, through the development of a TRP, NMFS would first prepare an environmental document, as required under NEPA, specific to that action.

This rule will not affect species listed as threatened or endangered under the Endangered Species Act (ESA) or their associated critical habitat. The impacts of numerous fisheries have been analyzed in various biological opinions, and this rule will not affect the conclusions of those opinions. The classification of fisheries on the LOF is not considered to be a management action that would adversely affect threatened or endangered species. If NMFS takes a management action, for example, through the development of a

TRP, NMFS would consult under ESA section 7 on that action.

This rule will have no adverse impacts on marine mammals and may have a positive impact on marine mammals by improving knowledge of marine mammals and the fisheries interacting with marine mammals through information collected from observer programs, stranding and sighting data, or take reduction teams.

This rule will not affect the land or water uses or natural resources of the coastal zone, as specified under section 307 of the Coastal Zone Management Act.

References

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Carretta, J.V., E. Oleson, D.W. Weller, A.R. Lang, K.A. Forney, J. Baker, B. Hanson, K Martien, M.M. Muto, M.S. Lowry, J. Barlow, D. Lynch, L. Carswell, R.L. Brownell Jr., D.K. Mattila, and M.C. Hill. 2013. U.S. Pacific Marine Mammal Stock Assessments: 2013 (Draft). NOAA Technical Memorandum NOAA–TM–NMFS–SWFSC–xxx. 306 p. Available at: *http://www.nmfs.noaa.gov/pr/sars/pdf/po2013_draft.pdf.*

Waring, G.T., E. Josephson, K. Maze-Foley, and P.E. Rosel, editors. 2013. Draft U.S. Atlantic and Gulf of Mexico Marine Mammal Stocks Assessments, 2013. NOAA Technical Memorandum NOAA–NE–xxx. 543 p. Available at: *http://www.nmfs.noaa.gov/pr/sars/pdf/ao2013_draft.pdf.*

NMFS. 2012. NOAA Fisheries Policy Directive 02–038–01 Process for Injury Determinations (01/27/12). Available at: *http://www.nmfs.noaa.gov/pr/pdfs/serious_injury_policy.pdf.*

Dated: March 6, 2014.

Samuel D. Rauch III,

Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

[FR Doc. 2014–05576 Filed 3–13–14; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 131021878–4158–02]

RIN 0648–XD175

Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Less Than 60 feet (18.3 Meters) Length Overall Using Jig or Hook-and-Line Gear in the Bogoslof Pacific Cod Exemption Area in the Bering Sea and Aleutian Islands Management Area

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

ACTION: Temporary rule; closure.

SUMMARY: NMFS is prohibiting directed fishing for Pacific cod by catcher vessels less than 60 feet (18.3 meters (m)) length overall (LOA) using jig or hook-and-line gear in the Bogoslof Pacific cod exemption area of the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to prevent exceeding the limit of Pacific cod for catcher vessels less than 60 feet (18.3 m) LOA using jig or hook-and-line gear in the Bogoslof Pacific cod exemption area in the BSAI.

DATES: Effective 1200 hrs, Alaska local time (A.l.t.), March 11, 2014, through 2400 hrs, A.l.t., December 31, 2014.

FOR FURTHER INFORMATION CONTACT: Josh Keaton, 907–586–7228.

SUPPLEMENTARY INFORMATION: NMFS manages the groundfish fishery in the BSAI according to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

In accordance with § 679.22(a)(7)(i)(C)(*2*), the Administrator, Alaska Region, NMFS (Regional Administrator), has determined that 113 metric tons of Pacific cod have been caught by catcher vessels less than 60 feet (18.3 m) LOA using jig or hook-and-line gear in the Bogoslof exemption area described at § 679.22(a)(7)(i)(C)(*1*). Consequently, the Regional Administrator is prohibiting directed fishing for Pacific cod by catcher vessels less than 60 feet (18.3 m) LOA using jig or hook-and-line gear in the Bogoslof Pacific cod exemption area.

After the effective date of this closure the maximum retainable amounts at § 679.20(e) and (f) apply at any time during a trip.

Classification

This action responds to the best available information recently obtained from the fishery. The Assistant Administrator for Fisheries, NOAA (AA), finds good cause to waive the requirement to provide prior notice and opportunity for public comment pursuant to the authority set forth at 5 U.S.C. 553(b)(B) and § 679.25(c)(1)(ii) as such requirement is impracticable and contrary to the public interest. This requirement is impracticable and contrary to the public interest as it would prevent NMFS from responding to the most recent fisheries data in a timely fashion and would delay the directed fishery closure of Pacific cod by catcher vessels less than 60 feet (18.3 m) LOA using jig or hook-and-line gear in the Bogoslof Pacific cod exemption area. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became available as of March 10, 2014.

The AA also finds good cause to waive the 30-day delay in the effective date of this action under 5 U.S.C. 553(d)(3). This finding is based upon the reasons provided above for waiver of prior notice and opportunity for public comment.

This action is required by § 679.22 and is exempt from review under Executive Order 12866.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: March 11, 2014.

Emily H. Menashes,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2014–05648 Filed 3–11–14; 4:15 pm]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 130925836–4174–02]

RIN 0648–XD166

Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Hook-and-Line Gear in the Central Regulatory Area of the Gulf of Alaska

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

ACTION: Temporary rule; closure.

SUMMARY: NMFS is prohibiting directed fishing for Pacific cod by catcher vessels less than 50 feet (15.2 meters (m)) length overall (LOA) using hook-and-line gear in the Central Regulatory Area of the Gulf of Alaska (GOA). This action is necessary to prevent exceeding the A season allowance of the 2014 Pacific cod total allowable catch apportioned to catcher vessels less than 50 feet (15.2 m) LOA using hook-and-line gear in the Central Regulatory Area of the GOA.

DATES: Effective 1200 hours, Alaska local time (A.l.t.), March 11, 2014, through 1200 hours, A.l.t., September 1, 2014.

FOR FURTHER INFORMATION CONTACT: Obren Davis, 907–586–7228.

SUPPLEMENTARY INFORMATION: NMFS manages the groundfish fishery in the GOA exclusive economic zone according to the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679. Regulations governing sideboard protections for GOA groundfish fisheries appear at subpart B of 50 CFR part 680.

The A season allowance of the 2014 Pacific cod total allowable catch (TAC) apportioned to catcher vessels less than 50 feet (15.2 m) LOA using hook-and-line gear in the Central Regulatory Area of the GOA is 3,636 metric tons (mt), as established by the final 2014 and 2015 harvest specifications for groundfish of the GOA (79 FR 12890, March 26, 2014).

In accordance with § 679.20(d)(1)(i), the Administrator, Alaska Region, NMFS (Regional Administrator) has determined that the A season allowance of the 2014 Pacific cod TAC apportioned to catcher vessels less than 50 feet (15.2 m) LOA using hook-and-line gear in the Central Regulatory Area of the GOA will soon be reached. Therefore, the Regional Administrator is establishing a directed fishing allowance of 3,486 mt and is setting aside the remaining 150 mt as bycatch to support other anticipated groundfish fisheries. In accordance with § 679.20(d)(1)(iii), the Regional Administrator finds that this directed fishing allowance has been reached. Consequently, NMFS is prohibiting directed fishing for Pacific cod by catcher vessels less than 50 feet (15.2 m) LOA using hook-and-line gear in the Central Regulatory Area of the GOA. After the effective date of this closure the maximum retainable amounts at § 679.20(e) and (f) apply at any time during a trip.

Classification

This action responds to the best available information recently obtained from the fishery. The Assistant Administrator for Fisheries, NOAA (AA), finds good cause to waive the requirement to provide prior notice and opportunity for public comment pursuant to the authority set forth at 5 U.S.C. 553(b)(B) as such requirement is impracticable and contrary to the public interest. This requirement is impracticable and contrary to the public interest as it would prevent NMFS from responding to the most recent fisheries data in a timely fashion and would delay the directed fishing closure of Pacific cod for catcher vessels less than 50 feet (15.2 m) LOA using hook-and-line gear in the Central Regulatory Area of the GOA. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became available as of March 10, 2014.

The AA also finds good cause to waive the 30-day delay in the effective date of this action under 5 U.S.C. 553(d)(3). This finding is based upon the reasons provided above for waiver of prior notice and opportunity for public comment.

This action is required by § 679.20 and is exempt from review under Executive Order 12866.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: March 11, 2014.

Emily H. Menashes,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2014–05647 Filed 3–11–14; 4:15 pm]

BILLING CODE 3510–22–P

Proposed Rules

Federal Register
Vol. 79, No. 50
Friday, March 14, 2014

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 AGRICULTURE

Agricultural Marketing Service

7 CFR Part 959

[Docket No. AMS–FV–13–0098; FV14–959–1 CR]

Onions Grown in South Texas; Continuance Referendum

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Referendum order.

SUMMARY: This document directs that a referendum be conducted among eligible producers of onions grown in South Texas to determine whether they favor continuance of the marketing order that regulates the handling of onions produced in the production area.

DATES: The referendum will be conducted from May 12 through May 27, 2014. To vote in this referendum, producers must have produced onions within the designated production area in Texas during the period of August 1, 2012, through July 31, 2013.

ADDRESSES: Copies of the marketing order may be obtained from the referendum agents at 799 Overlook Drive, Winter Haven, FL 33884, or the Office of the Docket Clerk, Marketing Order and Agreement Division, Fruit and Vegetable Program, AMS, USDA, 1400 Independence Avenue SW., STOP 0237, Washington, DC 20250–0237; Fax: (202) 720–8938; or Internet: *www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Doris Jamieson, Marketing Specialist, or Christian D. Nissen, Regional Director, Southeast Marketing Field Office, Marketing Order and Agreement Division, Fruit and Vegetable Program, AMS, USDA, 799 Overlook Drive, Winter Haven, FL 33884; Telephone: (863) 324–3375, Fax: (863) 325–8793, or Email: *Doris.Jamieson@ams.usda.gov* or *Christian.Nissen@ams.usda.gov.*

SUPPLEMENTARY INFORMATION: Pursuant to Marketing Order No. 959, as amended (7 CFR Part 959), hereinafter referred to as the ''order,'' and the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), hereinafter referred to as the ''Act,'' it is hereby directed that a referendum be conducted to ascertain whether continuance of the order is favored by the producers. The referendum shall be conducted from May 12 through May 27, 2014, among onion producers in the production area. Only Texas onion producers that were engaged in the production of onions grown in South Texas during the period of August 1, 2012, through July 31, 2013, may participate in the continuance referendum.

USDA has determined that continuance referenda are an effective means for determining whether producers favor the continuation of marketing order programs. USDA would consider termination of the order if fewer than two-thirds of the producers voting in the referendum and producers of less than two-thirds of the volume of onions grown in South Texas represented in the referendum favor continuance. In evaluating the merits of continuance versus termination, USDA will consider the results of the continuance referendum. USDA will also consider all other relevant information concerning the operation of the order and the relative benefits and disadvantages to producers, handlers, and consumers in determining whether continued operation of the order would tend to effectuate the declared policy of the Act.

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520), the ballot materials to be used in the referendum have been submitted to and approved by the Office of Management and Budget (OMB) and have been assigned OMB No. 0581–0178, Vegetable and Specialty Crop Marketing Orders. It has been estimated that it will take an average of 20 minutes for each of the approximately 100 producers of onions grown in South Texas to cast a ballot. Participation is voluntary. Ballots postmarked after May 27, 2014, will not be included in the vote tabulation.

Doris Jamieson and Christian D. Nissen of the Southeast Marketing Field Office, Fruit and Vegetable Program, AMS, USDA, are hereby designated as the referendum agents of the Secretary of Agriculture to conduct this referendum. The procedure applicable to the referendum shall be the ''Procedure for the Conduct of Referenda in Connection With Marketing Orders for Fruits, Vegetables, and Nuts Pursuant to the Agricultural Marketing Agreement Act of 1937, as Amended'' (7 CFR 900.400–900.407).

Ballots will be mailed to all producers of record and may also be obtained from the referendum agents, or from their appointees.

List of Subjects in 7 CFR Part 959

Marketing agreements, Onions, Reporting and recordkeeping requirements.

Authority: 7 U.S.C. 601–674.

Dated: February 21, 2014.

Rex A. Barnes,

Associate Administrator, Agricultural Marketing Service.

[FR Doc. 2014–05586 Filed 3–13–14; 8:45 am]

BILLING CODE P

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 984

[Doc. No. AMS–FV–13–0099; FV14–984–1 CR]

Walnuts Grown in California; Continuance Referendum

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Referendum order.

SUMMARY: This document directs that a referendum be conducted among eligible California walnut growers to determine whether they favor continuance of the marketing order regulating the handling of walnuts grown in California.

DATES: The referendum will be conducted from April 1 through April 19, 2014. To vote in this referendum, growers must have produced walnuts in California during the period September 1, 2012, through August 31, 2013.

ADDRESSES: Copies of the marketing order may be obtained from the California Marketing Field Office, Marketing Order and Agreement Division, Fruit and Vegetable Program, AMS, U.S. Department of Agriculture, 2202 Monterey Street, Suite 102B, Fresno, California, 93721–3129, or the

Office of the Docket Clerk, Marketing Order and Agreement Division, Fruit and Vegetable Program, AMS, USDA, 1400 Independence Avenue SW., STOP 0237, Washington, DC 20250–0237, or Internet: *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Andrea Ricci, Marketing Specialist, or Martin Engeler, Regional Director, California Marketing Field Office, Marketing Order and Agreement Division, Fruit and Vegetable Program, AMS, USDA; Telephone: (559) 487–5901, Fax: (559) 487–5906, or Email: *Andrea.Ricci@ams.usda.gov* or *Martin.Engeler@ams.usda.gov,* respectively.

SUPPLEMENTARY INFORMATION: Pursuant to Marketing Order No. 984, as amended (7 CFR part 984), hereinafter referred to as the ''order,'' and the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), hereinafter referred to as the ''Act,'' it is hereby directed that a referendum be conducted to ascertain whether continuance of the order is favored by growers. The referendum shall be conducted from April 1 through April 19, 2014, among eligible California walnut growers. Only current growers that were also engaged in the production of walnuts in California during the period of September 1, 2012, through August 31, 2013, may participate in the continuance referendum.

USDA has determined that continuance referenda are an effective means for determining whether growers favor the continuation of marketing order programs. USDA would consider termination of the order if less than two-thirds of the growers voting in the referendum and growers of less than two-thirds of the volume of California walnuts represented in the referendum favor continuance of their program. In evaluating the merits of continuance versus termination, USDA will consider the results of the continuance referendum and other relevant information regarding operation of the order. USDA will also consider the order's relative benefits and disadvantages to growers, handlers, and consumers to determine whether continuing the order would tend to effectuate the declared policy of the Act.

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the ballot materials used in the referendum herein ordered have been approved by the Office of Management and Budget (OMB), under OMB No. 0581–0178, Walnuts Grown in California. It has been estimated that it will take an average of 20 minutes for each of the approximately 4,100 growers of California walnuts to cast a ballot. Participation is voluntary. Ballots postmarked after April 19, 2014, will not be included in the vote tabulation.

Andrea Ricci and Terry Vawter of the California Marketing Field Office, Fruit and Vegetable Program, AMS, USDA, are hereby designated as the referendum agents of the Secretary of Agriculture to conduct this referendum. The procedure applicable to the referendum shall be the ''Procedure for the Conduct of Referenda in Connection With Marketing Orders for Fruits, Vegetables, and Nuts Pursuant to the Agricultural Marketing Agreement Act of 1937, as Amended'' (7 CFR 900.400–900.407).

Ballots will be mailed to all growers of record and may also be obtained from the referendum agents or from their appointees.

List of Subjects in 7 CFR Part 984

Marketing agreements, Nuts, Reporting and recordkeeping requirements, Walnuts.

Authority: 7 U.S.C. 601–674.

Dated: February 26, 2014.

Rex A. Barnes,

Associate Administrator, Agricultural Marketing Service.

[FR Doc. 2014–05585 Filed 3–13–14; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 985

[Doc. No. AMS–FV–13–0087; FV14–985–1 PR]

Marketing Order Regulating the Handling of Spearmint Oil Produced in the Far West; Salable Quantities and Allotment Percentages for the 2014–2015 Marketing Year

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Proposed rule.

SUMMARY: This proposed rule invites comments on proposed limits to the quantity of Far West Scotch and Native spearmint oil that handlers may purchase from, or handle on behalf of, producers during the 2014–2015 marketing year, which begins on June 1, 2014. The Far West includes Washington, Idaho, Oregon, and designated parts of Nevada and Utah. The salable quantity and allotment percentage for Class 1 (Scotch) spearmint oil would be set at 1,149,030 pounds and 55 percent, respectively. For Class 3 (Native) spearmint oil, the salable quantity and allotment percentage would be set at 1,090,821 pounds and 46 percent, respectively. The Spearmint Oil Administrative Committee (Committee), the agency responsible for local administration of the marketing order for spearmint oil produced in the Far West, recommended these quantities.

DATES: Comments must be received by March 31, 2014.

ADDRESSES: Interested persons are invited to submit written comments concerning this proposal. Comments must be sent to the Docket Clerk, Marketing Order and Agreement Division, Fruit and Vegetable Program, AMS, USDA, 1400 Independence Avenue SW., STOP 0237, Washington, DC 20250–0237; Fax: (202) 720–8938; or Internet: *http://www.regulations.gov.* All comments should reference the document number and the date and page number of this issue of the **Federal Register** and will be made available for public inspection in the Office of the Docket Clerk during regular business hours, or can be viewed at: *http://www.regulations.gov.* All comments submitted in response to this proposal will be included in the record and will be made available to the public. Please be advised that the identity of the individuals or entities submitting the comments will be made public on the internet at the address provided above.

FOR FURTHER INFORMATION CONTACT: Manuel Michel, Marketing Specialist, or Gary Olson, Regional Director, Northwest Marketing Field Office, Marketing Order and Agreement Division, Fruit and Vegetable Program, AMS, USDA; Telephone: (503) 326–2724, Fax: (503) 326–7440, or Email: *Manuel.Michel@ams.usda.gov* or *GaryD.Olson@ams.usda.gov.*

Small businesses may request information on complying with this regulation by contacting Jeffrey Smutny, Marketing Order and Agreement Division, Fruit and Vegetable Program, AMS, USDA, 1400 Independence Avenue SW., STOP 0237, Washington, DC 20250–0237; Telephone: (202) 720–2491, Fax: (202) 720–8938, or Email: *Jeffrey.Smutny@ams.usda.gov.*

SUPPLEMENTARY INFORMATION: This proposal is issued under Marketing Order No. 985 (7 CFR Part 985), as amended, regulating the handling of spearmint oil produced in the Far West (Washington, Idaho, Oregon, and designated parts of Nevada and Utah), hereinafter referred to as the ''order.'' The order is effective under the Agricultural Marketing Agreement Act

of 1937, as amended (7 U.S.C. 601–674), hereinafter referred to as the ''Act.''

The Department of Agriculture (USDA) is issuing this proposed rule in conformance with Executive Orders 12866, 13175, and 13563.

This proposed rule has been reviewed under Executive Order 12988, Civil Justice Reform. This proposed rule is not intended to have retroactive effect. Under the order now in effect, salable quantities and allotment percentages may be established for classes of spearmint oil produced in the Far West. This proposed rule would establish the quantity of spearmint oil produced in the Far West, by class, which handlers may purchase from, or handle on behalf of, producers during the 2014–2015 marketing year, which begins on June 1, 2014.

The Act provides that administrative proceedings must be exhausted before parties may file suit in court. Under section 608c(15)(A) of the Act, any handler subject to an order may file with USDA a petition stating that the order, any provision of the order, or any obligation imposed in connection with the order is not in accordance with law and request a modification of the order or to be exempted therefrom. A handler is afforded the opportunity for a hearing on the petition. After the hearing, USDA would rule on the petition. The Act provides that the district court of the United States in any district in which the handler is an inhabitant, or has his or her principal place of business, has jurisdiction to review USDA's ruling on the petition, provided an action is filed not later than 20 days after the date of the entry of the ruling.

The Committee meets annually in the fall to adopt a marketing policy for the ensuing marketing year or years. In determining such marketing policy, the Committee considers a number of factors, including, but not limited to, the current and projected supply, estimated future demand, production costs, and producer prices for all classes of spearmint oil. Input from spearmint oil handlers and producers regarding prospective marketing conditions for the upcoming year is considered as well. During the meeting, the Committee recommends to USDA any volume regulations deemed necessary to meet market requirements and to establish orderly marketing conditions for Far West spearmint oil. If the Committee's marketing policy considerations indicate a need for limiting the quantity of any or all classes of spearmint oil marketed, the Committee subsequently recommends the establishment of a salable quantity and allotment percentage for such class or classes of oil for the forthcoming marketing year.

The salable quantity represents the total amount of each class of spearmint oil that handlers may purchase from, or handle on behalf of, producers during the marketing year. The allotment percentage is the percentage used to calculate each producer's prorated share of the salable quantity. The calculation applies the allotment percentage to a producer's allotment base for each applicable class of spearmint oil. The allotment base is each producer's quantified share of the spearmint oil market based on a statistical representation of past spearmint oil production, with accommodation for reasonable and normal adjustments to such base as prescribed by the Committee and approved by USDA. Salable quantities are established at levels intended to meet market requirements and to establish orderly marketing conditions. Committee recommendations for volume controls are made well in advance of the period in which the regulations are to be effective, thereby allowing producers the chance to adjust their production decisions accordingly.

Pursuant to authority in §§ 985.50, 985.51, and 985.52 of the order, the full eight-member Committee met on November 6, 2013, and recommended salable quantities and allotment percentages for both classes of oil for the 2014–2015 marketing year. The Committee unanimously recommended the establishment of a salable quantity and allotment percentage for Class 1 (Scotch) spearmint oil of 1,149,030 pounds and 55 percent, respectively. The Committee, also with a unanimous vote, recommended the establishment of a salable quantity and allotment percentage for Class 3 (Native) spearmint oil of 1,090,821 pounds and 46 percent, respectively.

This action would set the amount of Scotch and Native spearmint oil that handlers may purchase from, or handle on behalf of, producers during the 2014–2015 marketing year, which begins on June 1, 2014. Salable quantities and allotment percentages have been placed into effect each season since the order's inception in 1980.

Class 1 (Scotch) Spearmint Oil

As noted above, the Committee unanimously recommended a salable quantity of Scotch spearmint oil of 1,149,030 pounds and an allotment percentage of 55 percent for the upcoming 2014–2015 marketing year. The Committee utilized 2014–2015 sales estimates for Scotch spearmint oil, as provided by several of the industry's handlers, as well as historical and current Scotch spearmint oil production and inventory statistics, to arrive at these recommendations.

Trade demand for Far West Scotch spearmint oil is expected to rise from 981,536 pounds in the 2013–2014 marketing year to 1,000,000 pounds in 2014–2015, if not more. Industry reports indicate an increasing consumer demand for mint flavored products has resulted in increasing demand for Far West Scotch spearmint oil. Information gathered from spearmint oil handlers also supports this conclusion.

Production of Far West Scotch spearmint oil increased from 636,626 pounds in 2012 to 1,057,377 pounds in 2013. Committee members attribute the increase in production to both the low level of reserves and growing demand. Given that these factors are expected to continue in the coming 2014–2015 year, the Committee expects production to increase to as much as 1,300,000 pounds in that marketing year.

The Committee also estimates that there will be zero carry-in of Scotch spearmint oil on June 1, 2014, the beginning of the 2014–2015 marketing year. This figure, which is the primary measure of excess supply, down from an estimated 16,022 pounds the previous year, is below the minimum carry-in quantity that the Committee considers favorable. The demand during the 2012–2013 marketing year equaled total supply resulting in the zero carry-in.

The 2014–2015 salable quantity of 1,149,030 pounds recommended by the Committee represents an increase of 75,631 pounds over the total supply available during the previous marketing year. Total supply for 2013–2014 amounted to 1,073,399 pounds (1,057,377 pounds produced plus 16,022 pounds held in reserve).

The Committee estimates 2014–2015 demand for Scotch spearmint oil at 1,000,000 pounds. When considered in conjunction with the forecast that there will be zero available carry-in of Scotch spearmint oil on June 1, 2014, the recommended salable quantity of 1,149,030 pounds would satisfy market demand and yield a carry-in of 149,030 pounds for the 2015–2016 marketing year.

The Committee's stated intent in the use of marketing order volume control regulations for Scotch spearmint oil is to keep adequate supplies available to meet market needs and establish orderly marketing conditions. While the salable quantity recommended for the upcoming marketing year is less than the salable quantity set for the previous year (2013–2014 at 1,344,500 pounds), the Committee felt that the

recommended limit would adequately meet demand, as well as result in carry-in for the following year. With that in mind, the Committee developed its recommendation for the proposed Scotch spearmint oil salable quantity and allotment percentage for the 2014–2015 marketing year based on the information discussed above, as well as the data outlined below.

(A) *Estimated carry-in of Scotch spearmint oil on June 1, 2014–0 pounds.* This figure is the difference between the revised 2013–2014 marketing year total available supply of 1,073,399 pounds and the estimated 2013–2014 marketing year trade demand of 1,073,399 pounds.

(B) *Estimated trade demand of Scotch spearmint oil for the 2014–2015 marketing year—1,000,000 pounds.* This figure is based on input from producers at five Scotch spearmint oil production area meetings held in late September and early October 2013, as well as estimates provided by handlers and other meeting participants at the November 6, 2013, meeting. The average estimated trade demand provided at the five production area meetings is 1,033,000 pounds, which is 25,750 pounds less than the average of trade demand estimates submitted by handlers. However, Far West Scotch spearmint oil sales have averaged 819,824 pounds per year over the last five years. Given this information, the Committee decided it was prudent to anticipate the trade demand at 1,000,000 pounds. Should the initially established volume control levels prove insufficient to adequately supply the market, the Committee has the authority to recommend intra-seasonal increases as needed.

(C) *Salable quantity of Scotch spearmint oil required from the 2014–2015 marketing year production—1,000,000 pounds.* This figure is the difference between the estimated 2014–2015 marketing year trade demand (1,000,000 pounds) and the estimated carry-in on June 1, 2014 (0 pounds). This figure represents the minimum salable quantity that may be needed to satisfy estimated demand for the coming year with no carryover.

(D) *Total estimated allotment base of Scotch spearmint oil for the 2014–2015 marketing year—2,089,146 pounds.* This figure represents a one-percent increase over the revised 2013–2014 total allotment base. This figure is generally revised each year on June 1 due to producer base being lost because of the bona fide effort production provisions of § 985.53(e). The revision is usually minimal.

(E) *Computed Scotch spearmint oil 2014–2015 marketing year allotment percentage—47.9 percent.* This percentage is computed by dividing the minimum required salable quantity (1,000,000 pounds) by the total estimated allotment base (2,089,146 pounds).

(F) *Recommended Scotch spearmint oil 2014–2015 marketing year allotment percentage—55 percent.* This is the Committee's recommendation and is based on the computed allotment percentage (47.9 percent), the average of the computed allotment percentage figures from the five production area meetings (46.2 percent), and input from producers and handlers at the November 6, 2013, meeting. The recommended 55 percent allotment percentage is also based on the Committee's belief that the computed percentage (47.9 percent) may not adequately supply the potential 2014–2015 Scotch spearmint oil market.

(G) *Recommended Scotch spearmint oil 2014–2015 marketing year salable quantity—1,149,030 pounds.* This figure is the product of the recommended allotment percentage (55 percent) and the total estimated allotment base (2,089,146 pounds).

(H) *Estimated total available supply of Scotch spearmint oil for the 2014–2015 marketing year—1,149,030 pounds.* This figure is the sum of the 2014–2015 recommended salable quantity (1,149,030 pounds) and the estimated carry-in on June 1, 2014 (0 pounds).

Class 3 (Native) Spearmint Oil

At the November 6, 2013, meeting, the Committee also recommended a 2014–2015 Native spearmint oil salable quantity of 1,090,821 pounds and an allotment percentage of 46 percent. The Committee utilized Native spearmint oil sales estimates for 2014–2015 marketing year, as provided by several of the industry's handlers, as well as historical and current Native spearmint oil market statistics to establish these thresholds. The recommended volume control levels represent a decrease of 341,380 pounds and 15 percentage points over the previous year's initially established salable quantity and allotment percentage.

The Committee also estimates that there will be 461,260 pounds reserve of Native spearmint oil on June 1, 2014. This figure, which is the oil held in reserve by producers, is down from an industry peak of 606,942 pounds in 2011. Reserve levels of Native spearmint oil are nearing the level that the Committee believes is optimal for the industry.

Committee statistics indicate that demand for Far West Native spearmint oil has been gradually increasing since 2009. Spearmint oil handlers, who previously projected the 2013–2014 trade demand for Far West Native spearmint oil to be in the range of 1,100,000 pounds to 1,400,000 pounds (with an average of 1,300,000 pounds), have projected trade demand for the 2014–2015 marketing period to be in the range of 1,290,000 pounds to 1,400,000 pounds (with an average of 1,347,500).

Given the above, the Committee estimates that approximately 1,300,000 pounds of Native spearmint oil may be sold during the 2014–2015 marketing year. When considered in conjunction with the estimated carry-in of 307,297 pounds of Native spearmint oil on June 1, 2014, the recommended salable quantity of 1,090,821 pounds results in an estimated total available supply of 1,398,118 pounds of Native spearmint oil during the 2014–2015 marketing year. Estimated carry-in of Native spearmint oil at the beginning of the 2015–2016 marketing year would be approximately 98,118 pounds. Carry-in spearmint oil is distinct from reserve pool spearmint oil and represents the amount of salable spearmint oil produced, but not marketed, in previous years and is available for sale in the current year. It is the primary measure of excess spearmint oil supply under the order. Reserve pool oil represents the amount of excess oil held by the Committee, on behalf of the producers, that is not currently available to the market. The Committee's stated intent in the use of marketing order volume control regulations for Native spearmint oil is to keep adequate supplies available to meet market needs and establish orderly marketing conditions. With that in mind, the Committee developed its recommendation for the proposed Native spearmint oil salable quantity and allotment percentage for the 2014–2015 marketing year based on the information discussed above, as well as the data outlined below.

(A) *Estimated carry-in of Native spearmint oil on June 1, 2014—307,297 pounds.* This figure is the difference between the revised 2013–2014 marketing year total available supply of 1,577,297 pounds and the estimated 2013–2014 marketing year trade demand of 1,270,000 pounds.

(B) *Estimated trade demand of Native spearmint oil for the 2014–2015 marketing year—1,300,000 pounds.* This estimate is established by the Committee and is based on input from producers at six Native spearmint oil production area meetings held in late September and early October 2013, as well as estimates provided by handlers and other meeting participants at the

November 6, 2013, meeting. The average estimated trade demand provided at the six production area meetings was 1,271,281 pounds, whereas the handlers' estimates ranged from 1,290,000 pounds to 1,400,000 pounds, and averaged 1,347,500 pounds. The average of Far West Native spearmint oil sales over the last five years is 1,190,928 pounds.

(C) *Salable quantity of Native spearmint oil required from the 2014–2015 marketing year production—992,703 pounds.* This figure is the difference between the estimated 2014–2015 marketing year trade demand (1,300,000 pounds) and the estimated carry-in on June 1, 2014 (307,297 pounds). This is the minimum amount that the Committee believes would be required to meet the anticipated 2014–2015 Native spearmint oil trade demand.

(D) *Total estimated allotment base of Native spearmint oil for the 2014–2015 marketing year—2,371,350 pounds.* This figure represents a one-percent increase over the revised 2013–2014 total allotment base. This figure is generally revised each year on June 1 due to producer base being lost due to the bona fide effort production provisions of § 985.53(e). The revision is usually minimal.

(E) *Computed Native spearmint oil 2014–2015 marketing year allotment percentage—41.9 percent.* This percentage is computed by dividing the required salable quantity (992,703 pounds) by the total estimated allotment base (2,371,350 pounds).

(F) *Recommended Native spearmint oil 2014–2015 marketing year allotment percentage—46 percent.* This is the Committee's recommendation based on the computed allotment percentage (41.9 percent), the average of the computed allotment percentage figures from the six production area meetings (39.9 percent), and input from producers and handlers at the November 6, 2013, meeting. The recommended 46 percent allotment percentage is also based on the Committee's belief that the computed percentage (41.9 percent) may not adequately supply the potential 2014–2015 Native spearmint oil market.

(G) *Recommended Native spearmint oil 2014–2015 marketing year salable quantity—1,090,821 pounds.* This figure is the product of the recommended allotment percentage (46 percent) and the total estimated allotment base (2,371,350 pounds).

(H) *Estimated available supply of Native spearmint oil for the 2014–2015 marketing year—1,398,118 pounds.* This figure is the sum of the 2014–2015 recommended salable quantity (1,090,821 pounds) and the estimated carry-in on June 1, 2014 (307,297 pounds).

The salable quantity is the total quantity of each class of spearmint oil that handlers may purchase from, or handle on behalf of, producers during a marketing year. Each producer is allotted a share of the salable quantity by applying the allotment percentage to the producer's allotment base for the applicable class of spearmint oil.

The Committee's recommended Scotch and Native spearmint oil salable quantities and allotment percentages of 1,149,030 pounds and 55 percent, and 1,090,821 pounds and 46 percent, respectively, are based on the goal of establishing and maintaining market stability. The Committee anticipates that this goal would be achieved by matching the available supply of each class of Spearmint oil to the estimated demand of such, thus avoiding extreme fluctuations in inventories and prices.

The proposed salable quantities are not expected to cause a shortage of spearmint oil supplies. Any unanticipated or additional market demand for spearmint oil which may develop during the marketing year could be satisfied by an intra-seasonal increase in the salable quantity. The order contains a provision for intra-seasonal increases to allow the Committee the flexibility to respond quickly to changing market conditions.

Under volume regulation, producers who produce more than their annual allotments during the 2014–2015 marketing year may transfer such excess spearmint oil to producers who have produced less than their annual allotment. In addition, up until November 1, 2014, producers may place excess spearmint oil production into the reserve pool to be released in the future in accordance with market needs.

This proposed regulation, if adopted, would be similar to regulations issued in prior seasons. The average initial allotment percentage for the five most recent marketing years for Scotch spearmint oil is 41.4 percent, while the average initial allotment percentage for the same five-year period for Native spearmint oil is 50.2 percent. Costs to producers and handlers resulting from this rule are expected to be offset by the benefits derived from a stable market and improved returns. In conjunction with the issuance of this proposed rule, USDA has reviewed the Committee's marketing policy statement for the 2014–2015 marketing year. The Committee's marketing policy statement, a requirement whenever the Committee recommends volume regulation, fully meets the intent of § 985.50 of the order.

During its discussion of potential 2014–2015 salable quantities and allotment percentages, the Committee considered: (1) The estimated quantity of salable oil of each class held by producers and handlers; (2) the estimated demand for each class of oil; (3) the prospective production of each class of oil; (4) the total of allotment bases of each class of oil for the current marketing year and the estimated total of allotment bases of each class for the ensuing marketing year; (5) the quantity of reserve oil, by class, in storage; (6) producer prices of oil, including prices for each class of oil; and (7) general market conditions for each class of oil, including whether the estimated season average price to producers is likely to exceed parity. Conformity with USDA's ''Guidelines for Fruit, Vegetable, and Specialty Crop Marketing Orders'' has also been reviewed and confirmed.

The establishment of these salable quantities and allotment percentages would allow for anticipated market needs. In determining anticipated market needs, the Committee considered historical sales, as well as changes and trends in production and demand. This rule also provides producers with information on the amount of spearmint oil that should be produced for the 2014–2015 season in order to meet anticipated market demand.

Initial Regulatory Flexibility Analysis

Pursuant to requirements set forth in the Regulatory Flexibility Act (RFA) (5 U.S.C. 601–612), the Agricultural Marketing Service (AMS) has considered the economic impact of this action on small entities. Accordingly, AMS has prepared this initial regulatory flexibility analysis.

The purpose of the RFA is to fit regulatory actions to the scale of businesses subject to such actions in order that small businesses will not be unduly or disproportionately burdened. Marketing orders issued pursuant to the Act, and the rules issued thereunder, are unique in that they are brought about through group action of essentially small entities acting on their own behalf.

There are eight spearmint oil handlers subject to regulation under the order, and approximately 39 producers of Scotch spearmint oil and approximately 91 producers of Native spearmint oil in the regulated production area. Small agricultural service firms are defined by the Small Business Administration (SBA) as those having annual receipts of less than $7,000,000, and small

agricultural producers are defined as those having annual receipts of less than $750,000 (13 CFR 121.201).

Based on the SBA's definition of small entities, the Committee estimates that two of the eight handlers regulated by the order could be considered small entities. Most of the handlers are large corporations involved in the international trading of essential oils and the products of essential oils. In addition, the Committee estimates that 22 of the 39 Scotch spearmint oil producers, and 29 of the 91 Native spearmint oil producers could be classified as small entities under the SBA definition. Thus, a majority of handlers and producers of Far West spearmint oil may not be classified as small entities.

The Far West spearmint oil industry is characterized by producers whose farming operations generally involve more than one commodity, and whose income from farming operations is not exclusively dependent on the production of spearmint oil. A typical spearmint oil-producing operation has enough acreage for rotation such that the total acreage required to produce the crop is about one-third spearmint and two-thirds rotational crops. Thus, the typical spearmint oil producer has to have considerably more acreage than is planted to spearmint during any given season. Crop rotation is an essential cultural practice in the production of spearmint oil for purposes of weed, insect, and disease control. To remain economically viable with the added costs associated with spearmint oil production, a majority of spearmint oil-producing farms fall into the SBA category of large businesses.

Small spearmint oil producers generally are not as extensively diversified as larger ones and as such are more at risk from market fluctuations. Such small producers generally need to market their entire annual allotment and do not have the luxury of having other crops to cushion seasons with poor spearmint oil returns. Conversely, large diversified producers have the potential to endure one or more seasons of poor spearmint oil markets because income from alternate crops could support the operation for a period of time. Being reasonably assured of a stable price and market provides small producing entities with the ability to maintain proper cash flow and to meet annual expenses. Thus, the market and price stability provided by the order potentially benefit small producers more than such provisions benefit large producers. Even though a majority of handlers and producers of spearmint oil may not be classified as small entities, the volume control feature of this order has small entity orientation.

This proposed rule would establish the quantity of spearmint oil produced in the Far West, by class, that handlers may purchase from, or handle on behalf of, producers during the 2014–2015 marketing year. The Committee recommended this rule to help maintain stability in the spearmint oil market by matching supply to estimated demand, thereby avoiding extreme fluctuations in supplies and prices. Establishing quantities that may be purchased or handled during the marketing year through volume regulations allows producers to plan their spearmint planting and harvesting to meet expected market needs. The provisions of §§ 985.50, 985.51, and 985.52 of the order authorize this rule.

Instability in the spearmint oil sub-sector of the mint industry is much more likely to originate on the supply side than the demand side. Fluctuations in yield and acreage planted from season-to-season tend to be larger than fluctuations in the amount purchased by handlers. Notwithstanding the recent global recession and the overall negative impact on demand for consumer goods that utilize spearmint oil, demand for spearmint oil tends to change slowly from year to year.

Demand for spearmint oil at the farm level is derived from retail demand for spearmint-flavored products such as chewing gum, toothpaste, and mouthwash. The manufacturers of these products are by far the largest users of spearmint oil. However, spearmint flavoring is generally a very minor component of the products in which it is used, so changes in the raw product price have virtually no impact on retail prices for those goods.

Spearmint oil production tends to be cyclical. Years of relatively high production, with demand remaining reasonably stable, have led to periods in which large producer stocks of unsold spearmint oil have depressed producer prices for a number of years. Shortages and high prices may follow in subsequent years, as producers respond to price signals by cutting back production.

The significant variability of the spearmint oil market is illustrated by the fact that the coefficient of variation (a standard measure of variability; ''CV'') of Far West spearmint oil grower prices for the period 1980–2012 (when the marketing order was in effect) is 0.19, compared to 0.34 for the decade prior to the promulgation of the order (1970–79) and 0.48 for the prior 20-year period (1960–79). This provides an indication of the price stabilizing impact of the marketing order.

Production in the shortest marketing year was about 47 percent of the 34-year average (1.92 million pounds from 1980 through 2013) and the largest crop was approximately 160 percent of the 34-year average. A key consequence is that, in years of oversupply and low prices, the season average producer price of spearmint oil is below the average cost of production (as measured by the Washington State University Cooperative Extension Service).

The wide fluctuations in supply and prices that result from this cycle, which was even more pronounced before the creation of the order, can create liquidity problems for some producers. The order was designed to reduce the price impacts of the cyclical swings in production. However, producers have been less able to weather these cycles in recent years because of the increase in production costs. While prices have been relatively steady, the cost of production has increased to the extent that plans to plant spearmint may be postponed or changed indefinitely. Producers are also enticed by the prices of alternative crops and their lower cost of production.

In an effort to stabilize prices, the spearmint oil industry uses the volume control mechanisms authorized under the order. This authority allows the Committee to recommend a salable quantity and allotment percentage for each class of oil for the upcoming marketing year. The salable quantity for each class of oil is the total volume of oil that producers may sell during the marketing year. The allotment percentage for each class of spearmint oil is derived by dividing the salable quantity by the total allotment base.

Each producer is then issued an annual allotment certificate, in pounds, for the applicable class of oil, which is calculated by multiplying the producer's allotment base by the applicable allotment percentage. This is the amount of oil of each applicable class that the producer can sell.

By November 1 of each year, the Committee identifies any oil that individual producers have produced above the volume specified on their annual allotment certificates. This excess oil is placed in a reserve pool administered by the Committee.

There is a reserve pool for each class of oil that may not be sold during the current marketing year unless USDA approves a Committee recommendation to increase the salable quantity and allotment percentage for a class of oil and make a portion of the pool available. However, limited quantities of

reserve oil are typically sold by one producer to another producer to fill deficiencies. A deficiency occurs when on-farm production is less than a producer's allotment. In that case, a producer's own reserve oil can be sold to fill that deficiency. Excess production (higher than the producer's allotment) can be sold to fill other producers' deficiencies. All of these provisions need to be exercised prior to November 1 of each year.

In any given year, the total available supply of spearmint oil is composed of current production plus carryover stocks from the previous crop. The Committee seeks to maintain market stability by balancing supply and demand, and to close the marketing year with an appropriate level of salable spearmint oil to carry over into the subsequent marketing year. If the industry has production in excess of the salable quantity, then the reserve pool absorbs the surplus quantity of spearmint oil, which goes unsold during that year, unless the oil is needed for unanticipated sales.

Under its provisions, the order may attempt to stabilize prices by (1) limiting supply and establishing reserves in high production years, thus minimizing the price-depressing effect that excess producer stocks have on unsold spearmint oil, and (2) ensuring that stocks are available in short supply years when prices would otherwise increase dramatically. The reserve pool stocks, which are increased in large production years, are drawn down in years where the crop is short.

An econometric model was used to assess the impact that volume control has on the prices producers receive for their commodity. Without volume control, spearmint oil markets would likely be over-supplied. This could result in low producer prices and a large volume of oil stored and carried over to the next crop year. The model estimates how much lower producer prices would likely be in the absence of volume controls.

The Committee estimated trade demand for the 2014–2015 marketing year for both classes of oil at 2,300,000 pounds, and that the expected combined salable carry-in will be 307,297 pounds. This results in a combined required salable quantity of 1,992,703 pounds. With volume control, sales by producers for the 2014–2015 marketing year would be limited to 2,239,851 pounds (the recommended salable quantity for both classes of spearmint oil).

The recommended allotment percentages, upon which 2014–2015 producer allotments are based, are 55 percent for Scotch and 46 percent for Native. Without volume controls, producers would not be limited to these allotment levels, and could produce and sell additional spearmint. The econometric model estimated a decline of about $1.90 in the season average producer price per pound (from both classes of spearmint oil) resulting from the higher quantities that would be produced and marketed without volume control. The surplus situation for the spearmint oil market that would exist without volume controls in 2014–2015 also would likely dampen prospects for improved producer prices in future years because of the buildup in stocks.

The use of volume control allows the industry to fully supply spearmint oil markets while avoiding the negative consequences of over-supplying these markets. The use of volume control is believed to have little or no effect on consumer prices of products containing spearmint oil and would not result in fewer retail sales of such products.

The Committee discussed alternatives to the recommendations contained in this rule for both classes of spearmint oil. The Committee discussed and rejected the idea of recommending that there not be any volume regulation for both classes of spearmint oil because of the severe price-depressing effects that would occur without volume control.

After computing the initial 47.9 percent Scotch spearmint oil allotment percentage, the Committee considered various alternative levels of volume control for Scotch spearmint oil. Even with the moderately optimistic marketing conditions, there was consensus from the Committee that the Scotch spearmint oil allotment percentage for 2014–2015 should be less than the percentage established for the 2013–2014 marketing year (65 percent). After considerable discussion, the eight-member committee unanimously determined that 1,149,030 pounds and 55 percent would be the most effective Scotch spearmint oil salable quantity and allotment percentage, respectively, for the 2014–2015 marketing year.

The Committee was also able to reach a consensus regarding the level of volume control for Native spearmint oil. After first determining the computed allotment percentage at 41.9 percent, the Committee unanimously recommended 1,090,821 pounds and 46 percent for the effective Native spearmint oil salable quantity and allotment percentage, respectively, for the 2014–2015 marketing year.

As noted earlier, the Committee's recommendation to establish salable quantities and allotment percentages for both classes of spearmint oil was made after careful consideration of all available information including: (1) The estimated quantity of salable oil of each class held by producers and handlers; (2) the estimated demand for each class of oil; (3) the prospective production of each class of oil; (4) the total of allotment bases of each class of oil for the current marketing year and the estimated total of allotment bases of each class for the ensuing marketing year; (5) the quantity of reserve oil, by class, in storage; (6) producer prices of oil, including prices for each class of oil; and (7) general market conditions for each class of oil, including whether the estimated season average price to producers is likely to exceed parity. Based on its review, the Committee believes that the salable quantity and allotment percentage levels recommended would achieve the objectives sought.

Without any regulations in effect, the Committee believes the industry would return to the pronounced cyclical price patterns that occurred prior to the order, and that prices in 2014–2015 could decline substantially below current levels.

According to the Committee, the recommended salable quantities and allotment percentages are expected to facilitate the goal of establishing orderly marketing conditions for Far West spearmint oil.

As previously stated, annual salable quantities and allotment percentages have been issued for both classes of spearmint oil since the order's inception.

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the order's information collection requirements have been previously approved by the Office of Management and Budget (OMB) and assigned OMB No. 0581–0178, Vegetable and Specialty Crops. No changes in those requirements as a result of this action are necessary. Should any changes become necessary, they would be submitted to OMB for approval.

This proposed rule would establish the salable quantities and allotment percentages for Class 1 (Scotch) spearmint oil and Class 3 (Native) spearmint oil produced in the Far West during the 2014–2015 marketing year. Accordingly, this action would not impose any additional reporting or recordkeeping requirements on either small or large spearmint oil producers or handlers. As with all Federal marketing order programs, reports and forms are periodically reviewed to reduce information requirements and

duplication by industry and public sector agencies.

AMS is committed to complying with the E-Government Act to promote the use of the internet and other information technologies to provide increased opportunities for citizen access to Government information and services, and for other purposes.

USDA has not identified any relevant Federal rules that duplicate, overlap, or conflict with this proposed rule.

The Committee's meeting was widely publicized throughout the spearmint oil industry and all interested persons were invited to attend the meeting and participate in Committee deliberations on all issues. Like all Committee meetings, the November 6, 2013, meeting was a public meeting and all entities, both large and small, were able to express views on this issue. Finally, interested persons are invited to submit comments on this proposed rule, including the regulatory and informational impacts of this action on small businesses.

A small business guide on complying with fruit, vegetable, and specialty crop marketing agreements and orders may be viewed at: *http://www.ams.usda.gov/MarketingOrdersSmallBusinessGuide*. Any questions about the compliance guide should be sent to Jeffrey Smutny at the previously mentioned address in the **FOR FURTHER INFORMATION CONTACT** section.

A 15-day comment period is provided to allow interested persons to respond to this proposed rule. Fifteen days is deemed appropriate because: (1) The 2014–2015 fiscal period begins on June 1, 2014, and a final determination on the salable quantities and allotment percentages should be made prior to handlers purchasing from, or handling on behalf of, producers any oil for the ensuing marketing year; and (2) handlers are aware of this action, which was recommended by the Committee at a public meeting and is similar to other salable quantities and allotment percentages issued in past years.

List of Subjects in 7 CFR Part 985

Marketing agreements, Oils and fats, Reporting and recordkeeping requirements, Spearmint oil.

For the reasons set forth in the preamble, 7 CFR Part 985 is proposed to be amended as follows:

PART 985—MARKETING ORDER REGULATING THE HANDLING OF SPEARMINT OIL PRODUCED IN THE FAR WEST

■ 1. The authority citation for 7 CFR Part 985 continues to read as follows:

Authority: 7 U.S.C. 601–674.

■ 2. Section 985.233 is added to read as follows:

Note: This section will not appear in the Code of Federal Regulations.

§ 985.233 Salable quantities and allotment percentages—2014–2015 marketing year.

The salable quantity and allotment percentage for each class of spearmint oil during the marketing year beginning on June 1, 2014, shall be as follows:

(a) Class 1 (Scotch) oil—a salable quantity of 1,149,030 pounds and an allotment percentage of 55 percent.

(b) Class 3 (Native) oil—a salable quantity of 1,090,821 pounds and an allotment percentage of 46 percent.

Dated: March 5, 2014.

Rex A. Barnes,

Associate Administrator, Agricultural Marketing Service.

[FR Doc. 2014–05587 Filed 3–13–14; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2014–0156; Directorate Identifier 2014–CE–001–AD]

RIN 2120–AA64

Airworthiness Directives; Costruzioni Aeronautiche Tecnam srl 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 Costruzioni Aeronautiche Tecnam srl Model P2006T 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 a cracked engine mount. 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 April 28, 2014.

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 Costruzioni Aeronautiche Tecnam Airworthiness Office, Via Maiorise–81043 Capua (CE) Italy; telephone: +39 0823 620134; fax: +39 0823 622899; email: *m.oliva@tecnam.com* or *g.paduano@tecnam.com*; Internet: *www.tecnam.com/it-IT/documenti/service-bulletins.aspx.* You may review copies of the 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–2014–0156; 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: Albert Mercado, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329–4119; fax: (816) 329–4090; email: *albert.mercado@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–2014–0156; Directorate Identifier 2014–CE–001–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.: 2014–0001, dated January 6, 2014 (referred to after this as ''the MCAI''), to correct an unsafe condition for Costruzioni Aeronautiche Tecnam srl Model P2006T airplanes. The MCAI states:

During a ''100 hours'' inspection of a P2006T aeroplane, one engine mount Part Number (P/N) 26–7–1200–000 was found cracked on a node.

This condition, if not detected and corrected, could lead to engine damage, possibly resulting in damage to the aeroplane and injury to the occupants.

To address this potential unsafe condition, TECNAM issued Service Bulletin (SB) 138–CS-Rev0, providing inspection instructions.

For the reasons described above, this AD requires a one-time inspection of each engine mount P/N 26–7–1200–000 and, depending on findings, replacement of the engine mount(s).

This AD is considered an interim action and further AD action may follow.

You may examine the MCAI on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2014–0156.

Relevant Service Information

Costruzioni Aeronautiche Tecnam srl has issued Service Bulletin No. SB 138–CS, Rev. 0, dated November 25, 2013. The actions described in this service information are intended to correct the unsafe condition identified in the MCAI.

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.

Interim Action

We consider this AD interim action. We are proposing requiring inspection of the left hand and right hand engine mounts with a report to the manufacturer of the results if cracks or deformation are found. We will work with the type certificate holder to evaluate the report results to determine repetitive inspection intervals and subsequent terminating action. Based on this evaluation, we may initiate further rulemaking action to address the unsafe condition identified in this AD.

Costs of Compliance

We estimate that this proposed AD will affect 10 products of U.S. registry. We also estimate that it would take about 6 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 $5,100, or $510 per product.

In addition, we estimate that any necessary follow-on actions would take about 18 work-hours and require parts costing $1,570 (per engine mount), for a cost of $3,100 per product. We have no way of determining 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. Amend § 39.13 by adding the following new AD:

Costruzioni Aeronautiche Tecnam srl: Docket No. FAA–2014–0156; Directorate Identifier 2014–CE–001–AD.

(a) Comments Due Date

We must receive comments by April 28, 2014.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Costruzioni Aeronautiche Tecnam srl Model P2006T airplanes, all serial numbers, certificated in any category.

(d) Subject

Air Transport Association of America (ATA) Code 71: Power Plant.

(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 a cracked engine mount. We are issuing this AD to detect and correct cracked or deformed engine mounts, which could lead to engine damage, possibly resulting in damage to the airplane and injury to the occupants.

(f) Actions and Compliance

Unless already done, do the following actions as specified in paragraphs (f)(1) through (f)(3) of this AD:

(1) *For airplanes with 600 hours time-in-service (TIS) or more as of the effective date of this AD:* Within the next 25 hours TIS after the effective date of this AD or within the next 30 days after the effective date of this AD, whichever occurs first, inspect the left hand and right hand engine mounts, part number (P/N) 26–7–1200–000, for cracks and deformation following Costruzioni Aeronautiche TECNAM Service Bulletin No. SB 138–CS, Rev. 0, dated November 25, 2013.

(2) *For airplanes with less than 600 hours TIS as of the effective date of this AD:* After accumulating 600 hours TIS but before exceeding 625 hours TIS, inspect the left hand and right hand engine mounts, P/N 26–7–1200–000, for cracks and deformation following Costruzioni Aeronautiche TECNAM Service Bulletin No. SB 138–CS, Rev. 0, dated November 25, 2013.

(3) If a crack or any other deformation is found during the inspection required by paragraph (f)(1) or (f)(2) of this AD, before further flight, you must contact Costruzioni Aeronautiche Tecnam srl to obtain FAA-approved repair instructions approved specifically for compliance with this AD and incorporate those instructions. You can find contact information for Costruzioni Aeronautiche Tecnam srl in paragraph (h) of this AD. Use the occurrence report in Costruzioni Aeronautiche TECNAM Service Bulletin No. SB 138–CS, Rev. 0, dated November 25, 2013.

(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: Albert Mercado, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329–4119; fax: (816) 329–4090; email: *albert.mercado@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

MCAI European Aviation Safety Agency (EASA) AD No.: 2014–0001, dated January 6, 2014, for related information. You may examine the MCAI on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2014–0156. For service information related to this AD, contact Costruzioni Aeronautiche Tecnam Airworthiness Office, Via Maiorise–81043 Capua (CE) Italy; telephone: +39 0823 620134; fax: +39 0823 622899; email: *m.oliva@tecnam.com or g.paduano@tecnam.com;* Internet: *www.tecnam.com/it-IT/documenti/service-bulletins.aspx.* 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 March 7, 2014.

Steven W. Thompson,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2014–05612 Filed 3–13–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2013–0986; Airspace Docket No. 13–AGL–25]

Proposed Establishment of Class E Airspace; Bois Blanc Island, MI

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to establish Class E airspace at Bois Blanc Island, MI. Controlled airspace is necessary to accommodate new Standard Instrument Approach Procedures (SIAP) at Bois Blanc Island Airport. The FAA is taking this action to enhance the safety and management of Instrument Flight Rules (IFR) operations for SIAPs at the airport.

DATES: Comments must be received on or before April 28, 2014.

ADDRESSES: Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12–140, Washington, DC 20590–0001. You must identify the docket number FAA–2013–0986/Airspace Docket No. 13–AGL–25, at the beginning of your comments. You may also submit comments through the Internet at *http://www.regulations.gov.* You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays. The Docket Office (telephone 1–800–647–5527), is on the ground floor of the building at the above address.

FOR FURTHER INFORMATION CONTACT: Raul Garza, Jr., Central Service Center, Operations Support Group, Federal Aviation Administration, Southwest Region, 2601 Meacham Blvd., Fort Worth, TX 76137; telephone: 817–321–7654.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall

regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify both docket numbers and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket No. FAA–2013–0986/Airspace Docket No. 13–AGL–25.'' The postcard will be date/time stamped and returned to the commenter.

Availability of NPRMs

An electronic copy of this document may be downloaded through the Internet at *http://www.regulations.gov*. Recently published rulemaking documents can also be accessed through the FAA's Web page at *http://www.faa.gov/airports_airtraffic/air_traffic/publications/airspace_amendments/.*

You may review the public docket containing the proposal, any comments received and any final disposition in person in the Dockets Office (see **ADDRESSES** section for address and phone number) between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours at the office of the Central Service Center, 2601 Meacham Blvd., Fort Worth, TX 76137.

Persons interested in being placed on a mailing list for future NPRMs should contact the FAA's Office of Rulemaking (202) 267–9677, to request a copy of Advisory Circular No. 11–2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

The Proposal

This action proposes to amend Title 14, Code of Federal Regulations (14 CFR), Part 71 by establishing Class E airspace extending upward from 700 feet above the surface within a 6.3-mile radius of Bois Blanc Island Airport, Bois Blanc, MI, to accommodate new standard instrument approach procedures. Controlled airspace is needed for the safety and management of IFR operations at the airport.

Class E airspace areas are published in Paragraph 6005 of FAA Order 7400.9X, dated August 7, 2013 and effective September 15, 2013, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document would be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. 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 will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will 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 U.S. Code. Subtitle 1, 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 would establish controlled airspace at Bois Blanc Island Airport, Bois Blanc Island, MI.

Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1E, ''Environmental Impacts: Policies and Procedures'' prior to any FAA final regulatory action.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (Air).

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 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(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 7400.9X, Airspace Designations and Reporting Points, dated August 7, 2013 and effective September 15, 2013, is amended as follows:

Paragraph 6005 Class E Airspace areas extending upward from 700 feet or more above the surface of the earth.

* * * * *

AGL MI E5 Bois Blanc Island, MI [New]

Bois Blanc Island Airport, MI
(Lat. 45°45′59″ N., long. 084°30′14″ W.)

That airspace extending upward from 700 feet above the surface within a 6.3-mile radius of Bois Blanc Island Airport.

Issued in Fort Worth, TX, on March 4, 2014.

Kent M. Wheeler,

Acting Manager, Operations Support Group, ATO Central Service Center.

[FR Doc. 2014–05688 Filed 3–13–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF LABOR

Employment and Training Administration

20 CFR Part 655

RIN 1205–ZA00

Wage Methodology for the Temporary Non-Agricultural Employment H–2B Program

AGENCY: Employment and Training Administration, Labor.

ACTION: Notification of Status of the 2011 H–2B Wage Rule.

SUMMARY: The Department of Labor (DOL) is providing notice to the regulated community of the status of Wage Methodology for the Temporary Non-agricultural Employment H–2B Program, published January 19, 2011 in the **Federal Register**. DOL intends to publish a notice of proposed rulemaking on the proper wage methodology for the H–2B program, working off of the 2011 Wage Rule as a starting point.

DATES: March 14, 2014.

FOR FURTHER INFORMATION CONTACT: For further information, contact William L. Carlson, Ph.D., Administrator, Office of Foreign Labor Certification, ETA, U.S. Department of Labor, 200 Constitution Avenue NW., Room C–4312, Washington, DC 20210; Telephone (202) 693–3010 (this is not a toll-free number). Individuals with hearing or

speech impairments may access the telephone number above via TTY by calling the toll-free Federal Information Relay Service at 1–800–877–8339.

SUPPLEMENTARY INFORMATION: As discussed below, DOL intends to publish a notice of proposed rulemaking on the proper wage methodology for the H–2B program, working off of as a starting point Wage Methodology for the Temporary Non-agricultural Employment H–2B Program, 76 FR 3452 (2011 Wage Rule). Until such time as DOL finalizes a new wage methodology, the current wage methodology contained in 20 CFR 655.10(b), as set by Wage Methodology for the Temporary Non-Agricultural Employment H–2B Program, Part 2, 78 FR 24047 (Apr. 24, 2013) (2013 IFR), will remain unchanged and continue in effect. We will consolidate our current review of comments on the 2013 IFR with review of comments received on the new notice of proposed rulemaking, and will issue a final rule accordingly.

The Immigration and Nationality Act (INA) establishes the H–2B visa classification for a non-agricultural temporary worker ''having a residence in a foreign country which he has no intention of abandoning who is coming temporarily to the United States to perform . . . temporary [non-agricultural] service or labor if unemployed persons capable of performing such service or labor cannot be found in this country[.]'' 8 U.S.C. 1101(a)(15)(H)(ii)(b). Section 214(c)(1) of the INA, 8 U.S.C. 1184(c)(1), requires an importing employer (H–2B employer) to petition the Department of Homeland Security (DHS) for classification of the prospective temporary worker as an H–2B nonimmigrant. This petition shall be made and approved before the beneficiary can be considered eligible for an H–2B visa or H–2B status. The INA requires DHS to consult with ''appropriate agencies of the Government'' before adjudicating an H–2B petition. *Id.*

DHS has determined that in order to administer the INA's H–2B visa program it must consult with the Department of Labor (DOL) to determine whether U.S. workers capable of performing the temporary services or labor are available and that the foreign worker's employment will not adversely affect the wages or working conditions of similarly employed U.S. workers. 8 CFR 214.2(h)(6)(iii)(A).[1] DHS's regulation requires employers to obtain certification from DOL that these conditions are met prior to submitting a petition to DHS. *Id.* In addition, as part of DOL's certification, DHS requires DOL to determine the prevailing wage applicable to an application for temporary labor certification. 8 CFR 214.2(h)(6)(iii)(D).

DOL has established procedures to certify whether a qualified U.S. worker is available to fill the petitioning H–2B employer's job opportunity and whether foreign worker's employment in the job opportunity will adversely affect the wages or working conditions of similarly employed U.S. workers. *See* 20 CFR part 655, subpart A. As part of DOL's labor certification process and, pursuant to the DHS regulations, 8 CFR 214.2(h)(6)(iii)(D), DOL sets the wage that employers must offer and pay foreign workers entering the country on an H–2B visa. *See* 20 CFR 655.10.

In 2008, DOL issued regulations governing DOL's role in the H–2B temporary worker program, and the regulation established, among other things, a methodology for determining the wage that a prospective H–2B employer must pay. Labor Certification Process and Enforcement for Temporary Employment in Occupations Other Than Agriculture or Registered Nursing in the United States (H–2B Workers), and Other Technical Changes, 73 FR 78020 (Dec. 19, 2008) (the 2008 rule).[2] The 2008 rule provided that the prevailing wage would be the collective bargaining agreement (CBA) wage rate, if the job opportunity was covered by an agreement negotiated at arms' length between a union and the employer; the Occupational Employment Statistics (OES) four-tier wage rate if there was no CBA; a survey if an employer elected to provide an acceptable survey; or a wage rate under the Davis-Bacon Act (DBA), 40 U.S.C. 276a *et seq.,* or the McNamara-O'Hara Service Contract Act (SCA), 41 U.S.C. 351 *et seq.,* if one was available for the occupation in the area of intended employment. *See* 20 CFR 655.10(b)(2) (2009). In the absence of the CBA wage, the employer could elect to use the applicable SCA or the DBA wage in lieu of the OES wage. *See* 20 CFR 655.10(b) (2009). The 2008 rule required that when the prevailing wage determinations were based on the OES wage survey, which is compiled by the Bureau of Labor Statistics (BLS), the wage must be structured to contain four tiers to reflect skill and experience.[3] Most provisions of the 2008 rule were subject to the Administrative Procedure Act's (APA) procedural requirements, but because DOL had already been implementing the four-tiered wages in the H–2B program pursuant to sub-regulatory guidance,[4] DOL did not seek public comments on the use of the four-tiered wage methodology for determining prevailing wages when promulgating the 2008 rule. 73 FR at 78031.

In 2009, shortly after the promulgation of the 2008 H–2B regulation, worker advocacy groups filed suit under the APA challenging several aspects of the 2008 rule. *Comite de Apoya a los Trabajadores Agricolas* v. *Solis,* Civ. No. 2:09–cv–240–LP, 2010 WL 3431761 (E.D. Pa.) (*CATA I*). Among the issues raised in this litigation was the use of the four-tiered wage structure in the H–2B program. In the August 30, 2010 decision, the Court ruled that DOL had violated the APA by failing to adequately explain its reasoning for adopting skill and experience levels as part of the H–2B prevailing wage determination process. Id. at *19. The court ordered promulgation of ''new rules concerning the calculation of the prevailing wage rate in the H–2B program that are in compliance with the [APA].'' *Id.* at *27.

In response to the *CATA I* order, DOL published a final rule, Wage Methodology for the Temporary Non-agricultural Employment H–2B Program, on January 19, 2011, 76 FR 3452 (the 2011 Wage Rule). In that rule, DOL determined that ''there are no significant skill-based wage differences in the occupations that predominate in the H–2B program, and to the extent such differences might exist, those differences are not captured by the existing four-tier wage structure.'' 76 FR at 3460. Therefore, the 2011 Wage Rule revised the wage methodology by eliminating the 2008 rule's four-tier wage structure on the ground that it

[1] The regulation establishes a different procedure for the Territory of Guam, under which a petitioning employer must apply for a temporary labor certification with the Governor of Guam. 8 CFR 214.2(h)(6)(iii)(A).

[2] Before 2008, DOL set the prevailing wage in the H–2B program through sub-regulatory guidance. *See, e.g.,* General Administration Letter (GAL) 10–84, ''Procedures for Temporary Labor Certifications in Non Agricultural Occupations'' (April 23, 1984); GAL 4–95, ''Interim Prevailing Wage Policy for Nonagricultural Immigration Programs'' (May 18, 1995), Attachment I,; GAL 2–98, ''Prevailing Wage Policy for Nonagricultural Immigration Programs'' (November 30, 1998).

[3] Because the OES survey captures no information about actual skills or responsibilities of the workers whose wages are being reported, the four-tiered wage structure, adapted from the statutorily required four tiers applicable to the H–1B visa program under sec. 212(p)(4) of the INA, was derived by mathematical formula as follows to reflect ''entry level,'' ''qualified,'' ''experienced,'' and ''fully competent'' workers: Level 1 is the mean of the lowest-paid 1/3, or approximately the 17th percentile; Level 2 is approximately the 34th percentile; Level 3 is approximately the 50th percentile; and Level 4 is the mean of the highest-paid 2/3, or approximately the 67th percentile.

[4] *See supra* n.1.

violated the obligation to set H–2B wages at a rate that did not adversely affect U.S. workers' wages.[5] *Id.* at 3458–3461. The new methodology set the prevailing wage as the highest of the OES arithmetic mean wage for each occupational category in the area of intended employment; the applicable SCA/DBA wage rate; or the CBA wage. The rule also eliminated the use of employer-provided surveys as alternative wage sources, except in limited circumstances.[6] The effective date of the 2011 Wage Rule was originally set for January 1, 2012. However, as a result of litigation challenging the effective date and following notice-and-comment rulemaking, DOL issued a final rule, 76 FR 45667 (Aug. 1, 2011), revising the effective date of the 2011 Wage Rule to September 30, 2011, and a second final rule, 76 FR 59896 (Sept. 28, 2011), further revising the effective date of the 2011 Wage Rule to November 30, 2011.

Shortly before the 2011 Wage Rule was to become effective, Congress effectively barred its implementation. The Consolidated and Further Continuing Appropriations Act, 2012, enacted on November 18, 2011, provided that ''[n]one of the funds made available by this or any other Act for fiscal year 2012 may be used to implement, administer, or enforce, prior to January 1, 2012 the [2011 Wage Rule].'' Public Law 112–55, 125 Stat. 552, Div. B, Title V, sec. 546 (Nov. 18, 2011) (the November 2011 Appropriations Act). In response to the Congressional prohibition on implementation, DOL delayed the effective date of the 2011 Wage Rule until January 1, 2012. 76 FR 73508 (Nov. 29, 2011). The delayed effective date was necessary because, although the November 2011 Appropriations Act prevented the expenditure of funds to implement, administer, or enforce the 2011 Wage Rule, it did not prevent the 2011 Wage Rule from going into effect. 76 FR at 73509. Had the 2011 Wage Rule gone into effect, it would have superseded and nullified the prevailing wage provisions from the 2008 rule. Implementing the 2011 Wage rule would have left DOL with new wage provisions which DOL lacked appropriated funds to implement and enforce, in effect leaving DOL without a methodology to make prevailing wage determinations. *Id.* Because the issuance of a prevailing wage determination is a condition precedent to approving an employer's request for an H–2B labor certification, 20 CFR 655.10, DOL's H–2B labor certification program would be inoperable without the ability to issue a prevailing wage pursuant to regulatory standards. Accordingly, we determined that it was necessary, in light of the Consolidated and Further Continuing Appropriations Act, 2012, to delay the effective date of the 2011 Wage Rule to allow DOL to continue to make prevailing wage determinations. Therefore failing to delay the effective date (in conjunction with the rider prohibiting enforcement or implementation) would have meant the H–2B program would have ceased to function.

Subsequent appropriations legislation[7] contained the same restriction prohibiting DOL's use of appropriated funds to implement, administer, or enforce the 2011 Wage Rule. This legislation necessitated subsequent extensions of the effective date of that rule. *See* 76 FR 82115 (Dec. 30, 2011) (extending the effective date to Oct. 1, 2012); 77 FR 60040 (Oct. 2, 2012) (extending the effective date to Mar. 27, 2013); 78 FR 19098 (Mar. 29, 2013) (extending the effective date to Oct. 1, 2013). While the 2011 Wage Rule implementation was suspended, DOL remained unable to implement the wage methodology that, among other things, eliminated the four-tier wage structure, and instead relied on the prevailing wage provisions of the 2008 rule, including the use of the four-tiered wage structure, when issuing a prevailing wage based on the OES.

Based on DOL's ongoing use of the 2008 rule's four wage tiers, the *CATA I* plaintiffs returned to court seeking immediate vacatur of the four-tiered wage structure from the 2008 rule. On March 21, 2013, the district court agreed with plaintiffs that its prior holding that the four-tiered wage structure was promulgated in violation of the APA remained unremedied. Therefore, the court vacated 20 CFR 655.10(b)(2), which was the basis for the four-tiered wage structure, and remanded the matter to DOL, ordering Defendants to comply within 30 days. *Comite de Apoyo a los Trabajadores Agricolas* v. *Solis,* 933 F. Supp. 2d 700 (E.D. Pa. 2013) *(CATA II).*

In response to the vacatur and 30-day compliance order in *CATA II,* DOL, together with DHS (the Departments),[8] promulgated an interim final rule, Wage Methodology for the Temporary Non-Agricultural Employment H–2B Program, Part 2, 78 FR 24047 (Apr. 24, 2013) (2013 IFR), establishing a new wage methodology. In the 2013 IFR, the Departments struck the phrase, ''at the skill level,'' from 20 CFR 655.10(b)(2). As a result of the deletion of this phrase, the Departments now require that

[5] DOL found that in 2010, almost 75 percent of H–2B jobs were certified at a Level 1 wage (the mean of the lowest one-third of all reported wages), and over a several year period, approximately 96 percent of the prevailing wages issued were lower than the mean of the OES wage rates for the same occupation. 76 FR at 3463. DOL determined that in the low-skilled occupations in the H–2B program, the mean ''represents the wage that the average employer is willing to pay for unskilled workers to perform that job.'' *Id.* Therefore, DOL concluded that the use of skill levels adversely affected U.S. workers because it ''artificially lowers [wages] to a point that [they] no longer represent[] a market-based wage for that occupation.'' *Id.* The application of the four levels set a wage ''below what the average similarly employed worker is paid.'' *Id.* DOL concluded that ''the net result is an adverse effect on the [U.S.] worker's income.'' 76 FR at 3463.

[6] These circumstances include very specific situations in which there are no data to determine an OES wage (for instance, certain geographic locations, such as the Commonwealth of the Northern Mariana Islands, are not included in BLS's data collection) and there are no applicable CBA, DBA or SCA wages; or where an employer may not be party to a CBA, and cannot use a DBA wage, an SCA wage, or an OES wage because the job opportunity is not accurately represented within the job classification used in those surveys. 76 FR at 3466–3467.

[7] These include the Consolidated Appropriations Act of 2012, Public Law 112–74, 125 Stat. 786 (Dec. 23, 2011); Continuing Appropriations Resolution, 2013, Public Law 112–175, 126 Stat. 1313 (Sept. 28, 2012); Consolidated and Further Continuing Appropriations Act, 2013, Public Law 113–6, 127 Stat. 198 (Mar. 26, 2013); Continuing Appropriations Act, 2014, Public Law 113–46, 127 Stat. 558 (Oct. 17, 2013); and Joint Resolution Making further Continuing Appropriations for Fiscal Year 2014, Public Law 113–73, 128 Stat. 3 (Jan. 15, 2014).

[8] The Departments issued the 2013 IFR jointly to dispel questions that arose contemporaneously with its promulgation regarding the respective roles of the two agencies and the validity of DOL's regulations as an appropriate way to implement the interagency consultation specified in section 214(c)(1) of the INA, 8 U.S.C. 1184(c)(1). *See Bayou Lawn & Landscape Servs.* v. *Sec'y of Labor,* 713 F.3d 1080 (11th Cir. 2013) (concluding that plaintiffs are likely to prevail on their allegation that the Department of Labor lacks independent rulemaking authority under the INA to issue legislative regulations implementing its role in the H–2B program). However, the *Bayou* ruling involved only a decision on whether the district court's entry of a preliminary injunction against implementation of DOL's H–2B rule based on an assessment of plaintiffs' likelihood of success on the merits was without error, and was not a final judgment on the merits of plaintiffs' claim that DOL is without authority to promulgate legislative rules in the H–2B program. The latter issue is currently before the district court awaiting decision on pending motions for summary judgment. In sharp contrast to the *Bayou* case, in an APA challenge to the 2011 Wage Rule, which also tested DOL's authority to issue legislative rules in the H–2B program, the U.S. Court of Appeals for the Third Circuit held recently that ''DOL has authority to promulgate rules concerning the temporary labor certification process in the context of the H–2B program, and that the 2011 Wage Rule was validly promulgated pursuant to that authority.'' *La. Forestry Ass'n* v. *Perez,* — F.3d —-, 2014 WL 444157, at *11 (3d Cir. Feb. 5, 2014); *see also G.H. Daniels & Assocs., Inc.* v. *Solis,* 2013 WL 5216453, *4–5 (D. Colo. Sept. 17, 2013) (DOL has authority to issue H–2B legislative rules), *appeal pending,* No. 13–1479 (10th Cir.).

prevailing wage determinations issued using the OES survey to be based on the mean wage for the occupation in the area of intended employment without tiers or skill levels. 78 FR at 24053. That revision became effective on April 24, 2013, the date of publication, because of the need to comply within the 30-day period ordered by the *CATA II* Court. The rule was published pursuant to 5 U.S.C. 553(b)(B), which authorizes agencies to make a rule effective immediately upon a showing of ''good cause.'' Significantly, however, the 2013 IFR only implemented the court-ordered change to the wage methodology but left intact all other provisions of the wage methodology contained in the 2008 rule, including allowing the use of employer-submitted surveys, and permitting voluntary use of the SCA or DBA wage if one was available for the occupation in the area of intended employment. Despite immediate implementation of the provisions of the 2013 IFR, the Departments requested comments on all aspects of the prevailing wage provisions of 20 CFR 655.10(b), including, among other things, whether the OES mean is the appropriate basis for determining the prevailing wage; whether wages based on the DBA or SCA should be used to determine the prevailing wage, and if so, to what extent; and whether the continued use of employer-submitted surveys should be permitted and if so, how to strengthen their methodology. The comment period closed on June 10, 2013, and the Departments received over 300 comments on all aspects of the H–2B wage methodology from interested parties.

On July 23, 2013, DOL proposed the indefinite delay of the effective date of the 2011 Wage Rule, and accepted comments from the public on the proposed indefinite delay through August 9, 2013. 78 FR 44054. The reasons for this delay were two-fold: First, at that time, implementation of the 2011 Wage Rule was still effectively made impossible by Congress's continued refusal to appropriate funding for this purpose, with no indication that the prohibition on the use of appropriated funds would be lifted in the future. Second, at that time, the Departments were reviewing and analyzing the comments received on the 2013 IFR to determine whether changes to 20 CFR 655.10(b) were warranted in light of the public comments. For these two reasons, on August 30, 2013 DOL published a final rule indefinitely delaying the effective date of the 2011 Wage Rule. 78 FR 53643, 53645 (indefinite delay rule). In the final indefinite delay rule, DOL stated that when ''Congress no longer prohibits implementation of the 2011 Wage Rule, the Department [of Labor] will publish a document in the **Federal Register** within 45 days of that event apprising the public of the status of 20 CFR 655.10 and the effective date of the 2011 Wage Rule.'' *Id.* DOL also stated that, ''if Congress lifts the prohibition against implementation of the 2011 Wage Rule, the Department [of Labor] would need time to assess the current regulatory framework, to consider any changed circumstances, novel concerns or new information received, and to minimize disruptions.'' 78 FR at 53645.

On January 17, 2014, the Consolidated Appropriations Act, 2014, Public Law 113–76, 128 Stat. 5, was enacted. For the first time in over two years, DOL's appropriations did not prohibit the implementation or enforcement of the 2011 Wage Rule. Moreover, on February 5, 2014, the Third Circuit Court of Appeals held that ''DOL has authority to promulgate rules concerning the temporary labor certification process in the context of the H–2B program, and that the 2011 Wage Rule was validly promulgated pursuant to that authority.'' *La. Forestry Ass'n* v. *Perez,* — F.3d —,2014 WL 444157, at *11 (3d Cir. 2014). The Third Circuit further found that DOL did not act in contravention of the procedural requirements of the APA in issuing the 2011 Wage Rule, and that the INA's requirement of the four wage tiers in the H–1B program, 8 U.S.C. 1182(p)(4), applies only to that program and is not mandated in the H–2B program. *Id.* at *17–20.

DOL is now ''free to take any steps deemed necessary to implement, administer and enforce the regulations.'' *See Am. Fed'n of Gov. Employees* v. *OPM,* 821 F.2d 761, 764 (D.C. Cir. 1987). Accordingly, as described below, DOL intends to engage in further notice and comment rulemaking in order to move toward implementing, subject to modifications based on the notice and comment, the 2011 Wage Rule.

With the appropriations rider pertaining to the 2011 Wage Rule having been lifted, the Department has begun the process of determining how to implement that rule, keeping in mind the overlap between that rule and the comments submitted in connection with the 2013 IFR. DOL has determined that recent developments in the H–2B program require consideration of the comments submitted in connection with the 2013 IFR, and that further notice and comment is appropriate. As stated in the preamble to the 2011 Wage Rule (76 FR 3458–61), and the preamble to the 2013 IFR (79 FR 24053–54), DOL will continue to implement the H–2B wage methodology using the OES mean wage rate as the proper baseline for setting prevailing wage rates. DOL continues to evaluate other policy choices, including the possible use of SCA and DBA wage rates and private surveys, in light of additional public input and program experience. After receiving and reviewing this information, DOL intends to exercise its rulemaking authority to implement a regulation governing the wage methodology in the H–2B program, modified as necessary to accommodate these developments and considerations.

Therefore in light of the current regulatory landscape and in response to Congress's recent actions, as well as judicial decisions, DOL intends to publish a notice of proposed rulemaking on the proper wage methodology for the H–2B program, working off of the 2011 Wage Rule as a starting point. Until such time as DOL finalizes a new wage methodology, the current wage methodology contained in 20 CFR 655.10(b), as set by the 2013 IFR, will remain unchanged and continue in effect. We will consolidate our current review of comments on the 2013 IFR with review of comments received on the new notice of proposed rulemaking, and will issue a final rule accordingly.

Signed: at Washington, DC, this 10th of March, 2014.

Eric M. Seleznow,

Acting Assistant Secretary for Employment and Training.

[FR Doc. 2014–05589 Filed 3–12–14; 11:15 am]

BILLING CODE 4510–FP–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[Docket Number USCG–2014–0056]

RIN 1625–AA08

Special Local Regulations for Marine Events, Atlantic Ocean; Ocean City, MD

AGENCY: Coast Guard, DHS.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to establish special local regulations during the ''2014 Ocean City Air Show,'' a marine event to be held above the waters of the Atlantic Ocean during June 12–15, 2014. These special local regulations are necessary to provide for the safety of life on navigable waters

during the event. This action is intended to temporarily restrict vessel traffic in a portion of the Atlantic Ocean in the vicinity of Ocean City, MD during the event.

DATES: Comments and related material must be received by the Coast Guard on or before April 14, 2014.

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 Mr. Ronald Houck, Sector Baltimore Waterways Management Division, Coast Guard; telephone 410–576–2674, email *Ronald.L.Houck@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–2014–0056] 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–2014–0056) 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 current regulations under 33 CFR 100 address safety for reoccurring marine events. This marine event does not appear in the current regulations; however, as it is a regulation to provide effective control over regattas and marine parades on the navigable waters of the United States so as to insure safety of life in the regatta or marine parade area, this marine event therefore needs to be temporarily added.

Air shows are frequently held from locations above or near the navigable waters of the United States. The potential hazards associated with air shows are a safety concern during such events. The purpose of this rule is to promote public and maritime safety during activities associated with an air show, and to protect mariners transiting the area from the potential hazards associated with an air show, such as the aircraft accidents, dangerous projectiles, and falling debris. This rule is needed to ensure safety on the waterway before, during and after the scheduled event.

C. Basis and Purpose

The legal basis for the rule is the Coast Guard's authority to establish special local regulations: 33 U.S.C. 1233. The purpose of the rule is to ensure safety of life on navigable waters of the United States during the 2014 Ocean City Air Show event.

D. Discussion of Proposed Rule

The Town of Ocean City, MD will sponsor an annual air show demonstration over the Atlantic Ocean, east of the beach, between Talbot Street and 23rd Street at Ocean City, Maryland, scheduled on June 14, 2014 and June 15, 2014. In addition, air show practices and rehearsals are scheduled on June 12, 2014 and June 13, 2014.

Through this regulation, the Coast Guard proposes to establish special local regulations on specified waters of the Atlantic Ocean. The proposed regulated area will encompass all waters of the Atlantic Ocean, in the vicinity of Ocean City, MD, bounded by the following coordinates: Point of origin at 38°21′38″ N, 075°04′04″ W; thence easterly to 38°21′27″ N, 075°03′29″ W;

thence southerly to 38°19′35″ N, 075°04′19″ W; thence westerly to 38°19′45″ N, 075°04′54″ W; thence northerly to the point of origin. The temporary regulated area will be enforced daily, from 10 a.m. through 4 p.m., from June 12, 2014 through June 15, 2014.

The effect of this proposed rule will be to restrict general navigation in the regulated area during the event. Vessels intending to transit the Atlantic Ocean through the regulated area will be allowed to safely transit the regulated area only when the Coast Guard Patrol Commander has deemed it safe to do so. The Coast Guard will temporarily restrict vessel traffic in the event area to provide for the safety of participants, spectators and other transiting vessels. The Coast Guard will provide notice of the special local regulations by Local Notice to Mariners, Broadcast Notice to Mariners, and the official patrol on scene. Such notices will continue until the event is complete.

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.

Although this proposed rule would restrict access to this regulated area, the effect of this rule will not be significant because: (i) The special local regulations will only be in effect daily, from 10 a.m. through 4 p.m., from June 12, 2014 through June 15, 2014, (ii) the Coast Guard will give advance notification via maritime advisories so mariners can adjust their plans accordingly, and (iii) although the regulated area applies to a certain portion of the Atlantic Ocean, vessel traffic will be able to transit safely around the regulated area.

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 operate or transit through or within, or anchor in, the regulated area during the enforcement period. This proposed rule will not have a significant economic impact on a substantial number of small entities for the reasons provided under Regulatory Planning and Review.

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 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 special local regulations issued in conjunction with a regatta or marine parade. The activities associated with an air show, such as air show performances and rehearsals, will occur over navigable waters of the United States and may have potential for negative impact on the safety or other interest of waterway users and near shore activities in the event area. The activity includes high speed and low altitude aerobatic maneuvers near the shoreline that generally rely on the use of navigable waters as a safety buffer to protect the public from hazards associated with an air show. This rule is categorically excluded from further review under paragraph 34(h) 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 100

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 100 as follows:

PART 100—SAFETY OF LIFE ON NAVIGABLE WATERS

■ 1. The authority citation for part 100 continues to read as follows:

Authority: 33 U.S.C. 1233.

■ 2. Add a temporary section, § 100.35–T05–0056 to read as follows:

§ 100.35–T05–0056 Special Local Regulations for Marine Events, Atlantic Ocean; Ocean City, MD.

(a) *Regulated area.* The following area is a regulated area: All waters of the Atlantic Ocean in the vicinity of Ocean City, MD, bounded by the following coordinates: Point of origin at 38°21′38″ N, 075°04′04″ W; thence easterly to 38°21′27″ N, 075°03′29″ W; thence southerly to 38°19′35″ N, 075°04′19″ W; thence westerly to 38°19′45″ N, 075°04′54″ W; thence northerly to the point of origin. All coordinates refer to datum NAD 1983.

(b) *Definitions:* (1) *Coast Guard Patrol Commander* means a commissioned, warrant, or petty officer of the U.S. Coast Guard who has been designated by the Commander, Coast Guard Sector Baltimore.

(2) *Official Patrol* means any vessel assigned or approved by Commander, Coast Guard Sector Baltimore with a commissioned, warrant, or petty officer on board and displaying a Coast Guard ensign.

(3) *Participant* means all persons and vessels participating in the 2014 Ocean City Air Show event under the auspices of the Marine Event Permit issued to the event sponsor and approved by Commander, Coast Guard Sector Baltimore.

(c) *Special local regulations:* (1) The Coast Guard Patrol Commander may forbid and control the movement of all vessels and persons in the regulated area. When hailed or signaled by an official patrol, a vessel or person in the regulated area shall immediately comply with the directions given. Failure to do so may result in expulsion from the area, citation for failure to comply, or both.

(2) With the exception of participants, all persons desiring to transit the regulated area must first obtain authorization from the Captain of the Port Baltimore or his designated representative. To seek permission to transit the area, the Captain of the Port Baltimore and his designated representatives can be contacted at telephone number 410–576–2693 or on Marine Band Radio, VHF–FM channel 16 (156.8 MHz). All Coast Guard vessels enforcing this regulated area can be contacted on marine band radio VHF–FM channel 16 (156.8 MHz).

(3) The Coast Guard Patrol Commander may terminate the event, or the operation of any participant in the event, at any time it is deemed necessary for the protection of life or property.

(4) The Coast Guard will publish a notice in the Fifth Coast Guard District Local Notice to Mariners and issue a marine information broadcast on VHF–FM marine band radio announcing specific event date and times.

(d) *Enforcement period.* This section will be enforced daily, from 10 a.m. through 4 p.m., from June 12, 2014 through June 15, 2014.

Dated: February 24, 2014.

Kevin C. Kiefer,

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

[FR Doc. 2014–05578 Filed 3–13–14; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2013–1058]

RIN 1625–AA00

Safety Zone; Webb Institute Fireworks, Long Island Sound, Glen Cove, NY

AGENCY: Coast Guard, DHS.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to establish a temporary safety zone on the navigable waters of Long Island Sound in the vicinity of Glen Cove, New York for a fireworks display. This temporary safety zone is necessary to protect spectators and vessels from the hazards associated with fireworks displays. This rule is intended to restrict all vessels from a portion of Long Island Sound before, during, and immediately after the fireworks event.

DATES: Comments and related material must be received by the Coast Guard on or before April 14, 2014.

Requests for public meetings must be received by the Coast Guard on or before March 21, 2014.

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 Lieutenant Junior Grade Kimberly Beisner, Sector NY Waterways Management, U.S. Coast Guard; Telephone (718) 354–4163, EMail *Kimberly.A.Beisner@uscg.mil.* If you have questions on viewing or submitting material to the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone (202) 366–9826.

SUPPLEMENTARY INFORMATION:

Table of Acronyms

COTP Captain of the Port
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–2013–1058) 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–2013–1058) 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 plan to hold a public meeting. But you may submit a request for one, using one of the methods specified under **ADDRESSES** on or before March 21, 2014. 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

There is no prior Regulatory history for this proposed safety zone.

C. Basis and Purpose

The legal basis for the proposed rule is 33 U.S.C. 1226, 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, 160.5; Public Law 107–295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

Grucci Fireworks is sponsoring a fireworks display for Webb Institute's 125th Anniversary on the navigable waters of Long Island Sound in the vicinity of Glen Cove, NY. A safety zone is necessary to ensure the safety of spectators and vessels from hazards associated with the fireworks display.

This proposed safety zone is necessary to ensure the safety of spectators and vessels from hazards associated with the fireworks display. Based on the inherent hazards associated with fireworks, the Captain of the Port (COTP) New York has determined that fireworks launches in close proximity to water crafts pose a significant risk to public safety and property. The combination of increased number of recreational vessels, congested waterways, darkness punctuated by bright flashes of light, and debris especially burning debris falling on passing or spectator vessels has the potential to result in serious injuries or fatalities.

D. Discussion of Proposed Rule

The proposed temporary safety zone will restrict vessel movement in the Long Island Sound around the location of the fireworks launch platform before, during, and after the fireworks display. The fireworks display will occur from approximately 9:00 p.m. until approximately 9:10 p.m. on May 17, 2014. In order to coordinate the safe movement of vessels within the area and to ensure that the area is clear of unauthorized persons and vessels before, during, and immediately after the fireworks launch, this zone will be effective from approximately 8:30 p.m. until approximately 9:40 p.m. on May 17, 2014.

The proposed safety zone will include all navigable waters of Long Island Sound within a 240 yard radius around position 40°53′11.76″ N, 073°38′58.11″ W. The safety zone is approximately 100-yards west of Webb Institute, Glen Cove, NY. Vessels will still be able to transit the surrounding area and may be authorized to transit through the proposed safety zone with the permission from the COTP. The COTP does not anticipate any negative impact on vessel traffic due to this proposed safety zone.

The fireworks barge will also have a sign on its port and starboard side

labeled ''FIREWORKS—STAY AWAY.'' The sign will consist of 10″ high by 1.5″ wide red lettering on a white background.

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 Coast Guard's enforcement of this proposed safety zone will be of short duration, lasting only 70 minutes. The proposed safety zone will restrict access to only a small portion of the navigable waterways of Long Island Sound. Vessels will be able to navigate around the proposed safety zone. Furthermore, vessels may be authorized to transit through the proposed safety zone with the permission of the COTP.

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 and operators of vessels intending to transit or anchor in a small portion of the Long Island Sound during the effective period.

This safety zone would not have a significant economic impact on a substantial number of small entities for the following reasons: This proposed rule would be in effect for only 70 minutes late at night when vessel traffic is low. Vessel traffic could pass safely around the safety zone. Before the effective period, the Coast Guard will issue maritime advisories widely available to users of the waterway.

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 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 establishment of a temporary safety zone. This rule may be 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 is 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 record keeping 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 AREA

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

Authority: 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, 160.5; Pub. L. 107–295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

■ 2. Add § 165.T01.1058 to read as follows:

§ 165.T01–1058 Safety Zone; Webb Institute fireworks, Long Island Sound, Glen Cove, NY

(a) *Regulated Area.* The following area is a temporary safety zone: All navigable waters of Long Island Sound within a 240 yard radius around position 40°53′11.76″ N, 073°38′58.11″ W.

(b) *Effective Period.* This rule will be effective from approximately 8:30 p.m. until approximately 9:40 p.m. on May 17, 2014.

(c) *Definitions.* The following definitions apply to this section:

(1) Designated Representative. A ''designated representative'' is any Coast Guard commissioned, warrant or petty officer of the U.S. Coast Guard who has been designated by the Captain of the Port Sector New York (COTP), to act on his or her behalf. The designated representative may be on an official patrol vessel or may be on shore and will communicate with vessels via VHF–FM radio or loudhailer. In addition, members of the Coast Guard Auxiliary may be present to inform vessel operators of this regulation.

(2) Official Patrol Vessels. Official patrol vessels may consist of any Coast Guard, Coast Guard Auxiliary, state, or local law enforcement vessels assigned or approved by the COTP.

(d) *Regulations.*

(1) The general regulations contained in 33 CFR 165.23, as well as the following regulations, apply.

(2) No vessels, except for fireworks barge and accompanying vessels, will be allowed to transit the safety zone without the permission of the COTP.

(3) All persons and vessels shall comply with the instructions of the COTP or the designated representative. Upon being hailed by a U.S. Coast Guard vessel by siren, radio, flashing light, or other means, the operator of a vessel shall proceed as directed.

(4) Vessel operators desiring to enter or operate within the regulated area shall contact the COTP or the designated representative via VHF channel 16 or 718–354–4353 (Sector New York command center) to obtain permission to do so.

Dated: February 12, 2014.

G. Loebl,

Captain, U.S. Coast Guard, Captain of the Port New York.

[FR Doc. 2014–05582 Filed 3–13–14; 8:45 am]

BILLING CODE 9110–04–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R07–OAR–2014–0118; FRL 9907–76-Region 7]

Approval and Promulgation of Implementation Plans; State of Iowa

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve revisions to the State Implementation Plan (SIP) for the state of Iowa. These revisions will amend the SIP to include revisions to Iowa air quality rule, Chapter 33, ''Special Regulations and Construction Permit Requirements for Major Stationary Sources—Prevention of Significant Deterioration (PSD) of Air Quality.'' This rule amendment will make state regulation consistent with Federal regulation for fine Particulate Matter ($PM_{2.5}$) PSD program. This revision will also amend source obligation provisions as they apply to recordkeeping and will provide a mechanism to allow industry to request rescission of a PSD permit, both of which will match the Federal regulations. This action is also consistent with the state's request to not include, into the SIP, provisions relating to Significant Impact Levels and Significant Monitoring Concentrations. These provisions were vacated and remanded by the U.S. Court of Appeals for the District of Columbia on January 22, 2013.

DATES: Comments on this proposed action must be received in writing by April 14, 2014.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R07–OAR–2014–0118 by one of the following methods:

1. *http://www.regulations.gov:* Follow the on-line instructions for submitting comments.

2. *Email: algoe-eakin.amy@epa.gov.*

3. *Mail:* Amy Algoe-Eakin, Environmental Protection Agency, Air Planning and Development Branch, 11201 Renner Road, Lenexa, Kansas 66219.

4. *Hand Delivery or Courier:* Deliver your comments to: Amy Algoe-Eakin, Environmental Protection Agency, Air Planning and Development Branch, 11201 Renner Road, Lenexa, Kansas 66219. Such deliveries are only accepted during the Regional Office's normal hours of operations. The Regional Office's official hours of business are Monday through Friday, 8:00 to 4:30, excluding legal 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: Amy Algoe-Eakin at (913) 551–7942, or by email at *algoe-eakin.amy@epa.gov.*

SUPPLEMENTARY INFORMATION: In the final rules section of the **Federal Register**, EPA is approving the state's revision to the SIP as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no relevant adverse comments to this action. A detailed rationale for the approval is set forth in the direct final rule. If no relevant adverse comments are received in response to this action, no further activity is contemplated in relation to this action. If EPA receives relevant adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rules

based on this proposed action. EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time. Please note that if EPA receives adverse comments on part of this rule and if that part can be severed from the remainder of the rule, EPA may adopt as final those parts 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: February 28, 2014.

Karl Brooks,

Regional Administrator, Region 7.

[FR Doc. 2014–05523 Filed 3–13–14; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R09–OAR–2013–0599; FRL–9906–91–Region–9]

Approval and Promulgation of Implementation Plans; California; San Francisco Bay Area and Chico Nonattainment Areas; Fine Particulate Matter Emission Inventories

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve revisions to the California State Implementation Plan (SIP) concerning emission inventories for the 2006 24-hour fine particle National Ambient Air Quality Standard (NAAQS) for the San Francisco Bay Area and Chico $PM_{2.5}$ nonattainment areas. We are approving these emissions inventories under the Clean Air Act (CAA or the Act).

DATES: Any comments on this proposal must arrive by April 14, 2014.

ADDRESSES: Submit comments, identified by docket number EPA–R09–OAR–2013–0599, by one of the following methods:

1. *Federal eRulemaking Portal: www.regulations.gov.* Follow the on-line instructions.
2. Email: *steckel.andrew@epa.gov.*
3. *Mail or deliver:* Andrew Steckel (Air-4), U.S. Environmental Protection Agency Region IX, 75 Hawthorne Street, San Francisco, CA 94105–3901.

Instructions: All comments 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 Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Information that you consider CBI or otherwise protected should be clearly identified as such and should not be submitted through *www.regulations.gov* or email. *www.regulations.gov* is an ''anonymous access'' system, and EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send email directly to EPA, your email address will be automatically captured and included as part of the public comment. 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: Generally, documents in the docket for this action are available electronically at *www.regulations.gov* and in hard copy at EPA Region IX, 75 Hawthorne Street, San Francisco, California 94105–3901. While all documents in the docket are listed at *www.regulations.gov*, some information may be publicly available only at the hard copy location (e.g., copyrighted material, large maps), and some may not be publicly available in either location (e.g., CBI). To inspect the hard copy materials, please schedule an appointment during normal business hours with the contact listed in the **FOR FURTHER INFORMATION CONTACT** section.

FOR FURTHER INFORMATION CONTACT: Nancy Levin, EPA Region IX, (415) 972–3848, *levin.nancy@epa.gov.*

SUPPLEMENTARY INFORMATION: This proposal addresses the submitted $PM_{2.5}$ emission inventories for the San Francisco Bay Area and Chico nonattainment areas. In the Rules and Regulations section of this **Federal Register**, we are approving submitted emission inventories in a direct final action without prior proposal because we believe these SIP revisions are not controversial. If we receive adverse comments, however, we will publish a timely withdrawal of the direct final rule and address the comments in subsequent action based on this proposed rule. Please note that if we receive adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, we may adopt as final those provisions of the rule that are not the subject of an adverse comment.

We do not plan to open a second comment period, so anyone interested in commenting should do so at this time. If we do not receive adverse comments, no further activity is planned. For further information, please see the direct final action.

Dated: January 30, 2014.

Jared Blumenfeld,

Regional Administrator, Region IX.

[FR Doc. 2014–05525 Filed 3–13–14; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R03–OAR–2013–0423; FRL- 9908–03–Region–3]

Approval and Promulgation of Implementation Plans; West Virginia; Regional Haze Five-Year Progress Report State Implementation Plan

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing approval of a revision to the West Virginia State Implementation Plan (SIP) submitted by the State of West Virginia (West Virginia) through the West Virginia Department of Environmental Protection (WVDEP). West Virginia's SIP revision addresses requirements of the Clean Air Act (CAA) and EPA's rules that require states to submit periodic reports describing progress towards reasonable progress goals (RPGs) established for regional haze and a determination of the adequacy of the state's existing SIP addressing regional haze (regional haze SIP). EPA is proposing approval of West Virginia's SIP revision on the basis that it addresses the progress report and adequacy determination requirements for the first implementation period for regional haze.

DATES: Comments must be received on or before April 14, 2014.

ADDRESSES: Submit your comments, identified by Docket ID Number EPA–R03–OAR–2013–0423, 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–2013–0423, 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–2013–0423. 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.regulation.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 West Virginia's 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: Asrah Khadr, (215) 814–2071, or by email at *khadr.asrah@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

States are required to submit a progress report in the form of a SIP revision every five years that evaluates progress towards the RPGs for each mandatory Class I Federal area within the state and in each mandatory Class I Federal area outside the state which may be affected by emissions from within the state. *See* 40 CFR 51.308(g). States are also required to submit, at the same time as the progress report, a determination of the adequacy of the state's existing regional haze SIP. *See* 40 CFR 51.308(h). The first progress report SIP is due five years after submittal of the initial regional haze SIP. On June 18, 2008, WVDEP submitted its first regional haze SIP in accordance with the requirements of 40 CFR 51.308.[1]

On April 30, 2013, West Virginia submitted, as a SIP revision (progress report SIP), a report on progress made in the first implementation period towards RPGs for Class I areas in West Virginia and Class I areas outside West Virginia that are affected by emissions from West Virginia's sources. This progress report SIP included a determination that West Virginia's existing regional haze SIP requires no substantive revision to achieve the established regional haze visibility improvement and emissions reduction goals for 2018. EPA is proposing to approve West Virginia's progress report SIP on the basis that it satisfies the requirements of 40 CFR 51.308(g) and 51.308(h).

[1] On March 23, 2012 (77 FR 16937), EPA finalized a limited approval and limited disapproval of West Virginia's June 18, 2008 regional haze SIP to address the first implementation period for regional haze. There was a limited disapproval of this SIP because of West Virginia's reliance on the Clean Air Interstate Rule (CAIR) to meet certain regional haze requirements, which EPA replaced in August 2011 with the Cross-State Air Pollution Rule (CSAPR) (76 FR 48208, August 8, 2011). Later on, the DC Circuit issued a decision in *EME Homer City Generation, L.P.* v. *EPA,* 696 F.3d 7 (D.C. Cir. 2012), *cert. granted* 133 U.S. 2857 (2013) vacating CSAPR and keeping CAIR in place pending the promulgation of a valid replacement rule. EPA believes that the *EME Homer City* decision impacts the reasoning that formed the basis for EPA's limited disapproval of West Virginia's regional haze SIP based on West Virginia's reliance upon CAIR and expects to propose an appropriate action regarding the limited approval and limited disapproval of the regional haze SIP upon final resolution of *EME Homer City.*

II. Requirements for the Regional Haze Progress Report SIPs and Adequacy Determinations

Under 40 CFR 51.308(g), states must submit a regional haze progress report as a SIP revision every five years and must address, at a minimum, the seven elements found in 40 CFR 51.308(g). As described in further detail in section III of this rulemaking action, 40 CFR 51.308(g) requires: (1) A description of the status of measures in the approved regional haze SIP; (2) a summary of emissions reductions achieved; (3) an assessment of visibility conditions for each Class I area in the state; (4) an analysis of changes in emissions from sources and activities within the state; (5) an assessment of any significant changes in anthropogenic emissions within or outside the state that have limited or impeded progress in Class I areas impacted by the state's sources; (6) an assessment of the sufficiency of the approved regional haze SIP; and (7) a review of the state's visibility monitoring strategy.

Under 40 CFR 51.308(h), states are required to submit, at the same time as the progress report SIP, a determination of the adequacy of their existing regional haze SIP and to take one of four possible actions based on information in the progress report. As described in further detail in section III of this rulemaking action, 40 CFR 51.308(h) requires states to either: (1) Submit a negative declaration to EPA that no further substantive revision to the state's existing regional haze SIP is needed; (2) provide notification to EPA (and other state(s) that participated in the regional planning process) if the state determines that its existing regional haze SIP is or may be inadequate to ensure reasonable progress at one or more Class I areas due to emissions from sources in other state(s) that participated in the regional planning process, and collaborate with these other state(s) to develop additional strategies to address deficiencies; (3) provide notification with supporting information to EPA if the state determines that its existing regional haze SIP is or may be inadequate to ensure reasonable progress at one or more Class I areas due to emissions from sources in another country; or (4) revise its regional haze SIP to address deficiencies within one year if the state determines that its existing regional haze SIP is or may be inadequate to ensure reasonable progress in one or more Class I areas due to emissions from sources within the state.

III. EPA's Analysis of West Virginia's Regional Haze Progress Report and Adequacy Determination

The West Virginia progress report SIP revision addresses progress made towards RPGs of Class I areas in West Virginia and Class I areas outside West Virginia that are affected by emissions from West Virginia's sources. This progress report SIP also includes a determination of the adequacy of West Virginia's existing regional haze SIP.

West Virginia has two Class I areas within its borders: Dolly Sods Wilderness Area (Dolly Sods) and Otter Creek Wilderness Area (Otter Creek). West Virginia mentions in the progress report SIP that West Virginia sources were also identified, through an area of influence modeling analysis based on back trajectories, as potentially impacting six Class I areas in five neighboring states: Brigantine Wilderness in New Jersey; Great Smoky Mountains National Park in North Carolina and Tennessee; James River Face in Virginia; Linville Gorge in North Carolina; Monmouth Cave National Park in Kentucky; and Shenandoah National Park in Virginia.

A. Regional Haze Progress Report SIPs

This section summarizes each of the seven elements that must be addressed by the progress report under the provisions of 40 CFR 51.308(g); how West Virginia's progress report SIP addressed each element; and EPA's analysis and proposed determination as to whether West Virginia satisfied each element.

The provisions under 40 CFR 51.308(g)(1) require a description of the status of implementation of all measures included in the regional haze SIP for achieving RPGs for Class I areas both within and outside the state. West Virginia evaluated the status of all measures included in its 2008 regional haze SIP in accordance with the requirements under 40 CFR 51.308(g)(1). Specifically, in its progress report SIP, West Virginia summarizes the status of the emissions reduction measures that were included in the final iteration of the Visibility Improvement—State and Tribal Association of the Southeast (VISTAS) regional haze emissions inventory and RPG modeling. West Virginia also discusses the status of those measures that were not included in the final VISTAS emissions inventory and were not relied upon in the initial regional haze SIP to meet RPGs. West Virginia notes that the emissions reductions from these measures, which are relied upon for reasonable progress, will help ensure Class I areas impacted by West Virginia sources achieve their RPGs. The measures include applicable Federal programs (e.g., mobile source rules, Maximum Achievable Control Technology (MACT) standards, Federal consent agreements, and Federal and state control strategies for electric generating units (EGUs) such as CAIR, CSAPR, and state multi-pollutant regulations for EGUs). West Virginia's summary includes a discussion of the benefits associated with each measure and quantifies those benefits wherever possible. In instances where implementation of a measure did not occur on schedule, information is provided on the source category and the measure's relative impact on the overall future year emissions inventories. The progress report SIP also discusses the status and implementation of the best available retrofit technology (BART) determinations for BART sources in West Virginia, and the implementation status of BART for a source in a neighboring state. Finally, West Virginia's progress report SIP discusses implementation of regulations and requirements developed after the original regional haze SIP was prepared which West Virginia asserts will provide extra assurance that West Virginia's Class I areas will meet their RPGs. Some of these regulations and requirements include the Mercury and Air Toxics Standard (MATS) for EGUs, the 2010 sulfur dioxide (SO_2) National Ambient Air Quality Standard (NAAQS), Control Technique Guidelines for volatile organic compound (VOC) reductions, Federal consent decrees which include SO_2 and nitrogen oxide (NOx) reductions at sources, and plant shutdowns.

In aggregate, as noted later in section III.A of this rulemaking action, West Virginia notes in its submittal that overall SO_2 emissions (the largest contributor to visibility impairment) have decreased in the State and will continue to decrease; therefore, West Virginia does not expect reasonable progress to be adversely impacted in any of the Class I areas in West Virginia or neighboring states.

EPA proposes to find that West Virginia's analysis adequately addresses the provisions under 40 CFR 51.308(g)(1). West Virginia documents the implementation status of measures from its regional haze SIP such as regulations, Federal consent decrees, and BART determinations in addition to describing additional measures that came into effect since the VISTAS analysis for the West Virginia regional haze SIP was completed, including new regulations for EGUs, Federal consent decrees, and unanticipated plant shutdowns. West Virginia's progress report also describes significant measures resulting from EPA regulations other than the regional haze program as they pertain to West Virginia sources. The progress report SIP highlights the effect of several Federal control measures both nationally and in the VISTAS region, and when possible, in West Virginia.

West Virginia's progress report discusses the status of key control measures that were relied upon in the first implementation period to make reasonable progress. In its regional haze SIP, West Virginia identified SO_2 emissions from EGUs as a key contributor to regional haze in the VISTAS region and identified the EGU sector as a major contributor to visibility impairment at all Class I areas in the VISTAS region. West Virginia's progress report SIP provides additional information on EGU control strategies and the status of existing and future expected controls for West Virginia's EGUs, with updated actual SO_2 emissions data for the years 2002—2011 reflecting significant reductions of SO_2 through 2011.

Regarding the status of BART and reasonable progress control requirements for sources in West Virginia, EPA finds the progress report SIP adequately reviews the status of West Virginia's BART sources and the one source that required further analysis to meet reasonable progress requirements by mentioning that controls are currently operational at these sources or that units have been shut down. Because West Virginia found no additional controls to be reasonable for the first implementation period for sources evaluated for reasonable progress in West Virginia, no further discussion of the status of controls was necessary in the progress report SIP. EPA proposes to conclude that West Virginia has adequately addressed the status of control measures in its regional haze SIP as required by the provisions under 40 CFR 51.308(g)(1) by discussing the status of key measures that were relied upon in the first implementation period to make reasonable progress.

The provisions under 40 CFR 51.308(g)(2) require a summary of the emissions reductions achieved in the state through the measures subject to the requirements under 40 CFR 51.308(g)(1). In its regional haze SIP and progress report SIP, West Virginia focuses its assessment on the largest contributor to visibility impairment, SO_2 emissions from EGUs. West Virginia made the decision that SO_2 emissions from EGUs are the largest contributor to visibility

impairment in its original regional haze SIP.

Overall, West Virginia states SO_2 emissions have decreased significantly. West Virginia states there has been a large reduction in SO_2 emissions from EGUs, an 81.7 percent (%) decrease from 2002 to 2011, which resulted from many process and operational changes, including SO_2 control installations and switches to cleaner fuels by emission units. Based on utility emissions data from 2002 through 2011 as reported in EPA's Clean Air Markets Division (CAMD) database, West Virginia indicates that actual emissions of SO_2 from the EGU sector have dropped from 507,110 tons per year (tpy) in 2002 to 92,609 tpy in 2011, reflecting the 81.7% decrease. Additionally, the 2011 actual emissions of SO_2 (92,609 tpy) are substantially less than originally projected in the 2018 modeling inventory (106,199 tpy).[2]

While heat input to West Virginia's EGUs has decreased approximately 17.7% from 2002 to 2011, West Virginia states in its progress report SIP that SO_2 emission rates for EGUs have decreased by 77.8% due to installation of controls and fuel switches. Given these substantial reductions in emission rates, West Virginia expects the significant reductions of SO_2 should be maintained and expects emissions reductions to continue in the future. West Virginia also states in its progress report SIP that it expects additional retirements of EGU sources which will contribute to increased emissions reductions in the future.

EPA proposes to conclude that West Virginia has adequately addressed the requirements under 40 CFR 51.308(g)(2) with its summary of the large emissions reductions, particularly in SO_2 from EGUs, achieved through the measures in West Virginia's regional haze SIP. West Virginia provides estimates, and where available, actual emissions reductions of SO_2 from EGUs in West Virginia that have occurred since the submittal of its regional haze SIP. West Virginia appropriately focuses on SO_2 emissions from its EGUs in its progress report SIP because it had been previously identified that these emissions are the most significant contributors to visibility impairment at Dolly Sods and Otter Creek and at additional Class I areas that West Virginia sources impact. In addition, West Virginia provides estimates, and where available, actual emissions reductions for certain non-EGU control measures that were in its regional haze SIP when addressing the requirements under 40 CFR 51.308(g)(1) for implementation status. Because no additional controls were found to be reasonable for the first implementation period for evaluated sources in West Virginia for reasonable progress, EPA proposes to find that no further discussion of emissions reductions from controls was necessary in the progress report SIP.

The provisions under 40 CFR 51.308(g)(3) require that states with Class I areas provide the following information for the most impaired and least impaired days for each area, with values expressed in terms of five-year averages of these annual values:[3] (1) Current visibility conditions; (2) the difference between current visibility conditions and baseline visibility conditions; and (3) the change in visibility impairment over the past five years. West Virginia provides visibility data for 2001 through 2011 that addresses the three requirements of 40 CFR 51.308(g)(3) for Dolly Sods and Otter Creek. In the West Virginia regional haze SIP, for the 20% worst days, West Virginia established a RPG for Dolly Sods of 7.3 deciview (dv) reduction in visibility impairment by 2018, which is significantly greater than the 4.3 dv reduction required to meet the uniform rate of progress necessary to achieve a natural background condition of 10.4 dv by 2064. For Otter Creek, West Virginia established a RPG for the 20% worst days of 7.3 dv reduction in visibility impairment by 2018, which is significantly greater than the 4.3 dv reduction required to meet the uniform rate of progress necessary to achieve the natural background condition of 10.4 dv by 2064. Likewise, West Virginia also adopted a RPG for the 20% best days that would result in a 1.2 dv reduction in visibility impairment for both Dolly Sods and Otter Creek. Based on West Virginia's analysis of emissions reductions and visibility data, West Virginia states it is on track to achieve or exceed its RPGs by 2018 and that visibility is improving at Dolly Sods and Otter Creek.

EPA finds the difference between current and baseline visibility and the five-year rolling averages for the most impaired (20% worst) and least impaired (20% best) days at both West Virginia Class I areas indicates that visibility has significantly improved since the implementation of West Virginia's regional haze SIP. The data submitted by West Virginia shows that there has been a dramatic visibility improvement during the implementation of the 2008 regional haze SIP. Analysis of visibility data provided by West Virginia shows that Dolly Sods and Otter Creek are on the glidepath to achieving natural visibility conditions in 2064.

EPA finds West Virginia provided the required information regarding visibility conditions and changes to meet the requirements under 40 CFR 51.308(g)(3), specifically providing current conditions based on the latest available Interagency Monitoring of Protected Visual Environments (IMPROVE) monitoring data, the difference between current visibility conditions and baseline visibility conditions, and the change in visibility impairment over the most recent five-year period for which data were available at the time of the progress report SIP development. Given the visibility improvement in West Virginia's Class I areas, EPA finds West Virginia's assessment that it is on track to meet RPGs by 2018 to be reasonable. EPA proposes to conclude that West Virginia has adequately addressed the requirements under 40 CFR 51.308(g)(3).

The provisions under 40 CFR 51.308(g)(4) require an analysis tracking emissions changes of visibility-impairing pollutants from the state's sources by type or category over the past five years based on the most recent updated emissions inventory. In its progress report SIP, West Virginia presents emissions inventories for 2002, 2007, 2009, and 2018 in accordance with the requirements of 40 CFR 51.308(g)(4). The progress report SIP includes West Virginia's baseline emissions inventory from 2002 and estimated emissions inventories for 2009 and 2018. West Virginia's progress report SIP includes the 2007 emissions inventory prepared by the Southeastern Modeling, Analysis, and Planning (SEMAP) project, which was funded by EPA and the ten states in VISTAS.[4] [5]

[2] West Virginia provides in the progress report SIP SO_2 emissions data for each West Virginia EGU for 2002 through 2011. In addition, West Virginia includes summary SO_2 emissions data from EGUs in all VISTAS states showing similar reductions. According to West Virginia, SO_2 emissions decreased 68.6% from 2002 to 2011 for EGUs in the VISTAS states.

[3] The ''most impaired days'' and ''least impaired days'' in the regional haze rule refers to the average visibility impairment (measured in deciviews) for the twenty percent of monitored days in a calendar year with the highest and lowest amount of visibility impairment, respectively, averaged over a five-year period. *See* 40 CFR 51.301.

[4] Pursuant to 40 CFR 51.308(b), regional haze SIPs for the first implementation period were due on December 17, 2007. Therefore, EPA finds that the 2007 emissions inventory used by West Virginia in this progress report SIP reflects an appropriate emissions inventory for West Virginia to use for 40 CFR 51.308(g)(4) to track emissions changes of visibility-impairing pollutants from the state's sources.

[5] The 2007 emissions inventory was the most recent historical inventory that had been fully

Continued

The pollutants inventoried include VOCs, NO_X, fine particulate matter ($PM_{2.5}$), coarse particulate matter (PM_{10}), ammonia (NH_3), and SO_2. The emissions inventories include the following source classifications: Stationary point and area sources, off-road and on-road mobile sources, and biogenic sources. The comparison of emissions inventory data shows that emissions of the key visibility-impairing pollutant SO_2 continued to drop from 586,437 tpy in 2002 to 437,014 tpy in 2007 to 337,488 tpy in 2009.

Additionally, West Virginia documented the substantial emissions reductions in SO_2 from EGUs that already have occurred and that SO_2 emissions from EGUs for the years 2009, 2010, and 2011 are already under the 2018 SO_2 emissions projections. As noted in section III.A of this rulemaking action, West Virginia expects overall EGU SO_2 emissions to continue to decline due the retirement of different EGUs and additional fuel switches not previously projected which should result in further visibility improvement at Class I areas affected by West Virginia sources. EPA proposes to conclude that West Virginia has adequately addressed the requirements under 40 CFR 51.308(g)(4). While ideally the five-year period to be analyzed for emissions inventory changes is the time period since the current regional haze SIP was submitted, availability of quality-assured data may not always correspond with this period. Therefore, EPA believes that there is some flexibility in the five-year time period states can select for tracking emissions changes to meet this requirement. EPA proposes to find West Virginia appropriately compared its 2011 EGU SO_2 emissions with the 2007 point source SO_2 emissions.[6] EPA believes that West Virginia presented an adequate analysis tracking emissions trends for the key visibility impairing pollutant SO_2 since 2007 using the emissions data available to West Virginia.[7] West Virginia's 2011 EGU SO_2 emissions show a significant reduction of SO_2 emissions.[8] The West Virginia 2007 point source SO_2 emissions of which a significant portion were EGU emissions were 428,350 tpy while the 2011 EGU SO_2 emissions are 92,609 tpy, which shows a significant reduction of SO_2 emissions from 2007. The 2011 EGU SO_2 emissions are below the emissions projected for 2018, which demonstrates greater progress than West Virginia had projected in its regional haze SIP. EPA believes this provides sufficient information to support the representativeness of the period evaluated by West Virginia particularly as sulfates from EGUs were identified in West Virginia's 2008 regional haze SIP as the largest contributor to visibility impairment at West Virginia's and VISTAS' Class I areas.

The provisions under 40 CFR 51.308(g)(5) require an assessment of any significant changes in anthropogenic emissions within or outside the state that have occurred over the past five years that have limited or impeded progress in reducing pollutant emissions and improving visibility in Class I areas impacted by the state's sources. In its progress report SIP, West Virginia states that sulfates continue to be the biggest single contributor to regional haze at Dolly Sods and Otter Creek. Accordingly, West Virginia focused its analysis on addressing large SO_2 emissions from point sources. In its progress report SIP, West Virginia demonstrates that there has been significant improvement in visibility as well as a significant decrease in sulfates' contribution to visibility impairment.

EPA proposes to find that West Virginia has adequately addressed the provisions under 40 CFR 51.308(g)(5). West Virginia adequately demonstrated that there has been significant improvement in visibility in its Class I areas. West Virginia also adequately demonstrated that there has been a significant decrease in sulfates' contribution to visibility impairment. West Virginia's progress report SIP demonstrates that there are no significant changes in emissions that have impeded its progress in reducing emissions or in improving visibility in the Class I areas within West Virginia or impacted by West Virginia sources. Furthermore, the progress report SIP shows that the State is on track to meeting its 2018 RPGs for Dolly Sods and Otter Creek.

The provisions under 40 CFR 51.308(g)(6) require an assessment of whether the current regional haze SIP is sufficient to enable the state, or other states, to meet the RPGs for Class I areas affected by emissions from the state. In its progress report SIP, West Virginia states that it believes that the elements and strategies outlined in its original 2008 regional haze SIP are sufficient to enable West Virginia and other neighboring states to meet all the established RPGs. To support this conclusion, West Virginia presents visibility data for all Class I areas inside and outside of the state that are impacted by West Virginia sources. The impacted Class I areas include two areas in West Virginia (Dolly Sods and Otter Creek) and six areas in neighboring states. The impacted Class I areas outside of West Virginia are Brigantine Wilderness in New Jersey; Great Smoky Mountains National Park in North Carolina and Tennessee; James River Face in Virginia, Linville Gorge in North Carolina; Monmouth Cave National Park in Kentucky; and Shenandoah National Park in Virginia. The visibility data provided by West Virginia for Dolly Sods and Otter Creek show that those areas are on track to achieving their 2018 RPGs. Additionally, West Virginia expects SO_2 emissions from West Virginia sources to continue to decrease in the future due to expected shutdowns and installation of controls. Therefore West Virginia expects that visibility impairment in its Class I areas will decrease as well. The visibility data presented for Class I areas outside of West Virginia show that each area is on track to achieve its RPGs in 2018.

EPA proposes to conclude that West Virginia has adequately addressed the requirements of 40 CFR 51.308(g)(6). EPA views this requirement as a qualitative assessment that should evaluate emissions and visibility trends and other readily available information, including expected emissions reductions associated with measures with compliance dates that have not yet become effective. West Virginia referenced the improving visibility trends with appropriately supported data and referenced the downward emissions trends with a focus on SO_2 emissions from West Virginia EGUs that support the determination that the West Virginia 2008 regional haze SIP is sufficient to meet RPGs for Class I areas within and outside the state impacted by West Virginia sources.

quality-assured at the time West Virginia developed its progress report SIP.

[6] As stated above, West Virginia's 2007 emissions inventory reflects emissions in the year the first regional haze SIP was due per 40 CFR 51.308(b), and EPA finds the 2007 inventory to be an appropriate emissions inventory for West Virginia to use for 40 CFR 51.308(g)(4) to track emissions changes of visibility-impairing pollutants.

[7] According to West Virginia, previous VISTAS modeling from West Virginia's 2008 regional haze SIP had indicated the visibility benefits from reducing NO_X emissions were small. EPA notes nevertheless that West Virginia's NO_X emissions from all point source sectors decreased by 94,801 tons from 2002 to 2007. In addition, EPA reviewed NO_X emissions data from West Virginia EGUs which was provided by West Virginia for 2002–2011. NO_X emissions from West Virginia EGUs decreased from approximately 230,000 tons in 2002 to approximately 150,000 tons in 2007 to 55,660 tons in 2011. EPA reviewed CAMD data for NO_X emissions from West Virginia EGUs for 2012 and 2013 and notes the NO_X emission decreases have been maintained.

[8] EPA reviewed CAMD data for 2012 and 2013 for SO_2 emissions from West Virginia's EGUs and notes that the declining SO_2 emissions trend has continued in 2012 and 2013.

The provisions under 40 CFR 51.308(g)(7) require a review of a state's visibility monitoring strategy and an assessment of whether any modifications to the monitoring strategy are necessary. In its progress report SIP, West Virginia summarizes the existing monitoring network at Dolly Sods and Otter Creek and discusses its intended continued reliance on the IMPROVE monitoring network for its visibility planning. West Virginia also mentions its $PM_{2.5}$ monitoring network and that it is used to understand air pollution levels across the state. West Virginia also encourages VISTAS and other regional planning organizations to maintain support of the existing data management system or an equivalent to facilitate availability analysis of IMPROVE and visibility-related data. West Virginia concludes that the existing network is adequate and that no modifications to visibility monitoring strategy are necessary at this time.

EPA proposes to conclude that West Virginia has adequately addressed the sufficiency of its monitoring strategy as required by the provisions under 40 CFR 51.308(g)(7). West Virginia reaffirmed its continued reliance upon the IMPROVE monitoring network and discussed its additional $PM_{2.5}$ monitoring network used to further assess air pollution levels. West Virginia also explained the importance of the IMPROVE monitoring network for tracking visibility trends at Dolly Sods and Otter Creek and identified no expected changes in this network.

B. Determination of Adequacy of Existing Regional Haze Plan

Under 40 CFR 51.308(h), states are required to take one of four possible actions based on the information gathered and conclusions made in the progress report SIP. The following section summarizes: the action taken by West Virginia under 40 CFR 51.308(h); West Virginia's rationale for the selected action; and EPA's analysis and proposed determination regarding the West Virginia's action.

In its progress report SIP, West Virginia submitted a negative declaration that it had determined that the existing regional haze SIP requires no further substantive revision to achieve the RPGs for Class I areas affected by West Virginia's sources. The basis for the negative declaration is the findings from the progress report (as discussed in section III of this rulemaking action), including the findings that: Visibility data has improved at Dolly Sods and Otter Creek; SO_2 emissions from West Virginia sources have decreased beyond original projections; additional EGU control measures not relied upon in West Virginia's regional haze SIP have been and are being implemented; and the EGU SO_2 emissions in West Virginia are already below the levels projected for 2018 in the regional haze SIP and are expected to continue to trend downward for the next five years. EPA proposes to conclude West Virginia adequately addressed the requirements of 40 CFR 51.308(h) because the visibility data trends at the Class I areas impacted by West Virginia sources and the emissions trends of the largest emitters of visibility-impairing pollutants both indicate that the RPGs for 2018 will be met or exceeded.

IV. EPA's Proposed Action

EPA is proposing to approve West Virginia's regional haze five-year progress report SIP revision, submitted on April 30, 2013, as meeting the applicable regional haze requirements set forth in 40 CFR 51.308(g) and 51.308(h).

V. 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 proposed 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 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 approve West Virginia's regional haze progress report SIP revision 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, Incorporation by reference, Intergovernmental relations, Nitrogen oxides, Particulate matter, Reporting and recordkeeping requirements, Sulfur dioxide, Volatile organic compounds.

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

Dated: March 3, 2014.

W.C. Early,

Acting Regional Administrator, Region III.

[FR Doc. 2014–05743 Filed 3–13–14; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

49 CFR Parts 171, 173, 178, and 180

[Docket Number PHMSA–2010–0019 (HM–241)]

RIN 2137–AE58

Hazardous Materials: Adoption of ASME Code Section XII and the National Board Inspection Code

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

ACTION: Notice of proposed rulemaking; extension of comment period.

SUMMARY: PHMSA is notifying the public of our intent to extend the

comment period by thirty days for a notice of proposed rulemaking published on December 30, 2013.

DATES: The comment period for the NPRM published in the **Federal Register** on December 30, 2013 (78 FR 79363) is extended until April 30, 2014. To the extent possible, PHMSA will consider late-filed comments.

ADDRESSES: You may submit comments identified by the docket number (PHMSA–2010–0019; HM–241) by any of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Fax:* 1–202–493–2251.
- *Mail:* Docket Operations, U.S. Department of Transportation, West Building, Ground Floor, Room W12–140, Routing Symbol M–30, 1200 New Jersey Avenue SE., Washington, DC 20590.
- *Hand Delivery:* To Docket Operations, Room W12–140 on the ground floor of the West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

Instructions: All submissions must include the agency name and docket number for this notice at the beginning of the comment. Note that all comments received will be posted without change to the docket management system, including any personal information provided.

Docket: For access to the dockets to read background documents or comments received, go to *http://www.regulations.gov,* or DOT's Docket Operations Office (see **ADDRESSES**). To access ASME's Boiler and Pressure Vessel Code, Section XII (Section XII) go to: *https://shop.asme.org/PublicReview/.* To access the *National Board Inspection Code (NBIC), Part 2, Supplement 6:* Continued Service and Inspection of DOT Transport Tanks, and *Part 3, Supplement 6:* Repair, Alteration, and Modification of DOT Transport Tanks go to: *https://www.nationalboard.org/SiteDocuments/NBIC/DOT_NBIC_supplements.pdf.*

Privacy Act: Anyone is able to search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the document (or signing the document, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477–78) or you may visit *http://www.dot.gov/privacy.*

FOR FURTHER INFORMATION CONTACT: Lisa O'Donnell, Hazardous Materials Standards and Rulemaking Division, (202) 366–8553, or Stanley Staniszewski, Engineering and Research Division, (202) 366–4492, Office of Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, 1200 New Jersey Avenue SE., Washington, DC 20590.

I. Background

On December 30, 2013, PHMSA (also ''we'' or ''us'') published a notice of proposed rulemaking (78 FR 79363) seeking comments on our proposal to amend the Hazardous Materials Regulations (HMR; 49 CFR parts 171–180) in response to petitions submitted by industry representatives to incorporate *Section XII* and the 2013 edition of the *National Board Inspection Code* (*NBIC)* as alternatives to *Section VIII, Division 1* and the current HMR requirements in part 178, for the design of cryogenic portable tanks and Cargo Tank Motor Vehicles (CTMVs), part 179 for the design of ton tanks, and part 180 for the continuing qualification and maintenance of CTMVs, cryogenic portable tanks, and ton tanks. *Section XII* sets forth standards for construction [1] and continued service [2] of pressure vessels for transporting hazardous materials by highway, rail, air or water with internal pressures ranging from 0 to 207 bar (full vacuum to 3,000 psig) and volumes greater than 450L (120 gallons). The 2013 edition of the *NBIC* provides rules and guidelines for installing, inspecting, repairing and altering boilers, pressure vessels and pressure relief devices. The NPRM published on December 30, 2013 announced a comment due date of March 31, 2014.

II. Extension of Comment Period

We received a request to extend the comment period by six months from the Tank Truck Manufacturer's Association (TTMA). TTMA is requesting this extension so that they will have sufficient time to fully evaluate the cost and benefits associated with the proposals in the NPRM. TTMA asserts that based on the complexity of the proposals in the NPRM, extensive research and significant effort will be needed to adequately respond with an official comment. Furthermore, TTMA believe there is potential for substantial economic impact and the comment extension will allow for sufficient review of the proposals. The extension will also provide TTMA and its members the opportunity to compose valuable and comprehensive comments.

Due to PHMSA's desire to collect meaningful input from affected stakeholders, PHMSA is consenting to the commenter's request to extend the comment period to ensure sufficient time for public review. However, we do not believe a six month extension is warranted. Accordingly, in the interest of moving this rulemaking forward in a timely manner, PHMSA is extending the comment period by 30 days to April 30, 2014. PHMSA is confident that the 30-day extension will allow stakeholders sufficient time to conduct a more thorough review.

Privacy Act

Anyone is able to search the electronic form of all 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 DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477–78) or you may visit *http://www.dot.gov/privacy.*

Issued in Washington, DC, on March 11, 2014, under authority delegated in 49 CFR 1.97(b).

Magdy El-Sibaie,

Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration.

[FR Doc. 2014–05646 Filed 3–13–14; 8:45 am]

BILLING CODE 4910–60–P

[1] ''Construction'' is an all-inclusive term comprising materials, design, fabrication, examination, inspection, testing, certification, and over-pressure protection.

[2] ''Continued service'' is an all-inclusive term referring to inspection, testing, repair, alteration, and recertification of a transport tank that has been in service.

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[Docket No. 130403322–4180–01]

RIN 0648–BD08

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Dolphin and Wahoo Fishery Off the Atlantic States; Amendment 5

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 Amendment 5 (Amendment 5) to Fishery Management Plan for the Dolphin and Wahoo Fishery off the Atlantic States (FMP), as prepared and submitted by the South Atlantic Fishery Management Council (Council). If implemented, this rule would revise the annual catch limits (ACLS) and accountability measures (AMs) for the commercial and recreational sectors for dolphin and wahoo, and update the framework procedures for the FMP. The purpose of this rule is to help achieve optimum yield (OY) within the dolphin and wahoo fishery and to minimize socio-economic impacts, to the extent practicable, 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 April 14, 2014.

ADDRESSES: You may submit comments on the proposed rule, identified by ''NOAA–NMFS–2013–0170'' by any of the following methods:

- *Electronic Submission:* Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to *www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2013-0170,* click the ''Comment Now!'' icon, complete the required fields, and enter or attach your comments.
- *Mail:* Submit written comments to Nikhil Mehta, 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* 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 amendment, which includes an environmental assessment, regulatory impact review, and Regulatory Flexibility Act analysis, may be obtained from the Southeast Regional Office Web site at *http://sero.nmfs.noaa.gov/sustainable_fisheries/s_atl/dw/2013/am5/index.html.*

FOR FURTHER INFORMATION CONTACT: Nikhil Mehta, telephone: 727–824–5305, or email: *nikhil.mehta@noaa.gov.*

SUPPLEMENTARY INFORMATION: The dolphin and wahoo fishery off the Atlantic states 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 final rule for the Comprehensive ACL Amendment included Amendment 3 to the FMP, which established ACLs (including ACL allocations to both the recreational and commercial sectors), acceptable biological catches (ABCs), recreational annual catch targets (ACTs), and accountability measures (AMs) for dolphin and wahoo (77 FR 15916, March 16, 2012). Recreational catch estimates used in the Comprehensive ACL Amendment were determined with data collected by the Marine Recreational Fisheries Statistics Survey (MRFSS), which was the best scientific information available at that time. NMFS has made significant improvements in the data collection and catch estimation methodologies that are used to collect and analyze the recreational data for the computation of ABCs, as well as ACLs and ACTs. NMFS now estimates recreational landings using the Marine Recreational Information Program (MRIP).

The MRIP collects recreational data on a more frequent basis and provides more accurate recreational catch estimates by accounting for potential biases such as possible differences in catch rates at high-activity and low-activity fishing sites, as well as variation in fishing effort throughout the day. As described in Amendment 5, the MRIP values used to estimate recreational landings, along with updates to headboat and commercial landings, are the best scientific information available to revise the ABC catch estimates, ACLs, recreational ACTs, and AMs for dolphin and wahoo. Updates to the commercial and headboat landings were included in the revisions to the ACLs and ACTs, because the ABC control rule and subsequent ABCs and ACLs established in the Comprehensive ACL Amendment used data from both the recreational and commercial sectors (77 FR 15916, March 16, 2012). The headboat and commercial data updates reflect NMFS's ongoing data quality assurance and quality control protocols and reflect the best available scientific information.

These revisions are necessary because if the ABC, ACL, and ACT values are not updated using the new MRIP estimates, the recreational ACLs would be based on MRFSS data, while the landings being used to track the recreational ACLs would be estimated using MRIP data. If this change is not made, it would result in inconsistencies in how the ACLs are calculated versus how the ACLs are monitored.

Management Measures Contained in This Proposed Rule

This proposed rule would revise the ACLs and AMs for dolphin and wahoo, and revise the framework procedures for the FMP.

Dolphin Commercial and Recreational ACLs

This proposed rule would revise the dolphin commercial and recreational ACLs. The dolphin commercial ACL would be increased from 1,065,524 lb (483,314 kg) to 1,157,001 lb (524,807 kg). The dolphin recreational ACL would be increased from 13,530,692 lb (6,137,419 kg) to 14,187,845 lb (6,435,498 kg). The effects of the increases in the ACLs for dolphin are expected to be negligible to the stock and the human environment.

Wahoo Commercial and Recreational ACLs

This proposed rule would revise the wahoo commercial and recreational ACLs. The wahoo commercial ACL would be increased from 64,147 lb (29,097 kg) to 70,542 lb (31,997 kg). The wahoo recreational ACL would be increased from 1,427,638 lb (647,566 kg) to 1,724,418 lb (782,183 kg). The effects of the increases in ACLs for wahoo are expected to be negligible to the stock and the human environment.

Dolphin and Wahoo Commercial AMs

The current commercial AMs for dolphin and wahoo close the commercial sector for the respective species for the remainder of the fishing year, if commercial landings as estimated by the Science and Research Director (SRD) reach, or are projected to reach, the commercial ACL (in-season closure).

This proposed rule would also provide that if the commercial ACL is met or projected to be met, then the commercial ACL for the respective species in the following fishing year would be reduced by the amount of the commercial ACL overage. However, the commercial ACL overage adjustment would only be applied if the species is overfished and the total ACL (combined commercial and recreational ACLs) is exceeded. The Council determined the commercial ACL overage adjustment (payback), combined with the in-season AM closure would offer greater

protection to the stocks and provided the best management strategy for the commercial sector based on the biology and recent catch levels of dolphin and wahoo.

Dolphin and Wahoo Recreational AMs

The current recreational AMs for dolphin and wahoo provide that if recreational landings, as estimated by the SRD, exceed the recreational ACL, then during the following fishing year, recreational landings will be monitored for a persistence in increased landings and, if necessary, the NMFS Southeast Regional Administrator (RA) shall publish a notice to reduce the length of the following recreational fishing season by the amount necessary to ensure recreational landings do not exceed the recreational ACL in the following fishing year. However, the length of the recreational season will also not be reduced during the following fishing year if the RA determines, using the best scientific information available, that a reduction in the length of the following fishing season is unnecessary.

This proposed rule would modify the recreational AM to reduce the length of the fishing season and the recreational ACL in the fishing year following any recreational sector ACL overage, if the stock is overfished and the total ACL (commercial and recreational ACLs combined) is exceeded. However, the recreational ACL overage adjustment and fishing season reduction would not be applied if the RA determines, using the best scientific information available, that such a reduction is unnecessary. The ability to reduce the recreational ACL when an overage of the respective ACL occurs would provide additional protection to the dolphin and wahoo stocks. The Council determined that this set of AMs best meets the objectives of the FMP, while complying with the requirements of the Magnuson-Stevens Act.

Dolphin and Wahoo FMP Framework Procedures

The current framework procedure for dolphin and wahoo was implemented in 2004 through the FMP (69 FR 30235, May 27, 2004). While comprehensive, the framework does not incorporate recent developments such as ACLs, ABC control rule, AMs, and the roles of the Council's Southeast Data, Assessment, and Review (SEDAR) process for stock assessments, and Scientific and Statistical Committee's (SSC) role in reviewing SEDAR data for the Council.

This proposed rule would revise the framework procedures for the FMP to add an ABC control rule, ACLs, ACTs, and AMs to the measures that could be revised via the regulatory amendment process. Additionally, this proposed rule would allow an ABC, ACL, and ACT to be modified using an abbreviated framework procedure, whereby after the Council has taken final action to change an ABC, ACL, and/or ACT, the Council would submit a letter to the RA containing an analysis of the relevant biological, economic, social, and administrative information necessary to support the action. Based on the information provided by the Council, the RA would determine whether or not the requested modifications are warranted. If the requested modifications may be warranted, NMFS would develop the appropriate documentation to comply with the National Environmental Policy Act and other applicable law, and propose the action through rulemaking. NMFS anticipates this expedited process will shorten the time it would take to make routine changes to harvest limits in response to new scientific information, while allowing the public adequate time to comment on any change.

Additional Measures in Amendment 5 That Are Not Contained in This Proposed Rule

In addition to the measures in this proposed rule, this rule publishes for the public's convenience, certain measures contained in Amendment 5. Amendment 5 would revise the ABCs and recreational ACTs for dolphin and wahoo. Amendment 5 would increase the ABC for dolphin from 14,596,216 lb (6,620,732 kg) to 15,344,846 lb (6,960,305 kg). The ABC for wahoo would increase from 1,491,785 lb (676,662 kg) to 1,794,960 lb (814,180 kg). The revised ABCs would be established using MRIP data as opposed to using MRFSS data, as was used to establish the current ABCs.

Amendment 5 would also increase the current dolphin recreational ACT of 11,595,803 lb (5,259,768 kg) to 12,769,061 (5,791,949 kg) and the current wahoo recreational ACT of 1,164,953 lb (528,414 kg) to 1,258,825 lb (570,993 kg). The current recreational ACTs for dolphin and wahoo, implemented in the Comprehensive ACL Amendment, function as performance standards, and do not have management measures associated with them, such as triggering AMs (77 FR 15916, March 16, 2012).

Classification

Pursuant to section 304(b)(1)(A) of the Magnuson-Stevens Act, the Assistant Administrator has determined that this proposed rule is consistent with Amendment 5, the FMP, Magnuson-Stevens Act and other applicable law, subject to further consideration after public comment.

This proposed rule has been determined to be not significant for purposes of Executive Order 12866.

The Magnuson-Stevens Act provides the statutory basis for this rule.

The Chief Counsel for Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration (SBA) that this rule, if adopted, would not have a significant economic impact on a substantial number of small entities. The factual basis for this determination is as follows:

This proposed rule is expected to directly affect commercial fishermen and for-hire operators in the Atlantic. The SBA established size criteria for all major industry sectors in the U.S. including fish harvesters and for-hire operations. A business involved in fish harvesting is classified as a small business if independently owned and operated, is not dominant in its field of operation (including its affiliates), and its combined annual receipts are not in excess of $19.0 million (NAICS code 114111, finfish fishing) for all of its affiliated operations worldwide. For for-hire vessels, other qualifiers apply and the annual receipts threshold is $7.0 million (NAICS code 487210, fishing boat charter operation). The SBA periodically reviews and changes, as appropriate, these size criteria. On June 20, 2013, the SBA issued a final rule revising the small business size standards for several industries effective July 22, 2013 (78 FR 37398). That rule increased the size standard for commercial finfish harvesters from $4.0 million to $19.0 million. Neither that rule, nor other recent SBA rules, changed the size standard for for-hire vessels.

From 2008–2012, an annual average of 554 vessels with valid Federal permits to operate in the commercial sector of the Atlantic dolphin-wahoo fishery landed at least 1 lb (0.6 kg) of dolphin. These vessels generated average annual dockside revenues of approximately $4.4 million (2011) from all species caught in the same trips as dolphin, of which $591,000 (2011 dollars) were from dolphin. Each commercial vessel, therefore, generated an annual average of approximately $8,000 in gross revenues, of which $1,000 were from dolphin. For the same period, an annual average of 211 vessels with valid Federal permits to operate in the commercial sector of the dolphin-wahoo fishery landed at least 1 lb (0.6 kg) of wahoo. These vessels generated

annual dockside revenues of approximately $673,000 (2011) from all species caught in the same trips as wahoo, of which $71,000 (2011 dollars) were from wahoo. Each vessel, therefore, generated an annual average of approximately $3,183 in gross revenues, of which $335 were from wahoo. Vessels that caught and landed dolphin or wahoo may also operate in other fisheries, the revenues of which are not reflected in these totals. Based on revenue information, all commercial vessels affected by the rule can be considered small entities.

From 2008–2012, an annual average of 2,005 vessels had valid or renewable Federal permits to operate in the for-hire component of the recreational sector of the Atlantic dolphin-wahoo fishery. As of April 23, 2013, 1,623 vessels held a Federal charter/headboat permit for Atlantic dolphin/wahoo, and about 75 of those vessels are estimated to have operated as headboats in 2013. The for-hire fleet consists of charter boats, which charge a fee on a vessel basis, and headboats, which charge a fee on an individual angler (head) basis. Average annual revenues (2011 dollars) for charter boats are estimated to be $126,032 for Florida vessels, $53,443 for Georgia vessels, $100,823 for South Carolina vessels, and $101,959 for North Carolina vessels. For headboats, the corresponding estimates are $209,507 for Florida vessels and $153,848 for vessels in the other states. Headboat revenues for states other than Florida are aggregated to prevent disclosure of otherwise confidential information. For the Northeast (states north of North Carolina), in 2010, the average gross revenue for headboats was approximately $214,000 and $28,000 for charter vessels. The Northeast information is not currently available on a state by state basis. Based on these average revenue figures, all for-hire operations that would be affected by the rule can be considered small entities.

This proposed rule would revise the ABCs, ACLs, and ACTs for dolphin and wahoo to reflect data from MRIP and other data updates. The resulting revisions would slightly increase the values for these parameters, thus resulting in slight economic benefits for the dolphin and wahoo commercial and recreational sectors.

This proposed rule would revise the commercial and recreational AMs for dolphin and wahoo by introducing ACL overage adjustment (payback) provisions, but only if the stocks are overfished and the aggregate commercial and recreational ACLs are exceeded. Since dolphin is currently neither overfished nor undergoing overfishing, introduction of a payback provision has no short-term economic effects on the commercial and recreational sectors. Although a stock assessment for wahoo will be done in 2015, there are indications that the stock is healthy because of its life history. In addition, and based on the last 5 years of landings, both the commercial and recreational sector ACLs for wahoo are unlikely to be exceeded during a fishing year in the near future. These revisions to the AMs for dolphin and wahoo are therefore expected to have no short-term economic effects on small entities.

NMFS considered one alternative, the ''no action'' alternative, to the commercial and recreational AMs for dolphin and wahoo. The no action alternative does not have payback provisions; however, AMs would apply regardless of stock status. In addition, the application of sector-specific AMs is dependent only on a sector's ACL being exceeded or expected to be exceeded and not on the aggregate commercial and recreational ACLs.

This proposed rule would also modify the framework procedures for the FMP. The proposed revisions are administrative in nature and therefore have no direct economic effects on small entities.

No duplicative, overlapping, or conflicting Federal rules have been identified. In addition, no new reporting, record-keeping, or other compliance requirements are introduced by this proposed rule. Accordingly, this rule does not implicate the Paperwork Reduction Act.

The information provided above supports a determination that this rule would not have a significant economic impact on a substantial number of small entities. Because this rule, if implemented, is not expected to have significant economic impact on any small entities, an initial regulatory flexibility analysis is not required and none has been prepared.

List of Subjects in 50 CFR Part 622

Atlantic, Dolphin, Fisheries, Fishing, Wahoo.

Dated: March 7, 2014.

Samuel D. Rauch III,

Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

For the reasons set out in the preamble, 50 CFR part 622 is proposed to be amended as follows:

PART 622—FISHERIES OF THE CARIBBEAN, GULF OF MEXICO, AND SOUTH ATLANTIC

■ 1. The authority citation for part 622 continues to read as follows:

Authority: 16 U.S.C. 1801 *et seq.*

■ 2. In § 622.280, paragraphs (a) and (b) are revised to read as follows:

§ 622.280 Annual catch limits (ACLs) and accountability measures (AMs).

(a) *Atlantic dolphin*—(1) *Commercial sector.* (i) If commercial landings for Atlantic dolphin, as estimated by the SRD, reach or are projected to reach the commercial ACL of 1,157,001 lb (524,807 kg), round weight, the AA will file a notification with the Office of the Federal Register to close the commercial sector for the remainder of the fishing year. On and after the effective date of such a notification, all sale or purchase of Atlantic dolphin is prohibited and harvest or possession of this species in or from the South Atlantic EEZ is limited to the bag and possession limit. This bag and possession limit applies in the South Atlantic on board a vessel for which a valid Federal commercial or charter vessel/headboat permit for Atlantic dolphin and wahoo has been issued, without regard to where such species were harvested, *i.e.,* in state or Federal waters.

(ii) In addition to the measures specified in paragraph (a)(1)(i) of this section, if the combined Atlantic dolphin commercial and recreational landings exceed the combined commercial and recreational ACLs specified in paragraphs (a)(1)(i) and (a)(2)(i) of this section, and Atlantic dolphin are overfished, based on the most recent Status of U.S. Fisheries Report to Congress, the AA will file a notification with the Office of the Federal Register, at or near the beginning of the following fishing year, to reduce the commercial ACL for that following year by the amount of the commercial overage in the prior fishing year.

(2) *Recreational sector.* (i) If recreational landings for Atlantic dolphin, as estimated by the SRD, exceed the recreational ACL of 14,187,845 lb (6,435,498 kg), round weight, then during the following fishing year, recreational landings will be monitored for a persistence in increased landings.

(ii) If the combined Atlantic dolphin commercial and recreational landings exceed the combined commercial and recreational ACLs specified in paragraphs (a)(1)(i) and (a)(2)(i) of this section, and Atlantic dolphin are

overfished, based on the most recent Status of U.S. Fisheries Report to Congress, the AA will file a notification with the Office of the Federal Register, at or near the beginning of the following fishing year, to reduce the recreational ACL for that following year by the amount of the recreational overage in the prior fishing year, and reduce the recreational fishing season by the amount necessary to ensure recreational landings do not exceed the reduced ACL. However, the recreational ACL and the length of the recreational fishing season will not be reduced during the following fishing year if the RA determines, using the best scientific information available, that a reduced recreational ACL and a reduction in the length of the following fishing season is unnecessary.

(b) *Atlantic wahoo*—(1) *Commercial sector.* (i) If commercial landings for Atlantic wahoo, as estimated by the SRD, reach or are projected to reach the commercial ACL of 70,542 lb (31,997 kg), round weight, the AA will file a notification with the Office of the Federal Register to close the commercial sector for the remainder of the fishing year. On and after the effective date of such a notification, all sale or purchase of Atlantic wahoo is prohibited and harvest or possession of this species in or from the South Atlantic EEZ is limited to the bag and possession limit. This bag and possession limit applies in the South Atlantic on board a vessel for which a valid Federal commercial or charter vessel/headboat permit for Atlantic dolphin and wahoo has been issued, without regard to where such species were harvested, *i.e.,* in state or Federal waters.

(ii) In addition to the measures specified in paragraph (b)(1)(i) of this section, if the combined Atlantic wahoo commercial and recreational landings exceed the combined commercial and recreational ACLs specified in paragraphs (b)(1)(i) and (b)(2)(i) of this section, and Atlantic wahoo are overfished, based on the most recent Status of U.S. Fisheries Report to Congress, the AA will file a notification with the Office of the Federal Register, at or near the beginning of the following fishing year, to reduce the commercial ACL for that following year by the amount of the commercial overage in the prior fishing year.

(2) *Recreational sector.* (i) If recreational landings for Atlantic wahoo, as estimated by the SRD, exceed the recreational ACL of 1,724,418 lb (782,183 kg), round weight, then during the following fishing year, recreational landings will be monitored for a persistence in increased landings.

(ii) If the combined Atlantic wahoo commercial and recreational landings exceed the combined commercial and recreational ACLs specified in paragraphs (b)(1)(i) and (b)(2)(i) of this section, and Atlantic wahoo are overfished, based on the most recent Status of U.S. Fisheries Report to Congress, the AA will file a notification with the Office of the Federal Register, at or near the beginning of the following fishing year, to reduce the recreational ACL for that following year by the amount necessary to ensure recreational landings do not exceed the reduced ACL. However, the recreational ACL and the length of the recreational fishing season will not be reduced during the following year if the RA determines, using the best scientific information available, that a reduced recreational ACL and a reduction in the length of the following fishing season is unnecessary.

■ 3. In § 622.281, paragraph (a) is revised to read as follows:

§ 622.281 Adjustment of management measures.

* * * * *

(a) *Atlantic dolphin and wahoo.* Biomass levels, age-structured analyses, MSY, OY, OFL, TAC, ABC, ABC Control Rule, ACLs, ACTs, AMs, trip limits, minimum sizes, gear regulations and restrictions, permit requirements, seasonal or area closures, sub-zones and their management measures, overfishing definitions and other status determination criteria, time frame for recovery of Atlantic dolphin or wahoo if overfished, fishing year (adjustment not to exceed 2 months), authority for the RA to close a fishery when a quota is reached or is projected to be reached or reopen a fishery when additional quota becomes available, definitions of essential fish habitat, and essential fish habitat HAPCs or Coral HAPCs.

* * * * *

[FR Doc. 2014–05581 Filed 3–13–14; 8:45 am]

BILLING CODE 3510–22–P

Notices

Federal Register
Vol. 79, No. 50
Friday, March 14, 2014

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

Agricultural Marketing Service

[Doc. No. FV10–CP–01, AMS–FV–10–0041]

Notice of Request for Extension of a Currently Approved Information Collection

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Notice and request for comments.

SUMMARY: This notice announces the Agricultural Marketing Service's (AMS) intention to request approval, from the Office of Management and Budget, for an extension of the currently approved information collection request Web-Based Supply Chain Management Commodity Offer Form, Paperwork Collection Notice. This information collection is necessary to support the procurement of agricultural commodities for domestic nutrition assistance programs. AMS issues invitations to purchase fresh and processed commodities for domestic nutrition assistance programs on a year round basis. The extension of the information collection request is required to continue using our Web-Based Supply Chain Management (WBSCM) system, which allows respondents to submit information electronically. The information collection burden for respondents should not increase.

DATES: Comments on this notice must be received May 13, 2014.

ADDRESSES: Address all comments concerning this notice to David Tuckwiller, Project Manager, Web Based Supply Chain Management System, Commodity Procurement Branch, South Building, Room 3524–S, 1400 Independence Ave. SW., Washington, DC 20250–0239. Submit electronic comments and other data to *David.Tuckwiller@ams.usda.gov.*

You may also send comments to the Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: David Tuckwiller, 202–720–4517.

SUPPLEMENTARY INFORMATION:

Title: Web-Based Supply Chain Management Offer Forms.

OMB Number: 0581–0273.

Expiration Date of Approval: Three years from approval.

Type of Request: Extension of a currently approved information collection.

Abstract: AMS purchases commodities for various domestic nutrition assistance programs, and provides support for commodity markets with surplus inventory. AMS issues invitations to purchase agricultural commodities for use in domestic nutrition assistance programs. In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), this information collection request is for the extension of the currently approved information collection for the WBSCM system where respondents will submit information electronically via that system. Vendor information, annual certification information, and all domestic commodity offer information will be entered and received electronically in WBSCM. Vendors will be able to access WBSCM to see the date and time the system shows for receipt of bid, bid modification, or bid cancellation information. At bid opening date and time, the bid information is evaluated through the WBSCM system. Acceptances will be sent to the successful offerors electronically. Awarded contracts will be posted on the AMS Website.

Estimate of Burden: Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information per response.

Respondents: Businesses.

Estimated Number of Respondents: 341.

Estimated Total Annual Responses: 187,175.

Estimated Number of Responses per Respondent: 549.

Estimated Total Annual Burden on Respondents: 47,793.75 hours.

Comments are invited on: (1) 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; (2) 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; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology. All comments received will be available for public inspection during regular business hours at the same address.

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: March 5, 2014.

Rex A. Barnes,

Associate Administrator, Agricultural Marketing Service.

[FR Doc. 2014–05560 Filed 3–13–14; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[Doc. No. AMS–DA–13–0095]

Notice of Request for Extension and Revision of a Currently Approved Information Collection

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), this notice announces the Agricultural Marketing Service's (AMS) intention to request approval, from the Office of Management and Budget, for an extension of and revision to the currently approved information collection Dairy Request for Applicant Number OMB NO. 0581–0272.

DATES: Comments on this notice must be received by May 13, 2014 to be assured of consideration.

Additional Information or Comments: Contact Ken Vorgert, Chief, Dairy Grading Branch, Dairy Programs, Agricultural Marketing Service, U.S. Department of Agriculture, 2150 Western Court, Suite 100, Lisle, IL 60532–1793 telephone 630–437–5037, Fax 630–437–5060 or Email *ken.vorgert@ams.usda.gov.*

Comments: Comments are welcome and should reference the docket number and the date and page number of this issue of the **Federal Register**. Comments may be submitted by mail to Ken Vorgert, 2150 Western Court, Suite 100, Lisle, IL 60532 or online at *www.regulations.gov.* All comments received will be available for public inspection during regular business hours at the same address, or they can be viewed at *www.regulations.gov.*

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.

SUPPLEMENTARY INFORMATION:

Title: Dairy Request for Applicant Number.

OMB Number: 0581–0272.

Expiration Date of Approval: July 31, 2014.

Type of Request: Extension and revision of a currently approved information collection.

Abstract: The dairy grading program is a voluntary user fee program authorized under the Agricultural Marketing Act (AMA) of 1946 (7 U.S.C. 1621–1627). The regulations governing inspection and grading services of manufactured or processed dairy products are contained in 7 CFR part 58. In order for a voluntary inspection program to perform satisfactorily, appropriate information must be collected. In general, information requested is used to identify and contact the party responsible for payment of the export certification, inspection, grading or equipment evaluation fee and expense. The information requested on the form is required for AMS Dairy Grading Branch to set up accounts to allow applicants to do business with AMS Dairy Grading Branch. This information includes name of contact, phone number of contact, address of business and tax identification number. This information is currently collected over the telephone, or through faxes, letters or emails. The form allows for uniform collection of the information and more secure management of the information.

The DA–228, Request for Applicant Number, will be updated and the information collected slightly reduced. The form will now be available in a Word format as opposed to the previous PDF format. The form will no longer request, ''whom the information was requested by'', ''date'', or ''service type''.

The DA–229, Export Applicant Number Activation form has become obsolete and is no longer necessary. This form was previously used to activate applicant accounts that were already in the system.

Estimate of Burden: Public reporting burden for this collection of information is estimated to average 0.05 hours per response.

Respondents: Businesses or other for-profit.

Estimated Number of Respondents: 100.

Estimated Total Annual Responses: 100.

Estimated Number of Responses per Respondent: 1.

Estimated Total Annual Burden on Respondents: 3 minutes.

Comments are invited on: (1) 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; (2) 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; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Dated: February 26, 2014.

Rex A. Barnes,

Associate Administrator, Agricultural Marketing Service.

[FR Doc. 2014–05559 Filed 3–13–14; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF AGRICULTURE

Agricultural Research Service

Notice of Intent to Grant Exclusive License

AGENCY: Agricultural Research Service, USDA.

ACTION: Notice of intent.

SUMMARY: Notice is hereby given that the U.S. Department of Agriculture, Agricultural Research Service, intends to grant to Washington State Crop Improvement Association of Pullman, Washington, an exclusive license to the variety of lentil described in U.S. Plant Variety Protection Certificate Application No. 201400093, ''Avondale,'' filed on December 19, 2013.

DATES: Comments must be received on or before April 14, 2014.

ADDRESSES: Send comments to: USDA, ARS, Office of Technology Transfer, 5601 Sunnyside Avenue, Rm. 4–1174, Beltsville, Maryland 20705–5131.

FOR FURTHER INFORMATION CONTACT: June Blalock of the Office of Technology Transfer at the Beltsville address given above; telephone: 301–504–5989.

SUPPLEMENTARY INFORMATION: The Federal Government's rights in this plant variety are assigned to the United States of America, as represented by the Secretary of Agriculture. It is in the public interest to so license this plant variety as Washington State Crop Improvement Association of Pullman, Washington has submitted a complete and sufficient application for a license. The prospective exclusive license will be royalty-bearing and will comply with the terms and conditions of 35 U.S.C. 209 and 37 CFR 404.7. The prospective exclusive license may be granted unless, within thirty (30) days from the date of this published Notice, the Agricultural Research Service receives written evidence and argument which establishes that the grant of the license would not be consistent with the requirements of 35 U.S.C. 209 and 37 CFR 404.7.

Mojdeh Bahar,

Assistant Administrator.

[FR Doc. 2014–05568 Filed 3–13–14; 8:45 am]

BILLING CODE 3410–03–P

DEPARTMENT OF AGRICULTURE

Farm Service Agency

Risk Management Agency; 2014 Farm Bill Implementation Listening Session

AGENCY: Farm Service Agency and Risk Management Agency, USDA.

ACTION: Notice.

SUMMARY: In preparing to implement the Agricultural Act of 2014 (commonly referred to as the 2014 Farm Bill), we are hosting a listening session for initial public input about the new programs and changes to existing programs for which the Farm Service Agency (FSA) and the Risk Management Agency (RMA) have been delegated the authority to implement. The 2014 Farm Bill is intended to maintain a strong farm safety-net, restore funding for a

number of critical programs including disaster assistance that has lapsed, conserve our natural resources, and prepare the nation for the next generation of farming and agriculture. The listening session will provide an opportunity for stakeholders to voice their priorities, concerns, or requests. Examples of new programs FSA will implement include the Agriculture Risk Coverage (ARC), Price Loss Coverage (PLC), and Dairy Margin Protection Programs (MPP-Dairy). RMA will be implementing the new Supplemental Coverage Option (SCO), Stacked Income Protection Plan (STAX) for producers of upland cotton, conservation compliance requirements, and several new program revisions leading to enhanced crop insurance coverage. Instructions regarding registering for and attending the listening session are in the **SUPPLEMENTARY INFORMATION** section of this notice.

DATES: *Listening session:* The listening session will be on March 27, 2014, and will begin at 9:00 a.m. and is scheduled to end by 5:00 p.m.

Registration: You must register by March 15, 2014, to attend the listening session and to provide oral comments during the listening session.

Comments: Written comments are due by April 2, 2014.

ADDRESSES: We invite you to participate in the listening session. The listening session is open to the public. The meeting will be held in the Jefferson Auditorium of the South Building at 14th Street and Independence Ave. SW., Washington, DC 20250.

We also invite you to submit comments by any of the following methods:

- Federal eRulemaking Portal: Go to *http://www.regulations.gov*. Follow the online instructions for submitting comments; or
- Orally at the listening session; please also provide a written copy of your comments online as specified above or in hard copy at the listening session.

FOR FURTHER INFORMATION CONTACT: Robert Stephenson; phone: (202) 720–4019. Persons with disabilities who require alternative means for communication (Braille, large print, audio tape, etc.) should contact the USDA Target Center at (202) 720–2600 (voice and TDD).

SUPPLEMENTARY INFORMATION: On February 7, 2014, the 2014 Farm Bill (Pub. L. 113–79) was signed into law. The Secretary of Agriculture and the respective USDA agencies, including, but not limited to FSA and RMA, are working to implement the provisions of the 2014 Farm Bill as expeditiously as possible to meet the needs of producers and other stakeholders. In order to implement the provisions expeditiously and to ensure transparency, it is important to hear from stakeholders to be aware of their priorities, concerns, or requests.

FSA and RMA will hold the listening session on the following date and location. The listening session is open to the public. The stakeholders and public are invited to provide oral comments during the meeting on March 27, 2014. A written copy of the oral comments is requested. (See the **ADDRESSES** section above for information about submitting written comments.) In addition, written comments may be submitted by April 2, 2014. As a listening session, the focus is for FSA and RMA to hear from the public; this is not a discussion with FSA and RMA officials or a question and answer session. The purpose is to receive public input that each agency can factor into discretionary decisions that need to be made to implement the provisions of the 2014 Farm Bill.

Date	Time	Location information
March 27, 2014	9:00 a.m.–5:00 p.m	USDA headquarters, in the South Building, Jefferson Auditorium 14th Street and Independence Ave. SW., Washington, DC 20250.

The listening session will begin with brief opening remarks from the USDA Under Secretary for Farm and Foreign Agricultural Services. Individual speakers providing oral comments will be limited to an estimated 3–5 minutes; however, this time will be adjusted based on stakeholder interest. As noted above, we request that speakers providing oral comments also provide a written copy of their comments. (See the **ADDRESSES** section above for information about submitting written comments.) All stakeholders and interested members of the public are welcome to register to provide oral comments; however, due to the time constraints a limited number will be selected on a first come, first serve basis.

The purpose of the listening session is for FSA and RMA to hear from stakeholders and other interested members of the public about the programs that are being implemented or revised by FSA or RMA as required by the 2014 Farm Bill. Please refer to the name of the FSA or RMA program in your comment and the relevant section number in the 2014 Farm Bill. In your comments, provide your input about the program, changes, outreach, education, tools, and anything else that may be helpful for us as we implement the new programs and changes. The following list of programs that span multiple sections in the 2014 Farm Bill or program names that may not be obvious from the section title include:

- New ARC and PLC Programs (2014 Farm Bill sections 1111–1118);
- Revised MAL and LDP for 2015 and subsequent crops and the extension of the Sugar Program and the related Feedstock Flexibility Program (2014 Farm Bill sections 1201–1210, 1301, and 9009);
- New MPP-Dairy and the new Dairy Product Donation Program (2014 Farm Bill sections 1401–1422, 1425, and 1431);
- Revised disaster assistance programs for 2015 and subsequent crops, including the Livestock Indemnity Program (LIP), the Livestock Forage Disaster Program (LFP), the Emergency Assistance for Livestock, Honeybees, and Farm-Raised Fish Program (ELAP), and the Tree Assistance Program (TAP) (2014 Farm Bill section 1501);
- Common provisions for payment limits & payment eligibility for 2015 and subsequent crops (2014 Farm Bill sections 1603 and 1605);
- Actively engaged requirements for payment eligibility (2014 Farm Bill section 1604);
- Highly erodible land and wetland conservation for crop insurance (2014 Farm Bill section 2611); and
- New SCO and STAX programs (2014 Farm Bill sections 11003 and 11017).

To identify the section numbers for your comments and to find the relevant text for FSA and RMA programs in the 2014 Farm Bill, which is available on the FSA Farm Bill Web page (*http://www.fsa.usda.gov/farmbill*), the following is an excerpt from the 2014 Farm Bill Table of Contents that focuses on the sections for the FSA and RMA programs:

Agricultural Act of 2014

Title I—Commodities

Subtitle A—Repeals and Reforms

Part II—Commodity Policy

Sec. 1111. Definitions.
Sec. 1112. Base acres.
Sec. 1113. Payment yields.
Sec. 1114. Payment acres.
Sec. 1115. Producer election.
Sec. 1116. Price loss coverage.
Sec. 1117. Agriculture risk coverage.
Sec. 1118. Producer agreements.
Sec. 1119. Transition assistance for producers of upland cotton.

Subtitle B—Marketing Loans

Sec. 1201. Availability of nonrecourse marketing assistance loans for loan commodities.
Sec. 1202. Loan rates for nonrecourse marketing assistance loans.
Sec. 1203. Term of loans.
Sec. 1204. Repayment of loans.
Sec. 1205. Loan deficiency payments.
Sec. 1206. Payments in lieu of loan deficiency payments for grazed acreage.
Sec. 1207. Special marketing loan provisions for upland cotton.
Sec. 1208. Special competitive provisions for extra long staple cotton.
Sec. 1209. Availability of recourse loans for high moisture feed grains and seed cotton.
Sec. 1210. Adjustments of loans.

Subtitle C—Sugar

Sec. 1301. Sugar policy.

Subtitle D—Dairy

Part I—Margin Protection Program for Dairy Producers

Sec. 1401. Definitions.
Sec. 1402. Calculation of average feed cost and actual dairy production margins.
Sec. 1403. Establishment of margin protection program for dairy producers.
Sec. 1404. Participation of dairy operations in margin protection program.
Sec. 1405. Production history of participating dairy operations.
Sec. 1406. Margin protection payments.
Sec. 1407. Premiums for margin protection program.
Sec. 1408. Effect of failure to pay administrative fees or premiums.
Sec. 1409. Duration.
Sec. 1410. Administration and enforcement.

Part II—Repeal or Reauthorization of Other Dairy-Related Provisions

Sec. 1421. Repeal of dairy product price support program.
Sec. 1422. Temporary continuation and eventual repeal of milk income loss contract program.
Sec. 1423. Repeal of dairy export incentive program.
Sec. 1424. Extension of dairy forward pricing program.
Sec. 1425. Extension of dairy indemnity program.
Sec. 1426. Extension of dairy promotion and research program.
Sec. 1427. Repeal of Federal Milk Marketing Order Review Commission.

Part III—Dairy Product Donation Program

Sec. 1431. Dairy product donation program.

Subtitle E—Supplemental Agricultural Disaster Assistance Programs

Sec. 1501. Supplemental agricultural disaster assistance.

Subtitle F—Administration

Sec. 1601. Administration generally.
Sec. 1603. Payment limitations.
Sec. 1604. Rulemaking related to significant contribution for active personal management.
Sec. 1605. Adjusted gross income limitation.
Sec. 1606. Geographically disadvantaged farmers and ranchers.
Sec. 1607. Personal liability of producers for deficiencies.
Sec. 1608. Prevention of deceased individuals receiving payments under farm commodity programs.
Sec. 1609. Technical corrections.
Sec. 1610. Appeals.
Sec. 1612. Tracking of benefits.
Sec. 1613. Signature authority.
Sec. 1614. Implementation.
Sec. 1615. Research option.

Title II—Conservation

Subtitle A—Conservation Reserve Program

Sec. 2001. Extension and enrollment requirements of conservation reserve program.
Sec. 2002. Farmable wetland program.
Sec. 2003. Duties of owners and operators.
Sec. 2004. Duties of the Secretary.
Sec. 2005. Payments.
Sec. 2006. Contract requirements.
Sec. 2007. Conversion of land subject to contract to other conserving uses.
Sec. 2008. Effect on existing contracts.

Subtitle G—Funding and Administration

Sec. 2602. Technical assistance.
Sec. 2604. Reservation of funds to provide assistance to certain farmers or ranchers for conservation access.
Sec. 2606. Administrative requirements applicable to all conservation programs.
Sec. 2609. Wetlands mitigation.
Sec. 2610. Lesser prairie-chicken conservation report.
Sec. 2611. Highly erodible land and wetland conservation for crop insurance.
Sec. 2712. Temporary administration of conservation programs.

Title V—Credit

Subtitle A—Farm Ownership Loans

Sec. 5001. Eligibility for farm ownership loans.

Subtitle B—Operating Loans

Sec. 5101. Eligibility for farm operating loans.
Sec. 5105. Valuation of local or regional crops.
Sec. 5106. Microloans.

Subtitle C—Emergency Loans

Sec. 5201. Eligibility for emergency loans.

Subtitle D—Administrative Provisions

Sec. 5302. Farmer loan pilot projects.

Subtitle E—Miscellaneous

Sec. 5402. Loans to purchasers of highly fractionated land.

Title IX—Energy

Sec. 9009. Feedstock Flexibility Program for Bioenergy Producers.
Sec. 9010. Biomass Crop Assistance Program.

Title XI—Crop Insurance

Sec. 11001. Information sharing.
Sec. 11002. Publication of information on violations of prohibition on premium adjustments.
Sec. 11003. Supplemental coverage option.
Sec. 11004. Crop margin coverage option.
Sec. 11005. Premium amounts for catastrophic risk protection.
Sec. 11006. Permanent enterprise unit subsidy.
Sec. 11007. Enterprise units for irrigated and nonirrigated crops.
Sec. 11008. Data collection.
Sec. 11009. Adjustment in actual production history to establish insurable yields.
Sec. 11010. Submission of policies and Board review and approval.
Sec. 11011. Consultation.
Sec. 11012. Budget limitations on renegotiation of the standard reinsurance agreement.
Sec. 11013. Test weight for corn.
Sec. 11014. Crop production on native sod.
Sec. 11015. Coverage levels by practice.
Sec. 11016. Beginning farmer and rancher provisions.
Sec. 11017. Stacked income protection plan for producers of upland cotton.
Sec. 11018. Peanut revenue crop insurance.
Sec. 11019. Authority to correct errors.
Sec. 11020. Implementation.
Sec. 11021. Crop insurance fraud.
Sec. 11022. Research and development priorities.
Sec. 11023. Crop insurance for organic crops.
Sec. 11024. Program compliance partnerships.
Sec. 11025. Pilot programs.
Sec. 11026. Index-based weather insurance pilot program.
Sec. 11027. Enhancing producer self-help through farm financial benchmarking.
Sec. 11028. Technical amendments.

Title XII—Miscellaneous

Subtitle B—Socially Disadvantaged Producers and Limited Resource Producers

Sec. 12204. Receipt for service or denial of service from certain department of agriculture agencies.

Subtitle C—Other Miscellaneous Provisions

Sec. 12305. Noninsured crop assistance program.

Instructions for Attending the Meeting

Space for attendance at the meeting is limited. Due to USDA headquarters security and space requirements, all persons wishing to attend the public meeting or provide oral comments to FSA and RMA during the listening session must send an email to *robert.stephenson@wdc.usda.gov* by March 25, 2014, to register the names of

those planning to attend. Registrations will be accepted until maximum room capacity is reached. To register, provide the following information:

- First Name
- Last Name
- Organization
- Title
- Email
- City
- State

Upon arrival at the USDA South Building, registered persons must provide valid photo identification in order to enter the building; visitors need to enter the South Building through Wing 4. Please allow extra time to get through security. Additional information about the listening session, agenda, directions to get to the listening session, and how to provide comments is available at the FSA Farm Bill Web site: *http://www.fsa.usda.gov/farmbill*.

All written comments received will be publicly available on *www.regulations.gov*.

If you require special accommodations, such as a sign language interpreter, use the contact information above. The listening session location is accessible to persons with disabilities.

Signed on: March 11, 2014.

Michael T. Scuse,

Under Secretary, Farm and Foreign Agricultural Services.

[FR Doc. 2014–05710 Filed 3–12–14; 11:15 am]

BILLING CODE 3410–05–P

DEPARTMENT OF AGRICULTURE

Forest Service

Shoshone Resource Advisory Committee Meeting

AGENCY: Forest Service, USDA.

ACTION: Notice of meeting.

SUMMARY: The Shoshone Resource Advisory Committee (RAC) will meet in Thermopolis, Wyoming. The committee is authorized under the Secure Rural Schools and Community Self-Determination Act (Pub. L. 110–343) (the 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. The meeting is open to the public. The purpose of the meeting is to discuss the status of current SRS Title II projects and to review, and possibly vote on, project proposal for 2013 Title II funds.

DATES: The meeting will be held April 22, 2014 from 9:00 until 3:30 p.m. MST.

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 Bighorn Federal Savings Bank, 643 Broadway Street, Thermopolis, WY.

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 Shoshone National Forest, Supervisor's Office, 808 Meadow Lane, Cody, Wyoming. Please call ahead (307–527–6241) to facilitate entry into the building.

FOR FURTHER INFORMATION CONTACT: Steve Schacht by phone at 307–335–2171 or via email at *sschacht@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 accomodation for access to the facility or procedings by contacting the person listed in **FOR FURTHER INFORMATION**.

SUPPLEMENTARY INFORMATION: 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.* The agenda will include time for people to make oral statements of three minutes or less. Individuals wishing to make an oral statement should request in writing by April 10, 2014 to be scheduled on the agenda. 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 and requests for time for oral comments must be sent to Steve Schacht, District Ranger, 333 East Main St., Lander, WY 82520; or by email to *sschacht@fs.fed.us,* or via facsimile to 307–332–0264.

Dated: March 6, 2014.

Joseph G. Alexander,

Forest Supervisor .

[FR Doc. 2014–05552 Filed 3–13–14; 8:45 am]

BILLING CODE 3410–11–P

DEPARTMENT OF COMMERCE

Submission for OMB Review; Comment Request

The Department of Commerce will submit to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the emergency provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

Agency: National Institute of Standards and Technology (NIST).

Title: Nomination Applications for Participation in a Forensics Organization of Scientific Area Committees.

OMB Control Number: None.

Form Number(s): NA.

Type of Request: Emergency submission (new information collection).

Number of Respondents: 2,500.

Average Hours per Response: 30 minutes.

Burden Hours: 1,250.

Needs and Uses: The information requested will allow NIST along with the Department of Justice (DOJ) to populate over 500 positions in the newly established Organization of Scientific Area Committees (OSAC) to enable a coordinated U.S. approach to Standards for the Forensic Science Disciplines to include broad participation from forensic science practitioners, researchers, metrologists, accreditation bodies, defense, and prosecution.

NIST needs to determine who wants to serve on the OSAC, which of the thirty organizational components of the OSAC they are interested in working on, and the experience they bring to the OSAC so those selected will reflect a balance of perspectives. The application will be used to for this process.

NIST is requesting expedited review that will allow OSAC participants to be identified by May 2014, which will allow sufficient time to train the members on their responsibilities and guideline development, and to host the inaugural OSAC meeting by the end of FY 2014.

Affected Public: Individuals or households.

Frequency: One-time only.

Respondent's Obligation: Voluntary.

This information collection request may be viewed at *http://www.reginfo.gov/public*. Follow the instructions to review Department of Commerce collections under review.

Written comments and recommendations for the proposed information collection should be sent by March 31, 2014 to *OIRA_Submission@omb.eop.gov* or fax no. (202) 395–5806.

Dated: March 10, 2014.

Gwellnar Banks,

Management Analyst, Office of the Chief Information Officer.

[FR Doc. 2014–05599 Filed 3–13–14; 8:45 am]

BILLING CODE 3510–13–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B–21–2014]

Notification of Proposed Production Activity, Mercury Marine, Subzone 41H, (Marine Engine and Stern Drive Components), Fond du Lac, Wisconsin

Mercury Marine, operator of Subzone 41H, submitted a notification of proposed production activity to the FTZ Board for its facilities located in Fond du Lac, Wisconsin. The notification conforming to the requirements of the regulations of the FTZ Board (15 CFR 400.22) was received on February 19, 2014.

Mercury Marine already has authority to produce marine inboard, outboard, and jet pump engines, stern drives, transom assemblies, and related components. The current request would add new finished products and foreign components to the scope of authority. Pursuant to 15 CFR 400.14(b), additional FTZ authority would be limited to the specific foreign-status components and specific finished products described in the submitted notification (as described below) and subsequently authorized by the FTZ Board.

Production under FTZ procedures could exempt Mercury Marine from customs duty payments on the foreign-status components used in export production. On its domestic sales, Mercury Marine would be able to choose the duty rates during customs entry procedures that apply to catalytic converters, bracket assemblies, hydraulic trim/steering cylinders, recoil starters, parts/subassemblies of hydro jet engines, fuel pumps, power steering pumps, turbochargers, air compressor assemblies, parts of pumps, heat exchanger assemblies, seawater filter assemblies, processors for global positioning systems, transom pumps, engine trim pumps, valve assemblies, throttle body assemblies, shaft assemblies, coupling assemblies, engine-transmission assemblies, propellers, electric motors, starter assemblies, ignition control module assemblies, ignition switch assemblies, control panel assemblies, wiring harnesses, position sensor assemblies, and engine calibration module assemblies (duty rate ranges from free to 7.5%) for the foreign status inputs noted below and in the existing scope of authority. Customs duties also could possibly be deferred or reduced on foreign status production equipment.

The components and materials sourced from abroad include: Sound proofing blankets; rubber hose assemblies; thrust boards; gaskets; heat wraps; fuel lines; timing chains; water tubes; fasteners (washers, pins, retaining rings, bolts, nuts); oil drain tube assemblies; aluminum washers/o-rings/bushings; primer bulbs-fuel; hydraulic pumps; turbochargers; oil coolers; seawater filters; processors for global positioning systems (GPS); transom pumps; parts of trim pumps; pressure-reduction/hydraulic valves; electric motors; GPS units; condensors; resistors; control panels; remote controllers; insulated wire; electrical connectors/fittings; and, voltage/rudder gauges (duty rate ranges from free to 5.7%).

Public comment is invited from interested parties. Submissions shall be addressed to the FTZ Board's Executive Secretary at the address below. The closing period for their receipt is April 23, 2014.

A copy of the notification will be available for public inspection at the Office of the Executive Secretary, Foreign-Trade Zones Board, Room 21013, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230–0002, and in the ''Reading Room'' section of the FTZ Board's Web site, which is accessible via *www.trade.gov/ftz.*

FOR FURTHER INFORMATION CONTACT: Pierre Duy at *Pierre.Duy@trade.gov* or (202) 482–1378.

Dated: March 6, 2014.

Andrew McGilvray,

Executive Secretary.

[FR Doc. 2014–05665 Filed 3–13–14; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–549–831]

Steel Threaded Rod From Thailand: Final Determination of Sales at Less Than Fair Value and Affirmative Final Determination of Critical Circumstances

AGENCY: Enforcement and Compliance, formerly Import Administration, International Trade Administration, Department of Commerce.

SUMMARY: On December 31, 2013, the Department of Commerce (the ''Department'') published the preliminarily determination of the antidumping investigation of steel threaded rod from Thailand. The period of investigation (''POI'') is April 1, 2012, through March 31, 2013. We gave interested parties an opportunity to comment on the preliminary determination, but we received no comments. The final weighted-average dumping margins of sales at less than fair value (''LTFV'') are listed below in the ''Final Determination'' section of this notice.

DATES: *Effective Date:* March 14, 2014.

FOR FURTHER INFORMATION CONTACT: Raquel Silva, AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–6475.

SUPPLEMENTARY INFORMATION:

Background

On December 31, 2013, the Department published the preliminary determination of sales at LTFV of steel threaded rod from Thailand.[1] We invited interested parties to comment on the *Preliminary Determination,* but we received no comments. The Department conducted this investigation in accordance with section 731 of the Tariff Act of 1930, as amended (''the Act'').

Scope of the Investigation

The merchandise covered by this investigation is steel threaded rod. Steel threaded rod is certain threaded rod, bar, or studs, of carbon quality steel, having a solid, circular cross section, of any diameter, in any straight length, that have been forged, turned, cold-drawn, cold-rolled, machine straightened, or otherwise cold-finished, and into which threaded grooves have been applied. In addition, the steel threaded rod, bar, or studs subject to this investigation are non-headed and threaded along greater than 25 percent of their total length. A variety of finishes or coatings, such as plain oil finish as a temporary rust protectant, zinc coating (*i.e.,* galvanized, whether by electroplating or hot-dipping), paint, and other similar finishes and coatings, may be applied to the merchandise. For a complete

[1] *See Steel Threaded Rod From Thailand: Preliminary Determination of Sales at Less Than Fair Value and Affirmative Preliminary Determination of Critical Circumstances,* 78 FR 79670 (December 31, 2013) (''*Preliminary Determination*'').

description of the scope of the investigation, see the Appendix to this notice.

Final Determination

We made no changes to our calculations announced in the *Preliminary Determination.* The sole mandatory respondent in this proceeding, Tycoons Worldwide Group (Thailand) Public Co., Ltd. (''Tycoons''), failed to respond to the Department's questionnaire and did not further participate in this proceeding. Therefore, we continue to apply adverse facts available to this respondent in accordance with section 776 of the Act and 19 CFR 351.308, and determine that a weighted-average dumping margin of 74.90 percent exists for Tycoons for the period April 1, 2012, through March 31, 2013.[2] Further, we continue to determine the weighted-average dumping margin for all other entities not individually examined to be 68.41 percent, *i.e.,* the average of the margins calculated by the Petitioners[3] in the Petition.[4] [5]

Final Affirmative Determination of Critical Circumstances

We made no changes to our critical circumstances analysis announced in the *Preliminary Determination,* as described in the Preliminary Decision Memorandum. Thus, pursuant to section 735(a)(3) of the Act, we continue to find that critical circumstances exist with respect to imports of the merchandise under consideration.

Continuation of Suspension of Liquidation

In accordance with section 735(c)(1) of the Act, we normally instruct U.S. Customs and Border Protection (''CBP'') to continue to suspend liquidation of all entries of steel threaded rod from Thailand, as described in the ''Scope of the Investigation'' section, entered, or withdrawn from warehouse, for consumption on or after the date of publication of the *Preliminary Determination.* However, because we continue to find critical circumstances exist with regard to exports by Tycoons and All Others, pursuant to section 735(c)(4) of the Act, we will instruct CBP to continue to suspend liquidation of covered entries entered, or withdrawn from warehouse, for consumption on or after the date 90 days prior to the date of publication of the *Preliminary Determination,* October 2, 2013.

Further, the Department will instruct CBP to require a cash deposit[6] equal to the weighted-average amount by which normal value exceeds U.S. price, as follows: (1) The rate for Tycoons is 74.90 percent; (2) if the exporter is not a firm identified in this investigation, but the producer is, the rate will be the rate established for the producer of the subject merchandise; (3) the rate for all other producers or exporters will be 68.41 percent. These suspension of liquidation instructions will remain in effect until further notice.

Notification Regarding Administrative Protective Orders

This notice serves as a reminder to parties subject to the administrative protective order (''APO'') of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely notification of the destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

U.S. International Trade Commission (''ITC'') Notification

In accordance with section 735(d) of the Act, we notified the ITC of the final affirmative determination of sales at LTFV. In accordance with section 735(b)(2) of the Act, the ITC will determine, within 45 days, whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports, or sales (or the likelihood of sales) for importation, of the merchandise under consideration. If the ITC determines that material injury or threat of material injury does not exist, the proceeding will be terminated and all securities posted will be refunded. If the ITC determines that such injury does exist, the Department will issue an antidumping duty order directing CBP to assess, upon further instruction by the Department, antidumping duties on all imports of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the effective date of the suspension of liquidation.

This determination is issued and published pursuant to sections 735(d) and 777(i)(1) of the Act.

Dated: March 5, 2014.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

Appendix

Scope of the Investigation

The merchandise covered by this investigation is steel threaded rod. Steel threaded rod is certain threaded rod, bar, or studs, of carbon quality steel, having a solid, circular cross section, of any diameter, in any straight length, that have been forged, turned, cold-drawn, cold-rolled, machine straightened, or otherwise cold-finished, and into which threaded grooves have been applied. In addition, the steel threaded rod, bar, or studs subject to this investigation are nonheaded and threaded along greater than 25 percent of their total length. A variety of finishes or coatings, such as plain oil finish as a temporary rust protectant, zinc coating (*i.e.,* galvanized, whether by electroplating or hot-dipping), paint, and other similar finishes and coatings, may be applied to the merchandise.

Included in the scope of this investigation are steel threaded rod, bar, or studs, in which: (1) Iron predominates, by weight, over each of the other contained elements; (2) the carbon content is 2 percent or less, by weight; and (3) none of the elements listed below exceeds the quantity, by weight, respectively indicated:

- 1.80 percent of manganese, or
- 1.50 percent of silicon, or
- 1.00 percent of copper, or
- 0.50 percent of aluminum, or
- 1.25 percent of chromium, or
- 0.30 percent of cobalt, or
- 0.40 percent of lead, or
- 1.25 percent of nickel, or
- 0.30 percent of tungsten, or
- 0.012 percent of boron, or
- 0.10 percent of molybdenum, or
- 0.10 percent of niobium, or
- 0.41 percent of titanium, or
- 0.15 percent of vanadium, or
- 0.15 percent of zirconium.

Steel threaded rod is currently classifiable under subheadings 7318.15.5051, 7318.15.5056, 7318.15.5090 and 7318.15.2095 of the Harmonized Tariff Schedule of the United States (''HTSUS''). Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise is dispositive.

Excluded from the scope of this investigation are: (a) Threaded rod, bar, or studs which are threaded only on one or both

[2] For a full description of the methodology underlying our conclusions, see Memorandum to Ronald K. Lorentzen entitled ''Decision Memorandum for the Preliminary Determination of the Antidumping Duty Investigation of Steel Threaded Rod From Thailand,'' dated December 20, 2013 (''Preliminary Decision Memorandum'').

[3] All America Threaded Products Inc., Bay Standard Manufacturing Inc., and Vulcan Threaded Products Inc. (''Petitioners'').

[4] *See* Petitions for the Imposition of Antidumping Duties On Steel Threaded Rod From Thailand and Antidumping and Countervailing Duties on Steel Threaded Rod From India, filed on June 27, 2013 (''Petition''), Volume II at Exhibit II–5.

[5] *See Notice of Preliminary Determination of Sales at Less Than Fair Value: Sodium Nitrite From the Federal Republic of Germany,* 73 FR 21909 (April 23, 2008); unchanged in *Notice of Final Determination of Sales at Less Than Fair Value: Sodium Nitrite From the Federal Republic of Germany,* 73 FR 38986 (July 8, 2008).

[6] *See Modification of Regulations Regarding the Practice of Accepting Bonds During the Provisional Measures Period in Antidumping and Countervailing Duty Investigations,* 76 FR 61042 (October 3, 2011).

ends and the threading covers 25 percent or less of the total length; and (b) threaded rod, bar, or studs made to American Society for Testing and Materials (''ASTM'') A193 Grade B7, ASTM A193 Grade B7M, ASTM A193 Grade B16, and ASTM A320 Grade L7.

[FR Doc. 2014–05681 Filed 3–13–14; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

Ports and Marine Technology Trade Mission to India; November 10–14, 2014

AGENCY: International Trade Administration, Department of Commerce.

ACTION: Notice.

Mission Description

The United States Department of Commerce, International Trade Administration, Global Markets, U.S. & Foreign Commercial Service, is organizing an Executive-led ports and marine technology trade mission to India (Mumbai, Ahmedabad, and Kochi) November 9–15, 2014. The purpose of the mission is to introduce U.S. firms and U.S. trade associations to India's rapidly expanding ports and marine technology market and to assist U.S. companies to pursue export opportunities in this sector. The mission to India is intended to include representatives from leading U.S. companies and U.S. trade associations with members that provide state-of-the-art ports and marine technologies, including equipment and services for security, logistics, vessel tracking, oil spill detection and contingency preparedness, dredging, underwater exploration and mapping, among other goods and services. The mission will visit three cities, Mumbai, Ahmedabad and Kochi (Cochin), where the delegates will receive market briefings and participate in customized meetings with key port officials and prospective partners. As an optional add-on stop, interested participants can also visit the National Institute of Oceanography logy (NIO) in the State of Goa.

The mission will help participants gain market insights, make industry contacts, solidify business strategies, and advance specific projects, with the goal of increasing U.S. exports to India. Activities will include one-on-one matchmaking appointments with pre-screened potential business partners, interacting with government representatives in the industry, and networking events. Participating in an official U.S. industry delegation, rather than traveling to India on their own, will enhance the participants' ability to secure meetings in India with key decision makers.

Commercial Setting

Even though growth has slowed somewhat in the last year, India is still one of the world's fastest growing large economies, presenting lucrative opportunities for U.S. companies that offer products and services in the ports and marine technology sectors. For small- or medium-sized companies, having a strong distributor or representative in India is the key to taking advantage of opportunities presented by these large public and private projects.

There are 13 major ports (under national government control) and 187 minor ports (under local state/private control) across India's extensive 4,671 miles of coastline. The Shipping Ministry expects traffic at major ports to grow at a Compounded Annual Growth Rate (CAGR) of 8 percent, from 561 million tons in 2010 to 1.2 billion tons by 2020, and traffic at minor ports is expected to grow at a CAGR of 16 percent—from 289 million tons to 1.2 billion tons during that timeframe. To meet this growth, India's ports plan to develop new terminals, upgrade existing berths, and modernize operations by including state of the art cargo handling equipment, tracking systems, security systems, oil spill detection equipment, oil spill clean-up equipment, and dredging equipment. The state governments will issue national and global tenders for the development and procurement of equipment for the ports that fall under the respective state governments' jurisdiction. In general, Indian port expansions and greenfield projects are being developed by private companies under concession by the Government of India or on private properties. For government-operated ports, government budget is being committed to some of these upgrades. For many government-owned ports, the Indian government is utilizing the Public Private Partnerships (PPP) model, in which the government awards concession contracts to private companies or consortia, which to date have included Indian companies and some major international companies that provide part or all of the funding for the projects and operate the projects for a period of time.

To explore these significant port and marine opportunities the trade mission will visit the following cities.

Kochi (Cochin), Kerala

Kerala is a state located in the southwest coast of India with a 366 mile coastline. The Port of Kochi is a major port governed by the Major Port Trusts Act of 1963 and run by the Ministry of Shipping. There are also 17 intermediate and minor ports in Kerala run by the Government of Kerala. The Government of Kerala is promoting private sector investment in the maritime sector and has developed a policy framework to attract PPPs. The key initiatives outlined in the Kerala State Government's 2012–2013 policy frame work include development of new port facilities, support infrastructure, upgrade of existing facilities and installation of modern and efficient handling equipment. These Government initiatives will open new business avenues for private players and will produce sales opportunities for U.S. products and services. The International Container Transshipment Terminal (ICTT) at Vallarpadam, Kochi, is one such initiative by the Government. The terminal is being developed as a build-operate-transfer (BOT) concession for 30 years by India Gateway Terminal Pvt. Ltd. (IGT), with equity holdings by DP World (81.63%), Container Corporation of India (CONCOR) (14.56%), Chakiat (2.75%), and Transworld Group (1.07%). Some of the additional opportunities in State of Kerala with estimated project values include:

- Construction of 200x20 m vessel berthing facility at Beypore for a leasing period of 30 years, $26.3 million
- Ponnani Port development, $335 million
- Alappuzha Port development into a passenger terminal, inland marine and water-park through a PPP, $9.1 million
- Kollam Port development into an all-weather port, $27.7 million
- Vizhinjam Port development into a major international port and transshipment terminal, $732 million
- Hydrofoil or jetfoil service connecting Kochi to Agatti, Colombo and Male, $3.7 million
- Thalassery marina development, $0.87 million

Mumbai, Maharashtra

Mumbai has two major ports: The Mumbai Port Trust (MPT) and Jawaharlal Nehru Port Trust (JNPT), both of which are administered by the Ministry of Shipping. While MPT is a traditional dock system port, JNPT is a more modern container port. The majority of goods entering India by boat pass through JNPT. A number of state

and private ports also exist in the State of Maharastra with others being developed.

Some of the port-related opportunities in Maharashtra, with projected project values when available, include:

- 4th container terminal at JNPT, $750 million
- Offshore container terminal for Mumbai Port, $350 million
- Multi-purpose cargo terminal at Mumbai Port under review for PPP
- Seven port locations for greenfield port development
- Eight inland water transport projects worth $4 million
- Marina project in Mumbai

Ahmedabad, Gujarat

The Government of the State of Gujarat plans to develop 10 greenfield ports, six of them as fully private ports and four as joint public-private ports. There are a variety of opportunities for U.S. port and marine technology providers in Gujarat, including:

- Vessel traffic management systems in the Gulf of Khambhatt, a PPP
- Tracking & warning system on more than 12,000 fishing boats, estimated $24 million project value
- Integrated port management system in many ports
- Security infrastructure for compliance with International Ship and Port Facility Security
- Shipbuilding, including ultra-modern defense and navy technology
- New maritime cluster and two port cities (Mundra and Pipavav)
- Development of coastline: Beach resorts, cruise lines, marinas

Optional Visit to Goa

For an additional fee, participants in the mission can visit the National Institute of Oceanography (NIO) in Goa, a one-hour flight south of Mumbai. At NIO, participants will hear from the leading Indian government oceanographic research and exploration organization on priority government efforts for oceans exploration, coastline protection, and oil spill recovery. Participants will have a chance to present their products and services to key decision makers who regularly purchase international technologies, including U.S. technologies.

Mission Goals

The goals of the Ports and Marine Technology Mission to India are:

1. To help participants gain market exposure and introduce participants to the vibrant Indian market in the three cities of Kochi, Mumbai, and Ahmedabad, with an optional stop in Goa;

2. To provide an opportunity for participants to assess current and future business prospects by establishing valuable contacts with prospective business partners and clients; and

3. To provide an opportunity for participants to develop market knowledge and relationships leading to potential partnerships.

Mission Scenario

The mission will visit three cities in India: Kochi, Mumbai, and Ahmedabad, allowing participants to access the largest markets and business port centers in the country. An optional fourth stop will be to the State of Goa to meet with the National Institute of Oceanography. In each city, participants will meet with business contacts, government officials, benefit from briefings and networking opportunities, and visit port and marine facilities.

PROPOSED MISSION TIMETABLE

Day of week	Date	Activity
Sunday, Kochi	Nov. 9th	• Arrive in Kochi, Kerala. • Overnight stay in Kochi.
Monday, Kochi	Nov. 10th	• Breakfast briefing by U.S. Consulate, Chennai. • One-on-one business meetings. • Networking lunch hosted by Chamber/ABC with Kerala. • Maritime Board Development Corporation. • One-on-one business meetings continue. • Business dinner hosted by American Business Corner (ABC) partner in Kochi. • Overnight stay in Kochi.
Tuesday, Kochi/Mumbai	Nov. 11th	• Technical Site Visit (half day in Kochi). • Travel to Mumbai. • Overnight stay in Mumbai.
Wednesday, Mumbai	Nov. 12th	• Welcome—Breakfast briefing by Consular staff. • One-on-one business meetings. • Networking lunch hosted by chamber with local industry representatives. • One-on-one meetings continue. • Networking reception with industry contacts. • Overnight stay in Mumbai.
Thursday, Mumbai/Ahmedabad	Nov. 13th	• Technical Site Visit (half day in Mumbai). • Following the site visit, delegates depart Mumbai for Ahmedabad. • Overnight stay in Ahmedabad.
Friday, Ahmedabad	Nov. 14th	• Briefing by Consular staff. • One-on-one business meetings. • Networking lunch hosted by Chamber with Gujarat Maritime Board. • One-on-one business meetings continue. • Trade Mission Concludes.
Saturday, Ahmedabad/US	Nov. 15th	• Delegation members return to United States on own itinerary; unless going to Goa.
Saturday/Sunday	Nov.15th/16th	• Optional Add-on: Travel to Goa for meeting with National Institute of Oceanography.
Monday, Goa	Nov. 17th	• Optional visit to National Institute of Oceanography Briefings and Technical Presentations.
Tuesday, Goa/US	Nov. 18th	• Return to United States on own itinerary.

* **Note:** The final schedule and potential site visits will depend on the availability of local government and business officials, specific goals of mission participants, and ground transportation.

Participation Requirements

All applicants will be evaluated on their ability to meet certain conditions and best satisfy the selection criteria as outlined below. The mission is designed for a minimum of 15 companies and/or trade associations and a maximum of 20 companies and/or trade associations to participate in the mission from the applicant pool. U.S. companies already doing business in the target markets as well as U.S. companies seeking to enter these markets for the first time are encouraged to apply.

Fees and Expenses

After a company or trade association has been selected to participate on the mission, a participation fee to the U.S. Department of Commerce is required.

• The participation fee for one representative is $3,100 for a small or medium-sized enterprise (SME) [1] or trade association and $3,300 for large firms.

• The fee for each additional firm representative (SME or large) is $750.

• Fee for the optional 4th stop to the National Institute of Oceanography in Goa will be $300 per participants for the first representative and $100 for any additional representative, provided there are a minimum of 5 participants travelling to Goa.

Expenses for travel, lodging, some meals, and incidentals will be the responsibility of each mission participant.

Conditions for Participation

An applicant must submit a completed and signed mission application and supplemental application materials, including adequate information on the company's or represented companies' products and/or services, primary market objectives, and goals for participation. If the U.S. Department of Commerce receives an incomplete application, the Department may reject the application, request additional information, or take the lack of information into account when evaluating the applications.

Each applicant must also certify that the products and services it seeks to export through the mission are either produced in the United States, or, if not, marketed under the name of a U.S. firm and have at least fifty-one percent U.S. content of the value of the finished product or service. In the case of a trade association, the applicant must certify that, for each company to be represented by the trade association, the products and services the represented company seeks to export are either produced in the United States or, if not, marketed under the name of a U.S. firm and have at least fifty-one percent U.S. content.

Selection Criteria for Participation

Selection will be based on the following criteria:

• Suitability of the company's products or services to the mission goals.

• Applicant's potential for business in India, including likelihood of exports resulting from the mission.

• Consistency of the applicant's goals and objectives with the stated scope of the mission. Referrals from political organizations and any documents containing references to partisan political activities (including political contributions) will be removed from an applicant's submission and not considered during the selection process.

Timeframe for Recruitment and Applications

Mission recruitment will be conducted in an open and public manner, including publication in the **Federal Register**, posting on the Commerce Department trade mission calendar—*http://wxport.gov/trademissions*—and other Internet Web sites, press releases to general and trade media, direct mail, broadcast fax, notices by industry trade associations and other multiplier groups, and publicity at industry meetings, symposia, conferences, and trade shows. Recruitment for the mission will begin immediately, and conclude on August 15, 2014. The U.S. Department of Commerce will review applications and make selection decisions on a rolling basis beginning May 14, 2014, until the maximum of 20 participants is selected. Applications received after August 15, 2014, will be considered only if space and scheduling constraints permit.

Contacts:

Hector Rodriguez, International Trade Specialist, Trade Missions, U.S. Department of Commerce, Washington, DC 20230, Tel: 202–482–0629, Fax: 202–482–9000, *Hector.Rodriguez@trade.gov.*

Julia Rauner Guerrero, Senior International Trade Specialist, U.S. Commercial Service—San Diego, U.S. Department of Commerce, 9449 Balboa Ave. #111, San Diego, CA 92123, Tel: 858–467–7038, Fax: 858–467–7043, *Julia.Rauner@trade.gov.*

Martin Claessens, Commercial Officer, U.S. Commercial Service, U.S. Consulate General, C–49, G-Block, Bandra Kurla Complex, Bandra (East), Mumbai–400 051. India, Tel: +91–22–26724000, Email: *Martin.Claessens@trade.gov.*

Elnora Moye,

Trade Program Assistant.

[FR Doc. 2014–05606 Filed 3–13–14; 8:45 am]

BILLING CODE 3510–DS–P

[1] An SME is defined as a firm with 500 or fewer employees or that otherwise qualifies as a small business under SBA regulations. *See http://www.sba.gov/contractingopportunities/owners/basics/whatismallbusiness/index.html.* Parent companies, affiliates, and subsidiaries will be considered when determining business size. The dual pricing reflects the Commercial Service's user fee schedule that became effective May 1, 2008. *See http://www.export.gov/newsletter/march2008/initiatives.html.*

DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

Combinatorial Approaches to Functional Materials Workshop

AGENCY: National Institute of Standards and Technology (NIST), Commerce.

ACTION: Notice of public meeting.

SUMMARY: In cooperation with the National Science Foundation (NSF) and the Office of Science and Technology Policy (OSTP), NIST announces the ''Combinatorial Approaches to Functional Materials Workshop'' on Monday, May 5, 2014 from 8 a.m. to 5 p.m. Pacific Time and Tuesday, May 6, 2014 from 8 a.m. to 12 p.m. Pacific Time in San Francisco, California hosted by the University of South Carolina and Applied Material Inc. The Workshop will bring together the community of combinatorial materials science practitioners from academia, industry, and government in efforts to advance the Materials Genome Initiative. The goal of this workshop is to identify challenges in the field, brainstorm ideas for breakthrough, and identify areas of cross-community collaboration.

DATES: The Workshop will meet on Monday, May 5, 2014, from 8 a.m. to 5 p.m. Pacific Time and Tuesday, May 6, 2014, from 8 a.m. to 12 p.m. Pacific Time. Registration is required and will open on March 14, 2014.

ADDRESSES: The Workshop will be held at The City Club of San Francisco, Stock Exchange Tower, 155 Sansome Street, San Francisco, California 94104, telephone number 415–362–2042. Please note admittance instructions under the **SUPPLEMENTARY INFORMATION** section of this notice.

FOR FURTHER INFORMATION CONTACT: Martin Green, Materials Measurement Science Division, NIST, 100 Bureau Drive, Mail Stop 8520, Gaithersburg, Maryland 20899–1060, telephone number 301–975–8496. Martin Green's email address is *martin.green@nist.gov.*

SUPPLEMENTARY INFORMATION:

Registration: Due to space limitations, pre-registration for the Workshop is required. Registration is on a first-come, first-served basis and will be capped at 100 participants. Registration will open on March 14, 2014. Individuals planning to attend the workshop should register online at *http://www.activeevents.com/solutions/product/active-starcite*.

Meeting Accommodations: Individuals requiring special accommodations to access this public workshop should contact Martin Green at 301–975–8496 or *martin.green@nist.gov*, at least ten business days prior to the Workshop so that appropriate arrangements can be made.

Dated: March 10, 2014.

Patrick Gallagher,

Under Secretary of Commerce for Standards and Technology and Director.

[FR Doc. 2014–05694 Filed 3–13–14; 8:45 am]

BILLING CODE 3510–13–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XD171

Pacific Fishery Management Council; Public Meetings

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

ACTION: Notice of public meetings.

SUMMARY: The Pacific Fishery Management Council (Council) and its advisory entities will hold public meetings.

DATES: The Council and its advisory entities will meet April 3–10, 2014. The Council meeting will begin on Saturday, April 5, 2014 at 8 a.m., reconvening each day through Thursday, April 10, 2014. All meetings are open to the public, except a closed session will be held at 8 a.m. on Saturday, April 5 to address litigation and personnel matters. The Council will meet as late as necessary each day to complete its scheduled business.

ADDRESSES: Meetings of the Council and its advisory entities will be held at the Hilton Vancouver Washington, 301 W. 6th Street, Vancouver, WA 98660; telephone: (360) 993–4500.

Council address: Pacific Fishery Management Council, 7700 NE Ambassador Place, Suite 101, Portland, OR 97220. Instructions for attending the meeting via live stream broadcast are given under **SUPPLEMENTARY INFORMATION**, below.

FOR FURTHER INFORMATION CONTACT: Dr. Donald O. McIsaac, Executive Director; telephone: (503) 820–2280 or (866) 806–7204 toll free; or access the Council Web site, *http://www.pcouncil.org* for the current meeting location, proposed agenda, and meeting briefing materials.

SUPPLEMENTARY INFORMATION: The April 5–10, 2014 meeting of the Pacific Fishery Management Council will be streamed live on the internet. The live meeting will be broadcast daily starting at 8 a.m. Pacific Time (PT) beginning on Saturday, April 5, 2014 through Thursday, April 10, 2014. The broadcast will end daily at 6 p.m. PT *or when business for the day is complete*. Only the audio portion, and portions of the presentations displayed on the screen at the Council meeting, will be broadcast. The audio portion is listen-only; you will be unable to speak to the Council via the broadcast. Join the meeting by visiting this link *http://www.joinwebinar.com,* enter the Webinar ID for this meeting, which is 548–710–791 and enter your email address as required. It is recommended that you use a computer headset as GoToMeeting allows you to listen to the meeting using your computer headset and speakers. If you do not have a headset and speakers, you may use your telephone for the audio portion of the meeting by dialing this TOLL number 1–914–339–0030 (not a toll free number); entering the phone audio access code 232–435–071; and then entering your Audio Pin which will be shown to you after joining the webinar. The webinar is broadcast in listen only mode.

The following items are on the Pacific Council agenda, but not necessarily in this order.

A. Call to Order
  1. Opening Remarks
  2. Roll Call
  3. Executive Director's Report
  4. Approve Agenda
B. Open Comment Period
  1. Comments on Non-Agenda Items
C. Administrative Matters
  1. Approval of Council Meeting Minutes
  2. Membership Appointments and Council Operating Procedures
  3. Future Council Meeting Agenda and Workload Planning
D. Habitat
  1. Current Habitat Issues
E. Enforcement Issues
  1. Annual U.S. Coast Guard Fishery Enforcement Report
F. Salmon Management
  1. Tentative Adoption of 2014 Salmon Management Measures for Analysis
  2. Clarify Council Direction on 2014 Salmon Management Measures
  3. Methodology Review Preliminary Topic Selection
  4. Lower Columbia Natural Coho Harvest Rate Matrix Review
  5. Final Action on 2014 Salmon Management Measures
G. Pacific Halibut Management
  1. Final Incidental Landing Restrictions for 2014–15 Salmon Troll Fishery
H. Groundfish Management
  1. National Marine Fisheries Service Report
  2. Stock Complex Restructuring Final Action
  3. Implement 2014 Pacific Whiting Fishery Under the U.S.-Canada Whiting Agreement
  4. Mid-Water Sport Fishery
  5. Fixed Gear Sablefish Catch Share Program Review
  6. Methodology Review Process
  7. Biennial Specifications for Fisheries in 2015–16 and Beyond
  8. Electronic Monitoring Program Development Including Preliminary Approval of Exempted Fishing Permits
  9. Inseason Adjustments
  10. Management Measures—for Fisheries in 2015–16 and Beyond
I. Coastal Pelagic Species Management
  1. Experimental Fishing Permits for 2014
  2. Sardine Assessment, Specifications, and Management Measures
J. Ecosystem Management
  1. Protecting Unfished and Unmanaged Forage Fish Species Initiative

Schedule of Ancillary Meetings

Day 1—Thursday, April 3, 2014

Groundfish Management Team—1 p.m.

Day 2—Friday, April 4, 2014

Scientific and Statistical Committee Groundfish Subcommittee—8 a.m.
Groundfish Management Team—8 a.m.
Salmon Advisory Subpanel—8 a.m.
Salmon Technical Team—8 a.m.
Habitat Committee—8:30 a.m.
Model Evaluation Workgroup—11 a.m.
Budget Committee—2:30 p.m.

Day 3—Saturday, April 5, 2014

California State Delegation—7 a.m.
Oregon State Delegation—7 a.m.
Washington State Delegation—7 a.m.
Groundfish Advisory Subpanel—8 a.m.
Groundfish Management Team—8 a.m.
Scientific and Statistical Committee—8 a.m.
Salmon Advisory Subpanel—8 a.m.
Salmon Technical Team—8 a.m.

Enforcement Consultants—3 p.m.
Chair's Reception—6 p.m.

Day 4—Sunday, April 6, 2014

California State Delegation—7 a.m.
Oregon State Delegation—7 a.m.
Washington State Delegation—7 a.m.
Groundfish Management Team—8 a.m.
Groundfish Advisory Subpanel—8 a.m.
Salmon Advisory Subpanel—8 a.m.
Salmon Technical Team—8 a.m.
Enforcement Consultants—As Needed

Day 5—Monday, April 7, 2014

California State Delegation—7 a.m.
Oregon State Delegation—7 a.m.
Washington State Delegation—7 a.m.
Coastal Pelagic Species Advisory Subpanel—8 a.m.
Coastal Pelagic Species Management Team—8 a.m.
Groundfish Advisory Subpanel—8 a.m.
Groundfish Management Team—8 a.m.
Lower Columbia Natural Coho Workgroup—8 a.m.
Salmon Advisory Subpanel—8 a.m.
Salmon Technical Team—8 a.m.
Enforcement Consultants—As Needed

Day 6—Tuesday, April 8, 2014

California State Delegation—7 a.m.
Oregon State Delegation—7 a.m.
Washington State Delegation—7 a.m.
Coastal Pelagic Species Advisory Subpanel—8 a.m.
Coastal Pelagic Species Management Team—8 a.m.
Groundfish Advisory Subpanel—8 a.m.
Groundfish Management Team—8 a.m.
Salmon Advisory Subpanel—8 a.m.
Salmon Technical Team—8 a.m.
Ecosystem Advisory Subpanel—1 p.m.
Enforcement Consultants—As Needed

Day 7—Wednesday, April 9, 2014

California State Delegation—7 a.m.
Oregon State Delegation—7 a.m.
Washington State Delegation—7 a.m.
Ecosystem Advisory Subpanel—8 a.m.
Groundfish Advisory Subpanel—8 a.m.
Groundfish Management Team 8—a.m.
Salmon Advisory Subpanel—8 a.m.
Salmon Technical Team—8 a.m.
Enforcement Consultants—As Needed

Day 8—Thursday, April 10, 2014

California State Delegation—7 a.m.
Oregon State Delegation—7 a.m.
Washington State Delegation—7 a.m.
Ecosystem Advisory Subpanel—8 a.m.

Although non-emergency issues not contained in this agenda may come before this Council for discussion, those issues may not be the subject of formal Council action during this meeting. Council action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the Council's intent to take final 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 Carolyn Porter at (503) 820–2280 at least 5 days prior to the meeting date.

Dated: March 11, 2014.

Tracey L. Thompson,

Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2014–05642 Filed 3–13–14; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XD169

Fisheries of the South Atlantic; South Atlantic Fishery Management Council; Public Meeting

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

ACTION: Meetings of the South Atlantic Fishery Management Council's Habitat & Environmental Protection Advisory Panel (AP); King & Spanish Mackerel AP; and Snapper Grouper AP.

SUMMARY: The South Atlantic Fishery Management Council (SAFMC) will hold the AP meetings in North Charleston, SC.

DATES: The meetings will be held from 1 p.m. on Tuesday, April 1, 2014 until 12 noon on Friday, April 11, 2014.

ADDRESSES:

Meeting address: The meetings will be held at the Crowne Plaza Hotel, 4831 Tanger Outlet Blvd., North Charleston, SC 29418; phone: (877) 227–6963 or (843) 744–4422; fax: (843) 744–4472.

Council address: South Atlantic Fishery Management Council, 4055 Faber Place Drive, Suite 201, N. Charleston, SC 29405.

FOR FURTHER INFORMATION CONTACT: Kim Iverson, Public Information Officer, SAFMC; phone: (843) 571–4366 or toll free: (866) SAFMC–10; fax: (843) 769–4520; email: *kim.iverson@safmc.net.*

SUPPLEMENTARY INFORMATION: The items of discussion in the individual meeting agendas are as follows:

Habitat & Environmental Protection AP Agenda, 1 p.m. on Tuesday, April 1, 2014 until 1 p.m. on Thursday, April 3, 2014

1. Update and develop Council Essential Fish Habitat (EFH) policy statements.
2. Receive updates on regional habitat and ecosystem characterization and modeling efforts.
3. Receive updates and provide input on regional ecosystem partner conservation efforts (e.g., South Atlantic Landscape Conservation Cooperative's Draft Conservation Blueprint).
4. Discuss development of the Council's Fishery Ecosystem Plan II, updates to EFH, and proposed new sections addressing forage fish/prey predator interactions, climate and fisheries and fishery oceanography.
5. Discuss updates to the Council's Fishery Ecosystem Plan.
6. Provide recommendations to the Council for consideration.

King & Spanish Mackerel AP Agenda, 1 p.m. on Monday, April 7, 2014 until 12 noon on Tuesday, April 8, 2014

1. Approve minutes from the April 2013 Mackerel AP Meeting.
2. Receive an update on the progress of Southeast Data, Assessment & Review (SEDAR) 38 (Gulf and South Atlantic King Mackerel). Discuss project and provide recommendations.
3. Receive an overview of the following amendments: Coastal Migratory Pelagics (CMP) Joint Amendment 24 (allocations); and CMP Joint Amendment 26 (separate commercial permits). Discuss amendments and provide recommendations.

Snapper Grouper AP Agenda, 1:30 p.m. on Tuesday, April 8, 2014 until 12 noon on Friday, April 11, 2014

1. Review and provide recommendations on the following amendments: Regulatory Amendment 16 (removal of the Black Sea Bass pot closure); Amendment 22 (tags to track harvest); Amendment 29 (Only Reliable Catch Stocks, ORCS, and Gray Triggerfish management measures); Amendment 32 (Blueline Tilefish Annual Catch Limits, ACLs, and management measures); Regulatory Amendment 20 (Snowy Grouper); Dolphin Wahoo Amendment 7/Snapper Grouper Amendment 33 (transport of fillets); Regulatory Amendment 17 (Marine Protected Areas, MPAs); and the Generic Accountability Measures/Dolphin Allocation Amendment.
2. Receive presentations on MPAs and provide recommendations to the Council.

3. Receive a report on the Oculina Experimental Closed Area Evaluation.

4. Receive an update on Visioning activities.

Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically identified in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for auxiliary aids should be directed to the council office (see **ADDRESSES**) 3 days prior to the meeting.

Note: The times and sequence specified in this agenda are subject to change.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: March 11, 2014.

Tracey L. Thompson,

Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2014–05641 Filed 3–13–14; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XD176

New England Fishery Management Council; Public Meeting

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

ACTION: Notice; public meetings.

SUMMARY: The New England Fishery Management Council (Council) is scheduling a public meeting of its Groundfish Advisory Panel and its Groundfish Oversight Committee to consider actions affecting New England fisheries in the exclusive economic zone (EEZ). Recommendations from these groups will be brought to the full Council for formal consideration and action, if appropriate.

DATES: These meetings will be held on Tuesday, April 1, 2014 at 10 a.m. and Friday, April 4, 2014 at 9 a.m.

ADDRESSES:

Meeting address: The meetings will be held at the Sheraton Colonial, One Audubon Road Wakefield, MA 01880; phone: (781) 245–9300; fax: (781) 245–0842.

Council address: New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950.

FOR FURTHER INFORMATION CONTACT: Thomas A. Nies, Executive Director, New England Fishery Management Council; telephone: (978) 465–0492.

SUPPLEMENTARY INFORMATION:

Tuesday, April 1, 2014 Beginning at 10 a.m.—Groundfish Advisory Panel (GAP)

The Groundfish Advisory Panel (GAP) will meet to discuss draft alternatives for consideration in Amendment 18 (A18), an amendment to address fleet diversity and accumulation limits in the commercial groundfish fishery; and develop recommendations to the Groundfish Oversight Committee (OSC) on the A18 draft alternatives. They will also discuss draft alternatives for Framework Adjustment 52 (FW 52), a narrow and focused framework to revise commercial groundfish fishery accountability measures for Southern windowpane flounder and Northern windowpane flounder stocks; and develop recommendations to the Groundfish OSC on the FW 52 draft alternatives. They will receive an update from the Northeast Fisheries Science Center on progress for the empirical benchmark assessment for Georges Bank yellowtail flounder. Other business may be discussed.

Friday, April 4, 2014 Beginning at 9 a.m.—Groundfish Oversight Committee

The Groundfish Oversight Committee (OSC) will meet to discuss draft alternatives for consideration in A18; review work from the Groundfish Plan Development Team (PDT) related to A18; review GAP recommendations on the A18 draft alternatives; and develop recommendations to the Council on the A18 alternatives to include in the DEIS for analysis. They will also discuss draft alternatives for consideration in FW 52; review work from the PDT related to FW 52; review GAP recommendations on the FW 52 draft alternatives; and develop recommendations to the Council on the FW 52 alternatives to include in the DEA for analysis. This meeting may be considered the first framework adjustment meeting for this action but this determination is currently under review. Other business may be discussed as necessary.

Although non-emergency issues not contained in this agenda may come before these groups for discussion, those issues may not be the subject of formal action during these meetings. Action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take final 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 Thomas A. Nies, Executive Director, at (978) 465–0492, at least 5 days prior to the meeting date.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: March 11, 2014.

Tracey L. Thompson,

Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2014–05643 Filed 3–13–14; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XD146

Atlantic Highly Migratory Species; Meeting of the Atlantic Highly Migratory Species Advisory Panel

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

ACTION: Notice of public meeting and webinar/conference call.

SUMMARY: NMFS will hold a 2-day Atlantic Highly Migratory Species (HMS) Advisory Panel (AP) meeting in April 2014. The intent of the meeting is to consider options for the conservation and management of Atlantic HMS. The meeting is open to the public.

DATES: The AP meeting and webinar will be held from 10:30 a.m. to 5:30 p.m. on Thursday, April 3; and from 8:30 a.m. to 3:00 p.m. on Friday, April 4, 2014.

ADDRESSES: The meeting will be held at the Sheraton Hotel, 8777 Georgia Avenue, Silver Spring, MD 20910. The meeting presentations will also be available via WebEx webinar/conference call. On Thursday April 3, 2014, the conference call information is phone number 650–479–3207; participant access code 996 262 930; and the webinar event address is: *https://*

noaaevents2.webex.com/noaaevents2/onstage/g.php?d=996262930&t=a

On Friday April 4, 2014, the conference call information is phone number 650–479–3207; participant access code 996 407 950; and the webinar event address is: *https://noaaevents2.webex.com/noaaevents2/onstage/g.php?d=996407950&t=a*

Participants are strongly encouraged to log/dial in fifteen minutes prior to the meeting. NMFS will show the presentations via webinar and allow public comment during identified times on the agenda.

FOR FURTHER INFORMATION CONTACT: Jenni Wallace or Margo Schulze-Haugen at (301) 427–8503.

SUPPLEMENTARY INFORMATION: The Magnuson-Stevens Fishery Conservation and Management Act, 16 U.S.C. 1801 *et seq.,* as amended by the Sustainable Fisheries Act, Public Law 104–297, provided for the establishment of an AP to assist in the collection and evaluation of information relevant to the development of any Fishery Management Plan (FMP) or FMP amendment for Atlantic HMS. NMFS consults with and considers the comments and views of AP members when preparing and implementing FMPs or FMP amendments for Atlantic tunas, swordfish, billfish, and sharks.

The AP has previously consulted with NMFS on: Amendment 1 to the Billfish FMP (April 1999); the HMS FMP (April 1999); Amendment 1 to the HMS FMP (December 2003); the Consolidated HMS FMP (October 2006); Amendments 1, 2, 3, 4, 5a, 5b, 6, 7, and 8 to the Consolidated HMS FMP (April and October 2008, February and September 2009, May and September 2010, April and September 2011, March and September 2012, and January and September 2013); among other things.

At the April 2014 AP meeting, NMFS plans to discuss pre-drafts to the 2006 Consolidated HMS Fishery Management Plan (FMP) for Amendment 5b on dusky shark management measures and Amendment 6 on the future of shark fishery, as well as reviewing public comments on Draft Amendment 7 on bluefin tuna management measures. The meeting will also include progress updates on implementation of 2013 ICCAT recommendations, the HMS Research Plan, smoothhound shark management, and recreational issues for Atlantic HMS fisheries.

Additional information on the meeting and a copy of the draft agenda will be posted prior to the meeting at: *http://www.nmfs.noaa.gov/sfa/hms/Advisory%20Panels/Advisory_Panel.htm.*

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Jenni Wallace at (301) 427–8503 at least 7 days prior to the meeting.

Dated: March 11, 2014.

Emily H. Menashes,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2014–05704 Filed 3–13–14; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XD002

Marine Mammals; File No. 18182

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

ACTION: Issuance of permit.

SUMMARY: Notice is hereby given that Marilyn Mazzoil, Harbor Branch Oceanographic Institute at Florida Atlantic University, 5600 US 1 North, Fort Pierce, Florida 34946 has been issued a permit to take bottlenose dolphins (*Tursiops truncatus*) for purposes of scientific research.

ADDRESSES: The permit and related documents are available for review upon written request or by appointment in the following offices:

Permits and Conservation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301) 427–8401; fax (301) 713–0376; and

Southeast Region, NMFS, 263 13th Ave South, St. Petersburg, FL 33701; phone (727) 824–5312; fax (727) 824–5309.

FOR FURTHER INFORMATION CONTACT: Courtney Smith or Amy Hapeman, (301) 427–8401.

SUPPLEMENTARY INFORMATION: On 27 November 2013, notice was published in the **Federal Register** (78 FR 70920) that a request for a scientific research permit to take bottlenose dolphins had been submitted by the above-named individual. The requested permit has been issued under the authority of the Marine Mammal Protection Act of 1972, as amended (MMPA; 16 U.S.C. 1361 *et seq.*) and the regulations governing the taking and importing of marine mammals (50 CFR part 216).

Ms. Mazzoil has been issued a permit to study and determine: (1) Abundance estimation; (2) occurrence and distribution; (3) behavioral information; and (4) population structure and life history parameters of bottlenose dolphins along the east coast of Florida, from Fernandina Beach to Jupiter. Researchers may take dolphins during vessel surveys for counts, photo-identification, focal follows, observation, and biopsy sampling. The permit expires on March 10, 2019.

Issuance of this permit, as required by the MMPA, was based on a finding that such permit (1) was applied for in good faith, (2) will not operate to the disadvantage of such endangered or threatened species, and (3) is consistent with the purposes and policies set forth in the MMPA.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), a final determination has been made that the activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Dated: March 10, 2014.

Perry F. Gayaldo,

Acting Deputy Director, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 2014–05705 Filed 3–13–14; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XS35

Marine Mammals; File No. 14450

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

ACTION: Notice; receipt of application for permit amendment.

SUMMARY: Notice is hereby given that the National Marine Fisheries Service's Southeast Fisheries Science Center (SEFSC), 75 Virginia Beach Drive, Miami, FL 33149 [Principal Investigator: Dr. Keith Mullin], has applied for an amendment to Scientific Research Permit No. 14450.

DATES: Written, telefaxed, or email comments must be received on or before April 14, 2014.

ADDRESSES: The application and related documents are available for review by selecting ''Records Open for Public Comment'' from the *Features* box on the Applications and Permits for Protected Species home page, *https://apps.nmfs.noaa.gov,* and then selecting

File No. 14450–01 from the list of available applications.

These documents are also available upon written request or by appointment in the following offices:

Permits and Conservation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301) 427–8401; fax (301) 713–0376;

Northeast Region, NMFS, 55 Great Republic Drive, Gloucester, MA 01930; phone (978) 281–9328; fax (978) 281–9394; and

Southeast Region, NMFS, 263 13th Avenue South, Saint Petersburg, FL 33701; phone (727) 824–5312; fax (727) 824–5309.

Written comments on this application should be submitted to the Chief, Permits and Conservation Division, at the address listed above. Comments may also be submitted by facsimile to (301) 713–0376, or by email to *NMFS.Pr1Comments@noaa.gov.* Please include the File No. in the subject line of the email comment.

Those individuals requesting a public hearing should submit a written request to the Chief, Permits and Conservation Division at the address listed above. The request should set forth the specific reasons why a hearing on this application would be appropriate.

FOR FURTHER INFORMATION CONTACT: Kristy Beard, (301) 427–8401.

SUPPLEMENTARY INFORMATION: The subject amendment to Permit No. 14450 is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), the regulations governing the taking and importing of marine mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*), and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR parts 222–226).

Permit No. 14450, issued on March 4, 2014 (79 FR 13042), authorizes the permit holder to take all cetacean species that occur in U.S. and international waters of the Atlantic Ocean, Gulf of Mexico and Caribbean Sea by harassment during aerial and vessel-based line-transect sampling, acoustic sampling, behavioral observations, and vessel-based photo-identification and biopsy sampling. Tissue samples collected in other countries may be imported into the U.S. The permit is valid for five years from the date of issuance.

The permit holder is requesting the permit be amended to include authorization for takes by harassment during satellite tagging to support NMFS stock assessment research on ESA-listed large whales that occur in U.S. and international waters of the western North Atlantic. Up to four attempts would be made to attach a tag to an animal. Directed satellite tagging efforts would be conducted to tag 20 sperm whales and 5 North Atlantic right whales. Opportunistic tagging would occur of 10 fin, 5 blue, 5 sei, and 10 humpback whales when encountered during other SEFSC assessment surveys. Only adults would be tagged. The expiration date of the permit would not change.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), an initial determination has been made that the activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Concurrent with the publication of this notice in the **Federal Register**, NMFS is forwarding copies of this application to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: March 10, 2014.

Donna S. Wieting,

Director, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 2014–05577 Filed 3–13–14; 8:45 am]

BILLING CODE 3510–22–P

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List Proposed Addition

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Proposed addition to the procurement list.

SUMMARY: The Committee is proposing to add a service to the Procurement List that will be provided by a nonprofit agency employing persons who are blind or have other severe disabilities.

DATES: *Comments Must Be Received On or Before:* 4/14/2014.

ADDRESSES: Committee for Purchase From People Who Are Blind or Severely Disabled, 1401 S. Clark Street, Suite 10800, Arlington, Virginia 22202–4149.

FOR FURTHER INFORMATION OR TO SUBMIT COMMENTS CONTACT: Barry S. Lineback, Telephone: (703) 603–7740, Fax: (703) 603–0655, or email *CMTEFedReg@AbilityOne.gov.*

SUPPLEMENTARY INFORMATION: This notice is published pursuant to 41 U.S.C. 8503 (a)(2) and 41 CFR 51–2.3. Its purpose is to provide interested persons an opportunity to submit comments on the proposed action.

Addition

If the Committee approves the proposed addition, the entities of the Federal Government identified in this notice will be required to procure the service listed below from the nonprofit agency employing persons who are blind or have other severe disabilities.

The following service is proposed for addition to the Procurement List for provision by the nonprofit agency listed:

Service

Service Type/Location: Base Supply Center Service, U.S. Army, Tobyhanna Army Depot, 11 Hap Arnold Blvd., Tobyhanna, PA.

NPA: Central Association for the Blind & Visually Impaired, Utica, NY

Contracting Activity: DEPT OF THE ARMY, W0ML USA DEP TOBYHANNA, TOBYHANNA, PA.

Barry S. Lineback,

Director, Business Operations.

[FR Doc. 2014–05610 Filed 3–13–14; 8:45 am]

BILLING CODE 6353–01–P

DEPARTMENT OF DEFENSE

Department of the Air Force

Air University Board of Visitors Meeting

ACTION: Notice of Meeting of the Air University Board of Visitors.

SUMMARY: Under the provisions of the Federal Advisory Committee Act 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, the Department of Defense announces that the Air University Board of Visitors' spring meeting will take place on Wednesday, April 16th, 2014, from 1:00 p.m. to approximately 3:30 p.m. and Thursday, April 17th, 2014, from 8:30 a.m. to approximately 2:30 p.m. The meeting will be held in the William A. Jones III Building located at 1500 West Perimeter Road, Joint Base Andrews, MD. The purpose of this meeting is to provide independent advice and recommendations on matters pertaining to the educational, doctrinal, and research policies and activities of Air University. The agenda will include topics relating to the policies, programs, and initiatives of Air University educational programs and will include an out brief from the Air Force Institute of Technology Subcommittee.

Pursuant to 5 U.S.C. 552b, as amended, and 41 CFR 102–3.155 all sessions of the Air University Board of Visitors' meeting will be open to the public. Any member of the public wishing to provide input to the Air University Board of Visitors should submit a written statement in accordance with 41 CFR 102–3.140(c) and section 10(a)(3) of the Federal Advisory Committee Act and the procedures described in this paragraph. Written statements can be submitted to the Designated Federal Officer at the address detailed below at any time. Statements being submitted in response to the agenda mentioned in this notice must be received by the Designated Federal Officer at the address listed below at least five calendar days prior to the meeting which is the subject of this notice. Written statements received after this date may not be provided to or considered by the Air University Board of Visitors until its next meeting. The Designated Federal Officer will review all timely submissions with the Air University Board of Visitors' Board Chairperson and ensure they are provided to members of the Board before the meeting that is the subject of this notice. Additionally, any member of the public wishing to attend this meeting should contact the person listed below at least five calendar days prior to the meeting for information on base entry passes.

FOR FURTHER INFORMATION CONTACT: Mrs. Diana Bunch, Designated Federal Officer, Air University Headquarters, 55 LeMay Plaza South, Maxwell Air Force Base, Alabama 36112–6335, telephone (334) 953–1303.

Tommy W. Lee,

Acting Air Force Federal Register Liaison Officer.

[FR Doc. 2014–05620 Filed 3–13–14; 8:45 am]

BILLING CODE 5001–05–P

DEPARTMENT OF DEFENSE

Department of the Air Force

US Air Force Scientific Advisory Board Notice of Meeting

AGENCY: Department of the Air Force, US Air Force Scientific Advisory Board.

ACTION: Meeting notice.

SUMMARY: Under the provisions of the Federal Advisory Committee Act 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, the Department of Defense announces that the United States Air Force Scientific Advisory Board (SAB) quarterly meeting will take place on 8 April 2014 at Nellis AFB, NV and the Hyatt Place Hotel, 4520 Paradise Rd, Las Vegas, NV 89109. The SAB will meet on 8 April 2014 from 7:45 a.m.–3:45 p.m. at Nellis AFB for closed sessions and at the Hyatt Place Hotel, 4520 Paradise Rd, Las Vegas, NV 89109, from 5:00 p.m.–6:30 p.m. for an update on the SAB's Combating Sexual Assault study in a session open to the public.

The purpose of this quarterly meeting is to review the status of the FY14 SAB studies directed by the Secretary of the Air Force: Combating sexual assault, defending forward USAF bases, nuclear command, control, & communications; and technology readiness for hypersonic vehicles. The SAB will also receive presentations from the the USAF Warfare Center, the host for the SAB's Spring Board Meeting. The SAB will review the publication status of the FY13 studies, the latest updates on the ongoing study outbriefs, as well discuss the SAB's review of Air Force Research Laboratory (AFRL) science and technology investments. The remaining FY14 Board schedule will also be discussed. In accordance with 5 U.S.C. 552b, as amended, and 41 CFR 102–3.155, this meeting of the United States Air Force Scientific Advisory Board will be partially closed to the public because it will involve information and matters covered by sections 5 U.S.C. 552b(c)(1) and (2).

Any member of the public wishing to attend the public session at the Hyatt Place hotel or to provide input to the United States Air Force Scientific Advisory Board must contact the Designated Federal Officer at least five days prior to the meeting date. Please submit written statements in accordance with 41 CFR 102–3.140(c) and section 10(a)(3) of the Federal Advisory Committee Act and the procedures described in this paragraph. Written statements can be submitted to the Designated Federal Officer at the address detailed below at any time. Statements being submitted in response to the agenda mentioned in this notice must be received by the Designated Federal Officer at the address listed below at least five calendar days prior to the meeting which is the subject of this notice. Written statements received after this date may not be provided to or considered by the United States Air Force Scientific Advisory Board until its next meeting. The Designated Federal Officer will review all timely submissions with the United States Air Force Scientific Advisory Board Chairperson and ensure they are provided to members of the United States Air Force Scientific Advisory Board before the meeting that is the subject of this notice.

FOR FURTHER INFORMATION CONTACT: The United States Air Force Scientific Advisory Board Deputy Executive Director and Designated Federal Officer, Lt Col Derek Lincoln, 240–612–5502, United States Air Force Scientific Advisory Board, 1500 West Perimeter Road, Ste. #3300, Joint Base Andrews, MD 20762, *derek.m.lincoln.mil@mail.mil.*

Tommy W. Lee,

Acting Air Force Federal Register Liaison Officer.

[FR Doc. 2014–05615 Filed 3–13–14; 8:45 am]

BILLING CODE 5001–05–P

DEPARTMENT OF EDUCATION

Applications for New Awards; Investing in Innovation Fund—Development Grants

AGENCY: Office of Innovation and Improvement, Department of Education.

ACTION: Notice.

Overview Information:

Investing in Innovation Fund—Development grants Notice inviting applications for new awards for fiscal year (FY) 2014.

Catalog of Federal Domestic Assistance (CFDA) Numbers: 84.411P (Development grants Pre-Application). 84.411C (Development grants Full Application).

Note: In order to receive an Investing in Innovation Fund (i3) Development grant, an entity must submit a pre-application. The pre-application is intended to reduce the burden of submitting a full application for an i3 Development grant. Pre-applications will be reviewed and scored by peer reviewers using the selection criteria designated in this notice. Entities that submit a highly rated pre-application will be invited to submit a full application for a Development grant; however, any entity that submitted a pre-application may choose to submit a full application.

Dates:

Pre-Applications Available: March 17, 2014.

Deadline for Notice of Intent to Submit Pre-Application: April 3, 2014.

Deadline for Transmittal of Pre-Applications: April 14, 2014.

Full Applications Available: If you are invited to submit a full application for a Development grant, we will transmit the full application package and instructions using the contact information you provide to us in your pre-application. Other pre-applicants who choose to submit a full application may access these items on the i3 Web

site at *http://www2.ed.gov/programs/innovation/index.html*. Deadline for Transmittal of Full Applications: Entities that submit a highly rated pre-application, as scored by peer reviewers and as identified by the Department, will be invited to submit a full application for a Development grant. Other pre-applicants may choose to submit a full application. The Department will announce on its Web site the deadline date for transmission of full applications and will also communicate this deadline to applicants in the full application package and instructions.

Deadline for Intergovernmental Review: 60 calendar days after the deadline date for transmittal of full applications.

Full Text of Announcement

I. Funding Opportunity Description

Purpose of Program: The Investing in Innovation Fund (i3), established under section 14007 of the American Recovery and Reinvestment Act of 2009 (ARRA), provides funding to support (1) local educational agencies (LEAs), and (2) nonprofit organizations in partnership with (a) one or more LEAs or (b) a consortium of schools. The i3 program is designed to generate and validate solutions to persistent educational challenges and to support the expansion of effective solutions to serve substantially larger numbers of students. The central design element of the i3 program is its multi-tier structure that links the amount of funding that an applicant may receive to the quality of the evidence supporting the efficacy of the proposed project. Applicants proposing practices supported by limited evidence can receive relatively small grants that support the development and initial evaluation of promising practices and help to identify new solutions to pressing challenges; applicants proposing practices supported by evidence from rigorous evaluations, such as large randomized controlled trials, can receive sizable grants to support expansion across the country. This structure provides incentives for applicants to build evidence of effectiveness of their proposed projects and to address the barriers to serving more students across schools, districts, and States so that applicants can compete for more sizeable grants.

As importantly, all i3 projects are required to generate additional evidence of effectiveness. All i3 grantees must use part of their budgets to conduct independent evaluations (as defined in this notice) of their projects. This ensures that projects funded under the i3 program contribute significantly to improving the information available to practitioners and policymakers about which practices work, for which types of students, and in what contexts.

The Department awards three types of grants under this program: ''Development'' grants, ''Validation'' grants, and ''Scale-up'' grants. These grants differ in terms of the level of prior evidence of effectiveness required for consideration of funding, the level of scale the funded project should reach, and, consequently, the amount of funding available to support the project.

Development grants provide funding to support the development or testing of practices that are supported by evidence of promise (as defined in this notice) or a strong theory (as defined in this notice) and whose efficacy should be systematically studied. Development grants will support new or substantially more effective practices for addressing widely shared challenges. Development projects are novel and significant nationally, not projects that simply implement existing practices in additional locations or support needs that are primarily local in nature. All Development grantees must evaluate the effectiveness of the project at the level of scale proposed in the application.

This notice invites applications for Development grants only. The Department anticipates publishing notices inviting applications for the other types of i3 grants (Validation and Scale-up grants) in the spring of 2014.

We remind LEAs of the continuing applicability of the provisions of the Individuals with Disabilities Education Act (IDEA) for students who may be served under i3 grants. Any grants in which LEAs participate must be consistent with the rights, protections, and processes established under IDEA for students who are receiving special education and related services or are in the process of being evaluated to determine their eligibility for such services.

As described later in this notice, in connection with making competitive grant awards, an applicant is required, as a condition of receiving assistance under this program, to make civil rights assurances, including an assurance that its program or activity will comply with Section 504 of the Rehabilitation Act of 1973 and the Department's section 504 implementing regulations, which prohibit discrimination on the basis of disability. Regardless of whether a student with disabilities is specifically targeted as a ''high-need student'' (as defined in this notice) in a particular grant application, recipients are required to comply with all legal nondiscrimination requirements, including, but not limited to the obligation to ensure that students with disabilities are not denied access to the benefits of the recipient's program because of their disability. The Department also enforces Title II of the Americans with Disabilities Act (ADA), as well as the regulations implementing Title II of the ADA, which prohibit discrimination on the basis of disability by public entities.

Furthermore, Title VI and Title IX of the Civil Rights Act of 1964 prohibit discrimination on the basis of race, color, and national origin, and sex, respectively. On December 2, 2011, the Departments of Education and Justice jointly issued guidance that explains how educational institutions can promote student diversity or avoid racial isolation within the framework of Title VI (e.g., through consideration of the racial demographics of neighborhoods when drawing assignment zones for schools or through targeted recruiting efforts). The ''Guidance on the Voluntary Use of Race to Achieve Diversity and Avoid Racial Isolation in Elementary and Secondary Schools'' is available on the Department's Web site at *www.ed.gov/ocr/docs/guidance-ese-201111.pdf.*

Background:

Through its competitions, the i3 program strives to improve the academic achievement of high-need students by accelerating the identification of promising solutions to pressing challenges in kindergarten through grade 12 (K–12) education, supporting the evaluation of the efficacy of such solutions, and developing new approaches to scaling effective practices to serve more students. The i3 program aims to build a portfolio of solutions and corresponding evidence regarding different approaches to addressing critical challenges in education. When selecting the priorities for a given competition, the Department considers several factors, including the Department's policy priorities, the need for new solutions in a particular priority area, the extent of the evidence in the field supporting effective practices in a particular priority area, whether other available funding exists for a particular priority area, and the results and lessons learned from prior i3 competitions.

We include six absolute priorities in the FY 2014 Development competition. For some of these priorities, we identify multiple subparts. In these instances, an applicant must select one subpart that the proposed project will address in order to meet the absolute priority.

First, we include an absolute priority on improving the effectiveness of teachers or principals. It is well established that teachers and principals are the most critical in-school factors in improving student achievement.[1] This priority has two subparts from which the applicant must select one. The first subpart encourages applicants to develop and implement models for principal preparation that deepen leadership skills. Many principals are reporting an increase in the demands of the position, and we believe that providing meaningful training and support is especially important at this time. The Department encourages applicants to implement projects that are designed to provide principals with the necessary skills to meet the demands of the principal position (e.g., skills around the evaluation, support, and development of teachers; implementation of organizational processes; and instructional leadership, especially in the context of implementation of college- and career-ready standards).

The other subpart encourages applicants to increase equitable access to effective teachers or principals for low-income and high-need students. A recent study examined access to effective teaching for disadvantaged students in 29 diverse school districts and found that, on average, disadvantaged students received less effective teaching.[2] This subpart encourages applicants to address this challenge by changing the operating conditions within schools and districts in ways that are consistent with the Department's policy goals for professionalizing teaching and improving outcomes for high-need students. For example, projects addressing this subpart might implement changes to how schools and classes with high concentrations of high-need students are staffed and supported. The systematic changes an applicant should propose to address this subpart also provide the opportunity for applicants to implement strategies that would improve teaching and learning while also increasing efficiencies at the school and district levels.

Second, to ensure that all students receive a quality K–12 education, we include a priority addressing the pressing need to accelerate improvement in low-performing schools. This priority also has two subparts. The first subpart encourages applicants to propose projects that change selected elements of a school's organizational design and focuses specifically on schools with the lowest academic performance in the State or schools with the largest within-school performance gaps between student subgroups. (See the *Other Requirements related to Absolute Priority 2* section of this notice for a full description of the schools that must be served by projects proposed under this priority.) This subpart provides applicants the flexibility to implement changes to their school systems that are designed to rapidly improve student achievement in low-performing schools, such as changes to staff roles and how classrooms or schools are structured or managed. We encourage applicants to think creatively about the different ways schools can be organized to support improved performance.

The second subpart of priority 2 invites applicants to propose projects that will improve students' non-cognitive abilities (e.g., motivation, persistence, or resilience) and enhance their engagement in learning. An emerging body of research suggests that non-cognitive behaviors, strategies, and attitudes can improve student engagement and academic outcomes, particularly for high-need students.[3] Although this subpart addresses challenges encountered by many schools, we consider them particularly relevant for students in low-performing schools.

Third, we include a priority on improving academic outcomes for students with disabilities. The priority addresses the growing need for coherent systems of support that appropriately coordinate and integrate programs to address the needs of children and youth with disabilities, and to improve the quality of services for those children and their families. There is a great need for effective supports to help students with disabilities meet academic content standards, particularly with the transition to new college- and career-ready standards in most school districts.

Fourth, we include a priority on improving academic outcomes for English learners (ELs). School districts across the country are experiencing increases in the enrollment of students who cannot speak, read, write, or understand English well enough to participate meaningfully in educational programs and who, therefore, need specialized support services.[4] Too often, these students' English language needs are not adequately met, thereby inhibiting them from achieving the academic outcomes of which they are capable.[5] To address this concern, we include a subpart that focuses on increasing the number and proportion of ELs successfully completing courses in core academic subjects by developing, implementing, and evaluating instructional approaches and tools that are sensitive to the language demands necessary to access challenging content, including technology-based tools. In order to support such projects, applicants addressing this subpart also should consider how to provide professional development regarding instructional approaches and tools that are specific to teaching ELs.

We also include a subpart that invites applicants to propose projects that will implement comprehensive, developmentally appropriate, early learning programs (birth-grade 3) that are aligned with the State's high-quality early learning standards. Improving early learning for ELs is essential to enabling ELs to be on track to meet college- and career-ready standards. We encourage applicants to design an intervention which improves student readiness for kindergarten, support development of literacy and academic skills in English or in English and another language, and sustain improved early learning and development outcomes throughout the early elementary years. Research suggests that some groups of ELs stand to gain the

[1] Wright, S.P., Horn, S.P., Sanders, W.L. (1997). Teacher and classroom context effects on student achievement: Implications for teacher evaluation. Journal of Personnel Evaluation in Education 11:57–67; Rivkin, S.G., Hanushek, E.A., Kain, J.F. (2005). Teachers, schools, and academic achievement. Economerica, 73(2):417–458.

Leithwood, K., Louis, K.S., Anderson, S., and Wahlstrom, K. (2004). Review of research: How leadership influences student learning. University of Minnesota, Center for Applied Research and Educational Improvement. Available at: *www.cehd.umn.edu/carei/Leadership/ReviewofResearch.pdf*.

[2] Isenberg, Eric, Jeffrey Max, Philip Gleason, Liz Potamites, Robert Santillano, Heinrich Hock, and Michael Hansen (2013). Access to Effective Teaching for Disadvantaged Students (NCEE 2014–4001). Washington, DC: National Center for Education Evaluation and Regional Assistance, Institute of Education Sciences, U.S. Department of Education. Available at: *http://mathematica-mpr.com/publications/pdfs/education/effective_teaching_disadvantaged_students.pdf*.

[3] Heckman, James, Kautz, Tim. (2013). Fostering and Measuring Skills: Interventions That Improve Character and Cognition. The National Bureau of Economic Research. Available at: *http://www.nber.org/papers/w19656*.

[4] Ryan, Camille. (2013). Language Use in the United States: 2011. U.S. Department of Commerce, Economics and Statistics Administration. Available at: *www.census.gov/prod/2013pubs/acs-22.pdf*.

The Growing Numbers of English Learner Students. U.S. Department of Education. Office of English Language Acquisition. (2011). Available at: *http://ncela.us/files/uploads/9/growing_EL_0910.pdf*.

[5] Fregeau, Laureen. (2012). Preparing Pre-service Teachers to Work With English Learners. The National Clearinghouse for English Language Acquisition 4(3):1–24. Available at: *www.ncela.us/files/uploads/17/Accellerate4_3.pdf*.

most of all student population groups from their participation in high-quality early learning opportunities.[6] As such, and because the current i3 portfolio is limited in this area, the Department encourages applicants to submit applications under this subpart.

Fifth, we include a priority on the effective use of technology. The Department's *National Education Technology Plan 2010*[7] highlighted the potential of ''connected teaching'' that makes it possible to extend the reach of the most effective teachers by using online tools. The *National Education Technology Plan 2010* also highlighted the need for high-quality learning resources that can reach learners wherever and whenever they are needed. To support these efforts, we include two subparts under this priority that focus on projects that improve the access to and use of learning experiences that are personalized and self-improving, and on projects that integrate technology with the implementation of rigorous college- and career-ready standards to increase student achievement, student engagement, and teacher efficacy, such as by providing embedded, real-time assessment and feedback to students and teachers. For both of these subparts, we are particularly interested in supporting projects that use technology to meet students' diverse learning needs.

Finally, we include an absolute priority that focuses on serving rural communities. Students living in rural communities face unique challenges. This year's competition welcomes applicants applying under this priority to address one of the other five absolute priorities for the FY 2014 i3 Development competition, as described above, while serving students enrolled in rural LEAs.

In summary, applications must address one of the absolute priorities for this competition and propose projects designed to implement practices that serve students who are in grades K–12 at some point during the funding period. Applicants must be able to demonstrate that the proposed process, product, strategy, or practice included in their applications is supported by either evidence of promise (as defined in this notice) or a strong theory (as defined in this notice). Applicants should carefully review all of the requirements in the *Eligibility Information* section of this notice for instructions on how to demonstrate the proposed project is supported by evidence of promise (as defined in this notice) or a strong theory (as defined in this notice) and for information on the other eligibility and program requirements.

The i3 program includes a statutory requirement for a private-sector match for all i3 grantees. For Development grants, an applicant must obtain matching funds or in-kind donations from the private sector equal to at least 15 percent of its grant award. Each highest-rated applicant, as identified by the Department following peer review of the applications, must submit evidence of at least 50 percent of the required private-sector match prior to the awarding of an i3 grant. An applicant must provide evidence of the remaining 50 percent of the required private-sector match no later than six months after the project start date (i.e., for the FY 2014 competition, six months after January 1, 2015, or by July 1, 2015). The grant will be terminated if the grantee does not secure its private-sector match by the established deadline.

This notice also includes selection criteria for the FY 2014 Development competition that are designed to ensure that applications selected for funding have the best potential to generate substantial improvements in student achievement (and other key outcomes), and include well-articulated plans for the implementation and evaluation of the proposed projects. Applicants should review the selection criteria and submission instructions carefully to ensure their applications address this year's criteria.

An entity that submits a full application for a Development grant must include the following information in its application: An estimate of the number of students to be served by the project; evidence of the applicant's ability to implement and appropriately evaluate the proposed project; and information about its capacity (e.g., management capacity, financial resources, qualified personnel) to implement the project at the proposed level of scale. We recognize that LEAs are not typically responsible for taking their practices, strategies, or programs to scale; however, all applicants can and should partner with others to disseminate their effective practices, strategies, and programs and take them to scale.

The Department will screen applications that are submitted for Development grants in accordance with the requirements in this notice and determine which applications meet the eligibility and other requirements. Peer reviewers will review all applications for Development grants that are submitted by the established deadline.

Applicants should note, however, that we may screen for eligibility at multiple points during the competition process, including before and after peer review; and applicants that are determined to be ineligible will not receive a grant award regardless of peer reviewer scores or comments. If we determine that a Development grant application is not supported by evidence of promise (as defined in this notice) or a strong theory (as defined in this notice), or that the applicant does not demonstrate the required prior record of improvement, or does not meet any other i3 requirement, the application will not be considered for funding.

Priorities: These priorities are from the notice of final priorities, requirements, definitions, and selection criteria for this program, published in the **Federal Register** on March 27, 2013 (78 FR 18682) (the ''2013 i3 NFP''). The 2013 i3 NFP is available at *www.gpo.gov/fdsys/pkg/FR-2013-03-27/pdf/2013-07016.pdf.*

Absolute Priorities: For FY 2014 and any subsequent year in which we make awards from the list of unfunded applicants from this competition, these priorities are absolute priorities. Under 34 CFR 75.105(c)(3) we consider only applications that meet one of these priorities.

Under the Development grant competition, each of the six absolute priorities constitutes its own funding category. The Secretary intends to award grants under each absolute priority for which applications of sufficient quality are submitted.

An applicant for a Development grant must choose one of the six absolute priorities and one of the subparts under the chosen priority to address in its pre-application, and full application, if the applicant is invited to, or chooses to, submit a full application. Both pre-applications and full applications will be peer reviewed and scored; and because scores will be rank ordered by absolute priority, it is essential that an applicant clearly identify the specific absolute priority and subpart that the proposed project addresses. It is also important to note that applicants who choose to submit an application under the absolute priority for Serving Rural Communities must identify an additional absolute priority and subpart.

[6] Key Demographics & Practice Recommendations for Young English Learners. National Clearinghouse for English Language Acquisition and Language Instruction Educational Programs. (2011). Available at: *http://ncela.us/files/uploads/9/EarlyChildhoodShortReport.pdf.*

[7] Transforming American Education: Learning Powered by Technology. U.S. Department of Education, Office of Educational Technology. (2010). Available at: *www.ed.gov/sites/default/files/netp2010.pdf.*

Regardless, the peer-reviewed scores for applications submitted under the Serving Rural Communities priority will be ranked with other applications under its priority, and not included in the ranking for the additional priority that the applicant identified. This design helps us ensure that applicants under the Serving Rural Communities priority receive an ''apples to apples'' comparison with other rural applicants.

These priorities are:

Absolute Priority 1—Improving the Effectiveness of Teachers or Principals.

Under this priority, we provide funding to projects that address one or more of the following priority areas:

(a) Developing and implementing models for principal preparation that deepen leadership skills which have been demonstrated to improve student achievement (as defined in this notice).

(b) Increasing the equitable access to effective teachers or principals for low-income and high-need students (as defined in this notice), which may include increasing the equitable distribution of effective teachers or principals for low-income and high-need students across schools.

Absolute Priority 2—Improving Low-Performing Schools.

Under this priority, we provide funding to projects that address one or more of the following priority areas:

(a) Changing elements of the school's organizational design to improve instruction by differentiating staff roles and extending and enhancing instructional time.

(b) Implementing programs, supports, or other strategies that improve students' non-cognitive abilities (e.g., motivation, persistence, or resilience) and enhance student engagement in learning or mitigate the effects of poverty, including physical, mental, or emotional health issues, on student engagement in learning.

Other requirements related to Absolute Priority 2:

To meet this priority, a project must serve schools among (1) the lowest-performing schools in the State on academic performance measures; (2) schools in the State with the largest within-school performance gaps between student subgroups described in section 1111(b)(2) of the ESEA; or (3) secondary schools in the State with the lowest graduation rate over a number of years or the largest within-school gaps in graduation rates between student subgroups described in section 1111(b)(2) of the ESEA. Additionally, projects funded under this priority must complement the broader turnaround efforts of the school(s), LEA(s), or State(s) where the projects will be implemented.

Absolute Priority 3—Improving Academic Outcomes for Students with Disabilities.

Under this priority, we provide funding to projects that address the following priority area:

Implementing coherent systems of support that appropriately coordinate and integrate programs to address the needs of children and youth with disabilities and improve the quality of service for those children and their families.

Absolute Priority 4—Improving Academic Outcomes for English Learners (ELs).

Under this priority, we provide funding to projects that address one or more of the following priority areas:

(a) Increasing the number and proportion of ELs successfully completing courses in core academic subjects by developing, implementing, and evaluating new instructional approaches and tools that are sensitive to the language demands necessary to access challenging content, including technology-based tools.

(b) Preparing ELs to be on track to be college- and career-ready when they graduate from high school by developing comprehensive, developmentally appropriate, early learning programs (birth-grade 3) that are aligned with the State's high-quality early learning standards, designed to improve readiness for kindergarten, and support development of literacy and academic skills in English or in English and another language.

Absolute Priority 5—Effective Use of Technology.

Under this priority, we provide funding to projects that address one or more of the following priority areas:

(a) Providing access to learning experiences that are personalized, adaptive, and self-improving in order to optimize the delivery of instruction to learners with a variety of learning needs.

(b) Integrating technology with the implementation of rigorous college- and career-ready standards to increase student achievement (as defined in this notice), student engagement, and teacher efficacy, such as by providing embedded, real-time assessment and feedback to students and teachers.

Absolute Priority 6—Serving Rural Communities.

Under this priority, we provide funding to projects addressing one of the absolute priorities established for the 2014 Development i3 competition and under which the majority of students to be served are enrolled in rural local educational agencies (as defined in this notice).

Definitions:

These definitions are from the 2013 i3 NFP. We may apply these definitions in any year in which this program is in effect.

Note: This notice invites applications for Development grants. The following definitions apply to all three types of grants under the i3 program (Development, Validation, and Scale-up). Therefore, some of the definitions included in this section, primarily those related to demonstrations of evidence, may be more applicable to applications for Validation or Scale-up grants.

Consortium of schools means two or more public elementary or secondary schools acting collaboratively for the purpose of applying for and implementing an i3 grant jointly with an eligible nonprofit organization.

Evidence of promise means there is empirical evidence to support the theoretical linkage between at least one critical component and at least one relevant outcome presented in the logic model (as defined in this notice) for the proposed process, product, strategy, or practice. Specifically, evidence of promise means the following conditions are met:

(a) There is at least one study that is either a—

(1) Correlational study with statistical controls for selection bias;

(2) Quasi-experimental study (as defined in this notice) that meets the What Works Clearinghouse Evidence Standards with reservations [8]; or

(3) Randomized controlled trial (as defined in this notice) that meets the What Works Clearinghouse Evidence Standards with or without reservations [9]; and

(b) Such a study found a statistically significant or substantively important (defined as a difference of 0.25 standard deviations or larger), favorable association between at least one critical component and one relevant outcome presented in the logic model for the proposed process, product, strategy, or practice.

High-need student means a student at risk of educational failure or otherwise in need of special assistance and support, such as students who are living in poverty, who attend high-minority

[8] See What Works Clearinghouse Procedures and Standards Handbook (Version 2.1, September 2011), which can currently be found at the following link: *http://ies.ed.gov/ncee/wwc/DocumentSum.aspx?sid=19.*

[9] See What Works Clearinghouse Procedures and Standards Handbook (Version 2.1, September 2011), which can currently be found at the following link: *http://ies.ed.gov/ncee/wwc/DocumentSum.aspx?sid=19.*

schools (as defined in this notice), who are far below grade level, who have left school before receiving a regular high school diploma, who are at risk of not graduating with a diploma on time, who are homeless, who are in foster care, who have been incarcerated, who have disabilities, or who are English learners.

High-minority school is defined by a school's LEA in a manner consistent with the corresponding State's Teacher Equity Plan, as required by section 1111(b)(8)(C) of the ESEA. The applicant must provide, in its i3 application, the definition(s) used.

High school graduation rate means a four-year adjusted cohort graduation rate consistent with 34 CFR 200.19(b)(1) and may also include an extended-year adjusted cohort graduation rate consistent with 34 CFR 200.19(b)(1)(v) if the State in which the proposed project is implemented has been approved by the Secretary to use such a rate under Title I of the ESEA.

Highly effective principal means a principal whose students, overall and for each subgroup as described in section 1111(b)(3)(C)(xiii) of the ESEA (economically disadvantaged students, students from major racial and ethnic groups, migrant students, students with disabilities, students with limited English proficiency, and students of each gender), achieve high rates (e.g., one and one-half grade levels in an academic year) of student growth. Eligible applicants may include multiple measures, provided that principal effectiveness is evaluated, in significant part, based on student growth. Supplemental measures may include, for example, high school graduation rates; college enrollment rates; evidence of providing supportive teaching and learning conditions, support for ensuring effective instruction across subject areas for a well-rounded education, strong instructional leadership, and positive family and community engagement; or evidence of attracting, developing, and retaining high numbers of effective teachers.

Highly effective teacher means a teacher whose students achieve high rates (e.g., one and one-half grade levels in an academic year) of student growth. Eligible applicants may include multiple measures, provided that teacher effectiveness is evaluated, in significant part, based on student academic growth. Supplemental measures may include, for example, multiple observation-based assessments of teacher performance or evidence of leadership roles (which may include mentoring or leading professional learning communities) that increase the effectiveness of other teachers in the school or LEA.

Independent evaluation means that the evaluation is designed and carried out independent of, but in coordination with, any employees of the entities who develop a process, product, strategy, or practice and are implementing it.

Innovation means a process, product, strategy, or practice that improves (or is expected to improve) significantly upon the outcomes reached with status quo options and that can ultimately reach widespread effective usage.

Large sample means a sample of 350 or more students (or other single analysis units) who were randomly assigned to a treatment or control group, or 50 or more groups (such as classrooms or schools) that contain 10 or more students (or other single analysis units) and that were randomly assigned to a treatment or control group.

Logic model (also referred to as theory of action) means a well-specified conceptual framework that identifies key components of the proposed process, product, strategy, or practice (i.e., the active ''ingredients'' that are hypothesized to be critical to achieving the relevant outcomes) and describes the relationships among the key components and outcomes, theoretically and operationally.

Moderate evidence of effectiveness means one of the following conditions is met:

(a) There is at least one study of the effectiveness of the process, product, strategy, or practice being proposed that: Meets the What Works Clearinghouse Evidence Standards without reservations;[10] found a statistically significant favorable impact on a relevant outcome (as defined in this notice) (with no statistically significant and overriding unfavorable impacts on that outcome for relevant populations in the study or in other studies of the intervention reviewed by and reported on by the What Works Clearinghouse); and includes a sample that overlaps with the populations or settings proposed to receive the process, product, strategy, or practice.

(b) There is at least one study of the effectiveness of the process, product, strategy, or practice being proposed that: Meets the What Works Clearinghouse Evidence Standards with reservations,[11] found a statistically significant favorable impact on a relevant outcome (as defined in this notice) (with no statistically significant and overriding unfavorable impacts on that outcome for relevant populations in the study or in other studies of the intervention reviewed by and reported on by the What Works Clearinghouse); includes a sample that overlaps with the populations or settings proposed to receive the process, product, strategy, or practice; and includes a large sample (as defined in this notice) and a multi-site sample (as defined in this notice) (**Note:** multiple studies can cumulatively meet the large and multi-site sample requirements as long as each study meets the other requirements in this paragraph).

Multi-site sample means more than one site, where site can be defined as an LEA, locality, or State.

National level describes the level of scope or effectiveness of a process, product, strategy, or practice that is able to be effective in a wide variety of communities, including rural and urban areas, as well as with different groups (e.g., economically disadvantaged, racial and ethnic groups, migrant populations, individuals with disabilities, English learners, and individuals of each gender).

Nonprofit organization means an entity that meets the definition of ''nonprofit'' under 34 CFR 77.1(c), or an institution of higher education as defined by section 101(a) of the Higher Education Act of 1965, as amended.

Quasi-experimental design study means a study using a design that attempts to approximate an experimental design by identifying a comparison group that is similar to the treatment group in important respects. These studies, depending on design and implementation, can meet What Works Clearinghouse Evidence Standards with reservations[12] (they cannot meet What Works Clearinghouse Evidence Standards without reservations).

Randomized controlled trial means a study that employs random assignment of, for example, students, teachers, classrooms, schools, or districts to receive the intervention being evaluated (the treatment group) or not to receive the intervention (the control group). The estimated effectiveness of the intervention is the difference between the average outcome for the treatment group and for the control group. These studies, depending on design and

[10] See What Works Clearinghouse Procedures and Standards Handbook (Version 2.1, September 2011), which can currently be found at the following link: *http://ies.ed.gov/ncee/wwc/DocumentSum.aspx?sid=19.*

[11] See What Works Clearinghouse Procedures and Standards Handbook (Version 2.1, September 2011), which can currently be found at the following link: *http://ies.ed.gov/ncee/wwc/DocumentSum.aspx?sid=19.*

[12] See What Works Clearinghouse Procedures and Standards Handbook (Version 2.1, September 2011), which can currently be found at the following link: *http://ies.ed.gov/ncee/wwc/DocumentSum.aspx?sid=19.*

implementation, can meet What Works Clearinghouse Evidence Standards without reservations.[13]

Regional level describes the level of scope or effectiveness of a process, product, strategy, or practice that is able to serve a variety of communities within a State or multiple States, including rural and urban areas, as well as with different groups (e.g., economically disadvantaged, racial and ethnic groups, migrant populations, individuals with disabilities, English learners, and individuals of each gender). For an LEA-based project to be considered a regional level project, a process, product, strategy, or practice must serve students in more than one LEA, unless the process, product, strategy, or practice is implemented in a State in which the State educational agency is the sole educational agency for all schools.

Relevant outcome means the student outcome or outcomes (or the ultimate outcome if not related to students) that the proposed project is designed to improve, consistent with the specific goals of the project and the i3 program.

Rural local educational agency means a local educational agency (LEA) that is eligible under the Small Rural School Achievement (SRSA) program or the Rural and Low-Income School (RLIS) program authorized under Title VI, Part B of the ESEA. Eligible applicants may determine whether a particular LEA is eligible for these programs by referring to information on the Department's Web site at *http://www2.ed.gov/nclb/freedom/local/reap.html.*

Strong evidence of effectiveness means that one of the following conditions is met:

(a) There is at least one study of the effectiveness of the process, product, strategy, or practice being proposed that: Meets the What Works Clearinghouse Evidence Standards without reservations;[14] found a statistically significant favorable impact on a relevant outcome (as defined in this notice) (with no statistically significant and overriding unfavorable impacts on that outcome for relevant populations in the study or in other studies of the intervention reviewed by and reported on by the What Works Clearinghouse); includes a sample that overlaps with the populations and settings proposed to receive the process, product, strategy, or practice; and includes a large sample (as defined in this notice) and a multi-site sample (as defined in this notice). (**Note:** multiple studies can cumulatively meet the large and multi-site sample requirements as long as each study meets the other requirements in this paragraph).

(b) There are at least two studies of the effectiveness of the process, product, strategy, or practice being proposed, each of which: Meets the What Works Clearinghouse Evidence Standards with reservations;[15] found a statistically significant favorable impact on a relevant outcome (as defined in this notice) (with no statistically significant and overriding unfavorable impacts on that outcome for relevant populations in the studies or in other studies of the intervention reviewed by and reported on by the What Works Clearinghouse); includes a sample that overlaps with the populations and settings proposed to receive the process, product, strategy, or practice; and includes a large sample (as defined in this notice) and a multi-site sample (as defined in this notice).

Strong theory means a rationale for the proposed process, product, strategy, or practice that includes a logic model (as defined in this notice).

Student achievement means—

(a) For grades and subjects in which assessments are required under ESEA section 1111(b)(3): (1) A student's score on such assessments and may include (2) other measures of student learning, such as those described in paragraph (b), provided they are rigorous and comparable across schools within an LEA.

(b) For grades and subjects in which assessments are not required under ESEA section 1111(b)(3): Alternative measures of student learning and performance such as student results on pre-tests, end-of-course tests, and objective performance-based assessments; student learning objectives; student performance on English language proficiency assessments; and other measures of student achievement that are rigorous and comparable across schools within an LEA.

Student growth means the change in student achievement (as defined in this notice) for an individual student between two or more points in time. An applicant may also include other measures that are rigorous and comparable across classrooms.

Program Authority: American Recovery and Reinvestment Act of 2009, Division A, Section 14007, Public Law 111–5.

Applicable Regulations: (a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 74, 75, 77, 79, 80, 81, 82, 84, 86, 97, 98, and 99. (b) The Education Department suspension and debarment regulations in 2 CFR part 3485. (c) The notice of final priorities, requirements, definitions, and selection criteria for this program, published in the **Federal Register** on March 27, 2013 (78 FR 18682).

Note: The regulations in 34 CFR part 79 apply to all applicants except federally recognized Indian tribes.

Note: The regulations in 34 CFR part 86 apply to institutions of higher education only.

II. Award Information

Type of Award: Cooperative agreements or discretionary grants.

Estimated Available Funds: $134,800,000.

These estimated available funds are the total available for all three types of grants under the i3 program (Development, Validation, and Scale-up grants).

Contingent upon the availability of funds and the quality of the applications received, we may make additional awards in FY 2015 or later years from the list of unfunded applicants from this competition.

Estimated Range of Awards:

Development grants: Up to $3,000,000.

Validation grants: Up to $12,000,000.

Scale-up grants: Up to $20,000,000.

Estimated Average Size of Awards:

Development grants: $3,000,000.

Validation grants: $11,500,000.

Scale-up grants: $19,000,000.

Estimated Number of Awards:

Development grants: 10–20 awards.

Validation grants: 4–8 awards.

Scale-up grants: 0–2 awards.

Note: The Department is not bound by any estimates in this notice.

Project Period: 36–60 months.

III. Eligibility Information

1. *Innovations that Improve Achievement for High-Need Students:* All grantees must implement practices that are designed to improve student achievement (as defined in this notice) or student growth (as defined in this notice), close achievement gaps, decrease dropout rates, increase high school graduation rates (as defined in this notice), or increase college

[13] See What Works Clearinghouse Procedures and Standards Handbook (Version 2.1, September 2011), which can currently be found at the following link: *http://ies.ed.gov/ncee/wwc/DocumentSum.aspx?sid=19.*

[14] See What Works Clearinghouse Procedures and Standards Handbook (Version 2.1, September 2011), which can currently be found at the following link: *http://ies.ed.gov/ncee/wwc/DocumentSum.aspx?sid=19.*

[15] See What Works Clearinghouse Procedures and Standards Handbook (Version 2.1, September 2011), which can currently be found at the following link: *http://ies.ed.gov/ncee/wwc/DocumentSum.aspx?sid=19.*

enrollment and completion rates for high-need students (as defined in this notice).

2. *Innovations that Serve Kindergarten-through-Grade-12 (K–12) Students:* All grantees must implement practices that serve students who are in grades K–12 at some point during the funding period. To meet this requirement, projects that serve early learners (i.e., infants, toddlers, or preschoolers) must provide services or supports that extend into kindergarten or later years, and projects that serve postsecondary students must provide services or supports during the secondary grades or earlier.

3. *Eligible Applicants:* Entities eligible to apply for i3 grants include either of the following:

(a) An LEA.

(b) A partnership between a nonprofit organization and—

(1) One or more LEAs; or

(2) A consortium of schools.

Statutory Eligibility Requirements: Except as specifically set forth in the *Note about Eligibility for an Eligible Applicant that Includes a Nonprofit Organization* that follows, to be eligible for an award, an eligible applicant must—

(a)(1) Have significantly closed the achievement gaps between groups of students described in section 1111(b)(2) of the ESEA (economically disadvantaged students, students from major racial and ethnic groups, students with limited English proficiency, students with disabilities); or

(2) Have demonstrated success in significantly increasing student academic achievement for all groups of students described in that section;

(b) Have made significant improvements in other areas, such as high school graduation rates (as defined in this notice) or increased recruitment and placement of high-quality teachers and principals, as demonstrated with meaningful data;

(c) Demonstrate that it has established one or more partnerships with the private sector, which may include philanthropic organizations, and that organizations in the private sector will provide matching funds in order to help bring results to scale; and

(d) In the case of an eligible applicant that includes a nonprofit organization, provide in the application the names of the LEAs with which the nonprofit organization will partner, or the names of the schools in the consortium with which it will partner. If an eligible applicant that includes a nonprofit organization intends to partner with additional LEAs or schools that are not named in the application, it must describe in the application the demographic and other characteristics of these LEAs and schools and the process it will use to select them.

Note: An entity submitting an application should provide, in Appendix C, under ''Other Attachments Form,'' of its application, information addressing the eligibility requirements described in this section. An applicant must provide, in its application, sufficient supporting data or other information to allow the Department to determine whether the applicant has met the eligibility requirements. Note that in order to address the statutory eligibility requirement above, applicants must provide data that demonstrate a change. In other words, applicants must provide data for at least two points in time when addressing this requirement in Appendix C of their applications. If the Department determines that an applicant has provided insufficient information in its application, the applicant will not have an opportunity to provide additional information.

Note about LEA Eligibility: For purposes of this program, an LEA is an LEA located within one of the 50 States, the District of Columbia, or the Commonwealth of Puerto Rico.

Note about Eligibility for an Eligible Applicant that Includes a Nonprofit Organization: The authorizing statute specifies that an eligible applicant that includes a nonprofit organization meets the requirements in paragraphs (a) and (b) of the eligibility requirements for this program if the nonprofit organization has a record of significantly improving student achievement, attainment, or retention. For an eligible applicant that includes a nonprofit organization, the nonprofit organization must demonstrate that it has a record of significantly improving student achievement, attainment, or retention through its record of work with an LEA or schools. Therefore, an eligible applicant that includes a nonprofit organization does not necessarily need to include as a partner for its i3 grant an LEA or a consortium of schools that meets the requirements in paragraphs (a) and (b) of the eligibility requirements in this notice.

In addition, the authorizing statute specifies that an eligible applicant that includes a nonprofit organization meets the requirements of paragraph (c) of the eligibility requirements in this notice if the eligible applicant demonstrates that it will meet the requirement for private-sector matching.

4. *Cost Sharing or Matching:* To be eligible for an award, an applicant must demonstrate that one or more private-sector organizations, which may include philanthropic organizations, will provide matching funds in order to help bring project results to scale. An eligible Development applicant must obtain matching funds, or in-kind donations, equal to at least 15 percent of its Federal grant award. The highest-rated eligible applicants must submit evidence of 50 percent of the required private-sector matching funds following the peer review of applications. A Federal i3 award will not be made unless the applicant provides adequate evidence that the 50 percent of the required private-sector match has been committed or the Secretary approves the eligible applicant's request to reduce the matching-level requirement. An applicant must provide evidence of the remaining 50 percent of required private-sector match six months after the project start date.

The Secretary may consider decreasing the matching requirement on a case-by-case basis, and only in the most exceptional circumstances. An eligible applicant that anticipates being unable to meet the full amount of the private-sector matching requirement must include in its application a request that the Secretary reduce the matching-level requirement, along with a statement of the basis for the request.

Note: An applicant that does not provide a request for a reduction of the matching-level requirement in its full application may not submit that request at a later time.

5. *Other:* The Secretary establishes the following requirements for the i3 program. These requirements are from the 2013 i3 NFP. We may apply these requirements in any year in which this program is in effect.

• *Evidence Standards:* To be eligible for an award, an application for a Development grant must be supported by evidence of promise (as defined in this notice) or a strong theory (as defined in this notice).

Applicants must identify in Appendix D and the Applicant Information Sheet if their evidence is supported by evidence of promise or a strong theory.

Note: In Appendix D, under the ''Other Attachments Form,'' an entity that submits a full application should provide information addressing one of the required evidence standards for Development grants. This information should include a description of the intervention(s) the applicant plans to implement and the intended student outcomes that the intervention(s) attempts to impact.

Applicants must identify in Appendix D and the Applicant Information Sheet if their evidence is supported by evidence of promise or a strong theory. An applicant submitting its Development grant application under the evidence of promise standard should identify up to two study citations to be reviewed for the purposes of meeting the i3 evidence standard requirement and include those citations in Appendix D. In addition, the

applicant should specify the intervention that they plan to implement, the findings within the citations that the applicant is requesting be considered as evidence of promise, including page number(s) of specific tables if applicable. The Department will not consider a study citation that an applicant fails to clearly identify for review.

An applicant must either ensure that all evidence is available to the Department from publicly available sources and provide links or other guidance indicating where it is available; or, in the full application, include copies of evidence in Appendix D. If the Department determines that an applicant has provided insufficient information, the applicant will not have an opportunity to provide additional information at a later time.

Note: The evidence standards apply to the prior research that supports the effectiveness of the proposed project. The i3 program does not restrict the source of prior research providing evidence for the proposed project. As such, an applicant could cite prior research in Appendix D for studies that were conducted by another entity (i.e., an entity that is not the applicant) so long as the prior research studies cited in the application are relevant to the effectiveness of the proposed project.

• *Funding Categories:* An applicant will be considered for an award only for the type of i3 grant (i.e., Development, Validation, and Scale-up grants) for which it applies. An applicant may not submit an application for the same proposed project under more than one type of grant.

• *Limit on Grant Awards:* (a) No grantee may receive more than two new grant awards of any type under the i3 program in a single year; (b) in any two-year period, no grantee may receive more than one new Scale-up or Validation grant; and (c) no grantee may receive in a single year new i3 grant awards that total an amount greater than the sum of the maximum amount of funds for a Scale-up grant and the maximum amount of funds for a Development grant for that year. For example, in a year when the maximum award value for a Scale-up grant is $20 million and the maximum award value for a Development grant is $3 million, no grantee may receive in a single year new grants totaling more than $23 million.

• *Subgrants:* In the case of an eligible applicant that is a partnership between a nonprofit organization and (1) one or more LEAs or (2) a consortium of schools, the partner serving as the applicant and, if funded, as the grantee, may make subgrants to one or more entities in the partnership.

• *Evaluation:* The grantee must conduct an independent evaluation (as defined in this notice) of its project. This evaluation must estimate the impact of the i3-supported practice (as implemented at the proposed level of scale) on a relevant outcome (as defined in this notice). The grantee must make broadly available digitally and free of charge, through formal (e.g., peer-reviewed journals) or informal (e.g., newsletters) mechanisms, the results of any evaluations it conducts of its funded activities.

In addition, the grantee and its independent evaluator must agree to cooperate with any technical assistance provided by the Department or its contractor and comply with the requirements of any evaluation of the program conducted by the Department. This includes providing to the Department, within 100 days of a grant award, an updated comprehensive evaluation plan in a format and using such tools as the Department may require. Grantees must update this evaluation plan at least annually to reflect any changes to the evaluation. All of these updates must be consistent with the scope and objectives of the approved application.

• *Communities of Practice:* Grantees must participate in, organize, or facilitate, as appropriate, communities of practice for the i3 program. A community of practice is a group of grantees that agrees to interact regularly to solve a persistent problem or improve practice in an area that is important to them.

• *Management Plan:* Within 100 days of a grant award, the grantee must provide an updated comprehensive management plan for the approved project in a format and using such tools as the Department may require. This management plan must include detailed information about implementation of the first year of the grant, including key milestones, staffing details, and other information that the Department may require. It must also include a complete list of performance metrics, including baseline measures and annual targets. The grantee must update this management plan at least annually to reflect implementation of subsequent years of the project.

IV. Application and Submission Information

1. *Address to Request Application Package:* You can obtain an application package via the Internet or from the Education Publications Center (ED Pubs). To obtain a copy via the Internet, use the following address: *http://www2.ed.gov/programs/innovation/index.html.* To obtain a copy from ED Pubs, write, fax, or call the following: ED Pubs, U.S. Department of Education, P.O. Box 22207, Alexandria, VA 22304. Telephone, toll free: 1–877–433–7827. FAX: (703) 605–6794. If you use a telecommunications device for the deaf (TDD) or a text telephone (TTY), call, toll free: 1–877–576–7734.

You can contact ED Pubs at its Web site, also: *www.EDPubs.gov* or at its email address: *edpubs@inet.ed.gov.*

If you request an application from ED Pubs, be sure to identify this program or competition as follows: CFDA number 84.411P (for pre-applications) or 84.411C (for full applications).

Individuals with disabilities can obtain a copy of the application package in an accessible format (e.g., braille, large print, audiotape, or compact disc) by contacting the person or team listed under *Accessible Format* in section VIII of this notice.

2. a. *Content and Form of Application Submission:* Requirements concerning the content of an application, together with the forms you must submit, are in the application package for this competition. Deadline for Notice of Intent to Submit Application: April 3, 2014.

We will be able to develop a more efficient process for reviewing grant applications if we know the approximate number of applicants that intend to apply for funding under this competition. Therefore, the Secretary strongly encourages each potential applicant to notify us of the applicant's intent to submit an application by completing a web-based form. When completing this form, applicants will provide (1) the applicant organization's name and address and (2) the one absolute priority the applicant intends to address. Applicants may access this form online at *http://go.usa.gov/BvuQ.* Applicants that do not complete this form may still submit an application.

Page Limit: For the pre-application, the project narrative is where you, the applicant, address the selection criteria that reviewers use to evaluate your pre-application. For the full application, the project narrative (Part III of the application) is where you, the applicant, address the selection criteria that reviewers use to evaluate your full applications.

Pre-Application page limit: Applicants should limit the pre-application narrative to no more than seven pages. Full-Application page limit: Applicants submitting a full application should limit the application narrative [Part III] for a Development

grant application to no more than 25 pages. Applicants are also strongly encouraged not to include lengthy appendices for the full application that contain information that they were unable to include in the narrative. Aside from the required forms, applicants should not include appendices in their pre-applications. Applicants for both pre- and full applications should use the following standards:

- A ''page'' is 8.5″ x 11″, on one side only, with 1″ margins at the top, bottom, and both sides.
- Double space (no more than three lines per vertical inch) all text in the application narrative, including titles, headings, footnotes, quotations, references, and captions.
- Use a font that is either 12 point or larger or no smaller than 10 pitch (characters per inch).
- Use one of the following fonts: Times New Roman, Courier, Courier New, or Arial.

The page limit for the full application does not apply to Part I, the cover sheet; Part II, the budget section, including the narrative budget justification; Part IV, the assurances and certifications; or the one-page abstract, the resumes, the bibliography, or the letters of support for the full application. However, the page limit does apply to all of the application narrative section [Part III] of the full application.

b. *Submission of Proprietary Information:*

Given the types of projects that may be proposed in applications for the i3 program, some applications may include business information that applicants consider proprietary. The Department's regulations define ''business information'' in 34 CFR 5.11.

Consistent with the process followed in the prior i3 competitions, we plan on posting the project narrative section of funded i3 applications on the Department's Web site so you may wish to request confidentiality of business information. Identifying proprietary information in the submitted application will help facilitate this public disclosure process.

Consistent with Executive Order 12600, please designate in your application any information that you feel is exempt from disclosure under Exemption 4 of the Freedom of Information Act. In the appropriate Appendix section of your application, under ''Other Attachments Form,'' please list the page number or numbers on which we can find this information. For additional information please see 34 CFR 5.11(c).

3. *Submission Dates and Times:*

Pre-Applications Available: March 17, 2014.

Deadline for Notice of Intent to Submit Pre-Application: April 3, 2014.

Informational Meetings: The i3 program intends to hold webinars designed to provide technical assistance to interested applicants for all three types of grants. Detailed information regarding these meetings will be provided on the i3 Web site at *http://www2.ed.gov/programs/innovation/index.html*.

Deadline for Transmittal of Pre-Applications: April 14, 2014.

Deadline for Transmittal of Full Applications: The Department will announce on its Web site the deadline date for transmission of full applications for Development grants. Under the pre-application process, peer reviewers will read and score the shorter pre-application against an abbreviated set of selection criteria, and entities that submit highly rated pre-applications will be invited to submit full applications for a Development grant. Other pre-applicants may choose to submit a full application.

Pre- and full applications for Development grants under this competition must be submitted electronically using the Grants.gov Apply site (Grants.gov). For information (including dates and times) about how to submit your application electronically, or in paper format by mail or hand delivery if you qualify for an exception to the electronic submission requirement, please refer to section IV. 7. *Other Submission Requirements* of this notice.

We do not consider an application that does not comply with the deadline requirements.

Individuals with disabilities who need an accommodation or auxiliary aid in connection with the application process should contact the person listed under **FOR FURTHER INFORMATION CONTACT** in section VII of this notice. If the Department provides an accommodation or auxiliary aid to an individual with a disability in connection with the application process, the individual's application remains subject to all other requirements and limitations in this notice.

Deadline for Intergovernmental Review of Full Applications: 60 calendar days after the deadline date for transmittal of full applications.

4. *Intergovernmental Review:* This competition is subject to Executive Order 12372 and the regulations in 34 CFR part 79. Information about Intergovernmental Review of Federal Programs under Executive Order 12372 is in the application package for this competition.

5. *Funding Restrictions:* We reference regulations outlining funding restrictions in the *Applicable Regulations* section of this notice.

6. *Data Universal Numbering System Number, Taxpayer Identification Number, and System for Award Management:* To do business with the Department of Education, you must—

a. Have a Data Universal Numbering System (DUNS) number and a Taxpayer Identification Number (TIN);

b. Register both your DUNS number and TIN with the System for Award Management (SAM) (formerly the Central Contractor Registry (CCR)), the Government's primary registrant database;

c. Provide your DUNS number and TIN on your application; and

d. Maintain an active SAM registration with current information while your application is under review by the Department and, if you are awarded a grant, during the project period.

You can obtain a DUNS number from Dun and Bradstreet. A DUNS number can be created within one-to-two business days.

If you are a corporate entity, agency, institution, or organization, you can obtain a TIN from the Internal Revenue Service. If you are an individual, you can obtain a TIN from the Internal Revenue Service or the Social Security Administration. If you need a new TIN, please allow 2–5 weeks for your TIN to become active.

The SAM registration process can take approximately seven business days, but may take upwards of several weeks, depending on the completeness and accuracy of the data entered into the SAM database by an entity. Thus, if you think you might want to apply for Federal financial assistance under a program administered by the Department, please allow sufficient time to obtain and register your DUNS number and TIN. We strongly recommend that you register early.

Note: Once your SAM registration is active, you will need to allow 24 to 48 hours for the information to be available in Grants.gov and before you can submit an application through Grants.gov.

If you are currently registered with SAM, you may not need to make any changes. However, please make certain that the TIN associated with your DUNS number is correct. Also note that you will need to update your registration annually. This may take three or more business days.

Information about SAM is available at *www.SAM.gov*. To further assist you

with obtaining and registering your DUNS number and TIN in SAM or updating your existing SAM account, we have prepared a SAM.gov Tip Sheet, which you can find at: *http://www2.ed.gov/fund/grant/apply/sam-faqs.html*.

In addition, if you are submitting your application via Grants.gov, you must (1) be designated by your organization as an Authorized Organization Representative (AOR); and (2) register yourself with Grants.gov as an AOR. Details on these steps are outlined at the following Grants.gov Web page: *www.grants.gov/web/grants/register.html*.

7. *Other Submission Requirements:* Applications for grants for the i3 program must be submitted electronically unless you qualify for an exception to this requirement in accordance with the instructions in this section.

a. *Electronic Submission of Applications.*

Applications (both pre- and full applications) for Development grants under the i3 program, CFDA Number 84.411P (pre-applications) and CFDA Number 84.411C (full applications), must be submitted electronically using the Governmentwide Grants.gov Apply site at *www.Grants.gov.* Through this site, you will be able to download a copy of the application package, complete it offline, and then upload and submit your application. You may not email an electronic copy of a grant application to us.

We will reject your application if you submit it in paper format unless, as described elsewhere in this section, you qualify for one of the exceptions to the electronic submission requirement and submit, no later than two weeks before the application deadline date, a written statement to the Department that you qualify for one of these exceptions. Further information regarding calculation of the date that is two weeks before the application deadline date is provided later in this section under *Exception to Electronic Submission Requirement*.

You may access the electronic grant application for the i3 program at *www.Grants.gov*. You must search for the downloadable application package for this program this competition by the CFDA number. Do not include the CFDA number's alpha suffix in your search (e.g., search for 84.411, not 84.411P or 84.411C).

Please note the following:

- When you enter the Grants.gov site, you will find information about submitting an application electronically through the site, as well as the hours of operation.
- Applications received by Grants.gov are date and time stamped. Your application must be fully uploaded and submitted and must be date and time stamped by the Grants.gov system no later than 4:30:00 p.m., Washington, DC time, on the application deadline date. Except as otherwise noted in this section, we will not accept your application if it is received—that is, date and time stamped by the Grants.gov system—after 4:30:00 p.m., Washington, DC time, on the application deadline date. We do not consider an application that does not comply with the deadline requirements. When we retrieve your application from Grants.gov, we will notify you if we are rejecting your application because it was date and time stamped by the Grants.gov system after 4:30:00 p.m., Washington, DC time, on the application deadline date.
- The amount of time it can take to upload an application will vary depending on a variety of factors, including the size of the application and the speed of your Internet connection. Therefore, we strongly recommend that you do not wait until the application deadline date to begin the submission process through Grants.gov.
- You should review and follow the Education Submission Procedures for submitting an application through Grants.gov that are included in the application package for this competition to ensure that you submit your application in a timely manner to the Grants.gov system. You can also find the Education Submission Procedures pertaining to Grants.gov under News and Events on the Department's G5 system home page at *www.G5.gov*.
- You will not receive additional point value because you submit your application in electronic format, nor will we penalize you if you qualify for an exception to the electronic submission requirement, as described elsewhere in this section, and submit your application in paper format.
- You must submit all documents electronically, including all information you typically provide on the following forms: The Application for Federal Assistance (SF 424), the Department of Education Supplemental Information for SF 424, Budget Information—Non-Construction Programs (ED 524), and all necessary assurances and certifications.
- You must upload any narrative sections and all other attachments to your application as files in a PDF (Portable Document) read-only, non-modifiable format. Do not upload an interactive or fillable PDF file. If you upload a file type other than a read-only, non-modifiable PDF or submit a password-protected file, we will not review that material.
- Your electronic application must comply with any page-limit requirements described in this notice.
- After you electronically submit your application, you will receive from Grants.gov an automatic notification of receipt that contains a Grants.gov tracking number. (This notification indicates receipt by Grants.gov only, not receipt by the Department.) The Department then will retrieve your application from Grants.gov and send a second notification to you by email. This second notification indicates that the Department has received your application and has assigned your application a PR/Award number (an ED-specified identifying number unique to your application).
- We may request that you provide us original signatures on forms at a later date.

Application Deadline Date Extension in Case of Technical Issues with the Grants.gov System: If you are experiencing problems submitting your application through Grants.gov, please contact the Grants.gov Support Desk, toll free, at 1–800–518–4726. You must obtain a Grants.gov Support Desk Case Number and must keep a record of it.

If you are prevented from electronically submitting your application on the application deadline date because of technical problems with the Grants.gov system, we will grant you an extension until 4:30:00 p.m., Washington, DC time, the following business day to enable you to transmit your application electronically or by hand delivery. You also may mail your application by following the mailing instructions described elsewhere in this notice.

If you submit an application after 4:30:00 p.m., Washington, DC time, on the application deadline date, please contact the person listed under **FOR FURTHER INFORMATION CONTACT** in section VII of this notice and provide an explanation of the technical problem you experienced with Grants.gov, along with the Grants.gov Support Desk Case Number. We will accept your application if we can confirm that a technical problem occurred with the Grants.gov system and that that problem affected your ability to submit your application by 4:30:00 p.m., Washington, DC time, on the application deadline date. The Department will contact you after a determination is made on whether your application will be accepted.

Note: The extensions to which we refer in this section apply only to the unavailability

of, or technical problems with, the Grants.gov system. We will not grant you an extension if you failed to fully register to submit your application to Grants.gov before the application deadline date and time or if the technical problem you experienced is unrelated to the Grants.gov system.

Exception to Electronic Submission Requirement: You qualify for an exception to the electronic submission requirement, and may submit your application in paper format, if you are unable to submit an application through the Grants.gov system because—

- You do not have access to the Internet; or
- You do not have the capacity to upload large documents to the Grants.gov system;

and

- No later than two weeks before the application deadline date (14 calendar days or, if the fourteenth calendar day before the application deadline date falls on a Federal holiday, the next business day following the Federal holiday), you mail or fax a written statement to the Department, explaining which of the two grounds for an exception prevent you from using the Internet to submit your application.

If you mail your written statement to the Department, it must be postmarked no later than two weeks before the application deadline date. If you fax your written statement to the Department, we must receive the faxed statement no later than two weeks before the application deadline date.

Address and mail or fax your statement to: Kelly Terpak, U.S. Department of Education, 400 Maryland Avenue SW., Room 4W111, Washington, DC 20202–5930. FAX: (202) 205–5631.

Your paper application must be submitted in accordance with the mail or hand delivery instructions described in this notice.

b. *Submission of Paper Applications by Mail.*

If you qualify for an exception to the electronic submission requirement, you may mail (through the U.S. Postal Service or a commercial carrier) your application to the Department. You must mail the original and two copies of your application, on or before the application deadline date, to the Department at the following address:

U.S. Department of Education, Application Control Center, Attention: (CFDA Number 84.411C or 84.411P) LBJ Basement Level 1, 400 Maryland Avenue SW., Washington, DC 20202–4260.

Note: Entities submitting pre-applications for Development grants will use CFDA Number 84.411P, and entities submitting full applications for Development grants will use CFDA Number 84.411C.

You must show proof of mailing consisting of one of the following:

(1) A legibly dated U.S. Postal Service postmark.

(2) A legible mail receipt with the date of mailing stamped by the U.S. Postal Service.

(3) A dated shipping label, invoice, or receipt from a commercial carrier.

(4) Any other proof of mailing acceptable to the Secretary of the U.S. Department of Education.

If you mail your application through the U.S. Postal Service, we do not accept either of the following as proof of mailing:

(1) A private metered postmark.

(2) A mail receipt that is not dated by the U.S. Postal Service.

If your application is postmarked after the application deadline date, we will not consider your application.

Note: The U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, you should check with your local post office.

c. *Submission of Paper Applications by Hand Delivery.*

If you qualify for an exception to the electronic submission requirement, you (or a courier service) may deliver your paper application to the Department by hand. You must deliver the original and two copies of your application by hand, on or before the application deadline date, to the Department at the following address:

U.S. Department of Education, Application Control Center, Attention: (CFDA Number 84.411C or 84.411P) 550 12th Street SW., Room 7039, Potomac Center Plaza, Washington, DC 20202–4260.

Note: Entities submitting pre-applications for Development grants will use 84.411P, and entities submitting full applications for Development grants will use 84.411C.

The Application Control Center accepts hand deliveries daily between 8:00 a.m. and 4:30:00 p.m., Washington, DC time, except Saturdays, Sundays, and Federal holidays. *Note for Mail or Hand Delivery of Paper Applications:* If you mail or hand deliver your application to the Department—

(1) You must indicate on the envelope and—if not provided by the Department—in Item 11 of the SF 424 the CFDA number, including suffix letter, if any, of the competition under which you are submitting your +application; and

(2) The Application Control Center will mail to you a notification of receipt of your grant application. If you do not receive this notification within 15 business days from the application deadline date, you should call the U.S. Department of Education Application Control Center at (202) 245–6288.

V. Application Review Information

1. *Selection Criteria:* This competition has separate selection criteria for pre-applications and full applications. The selection criteria for the Development competition are from the 2013 i3 NFP and 34 CFR 75.210, and are listed below.

The points assigned to each criterion are indicated in the parenthesis next to the criterion. An applicant may earn up to a total of 20 points based on the selection criteria for the pre-application. An applicant may earn up to a total of 100 points based on the selection criteria for the full application.

Note: An applicant must provide information on how its proposed project addresses the selection criteria in the project narrative section of its application. In responding to the selection criteria, applicants for both the pre- and full applications should keep in mind that peer reviewers may consider only the information provided in the written application when scoring and commenting on the application. Therefore, applicants should draft their responses with the goal of helping peer reviewers understand the following:

- What the applicant is proposing to do, including the single absolute priority under which the applicant intends the application to be reviewed;
- How the proposed project will improve upon existing practices, strategies, or programs for addressing similar needs;
- What the outcomes of the project will be if it is successful; and
- What procedures are in place for ensuring feedback and continuous improvement in the operation of the proposed project.

Selection Criteria for the Development Grant Pre-Application:

A. *Significance (up to 10 points).*

In determining the significance of the project, the Secretary considers the following factors:

(1) The extent to which the proposed project addresses the absolute priority the applicant is seeking to meet. (2013 i3 NFP)

(2) The extent to which the proposed project would implement a novel approach as compared with what has been previously attempted nationally. (2013 i3 NFP)

Note: In responding to this criterion, the Secretary encourages applicants to address how their project is unique and how the project would move the field forward (as opposed to affecting only the entities or individuals being served with grant funds).

B. *Quality of Project Design (up to 10 points).*

In determining the quality of the proposed project design, the Secretary considers:

The clarity and coherence of the project goals, including the extent to which the proposed project articulates an explicit plan or actions to achieve its goals (e.g., a fully developed logic model of the proposed project). (2013 i3 NFP)

Note: In responding to this criterion, the Secretary encourages applicants to describe the goals of the proposed project as well as the applicant's plan for achieving those goals.

Selection Criteria for the Development Grant Full Application:

A. *Significance (up to 35 points).*

In determining the significance of the project, the Secretary considers the following factors:

(1) The extent to which the proposed project addresses the absolute priority the applicant is seeking to meet. (2013 i3 NFP)

(2) The extent to which the proposed project would implement a novel approach as compared with what has been previously attempted nationally. (2013 i3 NFP)

(3) The potential contribution of the proposed project to the development and advancement of theory, knowledge, and practices in the field of study. (34 CFR 75.210)

Note: In responding to this criterion, the Secretary encourages applicants to explain how the applicant's proposed project addresses the absolute priority and the subpart that it seeks to meet. Additionally, the Secretary asks that applicants explain how the proposed project is unique. Applicants should explain how their proposed projects fit into existing theory, knowledge, or practice, and how their proposed projects will serve as exemplars for new practices in the field.

B. *Quality of the Project Design (up to 30 points).*

In determining the quality of the proposed project design, the Secretary considers the following factors:

(1) The clarity and coherence of the project goals, including the extent to which the proposed project articulates an explicit plan or actions to achieve its goals (e.g., a fully developed logic model of the proposed project). (2013 i3 NFP)

(2) The clarity, completeness, and coherence of the project goals, and whether the application includes a description of project activities that constitute a complete plan for achieving those goals, including the identification of potential risks to project success and strategies to mitigate those risks. (2013 i3 NFP)

Note: In responding to this criterion, the Secretary encourages applicants to address what activities the applicant will undertake in its proposed project, and how the applicant will ensure its project implementation is successful in achieving the project goals.

C. *Quality of the Management Plan and Personnel (up to 20 points).*

In determining the quality of the management plan and personnel for the proposed project, the Secretary considers the following factors:

(1) The extent to which the management plan articulates key responsibilities and well-defined objectives, including the timelines and milestones for completion of major project activities, the metrics that will be used to assess progress on an ongoing basis, and annual performance targets the applicant will use to monitor whether the project is achieving its goals. (2013 i3 NFP)

(2) The extent of the demonstrated commitment of any key partners or evidence of broad support from stakeholders whose participation is critical to the project's long-term success. (2013 i3 NFP)

(3) The adequacy of procedures for ensuring feedback and continuous improvement in the operation of the proposed project. (34 CFR 75.210)

(4) The extent to which the project director has experience managing projects of similar size and scope as the proposed project. (2013 i3 NFP)

Note: In responding to this criterion, the Secretary encourages applicants to address how the project team will evaluate the success or challenges of the project and use that feedback to make improvements to the project, and the role of key partners and their impact on the long-term success of the project, and how the project director's prior experiences have prepared them for implementing the proposed project of this size and scope successfully. (2013 i3 NFP)

D. *Quality of Project Evaluation (up to 15 points).*

In determining the quality of the project evaluation to be conducted, the Secretary considers the following factors:

(1) The clarity and importance of the key questions to be addressed by the project evaluation, and the appropriateness of the methods for how each question will be addressed. (2013 i3 NFP)

(2) The extent to which the evaluation plan includes a clear and credible analysis plan, including a proposed sample size and minimum detectable effect size that aligns with the expected project impact, and an analytic approach for addressing the research questions. (2013 i3 NFP)

(3) The extent to which the evaluation plan clearly articulates the key components and outcomes of the project, as well as a measureable threshold for acceptable implementation. (2013 i3 NFP)

(4) The extent to which the proposed project plan includes sufficient resources to carry out the project evaluation effectively. (2013 i3 NFP)

Note: In responding to this criterion, applicants should describe the key evaluation questions and address how the proposed evaluation methodologies will allow the project to answer those questions. The Secretary encourages applicants to include questions about the effectiveness of the proposed project with the specific student populations being served with grant funds. Further, the Secretary encourages applicants to identify what implementation and performance data the evaluation will generate and how the evaluation will provide data during the grant period to help indicate whether the project is on track to meet its goals. Finally, applicants should also address whether sufficient resources, which may include the qualifications of the independent evaluator, are included in the project budget to carry out the evaluation effectively.

We encourage eligible applicants to review the following technical assistance resources on evaluation:

(1) What Works Clearinghouse Procedures and Standards Handbook: *http://ies.ed.gov/ncee/wwc/references/idocviewer/doc.aspx?docid=19&tocid=1;* and

(2) IES/NCEE Technical Methods papers: *http://ies.ed.gov/ncee/tech_methods/.*

2. *Review and Selection Process:* In order to receive an i3 Development grant, an entity must submit a pre-application. The pre-application will be reviewed and scored by peer reviewers using the two selection criteria established in this notice. We will inform the entities that submitted pre-applications of the results of the peer review process. Entities with highly rated pre-applications will be invited to submit full applications. Other pre-applicants may choose to submit a full application. Scores received on pre-applications will not carry over to the review of the full application.

As described earlier in this notice, before making awards, we will screen applications submitted in accordance with the requirements in this notice to determine which applications have met eligibility and other statutory requirements. This screening process may occur at various stages of the pre-application and full application processes; applicants that are determined ineligible will not receive a grant, regardless of peer reviewer scores or comments.

For the pre- and full application review processes, we will use

independent peer reviewers with varied backgrounds and professions including pre-kindergarten-grade 12 teachers and principals, college and university educators, researchers and evaluators, social entrepreneurs, strategy consultants, grant makers and managers, and others with education expertise. All reviewers will be thoroughly screened for conflicts of interest to ensure a fair and competitive review process.

Peer reviewers will read, prepare a written evaluation, and score the assigned pre-applications and full applications, using the respective selection criteria provided in this notice. For Development grant pre-applications, peer reviewers will review and score the applications based on the two selection criteria for pre-applications listed in the *Selection Criteria for the Development Grant Pre-Application* section of this notice. For full applications submitted for Development grants, peer reviewers will review and score the applications based on the four selection criteria for full applications listed in the *Selection Criteria for the Development Grant Full Application* section of this notice.

We remind potential applicants that, in reviewing applications in any discretionary grant competition, the Secretary may consider, under 34 CFR 75.217(d)(3), the past performance of the applicant in carrying out a previous award, such as the applicant's use of funds, achievement of project objectives, and compliance with grant conditions. The Secretary may also consider whether the applicant failed to submit a timely performance report or submitted a report of unacceptable quality.

Finally, in making a competitive grant award, the Secretary also requires various assurances including those applicable to Federal civil rights laws that prohibit discrimination in programs or activities receiving Federal financial assistance from the Department of Education (34 CFR 100.4, 104.5, 106.4, 108.8, and 110.23).

3. *Special Conditions:* Under 34 CFR 74.14 and 80.12, the Secretary may impose special conditions on a grant if the applicant or grantee is not financially stable; has a history of unsatisfactory performance; has a financial or other management system that does not meet the standards in 34 CFR parts 74 or 80, as applicable; has not fulfilled the conditions of a prior grant; or is otherwise not responsible.

VI. Award Administration Information

1. *Award Notices:* If your application is successful, we notify your U.S. Representative and U.S. Senators and send you a Grant Award Notification (GAN); or we may send you an email containing a link to access an electronic version of your GAN. We may notify you informally, also.

If your application is not evaluated or not selected for funding, we notify you.

2. *Administrative and National Policy Requirements:* We identify administrative and national policy requirements in the application package and reference these and other requirements in the *Applicable Regulations* section of this notice.

We reference the regulations outlining the terms and conditions of an award in the *Applicable Regulations* section of this notice and include these and other specific conditions in the GAN. The GAN also incorporates your approved application as part of your binding commitments under the grant.

3. *Reporting:* (a) If you apply for a grant under this competition, you must ensure that you have in place the necessary processes and systems to comply with the reporting requirements in 2 CFR part 170 should you receive funding under the competition. This does not apply if you have an exception under 2 CFR 170.110(b).

(b) At the end of your project period, you must submit a final performance report, including financial information, as directed by the Secretary. If you receive a multi-year award, you must submit an annual performance report that provides the most current performance and financial expenditure information as directed by the Secretary under 34 CFR 75.118. The Secretary may also require more frequent performance reports under 34 CFR 75.720(c). For specific requirements on reporting, please go to *www.ed.gov/fund/grant/apply/appforms/appforms.html.*

4. *Performance Measures:* The overall purpose of the i3 program is to expand the implementation of, and investment in, innovative practices that are demonstrated to have an impact on improving student achievement or student growth for high-need students. We have established several performance measures for the i3 Development grants.

Short-term performance measures: (1) The percentage of grantees whose projects are being implemented with fidelity to the approved design; (2) the percentage of programs, practices, or strategies supported by a Development grant with ongoing evaluations that provide evidence of their promise for improving student outcomes; (3) the percentage of programs, practices, or strategies supported by a Development grant with ongoing evaluations that are providing high-quality implementation data and performance feedback that allow for periodic assessment of progress toward achieving intended outcomes; and (4) the cost per student actually served by the grant.

Long-term performance measures: (1) The percentage of programs, practices, or strategies supported by a Development grant with a completed evaluation that provides evidence of their promise for improving student outcomes; (2) the percentage of programs, practices, or strategies supported by a Development grant with a completed evaluation that provides information about the key elements and approach of the project so as to facilitate further development, replication, or testing in other settings; and (3) the cost per student for programs, practices, or strategies that were proven promising at improving educational outcomes for students.

5. *Continuation Awards:* In making a continuation award, the Secretary may consider, under 34 CFR 75.253, the extent to which a grantee has made ''substantial progress toward meeting the objectives in its approved application.'' This consideration includes the review of a grantee's progress in meeting the targets and projected outcomes in its approved application, and whether the grantee has expended funds in a manner that is consistent with its approved application and budget. In making a continuation grant, the Secretary also considers whether the grantee is operating in compliance with the assurances in its approved application, including those applicable to Federal civil rights laws that prohibit discrimination in programs or activities receiving Federal financial assistance from the Department (34 CFR 100.4, 104.5, 106.4, 108.8, and 110.23).

VII. Agency Contact

FOR FURTHER INFORMATION CONTACT: Kelly Terpak, U.S. Department of Education, 400 Maryland Avenue SW., Room 4W111, Washington, DC 20202–5930. Telephone: (202) 453–7122. FAX: (202) 205–5631 or by email: *i3@ed.gov.*

If you use a TDD or a TTY, call the Federal Relay Service, toll free, at 1–800–877–8339.

VIII. Other Information

Accessible Format: Individuals with disabilities can obtain this document and a copy of the application package in an accessible format (e.g., braille, large print, audiotape, or compact disc) on request to either program contact person listed under **FOR FURTHER INFORMATION CONTACT** in section VII of this notice.

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: March 11, 2014.

Nadya Chinoy Dabby,

Associate Assistant Deputy Secretary for Innovation and Improvement, delegated the authority to perform the functions and duties of the Assistant Deputy Secretary.

[FR Doc. 2014–05706 Filed 3–13–14; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

U.S. Energy Information Administration

Proposed Agency Information Collection

AGENCY: U.S. Energy Information Administration (EIA), U.S. Department of Energy.

ACTION: Notice and Request for OMB Review and Comment.

SUMMARY: In accordance with the provisions of the Paperwork Reduction Act of 1995, EIA has submitted to the Office of Management and Budget (OMB) for clearance:

- EIA–3 ''Quarterly Survey of Non-Electric Sector Coal Data''
- EIA–6 ''Emergency Coal Supply Survey (Standby)''
- EIA–7A ''Annual Survey of Coal Production and Preparation''
- EIA–8A ''Annual Survey of Coal Stocks and Coal Exports''
- EIA–20 ''Emergency Weekly Coal Monitoring Survey for Coal Burning Power Producers (Standby)''

The proposed coal forms will be used to collect production, consumption, receipts, stocks, and prices. EIA proposes to discontinue standby Forms EIA–1 and EIA–4. To date, these forms have never been deployed. In addition, coal and coke data collected on Form EIA–5 in Schedules II, III, and IV will now be collected on Form EIA–3. Hence, EIA proposes to discontinue the Form EIA–5. Forms EIA–7A and EIA–8A will now include new fields for metallurgical and non-metallurgical coal under sections on Open and Captive Market Sales to gather more accurate revenue data from each type of sale, in addition to new questions that were proposed, to reduce double-counting and improve accuracy of data submitted. Improvements to instructions have been proposed on all forms. Form title changes are proposed for all surveys in the package, including standby Forms EIA–6 and EIA–20. We have updated the number of respondents and annual burden hours to reflect the most recent respondent count in our four frames. The number of respondents now reporting on the EIA–3 and EIA–7A has decreased significantly.

DATES: Comments regarding this proposed information collection must be received on or before April 14, 2014. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, please advise the DOE Desk Officer at OMB of your intention to make a submission as soon as possible. The Desk Officer may be telephoned at 202–395–4650.

ADDRESSES: Written comments should be sent to the

DOE Desk Officer, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 10102, 735 17th Street NW., Washington, DC 20503.

And to

Attn: Tejasvi Raghuveer, EIA–3 Survey Manager, U.S. Energy Information Administration, EI–24, 1000 Independence Avenue SW., Washington, DC 20585.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument and instructions should be directed to *Tejasvi Raghuveer at Tejasvi.raghuveer@eia.gov.* The collection instruments can be viewed using link: *http://www.eia.gov/survey/#eia-3.*

SUPPLEMENTARY INFORMATION: This information collection request contains: (1) OMB No. 1905–0167; (2) *Information Collection* Request Title: Coal Program Package; (3) *Type of Request:* Revision; (4) *Purpose:* The coal surveys collect data on coal production, consumption, stocks, prices, imports and exports. Data are published in various EIA publications. Respondents include producers of coke, purchasers and distributors of coal, coal mining operators, and coal-consuming non-electric sites; (5) *Annual Estimated Number of Respondents:* 1788; (6) *Annual Estimated Number of Total Responses:* 3270; (7) *Annual Estimated Number of Burden Hours:* 3764; (8) *Annual Estimated Reporting and Recordkeeping Cost Burden:* EIA estimates that there are no additional costs to respondents associated with the surveys other than the costs associated with the burden hours.

Statutory Authority: Section 13(b) of the Federal Energy Administration Act of 1974, Public Law 93–275, codified at 15 U.S.C. 772(b), and the DOE Organization Act of 1977, Public Law 95–91, codified at 42 U.S.C. 7101 *et seq.*

Issued in Washington, DC, on March 7, 2014.

Stephen Harvey,

Assistant Administrator for Energy Statistics, U. S. Energy Information Administration.

[FR Doc. 2014–05654 Filed 3–13–14; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2492–013]

Woodland Pulp, LLC; Notice of Application Tendered for Filing With the Commission and Establishing Procedural Schedule for Licensing and Deadline for Submission of Final Amendments

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection.

a. *Type of Application:* Minor License.

b. *Project No.:* 2492–013.

c. *Date Filed:* February 28, 2014.

d. *Applicant:* Woodland Pulp, LLC (Woodland Pulp).

e. *Name of Project:* Vanceboro Dam Storage Project.

f. *Location:* The existing project is located on the outlet of Spednik Lake, on the east branch of the Saint Croix River, in Washington County, Maine and New Brunswick, Canada. The project does not affect federal lands.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791 (a)–825(r).

h. *Applicant Contact:* Jay Beaudoin, Woodland Pulp, LLC, 144 Main Street, Baileyville, Maine 04694, (207) 427–4005 or *Jay.Beaudoin@woodlandpulp.com.*

i. *FERC Contact:* Michael Watts, (202) 502–6123 or *michael.watts@ferc.gov*.

j. This application is not ready for environmental analysis at this time.

k. *The Project Description:* The existing Vanceboro Dam Storage Project consists of: (1) A 16-foot-high, 469-foot-long dam comprised of a 170-foot-long earthen embankment section, a 230-foot-long earthen embankment section, and a 69-foot-long gated concrete spillway section with two 22.5-foot-long, 14.5-foot-high steel Tainter gates with a crest elevation of 385.86 feet above mean sea level (msl); (2) an 8-foot-wide concrete vertical-slot upstream fishway; (3) an 18,558-acre impoundment (Spednik Lake) with a maximum pool elevation of 385.86 feet msl; and (4) appurtenant facilities.

The Vanceboro Dam Storage Project operates in a seasonal store and release mode. The existing license requires a minimum impoundment elevation of 371.5 feet msl, if possible, between October 1 and April 30; a minimum impoundment elevation of 376.5 feet msl, if possible, between May 1 and September 30; a maximum impoundment elevation of 385.86 feet msl, if possible; and a year round minimum downstream flow of 200 cubic feet per second.

Woodland Pulp is not proposing any new project facilities or changes in project operation.

l. *Locations of the Application:* A copy of the application is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site at *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* or toll-free at 1–866–208–3676, or for TTY, (202) 502–8659. A copy is also available for inspection and reproduction at the address in item (h) above.

m. 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, contact FERC Online Support.

n. *Procedural Schedule:*

The application will be processed according to the following preliminary Hydro Licensing Schedule. Revisions to the schedule may be made as appropriate.

Milestone	Target date
Notice of Acceptance/Notice of Ready for Environmental Analysis.	April 2014.
Filing of recommendations, preliminary terms and conditions, and fishway prescriptions.	June 2014.
Commission issues Non-Draft EA.	October 2014.
Comments on EA	November 2014.
Modified terms and conditions.	January 2015.

o. Final amendments to the application must be filed with the Commission no later than 30 days from the issuance date of the notice of ready for environmental analysis.

Dated: March 7, 2014.

Kimberly D. Bose,

Secretary.

[FR Doc. 2014–05625 Filed 3–13–14; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 13728–001]

Goodwin Power, LLC; 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.:* 13728–001.

c. *Date Filed:* October 30, 2013.

d. *Submitted By:* Goodwin Power, LLC.

e. *Name of Project:* Goodwin Dam Hydroelectric Project.

f. *Location:* On the Stanislaus River, in Tuolumne County, California. No federal lands are occupied by the project works or located within the project boundary.

g. *Filed Pursuant to:* 18 CFR 5.3 of the Commission's regulations.

h. *Potential Applicant Contact:* Magnus Johannesson, CEO, Goodwin Power, LLC, 46 E. Penninsula Center, Palos Verde Estates, CA 90274; (310) 699–6400; *mj@americarenewables.com.*

i. *FERC Contact:* Jennifer Adams at (202) 502–8087; or email at *jennifer.adams@ferc.gov.*

j. Goodwin Power, LLC (Goodwin Power) filed its request to use the Traditional Licensing Process on October 30, 2013. Goodwin Power provided public notice of its request on December 18, 2013. In a letter dated March 7, 2014, the Director of the Division of Hydropower Licensing approved Goodwin Power'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/or NOAA Fisheries under section 7 of the Endangered Species Act and the joint agency regulations thereunder at 50 CFR, part 402; (b) NOAA Fisheries under section 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act and implementing regulations at 50 CFR 600.920; and (c) the California State Historic Preservation Officer, as required by section 106, National Historical Preservation Act, and the implementing regulations of the Advisory Council on Historic Preservation at 36 CFR 800.2.

l. With this notice, we are designating Goodwin Power as the Commission's non-federal representative for carrying out informal consultation, pursuant to section 7 of the Endangered Species Act, section 305 of the Magnuson-Stevens Fishery Conservation and Management Act, and section 106 of the National Historic Preservation Act.

m. Goodwin Power filed a Pre-Application Document (PAD; including a proposed process plan and schedule) with the Commission, pursuant to 18 CFR 5.6 of the Commission's regulations.

n. 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.

o. 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: March 7, 2014.

Kimberly D. Bose,

Secretary.

[FR Doc. 2014–05626 Filed 3–13–14; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 803–103]

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 License Requirement.

b. *Project No.:* 803–103.

c. *Date Filed:* March 4, 2014.

d. *Applicant:* Pacific Gas and Electric Company (licensee).

e. *Name of Project:* DeSabla Centerville.

f. *Location:* Butte Creek and West Branch Feather River in Butte County, California.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791a-825r.

h. *Applicant Contact:* Mr. Rich Doble, Senior License Coordinator, Pacific Gas and Electric Company, Mail Code: N11C, P.O. Box 770000, San Francisco, CA 94177. Phone (415) 973–4480.

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 (March 24, 2014). 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–803–103) on any comments, motions to intervene, protests, or recommendations filed.

k. *Description of Request:* The licensee requests Commission approval for a temporary variance of the minimum flow requirements of Article 39 of the project license. The licensee proposes to reduce flows from Philbrook Reservoir to 0.8 cubic feet per second (cfs) (with an additional 0.2 cfs flow buffer) to ensure the availability of cold water storage for spring-run Chinook salmon during the fish holding period in the summer. The licensee explains that current drought conditions have resulted in depressed storage levels in Philbrook Reservoir and that spring-run Chinook salmon have already entered Butte Creek. The licensee requests the above variance until June 1, 2014, or until conditions improve, as determined by the licensee and resource agencies at monthly meetings.

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: March 7, 2014.

Kimberly D. Bose,

Secretary.

[FR Doc. 2014–05624 Filed 3–13–14; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 308–007]

PacifiCorp Energy; Notice of Application Tendered for Filing With the Commission and Establishing Procedural Schedule for Licensing and Deadline for Submission of Final Amendments

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection.

a. *Type of Application:* Subsequent License (Minor Project).

b. *Project No.:* 308–007.

c. *Date Filed:* February 28, 2014.

d. *Applicant:* PacifiCorp Energy (PacifiCorp).

e. *Name of Project:* Wallowa Falls Hydroelectric Project.

f. *Location:* The existing project is located on Royal Purple Creek and the East and West Forks of the Wallowa River in Wallowa County, Oregon. The

project would occupy 12.68 acres of Federal land managed by the United States Forest Service.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791 (a)–825(r).

h. *Applicant Contact:* Russ Howison, Relicensing Project Manager, PacifiCorp Energy, 825 NE Multnomah, Suite 1500, Portland, OR 97232; Telephone (503) 813–6626.

i. *FERC Contact:* Matt Cutlip, (503) 552–2762 or *matt.cutlip@ferc.gov*.

j. This application is not ready for environmental analysis at this time.

k. *The Project Description:* The existing Wallowa Falls Hydroelectric Project consists of the following existing facilities: (1) A 2-foot-high, 9-foot-long concrete diversion dam with a 1-foot-wide spillway on Royal Purple Creek; (2) a 240-foot-long, 8-inch-diameter wood-stave and polyvinylchloride pipeline conveying water from the Royal Purple Creek diversion dam to a de-silting pond; (3) an 18-foot-high, 125-foot-long, buttressed rock-filled timber crib dam with impervious gravel and asphalt core and a 30-foot-wide spillway on the East Fork Wallowa River; (4) a 0.2-acre de-silting pond; (5) a 2-foot-high by 2-foot-wide concrete intake structure with a headgate and steel trash rack; (6) a low-level sluiceway with a steel trash rack and cast iron gate connecting to a 2-foot-diameter steel pipe passing through the dam to provide instream flow releases to the bypassed reach; (7) a 5,688-foot-long steel penstock varying in diameter from 24 to 16 inches and consisting of buried sections or above-ground sections supported on timber crib trestles; (8) a powerhouse containing one impulse turbine-generator unit with an installed capacity of 1,100 kilowatts; (9) a 40-foot-long concrete-lined tailrace which conveys powerhouse flows to a 1,000-foot-long unlined and braided tailrace channel discharging into the West Fork Wallowa River; (10) a 20-foot-long, 7.2-kilovolt transmission line which connects to the Wallowa Falls substation; and (11) appurtenant facilities.

The project is operated run-of-river. Up to 1 cubic feet per second (cfs) of flow is diverted from Royal Purple Creek and discharged into the de-silting pond. Up to 16 cfs of water (i.e., 15 cfs maximum from East Fork Wallowa River and 1 cfs from Royal Purple Creek) is diverted through the intake structure at the East Fork Wallow River dam into the steel penstock and conveyed to the powerhouse where it flows through the single impulse turbine and discharges through the tailrace into the West Fork Wallowa River. The project's current license requires a minimum instream flow release of 0.5 cfs or inflow, whichever is less, in the bypassed reach. The current license also mandates that PacifiCorp restrict sediment flushing from the de-silting pond to the period from May 1 to August 30 to protect kokanee salmon.

PacifiCorp proposes to modify the existing facilities by constructing a buried 30-inch-diameter, 1,000-foot-long pipe and rerouting powerhouse flows from the current discharge location in the West Fork to the East Fork Wallowa River. PacifiCorp also proposes to: Increase the minimum flow release in the bypassed reach to 4 cfs or inflow, whichever is less; modify the sediment management program to only enable sediment flushing during the high-flow month of June; upgrade the instream flow compliance monitoring equipment in the bypassed reach; upgrade recreational facilities at the non-project Pacific Park Campground; and install new signage and interpretive displays at the project.

PacifiCorp proposes to amend the project boundary by adding 28.3 acres to incorporate the Pacific Park Campground, forebay access road, buried tailrace pipe, and other new project features.

l. *Locations of the Application:* A copy of the application is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site at *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* or toll-free at 1–866–208–3676, or for TTY, (202) 502–8659. A copy is also available for inspection and reproduction at the address in item (h) above.

m. 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, contact FERC Online Support.

n. *Procedural Schedule:*

The application will be processed according to the following preliminary Hydro Licensing Schedule. Revisions to the schedule may be made as appropriate.

Milestone	Target date
Notice of Acceptance/Notice of Ready for Environmental Analysis.	April 2014.
Filing of recommendations, preliminary terms and conditions, and fishway prescriptions.	June 2014.
Commission issues Draft EA.	December 2014.
Comments on Draft EA	January 2015.
Modified Terms and Conditions.	March 2015.
Commission Issues Final EA.	June 2015.

o. Final amendments to the application must be filed with the Commission no later than 30 days from the issuance date of the notice of ready for environmental analysis.

Dated: March 7, 2014.

Kimberly D. Bose,

Secretary.

[FR Doc. 2014–05623 Filed 3–13–14; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP14–88–000]

Tennessee Gas Pipeline Company, L.L.C.; Notice of Application

Take notice that on February 21, 2014, Tennessee Gas Pipeline Company L.L.C. (Tennessee), 1001 Louisiana Street, Houston, Texas 77002, filed in Docket No. CP14–88–000, an application pursuant to sections 7(b) and 7(c) of the Natural Gas Act and Part 157 of the Commission's regulations, requesting abandonment approval and a certificate of public convenience and necessity authorizing Tennessee to construct and operate its Niagara Expansion Project located in southwestern New York and northwestern Pennsylvania. Specifically, the Project consists of: (i) Installation of an approximately 3.1 miles, 30-inch diameter pipeline looping segment along Tennessee's 200 Line north of Compressor Station 224 in Chautauqua County, New York; (ii) modification of station piping at existing Compressor Station 219 in Mercer County, Pennsylvania; (iii) installation of a new pig launcher at existing Compressor Station 224 in Chautauqua County, New York, and (iv) modification of meter station facilities at the existing Hamburg Meter Station, located within Compressor Station 229 in Erie County New York, including replacement of meter tubes, installation of a filter separator, liquid storage tank, and regulation. The project will allow Tennessee to increase natural gas

deliveries on the pipeline to provide up to an additional 158,000 dekatherms per day, all as more fully set forth in the application, which is on file with the Commission and open to public inspection. The filing may also be viewed on the web at *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 at *FERCOnlineSupport@ferc.gov* or call toll-free, (866) 208–3676 or TTY, (202) 502–8659.

Any questions regarding this application should be directed to Jacquelyne Rocan, Assistant General Counsel, Tennessee Gas Pipeline Company, L.L.C., 1001 Louisiana Street, Houston, Texas 77002, phone: (713) 420–4544, fax: (713) 420–1601, email: *Jacquelyne_Rocan@kindermorgan.com,* or Richard Siegel, Manager, Rates and Regulatory Affairs, Tennessee Gas Pipeline Company, L.L.C., 1001 Louisiana Street, Houston, Texas 77002, phone: (713) 420–5535, fax: (713) 420–1605, email: *Richard_Siegel@kindermorgan.com.*

Pursuant to section 157.9 of the Commission's rules, 18 CFR 157.9, within 90 days of this Notice the Commission staff will either: Complete its environmental assessment (EA) and place it into the Commission's public record (eLibrary) for this proceeding; or issue a Notice of Schedule for Environmental Review. If a Notice of Schedule for Environmental Review is issued, it will indicate, among other milestones, the anticipated date for the Commission staff's issuance of the final environmental impact statement (FEIS) or EA for this proposal. The filing of the EA in the Commission's public record for this proceeding or the issuance of a Notice of Schedule for Environmental Review will serve to notify federal and state agencies of the timing for the completion of all necessary reviews, and the subsequent need to complete all federal authorizations within 90 days of the date of issuance of the Commission staff's FEIS or EA.

There are two ways to become involved in the Commission's review of this project. First, any person wishing to obtain legal status by becoming a party to the proceedings for this project should, on or before the comment date stated below, file with the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, a motion to intervene in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the NGA (18 CFR 157.10). A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies of all documents filed by the applicant and by all other parties. A party must submit 7 copies of filings made with the Commission and must mail a copy to the applicant and to every other party in the proceeding. Only parties to the proceeding can ask for court review of Commission orders in the proceeding.

However, a person does not have to intervene in order to have comments considered. The second way to participate is by filing with the Secretary of the Commission, as soon as possible, an original and two copies of comments in support of or in opposition to this project. The Commission will consider these comments in determining the appropriate action to be taken, but the filing of a comment alone will not serve to make the filer a party to the proceeding. The Commission's rules require that persons filing comments in opposition to the project provide copies of their protests only to the party or parties directly involved in the protest.

Persons who wish to comment only on the environmental review of this project should submit an original and two copies of their comments to the Secretary of the Commission. Environmental commentors will be placed on the Commission's environmental mailing list, will receive copies of the environmental documents, and will be notified of meetings associated with the Commission's environmental review process. Environmental commentors will not be required to serve copies of filed documents on all other parties. However, the non-party commentors will not receive copies of all documents filed by other parties or issued by the Commission (except for the mailing of environmental documents issued by the Commission) and will not have the right to seek court review of the Commission's final order.

The Commission strongly encourages electronic filings of comments, 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.

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: March 28, 2014.

Dated: March 7, 2014.

Kimberly D. Bose,

Secretary.

[FR Doc. 2014–05621 Filed 3–13–14; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 14345–001]

Rock River Beach, Inc.; Notice of Availability of Environmental Assessment

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory Commission's (Commission or FERC) regulations, 18 Code of Federal Regulations part 380 (Order No. 486, 52 FR 47879), the Office of Energy Projects has reviewed Rock River Beach, Inc.'s application for an original license to continue operating the unlicensed Rock River Beach Hydroelectric Project (FERC Project No. 14345–001). The 8.0-kilowatt project is located on the Rock River in Alger County, Michigan. The project does not occupy any federal land.

Staff prepared an environmental assessment (EA), which analyzes the potential environmental effects of licensing the project and concludes that licensing the project, with appropriate protective measures, would not constitute a major federal action significantly affecting the quality of the human environment.

A copy of the EA is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site at *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* or toll-free number at 1–866–208–3676, or for TTY, 202–502–8659. You may also register online at *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, contact FERC Online Support.

Any comments should be filed within 30 days from the date of this notice. The Commission strongly encourages

electronic filing. Please file the requested information using the Commission's eFiling system at *http://www.ferc.gov/docs-filing/efiling.asp.* 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. The first page of any filing should include docket number P–14345–001.

Dated: March 7, 2014.

Kimberly D. Bose,

Secretary.

[FR Doc. 2014–05627 Filed 3–13–14; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RD14–6–000]

Reliability Standards for Physical Security Measures; Notice of Designation of Commission Staff as Non-Decisional

With respect to an order issued by the Commission today in the above-captioned docket, pursuant to 18 CFR 385.2201(c)(3) (2013), the staff identified below from the Office of Electric Reliability are designated as non-decisional in deliberations by the Commission in this docket. Accordingly, these persons will not serve as advisors to the Commission or otherwise be involved in the decisional process in this proceeding. Likewise, as non-decisional staff, pursuant to 18 CFR 385.2201 (2013), they are prohibited from communicating with advisory staff concerning any deliberations in this docket.

The staff designated as non-decisional are:

Edward Franks

Regis Binder

David O'Connor

Mary Agnes Nimis

Justin Kelly

Andres Lopez

Dated: March 7, 2014.

Kimberly D. Bose,

Secretary.

[FR Doc. 2014–05628 Filed 3–13–14; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–R09–OAR–2011–0978; FRL–9908–07–Region–9]

Notice of Decision To Issue Clean Air Act PSD Permit for the Pio Pico Energy Center

AGENCY: United States Environmental Protection Agency (EPA) Region 9.

ACTION: Notice of final agency action.

SUMMARY: This notice announces that EPA Region 9 issued a final permit decision for a Clean Air Act Prevention of Significant Deterioration (PSD) permit to Pio Pico Energy Center, LLC (PPLLC) for the construction of the Pio Pico Energy Center (PPEC).

DATES: EPA Region 9 issued a final PSD permit decision for the PPEC on February 28, 2014. The PSD permit for the PPEC will become effective on April 7, 2014. Pursuant to section 307(b)(1) of the Clean Air Act, 42 U.S.C. 7607(b)(1), judicial review of this final permit decision, to the extent it is available, may be sought by filing a petition for review in the United States Court of Appeals for the Ninth Circuit within 60 days of March 14, 2014.

ADDRESSES: Documents relevant to the above-referenced permit are available for public inspection during normal business hours at the following address: U.S. Environmental Protection Agency, Region 9, 75 Hawthorne Street, San Francisco, CA 94105–3901. To arrange for viewing of these documents, call Lisa Beckham at (415) 972–3811.

FOR FURTHER INFORMATION CONTACT: Lisa Beckham, Permits Office (Air-3), U.S. Environmental Protection Agency, Region 9, (415) 972–3811, *beckham.lisa@epa.gov.* Key portions of the administrative record for this decision (including the final permit, all public comments, EPA's responses to the public comments, and additional supporting information) are available through a link at Region 9's Web site, *www.epa.gov/region09/air/permit/r9-permits-issued.html#psd,* or at *www.regulations.gov* (Docket ID # EPA–R09–OAR–2011–0978). Anyone who wishes to review the EPA Environmental Appeals Board (EAB or Board) decision described below or documents in the EAB's electronic docket for its decision related to this matter can obtain them at *http://www.epa.gov/eab/.*

Notice of Final Action and Supplementary Information: EPA Region 9 issued its final permit decision to PPLLC authorizing the construction and operation of the PPEC, PSD Permit No. SD 11–01, on February 28, 2014.

EPA Region 9 initially issued a final PSD permit decision to PPLLC for the PPEC on November 19, 2012. Three commenters filed petitions for review of the Region's November 19, 2012 PSD permit decision for the PPEC with EPA's EAB. On August 2, 2013, the Board issued a decision remanding in part and denying review in part of the Region's November 19, 2012 PSD permit decision for the PPEC. *See In re Pio Pico Energy Center PSD Permit No. SD 11–01,* PSD Appeal Nos. 12–04 through 12–06 (EAB, Aug. 2, 2013) (Order Remanding in Part and Denying Review in Part). The Board remanded to Region 9 the emission limits for particulate matter from the combustion turbines and directed Region 9 to prepare a revised Best Available Control Technology (BACT) analysis for particulate matter for the Project's combustion turbines in accordance with the Board's decision, including a new BACT determination, after consideration of all of the relevant information. The Board also directed Region 9 to reopen the public comment period to provide the public with an opportunity to comment on the revisions to its particulate matter BACT analysis. The EAB denied review of all other issues.

In addition, the Board's decision stated that once Region 9 issues a final permit decision following the public comment period required by the remand, the Region's final permit decision and the Board's decision in this matter would become final agency action subject to judicial review per 40 CFR 124.19(l). The Board's decision further stated that the Board was not requiring, and would not accept, an appeal to the Board of the final permit decision for the Project following remand in this case.

In response to the EAB's remand decision, Region 9 prepared a revised particulate matter BACT analysis and BACT determination for the emission limits for the Project's combustion turbines in accordance with the Board's order, and proposed revised permit conditions for such limits. In November of 2013, Region 9 issued a public notice seeking public comment on this revised analysis and these revised particulate matter permit conditions, and on December 17, 2013, Region 9 held a public hearing to receive such comment.

EPA has carefully reviewed each of the comments submitted and, after consideration of the expressed views of all commenters, the pertinent Federal statutes and regulations, and additional material relevant to the application and contained in our Administrative Record, EPA made a decision in accordance

with 40 CFR 52.21 to issue a final PSD permit to PPLLC for the PPEC.

Following completion of the remand proceedings, pursuant to 40 CFR 124.19(l)(2), EPA Region 9 issued a final permit decision to PPLLC for the PPEC on February 28, 2014. All conditions of the PPEC PSD permit, Permit No. SD 11–01, issued February 28, 2014, become final and effective on April 7, 2014.

Dated: March 7, 2014.

Deborah Jordan,

Director, Air Division, Region IX.

[FR Doc. 2014–05740 Filed 3–13–14; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[ER–FRL–9013–9]

Environmental Impact Statements; Notice Of Availability

Responsible Agency: Office of Federal Activities, General Information (202) 564–7146 or *http://www.epa.gov/compliance/nepa/*.

Weekly receipt of Environmental Impact Statements

Filed 03/03/2014 Through 03/07/2014

Pursuant to 40 CFR 1506.9.

Notice:

Section 309(a) of the Clean Air Act requires that EPA make public its comments on EISs issued by other Federal agencies. EPA's comment letters on EISs are available at: *http://www.epa.gov/compliance/nepa/eisdata.html*.

EIS No. 20140062, Final EIS, NPS, CA, Tuolumne Wild and Scenic River Final Comprehensive Management Plan, Review Period Ends: 04/14/2014, Contact: Kathleen Morse 209–379–1110.

EIS No. 20140063, Draft EIS, BLM, NM, San Juan Basin Energy Connect Project, Comment Period Ends: 04/28/2014, Contact: Marcy Romero 505–564–7600.

EIS No. 20140064, Draft Supplement, USFS, MT, Beaverhead-Deerlodge National Forest Land and Resource Management Plan to Comply with a District of Montana Court Order (Temporary Roads), Comment Period Ends: 06/12/2014, Contact: Jan Bowey 406–842–5432.

EIS No. 20140065, Draft EIS, USFS, OR, Proposed Revised Land Management Plans for the Malheur, Umatilla, and Wallowa-Whitman National Forests, Comment Period Ends: 06/16/2014, Contact: Sabrina Stadler 541–523–1264.

EIS No. 20140066, Final EIS, BLM, NV, Arturo Mine Project, Review Period Ends:04/14/2014, Contact: John Daniel 775–753–0277.

EIS No. 20140067, Final EIS, USFS, ND, North Billings County Range Allotment Management Plan Revision, Review Period Ends: 04/28/2014, Contact: Nickole Dahl 701–227–7830.

EIS No. 20140068, Draft Supplement, USFS, UT, Leasing and Underground Mining of the Greens Hollow Federal Coal Lease Tract UTU–102, Comment Period Ends: 04/28/2014, Contact: Marianne Orton 435–896–1090.

EIS No. 20140069, Draft EIS, USFS, MT, Divide Travel Plan, Helena National Forest, Comment Period Ends: 04/28/2014, Contact: Heather DeGeest 406–449–5201.

EIS No. 20140070, Final EIS, NASA, CA, Proposed Demolition and Environmental Cleanup Activities at Santa Susana Field Laboratory, Review Period Ends: 04/14/2014, Contact: Allen Elliott 256–544–0662.

EIS No. 20140071, Draft EIS, NRCS, UT, Green River Diversion Rehabilitation Project, Comment Period Ends: 04/30/2014, Contact: Bronson Smart 801–524–4559.

EIS No. 20140072, Final EIS, NPS, NC, Fort Raleigh National Historic Site, General Management Plan, Review Period Ends: 04/14/2014, Contact: David Libman 404–507–5701.

Amended Notices

EIS No. 20140054, Revised Draft EIS, USFS, CA, Harris Vegetation Management Project, Comment Period Ends: 04/21/2014, Contact: Emelia H. Barnum 530–926–4511 ext. 1600. Revision to FR Notice Published 03/07/2014; Correcting Comment Period from 4/25/2014 to 4/21/2014.

Dated: March 11, 2014.

Dawn Roberts,

Management Analyst, Office of Federal Activities.

[FR Doc. 2014–05674 Filed 3–13–14; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–R04–OAR–2013–0577; EPA–R04–OAR–2013–0431; and EPA–R04–OAR–2013–0648; FRL–9907–98–Region–4]

Notice of Issuance of Final Air Permits for Statoil Gulf Services, LLC, Florida Power & Light—Port Everglades Next Generation Clean Energy Center, and Tampa Electric Company.

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of final action.

SUMMARY: This notice is to announce that on October 28, 2013, the EPA issued final Outer Continental Shelf (OCS) air quality permit numbered OCS–EPA–R4012 for Statoil Gulf Services, LLC (Statoil); and on November 25, 2013 and December 18, 2013, the EPA issued final Prevention of Significant Deterioration (PSD) air quality permits numbered PSD–EPA–R4010 and PSD–EPA–R4014 for the Florida Power & Light (FPL)—Port Everglades Next Generation Clean Energy Center (PEEC) and Tampa Electric Company (TECO), respectively.

ADDRESSES: The final permits, the EPA's response to public comments for these permits, and supporting information are available at *http://www.epa.gov/region4/air/permits/index.htm.* Copies of the final permits and the EPA's response to comments are also available for review at the EPA Regional Office and upon request in writing. The EPA requests that you contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to schedule your inspection. The Regional Office's official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m. excluding Federal holidays.

FOR FURTHER INFORMATION CONTACT: Please contact Ms. Heather Ceron, Air Permits Section Chief, Air Planning Branch, Air, Pesticides and Toxics Management Division, Region 4, U.S. Environmental Protection Agency, 61 Forsyth Street SW., Atlanta, Georgia 30303–8960. The telephone number is (404) 562–9185. Ms. Ceron can also be reached via electronic mail at *ceron.heather@epa.gov.*

SUPPLEMENTARY INFORMATION: On August 9, 2013, EPA Region 4 requested public comments on a preliminary determination to issue an OCS air permit for Statoil. During the public comment period, which ended on September 9, 2013, the EPA received no comments.

On May 31, 2013, EPA Region 4 requested public comments on a preliminary determination to issue a PSD air quality permit for the FPL PEEC project. A total of 26 comments from 3 commenters, including 1 request for a public hearing, were received (via email and letter) during the public comment period, which closed on July 2, 2013.

On September 24, 2013, EPA Region 4 requested public comments on a preliminary determination to issue a PSD air quality permit for the TECO project. A total of 25 comments from two commenters were received (via email) during the public comment

period, which closed on October 25, 2013.

The EPA reviewed each comment received and prepared a Response to Comments document for the two projects. After consideration of the expressed view of all interested persons, the pertinent federal statutes and regulations, the applications and supplemental information submitted by the applicants, and additional material relevant to the applications and contained in the Administrative Records, the EPA made final determinations in accordance with title 40 CFR part 52 and part 55 (for Statoil) to issue final air permits.

Under 40 CFR 124.19(f)(2), notice of any final Agency action regarding a PSD permit must be published in the **Federal Register**. Section 307(b)(1) of the CAA provides for review of final Agency action that is locally or regionally applicable in the United States Court of Appeals for the appropriate circuit. Such a petition for review of final Agency action must be filed within 60 days from the date of notice of such action in the **Federal Register**. For purposes of judicial review under the CAA, final Agency action occurs when a final PSD permit is issued or denied by the EPA and Agency review procedures are exhausted, per 40 CFR 124.19(f)(1).

Any person who filed comments on the draft permits was provided the opportunity to petition the Environmental Appeals Board by the end of November 26, 2013 for the Statoil permit, by the end of December 26, 2013 for the PEEC permit, or by the end of January 17, 2014 for the TECO permit. No petitions were submitted for any of these permits. Therefore, the Statoil permit became effective on November 27, 2013. The PEEC permit became effective on December 27, 2013. This date was changed from December 25, 2013, as stated on the final permit, to correct for the effective date coinciding with a federal holiday. The TECO permit became effective on January 18, 2014.

Dated: February 27, 2014.

Carol L. Kemker,

Acting Director, Air, Pesticides and Toxics, Management Division, Region 4.

[FR Doc. 2014–05737 Filed 3–13–14; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–9907–84–Region–10]

Final Modification of the National Pollutant Discharge Elimination System (NPDES) General Permit (GP) for Small Suction Dredges in Idaho, IDG370000

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final notice of modification of a general permit.

SUMMARY: When the 2013 General Permit (GP) was issued, the language of the GP contained a discrepancy with the total maximum daily load (TMDL) that was issued for Mores Creek. The Environmental Protection Agency (EPA) proposed to modify the permit on December 18, 2013, and provided a 45 day comment period. EPA prepared a Response to Comments and modified the GP so it now includes the tributaries of Mores, Elk or Grimes creeks in the loading allocations of the TMDL and a list of these tributaries in Appendix F.

DATES: The modified GP will be effective on April 14, 2014.

ADDRESSES: Copies of the modified general permit, Statement of Basis and Response to Comments are available upon request. Requests may be made to Tracy DeGering at (208) 378–5756 or to Cindi Godsey at (907) 271–6561. Requests may also be electronically mailed to: *degering.tracy@epa.gov* or *godsey.cindi@epa.gov*.

Written requests may be submitted to EPA, Region 10, 1200 Sixth Avenue, Suite 900, OWW–130, Seattle, WA 98101.

FOR FURTHER INFORMATION CONTACT: The GP, Statement of Basis and Response to Comments along with detailed maps and other useful information may be found on the Region 10 Web site at: *http://yosemite.epa.gov/r10/water.nsf/npdes+permits/idsuction-gp*.

SUPPLEMENTARY INFORMATION:

Executive Order 12866: The Office of Management and Budget has exempted this action from the review requirements of Executive Order 12866 pursuant to Section 6 of that order.

Regulatory Flexibility Act: Under the Regulatory Flexibility Act (RFA), 5 U.S.C. 601 *et seq.,* a Federal agency must prepare an initial regulatory flexibility analysis ''for any proposed rule'' for which the agency ''is required by section 553 of the Administrative Procedure Act (APA), or any other law, to publish general notice of proposed rulemaking.'' The RFA exempts from this requirement any rule that the issuing agency certifies ''will not, if promulgated, have a significant economic impact on a substantial number of small entities.'' EPA has concluded that NPDES general permits are permits, not rulemakings, under the APA and thus not subject to APA rulemaking requirements or the RFA. Notwithstanding that general permits are not subject to the RFA, EPA has determined that these general permits, as issued, will not have a significant economic impact on a substantial number of small entities.

Dated: March 5, 2014.

Daniel D. Opalski,

Director, Office of Water & Watersheds, Region 10, U.S. Environmental Protection Agency.

[FR Doc. 2014–05724 Filed 3–13–14; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–9907–95–Region–4; CERCLA–04–2013–3763]

LWD, Inc. Superfund Site; Calverty City, Marshall County, Kentucky; Notice of Settlement

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of Settlement.

SUMMARY: Under 122(h) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), the United States Environmental Protection Agency (EPA) has entered into a settlement with the approximately fifty (50) parties concerning the LWD, Inc. Superfund Site located in Calvert City, Marshall County, Kentucky. The settlement addresses remaining costs from a fund-lead Removal Action taken by the EPA at the Site.

DATES: The Agency will consider public comments on the settlement until April 14, 2014. The Agency will consider all comments received and may modify or withdraw its consent to the settlement if comments received disclose facts or considerations which indicate that the amended settlement is inappropriate, improper, or inadequate.

ADDRESSES: Copies of the settlement are available from the Agency by contacting Ms. Paula V. Painter, Environmental Protection Specialist using the contact information provided in this notice. Comments may also be submitted by referencing the Site's name through one of the following methods:

• Internet: *www.epa.gov/region4/superfund/programs/enforcement/enforcement.html.*

• U.S. Mail: U.S. Environmental Protection Agency, Superfund Division, Attn: Paula V. Painter, 61 Forsyth Street SW., Atlanta, Georgia 30303.

• Email: *Painter.Paula@epa.gov.*

FOR FURTHER INFORMATION CONTACT: Paula V. Painter at 404/562–8887

Dated: February 21, 2014.

Anita L. Davis,

Chief, Superfund Enforcement & Information Management Branch, Superfund Division.

[FR Doc. 2014–05695 Filed 3–13–14; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

Information Collection Being Reviewed by the Federal Communications Commission

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–3520), the Federal Communications Commission (FCC or the Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collection. Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

The FCC may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid Office of Management and Budget (OMB) control number.

DATES: Written PRA comments should be submitted on or before May 13, 2014. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all PRA comments to Cathy Williams, FCC, via email *PRA@fcc.gov* <*mailto:PRA@fcc.gov*> and to *Cathy.Williams@fcc.gov* <*mailto:Cathy.Williams@fcc.gov*>.

FOR FURTHER INFORMATION CONTACT: For additional information about the information collection, contact Cathy Williams at (202) 418–2918.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 3060–0750.

Title: 47 CFR 73.671, Educational and Informational Programming for Children; 47 CFR Section 73.673, Public Information Initiatives Regarding Educational and informational Programming for Children.

Form Number: Not applicable.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit entities.

Number of Respondents and Responses: 2,303 respondents; 4,215 responses.

Estimated Time per Response: 1 to 5 minutes.

Frequency of Response: Third party disclosure requirement.

Obligation to Respond: Required to obtain benefits. The statutory authority for this collection is contained in Sections 154(i) and 303 of the Communications Act of 1934, as amended.

Total Annual Burden: 30,865 hours.

Total Annual Cost: None.

Privacy Act Impact Assessment: No impact(s).

Nature and Extent of Confidentiality: There is no need for confidentiality with this collection of information.

Needs and Uses: 47 CFR 73.671(c)(5) states that a core educational television program must be identified as specifically designed to educate and inform children by the display on the television screen throughout the program of the symbol E/I.

47 CFR 73.673 states each commercial television broadcast station licensee must provide information identifying programming specifically designed to educate and inform children to publishers of program guides. Such information must include an indication of the age group for which the program is intended.

These requirements are intended to provide greater clarity about broadcasters' obligations under the Children's Television Act (CTA) of 1990 to air programming ''specifically designed'' to serve the educational and informational needs of children and to improve public access to information about the availability of these programs. These requirements provide better information to the public about the shows broadcasters' air to satisfy their obligation to provide educational and informational programming under the CTA.

Federal Communications Commission.

Gloria J. Miles,

Federal Register Liaison, Office of the Secretary, Office of Managing Director.

[FR Doc. 2014–05703 Filed 3–13–14; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

Information Collection Being Reviewed by the Federal Communications Commission Under Delegated Authority

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burden and as required by the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–3520), the Federal Communications Commission invites the general public and other Federal agencies to take this opportunity to comment on the following information collection(s). Comments are requested concerning: whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information burden for small business concerns with fewer than 25 employees. The FCC may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid OMB control number.

DATES: Written Paperwork Reduction Act (PRA) comments should be submitted on or before May 13, 2014. If you anticipate that you will be submitting PRA comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the FCC contact listed below as soon as possible.

ADDRESSES: Submit your PRA comments to Benish Shah, Federal Communications Commission, via the Internet at *Benish.Shah@fcc.gov.* To submit your PRA comments by email send them to: *PRA@fcc.gov.*

FOR FURTHER INFORMATION CONTACT: Benish Shah, Office of Managing Director, (202) 418–7866.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 3060–0053.

Title: Experimental Authorization Applications-FCC Form 702, Consent to Assign an Experimental Authorization; and FCC Form 703, Consent to Transfer Control of Corporation Holding Station License.

Form Nos.: FCC Form 702 and 703.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit and not-for-profit institutions.

Number of Respondents and Responses: 50 respondents; 50 responses.

Estimated Time per Response: 0.6 hours (36 minutes).

Frequency of Response: On occasion reporting requirement and third party disclosure requirement.

Obligation to Respond: Required to obtain or retain benefits. Statutory authority for this information collection is contained in 47 U.S.C. sections 154, 302 and 303.

Total Annual Burden: 30 hours.

Total Annual Cost: $3,000.

Privacy Act Impact Assessment: N/A.

Nature and Extent of Confidentiality: There is no need for confidentiality. However, if respondents wish to request that their information be withheld from public inspection, they may do so under 47 CFR 0.459 of the Commission's rules.

Needs and Uses: This information collection will be submitted as an extension (no change in reporting requirement) after this 60-day comment period to the Office of Management and Budget (OMB) to obtain the three year clearance from them.

Mandatory electronic filing of applications for Experimental Radio licenses, for FCC Forms 702 and 703, commenced on January 1, 2004.

Applicants for Experimental Radio Services are required by 47 CFR 5.59(e) of the Commission's rules: To submit FCC Form 702 when the legal right to control the use and operation of a station is to be transferred, as a result of a voluntary act (contract or other agreement); of an involuntary act (death or legal disability) of the grantee of a station authorization; by involuntary assignment of the physical property constituting the station under a court decree in bankruptcy proceedings or other court order; or by operation of law in any other manner; and they are also required to submit FCC Form 703 when they propose to change the control of a corporation holding a station license via a transfer of stock ownership or control of a station. The Commission uses the information to determine the eligibility for licenses, without which, violations of ownership regulations may occur.

Federal Communications Commission.

Gloria J. Miles,

Federal Register Liaison, Office of the Secretary, Office of Managing Director.

[FR Doc. 2014–05701 Filed 3–13–14; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

Information Collection Being Reviewed by the Federal Communications Commission

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–3520), the Federal Communications Commission (FCC or the Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collection. Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

The FCC may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid Office of Management and Budget (OMB) control number.

DATES: Written PRA comments should be submitted on or before May 13, 2014. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all PRA comments to Cathy Williams, FCC, via email *PRA@fcc.gov mailto:PRA@fcc.gov* and to *Cathy.Williams@fcc.gov mailto:Cathy.Williams@fcc.gov*.

FOR FURTHER INFORMATION CONTACT: For additional information about the information collection, contact Cathy Williams at (202) 418–2918.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 3060–0980.

Title: Implementation of the Satellite Home Viewer Improvement Act of 1999: Local Broadcast Signal Carriage Issues and Retransmission Consent Issues, 47 CFR Section 76.66.

Form Number: Not applicable.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit entities.

Number of Respondents and Responses: 10,280 respondents; 11,938 responses.

Estimated Time per Response: 1 hour to 5 hours.

Frequency of Response: Third party disclosure requirement; On occasion reporting requirement, One every three years reporting requirement.

Obligation to Respond: Required to obtain or retain benefits. The statutory authority for this collection is contained in 47 U.S.C. 325, 338, 339 and 340.

Total Annual Burden: 12,146 hours.

Total Annual Cost: 24,000.

Privacy Act Impact Assessment: No impact(s).

Nature and Extent of Confidentiality: There is no need for confidentiality with this collection of information.

Needs and Uses: The Commission is requesting a three-year extension of this currently approved collection. The following information collection requirements are covered by this submission:

47 CFR Section 76.66(b)(1) states each satellite carrier providing, under section 122 of title 17, United States Code, secondary transmissions to subscribers located within the local market of a television broadcast station of a primary

transmission made by that station, shall carry upon request the signals of all television broadcast stations located within that local market, subject to section 325(b) of title 47, United States Code, and other paragraphs in this section. Satellite carriers are required to carry digital-only stations upon request in markets in which the satellite carrier is providing any local-into-local service pursuant to the statutory copyright license.

47 CFR Section 76.66(b)(2) requires a satellite carrier that offers multichannel video programming distribution service in the United States to more than 5,000,000 subscribers shall, no later than December 8, 2005, carry upon request the signal originating as an analog signal of each television broadcast station that is located in a local market in Alaska or Hawaii; and shall, no later than June 8, 2007, carry upon request the signals originating as digital signals of each television broadcast station that is located in a local market in Alaska or Hawaii. Such satellite carrier is not required to carry the signal originating as analog after commencing carriage of digital signals on June 8, 2007. Carriage of signals originating as digital signals of each television broadcast station that is located in a local market in Alaska or Hawaii shall include the entire free over-the-air signal, including multicast and high definition digital signals.

47 CFR Section 76.66(c)(3) requires that a commercial television station notify a satellite carrier in writing whether it elects to be carried pursuant to retransmission consent or mandatory consent in accordance with the established election cycle.

47 CFR Section 76.66(c)(5) requires that a noncommercial television station must request carriage by notifying a satellite carrier in writing in accordance with the established election cycle.

47 CFR Section 76.66(c)(6) requires a commercial television broadcast station located in a local market in a noncontiguous state to make its retransmission consent-mandatory carriage election by October 1, 2005, for carriage of its signals that originate as analog signals for carriage commencing on December 8, 2005 and ending on December 31, 2008, and by April 1, 2007 for its signals that originate as digital signals for carriage commencing on June 8, 2007 and ending on December 31, 2008. For analog and digital signal carriage cycles commencing after December 31, 2008, such stations shall follow the election cycle in 47 CFR Section 76.66(c)(2) and 47 CFR Section 76.66(c)(4). A noncommercial television broadcast station located in a local market in Alaska or Hawaii must request carriage by October 1, 2005, for carriage of its signals that originate as an analog signal for carriage commencing on December 8, 2005 and ending on December 31, 2008, and by April 1, 2007 for its signals that originate as digital signals for carriage commencing on June 8, 2007 and ending on December 31, 2008. Moreover, Section 76.66(c) requires a commercial television station located in a local market in a noncontiguous state to provide notification to a satellite carrier whether it elects to be carried pursuant to retransmission consent or mandatory consent.

47 CFR Section 76.66(d)(1)(ii) states an election request made by a television station must be in writing and sent to the satellite carrier's principal place of business, by certified mail, return receipt requested.

47 CFR Section 76.66(d)(1) (iii) states a television station's written notification shall include the:

(A) Station's call sign;

(B) Name of the appropriate station contact person;

(C) Station's address for purposes of receiving official correspondence;

(D) Station's community of license;

(E) Station's DMA assignment; and

(F) For commercial television stations, its election of mandatory carriage or retransmission consent.

47 CFR Section 76.66(d)(1) (iv) Within 30 days of receiving a television station's carriage request, a satellite carrier shall notify in writing: (A) Those local television stations it will not carry, along with the reasons for such a decision; and (B) those local television stations it intends to carry.

47 CFR Section 76.66(d)(2)(i) states a new satellite carrier or a satellite carrier providing local service in a market for the first time after July 1, 2001, shall inform each television broadcast station licensee within any local market in which a satellite carrier proposes to commence carriage of signals of stations from that market, not later than 60 days prior to the commencement of such carriage

(A) Of the carrier's intention to launch local-into-local service under this section in a local market, the identity of that local market, and the location of the carrier's proposed local receive facility for that local market;

(B) Of the right of such licensee to elect carriage under this section or grant retransmission consent under section 325(b);

(C) That such licensee has 30 days from the date of the receipt of such notice to make such election; and

(D) That failure to make such election will result in the loss of the right to demand carriage under this section for the remainder of the 3-year cycle of carriage under section 325.

47 CFR Section 76.66(d)(2)(ii) states satellite carriers shall transmit the notices required by paragraph (d)(2)(i) of this section via certified mail to the address for such television station licensee listed in the consolidated database system maintained by the Commission.

47 CFR Section 76.66(d)(2)(iii) requires a satellite carrier with more than five million subscribers to provide a notice as required by 47 CFR Section 76.66(d)(2)(i) and 47 CFR Section 76.66(d)(2)(ii) to each television broadcast station located in a local market in a noncontiguous state, not later than September 1, 2005 with respect to analog signals and a notice not later than April 1, 2007 with respect to digital signals; provided, however, that the notice shall also describe the carriage requirements pursuant to Section 338(a)(4) of Title 47, United States Code, and 47 CFR Section 76.66(b)(2).

47 CFR Section 76.66(d)(2)(iv) requires that a satellite carrier shall commence carriage of a local station by the later of 90 days from receipt of an election of mandatory carriage or upon commencing local-into-local service in the new television market.

47 CFR Section 76.66(d)(2)(v) states within 30 days of receiving a local television station's election of mandatory carriage in a new television market, a satellite carrier shall notify in writing: Those local television stations it will not carry, along with the reasons for such decision, and those local television stations it intends to carry.

47 CFR Section 76.66(d)(2)(vi) requires satellite carriers to notify all local stations in a market of their intent to launch HD carry-one, carry-all in that market at least 60 days before commencing such carriage.

47 CFR Section 76.66(d)(3)(ii) states a new television station shall make its election request, in writing, sent to the satellite carrier's principal place of business by certified mail, return receipt requested, between 60 days prior to commencing broadcasting and 30 days after commencing broadcasting. This written notification shall include the information required by paragraph (d)(1)(iii) of this section.

47 CFR Section 76.66(d)(3)(iv) states within 30 days of receiving a new television station's election of mandatory carriage, a satellite carrier shall notify the station in writing that it will not carry the station, along with the

reasons for such decision, or that it intends to carry the station.

47 CFR Section 76.66(d)(5)(i) states beginning with the election cycle described in § 76.66(c)(2), the retransmission of significantly viewed signals pursuant to § 76.54 by a satellite carrier that provides local-into-local service is subject to providing the notifications to stations in the market pursuant to paragraphs (d)(5)(i)(A) and (B) of this section, unless the satellite carrier was retransmitting such signals as of the date these notifications were due.

(A) In any local market in which a satellite carrier provided local-into-local service on December 8, 2004, at least 60 days prior to any date on which a station must make an election under paragraph (c) of this section, identify each affiliate of the same television network that the carrier reserves the right to retransmit into that station's local market during the next election cycle and the communities into which the satellite carrier reserves the right to make such retransmissions;

(B) In any local market in which a satellite carrier commences local-into-local service after December 8, 2004, at least 60 days prior to the commencement of service in that market, and thereafter at least 60 days prior to any date on which the station must thereafter make an election under § 76.66(c) or (d)(2), identify each affiliate of the same television network that the carrier reserves the right to retransmit into that station's local market during the next election cycle.

47 CFR Section 76.66(f)(3) states except as provided in 76.66(d)(2), a satellite carrier providing local-into-local service must notify local television stations of the location of the receive facility by June 1, 2001 for the first election cycle and at least 120 days prior to the commencement of all election cycles thereafter.

47 CFR Section 76.66(f)(4) states a satellite carrier may relocate its local receive facility at the commencement of each election cycle. A satellite carrier is also permitted to relocate its local receive facility during the course of an election cycle, if it bears the signal delivery costs of the television stations affected by such a move. A satellite carrier relocating its local receive facility must provide 60 days notice to all local television stations carried in the affected television market.

47 CFR Section 76.66 (h)(5) states a satellite carrier shall provide notice to its subscribers, and to the affected television station, whenever it adds or deletes a station's signal in a particular local market pursuant to this paragraph.

47 CFR 76.66(m)(1) states whenever a local television broadcast station believes that a satellite carrier has failed to meet its obligations under this section, such station shall notify the carrier, in writing, of the alleged failure and identify its reasons for believing that the satellite carrier failed to comply with such obligations.

47 CFR 76.66(m)(2) states the satellite carrier shall, within 30 days after such written notification, respond in writing to such notification and comply with such obligations or state its reasons for believing that it is in compliance with such obligations.

47 CFR 76.66(m)(3) states a local television broadcast station that disputes a response by a satellite carrier that it is in compliance with such obligations may obtain review of such denial or response by filing a complaint with the Commission, in accordance with § 76.7 of title 47, Code of Federal Regulations. Such complaint shall allege the manner in which such satellite carrier has failed to meet its obligations and the basis for such allegations.

47 CFR 76.66(m)(4) states the satellite carrier against which a complaint is filed is permitted to present data and arguments to establish that there has been no failure to meet its obligations under this section.

Non-rule requirement: Satellite carriers must immediately commence carriage of the digital signal of a television station that ceases analog broadcasting prior to the February 17, 2009 transition deadline provided that the broadcaster notifies the satellite carrier on or before October 1, 2008 of the date on which they anticipate termination of their analog signal.

Federal Communications Commission.

Gloria J. Miles,

Federal Register Liaison, Office of the Secretary, Office of Managing Director.

[FR Doc. 2014–05702 Filed 3–13–14; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[CC Docket No. 92–237; DA 14–324]

Next Meeting of the North American Numbering Council

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: In this document, the Commission released a public notice announcing the meeting and agenda of the North American Numbering Council (NANC). The intended effect of this action is to make the public aware of the NANC's next meeting and agenda.

DATES: Thursday, March 27, 2014, 10:00 a.m.

ADDRESSES: Federal Communications Commission, Portals II, 445 12th Street SW., Room 5–C162, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Carmell Weathers at (202) 418–2325 or *Carmell.Weathers@fcc.gov*. The fax number is: (202) 418–1413. The TTY number is: (202) 418–0484.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's document in CC Docket No. 92–237, DA 14–324 released March 10, 2014. The complete text in this document is available for public inspection and copying during normal business hours in the FCC Reference Information Center, Portals II, 445 12th Street SW., Room CY–A257, Washington, DC 20554. The document my also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street SW., Room CY–B402, Washington, DC 20554, telephone (800) 378–3160 or (202) 863–2893, facsimile (202) 863–2898, or via the Internet at *http://www.bcpiweb.com*. It is available on the Commission's Web site at *http://www.fcc.gov*.

The North American Numbering Council (NANC) has scheduled a meeting to be held Thursday, March 27, 2014, from 10:00 a.m. until 2:00 p.m. The meeting will be held at the Federal Communications Commission, Portals II, 445 12th Street SW., Room TW–C305, Washington, DC. This meeting is open to members of the general public. The FCC will attempt to accommodate as many participants as possible. The public may submit written statements to the NANC, which must be received two business days before the meeting. In addition, oral statements at the meeting by parties or entities not represented on the NANC will be permitted to the extent time permits. Such statements will be limited to five minutes in length by any one party or entity, and requests to make an oral statement must be received two business days before the meeting.

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 and Governmental Affairs Bureau at 202–418–0530 (voice), 202–418–0432 (tty). Reasonable accommodations for people with disabilities are available upon request. Include a description of the accommodation you will need,

including as much detail as you can. Also include a way we can contact you if we need more information. Please allow at least five days advance notice; last minute requests will be accepted, but may be impossible to fill.

Proposed Agenda: Thursday, March 27, 2014, 10:00 a.m.*

1. Announcements and Recent News
2. Approval of Transcript—Meeting of September 18, 2013
3. Report of the North American Numbering Plan Administrator (NANPA)
4. Report of the National Thousands Block Pooling Administrator (PA)
5. Henning Schulzrinne, Chief Technology Officer, FCC, Report on Numbering Testbed Workshop—March 25, 2014.
6. Report of the Numbering Oversight Working Group (NOWG)
7. Report of the North American Numbering Plan Billing and Collection (NANP B&C) Agent
8. Report of the Billing and Collection Working Group (B&C WG)
9. Report of the North American Portability Management LLC (NAPM LLC)
10. Report of the LNPA Selection Working Group (SWG)
11. Report of the Local Number Portability Administration (LNPA) Working Group
12. Status of the Industry Numbering Committee (INC) activities
13. Report of the Future of Numbering Working Group (FoN WG)
14. Summary of Action Items
15. Public Comments and Participation (5 minutes per speaker)
16. Other Business

Adjourn no later than 2:00 p.m.

* The Agenda may be modified at the discretion of the NANC Chairman with the approval of the DFO.

Federal Communications Commission.

Ann Stevens,

Deputy Division Chief, Wireline Competition Bureau.

[FR Doc. 2014–05708 Filed 3–13–14; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL ELECTION COMMISSION

Sunshine Act Meetings

AGENCY: Federal Election Commission.

DATE & TIME: Tuesday, March 18, 2014 at 10:00 a.m.

PLACE: 999 E Street NW., Washington, DC (Ninth Floor).

STATUS: This meeting will be open to the public.

ITEMS TO BE DISCUSSED: Correction and Approval of Minutes for March 6, 2014

Draft Advisory Opinion 2014–01: Solano County United Democratic Central Committee

Draft Final Rules and Explanation and Justification: Technical Corrections to Title 11 of the Code of Federal Regulations

Audit Division Recommendation Memorandum on the State Democratic Executive Committee of Alabama (A11–22)

Management and Administrative Matters

Individuals who plan to attend and require special assistance, such as sign language interpretation or other reasonable accommodations, should contact Shawn Woodhead Werth, Secretary and Clerk, at (202) 694–1040, at least 72 hours prior to the meeting date.

PERSON TO CONTACT FOR INFORMATION: Judith Ingram, Press Officer, Telephone: (202) 694–1220.

Shawn Woodhead Werth,

Secretary and Clerk of the Commission.

[FR Doc. 2014–05732 Filed 3–12–14; 4:15 pm]

BILLING CODE 6715–01–P

FEDERAL MARITIME COMMISSION

Ocean Transportation Intermediary License Applicants

The Commission gives notice that the following applicants have filed an application for an Ocean Transportation Intermediary (OTI) license as a Non-Vessel-Operating Common Carrier (NVO) and/or Ocean Freight Forwarder (OFF) pursuant to section 19 of the Shipping Act of 1984 (46 U.S.C. 40101). Notice is also given of the filing of applications to amend an existing OTI license or the Qualifying Individual (QI) for a licensee.

Interested persons may contact the Office of Ocean Transportation Intermediaries, Federal Maritime Commission, Washington, DC 20573, by telephone at (202) 523–5843 or by email at *OTI@fmc.gov.*

Aduanair Cargo & Courier Corp. (NVO & OFF), 5900 NW 99th Avenue, Suite #6, Miami, FL 33178. Officers: Anamar Del Castillo, Vice President (QI), Jesus Cachazo, President, Application Type: New NVO & OFF License.

Air & Surface Systems, Inc. dba Air & Surface Logistics (NVO), 16 Technology Drive, Suite 200, Irvine, CA 92618. Officer: Paige Cotcamp, President (QI), Application Type: New NVO License.

American Star Logistics, Inc. (NVO & OFF), 12400 S. Cicero Avenue, Alsip, IL 60803. Officer: Ylli Karaqica, President (QI), Application Type: Add OFF Service.

Apexim International, Inc. (NVO & OFF), 2259 University Drive, Naperville, IL 60565. Officers: Peter R. Barker, President (QI), Maureen E. Barker, Secretary, Application Type: New NVO & OFF License.

Azend International Inc (NVO), 12908 Cook Street, Los Angeles, CA 20961. Officer: Adolfo Zendejas, Jr., President (QI), Application Type: New NVO License.

Blue Water Shipping U.S. Inc. (NVO & OFF), Raritan Center Business Park, 60 Campus Drive, Edison, NJ 08837. Officers: Hans Mikkelsen, President (QI), Victor Sapp, Vice President, Application Type: QI Change.

Century Marine Corporation (OFF), 1924 Rankin Road, Suite 370, Houston, TX 77073. Officers: Jolie K. Cosman, President (QI), Craig M. Cosman, Vice President, Application Type: New OFF License.

Container Shipping, LLC (NVO & OFF), 533 N. Nova Road, Suite 213B, Ormond Beach, FL 32164. Officers: Svetlana Shmakova, Member (QI), Stanislav Voronin, Member, Application Type: New NVO & OFF License.

Daniel F. Young, Inc. (OFF), 1235 Westlakes Drive, Suite 255, Berwyn, PA 19312. Officers: Denise Traynor, CFO (QI), A. Wesley Wyatt IV, President, Application Type: Add Trade Name DF Young.

DFS Ocean Services LLC (NVO & OFF), 25 Shaw Street, Annapolis, MD 21401. Officers: Gregory McCloskey, Vice President (QI), John Rodenhouse, CEO, Application Type: Add NVO Service.

EC Logistics LLC (NVO), 1700 East Walnut Avenue, Suite 220, El Segundo, CA 90245. Officer: Xin Chen, Member/Manager (QI), Application Type: QI Change.

Infinite Logistics Service Corp. (NVO), 14271 Fern Avenue, Chino, CA 91710. Officer: Richard Tsiu, President (QI), Application Type: Transfer License to Infinite Global Trading.

InstiCo Freight Management Inc (NVO & OFF), 1702 Minters Chapel Road, Suite 218, Grapevine, TX 76051. Officers: Ismel Camacho, Corporate Secretary (QI), John Hernando, President, Application Type: New NVO & OFF License.

Interglobal Logistics Corp. (NVO & OFF), 4618 NW 74th Avenue, Miami, FL 33166. Officers: Cora Scotti, Vice President (QI), Danny Hoyos, President, Application Type: Add OFF Service.

Karpeles Freight Services, Inc. (NVO & OFF), 150 Albany Avenue, Freeport, NY 11520. Officers: Malcolm T. Heath, CEO (QI), Brian P. Lynch, Secretary, Application Type: New NVO & OFF License.

Load Group International, Inc. (NVO & OFF), 2500 E. Hallandale Beach Blvd., #710, Hallandale, FL 33009. Officer: Hermann Lange, President (QI), Application Type: New NVO & OFF License.

Lopa Co., Ltd. (NVO & OFF), 5532 Fir Circle, La Palma, CA 90623. Officers: Tony Lee, Vice President (QI), Haidong Zhang, President, Application Type: Add OFF Service.

Meridian Freight LLC (NVO), 5601 Collins Avenue, Suite 1118, Miami Beach, FL 33140. Officer: Alexey Rybnikov, Member (QI), Olga Enina, Member, Application Type: New NVO License.

Miragrown Logistics Corporation dba Lucky Consol Inc. (NVO), 2370 West Carson Street, Suite 130, Torrance, CA 90501. Officers: Krystal Castro, Secretary (QI), Zhimin Wei, President, Application Type: QI Change.

Moveline Group, Inc. (NVO & OFF), 228 S. 4th Street, Suite 200, Las Vegas, NV 89101. Officers: Alex Alpert, Vice President (Sales and Operations) (QI), Frederick Cook, CEO, Application Type: New NVO & OFF License.

NEC Logistics, Ltd. (NVO), MusashiKosugi STM Building 1–403, Kosugi-cho, Nakahara-ku, Kawasaki-shi, Kanagawa 211–0063, Japan. Officers: Manabu Saito, Global Network Business Unit Affairs Manager (QI), Naoki Yoshimura, President, Application Type: Name Change to Nittsu NEC Logistics, Ltd..

O G Shipping & Business, Inc. (NVO), 3123 Beverly Road, Brooklyn, NY 11226. Officers: Orrin Henderson, President (QI), Dawn Adams, Vice President, Application Type: New NVO License.

Pre Clearance Customhouse Brokers and Freight Forwarders, LLC (NVO), 150–30 132nd Avenue, Suite 208, Jamaica, NY 11434. Officers: Salvatore Stile, President (QI), Damien Stile, Secretary, Application Type: New NVO License.

qHub Logistics Corporation (NVO), 8801 Fallbrook Drive, Houston, TN 77064. Officers: Jimmy Chen, Vice President (QI), James J. Huang, President, Application Type: Add OFF Service.

Quad Logistics Services, LLC dba QWExpress (NVO & OFF), 1000 Remington Blvd., Suite 300, Bolingbrook, IL 60440. Officers: Carol E. Brennan, Assistant Secretary (QI), James Quadracci, President, Application Type: New NVO & OFF License.

Sun Track Express Inc (NVO & OFF), 1000 Corporate Center Drive, Suite 209, Monterey Park, CA 91754. Officers: Yu Ding, Secretary (QI), Hao Liang, President, Application Type: New NVO & OFF License.

TMB USA, Inc (NVO & OFF), 8024 NW 29th Street, Miami, FL 33122. Officers: Vanessa F. Ramirez, Vice President (QI), Eduardo Hernandez, President, Application Type: New NVO & OFF License.

Trans Shipping International Inc. (NVO & OFF), 762 Empire Boulevard, Suite 4B, Brooklyn, NY 11213. Officer: Shay Harpaz, President (QI), Application Type: New NVO & OFF License.

Transmarine Transportation and Distribution LLC (NVO), 19655 1st Avenue South, Suite 106, Normandy Park, WA 98148. Officer: Victor V.Q. Tran, Member/Manager (QI), Application Type: New NVO License.

Venezolana De Fletamentos Cavefle, LLC (NVO & OFF), 12190 NW 98th Avenue, Hialeah, FL 33018. Officers: Genesis Diaz, Manager (QI), Veronica Alceste, Manager/Member, Application Type: New NVO & OFF License.

By the Commission.

Dated: March 11, 2014.

Karen V. Gregory,

Secretary.

[FR Doc. 2014–05638 Filed 3–13–14; 8:45 am]

BILLING CODE 6730–01–P

FEDERAL MARITIME COMMISSION

Ocean Transportation Intermediary License Reissuances

The Commission gives notice that the following Ocean Transportation Intermediary licenses have been reissued pursuant to section 19 of the Shipping Act of 1984 (46 U.S.C. 40101).

License No.: 017719F.

Name: Sunjin Shipping (U.S.A.), Inc.

Address: 145–30 156th Street, Jamaica, NY 11434.

Date Reissued: December 1, 2013.

License No.: 023040N.

Name: Pegasus Worldwide Logistics, Inc.

Address: 2660 East Del Amo Blvd., Carson, CA 90221.

Date Reissued: December 2, 2013.

License No.: 023807F.

Name: Alpha Florida Trade, LLC.

Address: 2930 NW 108th Avenue, Doral, FL 33172.

Date Reissued: January 31, 2014.

Sandra L. Kusumoto,

Director, Bureau of Certification and Licensing.

[FR Doc. 2014–05637 Filed 3–13–14; 8:45 am]

BILLING CODE 6730–01–P

FEDERAL MARITIME COMMISSION

Ocean Transportation Intermediary License Revocations and Terminations

The Commission gives notice that the following Ocean Transportation Intermediary licenses have been revoked or terminated for the reason shown pursuant to section 19 of the Shipping Act of 1984 (46 U.S.C. 40101) effective on the date shown.

License No.: 1421F.

Name: E.C. McAfee Co. Customhouse Brokers dba E.C. McAfee Company.

Address: 615 Grisworld, Suite 1702, Detroit, MI 48226.

Date Revoked: December 13, 2013.

Reason: Failed to maintain a valid bond.

License No.: 1846F.

Name: Aspen Forwarders & Custom House Brokers, Inc.

Address: 20 West Lincoln Avenue, Suite 203, Valley Stream, NY 11580.

Date Revoked: January 23, 2014.

Reason: Voluntary Surrender of License.

License No.: 4335F.

Name: International Services, Inc.

Address: 2907 Empress Court, Valrico, FL 33594.

Date Revoked: December 12, 2013.

Reason: Failed to maintain a valid bond.

License No.: 6285N.

Name: CWI Container Line, Inc.

Address: 3030 Old Ranch Parkway, Suite 400, Seal Beach, CA 90740.

Date Revoked: February 4, 2014.

Reason: Voluntary Surrender of License.

License No.: 17965N.

Name: Pella Moving & Storage, Inc. dba BBS Co.

Address: 291 Marlin Street, Port Newark, NJ 07114.

Date Revoked: December 13, 2013.

Reason: Failed to maintain a valid bond.

License No.: 019399N.

Name: J&DL International, Inc.

Address: 6995 NW 82nd Avenue, Suite 44, Miami, FL 33166.

Date Revoked: December 8, 2013.

Reason: Failed to maintain a valid bond.

License No.: 020364NF.

Name: Hydra Logistics, Inc. dba Globe Express Services.

Address: 14205 Westfair West Drive, Houston, TX 77041.
Date Revoked: January 1, 2014.
Reason: Failed to maintain valid bonds.

License No.: 020490N.
Name: Tianjin Consol International Inc. db United Consol Line Inc.
Address: 745 South Lemon Avenue, Suite A–1–A, Walnut, CA 91789.
Date Revoked: February 4, 2014.
Reason: Voluntary Surrender of License.

License No.: 020660F.
Name: Gal International Inc.
Address: 5070 Parkside Avenue, Suite 3104, Philadelphia, PA 19131.
Date Revoked: December 7, 2013.
Reason: Failed to maintain a valid bond.

License No.: 021128N.
Name: Blue Carrier Line, Inc.
Address: 157 Broad Street, Red Bank, NJ 07701.
Date Revoked: January 15, 2014.
Reason: Voluntary Surrender of License.

License No.: 021426N.
Name: Sunny Group USA, Inc.
Address: 17870 Castleton Street, Suite 107, City of Industry, CA 91748.
Date Revoked: February 12, 2014.
Reason: Voluntary Surrender of License.

License No.: 022446NF.
Name: CJ GLS America, Inc.
Address: 6131 Orangethorpe Avenue, Suite 410, Buena Park, CA 90620.
Date Revoked: February 20, 2014.
Reason: Voluntary Surrender of License.

License No.: 022842NF.
Name: CALS Logistics USA, Inc.
Address: 729 N. Route 83, Suite 302, Bensenville, IL 60106.
Date Revoked: December 1, 2013.
Reason: Failed to maintain valid bonds.

License No.: 023040F.
Name: Pegasus Worldwide Logistics, Inc.
Address: 2660 East Del Amo Blvd., Carson, CA 90221.
Date Revoked: December 2, 2013.
Reason: Failed to maintain a valid bond.

License No.: 023807N.
Name: Alpha Florida Trade, LLC.
Address: 2930 NW 108th Avenue, Doral, FL 33172.
Date Revoked: January 31, 2014.
Reason: Voluntary Surrender of License.

Sandra L. Kusumoto,
Director, Bureau of Certification and Licensing.

[FR Doc. 2014–05636 Filed 3–13–14; 8:45 am]

BILLING CODE 6730–01–P

FEDERAL RESERVE SYSTEM

Change in Bank Control Notices; Acquisitions of Shares of a Bank or Bank Holding Company

The notificants listed below have applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire shares of a bank or bank holding company. The factors that are considered in acting on the notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal Reserve Bank indicated. The notices also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for that notice or to the offices of the Board of Governors. Comments must be received not later than March 31, 2014.

A. Federal Reserve Bank of Richmond (Adam M. Drimer, Assistant Vice President) 701 East Byrd Street, Richmond, Virginia 23261–4528:

1. *Donald Edwards Willis,* Cowpens, South Carolina, to acquire additional voting shares of First South Bancorp, Inc., and thereby indirectly acquire First South Bank, both of Spartanburg, South Carolina

B. Federal Reserve Bank of Kansas City (Dennis Denney, Assistant Vice President) 1 Memorial Drive, Kansas City, Missouri 64198–0001:

1. *James Clark Shouse,* Dallas, Texas, to acquire voting shares of The George Madison Corporation, and thereby indirectly acquire First National Bank, both of Pawnee, Pawnee, Oklahoma.

Board of Governors of the Federal Reserve System, March 11, 2014.

Michael J. Lewandowski,
Associate Secretary of the Board.

[FR Doc. 2014–05656 Filed 3–13–14; 8:45 am]

BILLING CODE 6210–01–P

GOVERNMENT ACCOUNTABILITY OFFICE

Methodology Committee of the Patient-Centered Outcomes Research Institute (PCORI)

AGENCY: Government Accountability Office (GAO).

ACTION: Call for nominations.

SUMMARY: The Patient Protection and Affordable Care Act gave the Comptroller General of the United States responsibility for appointing not more than 15 members to a Methodology Committee of the Patient-Centered Outcomes Research Institute. In addition, the Directors of the Agency for Healthcare Research and Quality and the National Institutes of Health, or their designees, are members of the Methodology Committee. Methodology Committee members must meet the qualifications listed in Section 6301 of the Act. Due to vacancies on the Committee, I am announcing the following: Letters of nomination and resumes should be submitted by April 11, 2014 to ensure adequate opportunity for review and consideration of nominees prior to appointment. Letters of nomination and resumes can be forwarded to either the email or mailing address listed below.

ADDRESSES:
Email: *PCORIMethodology@gao.gov.*
Mail: U.S. GAO, Attn: PCORI Methodology Committee Appointments, 441 G Street NW., Washington, DC 20548

FOR FURTHER INFORMATION CONTACT: GAO: Office of Public Affairs, (202) 512–4800.

[Sec. 6301, Pub. L. 111–148]

Gene L. Dodaro,
Comptroller General of the United States.

[FR Doc. 2014–05443 Filed 3–13–14; 8:45 am]

BILLING CODE 1610–02–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the Secretary

[Document Identifier: HHS–OS–21223–30D]

Agency Information Collection Activities; Submission to OMB for Review and Approval; Public Comment Request

AGENCY: Office of the Secretary, HHS.

ACTION: Notice.

SUMMARY: In compliance with section 3507(a)(1)(D) of the Paperwork Reduction Act of 1995, the Office of the Secretary (OS), Department of Health and Human Services, has submitted an Information Collection Request (ICR), described below, to the Office of Management and Budget (OMB) for review and approval. The ICR is for reinstatement of a previously-approved information collection assigned OMB control number 0955–0009, which expired on February 28, 2014. Comments submitted during the first public review of this ICR will be provided to OMB. OMB will accept further comments from the public on this ICR during the review and approval period.

DATES: Comments on the ICR must be received on or before April 14, 2014.

ADDRESSES: Submit your comments to *OIRA_submission@omb.eop.gov* or via facsimile to (202) 395–5806.

FOR FURTHER INFORMATION CONTACT: Information Collection Clearance staff, *Information.CollectionClearance@hhs.gov* or (202) 690–6162.

SUPPLEMENTARY INFORMATION: When submitting comments or requesting information, please include the OMB control number 0955–0009 and document identifier HHS–OS–21223–30D for reference.

Information Collection Request Title: Regional Extension Center Cooperative Agreement Program (CRM Tool).

OMB No.: 0955–0009.

Abstract: The Customer Relationship Management (CRM) application is a nimble business intelligence tool being used by more than 1,500 users at ONC partner organizations and grantees. The CRM collects data from a large number of users throughout the United States who are ''on the ground'' helping healthcare providers adopt and optimize their IT systems, it provides near real-time data about the adoption, utilization, and meaningful use of EHR technology.

Approximately half of all Primary Care Providers in the nation are represented in the CRM tool; data points include provider location, credential, specialty, whether live on an EHR and what system, whether they've reached MU, the time between these, and narrative barriers experienced by many of these.

Need and Proposed Use of the Information: The CRM tool supplements and is regularly merged with other data sources both within and outside of HHS and tracks program performance and progress towards milestones. Combined with ONC's internal analytical capacity, this data provides feedback that goes beyond anecdotal evidence and can be turned into tangible lessons learned that are used to focus policy and program efforts and ultimately achieve concrete outcomes.

Likely Respondents: Regional Extension Centers.

Burden Statement: Burden in this context means the time expended by persons to generate, maintain, retain, disclose or provide the information requested. This includes the time needed to review instructions, to develop, acquire, install and utilize technology and systems for the purpose of collecting, validating and verifying information, processing and maintaining information, and disclosing and providing information, to train personnel and to be able to respond to a collection of information, to search data sources, to complete and review the collection of information, and to transmit or otherwise disclose the information. The total annual burden hours estimated for this ICR are summarized in the table below.

TOTAL ESTIMATED ANNUALIZED BURDEN—HOURS

Forms (If necessary)	Type of respondent	Number of respondents	Number of responses per respondent	Average burden hours per response	Total burden hours
CRM Tool	Regional Extension Center	60	12	1.5	1,080
CRM Tool	Community College Consortia	84	20	1.5	2,520
Total					3,600

Darius Taylor,

Deputy, Information Collection Clearance Officer.

[FR Doc. 2014–05657 Filed 3–13–14; 8:45 am]

BILLING CODE 4150–45–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[CDC–2014–0005, Docket Number NIOSH–272]

Respiratory Protective Devices Used in Healthcare

AGENCY: National Institute for Occupational Safety and Health (NIOSH) of the Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

ACTION: Notice of request for information and comment.

SUMMARY: Respiratory protective devices (RPDs) that are approved by the National Institute for Occupational Safety and Health (NIOSH) and also cleared by the Food and Drug Administration (FDA) [a] as medical devices are widely used in surgical and non-surgical healthcare environments. There are reports [b] that other NIOSH-approved RPDs that are not FDA-cleared medical devices are also being used to protect healthcare workers from inhalation hazards. The desirability of NIOSH incorporating additional requirements and tests in its 42 CFR Part 84 respirator approval process to parallel the protections in the FDA clearance process for Surgical N95 Respirators in surgical and non-surgical healthcare environments has been mentioned during broad-based and cross-agency discussions for future pandemic events as well as day-to-day use in healthcare settings.

NIOSH could augment the existing requirements and tests of the 42 CFR Part 84 conformity assessment process to incorporate requirements included in the FDA clearance process, such as fluid resistance and flammability. Both FDA and NIOSH require demonstration of filtration performance. The current NIOSH filtration testing requirements use non-biological aerosol based on the assumption that all particles, biological or non-biological, behave according to the same principles of aerosol physics for filtration: That is, by impaction, interception, diffusion, and electrostatic attraction. NIOSH is seeking public comment with available supporting data that either validates or disproves this assumption.

NIOSH is requesting information and comments on the following:

1. Do healthcare stakeholders anticipate expanding the use of RPDs to include elastomeric air purifying respirators and/or Powered Air Purifying Respirators (PAPRs)?

2. For protections appropriate for RPDs to be used in surgical and/or non-surgical healthcare environments, should NIOSH consider adding tests and requirements to the 42 CFR Part 84 conformity assessment process for splash/spray protection (fluid resistance) per ASTM F1862:2000a, or other appropriate standards? NIOSH seeks evidence related to the

[a] 21 CFR 878.4040 (FDA 510(K)Clearance)

[b] Stradtman, L, Prevalence of Respiratory Protective Devices in U.S. Healthcare Systems, Internal NIOSH Survey Report, Jan. 7, 2014. (available in docket)

performance of existing products (NIOSH-approved, but not FDA-cleared as a medical device) against this standard and the prevalence and characteristics of actual sprays/splashes faced by healthcare workers during non-surgical patient care.

3. For RPDs to be used in surgical and/or non-surgical healthcare environments, should NIOSH consider adding requirements and tests beyond those provided in 42 CFR Part 84 for protection against flammability hazards per 16 CFR 1610, UL 2154, or other appropriate standards? NIOSH seeks evidence related to the performance of existing products (NIOSH-approved, but not FDA-cleared as a medical device) against this standard and the prevalence and characteristics of actual flammability hazards faced by healthcare workers during patient care (i.e., non-surgical activities).

4. For RPDs to be used in surgical and/or non-surgical healthcare environments, should NIOSH consider adding optional, supplemental filtration testing (e.g., ASTM F2101–01 (Bacterial Filtration Efficiency) and ASTM F1215:1989 (Particulate Filtration Efficiency)) in addition to the existing NIOSH filter requirements in 42 CFR Part 84? NIOSH requests evidence related to the performance of existing products (NIOSH-approved, but not FDA-cleared as a medical device) against these alternative filter test methods and the prevalence and characteristics of airborne exposures faced by healthcare workers during patient care (i.e., non-surgical activities). NIOSH seeks comparative results for testing against such candidate supplemental standards versus test results achieved in the existing filter efficiency tests of 42 CFR Part 84.

DATES: All comments must be received by April 14, 2014.

FOR FURTHER INFORMATION CONTACT: Roland Berry Ann, NIOSH NPPTL, P.O. Box 18070, Pittsburgh, PA 15236; (412) 386–6111 (this is not a toll-free number). Information requests can also be submitted by email to *nioshdocket@cdc.gov.*

ADDRESSES: You may submit comments identified by CDC–2014–0005 and Docket Number NIOSH–272 by either of the two following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov*. Follow the instructions for submitting comments.
- *Mail:* NIOSH Docket Office, Robert A. Taft Laboratories, MS–C34, 4676 Columbia Parkway, Cincinnati, OH 45226.

Instructions: All information received in response to this notice must include the agency name and docket number [CDC–2014–0005; NIOSH–272]. All relevant comments received will be posted without change to *www.regulations.gov,* including any personal information provided. All electronic comments should be formatted as Microsoft Word. For access to the docket to read background documents or comments received, go to *www.regulations.gov*.

SUPPLEMENTARY INFORMATION:

I. Background

Under 42 CFR Part 84, NIOSH approves RPDs for protection against inhalation hazards in all occupational settings. The FDA regulates medical devices that are intended to prevent the transmission of disease in humans. FDA defines a medical device under Section 201(h) of the Federal Food, Drug and Cosmetic Act (21 U.S.C. 321(h)).

The Occupational Safety and Health Administration's (OSHA's) Bloodborne Pathogens regulation specifies masks in combination with eye protection devices, such as goggles or glasses with solid side shields, or chin-length face shields, are to be worn whenever splashes, sprays, spatters, or droplets of blood or other potentially infectious materials may be generated and eye, nose, or mouth contamination can be reasonably anticipated. (29 CFR 1910.1030(d)(3)(x)).

The FDA clears surgical masks (e.g., laser masks or procedure masks) as medical devices,[c] in that they are intended to prevent disease. They protect healthcare workers from splashes, sprays, spatters, and droplets of respiratory secretions, blood and other body fluids. The FDA may issue a premarket clearance as a medical device only for certain NIOSH-approved N95 filtering facepiece respirators (FFRs) assessed for clearance characteristics equivalent to FDA-cleared masks that are used in the healthcare setting. Currently, the only medical device classification that can be applied to a NIOSH-approved respirator is that of a Surgical N95 Respirator.

FDA regulates NIOSH-approved Surgical N95 Respirators as medical devices intended for use in healthcare settings under the regulation 21 CFR 878.4040. OSHA has the primary responsibility for enforcing proper use of RPDs in the workplace, including healthcare settings, as described in the Respiratory Protection standard (29 CFR 1910.134). According to section 1910.134, where respirators are required, they must be NIOSH-approved and used as part of a respiratory protection program which includes medical evaluation, training, and fit testing (when applicable). OSHA does not require RPDs used in a healthcare setting to be cleared by the FDA. Many RPDs used in healthcare settings have not been submitted by industry for FDA premarket clearance, and therefore have not been FDA-cleared as medical devices.

There are two general categories of RPDs found in healthcare settings: (1) Those approved by NIOSH and (2) those approved by NIOSH and receiving FDA Premarket Notification [510(k)] clearance as a Surgical N95 Respirator by the FDA. RPDs approved by NIOSH which are not cleared by FDA include NIOSH-approved N95, P95, and P100 FFRs; Powered, Air-Purifying Respirators (PAPR); and elastomeric half facepiece air-purifying respirators. The most common of these is the N95 FFR. Surgical N95 Respirators cleared by FDA and approved by NIOSH are N95 FFRs that also meet certain requirements for fluid resistance per ASTM F1862:2000a and sometimes flammability requirements per 16 CFR 1610 and UL 2154.

Applicability to Pandemic Preparedness

During the early stages of a pandemic, before vaccines are widely available and the mode(s) of disease transmission are fully understood, personal protective equipment will be an important component of a non-pharmaceutical intervention strategy to reduce disease transmission. Some of the RPDs used as part of the intervention could be RPDs in frequent or daily use for non-outbreak hazards.

Due to the expected importance of RPD use during a pandemic, the HHS recommends that healthcare facilities stockpile a 6–8 week supply of disposable N95 FFRs. However, it has been documented[d] that the stockpiling recommendation has been a challenge for healthcare facilities. Noted barriers to stockpiling N95 FFRs include: lack of storage space, limited use within normal working parameters, shelf-life limitations, and working against the typical ''just-in-time'' supply chains, which only allow for a limited number of on-hand supplies. This is challenging due to the sheer number of RPDs that will be needed during a pandemic. According to the CDC, an estimated 90

[c] According to the Food, Drug and Cosmetic Act, the FDA reviews for clearance medical devices that are intended to cure, mitigate, treat, or prevent disease in man.

[d] According to the Food, Drug and Cosmetic Act, the FDA reviews for clearance medical devices that are intended to cure, mitigate, treat, or prevent disease in man.

million N95 FFRs would be needed to protect healthcare workers during a 42-day pandemic. The rapid increase in RPD usage was apparent during the 2009 H1N1 pandemic.[e f] RPD usage may also increase beyond pandemic recommendations due to concerns about disease transmission.

Because of the potential for splashes and sprays (e.g., from a severed artery, cough, or sneeze), some facilities have selected NIOSH approved and FDA-cleared Surgical N95 respirators as the primary option for protecting healthcare workers during a pandemic. However, other NIOSH-approved RPDs might need to be considered because there may not be enough of the FDA-cleared devices to protect healthcare workers and other essential personnel during a pandemic or outbreak.

NIOSH-approved respiratory protective devices that are also FDA-cleared medical devices are widely used in surgical and non-surgical healthcare environments. There are reports [b c] that other types of NIOSH-approved RPDs that are not FDA-cleared medical devices are being used as well to protect workers in both surgical and non-surgical healthcare environments from inhalation hazards. The desirability of NIOSH incorporating additional requirements and tests in its 42 CFR Part 84 respirator approval process to parallel the protections in the FDA clearance process for Surgical N95 Respirators in surgical and non-surgical healthcare environments has been mentioned during broad-based and cross-agency planning discussions for dealing with future pandemics.

NIOSH intends to use this information to consider augmenting the existing protections of 42 CFR Part 84 to incorporate requirements included in the FDA clearance process, such as fluid resistance and flammability. [b c] NIOSH is seeking public comment on the desirability of adding requirements and tests in its 42 CFR Part 84 respirator approval process to parallel the protections in the FDA clearance process.

Both FDA and NIOSH require demonstration of filtration performance. The current NIOSH filtration testing requirements use non-biological aerosol based on the assumption that all particles, biological or non-biological, behave according to the same principles of aerosol physics for filtration: that is, by impaction, interception, diffusion, and electrostatic attraction. NIOSH is seeking public comment with available supporting data that either validates or disproves this assumption.

Next Steps: NIOSH will determine next steps after all comments are reviewed and assessed. NIOSH intends to provide an entry to the docket regarding next steps no later than June 30, 2014.

Dated: March 10, 2014.

John Howard,

Director, National Institute for Occupational Safety and Health, Centers for Disease Control and Prevention.

[FR Doc. 2014–05611 Filed 3–13–14; 8:45 a.m.]

BILLING CODE 4163–19–P

[e] Bunyan D, Ritchie L, Jenkins D, Coia JE. Respiratory and facial protection: a critical review of recent literature. J Hosp. Infect. 2013 Nov; 85(3):165–9.

[f] Association of State and Territorial Health Officials. Assessing Policy Barriers to Effective Public Health Response in the H1N1 Influenza Pandemic. Arlington: Association of State and Territorial Health Officials; 2010.

FFRs are the primary choice of respiratory protection over PAPRs or elastomeric respirators for numerous reasons. They are disposable and therefore do not require cleaning or reprocessing. They are lighter in weight and less cumbersome to don and doff as straps are generally not adjustable; nor are there any filter cartridges to be manipulated. Also, they are familiar to HCWs because of their resemblance to surgical masks commonly used in healthcare environments.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2014–D–0248]

Draft Guidance for Industry on Allowable Excess Volume and Labeled Vial Fill Size in Injectable Drug and Biological Products; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing the availability of a draft guidance for industry entitled ''Allowable Excess Volume and Labeled Vial Fill Size in Injectable Drug and Biological Products.'' This guidance clarifies the FDA requirements and regulations pertaining to allowable excess volume in injectable vials and reinforces the importance of appropriate packaging sizes for injectable drug [1] and biological products.

DATES: Although you can comment on any guidance at any time (see 21 CFR 10.115(g)(5)), to ensure that the Agency considers your comment on this draft guidance before it begins work on the final version of the guidance, submit either electronic or written comments on the draft guidance by June 12, 2014.

[1] The term *drug* used throughout this guidance refers to drugs and biological products.

ADDRESSES: Submit written requests for single copies of the draft guidance to the Division of Drug Information, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, Rm. 2201, Silver Spring, MD 20993–0002. Send one self-addressed adhesive label to assist that office in processing your requests. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the draft guidance document.

Submit electronic comments on the draft guidance to *http://www.regulations.gov*. Submit written comments to the Division of Dockets Management (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT: Pallavi Nithyanandan, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, Rm. 4171, Silver Spring, MD 20993–0002, 301–796–7546, or Stephen Ripley, Center for Biologics Evaluation and Research (HFM–17), Food and Drug Administration, 1401 Rockville Pike, Suite 200N, Rockville, MD 20852–1448, 301–827–6210.

SUPPLEMENTARY INFORMATION:

I. Background

FDA is announcing the availability of a draft guidance for industry entitled ''Allowable Excess Volume and Labeled Vial Fill Size in Injectable Drug and Biological Products.'' FDA is concerned that injectable vial misuse, including unsafe handling and injection techniques, has led to an increase in vial contamination and an increased risk of bloodborne illness transmission between patients. This guidance clarifies the FDA requirements and regulations pertaining to allowable excess volume in injectable vials and describes when justification is needed for a proposed excess volume in an injectable drug or biological product. This guidance also discusses the importance of appropriate packaging sizes for injectable drug and biological products and recommends that labeled vial fill sizes be appropriate for the use and dosing of the drug and biological product. This guidance specifically addresses fill and packaging issues for injectable drug and biological products packaged in vials and ampules.

This draft guidance is being issued consistent with FDA's good guidance practices regulation (21 CFR 10.115). The draft guidance, when finalized, will represent the Agency's current thinking on this topic. It does not create or confer any rights for or on any person and does

not operate to bind FDA or the public. An alternative approach may be used if such approach satisfies the requirements of the applicable statutes and regulations.

II. Paperwork Reduction Act of 1995

This draft guidance contains information collection provisions that are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (the PRA) (44 U.S.C. 3501–3520). The collection of information requested in the draft guidance is covered under FDA regulations at 21 CFR parts 312 and 314 and is approved under OMB Control Numbers 0910–0014 and 0910–0001. In accordance with the PRA, prior to publication of any final guidance document, FDA intends to solicit public comment and obtain OMB approval for any information collections recommended in this guidance that are new or that would represent material modifications to those previously approved collections of information found in FDA regulations or guidances.

III. Comments

Interested persons may submit either electronic comments regarding this document to *http://www.regulations.gov* or written comments to the Division of Dockets Management (see **ADDRESSES**). It is only necessary to send one set of comments. Identify comments with the docket number found in brackets in the heading of this document. Received comments may be seen in the Division of Dockets Management between 9 a.m. and 4 p.m., Monday through Friday, and will be posted to the docket at *http://www.regulations.gov*.

IV. Electronic Access

Persons with access to the Internet may obtain the document at *http://www.fda.gov/Drugs/GuidanceComplianceRegulatoryInformation/Guidances/default.htm, http://www.fda.gov/BiologicsBloodVaccines/GuidanceComplianceRegulatoryInformation/default.htm,* or *http://www.regulations.gov*.

Dated: March 11, 2014.

Peter Lurie,

Acting Associate Commissioner for Policy and Planning.

[FR Doc. 2014–05700 Filed 3–13–14; 8:45 am]

BILLING CODE 4160–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Submission for OMB Review; 30-Day Comment Request; Cardiovascular Health and Needs Assessment in Washington, DC—Development of a Community-Based Behavioral Weight Loss Intervention

SUMMARY: Under the provisions of Section 3507(a)(1)(D) of the Paperwork Reduction Act of 1995, the National Institutes of Health (NIH) has submitted to the Office of Management and Budget (OMB) a request for review and approval of the information collection listed below. This proposed information collection was previously published in the **Federal Register** on January 2, 2014, Volume 79, Issue Number 1, pages 41–42 and allowed 60-days for public comment. Public comments were received during the 60-day period. The purpose of this notice is to allow an additional 30 days for public comment. The National Heart, Lung and Blood Institute (NHLBI), National Institutes of Health, may not conduct or sponsor, and the respondent is not required to respond to, an information collection that has been extended, revised, or implemented on or after October 1, 1995, unless it displays a currently valid OMB control number.

Direct Comments to OMB: Written comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time, should be directed to the: Office of Management and Budget, Office of Regulatory Affairs, *OIRA_submission@omb.eop.gov* or by fax to 202–395–6974, Attention: NIH Desk Officer.

Comment Due Date: Comments regarding this information collection are best assured of having their full effect if received within 30-days of the date of this publication.

FOR FURTHER INFORMATION CONTACT: To obtain a copy of the data collection plans and instruments or request more information on the proposed project contact either: Eric Shropshire, Outreach & Research Coordinator, or Dr. Tiffany Powell-Wiley, Assistant Clinical Investigator, CPB, DIR, NHLBI, NIH, 10 Center Drive, Building 10–CRC, 5–3340, Bethesda, MD 20892, or call non-toll-free number Eric Shropshire, (301) 827–4981 or Dr. Powell-Wiley, (301) 594–3735, or Email your request, including your address to either *Eric.Shropshire@nih.gov* or *Tiffany.Powell-Wiley@nih.gov.* Formal requests for additional plans and instruments must be requested in writing.

Proposed Collection: Cardiovascular Health and Needs Assessment in Washington, DC—Development of a Community-Based Behavioral Weight Loss Intervention, New, National Heart, Lung and Blood Institute (NHLBI), National Institutes of Health (NIH).

Need and Use of Information Collection: The purpose and use of the information collection for this project is to determine the prevalence of ideal, intermediate, and poor cardiovascular health factors based on American Heart Association (AHA)-defined goals within a church-based population in wards 5, 7, and 8 in Washington, DC. The information collected will also evaluate data from handheld devices, such as wearable physical activity monitors or digital cameras, to objectively measure physical activity and dietary intake from selected community members. This protocol will then identify technology that may be incorporated into future interventions. In addition, the collected information used will be examined for methods of referral for treatment for unrecognized hypertension, diabetes, and hypercholesterolemia in the community-based population. Social determinants of obesity, particularly environmental, cultural, and psychosocial factors that might help or hinder weight loss, will be evaluated in the population. This information from the screening and needs assessment will establish a community-based participatory research (CBPR) partnership for the future design and implementation of a church-based, behavioral weight loss intervention.

OMB approval is requested for 2 years. There are no costs to respondents other than their time. The total estimated annualized burden hours are 2,380.

Estimated Annualized Burden Hours

A.12–1—ESTIMATES OF HOUR BURDEN

Type of respondents	Number of respondents	Frequency of response	Average time per response	Annual hour burden
Consent Process	100	1	15/60	25

A.12–1—ESTIMATES OF HOUR BURDEN—Continued

Type of respondents	Number of respondents	Frequency of response	Average time per response	Annual hour burden
Clinical Evaluation	100	1	30/60	50
Survey Instrument	100	1	1	100
Device Training	100	2	1	200
Health Data Monitoring	100	2	10	2,000
Device Return	15	1	18/60	5

Dated: March 3, 2014.

Robert S. Balaban,

Scientific Director, Dir, NHLBI, NIH.

Dated: March 3, 2014.

Lynn Susulske,

NHLBI Project Clearance Liaison, National Institutes of Health.

[FR Doc. 2014–05698 Filed 3–13–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Prospective Grant of an Exclusive Evaluation License Agreement: Pre-Clinical Evaluation and Commercial Development of Anti-Tyrosine Kinase-Like Orphan Receptor 1 Antibody-Drug Conjugates for the Treatment of Human Cancers

AGENCY: National Institutes of Health, HHS.

ACTION: Notice.

SUMMARY: This is notice, in accordance with 35 U.S.C. 209 and 37 CFR part 404, that the National Institutes of Health, Department of Health and Human Services, is contemplating the grant of an exclusive license to practice the inventions embodied in U.S. Patent Application 61/172,099 entitled ''Anti-human ROR1 Antibodies'' [HHS Ref. E–097–2009/0–US–01], PCT Application No. PCT/US2010/032208 entitled ''Anti-human ROR1 Antibodies'' [HHS Ref. E–097–2009/0–PCT–02], U.S. Patent Application 61/418,550 entitled, ''Chimeric Rabbit/Human ROR1 Antibodies'' [HHS Ref. No. E–039–2011/0–US–01], and PCT Application No. PCT/US2011/062670 entitled, ''Chimeric Rabbit/Human ROR1 Antibodies'', and all related continuing and foreign patents/patent applications for the technology family, to Ardeagen Corporation. The patent rights in these inventions have been assigned to the Government of the United States of America.

The prospective start-up exclusive evaluation option license territory may be worldwide and the field of use may be limited to pre-clinical evaluation and commercial development of an antibody-drug conjugate comprising an anti-tyrosine protein kinase transmembrane receptor (ROR1) antibody for the treatment of human ROR1 expressing cancers, wherein the antibody moiety comprises the anti-ROR1 antibodies designated as 2A2, 2D11, R11, R12, or R31. For avoidance of doubt, this Agreement explicitly excludes the development of an immunotoxin comprising 2A2 and *Pseudomonas* exotoxin A targeted immunotoxins for the treatment of human ROR1 expressing cancers. Upon expiration or termination of the start-up exclusive evaluation option license, Ardeagen Corporation will have the right to execute a start-up exclusive patent commercialization license which will supersede and replace the start-up exclusive evaluation option license with no broader territory than granted in the start-up exclusive evaluation option license and the field of use will be commensurate with the commercial development plan at the time of conversion.

DATES: Only written comments and/or applications for a license which are received by the NIH Office of Technology Transfer on or before March 31, 2014 will be considered.

ADDRESSES: Requests for copies of the patent applications, inquiries, comments, and other materials relating to the contemplated exclusive evaluation option license should be directed to: Jennifer Wong, M.S., Senior Licensing and Patenting Manager, Office of Technology Transfer, National Institutes of Health, 6011 Executive Boulevard, Suite 325, Rockville, MD 20852–3804; Telephone: (301) 435–4633; Facsimile: (301) 402–0220; Email: *wongje@od.nih.gov.*

SUPPLEMENTARY INFORMATION: Tyrosine kinase-like orphan receptor 1 (ROR1) is a signature cell surface antigen for B-cell malignancies, most notably, B-cell chronic lymphocytic leukemia (B–CLL) and mantle cell lymphoma (MCL) cells, two incurable diseases. The investigators have developed a portfolio of chimeric anti-ROR1 monoclonal antibodies that selectively target ROR1 malignant B-cells but not normal B-cells. These antibodies may be linked to chemical drugs or biological toxins thus providing targeted cytotoxic delivery to malignant B-cells while sparing normal cells. Moreover, as these antibodies selectively target ROR1, they can also be used to diagnose B-cell malignancies.

The prospective start-up exclusive evaluation option license is being considered under the small business initiative launched on October 1, 2011 and will comply with the terms and conditions of 35 U.S.C. 209 and 37 CFR part 404. The prospective start-up exclusive evaluation option license, and a subsequent start-up exclusive patent commercialization license, may be granted unless within fifteen (15) 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.

Any additional, properly filed, and 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 evaluation option 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: March 12, 2014.

Richard U. Rodriguez,

Director, Division of Technology Development & Transfer, Office of Technology Transfer, National Institutes of Health.

[FR Doc. 2014–05678 Filed 3–13–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Neurological Disorders and Stroke; 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 materials, 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 Neurological Disorders and Stroke Special Emphasis Panel; Review of Career Development (K) Applications.

Date: March 18, 2014.

Time: 2:00 p.m. to 4:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852, (Telephone Conference Call).

Contact Person: Raul A. Saavedra, Ph.D., Scientific Review Officer, Scientific Review Branch, Division of Extramural Research, NINDS, NIH, NSC, 6001 Executive Blvd., Suite 3208, MSC 9529, Bethesda, MD 20892–9529, 301–496–9223, *saavedrr@ninds.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. 93.853, Clinical Research Related to Neurological Disorders; 93.854, Biological Basis Research in the Neurosciences, National Institutes of Health, HHS).

Dated: March 11, 2014.

Carolyn Baum,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–05677 Filed 3–13–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Office of the Director, National Institutes of Health; Notice of Meeting

Pursuant to section 10(a) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of a meeting of the Advisory Committee to the Director, National Institutes of Health (ACD).

The meeting is virtual and open to the public. The HeLa Genome Data Access working group will present a summary of its assessment of requests to access HeLa cell genome sequence data in the NIH database of Genotype and Phenotype (dbGaP). The HeLa Genome Data Access working group report, as well as instructions for joining the virtual meeting, will be posted when available on the ACD Web site (*http://acd.od.nih.gov*). Additional information about the HeLa Genome Data Access working group can be accessed at *http://acd.od.nih.gov/hegda.htm.*

Name of Committee: Advisory Committee to the Director, National Institutes of Health.

Date: March 28, 2014.

Time: 10:00 a.m. to 2:00 p.m. Eastern Time.

Agenda: Presentation and discussion of the HeLA Genome Data Access Working Group Report.

Time 2:00 p.m. to 6:00 p.m. Eastern Time.

Agenda: Voting by ACD Members on Requests for Access to HeLa Genome Sequence Data.

Place: Virtual Meeting, Accessible at the following Web site: *http://helaacd.nih.gov/access-requests/march-2014/.*

Contact Information: Gretchen S. Wood, Staff Assistant, Office of the Director, One Center Drive, Building 1, Room 126, Bethesda, Maryland 20892–0148, Telephone: 301–496–4272, *woodgs@od.nih.gov.*

Any interested person may file written comments with the committee by forwarding the statement to the Contact Person listed on this notice. The statement should include the name, address, telephone number and when applicable, the business or professional affiliation of the interested person and must be sent by 5:00 p.m. Eastern Time on March 25, 2014. Statements will be posted on the ACD Web site and made accessible during this virtual meeting.

Dated: March 10, 2014.

Anna Snouffer,

Deputy Director, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–05538 Filed 3–13–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Allergy and Infectious Diseases; 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: National Institute of Allergy and Infectious Diseases Special Emphasis Panel ''NIAID Investigator Initiated Program Project Applications (P01)''.

Date: April 8, 2014.

Time: 1:00 p.m. to 5:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 3251, 6700B Rockledge Drive, Bethesda, MD 20817, (Telephone Conference Call).

Contact Person: Richard W. Morris, Ph.D., Scientific Review Officer, Scientific Review Program, DEA/NIAID/NIH/DHHS, 6700–B Rockledge Drive, MSC–7616, Room 3251, Bethesda, MD 20892–7616, 301–451–2663, *rmorris@niaid.nih.gov.*

Name of Committee: National Institute of Allergy and Infectious Diseases Special Emphasis Panel Integrated Preclinical/Clinical Program for HIV Microbicides and Biomedical Prevention (IPCP–MBP) (U19).

Date: April 9–10, 2014.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Doubletree Hotel Bethesda, (Formerly Holiday Inn Select), Ballroom A&B, 8120 Wisconsin Avenue, Bethesda, MD 20814.

Contact Person: Betty Poon, Ph.D., Scientific Review Officer, Scientific Review Program, Division of Extramural Activities, NIAID/NIH/DHHS, 6700B Rockledge Drive, MSC 7616, Bethesda, MD 20892–7616, 301–402–6891, *poonb@mail.nih.gov.*

Name of Committee: National Institute of Allergy and Infectious Diseases Special Emphasis Panel ''Innovative Assays to Quantify the Latent HIV Reservoir (R21)''.

Date: April 9, 2014.

Time: 9:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Room 3117, 6700B Rockledge Drive, Bethesda, MD 20817, (Telephone Conference Call).

Contact Person: Raymond R. Schleef, Ph.D., Scientific Review Officer, Scientific Review Program, Division of Extramural Activities, National Institutes of Health/NIAID, 6700B Rockledge Drive, MSC 7616, Bethesda, MD 20892–7616, (301) 451–3679, *schleefrr@niaid.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.855, Allergy, Immunology, and Transplantation Research; 93.856, Microbiology and Infectious Diseases Research, National Institutes of Health, HHS)

Dated: March 10, 2014.

David Clary,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–05539 Filed 3–13–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Environmental Health 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 Environmental Health Sciences Special Emphasis Panel; Chemical Spill Degradation Byproducts.

Date: April 4, 2014.

Time: 10:00 a.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Double Tree by Hilton, Raleigh Durham Airport, 4810 Page Creek Lane, Durham, NC 27703.

Contact Person: Sally Eckert-Tilotta, Ph.D., Scientific Review Administrator, Nat. Institute of Environmental Health Sciences, Office of Program Operations, Scientific Review Branch, P.O. Box 12233, Research Triangle Park, NC 27709 (919) 541–1446 *eckertt1@niehs.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.115, Biometry and Risk Estimation—Health Risks from Environmental Exposures; 93.142, NIEHS Hazardous Waste Worker Health and Safety Training; 93.143, NIEHS Superfund Hazardous Substances—Basic Research and Education; 93.894, Resources and Manpower Development in the Environmental Health Sciences; 93.113, Biological Response to Environmental Health Hazards; 93.114, Applied Toxicological Research and Testing, National Institutes of Health, HHS).

Dated: March 11, 2014.

Carolyn Baum,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–05675 Filed 3–13–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Diabetes and Digestive and Kidney Diseases; 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: National Institute of Diabetes and Digestive and Kidney Diseases Special Emphasis Panel NIDDK Ancillary Studies.

Date: April 3, 2014.

Time: 12:00 p.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Two Democracy Plaza, 6707 Democracy Boulevard, Bethesda, MD 20892, (Telephone Conference Call).

Contact Person: Elena Sanovich, Ph.D., Scientific Review Officer, Review Branch, DEA, NIDDK, National Institutes of Health, Room 750, 6707 Democracy Boulevard, Bethesda, MD 20892–2542, 301–594–8886, *sanoviche@mail.nih.gov.*

Name of Committee: National Institute of Diabetes and Digestive and Kidney Diseases Special Emphasis Panel RFA DK13–009 Type 1 Diabetes TrialNet Clinical Network Hub (U01).

Date: April 8, 2014.

Time: 12:00 p.m. to 3:00 p.m.

Agenda: To review and evaluate cooperative agreement applications.

Place: Residence Inn Bethesda, 7335 Wisconsin Avenue, Bethesda, MD 20814.

Contact Person: Ann A Jerkins, Ph.D., Scientific Review Officer, Review Branch, DEA, NIDDK, National Institutes of Health, Room 759, 6707 Democracy Boulevard, Bethesda, MD 20892–5452, 301–594–2242, *jerkinsa@niddk.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.847, Diabetes, Endocrinology and Metabolic Research; 93.848, Digestive Diseases and Nutrition Research; 93.849, Kidney Diseases, Urology and Hematology Research, National Institutes of Health, HHS)

Dated: March 10, 2014.

David Clary,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–05540 Filed 3–13–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Office of the Director, National Institutes of Health; Notice of Meeting

Pursuant to section 10(a) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of a meeting of the Office of AIDS Research Advisory Council.

The meeting will be open to the public, with attendance limited to space available. Individuals who plan to attend and need special assistance, such as sign language interpretation or other reasonable accommodations, should notify the Contact Person listed below in advance of the meeting.

Name of Committee: Office of AIDS Research Advisory Council.

Date: April 10, 2014.

Time: 8:30 a.m. to 5:00 p.m.

Agenda: The next meeting of the Office of AIDS Research Advisory Council (OARAC) meeting will address NIH AIDS research priorities. An update will be provided on the latest changes made to the federal treatment and prevention guidelines by the OARAC Working Groups responsible for the guidelines.

Place: National Institutes of Health, 5635 Fishers Lane Conference Center, Terrace Level, Suite T–500, Rockville, MD 20852.

Contact Person: Joan Romaine, M.P.H., Supervisory Program Analyst, Office of AIDS Research, Office of the Director, NIH, 5635 Fishers Lane, MSC 9310, Suite 4000, Rockville, MD 20852, (301) 435–7693, *joan.romaine@nih.gov.*

Any interested person may file written comments with the committee by forwarding the statement to the Contact Person listed on this notice. The statement should include the name, address, telephone number and when applicable, the business or professional affiliation of the interested person.

Information is also available on the OAR's home page: *http://www.oar.nih.gov,* where an agenda and any additional information for the meeting will be posted when available.

(Catalogue of Federal Domestic Assistance Program Nos. 93.14, Intramural Research Training Award; 93.22, Clinical Research

Loan Repayment Program for Individuals from Disadvantaged Backgrounds; 93.232, Loan Repayment Program for Research Generally; 93.39, Academic Research Enhancement Award; 93.936, NIH Acquired Immunodeficiency Syndrome Research Loan Repayment Program; 93.187, Undergraduate Scholarship Program for Individuals from Disadvantaged Backgrounds, National Institutes of Health, HHS).

Dated: March 11, 2014.

Melanie J. Gray,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–05668 Filed 3–13–14; 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 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: Center for Scientific Review Special Emphasis Panel; SBIR/STTR HDM Informatics.

Date: March 20, 2014.

Time: 10:00 a.m. to 6:00 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*.

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-y93.878, 93.892, 93.893, National Institutes of Health, HHS).

Dated: March 11, 2014.

Melanie J. Gray,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–05671 Filed 3–13–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Alcohol Abuse and Alcoholism; Notice of Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of a meeting of the National Advisory Council on Alcohol Abuse and Alcoholism.

The meeting will be open to the public as indicated below, with attendance limited to space available. Individuals who plan to attend and need special assistance, such as sign language interpretation or other reasonable accommodations, should notify the Contact Person listed below in advance of the 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 Advisory Council on Alcohol Abuse and Alcoholism.

Date: June 4–5, 2014.

Closed: June 4, 2014.

Time: 5:00 p.m. to 7:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 5635 Fishers Lane, Terrace Level Conference Rooms, Rockville, MD 20852.

Open: June 5, 2014, 8:30 a.m. to 2:00 p.m.

Agenda: Presentations and other business of the council.

Place: National Institutes of Health, 5635 Fishers Lane, Terrace Level Conference Rooms, Rockville, MD 20852.

Contact Person: Abraham P. Bautista, Ph.D., Executive Secretary, National Institute on Alcohol Abuse & Alcoholism National Institutes of Health, 5635 Fishers Lane, RM 2085, Rockville, MD 20852, 301–443–9737, *bautista@mail.nih.gov.*

Information is also available on the Institute's/Center's home page: *http://www.niaaa.nih.gov/AboutNIAAA/AdvisoryCouncil/Pages/default.aspx,* where an agenda and any additional information for the meeting will be posted when available.

(Catalogue of Federal Domestic Assistance Program No. 93.273, Alcohol Research Programs; National Institutes of Health, HHS).

Dated: March 11, 2014.

Carolyn A. Baum,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–05673 Filed 3–13–14; 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; Human Disorder Epidemiology.

Date: April 1, 2014.

Time: 1:00 p.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20817.

Contact Person: Jingsheng Tuo, Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3142, Bethesda, MD 20892, 301–435–4577, *tuoj@nei.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Program Project: Protease Inhibitor Resistance.

Date: April 2, 2014.

Time: 1:30 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: Eduardo A Montalvo, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5108, MSC 7852, Bethesda, MD 20892, (301) 435–1168, *montalve@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Program Projects: Conus-toxin Program Project.

Date: April 3–4, 2014.

Time: 8:00 a.m. to 8:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Virtual Meeting).

Contact Person: Peter B Guthrie, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4142, MSC 7850, Bethesda, MD 20892, (301) 435–1239, *guthriep@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Brain Disorders: Traumatic Brain Injuries, Hydrocephalus, Alzheimer's Disease.

Date: April 3, 2014.

Time: 10:00 a.m. to 12:30 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: Samuel C Edwards, Ph.D., IRG CHIEF, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5210, MSC 7846, Bethesda, MD 20892, (301) 435–1246, *edwardss@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; RFA–TW–13–001: Limited Competition: International Cooperative Biodiversity Groups (U19).

Date: April 7, 2014.

Time: 12:00 p.m. to 1:00 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: John L Bowers, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4170, MSC 7806, Bethesda, MD 20892, (301) 435–1725, *bowersj@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: AIDS and AIDS Related Research.

Date: April 9–10, 2014.

Time: 10:00 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, (Virtual Meeting).

Contact Person: Kenneth A Roebuck, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5106, MSC 7852, Bethesda, MD 20892, (301) 435–1166, *roebuckk@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: March 11, 2014.

Melanie J. Gray,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–05672 Filed 3–13–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Deafness and Other Communication Disorders; Notice of Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of a meeting of the National Deafness and Other Communication Disorders Advisory Council.

The meeting will be open to the public as indicated below, with attendance limited to space available. Individuals who plan to attend and need special assistance, such as sign language interpretation or other reasonable accommodations, should notify the Contact Person listed below in advance of the 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 Deafness and Other Communication Disorders Advisory Council.

Date: May 9, 2014.

Closed: Closed: 8:30 a.m. to 10:00 a.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Building 31, Conference Room 10, 31 Center Drive, Bethesda, MD 20892.

Open: 10:00 a.m. to 2:00 p.m.

Agenda: Staff reports on divisional, programmatic, and special activities.

Place: National Institutes of Health, Building 31, Conference Room 10, 31 Center Drive, Bethesda, MD 20892.

Contact Person: Craig A. Jordan, Ph.D., Director, Division of Extramural Activities, NIDCD, NIH, Room 8345, MSC 9670, 6001 Executive Blvd., Bethesda, MD 20892–9670, 301–496–8693, *jordanc@nidcd.nih.gov.*

Any interested person may file written comments with the committee by forwarding the statement to the Contact Person listed on this notice. The statement should include the name, address, telephone number and when applicable, the business or professional affiliation of the interested person.

In the interest of security, NIH has instituted stringent procedures for entrance onto the NIH campus. All visitor vehicles, including taxicabs, hotel, and airport shuttles will be inspected before being allowed on campus. Visitors will be asked to show one form of identification (for example, a government-issued photo ID, driver's license, or passport) and to state the purpose of their visit.

Information is also available on the Institute's/Center's home page: *www.nidcd.nih.gov/about/groups/ndcdac/ndcdac.htm,* where an agenda and any additional information for the meeting will be posted when available.

(Catalogue of Federal Domestic Assistance Program Nos. 93.173, Biological Research Related to Deafness and Communicative Disorders, National Institutes of Health, HHS).

Dated: March 11, 2014.

Melanie J. Gray,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–05670 Filed 3–13–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Diabetes and Digestive and Kidney Diseases; 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 Diabetes and Digestive and Kidney Diseases Special Emphasis Panel, RFA–DK–13–010 Type 1 Diabetes TrialNet Clinical Centers (U01).

Date: April 7–8, 2014.

Time: 8:00 a.m. to 12:00 p.m.

Agenda: To review and evaluate cooperative agreement applications.

Place: Residence Inn Bethesda, 7335 Wisconsin Avenue, Bethesda, MD 20814.

Contact Person: Ann A. Jerkins, Ph.D., Scientific Review Officer, Review Branch, DEA, NIDDK, National Institutes of Health, Room 759, 6707 Democracy Boulevard, Bethesda, MD 20892–5452, 301–594–2242, *jerkinsa@niddk.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.847, Diabetes, Endocrinology and Metabolic Research; 93.848, Digestive Diseases and Nutrition Research; 93.849, Kidney Diseases, Urology

and Hematology Research, National Institutes of Health, HHS)

Dated: March 10, 2014.

David Clary,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–05541 Filed 3–13–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Mental Health; 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: National Institute of Mental Health Special Emphasis Panel; Novel NeuroAIDS Therapeutics IPCP (P01).

Date: April 8, 2014.

Time: 12:00 p.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852 (Telephone Conference Call).

Contact Person: David W. Miller, Ph.D., Scientific Review Officer Division of Extramural Activities, National Institute of Mental Health, NIH Neuroscience Center, 6001 Executive BLVD, Room 6140, MSC 9608, Bethesda, MD 20892–9608, 301–443–9734, *millerda@mail.nih.gov*.

Name of Committee: National Institute of Mental Health Special Emphasis Panel; Mentored Career Development Award to Build Research Capacity in Global Mental Health.

Date: April 9, 2014.

Time: 1:00 p.m. to 3:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852 (Telephone Conference Call).

Contact Person: Aileen Schulte, Ph.D., Scientific Review Officer Division of Extramural Activities, National Institute of Mental Health, NIH Neuroscience Center, 6001 Executive Blvd., Room 6140, MSC 9608, Bethesda, MD 20892–9608, 301–443–1225, *aschulte@mail.nih.gov*.

(Catalogue of Federal Domestic Assistance Program No. 93.242, Mental Health Research Grants, National Institutes of Health, HHS).

Dated: March 11, 2014.

Carolyn A. Baum,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–05676 Filed 3–13–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG–2014–0098]

Chemical Transportation Advisory Committee

AGENCY: Coast Guard, DHS.

ACTION: Notice of Federal Advisory Committee meeting.

SUMMARY: The Chemical Transportation Advisory Committee (CTAC) and its Subcommittees will meet on April 8, 9, and 10, 2014, in Houston, TX, to discuss the safe and secure marine transportation of hazardous materials. The meetings will be open to the public.

DATES: CTAC Subcommittees will meet on Tuesday, April 8, 2014, from 8:30 a.m. to 5 p.m. and on Wednesday, April 9, 2014, from 8:30 a.m. to 5 p.m. The full CTAC committee will meet on Thursday, April 10, 2014, from 8:30 a.m. to 5 p.m. Please note that the meetings may close early if the committee has completed its business.

All submitted written materials, comments, and requests to make oral presentations at the meeting should reach Mr. Patrick Keffler, Alternate Designated Federal Officer (ADFO) for CTAC no later than April 3, 2014. For contact information please see the ''**FOR FURTHER INFORMATION CONTACT**'' section below. Any written material submitted by the public will be distributed to the Committee and become part of the public record.

ADDRESSES: The meetings will be held at the U.S. Coast Guard Sector Houston-Galveston, Rooms 2A00A–2A00E, 13411 Hillard St. Houston, TX, 77034. Attendees will be required to pre-register no later than 5:00 p.m. on April 3, 2014, to be admitted to the meeting. To pre-register contact Lieutenant Cristina Nelson (202–372–1419) or *Cristina.E.Nelson@uscg.mil* and provide your name, company and telephone number. Attendees will be required to provide a government-issued picture identification card in order to gain admittance to the building.

For information on facilities or services for individuals with disabilities or to request special assistance at the meeting, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT**, as soon as possible.

To facilitate public participation, we are inviting public comment on the issues to be considered by the committee as listed in the ''Agenda'' section below. Comments must be submitted in writing no later than April 3, 2014, and may be submitted by *one* of the following methods:

- Federal eRulemaking Portal: *http://www.regulations.gov.* Follow the instructions for submitting comments. (Preferred method to avoid delays in processing.)
- Fax: 202–493–2252.
- Mail: 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. We encourage use of electronic submissions because security screening may delay the delivery of mail.
- Hand delivery: Same as mail address above, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202–366–9329.

To avoid duplication, please use only one of these methods.

Instructions: All submissions received must include the words ''Department of Homeland Security'' and the docket number for this action. Comments received will be posted without alteration at *http://www.regulations.gov,* including any personal information provided. You may review a Privacy Act notice regarding our public dockets in the January 17, 2008, issue of the **Federal Register** (73 FR 3316).

Docket: For access to the docket to read documents or comments related to this notice, go to *http://www.regulations.gov,* insert USCG–2014–0098 in the Search box, press Enter, and then click on the item you wish to view.

FOR FURTHER INFORMATION CONTACT: Mr. Patrick Keffler, Alternate Designated Federal Officer (ADFO) of the CTAC, 2703 Martin Luther King Jr. Ave. SE., Stop 7509, Washington DC 20593–7509, telephone 202–372–1424, fax 202–372–8380. If you have any questions on viewing or submitting material to the docket, call Cheryl Collins, Program Manager, Docket Operations, telephone 202–366–9826.

SUPPLEMENTARY INFORMATION: Notice of this meeting is given under the *Federal Advisory Committee Act,* 5 U.S.C. Appendix (Pub. L. 92–463). CTAC is an advisory committee authorized under section 871 of the Homeland Security

Act of 2002, 6 U.S.C. 451, and chartered under the provisions of the FACA. The Committee acts solely in an advisory capacity to the Secretary of the Department of Homeland Security (DHS) through the Commandant of the Coast Guard and the Deputy Commandant for Operations on matters relating to the safe and secure marine transportation of hazardous materials activities insofar as they relate to matters within the United States Coast Guard's (USCG) jurisdiction. The Committee advises, consults with, and makes recommendations reflecting its independent judgment to the Secretary.

Agendas of Meetings

Subcommittee Meetings on April 8 and 9, 2014

Subcommittees will meet to address the items of interest listed in paragraph (3) of the agenda for the April 10 meeting and the tasks given at the last CTAC meeting. These include carriage requirements for biofuels and biofuel blends, safety standards for the design of vessels carrying natural gas or using natural gas as fuel, safety standards for portable facility vapor control systems, implementation of revisions to MARPOL Annex II and the IBC Code, requirements for third-party surveyors of MARPOL Annex II prewash, and implementation of MARPOL discharge requirements under MARPOL Annex II and V.

The detailed task statements from the last CTAC meeting are located at Homeport at the following address: *https://homeport.uscg.mil.* Go to: Missions > Ports and Waterways > Safety Advisory Committees > CTAC Subcommittees.

The agenda for each Subcommittee will include the following:

1. Review and work on tasks assigned in the detailed task statements mentioned above.
2. Public comment period.
3. Discuss and prepare proposed recommendations for CTAC meeting on April 10 on tasks assigned in detailed task statements mentioned above.

Committee Meeting on April 10

The agenda for the CTAC meeting on April 10, 2014, is as follows:

1. Introductions and opening remarks.
2. Public comment period.
3. Subcommittees will present recommendations on the following items of interest:
   a. Harmonization of Response and Carriage Requirements for Biofuels and Biofuel Blends
   b. Safety Standards for the Design of Vessels Carrying Natural Gas or Using Natural Gas as Fuel
   c. Safety Standards of Portable Facility Vapor Control Systems Used for Marine Operations
   d. Implementation of Revisions to MARPOL Annex II and the IBC Code to 46 CFR part 153
   e. Requirements for Third-Party Surveyors of MARPOL Annex II Prewash
   f. Improving Implementation and Education of MARPOL Discharge Requirements under MARPOL Annex II and V
4. USCG presentations on the following items of interest:
   a. Update on International Maritime Organization as it relates to the marine transportation of hazardous materials
   b. Update on U.S. regulations as it relates to the marine transportation of hazardous materials
   c. Update on Bulk Chemical Data Guide (Blue Book)
   d. Vessel to vessel transfer of hazardous materials in bulk
5. Presentation of Announcements.
6. Set next meeting date and location.
7. Set Subcommittee Meeting schedule.

A public comment period will be held during each Subcommittee and the full committee meeting concerning matters being discussed. Public comments will be limited to 3 minutes per speaker. Please note that the public comment period may end before the time indicated following the last call for comments. Please contact Mr. Patrick Keffler, listed in the **FOR FURTHER INFORMATION CONTACT** section, to register as a speaker.

Dated: March 6, 2014.

J.G. Lantz,

Director of Commercial Regulations and Standards.

[FR Doc. 2014–05608 Filed 3–13–14; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–5750–N–11]

Federal Property Suitable as Facilities To Assist the Homeless

AGENCY: Office of the Assistant Secretary for Community Planning and Development, HUD.

ACTION: Notice.

SUMMARY: This Notice identifies unutilized, underutilized, excess, and surplus Federal property reviewed by HUD for suitability for possible use to assist the homeless.

FOR FURTHER INFORMATION CONTACT: Juanita Perry, Department of Housing and Urban Development, 451 Seventh Street SW., Room 7262, Washington, DC 20410; telephone (202) 402–3970; TTY number for the hearing- and speech-impaired (202) 708–2565, (these telephone numbers are not toll-free), or call the toll-free Title V information line at 800–927–7588.

SUPPLEMENTARY INFORMATION: In accordance with the December 12, 1988 court order in *National Coalition for the Homeless* v. *Veterans Administration,* No. 88–2503–OG (D.D.C.), HUD publishes a Notice, on a weekly basis, identifying unutilized, underutilized, excess and surplus Federal buildings and real property that HUD has reviewed for suitability for use to assist the homeless. Today's Notice is for the purpose of announcing that no additional properties have been determined suitable or unsuitable this week.

Dated: March 6, 2014.

Mark R. Johnston,

Deputy Assistant Secretary for Special Needs.

[FR Doc. 2014–05282 Filed 3–13–14; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF THE INTERIOR

Office of the Secretary

[144D0102DR DL1000000.000000 DS62400000 DR.62403.14NPS200]

Proposed New Information Collection: OMB Control Number 1084–XXXX; Documenting, Managing and Preserving Department of the Interior Museum Collections Housed in Non-Federal Repositories

AGENCY: Office of the Secretary, Office of Acquisition and Property Management.

ACTION: Notice and request for comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, the Office of Acquisition and Property Management, Office of the Secretary, Department of the Interior announces a proposed programmatic public information collection and seeks public comments on the provisions thereof.

DATES: Consideration will be given to all comments received by May 13, 2014.

ADDRESSES: Send your written comments to Steven Floray, Office of Acquisition and Property Management, U.S. Department of the Interior, 1849 C Street NW., MS 4262–MIB, Washington, DC 20240, fax 202–513–7634, or by electronic mail to *Steven_Floray@ios.doi.gov.* Please mention that your comments concern the Documenting,

Managing and Preserving Department of the Interior Museum Collections Housed in Non-Federal Repositories, OMB Control Number 1084–XXXX. All responses to this notice will be summarized and included in the request for the Office of Management and Budget (OMB) approval. All comments will become a matter of public record.

FOR FURTHER INFORMATION CONTACT: To request a copy of the information collection request, any explanatory information and related forms, see the contact information provided in the **ADDRESSES** section above.

SUPPLEMENTARY INFORMATION:

I. Abstract

This notice is for a new information collection.

The Office of Management and Budget (OMB) regulations at 5 CFR part 1320, which implement the Paperwork Reduction Act of 1995, 44 U.S.C. 3501 *et seq.,* require 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)).

The Department of the Interior (DOI) owns and manages over 185 million artifacts, scientific specimens, and documents in trust for the American public—a collection surpassed in size only by that of the Smithsonian Institution. This diverse collection consists of archaeological materials, archives, art, biological specimens, ethnographic artifacts, geological specimens, historic artifacts, and paleontological specimens that are held by ten of DOI's bureaus and offices. The majority of DOI's collections are housed in bureau facilities; however, over ten percent (more than 19 million objects and 11,000 cubic feet of objects) are housed by at least 858 non-Federal repositories, the majority of which are museums associated with, or departments of, U.S. colleges and universities. Most are scientific collections from the disciplines of archaeology, biology, geology, and paleontology and include associated archival records.

DOI museum collections, regardless of where they are housed, must be managed according to preservation, documentation, educational, and other requirements in the public interest. These requirements are mandated by a number of Federal laws, regulations, and policies, notably: Act for the Preservation of American Antiquities of 1906 (Antiquities Act) (16 U.S.C. 431–433); Historic Sites Act of 1935 (16 U.S.C. 461–467); Management of Museum Properties Act of 1955, as amended (16 U.S.C. 18f); National Historic Preservation Act of 1966, as amended (16 U.S.C. 470 *et seq.*); Archeological and Historic Preservation Act of 1974, as amended (16 U.S.C. 469–469l-2); Archaeological Resources Protection Act of 1979, as amended (16 U.S.C. 470aa–mm); Native American Graves Protection and Repatriation Act of 1990 (25 U.S.C. 3001–3013 and 18 U.S.C. 1170); Omnibus Public Land Management Act of 2009, Title VI, Subtitle D: Paleontological Resources Preservation Act (PRPA); Curation of Federally-Owned and Administered Archaeological Collections (36 CFR Part 79); and the Department of the Interior Departmental Manual, Part 411: Identifying and Managing Museum Property (411 DM).

411 DM, which implements the Federal laws and regulations noted above, requires the following information be collected, used, and retained by all bureaus that hold ownership of museum collections: Facility Checklist for Spaces Housing DOI Museum Property; museum catalog records; accession records; and inventories of museum collections. These requirements apply to all DOI museum collections regardless of each collection's location (DOI facility or non-DOI facility) or the personnel that accomplished the work (DOI staff, contractors, partners, cooperators, agencies, institutions, or similar organizations associated with the Department).

This notice of a proposed information collection is being published by the Office of Acquisition and Property Management, Department of the Interior, on behalf of all DOI bureaus and offices that manage museum collections.

II. Data

(1) *Title:* Documenting, Managing and Preserving Department of the Interior Museum Collections Housed in Non-Federal Repositories.

OMB Control Number: 1084–XXXX.

Current Expiration Date: Not Applicable.

Type of Review: Information Collection.

Affected Entities: Museums; academic, cultural, and research institutions; and, state or local agencies and institutions.

Estimated annual number of respondents: 400.

Frequency of responses: Maximum of once per year and likely less.

(2) *Annual reporting and recordkeeping burden:*

Total annual reporting per response: 11 hours.

Total number of estimated responses: 400.

Total annual reporting: 4400 hours.

(3) Description of the need and use of the information: The purpose of this information collection is to ensure compliance with all Federal laws, regulations and Departmental policy pertaining to the documentation, management, and preservation of DOI museum collections housed in non-Federal repositories, and to meet the DOI's associated stewardship responsibilities to the American public. This information consists of five primary components:

(a) Facility Checklist for Spaces Housing DOI Museum Property. The Facility Checklist for Spaces Housing DOI Museum Property (Checklist) is used to assess and evaluate exhibit, storage, and administrative office spaces that house DOI museum collections to ensure compliance with the requirements of DOI policy.

(b) Museum catalog records of DOI museum objects, including certain DOI required data: Accession number; catalog number; discipline and classification; object or scientific name; unit acronym and/or identifier; controlled property status; item count or quantity; current location; description; condition; date cataloged; cataloger; and, other required discipline-specific information related to scientific collections and archives, such as provenience, collector, collection site, date and number, and archival scope, content, organization or arrangement.

(c) Museum accession records of DOI museum objects and collections, including certain DOI required data: Accession number; source and contact information; date received; date accessioned; accession type; description; project name; item total by discipline; catalog status; and, any catalog numbers in the accession.

(d) Inventories of DOI museum collections, including certain DOI required data: Object found; item count; location; condition; date of inventory; and inventory method.

(e) Input on U.S. Department of the Interior Collections Housed at Non-Federal Facilities, which includes: The estimated number of DOI collections at the facility, if applicable; accession numbers of DOI collections; number of catalog records for DOI collections; type of museum catalog database used, if applicable; existence of DOI NAGPRA collections; inventory status; and research use. The information will be used by DOI to determine if DOI collections are located at the

respondents' facilities, the nature of the collections, quantities, issues of complexity, and any other related factors.

III. Request for Comments

The Department invites comments on:

(1) Whether the collection of information is necessary for the proper performance of the functions of the agencies, including whether the information will have practical utility;

(2) The accuracy of the agencies' estimate of the burden of the collection of information and the validity of the methodology and assumptions used;

(3) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(4) Ways to minimize the burden of the collection of information on respondents, including through the use of appropriate automated, electronic, mechanical, or other collection techniques or other forms of information technology.

''Burden'' means the total time, effort, and financial resources expended by persons to generate, maintain, retain, disclose, or provide information to or for a Federal agency. This includes the time needed to review instructions; to develop, acquire, install, and use technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; to train personnel and to be able to respond to a collection of information, to search data sources, and to complete and review the collection of information; and to transmit or otherwise disclose the information.

All written comments, with names and addresses, will be available for public inspection. If you wish us to withhold your personal information, you must prominently state at the beginning of your comment what personal information you want us to withhold. We will honor your request to the extent allowable by law. If you wish to view any comments received, you may do so by visiting the Interior Museum Program's Web site at: *http://www.doi.gov/museum*.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid Office of Management and Budget control number.

Dated: March 6, 2014.

Debra Sonderman,

Director, Office of Acquisition and Property Management.

[FR Doc. 2014–05748 Filed 3–13–14; 8:45 am]

BILLING CODE 4310–RK–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS–HQ–IA–2014–N044; FXIA16720900020–145–FF09A2000]

Proposed Information Collection; International Conservation Grant Programs

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice; request for comments.

SUMMARY: We (U.S. Fish and Wildlife Service) will ask the Office of Management and Budget (OMB) to approve the information collection (IC) described below. As required by the Paperwork Reduction Act of 1995 and as part of our continuing efforts to reduce paperwork and respondent burden, we invite the general public and other Federal agencies to take this opportunity to comment on this IC. This IC is scheduled to expire on September 30, 2014. We may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

DATES: To ensure that we are able to consider your comments on this IC, we must receive them by May 13, 2014.

ADDRESSES: Send your comments on the IC to the Service Information Collection Clearance Officer, U.S. Fish and Wildlife Service, MS 2042–PDM, 4401 North Fairfax Drive, Arlington, VA 22203 (mail); or *hope_grey@fws.gov* (email). Please include ''1018–0123'' in the subject line of your comments.

FOR FURTHER INFORMATION CONTACT: To request additional information about this IC, contact Hope Grey at *hope_grey@fws.gov* (email) or 703–358–2482 (telephone).

SUPPLEMENTARY INFORMATION:

I. Abstract

Some of the world's most treasured and exotic animals are dangerously close to extinction. Destruction of natural habitat, illegal poaching, and pet-trade smuggling are devastating populations of tigers, rhinos, marine turtles, great apes, elephants, and many other highly cherished species. The Division of International Conservation administers competitive grant programs funded under the:

- African Elephant Conservation Act (16 U.S.C. 4201–4245).
- Asian Elephant Conservation Act of 1997 (16 U.S.C. 4261).
- Great Apes Conservation Act of 2000 (Pub. L. 106–411).
- Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5306).
- Marine Turtle Conservation Act (Pub. L. 108–266).
- Endangered Species Act (16 U.S.C. 1531 *et seq.*) (Wildlife Without Borders Programs–Africa, Mexico, Latin America and the Caribbean, Russia, Critically Endangered Species, and Amphibians in Decline).

Applicants submit proposals for funding in response to Notices of Funding Availability that we publish on Grants.gov. We collect the following information:

- Cover page with basic project details (FWS Form 3–2338).
- Project summary and narrative.
- Letter of appropriate government endorsement.
- Brief curricula vitae for key project personnel.
- Complete Standard Forms 424 and 424b (nondomestic applicants do not submit the standard forms).

Proposals may also include, as appropriate, a copy of the organization's Negotiated Indirect Cost Rate Agreement (NICRA) and any additional documentation supporting the proposed project.

The project summary and narrative are the basis for this information collection. A panel of technical experts reviews each proposal to assess how well the project addresses the priorities identified by each program's authorizing legislation and the associated project costs. As all of the on-the-ground projects are conducted outside the United States, the letter of appropriate government endorsement ensures that the proposed activities will be supportive of locally identified priorities and needs. Brief curricula vitae for key project personnel allow the review panel to assess the qualifications of project staff to effectively carry out the project goals and objectives. As all Federal entities must honor the indirect cost rates an organization has negotiated with its cognizant agency, we require all organizations with a NICRA to submit the agreement paperwork with their proposals to verify how their rate is applied in their proposed budget.

All assistance awards under these grant programs have a maximum reporting requirement of:

- Interim reports (performance report and a financial status report) as appropriate, and a
- Final report (performance and financial status report and copies of all

deliverables, photographic documentation of the project and products resulting from the project) due within 90 days of the end of the performance period.

II. Data

OMB Control Number: 1018–0123.

Title: International Conservation Grant Programs.

Service Form Number: 3–2338.

Type of Request: Extension of a currently approved collection.

Description of Respondents: Domestic and nondomestic individuals; nonprofit organizations; educational institutions; private sector entities; and State, local and tribal governments.

Respondent's Obligation: Required to obtain or retain a benefit.

Frequency of Collection: On occasion.

Activity	Number of respondents	Number of responses	Completion time per response	Total annual burden hours
Applications	502	502	12 hours	6,024
Reports	164	315	30 hours	9,450
Totals	666	817		15,474

Estimated Annual Nonhour Burden Cost: None.

III. Comments

We invite comments concerning this information collection on:

- Whether or not the collection of information is necessary, including whether or not the information will have practical utility;
- The accuracy of our estimate of the burden for this collection of information;
- Ways to enhance the quality, utility, and clarity of the information to be collected; and
- Ways to minimize the burden of the collection of information on respondents.

Comments that you submit in response to this notice are a matter of public record. We will include or summarize each comment in our request to OMB to approve this IC. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment, including your personal identifying information, may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Dated: March 10, 2014.

Tina A. Campbell,

Chief, Division of Policy and Directives Management, U.S. Fish and Wildlife Service.

[FR Doc. 2014–05569 Filed 3–13–14; 8:45 am]

BILLING CODE 4310–55–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS–HQ–IA–2014–N047; FXIA16710900000–145–FF09A30000]

Endangered Species; Receipt of Applications for Permit

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of receipt of applications for permit.

SUMMARY: We, the U.S. Fish and Wildlife Service, invite the public to comment on the following applications to conduct certain activities with endangered species. With some exceptions, the Endangered Species Act (ESA) prohibits activities with listed species unless Federal authorization is acquired that allows such activities.

DATES: We must receive comments or requests for documents on or before April 14, 2014.

ADDRESSES: Brenda Tapia, Division of Management Authority, U.S. Fish and Wildlife Service, 4401 North Fairfax Drive, Room 212, Arlington, VA 22203; fax (703) 358–2280; or email *DMAFR@fws.gov.*

FOR FURTHER INFORMATION CONTACT: Brenda Tapia, (703) 358–2104 (telephone); (703) 358–2280 (fax); *DMAFR@fws.gov* (email).

SUPPLEMENTARY INFORMATION:

I. Public Comment Procedures

A. How do I request copies of applications or comment on submitted applications?

Send your request for copies of applications or comments and materials concerning any of the applications to the contact listed under **ADDRESSES**. Please include the **Federal Register** notice publication date, the PRT-number, and the name of the applicant in your request or submission. We will not consider requests or comments sent to an email or address not listed under **ADDRESSES**. If you provide an email address in your request for copies of applications, we will attempt to respond to your request electronically.

Please make your requests or comments as specific as possible. Please confine your comments to issues for which we seek comments in this notice, and explain the basis for your comments. Include sufficient information with your comments to allow us to authenticate any scientific or commercial data you include.

The comments and recommendations that will be most useful and likely to influence agency decisions are: (1) Those supported by quantitative information or studies; and (2) Those that include citations to, and analyses of, the applicable laws and regulations. We will not consider or include in our administrative record comments we receive after the close of the comment period (see **DATES**) or comments delivered to an address other than those listed above (see **ADDRESSES**).

B. May I review comments submitted by others?

Comments, including names and street addresses of respondents, will be available for public review at the street address listed under **ADDRESSES**. The public may review documents and other information applicants have sent in support of the application unless our allowing viewing would violate the Privacy Act or Freedom of Information Act. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying

information from public review, we cannot guarantee that we will be able to do so.

II. Background

To help us carry out our conservation responsibilities for affected species, and in consideration of section 10(a)(1)(A) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*), along with Executive Order 13576, ''Delivering an Efficient, Effective, and Accountable Government,'' and the President's Memorandum for the Heads of Executive Departments and Agencies of January 21, 2009—Transparency and Open Government (74 FR 4685; January 26, 2009), which call on all Federal agencies to promote openness and transparency in Government by disclosing information to the public, we invite public comment on these permit applications before final action is taken.

III. Permit Applications

A. Endangered Species

Applicant: Wildlife World Zoo, Litchfield Park, AZ; PRT–20003B

The applicant requests a permit to import two male and one female captive-bred cheetah (*Acinonyx jubatus*) from the DeWildt Cheetah Breeding Center, DeWildt, South Africa, for the purpose of enhancement of the species through conservation education and captive propagation.

Applicant: Zoological Society of San Diego, Escondido, CA; PRT–17469B

The applicant requests a permit to export two female captive-born California condors (*Gymnogyps californianus*) to the Chapultepec Zoo, Mexico, for the purpose of enhancement of the species through captive propagation and conservation education.

Applicant: Los Angeles Zoo, Los Angeles, CA; PRT–22125B

The applicant requests a permit to export five male captive-bred woylie (*Bettongia penicillata*) to the Budapest Zoo and Botanical Garden, Budapest, Hungary, for the purpose of enhancement of the species through conservation education and captive propagation.

Multiple Applicants

The following applicants each request a permit to import a sport-hunted trophy of one male straight-horned markhor (*Capra falconeri jerdoni*) taken from the wild in the Torghar region of Pakistan, for the purpose of enhancement for the survival of the species.

Applicant: Steven Hornady, Grand Island, NE; PRT–28675B

Applicant: Jerry Brenner, West Olive, MI; PRT–28677B

Applicant: Alan Sackman, Sands Point, NY; PRT–28678B

Applicant: Barbara Sackman, Sands Point, NY; PRT–28679B

Applicant: Trevor Ahlberg, Irving, TX; PRT–28680B

Applicant: Daniel Smith, San Jose, CA; PRT–28682B

Applicant: Renee Snider, Elk Grove, CA; PRT–28684B

Applicant: Craig Boddington, Paso Robles, CA; PRT–28687B

Applicant: Joseph Smith, Fife, WA; PRT–28691B

Brenda Tapia,

Program Analyst/Data Administrator, Branch of Permits, Division of Management Authority.

[FR Doc. 2014–05604 Filed 3–13–14; 8:45 am]

BILLING CODE 4310–55–P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[DR.5B711.IA000814]

Land Acquisitions; Kaw Nation of Oklahoma

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of Final Agency Determination.

SUMMARY: The Assistant Secretary—Indian Affairs made a final agency determination to acquire 21.54 acres more or less of land in trust for the Kaw Nation of Oklahoma for gaming and other purposes on March 10, 2014.

FOR FURTHER INFORMATION CONTACT: Paula L. Hart, Director, Office of Indian Gaming, Bureau of Indian Affairs, MS–3657 MIB, 1849 C Street NW., Washington, DC 20240; Telephone (202) 219–4066.

SUPPLEMENTARY INFORMATION: This notice is published in the exercise of authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs by 209 Departmental Manual 8.1, and is published to comply with the requirements of 25 CFR 151.12(c)(2)(ii) that notice of the decision to acquire land in trust be promptly provided in the **Federal Register**. On March 10, 2014, the Assistant Secretary—Indian Affairs issued a decision to accept 21.54 acres more or less of land into trust for the Kaw Nation of Oklahoma under the authority of the Indian Reorganization Act of 1934, 25 U.S.C. 465, described as: A tract of land located in the Northeast Quarter and Northwest Quarter of Section 6, Township 28 North, Range 1 West of the Indian Meridian, Kay County, State of Oklahoma more particularly described as follows:

Beginning at the Southeast corner of said Northwest Quarter of Section 6; thence West (on an assumed bearing) along the South line of said Northwest Quarter a distance of 430.4 feet to a point on the East right-of-way line of U.S. Interstate 35 (I–35); thence North 8°54′ East along the East right-of-way line of I–35 a distance of 284.3 feet to a point; thence North 2°25′ West along said East right-of-way line of I–35 a distance of 102 feet; thence North 8°54′ East along said East right-of-way line of I–35 a distance of 745 feet; thence Northeasterly along a curve to the right, along the East right-of-way line of I–35, having a radius of 2185.8 feet (said curve subtended by a chord which bears N19°14′E a distance of 835.82 feet) and an arc length of 841 feet to a point on the East line of said Northwest Quarter; thence continuing Northeasterly along a curve to the right, along the East right-of-way line of I–35, having a radius of 2185.8 feet (said curve subtended by a cord which bears N31°32′E a distance of 94.39 feet) and an arc length of 94.4 feet; thence North 33°26′ East along said East right-of-way line of I–35 a distance of 212.7 feet; thence North 63°26′ East along said East right-of-way line of I–35 a distance of 295.7 feet; thence Southeasterly on a curve to the right, along the South right-of-way line of U.S Highway 177, having radius of 1809.9 feet (said curve subtended by a chord which bears S63°50′E a distance of 461.65 feet) and an arc length of 462.91 feet; thence S68°06′E along the South right-of-way line of U.S. Highway 177 a distance of 114.49 feet; thence S09°15′W a distance of 381.45 feet; thence N82°37′W a distance of 897.68 feet to a point on the East line of said Northwest Quarter; thence S00°00′E along the East line of said Northwest Quarter a distance of 1790.80 feet to the Point of Beginning. Said tract containing 21.54 acres more or less. Subject to all Easements and Rights of Way of Record.

Dated: March 10, 2014.

Kevin K. Washburn,

Assistant Secretary—Indian Affairs.

[FR Doc. 2014–05682 Filed 3–13–14; 8:45 am]

BILLING CODE 4310–4N–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLNVE0000 L51100000.GN0000 LVEMF1200580; 14–08807; MO# 4500054727; TAS: 14X5017]

Notice of Availability of the Final Environmental Impact Statement for the Arturo Mine Project, Elko County, NV

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of availability.

SUMMARY: In accordance with the National Environmental Policy Act of 1969, as amended, and the Federal Land Policy and Management Act of 1976, as amended, the Bureau of Land Management (BLM) has prepared a Final Environmental Impact Statement (EIS) for the Arturo Mine Project and by this notice is announcing its release for public review.

DATES: The BLM will not issue a final decision on the proposal for a minimum of 30 days of the date that the Environmental Protection Agency publishes their notice in the **Federal Register**.

ADDRESSES: Copies of the Final EIS for the Arturo Mine Project are available for public inspection at the BLM Elko District Office. Interested persons may also review the Final EIS on the Internet at *http://www.blm.gov/nv/st/en/fo/elko_field_office/blm_information/nepa/nepa_archives/NEPA_Front.html*.

FOR FURTHER INFORMATION CONTACT: John Daniel, Project Manager, telephone: 775–753–0277; address: 3900 Idaho Street, Elko, NV 89801; email: *BLM_NV_ELDOArturoEIS_Comments@blm.gov*.

Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 to contact the above individual during normal business hours. The FIRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: Barrick-Dee Mining Venture, Inc., proposes to develop the Arturo Mine Project by expansion of the existing open-pit Dee Gold Mine, which is currently in closure and reclamation, and create approximately 240 jobs. The Dee Gold Mine is 45 miles northwest of Elko in Elko County, Nevada. The proposed project would create approximately 2,774 acres of new surface disturbance on public lands administered by the BLM. While dewatering is not proposed for this project, pit lakes would form as a result of cessation of dewatering at the Goldstrike Mine, located approximately 8 miles to the southeast.

The project proposal would include the expansion of the existing open pit from one to three lobes, construction of two new waste-rock disposal storage facilities, a new heap leach facility, new support facilities to include an office, substation and associated power transmission lines, water wells, water distribution and sewer systems, landfill, mined material stockpile, communications site, stormwater control features, haul roads and an access road, and continued surface exploration.

Mill-grade ore would be transported to the Barrick Gold Mining, Inc.'s Goldstrike Mine using the Bootstrap Mine Haul Road and would be processed at the existing mill facilities located approximately 8 miles to the southeast of the proposed project. Low-grade ore would be processed on-site at the proposed heap leach pad and associated processing facilities. Mine operations and processing would continue for approximately 10 years, followed by an estimated 3 years of site closure and reclamation. Reclamation would occur concurrently with mining to the extent possible.

Cooperating agencies in the development of the EIS include the Nevada Department of Wildlife and the Elko County Board of Commissioners. The Nevada Department of Wildlife is concerned about the loss of habitat for mule-deer and Greater Sage-Grouse associated with mine disturbance. The Elko County Board of Commissioners has raised concerns about economic impacts to local communities, including impacts to livestock grazing.

The Draft EIS for the Arturo Mine Project was published and available for review on January 18, 2013. A 45-day comment period occurred. The BLM received a total of six written comment submissions containing 140 individual items during the public comment period. Key issues identified by tribal members, groups or organizations, and governmental entities include: Potential impacts to cultural resources, discharge to surface water, seeps and springs, post-closure groundwater contamination, air quality, and loss of wildlife habitat including Greater Sage-Grouse Preliminary Priority Habitat. These issues are addressed in the Final EIS and impacts associated with active production were found to be not significant.

The Final EIS is an abbreviated final, correcting errors in the draft and adding a small amount of new information due to some changes in equipment at the existing exploration facilities.

Comments on the Draft EIS received from the public and internal BLM review were considered and incorporated as appropriate into the Final EIS. Public comments resulted in the addition of clarifying text, but did not significantly change the analysis.

Following a 30-day Final EIS availability and review period, a Record of Decision (ROD) will be issued. The decision reached in the ROD is subject to appeal to the Interior Board of Land Appeals. The 30-day appeal period begins with the issuance of the ROD.

Authority: 40 CFR 1506.6, 40 CFR 1506.10.

Richard E. Adams,

Field Manager, Tuscarora Field Office.

[FR Doc. 2014–05483 Filed 3–13–14; 8:45 am]

BILLING CODE 4310–HC–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[NM–122352; L51010000 ER0000 LVRWG10G0760 LLNMF01000]

Notice of Availability of the Draft Environmental Impact Statement for the San Juan Basin Energy Connect 230kV Transmission Line Project in New Mexico and Colorado

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of availability.

SUMMARY: In accordance with the National Environmental Policy Act of 1969, as amended (NEPA), the Bureau of Land Management (BLM) has prepared a Draft Environmental Impact Statement (EIS) for the San Juan Basin Energy Connect Project (Project) and by this notice is announcing the opening of the comment period.

DATES: To ensure that comments will be considered, the BLM must receive written comments on the Project Draft EIS within 45 days following the date the Environmental Protection Agency publishes its Notice of Availability in the **Federal Register**. The BLM will announce future meetings or hearings and any other public involvement activities at least 15 days in advance through public notices, media releases, and/or mailings.

ADDRESSES: You may submit comments related to the Draft EIS for the Project by any of the following methods:

- Web site: *http://www.blm.gov/nm/sjbec.*
- Email: *blm_nm_ffo_comments@blm.gov.*

- Fax: 505–564–7608.
- Mail: Bureau of Land Management, Farmington Field Office, 6251 College Blvd., Suite A, Farmington, NM 87402

Copies of the Project EIS are available in the Farmington Field Office at the above address.

FOR FURTHER INFORMATION CONTACT: Marcy Romero, Project Manager, telephone 505–564–7727; address Farmington Field Office, 6251 College Blvd., Suite A, Farmington, NM 87402; email: *blm_nm_ffo_comments@blm.gov.* Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 to contact Ms. Romero during normal business hours. The FIRS is available 24 hours a day, 7 days a week, to leave a message or question for Ms. Romero. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: Tri-State Generation and Transmission Association (Tri-State) submitted a right-of-way (ROW) application to construct, operate, and maintain a 230 kilovolt (kV) transmission line from the Farmington, New Mexico area to Ignacio, Colorado. The proposed transmission project would be located on BLM-managed public lands, Southern Ute Indian Tribe (Southern Ute) tribal lands, New Mexico State lands, and private lands. Tri-State seeks approval from the Bureau of Indian Affairs (BIA), relating to the portion of the project that would cross Southern Ute tribal lands, and the New Mexico State Land Office. Tri-State is also requesting approval from La Plata County for the operation and construction of the transmission line on private properties located in La Plata County. Tri-State is requesting financial assistance for the Project from the U.S. Department of Agriculture's Rural Utilities Service (RUS). Tri-State is also requesting approval from the Western Area Power Administration (Western) to interconnect its proposed 230 kV transmission line to Western's Shiprock Substation and also to locate the new Three Rivers Substation on Western's reserved area within BLM lands.

Before making a decision, Federal agencies, including the BLM, BIA, RUS, and Western, must comply with the requirements of NEPA, Section 106 of the National Historic Preservation Act (NHPA), and Section 7 of the Endangered Species Act (ESA). The BLM is the lead Federal agency for NEPA, NHPA, and ESA review and compliance. The EIS preparation is a joint process among the BLM and the cooperating agencies. The cooperating agencies include the BIA, RUS, Western, Southern Ute, La Plata County, the New Mexico State Land Office, and the Navajo Nation. The purpose and need for BLM's action is to respond to TriState's ROW application for access to BLM-managed lands for the construction and operation of the transmission line, substations, and access roads.

The BLM published the Notice of Intent in the **Federal Register** on January 25, 2011 (76 FR 4371), and scoping continued to April 1, 2011. Three public scoping meetings and one agency scoping meeting were held on March 16 and 17, 2011, in Farmington and Aztec, New Mexico, and Ignacio, Colorado, to solicit comments on the scope of the EIS. The key issue topics resulting from scoping are: Lands and realty actions, processes, and effects; effects to visual resources, water and wetlands, air quality, cultural resources, the Old Spanish National Historic Trail, socioeconomics, and wildlife species and habitats; and public health and safety effects, and potential cumulative effects. Further details on scoping issues and comments received are in the scoping report available on the project Web site: *http://www.blm.gov/nm/sjbec*

This Draft EIS analyzes a No Action Alternative and two action alternatives: The Preferred Alternative and the Proposed Action. The action alternatives were developed from a comprehensive process that considered a wide range of electrical system and transmission route alternatives. Both action alternatives are about 65 miles long. The action alternatives would originate from Western's Shiprock Substation and would interconnect to a new substation, the Three Rivers Substation. From the new Three Rivers Substation, the transmission lines would extend to a new 230 kV substation, the Kiffen Canyon Substation, located just north of the City of Farmington's existing Glade Tap Substation. The action alternatives would continue northeast and would terminate at the existing Iron Horse Substation near Ignacio, Colorado. The action alternatives also include constructing access roads by building new unpaved roads, improving existing access roads, and using existing roads in their current state. The action alternatives differ in their proposed alignment for the transmission line and the supporting access network.

For this Draft EIS, the No Action Alternative indicates that the BLM would not grant Tri-State a ROW for the construction and operation of the proposed Project. The Project facilities, including transmission lines and substations, would not be built and existing land uses, and present activities in the Project study area would continue. The No Action Alternative does not consider the potential for additional actions that could occur if the action alternatives were denied.

The BLM will use and coordinate the NEPA commenting process to satisfy the public involvement process for Section 106 of the NHPA (16 U.S.C. 470f) as provided for in 36 CFR 800.2(d)(3). Ongoing tribal consultations will continue to be conducted in accordance with policy and tribal concerns, including impacts on Indian trust assets. Federal, State, and local agencies, along with other stakeholders that may be interested or affected by the BLM's decision on this Project, are invited to participate. Please note that public comments and information submitted including names, street addresses, and email addresses of persons who submit comments will be available for public review and disclosure at the above address during regular business hours (8 a.m. to 4 p.m.), Monday through Friday, except holidays.

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may publicly be made available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Authority: 40 CFR 1506.6, 40 CFR 1506.10.

Michael H. Tupper,

Acting State Director.

[FR Doc. 2014–05479 Filed 3–13–14; 8:45 am]

BILLING CODE 4310–FB–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–PWR–PWRO–14562; PX.P0131800B.00.1]

Final Environmental Impact Statement for Tuolumne Wild and Scenic River Comprehensive Management Plan, Yosemite National Park, Madera, Mariposa, Mono, and Tuolumne Counties, California

AGENCY: National Park Service, Interior.

ACTION: Notice of availability.

SUMMARY: Pursuant to the National Environmental Policy Act of 1969, 42 U.S.C. 4332(2)(C), and the National

Historic Preservation Act (NHPA) of 1966 (16 U.S.C. 470 et seq.), the National Park Service (NPS) has prepared a *Tuolumne Wild and Scenic River Final Comprehensive Management Plan and Environmental Impact Statement* (Final Tuolumne River Plan/EIS). The Final Tuolumne River Plan/EIS fulfills the requirements of the Wild and Scenic Rivers Act (Pub. L. 90–542, as amended) (WSRA) and will provide a long-term management program for the 54 miles of the Tuolumne River that flow through Yosemite National Park.

The purpose of the Final Tuolumne River Plan/EIS is to protect the river's free-flowing character and the values that make it worthy of designation by (1) reviewing and updating river corridor boundaries and segment classifications, (2) prescribing a process for the protection of the river's free-flowing condition, (3) identifying and documenting the condition of the river's outstandingly remarkable values, (4) identifying management actions needed to protect and enhance river values, (5) establishing management objectives for river values and a monitoring program for ensuring the objectives are met, and (6) defining visitor use and user capacity for the river corridor. The Final Tuolumne River Plan/EIS would update portions of the 1980 Yosemite General Management Plan (GMP) that address management within the Tuolumne Wild and Scenic River corridor. It also identifies the agency-preferred and environmentally preferred alternative.

DATES: The NPS will execute a Record of Decision not sooner than 30 days from the date of publication of the U.S. Environmental Protection Agency's notice of filing for the Final EIS in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Kathleen Morse, Chief of Planning, Yosemite National Park, P.O. Box 700–W, 5083 Foresta Road, El Portal, CA 95318, (209) 379–1110. Electronic versions of the complete document are available online at *www.nps.gov/yose/parkmgmt/trp.htm.* Request printed documents or CDs through email (*yose_planning@nps.gov*) (type ''Final TRP EIS'' in the subject line) or telephone (209) 379–1110.

Range of Alternatives: The Final EIS identifies and analyzes a No-Action alternative and four action alternatives for managing the Tuolumne Wild and Scenic River corridor. All alternatives would preserve and sustain wilderness character, including natural ecosystem function and opportunities for primitive, unconfined recreation, in the more than 90% of the river corridor that is congressionally designated Wilderness. The No-Action alternative would retain current conditions in the Tuolumne River corridor with no change in management, use, or development. A number of proposed actions are common to the action alternatives (Alternatives 1–4). For example, Alternatives 1–4 include WSRA elements such as boundaries, classifications, a WSRA § 7 determination process, and a user capacity management program. Per WSRA direction, Alternatives 1–4 would protect and enhance the values for which the Tuolumne River was designated, including its free-flowing condition, excellent water quality, and outstandingly remarkable values. Alternatives 1–4 vary primarily in how they balance the protection of river values with different kinds of visitor use and associated user capacities. Alternatives 1–4 would provide for traditional cultural practices by American Indian tribes. The EIS analyzes potential impacts of each alternative and describes mitigation measures.

The No-Action alternative serves as the baseline from which to compare the action alternatives. This alternative assumes that current trends in the conditions of natural and cultural resources and visitor experiences would continue, consistent with the management activities that are ongoing under current, approved plans. In the Tuolumne Meadows area, opportunities for day and overnight use would continue to include a range of recreational activities supported by modest commercial services and overnight camping and lodging.

Alternative 4 (agency-preferred) seeks to retain the traditional Tuolumne experience while reducing the impacts of development. Alternative 4 would provide a meaningful introduction for the growing number of short-term visitors in the Tuolumne Meadows area. Opportunities for day visitors to connect with the river would be improved by providing a visitor contact station, picnic area, and trail connection to the river and Parsons Memorial Lodge. Existing opportunities for traditional overnight use would remain. To accommodate slightly increased use levels while protecting and enhancing recovering meadow and riparian habitats, most day use would be confined to maintained trails and specific destinations. As discussed in detail in the EIS, Alternative 4 is identified as the environmentally preferred course of action.

Alternative 1 would achieve a visitor experience characterized by self-reliance in a more natural setting, with more wilderness-like management throughout the river corridor. In Tuolumne Meadows, all commercial services (including the Tuolumne Meadows Lodge, store, grill, fuel station, and mountaineering shop/school), would be discontinued. Use levels at the campground would remain at a reduced capacity, and the NPS would provide minimal camper supplies at the campground office. Natural river values would be enhanced by greatly reducing the development footprint, greatly reducing demands for water supply and wastewater treatment, and eliminating most potential risks to water quality.

Alternative 2 would facilitate resource enjoyment and stewardship for a broad spectrum of visitors, including visitors with only a short time to spend in the area. In the Tuolumne Meadows area, Alternative 2 would retain or expand all current activities and service. For example, there would be a new day parking and picnic area near the trailhead for Parsons Memorial Lodge and the Tuolumne Meadows Campground would be expanded. Overall visitor use levels in the river corridor would be the highest among the range of alternatives. River values would be protected by directing visitors to those areas most able to withstand use.

Alternative 3 would preserve the opportunity for a classic national park experience in a historic setting, in the Tuolumne Meadows and Glen Aulin areas. Visitors would have recreational opportunities in a setting that would appear little changed over time. A full range of orientation, interpretation, and education programs would be available. The store, grill, and concessioner day rides would remain. The Tuolumne Meadows Campground would remain at its current capacity, and the Tuolumne Lodge would be retained at half its current capacity. The levels of visitor use would be in the middle of the range of alternatives.

Changes Incorporated in Final EIS: In response to public comments on the Draft Tuolumne River Plan/EIS, agency feedback, and new technical information, the Final Tuolumne River Plan/EIS was revised as follows:

- A recreational outstanding remarkable value was reworded to clarify that it is the rare and easy access provided by the Tioga Road, not the Tioga Road itself, that is the outstanding remarkable value.
- The Glen Aulin High Sierra Camp would be retained at up to 28 beds. No tents would be removed, but the capacity of two tents would be reduced from four beds to two beds. Water consumption and wastewater

production at the camp would not exceed 500 gallons per day.

• Limited boating would be allowed through the Grand Canyon of the Tuolumne, from Pothole Dome to Pate Valley. Overnight boating would be permitted under the Wilderness overnight trailhead quota system used to manage the user capacity in Wilderness zones; only noncommercial boating would be permitted. The NPS would provide for such use on a trial basis, monitoring and adjusting the management of this recreational opportunity as needed.

• Twenty-one campsites in Loop A of the Tuolumne Meadows Campground that are within 100 feet of the river would be relocated within the campground to protect riparian vegetation along the Lyell Fork.

• The mountaineering school function would be retained and accommodated at the Tuolumne Meadows Lodge.

• The NPS would seek to move the dining hall and kitchen at Tuolumne Meadows Lodge upslope within the Tuolumne Meadows Lodge complex, more than 150 feet from the banks of the Dana Fork. This move would be dependent on identification of a suitable site and consultation with the California State Historic Preservation Officer.

• The grazing capacity for meadows along the Lyell Fork would be adjusted from a capacity of 192 grazing-nights per season to a flexible capacity of 167–249 grazing-nights per season, depending on snowfall and rainfall patterns.

• The percentage of total use allocated to commercial use in Wilderness portions of the Tuolumne River Corridor would be adjusted to a slightly higher percentage. Such uses would consist of no more than 15% of total use in the Lyell Canyon portion of the river corridor.

• The Draft EIS mistakenly showed that the ranger station in Tuolumne Meadows would be relocated to the existing visitor center. The Final EIS confirms that the ranger station would remain in its existing location. The maintenance offices would occupy the old visitor center once the new visitor contact station is constructed.

• An employee fuel station would be provided at the maintenance yard. Visitors who ran out of gas could also obtain fuel.

Decision Process: The Record of Decision will be prepared not sooner than 30 days after release of the Final Tuolumne River Plan/EIS. As a delegated EIS process, the official responsible for final approval of the Tuolumne River Plan is the Regional Director, Pacific West Region, NPS; subsequently the official responsible for implementation of the approved Tuolumne River Plan is the Superintendent, Yosemite National Park.

Dated: November 22, 2013.

Martha J. Lee,

Acting Regional Director, Pacific West Region.

Editorial Note: This document was received by the Office of the Federal Register on March 11, 2014.

[FR Doc. 2014–05658 Filed 3–13–14; 8:45 am]

BILLING CODE 4312–FF–P

DEPARTMENT OF THE INTERIOR

Bureau of Ocean Energy Management

[OMB Number 1010—New]

Information Collection: Social Indicators in Coastal Alaska: Arctic Communities Survey; Proposed Collection for OMB Review; Comment Request; MMAA104000

ACTION: 60-Day notice.

SUMMARY: To comply with the Paperwork Reduction Act of 1995 (PRA), the Bureau of Ocean Energy Management (BOEM) is inviting comments on a new collection of information that we will submit to the Office of Management and Budget (OMB) for review and approval. The information collection request (ICR) pertains to a survey conducted in northern coastal Alaska communities.

DATES: Submit written comments by May 13, 2014.

ADDRESSES: Please send your comments on this ICR to the BOEM Information Collection Clearance Officer, Arlene Bajusz, Bureau of Ocean Energy Management, 381 Elden Street, HM–3127, Herndon, Virginia 20170 (mail); or *arlene.bajusz@boem.gov* (email); or 703–787–1209 (fax). Please reference ICR 1010—New Alaska Survey in your comment and include your name and return address.

FOR FURTHER INFORMATION CONTACT: Arlene Bajusz, Office of Policy, Regulations, and Analysis at (703) 787–1025. You may also request a free copy of the survey. For more information on the survey, contact Chris Campbell in the BOEM Alaska Regional Office at (907) 334–5264.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 1010—New.

Title: Social Indicators in Coastal Alaska: Arctic Communities Survey.

Abstract: This is a new collection that involves a survey of the Alaska coastal area along the Arctic. Section 20 of the Outer Continental Shelf (OCS) Lands Act (OCSLA) requires the Secretary of the Department of the Interior (DOI) to monitor and assess the impacts of resource development activities in Federal waters on human, marine, and coastal environments. The OCSLA authorizes the Secretary of the Interior to conduct studies in areas or regions of lease sales to ascertain the ''environmental impacts on the marine and coastal environments of the outer Continental shelf and the coastal areas which may be affected by oil and gas development'' (43 U.S.C. 1346) (Pub. L. 95–372).

The National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. 4321–4347) requires that all Federal agencies use a systematic, interdisciplinary approach to ensure the integrated use of the natural and social sciences in any planning and decision making that may have an effect on the human environment. The Council on Environmental Quality's Regulations for Implementing Procedural Provisions of NEPA (40 CFR 1500–1508) state that the ''human environment'' is to be ''interpreted comprehensively'' to include ''the natural and physical environment and the relationship of people with that environment'' (40 CFR 1508.14). An action's ''aesthetic, historic, cultural, economic, social or health'' effects must be assessed, ''whether direct, indirect, or cumulative'' (40 CFR 1508.8).

The BOEM is the DOI agency that conducts OCS lease sales and monitors and mitigates adverse impacts that might be associated with offshore resource development. The BOEM Environmental Studies Program implements and manages the responsibilities of research. This new survey will facilitate the meeting of DOI/BOEM information needs by quantifying measures of well-being and the living conditions of residents in coastal Alaska areas, with specific focus on six Iñupiat coastal Alaska Native communities in the North Slope Borough (Barrow, Point Hope, Wainwright, Nuiqsut, Kaktovik, Point Lay).

The BOEM will use the information collected from this survey to learn about local social systems and well-being in a way that may shape development strategies and serve as an interim baseline for impact mitigation and/or monitoring to compare against future research in these areas. Without these data, BOEM will not have sufficient information to make informed oil and gas leasing and development decisions for these areas. The studies will help

BOEM identify and mitigate impacts of offshore oil and gas exploration and development on Alaska Native communities.

Survey Instrument: The Social Indicators survey is voluntary and will be given to the head of each selected household in the study communities. The survey instrument was developed through collaborative discussions with key community members tasked to serve on the North Slope Management Board, specifically established to deal with this study.

Interview Methods: The interviews will be conducted in person in a setting most comfortable for the respondents. This personal method is more expensive and time consuming for the researchers, but these drawbacks are outweighed by improvements in the quality of information obtained and the rapport established between the surveyor and the person interviewed. Telephone interviews have not been successful on the North Slope. Each respondent will be paid an honorarium for taking part in the study. Responses are voluntary.

Frequency: One-time event.

Description of Respondents: Respondents are members of the Alaskan coastal communities in the North Slope Borough.

Estimated Reporting and Recordkeeping Hour Burden: We estimate 1,001 respondents and expect each interview to last 1 hour for a total of 1,001 burden hours.

Estimated Reporting and Recordkeeping Non-Hour Cost Burden: We have identified no non-hour paperwork cost burdens for this collection.

Public Disclosure Statement: The PRA (44 U.S.C. 3501, *et seq.*) provides that an agency may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number. Until OMB approves a collection of information, you are not obligated to respond.

Comments: We invite comments on: (1) Whether the proposed collection of information is necessary for the agency to perform its duties, including whether the information is useful; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information; (3) ways to enhance the quality, usefulness, and clarity of the information to be collected; and (4) ways to minimize the burden on the respondents, including the use of automated collection techniques or other forms of information technology.

We will summarize written responses to this notice and address them in our submission for OMB approval. As a result of your comments, we will make any necessary adjustments to the burden in our submission to OMB.

Public Availability of Comments: Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Dated: March 5, 2014.

Deanna Meyer-Pietruszka,

Chief, Office of Policy, Regulations, and Analysis.

[FR Doc. 2014–05605 Filed 3–13–14; 8:45 am]

BILLING CODE 4310–MR–P

DEPARTMENT OF THE INTERIOR

Bureau of Ocean Energy Management

[Docket No. BOEM–2014–0009]

Notice of Intent To Prepare an Environmental Assessment for Proposed Wind Energy-Related Research Activities on the Atlantic Outer Continental Shelf Offshore Virginia and Notice of Public Scoping Meeting MMAA104000

AGENCY: Bureau of Ocean Energy Management (BOEM), Interior.

ACTION: Notice of Intent.

SUMMARY: In compliance with the National Environmental Policy Act (NEPA) of 1969, as amended (42 U.S.C. 4231 et seq.), BOEM intends to prepare an Environmental Assessment (EA) to consider the reasonably foreseeable environmental consequences associated with the approval of wind energy-related research activities offshore Virginia as proposed by the Virginia Department of Mines, Minerals and Energy (DMME). BOEM is seeking public input regarding important environmental issues and the identification of reasonable alternatives that should be considered in the EA.

In addition to the request for written comments, BOEM is holding a public scoping meeting to solicit comments on the scope of the EA. The meeting will be held from 5:00 p.m.–8:00 p.m. EDT on Thursday, April 3, 2014, at the Virginia Aquarium and Marine Science Center, 717 General Booth Boulevard, Virginia Beach, Virginia 23451.

Authority: The Notice of Intent to prepare an EA is published pursuant to 43 CFR 46.305.

DATES: Comments should be submitted no later than April 14, 2014.

FOR FURTHER INFORMATION CONTACT: Michelle Morin, BOEM, Environment Branch for Renewable Energy, 381 Elden Street, HM 1328, Herndon, Virginia 20170–4817; (703) 787–1340 or *michelle.morin@boem.gov*.

SUPPLEMENTARY INFORMATION:

1. Background

On December 9, 2013, BOEM published a Determination of No Competitive Interest (78 FR 73882) for a research lease requested by DMME. BOEM may issue DMME a research lease. A lease issued to DMME would be considered under BOEM's Finding of No Significant Impact (FONSI) and EA for Lease Issuance and Site Assessment Activities on the Atlantic Outer Continental Shelf Offshore New Jersey, Delaware, Maryland and Virginia, which can be found at *http://www.boem.gov/Renewable-Energy-Program/Smart-From-The-Start/index.aspx*. DMME has submitted a Research Activities Plan (RAP) to BOEM. The RAP describes the proposed construction, operation, maintenance, and decommissioning of the Virginia Offshore Wind Technology Advancement Project (VOWTAP), and includes the results of site characterization studies, such as geophysical, geotechnical, archaeological, and biological surveys. The RAP can be found at the following URL: *http://www.boem.gov/Renewable-Energy-Program/State-Activities/Virginia.aspx*.

DMME's proposed project, VOWTAP, would consist of two 6-MW wind turbine generators (WTGs), a 34.5-kilovolt (kV) alternating current (AC) submarine cable interconnecting the WTGs (inter-array cable), a 34.5 kV AC submarine transmission cable (export cable), and a 34.5 kV underground cable (onshore interconnection cable) that would connect the VOWTAP with existing infrastructure located in the City of Virginia Beach. Interconnection with the existing infrastructure also would require an onshore switch cabinet, an underground fiber optic cable, and a new interconnection station to be located entirely within the boundaries of the Camp Pendleton State Military Reservation (Camp Pendleton), in the City of Virginia Beach.

The offshore components of the VOWTAP, including the WTGs and inter-array cable, would be located on the Outer Continental Shelf approximately 24 nautical miles offshore Virginia Beach, Virginia, while the export cable would traverse both

Federal and state submerged lands. The onshore components, including the onshore interconnection cable, fiber optic cable, switch cabinet, and interconnection station would be located entirely within the boundary of Camp Pendleton. Construction would be supported by construction staging area(s) and a construction port. Onshore support facilities would be located at existing waterfront industrial or commercial sites in the cities of Virginia Beach, Norfolk, and/or Newport News, Virginia.

2. Proposed Action and Scope of Analysis

The proposed action that will be the subject of the EA is the approval of the RAP. In addition to the no action alternative (disapproval of the RAP), other alternatives may be considered, such as exclusion of certain areas from project siting or modification of project activities. The EA will consider the reasonably foreseeable environmental consequences associated with the proposed project, including the impacts of the construction, operation, maintenance, and decommissioning of the WTGs and cables, including the impacts of noise, presence of structures, bottom disturbance, vessel traffic, and onshore activities.

This notice starts the scoping process for the EA and solicits information regarding important environmental issues and alternatives that should be considered in the EA. Additionally, BOEM will use the scoping process to identify and eliminate from study issues that are not significant or issues that have been analyzed by prior environmental reviews.

It is BOEM's intention to prepare an EA that informs all Federal decisions, including those by the Department of Energy and the U.S. Army Corps of Engineers, which are needed to determine whether and, if so, how the proposed action will proceed (40 CFR 1501.6).

BOEM will use responses to this notice and the EA public input process to satisfy the public involvement requirements of the National Historic Preservation Act (16 U.S.C. 470f), as provided in 36 CFR 800.2(d)(3), and is seeking information from the public on the identification of historic properties that might be impacted by VOWTAP. The analyses contained within the EA also will support compliance with other environmental statutes (e.g., Endangered Species Act, Magnuson-Stevens Fishery Conservation and Management Act, and Marine Mammal Protection Act).

3. Cooperating Agencies

BOEM invites Federal, state, and local government agencies, as well as tribal governments, to consider becoming cooperating agencies in the preparation of this EA. Council on Environmental Quality (CEQ) regulations implementing the procedural provisions of NEPA define cooperating agencies as those with ''jurisdiction by law or special expertise'' (40 CFR 1508.5). Potential cooperating agencies should consider their authority and capacity to assume the responsibilities of a cooperating agency and remember that an agency's role in the environmental analysis neither enlarges nor diminishes the final decisionmaking authority of any other agency involved in the NEPA process.

Upon request, BOEM will provide potential cooperating agencies with a draft Memorandum of Agreement that includes a schedule with critical action dates and milestones, mutual responsibilities, designated points of contact, and expectations for handling pre-decisional information. Agencies should also consider the ''Factors for Determining Cooperating Agency Status'' in Attachment 1 to CEQ's January 30, 2002, Memorandum for the Heads of Federal Agencies: Cooperating Agencies in Implementing the Procedural Requirements of the NEPA. A copy of this document is available at: *http://ceg.hss.doe.gov/nepa/regs/cooperating/cooperatingagenciesmemorandum.html* and at: *http://ceg.hss.doe.gov/nepa/regs/cooperating/cooperatingagencymemofactors.html*.

BOEM, as the lead agency, will not provide financial assistance to cooperating agencies. Even if an organization is not a cooperating agency, opportunities will exist to provide information and comments to BOEM during the normal public input phases of the NEPA/EA process.

4. Comments

Federal, State, local government agencies, tribal governments, and other interested parties are requested to send their written comments on the important issues to be considered in the EA by either of the following methods:

1. Federal eRulemaking Portal: *http://www.regulations.gov*. In the entry titled ''Enter Keyword or ID,'' enter BOEM–2014–0009, and then click ''search.'' Follow the instructions to submit public comments and view supporting and related materials available for this notice;

2. By U.S. Postal Service or other delivery service, send your comments and information to the following address: Bureau of Ocean Energy Management, Office of Renewable Energy Programs, 381 Elden Street, HM 1328, Herndon, Virginia 20170–4817; or

3. In person at the EA public scoping meeting.

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comments to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Dated: March 3, 2014.

Tommy P. Beaudreau,

Director, Bureau of Ocean Energy Management.

[FR Doc. 2014–05683 Filed 3–13–14; 8:45 am]

BILLING CODE 4310–MR–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–866]

Certain Wireless Communications Equipment and Articles Therein; Commission Determination Not To Review an Initial Determination Granting a Joint Motion To Terminate the Investigation Based on a Settlement Agreement; Termination of Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review the presiding administrative law judge's (''ALJ'') initial determination (''ID'') (Order No. 62) granting a joint motion to terminate the above-referenced investigation based on a settlement agreement. The investigation is terminated.

FOR FURTHER INFORMATION CONTACT: Megan M. Valentine, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 708–2301. Copies of non-confidential documents filed in connection with this investigation are or will be 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., Washington, DC 20436, telephone (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.* Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on January 31, 2013, based on a Complaint filed by Samsung Electronics Co., Ltd. of Seoul, Republic of Korea, and Samsung Telecommunications America, LLC of Richardson, Texas (collectively ''Samsung''). 78 FR 6837–38 (Jan. 31, 2013). The complaint alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain wireless communications equipment and articles therein by reason of infringement of certain claims of U.S. Patent Nos. 7,782,749; 8,165,081; 8,208,438 (''the '438 patent''); 8,228,827; 6,617,929; 6,767,813 (''the '813 patent''); and 6,865,682. The complaint further alleges the existence of a domestic industry. The Commission's notice of investigation named as respondents Ericsson Inc. of Plano, Texas and Telefonaktiebolaget LM Ericsson of Stockholm, Sweden (collectively, ''Ericsson''). The Office of Unfair Import Investigations was also named as a party. The Commission previously terminated the investigation with respect to the '813 patent and the '438 patent. Notice (July 12, 2013); Notice (Oct. 25, 2013).

On January 27, 2014, Samsung and Ericsson filed a joint motion to terminate the investigation in its entirety based upon a settlement agreement. On January 29, 2014, Samsung and Ericsson filed a supplement to their motion, attaching a revised public version of the Agreement. On January 30, 2014, the Commission investigative attorney (''IA'') filed a response in support of the motion.

On February 10, 2014, the ALJ issued the subject ID, granting the joint motion to terminate the investigation in its entirety. The ALJ found that the joint motion complied with the requirements of section 210.21(b)(1) of the Commission's Rules of Practice and Procedure (19 CFR 210.21(b)(1)) and that there are no extraordinary circumstances that would prevent the requested terminations. The ALJ agreed with movants and the IA that granting the motion would not be contrary to the public interest. No petitions for review were filed.

The Commission has determined not to review the ID.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in part 210 of the Commission's Rules of Practice and Procedure (19 CFR Part 210).

By order of the Commission.

Issued: March 11, 2014.

Lisa R. Barton,

Acting Secretary to the Commission.

[FR Doc. 2014–05634 Filed 3–13–14; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 731–TA–749 (Third Review)]

Persulfates From China; Determination

On the basis of the record [1] developed in the subject five-year review, the United States International Trade Commission (Commission) determines, pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. 1675(c)), that revocation of the antidumping duty order on persulfates from China would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

Background

The Commission instituted this review on March 1, 2013 (78 FR 13891, corrected 78 FR 14591, March 6, 2013) and determined on June 4, 2013, that it would conduct a full review (78 FR 35314, June 12, 2013). Notice of the scheduling of the Commission's review and of a public hearing to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** on August 27, 2013 (78 FR 52969), revised on October 28, 2013 (78 FR 64244). The hearing was held in Washington, DC, on January 16, 2014, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission completed and filed its determination in this review on March 10, 2014. The views of the Commission are contained in USITC Publication 4456 (March 2014), entitled *Persulfates From China: Investigation No. 731–TA–749 (Third Review).*

By order of the Commission.

Issued: March 10, 2014.

Lisa R. Barton,

Acting Secretary to the Commission.

[FR Doc. 2014–05556 Filed 3–13–14; 8:45 am]

BILLING CODE 7020–02–P

[1] The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–889]

Certain Wireless Devices, Including Mobile Phones and Tablets; Commission Determination Not To Review an Initial Determination Granting a Joint Motion To Terminate the Investigation Based on a Settlement Agreement; Termination of Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review the presiding administrative law judge's (''ALJ'') initial determination (''ID'') (Order No. 10) granting a joint motion to terminate the above-referenced investigation based on a settlement agreement. The investigation is terminated.

FOR FURTHER INFORMATION CONTACT: Megan M. Valentine, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 708–2301. Copies of non-confidential documents filed in connection with this investigation are or will be 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., Washington, DC 20436, telephone (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.* Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on August 5, 2013, based on a Complaint filed by Pragmatus Mobile, LLC of Alexandria, Virginia

(''Pragmatus''), as supplemented. 78 FR 47410–11 (Aug. 5, 2013). The Complaint alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, by reason of infringement of certain claims of U.S. Patent Nos. 8,149,124 and 8,466,795. The Complaint further alleges the existence of a domestic industry. The Commission's Notice of Investigation named as respondents Pantech Co., Ltd. of Seoul, Republic of Korea, and Pantech Wireless, Inc. of Atlanta, Georgia (collectively, ''Pantech''). The Office of Unfair Import Investigations was also named as a party.

On January 31, 2014, Pragmatus and Pantech filed a joint motion to terminate the investigation based upon a settlement agreement. On February 10, 2014, the Commission investigative attorney (''IA'') filed a response in support of the motion.

On February 12, 2014, the ALJ issued the subject ID, granting the joint motion to terminate the investigation in its entirety. The ALJ found that the joint motion complied with the requirements of section 210.21(b)(1) of the Commission's Rules of Practice and Procedure (19 CFR 210.21(b)(1)) and that there are no extraordinary circumstances that would prevent the requested terminations. The ALJ agreed with movants and the IA that granting the motion would not be contrary to the public interest. No petitions for review were filed.

The Commission has determined not to review the ID.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in Part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: March 11, 2014.

Lisa R. Barton,

Acting Secretary to the Commission.

[FR Doc. 2014–05635 Filed 3–13–14; 8:45 am]

BILLING CODE 7020–02–P

JUDICIAL CONFERENCE OF THE UNITED STATES

Meeting of the Judicial Conference Committee on Rules of Practice and Procedure

AGENCY: Advisory Committee on Rules of Bankruptcy Procedure, Judicial Conference of the United States.

ACTION: Notice of Open Meeting.

SUMMARY: The Advisory Committee on Rules of Bankruptcy Procedure will hold a two-day meeting. The meeting will be open to public observation but not participation.

DATES: April 22–23, 2014.

Time: 8:00 a.m. to 5:00 p.m.

ADDRESSES: University of Texas School of Law, 727 East Dean Keeton Street, Austin, Texas 78705.

FOR FURTHER INFORMATION CONTACT: Jonathan C. Rose, Secretary and Chief Rules Officer, Rules Committee Support Office, Administrative Office of the United States Courts, Washington, DC 20544, telephone (202) 502–1820.

Dated: March 11, 2014.

Jonathan C. Rose,

Secretary and Chief Rules Officer.

[FR Doc. 2014–05715 Filed 3–13–14; 8:45 am]

BILLING CODE 2210–55–P

JUDICIAL CONFERENCE OF THE UNITED STATES

Meeting of the Judicial Conference Committee on Rules of Practice and Procedure

AGENCY: Judicial Conference of the United States Advisory Committee on Rules of Appellate Procedure.

ACTION: Notice of Open Meeting.

SUMMARY: The Advisory Committee on Rules of Appellate Procedure will hold a two-day meeting. The meeting will be open to public observation but not participation.

DATES: April 28–29, 2014.

Time: April 28, 2014—10:00 a.m. to 5:00 p.m. April 29, 2014—8:30 a.m. to 12:00 p.m.

ADDRESSES: Seton Hall University School of Law, One Newark Center, Newark, New Jersey 07102.

FOR FURTHER INFORMATION CONTACT: Jonathan C. Rose, Secretary and Chief Rules Officer, Rules Committee Support Office, Administrative Office of the United States Courts, Washington, DC 20544, telephone (202) 502–1820.

Dated: March 11, 2014.

Jonathan C. Rose,

Secretary and Chief Rules Officer.

[FR Doc. 2014–05714 Filed 3–13–14; 8:45 am]

BILLING CODE 2210–55–P

DEPARTMENT OF JUSTICE

[OMB No. 1121–0292]

Agency Information Collection Activities: Existing Collection; Comments Requested: Extension and Revision of a Currently Approved Collection; Survey of Sexual Victimization (Formerly Known as the Survey of Sexual Violence)

ACTION: 30-Day Notice.

The Department of Justice (DOJ), Bureau of Justice Statistics (BJS) will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. This proposed information collection was previously published in the **Federal Register** Volume 79, Number 6, pages 1657–1658, on January 9, 2014, allowing for a 60 day comment period.

The purpose of this notice is to allow for an additional 30 days for public comment until April 14, 2014. This process is conducted in accordance with 5 CFR 1320.10.

If you have comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Allen J. Beck, Bureau of Justice Statistics, 810 Seventh Street NW., Washington, DC 20531 (phone: 202–616–3277).

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

—Evaluate 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;

—Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

—Enhance the quality, utility, and clarity of the information to be collected; and

—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.

Overview of this information collection:

(1) *Type of Information Collection:* Existing collection with change.

(2) *Title of the Form/Collection:* Survey of Sexual Victimization.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form Number: SSV1, SSV2, SSV3, SSV4, SSV5, SSV6; SSV–IA, SSV–IJ; Bureau of Justice Statistics, Department of Justice.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: State, Local, or Tribal Government. Other: Federal Government, Business or other for-profit, Not-for-profit institutions. The data will be used to develop estimates for the incidence and prevalence of sexual assault within correctional facilities as required under the Prison Rape Elimination Act of 2003 (Pub. L. 108–79).

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* It is estimated that 102 adult and juvenile systems will complete the summary form (SSV–1, SSV–2, SSV–5) in 60 minutes on average and that 1,436 facilities will complete the summary form (SSV–3, SSV–4, and SSV–6) in 30 minutes on average. It is estimated that about 1,064 incident forms (SSV–IA, SSV–IJ) will be completed, and they will take 30 minutes to complete on average.

(6) *An estimate of the total public burden (in hours) associated with the collection:* There are an estimated 1,353 total annual burden hours associated with this collection.

If additional information is required contact: Ms. Jerri Murray, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE., Room 3W–1407B, Washington, DC 20530.

Dated: March 11, 2014.

Jerri Murray,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2014–05663 Filed 3–13–14; 8:45 am]

BILLING CODE 4410–18–P

DEPARTMENT OF JUSTICE

[OMB Number 1110–0045]

Agency Information Collection Activities: Proposed Collection, Comments Requested; Extension of a Currently Approved Collection; Bioterrorism Preparedness Act: Entity/Individual Information

ACTION: 60-day Notice.

The Department of Justice, Federal Bureau of Investigation, Criminal Justice Information Services Division will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with established review procedures of the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted until May 13, 2014. This process in conducted in accordance with 5 CFR 1320.10.

All comments and suggestions, or questions regarding additional information, to include obtaining a copy of the proposed information collection instrument with instructions, should be directed to John E. Strovers, National Instant Criminal Background Check System (NICS) Strategy and Systems Unit, Federal Bureau of Investigation, Criminal Justice Information Services Division, (CJIS), Module E–3, 1000 Custer Hollow Road, Clarksburg, West Virginia 26306; facsimile (304) 625–2198.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Comments should address one or more of the following four points:

(1) Evaluate 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;

(2) 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;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) 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 of other forms of information technology, e.g., permitting electronic submission of responses.

Overview of This Information Collection

(1) *Type of information collection:* Extension of current collection.

(2) *The title of the form/collection:* Federal Bureau of Investigation Bioterrorism Preparedness Act: Entity/Individual Information.

(3) *The agency form number, if any, and the applicable component of the department sponsoring the collection:* Forms FD–961; Criminal Justice Information Services Division, Federal Bureau of Investigation, Department of Justice.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: City, county, state, federal, individuals, business or other for profit, and not-for-profit institute. This collection is needed to receive names and other identifying information submitted by individuals requesting access to specific agents or toxins, and consult with appropriate officials of the Department of Health and Human Services and the Department of Agriculture as to whether certain individuals specified in the provisions should be denied access to or granted limited access to specific agents.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* There are approximately 3,772 (FY 2013) respondents at 45 minutes for FD–961 Form.

(6) *An estimate of the total public burden (in hours) associated with this collection:* There are approximately 2,829 hours, annual burden, associated with this information collection.

If additional information is required contact Jerri Murray, Department Clearance Officer, U.S. Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE., Room 3W–1407B, Washington, DC 20530.

Dated: March 11, 2014.

Jerri Murray,

Department Clearance Officer for PRA, United States Department of Justice.

[FR Doc. 2014–05664 Filed 3–13–14; 8:45 am]

BILLING CODE 4410–02–P

DEPARTMENT OF JUSTICE

Office of Justice Programs

[OMB Number 1121–0095]

Agency Information Collection Activities: Proposed Collection; Comments Requested; Reinstatement With Change of a Previously Approved Collection for Which Approval Has Expired; 2013 National Survey of Indigent Defense Systems

ACTION: 30-day notice.

The Department of Justice (DOJ), Office of Justice Programs, Bureau of Justice Statistics will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collected is published to obtain comments from the public and affected agencies. The proposed information collected was previously published in the **Federal Register** Volume 79, Number 6, page 1657, on January 9, 2014, allowing a 60-day comment period.

The purpose of this notice is to allow for an additional 30 days for public comment until April 14, 2014. This process is conducted in accordance with 5 CFR 1320.10.

Written comments and/or suggestions regarding the items contained in this notice, especially the estimated public burden or associated response time, should be *OIRA_submission@omb.eop.gov.*

Request written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

(1) Evaluate 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;

(2) 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;

(3) Enhance the quality, utility and clarity of the information to be collected; and

(4) 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.

Overview of This Information Collection

(1) *Type of information collection:* Reinstatement with change of a previously approved collection for which approval has expired.

(2) *The title of the Form/Collection:* 2013 National Survey of Indigent Defense Systems.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* OMB Control # 1121–0095, Bureau of Justice Statistics, Office of Justice Programs, United States Department of Justice.

(4) *Affected public who will be asked to respond, as well as a brief abstract:* Primary: State and county-based indigent defense systems. Staff in state and county-based indigent defense systems will be asked to provide information on the following: fiscal resources and expenditures; case-types and caseloads; personnel and compensation; processes for selecting the chief public defender or administrator; procedures for indigence determination; professional development opportunities; use of information technology; standards and guidelines; and boards or commissions. The Bureau of Justice Statistics plans to publish this information in reports and reference it when responding to queries from the U.S. Congress, Executive Office of the President, the U.S. Supreme Court, state officials, international organizations, researchers, students, the media, and others interested in criminal justices statistics.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 1,562 respondents at 3 hours each. Respondents have the option to provide responses using either paper or web-based questionnaires. The burden estimate is based on feedback from respondents gathered during pilot testing.

(6) *An estimate of the total public burden (in hours) associated with the collection:* There is an estimated 4,679 annual total burden hours associated with this collection.

If additional information is required contact: Jerri Murray, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Avenue, 145 N Street NE., Room 3W–1407B, Washington, DC 20530.

Dated: March 11, 2014.

Jerri Murray,

Department Clearance Officer PRA, U.S. Department of Justice.

[FR Doc. 2014–05662 Filed 3–13–14; 8:45 am]

BILLING CODE 4410–18–P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–83,266]

WW Metal Fab, a Subsidiary of WW Group, Inc., Including On-Site Leased Workers From Aerotek, Including Workers Whose Unemployment Insurance (UI) Wages Were Reported Under Xen 2, Inc., Milwaukie, Oregon; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974, as amended (''Act''), 19 U.S.C. 2273, the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance on January 13, 2014, applicable to workers of WW Metal Fab, a subsidiary of WW Group, Inc., including on-site leased workers from Aerotek, Milwaukee, Oregon. The Department's notice of determination was published in the **Federal Register** on January 28, 2014 (79 FR 4503).

At the request of the State Workforce Office, the Department reviewed the certification for workers of the subject firm. The workers are engaged in activities related to the production of steel, aluminum and stainless fabrications.

New information shows that some workers separated from employment at WW Metal Fab had their wages reported through a separate unemployment insurance (UI) tax account under the name Xen 2, Inc., Tualatin, Oregon which was the subject firm's Professional Employer Organization (PEO). Moreover, it was revealed that the name of the city where WW Metal Fab is located should read as Milwaukie in lieu of Milwaukee.

The intent of the Department's certification is to include all workers of the subject firm who were adversely affected as the secondary components suppliers of steel, aluminum and stainless fabrications.

Accordingly, the Department is amending this certification to properly reflect this matter.

The amended notice applicable to TA–W–83,266 is hereby issued as follows:

All workers of WW Metal Fab, a subsidiary of WW Group, Inc., including on-site leased workers from Aerotek, Milwaukie, Oregon, including workers whose unemployment insurance (UI) wages are reported through Xen 2, Inc., Tualatin, Oregon who became totally or partially separated from employment on or after November 26, 2012, through January 13, 2016, and all workers in the group threatened with total or partial separation from employment on date of certification through two years from the date of certification, are eligible to apply for adjustment assistance under Chapter 2 of Title II of the Trade Act of 1974, as amended.

Signed in Washington, DC, this 26th day of February 2014.

Hope D. Kinglock,

Certifying Officer, Office of Trade Adjustment Assistance.

[FR Doc. 2014–05542 Filed 3–13–14; 8:45 am]

BILLING CODE 4510–FN–P

DEPARTMENT OF LABOR

Employment and Training Administration

Notice of Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974, as amended (19 U.S.C. 2273) the Department of Labor herein presents summaries of determinations regarding eligibility to apply for trade adjustment assistance for workers (TA–W) number and alternative trade adjustment assistance (ATAA) by (TA–W) number issued during the period of *February 17, 2014 through February 21, 2014.*

In order for an affirmative determination to be made for workers of a primary firm and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(a) of the Act must be met.

I. Section (a)(2)(A) all of the following must be satisfied:

A. A significant number or proportion of the workers in such workers' firm, or an appropriate subdivision of the firm, have become totally or partially separated, or are threatened to become totally or partially separated;

B. the sales or production, or both, of such firm or subdivision have decreased absolutely; and

C. increased imports of articles like or directly competitive with articles produced by such firm or subdivision have contributed importantly to such workers' separation or threat of separation and to the decline in sales or production of such firm or subdivision; or

II. Section (a)(2)(B) both of the following must be satisfied:

A. A significant number or proportion of the workers in such workers' firm, or an appropriate subdivision of the firm, have become totally or partially separated, or are threatened to become totally or partially separated;

B. there has been a shift in production by such workers' firm or subdivision to a foreign country of articles like or directly competitive with articles which are produced by such firm or subdivision; and

C. One of the following must be satisfied:

1. The country to which the workers' firm has shifted production of the articles is a party to a free trade agreement with the United States;

2. the country to which the workers' firm has shifted production of the articles to a beneficiary country under the Andean Trade Preference Act, African Growth and Opportunity Act, or the Caribbean Basin Economic Recovery Act; or

3. there has been or is likely to be an increase in imports of articles that are like or directly competitive with articles which are or were produced by such firm or subdivision.

Also, in order for an affirmative determination to be made for secondarily affected workers of a firm and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(b) of the Act must be met.

(1) Significant number or proportion of the workers in the workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated;

(2) the workers' firm (or subdivision) is a supplier or downstream producer to a firm (or subdivision) that employed a group of workers who received a certification of eligibility to apply for trade adjustment assistance benefits and such supply or production is related to the article that was the basis for such certification; and

(3) either—

(A) The workers' firm is a supplier and the component parts it supplied for the firm (or subdivision) described in paragraph (2) accounted for at least 20 percent of the production or sales of the workers' firm; or

(B) a loss or business by the workers' firm with the firm (or subdivision) described in paragraph (2) contributed importantly to the workers' separation or threat of separation.

In order for the Division of Trade Adjustment Assistance to issue a certification of eligibility to apply for Alternative Trade Adjustment Assistance (ATAA) for older workers, the group eligibility requirements of Section 246(a)(3)(A)(ii) of the Trade Act must be met.

1. Whether a significant number of workers in the workers' firm are 50 years of age or older.

2. Whether the workers in the workers' firm possess skills that are not easily transferable.

3. The competitive conditions within the workers' industry (i.e., conditions within the industry are adverse).

Affirmative Determinations for Worker Adjustment Assistance

The following certifications have been issued. The date following the company name and location of each determination references the impact date for all workers of such determination.

None.

Affirmative Determinations for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance

The following certifications have been issued. The date following the company name and location of each determination references the impact date for all workers of such determination.

The following certifications have been issued. The requirements of Section 222(a)(2)(A) (increased imports) and Section 246(a)(3)(A)(ii) of the Trade Act have been met.

TAW–85,024; Emerson Network Power, Delaware Ohio: January 20, 2013

Negative Determinations for Alternative Trade Adjustment Assistance

In the following cases, it has been determined that the requirements of 246(a)(3)(A)(ii) have not been met for the reasons specified.

None.

Negative Determinations for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance

In the following cases, the investigation revealed that the eligibility criteria for worker adjustment assistance have not been met for the reasons specified.

The investigation revealed that criteria (a)(2)(A)(I.C.) (increased imports) and (a)(2)(B)(II.B.) (shift in production to a foreign country) have not been met.

85,001; Boehringer Ingelheim Chemicals, Inc, Petersburg, Virginia

The workers' firm does not produce an article as required for certification

under Section 222 of the Trade Act of 1974.

85,048; British Telecommunications, Princeton, New Jersey

Determinations Terminating Investigations of Petitions for Worker Adjustment Assistance

After notice of the petitions was published in the **Federal Register** and on the Department's Web site, as required by Section 221 of the Act (19 U.S.C. 2271), the Department initiated investigations of these petitions.

The following determinations terminating investigations were issued because the petitions are the subject of ongoing investigations under petitions filed earlier covering the same petitioners.

85,021; Ocwen Loan Servicing, LLC, Fort Washington, Pennsylvania
85041; Ocwen Loan Servicing, LLC; Fort Washington, Pennsylvania
85087; Ocwen Loan Servicing, LLC; Fort Washington, Pennsylvania

I hereby certify that the aforementioned determinations were issued during the period of *February 17, 2014 through February 21, 2014.* These determinations are available on the Department's Web site *tradeact/taa/taa_search_form.cfm* under the searchable listing of determinations or by calling the Office of Trade Adjustment Assistance toll free at 888–365–6822.

Signed at Washington, DC, this 27th day of February 2014.

Hope D. Kinglock,

Certifying Officer, Office of Trade Adjustment Assistance.

[FR Doc. 2014–05544 Filed 3–13–14; 8:45 am]

BILLING CODE 4510–FN–P

DEPARTMENT OF LABOR

Employment and Training Administration

Notice of Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974, as amended (19 U.S.C. 2273) the Department of Labor herein presents summaries of determinations regarding eligibility to apply for trade adjustment assistance for workers by (TA–W) number issued during the period of *February 17, 2014 through February 21, 2014.*

In order for an affirmative determination to be made for workers of a primary firm and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(a) of the Act must be met.

I. Under Section 222(a)(2)(A), the following must be satisfied:

(1) A significant number or proportion of the workers in such workers' firm have become totally or partially separated, or are threatened to become totally or partially separated;

(2) the sales or production, or both, of such firm have decreased absolutely; and

(3) One of the following must be satisfied:

(A) Imports of articles or services like or directly competitive with articles produced or services supplied by such firm have increased;

(B) imports of articles like or directly competitive with articles into which one or more component parts produced by such firm are directly incorporated, have increased;

(C) imports of articles directly incorporating one or more component parts produced outside the United States that are like or directly competitive with imports of articles incorporating one or more component parts produced by such firm have increased;

(D) imports of articles like or directly competitive with articles which are produced directly using services supplied by such firm, have increased; and

(4) the increase in imports contributed importantly to such workers' separation or threat of separation and to the decline in the sales or production of such firm; or

II. Section 222(a)(2)(B) all of the following must be satisfied:

(1) a significant number or proportion of the workers in such workers' firm have become totally or partially separated, or are threatened to become totally or partially separated;

(2) One of the following must be satisfied:

(A) There has been a shift by the workers' firm to a foreign country in the production of articles or supply of services like or directly competitive with those produced/supplied by the workers' firm;

(B) there has been an acquisition from a foreign country by the workers' firm of articles/services that are like or directly competitive with those produced/supplied by the workers' firm; and

(3) the shift/acquisition contributed importantly to the workers' separation or threat of separation.

In order for an affirmative determination to be made for adversely affected workers in public agencies and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(b) of the Act must be met.

(1) a significant number or proportion of the workers in the public agency have become totally or partially separated, or are threatened to become totally or partially separated;

(2) the public agency has acquired from a foreign country services like or directly competitive with services which are supplied by such agency; and

(3) the acquisition of services contributed importantly to such workers' separation or threat of separation.

In order for an affirmative determination to be made for adversely affected secondary workers of a firm and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(c) of the Act must be met.

(1) a significant number or proportion of the workers in the workers' firm have become totally or partially separated, or are threatened to become totally or partially separated;

(2) the workers' firm is a Supplier or Downstream Producer to a firm that employed a group of workers who received a certification of eligibility under Section 222(a) of the Act, and such supply or production is related to the article or service that was the basis for such certification; and

(3) either—

(A) the workers' firm is a supplier and the component parts it supplied to the firm described in paragraph (2) accounted for at least 20 percent of the production or sales of the workers' firm; or

(B) a loss of business by the workers' firm with the firm described in paragraph (2) contributed importantly to the workers' separation or threat of separation.

In order for an affirmative determination to be made for adversely affected workers in firms identified by the International Trade Commission and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(f) of the Act must be met.

(1) the workers' firm is publicly identified by name by the International Trade Commission as a member of a domestic industry in an investigation resulting in—

(A) an affirmative determination of serious injury or threat thereof under section 202(b)(1);

(B) an affirmative determination of market disruption or threat thereof under section 421(b)(1); or

(C) an affirmative final determination of material injury or threat thereof under section 705(b)(1)(A) or 735(b)(1)(A) of the Tariff Act of 1930 (19 U.S.C. 1671d(b)(1)(A) and 1673d(b)(1)(A));

(2) the petition is filed during the 1-year period beginning on the date on which—

(A) a summary of the report submitted to the President by the International Trade Commission under section 202(f)(1) with respect to the affirmative determination described in paragraph (1)(A) is published in the **Federal Register** under section 202(f)(3); or

(B) notice of an affirmative determination described in subparagraph (1) is published in the **Federal Register**; and

(3) the workers have become totally or partially separated from the workers' firm within—

(A) the 1-year period described in paragraph (2); or

(B) notwithstanding section 223(b)(1), the 1-year period preceding the 1-year period described in paragraph (2).

Affirmative Determinations for Worker Adjustment Assistance

The following certifications have been issued. The date following the company name and location of each determination references the impact date for all workers of such determination.

The following certifications have been issued. The requirements of Section 222(a)(2)(A) (increased imports) of the Trade Act have been met.

TA–W No.	Subject firm	Location	Impact date
83,209	Saint Jean Industries Inc., Heber Springs, USA, Staffmark	Heber Springs, AR	November 7, 2012.
83,250	Evraz Claymont Steel, BP Staffing and Penache Mechanical	Claymont, DE	November 19, 2012.
83,259	MPS/IH LLC, Terre Haute Plant, Multi Packaging Solutions. Inc.	Terre Haute, IN	December 3, 2012.

The following certifications have been issued. The requirements of Section 222(a)(2)(B) (shift in production or services) of the Trade Act have been met.

TA–W No.	Subject firm	Location	Impact date
83,164	Philips Lumileds Lighting, Philips, Adecco	San Jose, CA	October 18, 2012.
83,242	AT&T Services, Inc., Information Technology Operations Division, Accenture, Onx USA, IBM.	Atlanta, GA	November 22, 2012.
83,242A	AT&T Services, Inc., Information Technology Operations Division, Accenture, Onx USA, IBM.	Middletown, NJ	November 22, 2012.
83,242B	AT&T Services, Inc., Information Technology Operations Division	Columbus, OH	November 22, 2012.
83,242C	AT&T Services, Inc., Information Technology Operations Division, IBM Corporation.	Dallas, TX	November 22, 2012.
83,267	Titan Tire Corporation of Bryan, Staffmark, Aerotek, and SOB 1	Bryan, OH	November 15, 2012.
83,314	IndusPac California Inc., IndusPac Pacific Foam, McCarlane DBA IndusPac Pacific Foam, Courtesy Staffing.	Ontario, CA	December 19, 2012.

The following certifications have been issued. The requirements of Section 222(c) (supplier to a firm whose workers are certified eligible to apply for TAA) of the Trade Act have been met.

TA–W No.	Subject firm	Location	Impact date
83,310	Matric Limited, Matric Group LLC	Seneca, PA	December 18, 2012.

The following certifications have been issued. The requirements of Section 222(f) (firms identified by the International Trade Commission) of the Trade Act have been met.

TA–W No.	Subject firm	Location	Impact date
83,330	Just Manufacturing	Franklin Park, IL	April 10, 2012.
83,341	Alliance Laundry Systems, LLC	Ripon, WI	February 14, 2012.

Negative Determinations for Worker Adjustment Assistance

In the following cases, the investigation revealed that the eligibility criteria for worker adjustment assistance have not been met for the reasons specified.

The investigation revealed that the criterion under paragraph (a)(1), or (b)(1), or (c)(1) (employment decline or threat of separation) of section 222 has not been met.

TA–W No.	Subject firm	Location	Impact date
83,364	American Express Travel Related Services Company Inc., Global Credit Administration (GCA), SET Division, American Express Company.	Salt Lake City, UT	

The investigation revealed that the criteria under paragraphs (a)(2)(A)(i) (decline in sales or production, or both) and (a)(2)(B) (shift in production or services to a foreign country) of section 222 have not been met.

TA–W No.	Subject firm	Location	Impact date
83,153	Motorola Solutions, Inc., Worldwide Supply Chain, Schaumburg Manufacturing Operations, Kelly.	Schaumburg, IL	

The investigation revealed that the criteria under paragraphs(a)(2)(A) (increased imports) and (a)(2)(B) (shift in production or services to a foreign country) of section 222 have not been met.

TA–W No.	Subject firm	Location	Impact date
83,194	Merck Sharp & Dohme Corp., (MSD), Merck & Co., Inc.	West Point, PA	
83,249	Joy Global Surface Mining, Inc., P&H Mining Equipment, Joy Global, Lawyer Temps, High Velocity, etc..	Milwaukee, WI	
83,300	Fulton Industries, Inc., Allegiant International, LLC, and Metrology Services, LLC.	Rochester, IN	

Determinations Terminating Investigations of Petitions for Worker Adjustment Assistance

After notice of the petitions was published in the **Federal Register** and on the Department's Web site, as required by Section 221 of the Act (19 U.S.C. 2271), the Department initiated investigations of these petitions.

The following determinations terminating investigations were issued because the petitions are the subject of ongoing investigations under petitions filed earlier covering the same petitioners.

TA–W No.	Subject firm	Location	Impact date
83,350	Ocwen Loan Servicing, LLC, Ocwen Financial Corporation	Ft. Washington, PA	

I hereby certify that the aforementioned determinations were issued during the period of *February 17, 2014 through February 21, 2014.* These determinations are available on the Department's Web site *tradeact/taa/taa_search_cfm* under the searchable listing of determinations or by calling the Office of Trade Adjustment Assistance toll free at 888–365–6822.

Signed at Washington DC this 27th day of February 2014.

Hope D. Kinglock,

Certifying Officer, Office of Trade Adjustment Assistance.

[FR Doc. 2014–05545 Filed 3–13–14; 8:45 am]

BILLING CODE 4510–FN–P

DEPARTMENT OF LABOR

Employment and Training Administration

Investigations Regarding Eligibility To Apply for Worker Adjustment Assistance

Petitions have been filed with the Secretary of Labor under Section 221(a) of the Trade Act of 1974 (''the Act'') and are identified in the Appendix to this notice. Upon receipt of these petitions, the Director of the Office of Trade Adjustment Assistance, Employment and Training Administration, has instituted investigations pursuant to Section 221(a) of the Act.

The purpose of each of the investigations is to determine whether the workers are eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act. The investigations will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved.

The petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 24, 2014.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than March 24, 2014.

The petitions filed in this case are available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Employment and Training Administration, U.S. Department of Labor, Room N–5428, 200 Constitution Avenue NW., Washington, DC 20210.

Signed at Washington, DC this 27th day of February 2014.

Hope D. Kinglock,

Certifying Officer, Office of Trade Adjustment Assistance.

[17 TAA petitions instituted between 2/18/14 and 2/21/14]

TA–W	Subject firm (petitioners)	Location	Date of institution	Date of petition
85072	SierraPine (Company)	Adel, GA	02/18/14	02/14/14
85073	Symak Sales Co. Inc (State/One-Stop)	Plattsburgh, NY	02/18/14	02/14/14
85074	Alcoa Inc./Reynolds Metals Company (Union)	Pittsburgh, PA	02/18/14	02/17/14
85075	Duro Textiles LLC (Company)	Fall River, MA	02/19/14	02/18/14
85076	Support.com Inc (State/One-Stop)	Redwood City, CA	02/19/14	02/06/14
85077	Caterpillar, Inc. (Union)	Pulaski, VA	02/19/14	02/18/14
85078	Sun-Times Media Production, LLC (State/One-Stop)	Chicago, IL	02/20/14	02/19/14
85079	Sierra Pine (Union)	Springfield, OR	02/20/14	02/20/14
85080	Tandy Brands (State/One-Stop)	Dallas, TX	02/20/14	02/19/14
85081	Larsen Manufacturing (Workers)	El Paso, TX	02/20/14	02/20/14
85082	Surratt Hosiery Mill, Inc (Company)	Denton, NC	02/20/14	02/19/14
85083	Trans-Trade, Inc. (State/One-Stop)	Dallas, TX	02/20/14	02/19/14
85084	Segue Manufacturing Services (State/One-Stop)	Lowell, MA	02/20/14	02/19/14
85085	Federal-Mogul (Company)	Avilla, IN	02/20/14	02/19/14
85086	Bayer Crop Science, LP (Union)	Institute, WV	02/21/14	02/20/14
85087	Ocwen Loan Servicing, LLC (Workers)	Ft. Washington, PA	02/21/14	02/20/14
85088	Valmark Interface Solutions (Company)	Livermore, CA	02/21/14	02/20/14

[FR Doc. 2014–05543 Filed 3–13–14; 8:45 am]

BILLING CODE 4510–FN–P

MILITARY COMPENSATION AND RETIREMENT MODERNIZATION COMMISSION

Meeting of the Military Compensation and Retirement Modernization Commission

AGENCY: Military Compensation and Retirement Modernization Commission.

ACTION: Notice of Public Hearings.

SUMMARY: The Military Compensation and Retirement Modernization Commission (Commission) was established by National Defense Authorization Act, FY 2013. Pursuant to the Act, the Commission is holding public hearings in San Diego, California, in order to solicit comments from the general public and select experts on the modernization of the military compensation and retirement systems.

DATES: The hearings will be held Wednesday, March 26, 2014.

ADDRESSES: The hearings will be held at the Hilton San Diego, Harbor Island, 1960 Harbor Island Drive, San Diego, California 92101.

FOR FURTHER INFORMATION CONTACT: Christopher Nuneviller, Associate Director, Military Compensation and Retirement Modernization Commission, PO Box 13170, Arlington VA 22209, telephone 703–692–2080, fax 703–697–8330, email *christopher.nuneviller@mcrmc.gov.*

SUPPLEMENTARY INFORMATION: The Military Compensation and Retirement Modernization Commission (Commission) was established by the National Defense Authorization Act FY 2013, Public Law 112–239, section 671, (amended by National Defense Authorization Act FY 2014, Public Law 113–66, section 1095). The Commission is conducting public hearings and town halls across the United States in order to solicit comments on the modernization of the military compensation and retirement systems. The Commission seeks the views of service members, retirees, their families and other interested parties regarding pay, retirement, health benefits and quality of life programs of the Uniformed Services. The Commission will hear from senior commanders of local military commands and their senior enlisted advisors, unit commanders and their family support groups, local medical and education community representatives, and other quality of life organizations. Meeting sites will be accessible to members of the general public including individuals with disabilities.

On March 26, 2014, the Commission will hold public hearings from 8:00 a.m. until 1:00 p.m.

March 26, 2014 Agenda

8:00 a.m. to 9:30 a.m. Senior Local Military Commanders and Senior Enlisted Advisors

9:45 a.m. to 11:15 a.m. Military Medicine Matters

11:30 a.m. to 1:00 p.m. Local Military/Veteran Transition Service Organizations

The hearings will consist of the following:

a. Brief opening remarks by the Chairman and one or more of the Commissioners,

b. brief opening remarks by each panelist, and

c. questions posed by the Chairman and Commissioners to the panelists.

Due to the deliberative, nascent, and formative nature of the Commission's work, the Commissioners are unable to discuss their thoughts, plans, or intentions for specific recommendations that will ultimately be made to the President and Congress.

The public hearings will be transcribed and placed on the Commission's Web site. In addition to public hearings, and due to the essential need for input from the beneficiaries, the Commission is accepting and strongly encourages comments and other submissions on its Web site (*www.mcrmc.gov*).

Christopher Nuneviller,

Associate Director, Administration and Operations.

[FR Doc. 2014–05603 Filed 3–13–14; 8:45 am]

BILLING CODE P

MILITARY COMPENSATION AND RETIREMENT MODERNIZATION COMMISSION

Meeting of the Military Compensation and Retirement Modernization Commission

AGENCY: Military Compensation and Retirement Modernization Commission.

ACTION: Notice of town hall meeting.

SUMMARY: The Military Compensation and Retirement Modernization Commission (Commission) was established by National Defense Authorization Act, FY 2013. Pursuant to the Act, the Commission is holding a town hall meeting in Carlsbad, California, in the vicinity of Marine Corps Base Camp Pendleton, in order to solicit comments from the general public on the modernization of the

military compensation and retirement systems.

DATES: The town hall meeting will be held Tuesday, March 25, 2014.

ADDRESSES: The town hall meeting will be held at the Sheraton Carlsbad Resort & Spa Conference Center, 5480 Grand Pacific Drive, Carlsbad, California 92008.

FOR FURTHER INFORMATION CONTACT: Christopher Nuneviller, Associate Director, Military Compensation and Retirement Modernization Commission, PO Box 13170, Arlington VA 22209, telephone 703–692–2080, fax 703–697–8330, email *christopher.nuneviller@mcrmc.gov.*

SUPPLEMENTARY INFORMATION: The Military Compensation and Retirement Modernization Commission (Commission) was established by the National Defense Authorization Act FY 2013, Pub. L. 112–239, § 671, (amended by National Defense Authorization Act FY 2014, Pub. L. 113–66, § 1095). The Commission conducting public hearings and town halls across the United States in order to solicit comments on the modernization of the military compensation and retirement systems. The Commission seeks the views of service members, retirees, their families and other interested parties regarding pay, retirement, health benefits and quality of life programs of the Uniformed Services. The Commission will hear from senior commanders of local military commands and their senior enlisted advisors, unit commanders and their family support groups, local medical and education community representatives, and other quality of life organizations. These meetings sites will be accessible to members of the general public including individuals with disabilities.

On the evening of Tuesday, March 25, 2014, the Chairman and Commissioners will hear from the public. Attendees will be given an opportunity to address the Chairman and Commissioners and relay to them their experience and comments.

March 25, 2014 Agenda

7:00 p.m. to 9:00 p.m. Town Hall Meeting.

Due to the deliberative, nascent and formative nature of the Commission's work, the Commissioners are unable to discuss their thoughts, plans or intentions for specific recommendations that will ultimately be made to the President and Congress.

The public hearings will be transcribed and placed on the Commission's Web site. In addition to public hearings, and due to the essential need for input from the beneficiaries, the Commission is accepting and strongly encourages comments and other submissions on its Web site (*www.mcrmc.gov*).

Christopher Nuneviller,

Associate Director, Administration and Operations.

[FR Doc. 2014–05602 Filed 3–13–14; 8:45 am]

BILLING CODE P

NATIONAL AERONAUTICS AND SPACE ADMINSTRATION

[Notice 14–025]

National Environmental Policy Act; Santa Susana Field Laboratory

AGENCY: National Aeronautics and Space Administration (NASA).

ACTION: Notice of Availability of the Final Environmental Impact Statement (FEIS) for Demolition and Environmental Cleanup Activities for the NASA-administered portion of the Santa Susana Field Laboratory (SSFL), Ventura County, California.

SUMMARY: Pursuant to the National Environmental Policy Act (NEPA), as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality Regulations for Implementing the Procedural Provisions of NEPA (40 CFR Parts 1500–1508), and NASA's NEPA policy and procedures (14 CFR Part 1216, subpart 1216.3), NASA has prepared a FEIS for demolition and cleanup activities at SSFL in Ventura County, California. Furthermore, pursuant to 36 CFR 800.8(c) of the National Historic Preservation Act (NHPA), NASA will use the NEPA process and the FEIS it produces to comply with Section 106 of NHPA in lieu of the procedures set forth in Sections 800.3 through 800.6.

DATES: NASA will take no final action on the proposed action before thirty (30) calendar days from the date of publication in the **Federal Register** of the U.S. Environmental Protection Agency's Notice of Availability of the FEIS. Once known, this date will be published on the project Web site address listed below.

http://www.nasa.gov/agency/nepa/news/SSFL.html

ADDRESSES: The FEIS may be reviewed at the following locations:

1. Simi Valley Library

2969 Tapo Canyon Road, Simi Valley, CA 93063, Web site: *http://simivalleylibrary.org/home/*, Phone: (805) 526–1735.

2. Platt Library

23600 Victory Blvd., Woodland Hills, CA 91367, Web site: *http://www.lapl.org/branches/platt*, Phone: (818) 340–9386.

3. California State University, Northridge Oviatt Library

18111 Nordhoff Street, 2nd Floor, Room 265, Northridge, CA 91330, Web site: *http://library.csun.edu*, Phone: (818) 677–2285.

4. Department of Toxic Substances Control

9211 Oakdale Avenue, Chatsworth, CA 91311, Web site: *http://www.dtsc.ca.gov*, Phone: (818) 717–6521.

The FEIS is available on the internet in Adobe® portable document format at *http://www.nasa.gov/agency/nepa/news/SSFL.html.*

FOR FURTHER INFORMATION CONTACT: Allen Elliott, SSFL Project Director, by phone at (256) 544–0662 or by email at *msfc-ssfl-eis@mail.nasa.gov.* Additional information about NASA's SSFL site, the proposed demolition and cleanup activities, and the associated EIS planning process and documentation (as available) may be found on the internet at *http://ssfl.msfc.nasa.gov.*

SUPPLEMENTARY INFORMATION:

Decision To Be Made

This FEIS informs NASA decision makers, regulating agencies, and the public of the potential environmental consequences of the proposed demolition of SSFL buildings and structures and the impacts of using the proposed technologies to achieve groundwater and soil remediation, as implemented through the Proposed Action. This FEIS analyzes a range of remedial technologies that might be implemented to achieve the proposed groundwater and soil remediation goals. NASA will use the FEIS analysis to consider the potential environmental and socioeconomic impacts from the Proposed Action. NASA's analysis includes evaluation of cumulative activities that might occur in the same area or timeframe as the Proposed Action. These activities were evaluated to identify potential environmental impacts that, when added to the Proposed Action's impacts, would result in a cumulative effect as a result of past, present, and reasonably foreseeable future actions. The EIS considered the Proposed Action with the adjacent environmental cleanup activities being conducted by DOE and Boeing. On the basis of the FEIS findings, NASA will

issue a Record of Decision (ROD) documenting the findings.

Site Description

The SSFL site is 2,850 acres located in Ventura County, California, approximately seven miles northwest of Canoga Park and approximately 30 miles northwest of downtown Los Angeles. SSFL is composed of four areas known as Areas I, II, III, and IV and two unnumbered areas known as the ''undeveloped land.'' NASA administers 41.7 acres within Area I and all 409.5 acres of Area II. The Boeing Company manages the remaining 2,398.8 acres within Areas I, III, and IV, and the two undeveloped areas.

Since the mid-1950s, when the two federally owned areas were administered by the U.S. Air Force, this site has been used for developing and testing rocket engines. Four test stand complexes were constructed in Area II between 1954 and 1957 named Alfa, Bravo, Coca, and Delta. Area II and the LOX Plant portion of Area I were acquired by NASA from the U.S. Air Force in the 1970s. The extant test stands and related ancillary structures have been found to have historical significance based on the historic importance of the engine testing and the engineering and design of the structures and are eligible for listing on the National Register of Historic Places (NRHP).

The NASA-administered areas of SSFL also contain cultural resources not related to rocket development including the Burro Flats Painted Cave listed on the NRHP. SSFL is located near the crest of the Simi Hills that are part of the Santa Monica Mountains running east-west across Southern California. The diverse terrain consists of ridges, canyons, and sandstone rock outcrops. The region was occupied by Native Americans from the earliest Chumash and Gabrieleño cultures.

Previous environmental sampling on the NASA-administered property indicates that metals, dioxins, polychlorinated biphenyls (PCBs), volatile organics, and semivolatile organics are present in the soils and upper groundwater (known as the Surficial Media Operable Unit). Volatile organics, metals, and semivolatile organics are also present in the deeper groundwater (known as the Chatsworth Formation Operable Unit).

Environmental Commitments and Associated Environmental Review

Consistent with statute and regulations, on September 14, 2009, NASA notified the General Services Administration (GSA) that it reported the NASA-administered SSFL parcels as excess. GSA is the federal agency responsible for undertaking all activities relating to transfer of these federal lands to another party, including how the public will be kept involved. NASA remains the landholder and custodian of the site. GSA has conditionally accepted that report pending (i) NASA's certification that all action necessary to protect human health and the environment with respect to hazardous substances on the property has been taken or receipt of EPA's written concurrence that an approved and installed remedial design is operating properly and successfully; OR (ii) the Governor's concurrence in the suitability of the property for transfer per CERCLA Section 120(h)(3)(C).

In 2007, a Consent Order among NASA, Boeing, the Department of Energy (DOE), and Department of Toxic Substances Control (DTSC) for the State of California was signed addressing the environmental cleanup of soil and groundwater at SSFL. NASA entered into an Administrative Order on Consent (AOC) for Remedial Action with DTSC on December 6, 2010 with respect to the cleanup of soils at SSFL. Based on the 2010 AOC, NASA is required to complete a federal environmental review pursuant to NEPA. An EIS is being prepared by NASA to include demolition of site infrastructure and soil cleanup (pursuant to the AOC), and groundwater remediation within Area II and a portion of Area I (Liquid Oxygen [LOX] Plant) of SSFL (pursuant to the 2007 Consent Order). As part of the environmental review process, certain studies have been or are being completed, to characterize the existing conditions and to inform the analysis and consultation. These include surveys for wildlife, critical habitat, rare plants, wetlands, and archaeological and cultural resources. The findings of these studies have been incorporated into the FEIS.

Alternatives

To prepare SSFL for disposition, NASA describes the demolition of SSFL structures and cleanup of the site necessary to meet only the strictest cleanup alternative, as dictated by the 2007 Consent Order and the 2010 AOC requirements, and the ''No Action'' alternative required by NEPA. During the Scoping Process, per the standard consistent with the alternatives evaluated under previous Superfund or Resource Conservation and Recovery Act (RCRA) cleanup processes, NASA originally proposed to evaluate a range of cleanup standard levels, including the ''Cleanup to Background'' alternative required by the AOC, the ''No Action'' alternative required by NEPA, and other alternatives that are, consistent with the potential future use of the land. The latter alternatives included soil cleanup requirements to suburban residential, to industrial, and to recreational cleanup standards. Based on comments from some members of the public, DTSC, Congressional members, and guidance from the White House's Council on Environmental Quality, the FEIS now considers only the strictest ''Cleanup to Background'' and the required ''No Action'' alternatives. All other cleanup alternatives proposed during Scoping Process were specifically removed from the FEIS.

The FEIS will consider a range of alternative technologies that meet NASA's objectives to clean up soil and groundwater contamination at the portion of the SSFL site administered by NASA. Implementation of this Proposed Action would occur by implementing one Demolition Alternative and one or more Cleanup Technologies, from the following: (1) Soil Cleanup Technologies: Excavation and Offsite Disposal, Soil Washing, Soil Vapor Extraction, Ex Situ Treatment Using Land Farming, Ex Situ Treatment Using oxidation, In Situ Chemical Oxidation, In Situ Anaerobic or Aerobic Biological Treatment; (2) Groundwater Treatment Technologies: Pump and Treat, Vacuum Extraction, Heat Driven Extraction, In situ Chemical Oxidation, In situ Enhanced Bioremediation, and Monitored Natural Attenuation.

NEPA requires analysis of the ''No Action'' alternative, which in this case means no environmental cleanup at the site and/or no demolition of test stands and ancillary structures on the NASA-administered property.

GSA will conduct a separate environmental review under NEPA for the action of transferring the land out of NASA stewardship. The options could include reuse or redevelopment of the property under tribal, federal, local, state, or private ownership.

DTSC is preparing a separate Environmental Impact Report (EIR) under the California Environmental Quality Act, which requires that State agencies give major consideration, when regulating public and private activities, to preventing environmental degradation and to identifying environmentally superior mitigations and alternatives, when possible. This State-led environmental review must identify the potentially significant environmental effects of a project and environmentally preferable alternatives to implementing the project. The EIR

also indicates the manner in which significant effects could be mitigated or avoided. DTSC will analyze the potential environmental effects of environmental cleanup activities occurring SSFL-wide by NASA, Boeing, and DOE. NASA and DTSC have coordinated during these processes to maintain consistency pertaining to the analysis of the NASA-administered demolition and remedial activities. Cumulative effects of the proposed Boeing, DOE, and NASA demolition and remedial activities at SSFL will be considered. The DTSC EIR is likely to be prepared following publication of NASA's EIS, and could incorporate some of NASA's EIS analysis. A programmatic EIR will be developed that evaluates the remedial activities that will be conducted at SSFL by NASA, Boeing, and DOE, as well as project-specific EIRs that evaluate the localized remedial activities. These DTSC evaluations must be completed prior to NASA implementing its final soil or groundwater cleanup actions.

Olga M. Dominguez,

Assistant Administrator, Office of Strategic Infrastructure.

[FR Doc. 2014–05511 Filed 3–13–14; 8:45 am]

BILLING CODE 7510–13–P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice: (14–027)]

NASA Advisory Council; Science Committee; Meeting

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, Public Law 92–463, as amended, the National Aeronautics and Space Administration (NASA) announces a meeting of the Science Committee of the NASA Advisory Council (NAC). This Committee reports to the NAC. The meeting will be held via Teleconference and WebEx for the purpose of soliciting, from the scientific community and other persons, scientific and technical information relevant to program planning.

DATES: Wednesday, April 9, 2014, 2:00 p.m. to 6:00 p.m., Local Time

FOR FURTHER INFORMATION CONTACT: Ms. Ann Delo, Science Mission Directorate, NASA Headquarters, Washington, DC 20546, (202) 358–0750, fax (202) 358–2779, or *ann.b.delo@nasa.gov.*

SUPPLEMENTARY INFORMATION: This meeting will be open to the public telephonically and by WebEx. Any interested person may call the USA toll free conference call number 888–982–4613, passcode Science, to participate in this meeting by telephone. The WebEx link is *https://nasa.webex.com/,* meeting number 396 523 409, password is SC@April9. The agenda for the meeting includes the following topic:

—Science Mission Directorate FY 2015 Budget Request

It is imperative that the meeting be held on this date to accommodate the scheduling priorities of the key participants.

Patricia D. Rausch,

Advisory Committee Management Officer, National Aeronautics and Space Administration.

[FR Doc. 2014–05644 Filed 3–13–14; 8:45 am]

BILLING CODE 7510–13–P

NATIONAL CREDIT UNION ADMINISTRATION

Agency Information Collection Activities: Notice of Submission to OMB for Revision to a Currently Approved Information Collection; Comment Request

AGENCY: National Credit Union Administration (NCUA).

ACTION: Request for comment.

SUMMARY: The NCUA intends to submit the following information collection to the Office of Management and Budget (OMB) for review and clearance under the Paperwork Reduction Act of 1995 (Pub. L. 104–13, 44 U.S.C. Chapter 35). This information collection is published to obtain comments from the public. Prior notice of the proposed changes and a request for comments was published on January 28, 2014 (79 FR 4509). No comments were received. NCUA is proposing to add fields to the 5300 Call Report to collect Bank Secrecy Act/Anti-Money Laundering, charitable donations, derivatives and investments to fund employee benefits.

DATES: Comments must be submitted April 14, 2014.

ADDRESSES: Interested parties are invited to submit written comments to the NCUA Contact and the OMB Reviewer listed below:

NCUA Contact: Tracy Crews, National Credit Union Administration, 1775 Duke Street, Alexandria, Virginia 22314–3428, Fax No. 703–837–2861, Email: *OCIOPRA@ncua.gov.*

OMB Reviewer: Office of Management and Budget, ATTN: Desk Officer for the National Credit Union Administration, Office of Information and Regulatory Affairs, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: Requests for additional information, a copy of the information collection request, or a copy of submitted comments should be directed to Tracy Crews at the National Credit Union Administration, 1775 Duke Street, Alexandria, VA 22314–3428, or at (703) 518–6444.

SUPPLEMENTARY INFORMATION:

I. Abstract and Request for Comments

NCUA is amending the currently approved collection for 3133–0004. Two specific forms are used, NCUA Form 5300 and NCUA Profile Form 4501A, also known as the Call Report and Profile, respectively. Section 741.6 of the NCUA Rules and Regulations requires all federally insured credit unions to submit a Call Report quarterly. 12 CFR 741.6. The information enables NCUA to monitor credit unions whose share accounts are insured by the National Credit Union Share Insurance Fund (NCUSIF). NCUA uses the information collected from these Call Reports to fulfill its mission of supervising credit unions, and the Federal Reserve Board uses the information to monitor and control the nation's money supply and the system of financial institutions. Congress and various state legislatures use this information to monitor, regulate, and control credit unions and financial institutions. The changes made to the Profile and Call Report forms for March 2014 will provide data to assist the National Credit Union Administration in assessing regulatory compliance and financial and operational risks. There is a decrease of 8,290 hours from the last submission (2013). The decrease is a result of an adjustment to the number of credit unions completing the Call Report from 6,864 to an estimated 6,550 for March 2014. This decline is from credit union mergers and liquidations.

The NCUA requests that you send your comments on this collection to the location listed in the addresses section. Your comments should address: (a) The necessity of the information collection for the proper performance of NCUA, including whether the information will have practical utility; (b) the accuracy of our estimate of the burden (hours and cost) of the collection of information, including the validity of the methodology and assumptions used; (c) ways we could enhance the quality, utility, and clarity of the information to be collected; and (d) ways we could minimize the burden of the collection of the information on the respondents such

as through the use of automated collection techniques or other forms of information technology. It is NCUA's policy to make all comments available to the public for review.

II. Data

Proposal for the following collection of information:

OMB Number: 3133–0004.

Form Number: NCUA 5300 and NCUA 4501A.

Type of Review: Revision to the currently approved collection.

Title: NCUA Call Report and Profile.

Description: The financial and statistical information is essential to NCUA and state supervisory authorities in carrying out its responsibility for the supervision of federally insured credit unions. The information also enables NCUA to monitor all federally insured credit unions whose share accounts are insured by the NCUSIF.

Respondents: All Federally Insured Credit Unions.

Estimated No. of Respondents/ Recordkeepers: 6,550.

Estimated Burden Hours Per Response: 6.6 hours.

Frequency of Response: Quarterly.

Estimated Total Annual Burden Hours: 172,920.

Estimated Total Annual Cost: $5,360,520.

By the National Credit Union Administration Board on March 7, 2014.

Gerard Poliquin,

Secretary of the Board.

[FR Doc. 2014–05640 Filed 3–13–14; 8:45 am]

BILLING CODE 7535–01–P

NATIONAL SCIENCE FOUNDATION

Notice of Permits Issued Under the Antarctic Conservation Act of 1978

AGENCY: National Science Foundation.

ACTION: Notice of permits issued under the Antarctic Conservation of 1978, Public Law 95–541.

SUMMARY: The National Science Foundation (NSF) is required to publish notice of permits issued under the Antarctic Conservation Act of 1978. This is the required notice.

FOR FURTHER INFORMATION CONTACT: Polly Penhale, ACA Permit Officer, Division of Polar Programs, Rm. 755, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230. Or by email: *ACApermits@nsf.gov.*

SUPPLEMENTARY INFORMATION: On January 31, 2014 the National Science Foundation published a notice in the **Federal Register** of a permit application received (79 FR 5467). The permit was issued on March 4, 2014 to:

Dr. H. William Detrich, III, Permit No. 2014–029, Northeastern University.

Nadene G. Kennedy,

Polar Coordination Specialist, Division of Polar Programs.

[FR Doc. 2014–05588 Filed 3–13–14; 8:45 am]

BILLING CODE 7555–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 72–3; NRC–2014–0049]

Duke Energy Progress, Inc.—H.B. Robinson Steam Electric Plant; Independent Spent Fuel Storage Installation

AGENCY: Nuclear Regulatory Commission.

ACTION: License amendment; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) reviewed an application by Carolina Power and Light Company (CP&L) for amendment of Materials License No. SNM–2502 which authorizes CP&L to receive, possess, store, and transfer spent nuclear fuel and associated radioactive materials. The requested amendment would change the corporate name of the licensee from Carolina Power and Light to Duke Energy Progress, Inc. for the H.B. Robinson Steam Electric Plant (HBRSEP) Independent Spent Fuel Storage Installation (ISFSI).

ADDRESSES: Please refer to Docket ID NRC–2014–0049 when contacting the NRC about the availability of information regarding this document. You may access publicly-available information related to this action by the following methods:

- *Federal Rulemaking Web site:* Go to *http://www.regulations.gov* and search for Docket ID NRC–2014–0049. Address questions about NRC dockets to Carol Gallagher; telephone: 301–287–3422; email: *Carol.Gallagher@nrc.gov.* For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may access publicly available documents online in the NRC Library 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 in this document (if that document is available in ADAMS) is provided the first time that a document is referenced. The H.B. Robinson License Amendment Request No. 2 package is available in ADAMS under Accession No. ML14056A311.
- *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.

FOR FURTHER INFORMATION CONTACT: John-Chau Nguyen, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, telephone: 301–287–9202; email: *John-Chau.Nguyen@nrc.gov.*

SUPPLEMENTARY INFORMATION: On March 30, 2005, the NRC renewed Materials License No. SNM–2502 to the Carolina Power and Light Company (CP&L) for the H.B. Robinson Steam Electric Plant (HBRSEP) Independent Spent Fuel Storage Installation (ISFSI), located in Hartsville, South Carolina. The renewed license authorizes CP&L to receive, possess, store, and transfer spent nuclear fuel and associated radioactive materials resulting from the operation of the HBRSEP in an ISFSI at the power plant site for a term of 40 years. The NRC staff also issued an Environmental Assessment and Finding of No Significant Impact related to the issuance of the renewed ISFSI license on March 17, 2005, in accordance with the National Environmental Policy Act, and in conformance with the applicable requirements of Part 51 of Title 10 of the *Code of Federal Regulations* (10 CFR).

On April 10, 2013, CP&L submitted a request for a license amendment to the NRC in accordance with 10 CFR 72.56, ''Application for amendment of license.'' The requested amendment would change the corporate name of the licensee from Carolina Power and Light to Duke Energy Progress, Inc. The application included adequate justification for the proposed changes.

Pursuant to 10 CFR 72.46, the NRC has docketed, approved and issued Amendment No. 2 to Materials License No. SNM–2502 held by CP&L for the receipt, possession, transfer, and storage of spent fuel at the HBRSEP ISFSI. Amendment No. 2 is effective as of the date of issuance.

Amendment No. 2 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 1, which are set forth in Amendment No. 2. The issuance of Amendment No. 2 satisfied the criteria specified in 10 CFR 51.22(c)(11) for a categorical exclusion. Thus, the preparation of an environmental assessment or an environmental impact statement is not required.

In accordance with 10 CFR 72.46(b)(2), the NRC has determined that Amendment No. 2 does not present a genuine issue as to whether public health and safety will be significantly affected. Therefore, the publication of a notice of proposed action and an opportunity for hearing or a notice of hearing is not warranted. Notice is hereby given of the right of interested persons to request a hearing on whether the action should be rescinded or modified.

Dated at Rockville, Maryland, this 10th day of March 2014.

For the Nuclear Regulatory Commission.

Michele Sampson,

Chief, Licensing Branch, Division of Spent Fuel Storage and Transportation, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 2014–05655 Filed 3–13–14; 8:45 am]

BILLING CODE 7590–01–P

OVERSEAS PRIVATE INVESTMENT CORPORATION

Sunshine Act Cancellation Notice—OPIC March 12, 2014 Public Hearing

OPIC's Sunshine Act notice of its Public Hearing in Conjunction with each Board meeting was published in the **Federal Register** (Volume 79, Number 33, Page 9502) on February 19, 2014. No requests were received to provide testimony or submit written statements for the record; therefore, OPIC's public hearing scheduled for 3 p.m., March 12, 2014 in conjunction with OPIC's March 20, 2014 Board of Directors meeting has been cancelled.

Contact Person for Information: Information on the hearing cancellation may be obtained from Connie M. Downs at (202) 336–8438, or via email at *Connie.Downs@opic.gov*.

Dated: March 11, 2014.

Connie M. Downs,

OPIC Corporate Secretary.

[FR Doc. 2014–05728 Filed 3–12–14; 11:15 am]

BILLING CODE 3210–01–P

OVERSEAS PRIVATE INVESTMENT CORPORATION

Sunshine Act Cancellation Notice; OPIC's March 12, 2014 Annual Public Hearing

OPIC's Sunshine Act notice of its Annual Public Hearing was published in the **Federal Register** (Volume 79, Number 17, Page 4363) on January 27, 2014. No requests were received to provide testimony or submit written statements for the record; therefore, OPIC's Annual Public Hearing scheduled for 2 p.m., March 12, 2014 has been cancelled.

Contact Person for Information: Information on the hearing cancellation may be obtained from Connie M. Downs at (202) 336–8438, or via email at *Connie.Downs@opic.gov.*

Dated: March 11, 2014.

Connie M. Downs,

OPIC Corporate Secretary.

[FR Doc. 2014–05731 Filed 3–12–14; 11:15 am]

BILLING CODE 3210–01–P

PRESIDIO TRUST

Notice of Public Meeting of Fort Scott Council

AGENCY: The Presidio Trust.

ACTION: Notice of public meeting of Fort Scott Council.

SUMMARY: Pursuant to the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given that a public meeting of the Fort Scott Council (Council) will be held from 10:00 a.m. to 12:30 p.m. on Monday, April 7, 2014. The meeting is open to the public, and oral public comment will be received at the meeting. The Council was formed to advise the Executive Director of the Presidio Trust (Trust) on matters pertaining to the rehabilitation and reuse of Fort Winfield Scott as a new national center focused on service and leadership development.

SUPPLEMENTARY INFORMATION: The Trust's Executive Director, in consultation with the Chair of the Board of Directors, has determined that the Council is in the public interest and supports the Trust in performing its duties and responsibilities under the Presidio Trust Act, 16 U.S.C. 460bb appendix.

The Council will advise on the establishment of a new national center (now named ''Presidio Institute'') focused on service and leadership development, with specific emphasis on: (a) Assessing the role and key opportunities of a national center dedicated to service and leadership at Fort Scott in the Presidio of San Francisco; (b) providing recommendations related to the Presidio Institute's programmatic goals, target audiences, content, implementation and evaluation; (c) providing guidance on a phased development approach that leverages a combination of funding sources including philanthropy; and (d) making recommendations on how to structure the Presidio Institute's business model to best achieve the Presidio Institute's mission and ensure long-term financial self-sufficiency.

Meeting Agenda: In this meeting of the Council, the Acting Director will present a draft strategic plan for discussion and feedback from the Presidio Institute. Staff members will provide updates on the Presidio Institute programs. The period from 12:00 p.m. to 12:30 p.m. will be reserved for public comments.

Public Comment: Individuals who would like to offer comments are invited to sign-up at the meeting and speaking times will be assigned on a first-come, first-served basis. Written comments may be submitted on cards that will be provided at the meeting, via mail to Linh Tran, Presidio Institute, 1201 Ralston Avenue, San Francisco, CA 94129–0052, or via email to *institute@presidiotrust.gov.* If individuals submitting written comments request that their address or other contact information be withheld from public disclosure, it will be honored to the extent allowable by law. Such requests must be stated prominently at the beginning of the comments. The Trust will make available for public inspection all submissions from organizations or businesses and from persons identifying themselves as representatives or officials of organizations and businesses.

Time: The meeting will be held from 10:00 a.m. to 12:30 p.m. on Monday, April 7, 2014.

Location: The meeting will be held at the Presidio Institute, Building 1202 Ralston Avenue, San Francisco, CA 94129.

FOR FURTHER INFORMATION CONTACT: Additional information is available online at *http://www.presidio.gov/explore/Pages/fort-scott-council.aspx.*

Dated: March 10, 2014.

Karen A. Cook,

General Counsel.

[FR Doc. 2014–05614 Filed 3–13–14; 8:45 am]

BILLING CODE 4310–4R–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–71675; File No. SR–CHX–2014–03]

Self-Regulatory Organizations; Chicago Stock Exchange, Inc.; Notice of Filing of Proposed Rule Change To Amend the Bylaws of the Exchange

March 10, 2014.

Pursuant to Section 19(b)(1) [1] of the Securities Exchange Act of 1934 (''Act'') [2] and Rule 19b–4 thereunder,[3] notice is hereby given that on February 28, 2014, the Chicago Stock Exchange, Inc. (''CHX'' or ''Exchange'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of the Substance of the Proposed Rule Change

CHX proposes to amend the Bylaws of the Exchange. The text of this proposed rule change is available on the Exchange's Web site at *http://www.chx.com/rules/proposed_rules.htm,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend Article II, Sec. 5(a) of the Bylaws of the Exchange to provide that the Vice Chairman shall be nominated by the Chairman and elected by a majority of the CHX Board. Notably, the Exchange proposes to eliminate the requirements that the Vice Chairman of the CHX Board be a Participant Director [4] and be elected by a majority vote of Participant Directors.

Background

On February 9, 2005, the Exchange's ownership structure was demutualized, pursuant to the plan proposed under SR–CHX–2004–26,[5] which was approved by the SEC on February 8, 2005.[6] As part of its demutualization, the Exchange adopted separate Bylaws for the Exchange and the new holding company, CHX Holdings, Inc.

Among other things, the Bylaws of the Exchange granted Participants certain representation rights on the Board. For example, current Article II, Section 5(a), which was adopted upon demutualization, provides that the Participant Directors shall elect the Vice Chairman by majority vote from among the Participant Directors. In addition, current Article II, Sec. 2(b) requires one-half of the CHX Board minus one seat (rounded down to the nearest whole number) be comprised of Participant Directors; current Article II Sec. 3 requires half of the Nominating and Governance Committee be comprised of STP Participant Directors (*i.e.,* Participant Directors who were nominated through a special process by Participant firms); and current Article II, Sec 6 requires a vacancy on the CHX Board left by a Participant Director be filled with a Participant Director.

Proposed Amendment

The Exchange now proposes to eliminate the requirement that the Vice Chairman of the CHX Board be a Participant Director elected by a majority of Participant Directors. The Exchange submits that this requirement unnecessarily shrinks the pool of qualified and willing candidates for the position of Vice Chairman, while adding little in the way of board representation protection for Participants above what is already provided for in the Bylaws of the Exchange.

Specifically, the Exchange proposes to replace the first sentence of current Article II, Sec. 5(a) of the Bylaws of the Exchange with language that states that the Vice Chairman shall be nominated by the Chairman and elected by a majority vote of the Board of Directors and that the Chairman shall provide the name of his or her nominee to the Board, in writing, no later than five business days before the date on which the Board will be asked to vote to fill the position. The Exchange notes that other exchanges do not explicitly provide for the position of ''Vice Chairman'' in their bylaws.[7] At these other exchanges, the responsibilities of the Vice Chairman of the CHX Board are assigned to the Chairman, another officer, or the board generally. Also, the proposed amendment shall apply prospectively to future Vice Chairmen of the CHX Board and shall not apply to the current Vice Chairman.

2. Statutory Basis

The Exchange believes that the proposal is consistent with the requirements of the Act and rules and regulations thereunder that are applicable to a national securities exchange, and, in particular, with the requirements of Section 6(b) of the Act.[8] In particular, proposed Article II, Sec. 5(a) of the Bylaws of the Exchange are consistent with Section 6(b)(1) of the Act, because it permits the CHX Board to select a Vice Chairman from a larger pool of qualified and willing individuals, which will result in the position being held by the most able and willing candidate, thereby enabling the Exchange to be so organized as to have the capacity to be able to carry out the purposes of the Act and to comply, and to enforce compliance by its Participants and persons associated with its Participants, with the provisions of the Act, the rules and regulations thereunder, and the rules of the Exchange.[9] Although the Exchange proposes to modify the requirements and procedures for the selection of the Vice Chairman of the CHX Board, the current compositional requirements of the CHX Board, including current Article II, Sec. 2, will not be changed. Therefore, the CHX Board will be required to comply with these requirements.

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

[4] Article II, Section 2(b) of the Bylaws of the Exchange defines ''Participant Directors'' as follows:

The term ''Participant Director'' shall mean a director who is a Participant or an officer, managing member or partner of an entity that is a Participant. The term ''Participant'' shall mean any individual, corporation, partnership or other entity that holds a permit issued by the Corporation to trade securities on the market operated by the Corporation.

[5] *See* Securities Exchange Act Release No. 51149 (February 8, 2005), 70 FR 7531 (February 14, 2005) (''Order'').

[6] *See* Securities Exchange Act Release No. 50892 (December 20, 2004), 69 FR 77796 (December 28, 2004) (''Notice'').

[7] *See* By-laws of the NASDAQ Stock Market, Inc.; *see also* Third Amended and Restated Bylaws of NYSE Regulation, Inc.; *see also* Amended and Restated By-Laws of BATS Exchange, Inc.

[8] 15 U.S.C. 78f(b).

[9] 15 U.S.C. 78f(b)(1).

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. Specifically, the Exchange believes that the proposed Bylaws do not directly affect competition between the Exchange and others that provide the same goods and services as the Exchange, since they do not affect the availability or pricing of such goods and services.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

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 the proposed rule change, or

B. institute proceedings to determine whether the proposed rule change should be disapproved.

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 Act. Comments may be submitted by any of the following methods:

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.* Please include File Number SR–CHX–2014–03 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090.

All submissions should refer to File Number SR–CHX–2014–03. 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 such filing also will be available for inspection and copying at the principal offices of the Exchange. 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–CHX–2014–03, and should be submitted on or before April 4, 2014.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[10]

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2014–05598 Filed 3–13–14; 8:45 am]

BILLING CODE 8011–01–P

[10] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–71673; File No. SR–Phlx–2014–15]

Self-Regulatory Organizations; NASDAQ OMX PHLX LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Relating to SPY Simple Orders Fees For Removing Liquidity

March 10, 2014.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on February 27, 2014, NASDAQ OMX PHLX LLC (''Phlx'' or ''Exchange'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission'') the proposed rule change as described in Items I, II, and III, below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

I. Self-Regulatory Organization's Statement of the Terms of the Substance of the Proposed Rule Change

The Exchange proposes to modify the Exchange's Pricing Schedule to amend Simple Order pricing in Section I, entitled Rebates and Fees for Adding and Removing Liquidity in SPY.[3]

While the changes proposed herein are effective upon filing, the Exchange has designated that the amendments be operative on March 3, 2014.

The text of the proposed rule change is available on the Exchange's Web site at *http://nasdaqomxphlx.cchwallstreet.com/,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange is proposing to amend the Simple Order Fees for Removing Liquidity in Section I applicable to transactions overlying SPY. The Exchange currently assesses Customers, Specialists,[4] Market Makers,[5] Firms,[6]

[3] Options overlying Standard and Poor's Depositary Receipts/SPDRs (''SPY'') are based on the SPDR exchange-traded fund (''ETF''), which is designed to track the performance of the S&P 500 Index.

[4] A ''Specialist'' is an Exchange member who is registered as an options specialist pursuant to Rule 1020(a).

[5] A ''Market Maker'' includes Registered Options Traders (Rule 1014(b)(i) and (ii)), which includes Streaming Quote Traders (*see* Rule 1014(b)(ii)(A)) and Remote Streaming Quote Traders (*see* Rule 1014(b)(ii)(B)). Directed Participants are also market makers.

[6] The term ''Firm'' applies to any transaction that is identified by a member or member organization

Continued

Broker-Dealers [7] and Professionals [8] a $0.47 per contract Fee for Removing Liquidity in SPY Simple Orders. The Exchange is proposing to increase Fees for Removing Liquidity in SPY Simple Orders from $0.47 to $0.49 per contract for all market participants, except Customers. The Exchange is increasing these fees at this time because it believes that the increase will allow the Exchange to enhance its services and remain competitive with other options exchanges.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with the provisions of Section 6 of the Act,[9] in general, and with Section 6(b)(4) and 6(b)(5) of the Act,[10] in particular, in that it provides for the equitable allocation of reasonable dues, fees and other charges among members and issuers and other persons using any facility or system which the Exchange operates or controls, and is not designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

The Exchange's proposal to increase Fees for Removing Liquidity in SPY Simple Orders from $0.47 to $0.49 per contract for all market participants, except for Customers, is reasonable because the increase is consistent with or less than [sic] rates assessed by other options exchanges, such as Topaz Exchange, LLC (''Gemini''), NYSE ARCA, Inc. (''NYSE Arca''), BATS Exchange, Inc. (''BATS'') and NASDAQ Options Market LLC (''NOM'').[11] The Exchange believes that the SPY Simple Order Fees for Removing Liquidity remain competitive with other options markets. The Exchange believes that this proposal will bring additional revenue to the Exchange to allow the Exchange to enhance its services and remain competitive with other options exchanges.

The Exchange's proposal to increase Fees for Removing Liquidity in SPY Simple Orders from $0.47 to $0.49 per contract for all market participants, except Customers, is equitable and not unfairly discriminatory because all non-Customer market participants will be assessed a uniform fee to remove liquidity in SPY Simple Orders of $0.49 per contract. The Exchange will continue to assess Customers a SPY Simple Order Fee for Removing Liquidity of $0.47 per contract. The Exchange assesses Customers lower or no fees today [12] on Phlx because Customer order flow is unique. Customer liquidity benefits all market participants by providing more trading opportunities, which attract Specialists and Market Makers. An increase in the activity of these market participants in turn facilitates tighter spreads, which may cause an additional corresponding increase in order flow from other market participants. Other options exchanges also assess Customers lower fees.[13] For these reasons, the Exchange believes this proposal is equitable and not unfairly discriminatory.

B. Self-Regulatory Organization's Statement on Burden on Competition

Phlx does not believe that the proposed rule change will impose an undue burden on competition not necessary or appropriate in furtherance of the purposes of the Act. The Exchange believes that increasing the SPY Simple Order Fees for Removing Liquidity for all market participants, except Customers, does not impose a burden on competition, but rather that the proposed rule change will continue to promote competition on the Exchange as the rates proposed above are consistent with the current rates assessed by competing options exchanges.[14]

The Exchange does not believe that assessing Customers a lower Fee for Removing Liquidity when transacting SPY Simple Orders, as compared to other market participants, imposes an undue burden on competition because Customer liquidity benefits all market participants by providing more trading opportunities, which attracts Specialists and Market Makers. An increase in the activity of these market participants in turn facilitates tighter spreads, which may cause an additional corresponding increase in order flow from other market participants. All market participants are eligible to qualify for a Customer Rebate.

The Exchange operates in a highly competitive market, comprised of twelve options exchanges, in which market participants can easily and readily direct order flow to competing venues if they deem fee levels at a particular venue to be excessive or rebates to be inadequate. Accordingly, the fees that are assessed and the rebates paid by the Exchange, described in the above proposal, are influenced by these robust market forces and therefore must remain competitive with fees charged and rebates paid by other venues and therefore must continue to be reasonable and equitably allocated to those members that opt to direct orders to the Exchange rather than competing venues.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

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

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(ii) of the Act.[15] At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

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 Act.

for clearing in the Firm range at The Options Clearing Corporation.

[7] The term ''Broker-Dealer'' applies to any transaction which is not subject to any of the other transaction fees applicable within a particular category.

[8] The term ''Professional'' means any person or entity that (i) is not a broker or dealer in securities, and (ii) places more than 390 orders in listed options per day on average during a calendar month for its own beneficial account(s). *See* Rule 1000(b)(14).

[9] 15 U.S.C. 78f.

[10] 15 U.S.C. 78f(b)(4) and (5).

[11] *See* Gemini's Fee Schedule. Gemini assesses taker fees for Priority Customer sof [sic] $0.45 per contract and $0.48 per contract for all market participants. *See* NYSE Arca fees Schedule. NYSE Arca assesses all non-customer market participants a take liquidity fee of $0.48 per contract. Customers are assessed $0.45 per contract for removing liquidity. Gemini permits its members to lower certain of these fees provided they meet certain criteria. *See* BATS BZX Exchange Fee Schedule. BATS assesses a $0.48 charge per contract for a Professional, Firm or Market Maker order that removes liquidity and $0.47 per contract for a Customer order that removes liquidity. BATS permits its members to lower certain of these fees provided they meet certain criteria. *See* NOM Rules at Chapter XV, Section 2. Currently, NOM assesses $0.45 per contract for a Customer to remove liquidity and $0.49 per contract for all other market participants, except NOM Market Makers who are assessed $0.48 per contract. NOM Participants are provided the ability to reduce certain fees provided they add requisite liquidity.

[12] For example, on PHLX today the Customer fee is $0.00 for all electronically-delivered multiply-listed options, except SPY, whereas as [sic] other market participants are assessed fees ranging from $0.22 to $0.60 per contract. *See* NASDAQ OMX PHLX, LLC's Pricing Schedule.

[13] *See* note 11.

[14] *See* note 11.

[15] 15 U.S.C. 78s(b)(3)(A)(ii).

Comments may be submitted by any of the following methods:

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.* Please include File Number SR–Phlx–2014–15 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090.

All submissions should refer to File Number SR–Phlx–2014–15. 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 such filing also will be available for inspection and copying at the principal office of the Exchange. 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–Phlx–2014–15, and should be submitted on or before April 4, 2014.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[16]

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2014–05596 Filed 3–13–14; 8:45 am]

BILLING CODE 8011–01–P

[16] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–71674; File No. SR–Phlx–2014–13]

Self-Regulatory Organizations; NASDAQ OMX PHLX LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Relating to Routing Fees

March 10, 2014.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on March 4, 2014, NASDAQ OMX PHLX LLC (''Phlx'' or ''Exchange'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission'') the proposed rule change as described in Items I, II, and III, below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of the Substance of the Proposed Rule Change

The Exchange proposes to amend Section V of the Pricing Schedule entitled ''Routing Fees.''

The text of the proposed rule change is available on the Exchange's Web site at *http://nasdaqomxphlx.cchwallstreet.com/,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of this filing is to amend the Routing Fees in Section V of the Pricing Schedule in order to recoup costs incurred by the Exchange to route orders to away markets.

Today, the Exchange assesses a Non-Customer a $0.95 per contract Routing Fee to any options exchange. The Customer[3] Routing Fee for option orders routed to The NASDAQ Options Exchange LLC (''NOM'') is a $0.05 per contract Fixed Fee in addition to the actual transaction fee assessed. The Customer Routing Fee for option orders routed to NASDAQ OMX BX, Inc. (''BX Options'') is $0.00 per contract. The Customer Routing Fee for option orders routed to all other options exchanges[4] (excluding NOM and BX Options) is a fixed fee of $0.20 per contract (''Fixed Fee'') in addition to the actual transaction fee assessed. If the away market pays a rebate, the Routing Fee is $0.00 per contract.

With respect to the fixed costs, the Exchange incurs a fee when it utilizes Nasdaq Options Services LLC (''NOS''),[5] a member of the Exchange and the Exchange's exclusive order router. Each time NOS routes an order to an away market, NOS is charged a clearing fee[6] and, in the case of certain exchanges, a transaction fee is also charged in certain symbols, which fees are passed through to the Exchange. The Exchange currently recoups clearing and transaction charges incurred by the Exchange as well as certain other costs incurred by the Exchange when routing to away markets, such as administrative and technical costs associated with operating NOS, membership fees at away markets, Options Regulatory Fees (''ORFs''), staffing and technical costs associated with routing options. The Exchange assesses the actual away market fee at the time that the order was entered into the Exchange's trading system. This transaction fee is calculated on an order-by-order basis

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] The term ''Customer'' applies to any transaction that is identified by a member or member organization for clearing in the Customer range at The Options Clearing Corporation (''OCC'') which is not for the account of broker or dealer or for the account of a ''Professional'' (as that term is defined in Rule 1000(b)(14)).

[4] Including BATS Exchange, Inc. (''BATS''), BOX Options Exchange LLC (''BOX''), the Chicago Board Options Exchange, Incorporated (''CBOE''), C2 Options Exchange, Incorporated (''C2''), International Securities Exchange, LLC (''ISE''), the Miami International Securities Exchange, LLC (''MIAX''), NYSE Arca, Inc. (''NYSE Arca''), NYSE MKT LLC (''NYSE Amex'') and Topaz Exchange, LLC (''Gemini'').

[5] The Exchange filed a proposed rule change to utilize Nasdaq Execution Services, LLC (''NES'') for outbound order routing. *See* Securities Exchange Act Release No. 71417 (January 28, 2014), 79 FR 6253 (February 3, 2014) (SR–Phlx–2014–04). This filing has not yet been implemented. The Exchange intends to implement this filing in mid-March 2014.

[6] The Options Clearing Corporation (''OCC'') assesses $0.01 per contract side.

since different away markets charge different amounts.

The Exchange is proposing to assess market participants routing Customer orders to NOM a $0.10 per contract Fixed Fee in addition to the actual transaction fee assessed. Today the Exchange assesses a $0.05 per contract Fixed Fee in addition to the actual transaction fee assessed with respect to Customer orders routed to NOM. The Exchange would increase the Fixed Fee for Customer orders routed to NOM from $0.05 to $0.10 per contract to recoup an additional portion of the costs incurred by the Exchange for routing these orders.

Today the Exchange does not assess a fee with respect to Customer orders routed to BX Options. The Exchange noted in a previous rule change routing proposal that it would not assess a fee for Customer orders routed to BX Options because the Exchange retains the rebate that is paid by that market.[7] In order words, the Exchange today does not assess a Routing Fee when routing Customer orders to BX Options because that exchange pays a rebate and instead of netting the customer rebate paid by BX Options against a fixed fee, the Exchange simply does not assess a fee. The Exchange is proposing to assess a $0.10 per contract Fixed Fee when routing Customer orders to BX Options in order to recoup a portion of the costs incurred by the Exchange for routing these orders. The Exchange does not assess the actual transaction fee assessed by BX Options, rather the Exchange only assesses the Fixed Fee, because the Exchange would continue to retain the rebate to offset the cost to route orders to BX Options. This is the not the case for all orders routed to BX Options because not all Customer orders receive a rebate.[8]

Similarly, the Exchange is proposing to amend the Customer Routing Fee assessed when routing to all other options exchanges, if the away market pays a rebate, from a $0.00 to a $0.10 per contract Fixed Fee, in order to recoup an additional portion of the costs incurred by the Exchange for routing these orders. The Exchange does not assess the actual transaction fee assessed by the away market, rather the Exchange only assesses the Fixed Fee, because the Exchange would continue to retain the rebate to offset the cost to route orders to these away markets. Today, the Exchange incurs certain costs when routing to away markets that pay rebates. The Exchange desires to recoup additional costs at this time.

2. Statutory Basis

The Exchange believes that its proposal to amend its Pricing Schedule is consistent with Section 6(b) of the Act[9] in general, and furthers the objectives of Section 6(b)(4) and (b)(5) of the Act[10] in particular, in that it provides for the equitable allocation of reasonable dues, fees and other charges among members and issuers and other persons using any facility or system which Phlx operates or controls, and is not designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

The Exchange believes that amending the Customer Routing Fee for orders routed to NOM from a Fixed Fee of $0.05 to $0.10 per contract, in addition to the actual transaction fee, is reasonable because the Exchange desires to recoup an additional portion of the cost it incurs when routing Customer orders to NOM. Today, the Exchange assesses orders routed to NOM a lower Fixed Fee for routing Customer orders as compared to the Fixed Fee assessed to other options exchanges. The Exchange is proposing to increase the Fixed Fee to recoup additional costs that are incurred by the Exchange in connection with routing these orders on behalf of its members.

The Exchange believes that amending the Customer Routing Fee for orders routed to BX Options from a Fixed Fee of $0.00 to $0.10 per contract is reasonable because the Exchange desires to recoup an additional portion of the cost it incurs when routing Customer orders to BX Options, similar to the amount of Fixed Fee it proposes to assess for orders routed to NOM. The Exchange is proposing to assess a Fixed Fee to recoup additional costs that are incurred by the Exchange in connection with routing these orders on behalf of its members. While the Exchange would continue to retain any rebate paid by BX Options, the Exchange does not assess the actual transaction fee that is charged by BX Options for Customer orders.

The Exchange believes that continuing to assess lower Fixed Fees to route Customer orders to NOM and BX Options, as compared to other options exchanges, is reasonable as the Exchange is able to leverage certain infrastructure to offer those markets lower fees as explained further below. Similarly, the Exchange believes that amending the Customer Routing Fee to other away markets, other than NOM and BX Options, in the instance the away market pays a rebate from a Fixed Fee of $0.00 to $0.10 per contract is reasonable because the Exchange desires to recoup an additional portion of the cost it incurs when routing orders to these away markets. While the Exchange would continue to retain any rebate paid by these away markets, the Exchange does not assess the actual transaction fee that is charged by the away market for Customer orders. The Fixed Fee for Customer orders is an approximation of the costs the Exchange will be charged for routing orders to away markets. As a general matter, the Exchange believes that the proposed fees for Customer orders routed to markets which pay a rebate, such as BX Options and other away markets, would allow it to recoup and cover a portion of the costs of providing optional routing services for Customer orders because it better approximates the costs incurred by the Exchange for routing such orders. While each destination market's transaction charge varies and there is a cost incurred by the Exchange when routing orders to away markets, including, OCC clearing costs, administrative and technical costs associated with operating NOS, membership fees at away markets, ORFs and technical costs associated with routing options, the Exchange believes that the proposed Routing Fees will enable it to recover the costs it incurs to route Customer orders to away markets.

The Exchange believes that amending the Customer Routing Fee for orders routed to NOM from a Fixed Fee of $0.05 to $0.10 per contract, in addition to the actual transaction fee, is equitable and not unfairly discriminatory because the Exchange would assess the same Fixed Fee to all orders routed to NOM in addition to the transaction fee assessed by that market. With respect to BX Options, the Exchange would uniformly assess a $0.10 per contract Fixed Fee for all orders routed to BX Options and would continue to uniformly not assess the actual transaction fee, as is the case today. The Exchange would uniformly assess a $0.10 per contract Fixed Fee to orders routed to NASDAQ OMX exchanges because the Exchange is passing along the saving realized by leveraging NASDAQ OMX's infrastructure and scale to market participants when those orders are routed to NOM or BX Options and is providing those savings to all market participants. Furthermore, PHLX

[7] *See* Securities Exchange Act Release No. 69253 (March 28, 2013), 78 FR 20709 (April 5, 2013) (SR–Phlx–2013–23).

[8] BX Options pays a Customer Rebate to Remove Liquidity as follows: Customers are paid $0.32 per contract in All Other Penny Pilot Options (excluding BAC, IWM, QQQ, SPY and VXX) and $0.70 per contract in Non-Penny Pilot Options. *See* BX Options Rules at Chapter XV, Section 2(1).

[9] 15 U.S.C. 78f(b).

[10] 15 U.S.C. 78f(b)(4), (5).

XL routes orders to away markets where the Exchange's disseminated bid or offer is inferior to the national best bid (best offer) (''NBBO'') price and based on price first.[11] The Exchange believes that it is equitable and not unfairly discriminatory to assess a fixed cost of $0.10 per contract to route orders to NOM and BX Options because the cost, in terms of actual cash outlays, to the Exchange to route to those markets is lower. For example, costs related to routing to NOM and BX Options are lower as compared to other away markets because NOS is utilized by all three exchanges to route orders.[12] NOS and the three NASDAQ OMX options markets have a common data center and staff that are responsible for the day-to-day operations of NOS. Because the three exchanges are in a common data center, Routing Fees are reduced because costly expenses related to, for example, telecommunication lines to obtain connectivity are avoided when routing orders in this instance. The costs related to connectivity to route orders to other NASDAQ OMX exchanges are lower than the costs to route to a non-NASDAQ OMX exchange. When routing orders to non-NASDAQ OMX exchanges, the Exchange incurs costly connectivity charges related to telecommunication lines, membership and access fees, and other related costs when routing orders.

The Exchange believes that amending the Customer Routing Fee to other away markets, other than NOM and BX Options, in the instance the away market pays a rebate from a Fixed Fee of $0.00 to $0.10 per contract is equitable and not unfairly discriminatory because the Exchange would assess a lower Routing Fee, as compared to away markets that do not pay a rebate, because the Exchange retains the rebate that is paid by the away market. The Exchange would assess the same Fixed Fee when routing Customer orders to a NASDAQ OMX exchange that pays a rebate as it would to route an order to an away market (non-NASDAQ OMX exchange) that pays a rebate. These proposals would apply uniformly to all market participants when routing to an away market that pays a rebate, other than NOM and BX Options. Market participants may submit orders to the Exchange as ineligible for routing or ''DNR'' to avoid Routing Fees.[13] It is important to note that when orders are routed to an away market they are routed based on price first.[14]

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. The Exchange does not believe that the proposal creates a burden on intra-market competition because the Exchange is applying the same Routing Fees to all market participants in the same manner dependent on the routing venue, with the exception of Customers. The Exchange will continue to assess separate Customer Routing Fees. Customers will continue to receive the lowest fees as compared to non-Customers when routing orders, as is the case today. Other options exchanges also assess lower Routing Fees for customer orders as compared to non-customer orders.[15]

The Exchange's proposal would allow the Exchange to continue to recoup its costs when routing Customer orders to NOM or BX Options as well as away markets that pay a rebate when such orders are designated as available for routing by the market participant. The Exchange continues to pass along savings realized by leveraging NASDAQ OMX's infrastructure and scale to market participants when Customer orders are routed to NOM and BX Options and is providing those savings to all market participants. Today, other options exchanges also assess fixed routing fees to recoup costs incurred by the exchange to route orders to away markets.[16] Market participants may submit orders to the Exchange as ineligible for routing or ''DNR'' to avoid Routing Fees.[17] It is important to note that when orders are routed to an away market they are routed based on price first.[18]

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

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

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(ii) of the Act.[19] At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

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 Act. Comments may be submitted by any of the following methods:

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.* Please include File Number SR–Phlx–2014–13 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090.

All submissions should refer to File Number SR–Phlx–2014–13. 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

[11] *See* Rule 1080(m). The Phlx XL II system will contemporaneously route an order marked as an Intermarket Sweep Order (''ISO'') to each away market disseminating prices better than the Exchange's price, for the lesser of: (a) The disseminated size of such away markets, or (b) the order size and, if order size remains after such routing, trade at the Exchange's disseminated bid or offer up to its disseminated size. If contracts still remain unexecuted after routing, they are posted on the book. Once on the book, should the order subsequently be locked or crossed by another market center, the Phlx XL II system will not route the order to the locking or crossing market center, with some exceptions noted in Rule 1080(m).

[12] *See* Chapter VI, Section 11 of the BX Options and NOM Rules.

[13] *See* Rule 1066(h) (Certain Types of Orders Defined) and 1080(b)(i)(A) (PHLX XL and PHLX XL II).

[14] PHLX XL will route orders to away markets where the Exchange's disseminated bid or offer is inferior to the national best bid (best offer) (''NBBO'') price. *See also* note 11.

[15] BATS assesses lower customer routing fees as compared to non-customer routing fees per the away market. For example BATS assesses ISE customer routing fees of $ 0.30 per contract and an ISE non-customer routing fee of $ 0.57 per contract. *See* BATS BZX Exchange Fee Schedule.

[16] *See* CBOE's Fees Schedule and ISE's Fee Schedule.

[17] *See* note 13.

[18] *See* note 14.

[19] 15 U.S.C. 78s(b)(3)(A)(ii).

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 such filing also will be available for inspection and copying at the principal office of the Exchange. 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–Phlx–2014–13, and should be submitted on or before April 4, 2014.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[20]

Kevin M. O'Neill,

Deputy Secretary.

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–71670; File No. SR–CME–2014–06]

Self-Regulatory Organizations; Chicago Mercantile Exchange, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rules Changes Regarding Implementation of Rules To Address Third Party Swap Execution Platforms

March 10, 2014.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on February 28, 2014, Chicago Mercantile Exchange Inc. (''CME'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change described in Items I, II and III below, which Items have been prepared primarily by CME. CME filed the proposal pursuant to Section 19(b)(3)(A)(iii) of the Act[3] and Rule 19b–4(f)(4)(ii)[4] thereunder so that the proposal was effective upon filing with the Commission. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

CME is filing proposed rules changes that address issues relating to third party swap execution platforms. The proposed rules generally clarify the time at which the rules of the CME Clearing House (''Clearing House'') apply, confirm the authority of the Clearing House to conduct risk management in conformance with its obligations under applicable regulations, and ensure that the Clearing House has sufficient flexibility to perform default management as required by applicable regulations. In addition, the proposed rules ensure that voids and price adjustments cannot occur after clearing without Clearing House consent, stipulate that Execution Platforms connected to the Clearing House comply with regulatory obligations, and require position transfers to comply with the Clearing House rules. Further, the proposed rule clarifies that it does not apply to security-based swaps. The proposed rules are limited to CME's business as a derivatives clearing organization clearing swaps under the jurisdiction of the Commodity Futures Trading Commission (''CFTC'').

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, CME included statements concerning the purpose and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. CME has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

CME is registered as a derivatives clearing organization with the Commodity Futures Trading Commission and currently offers clearing services for many different futures and swaps products. The purpose of these proposed rule changes is to address issues relating to third party swap execution platforms. Although these changes will be effective on filing, CME plans to operationalize the proposed changes on February 28, 2014.

Proposed Rule 815 is designed to address the risks posed to the Clearing House by third party execution platforms for swaps. The proposed rules: Clarify the time at which the rules of the Clearing House apply; confirm the authority of the Clearing House to conduct risk management in conformance with its obligations under CFTC Regulation 39.13; and ensure that the Clearing House has sufficient flexibility to perform default management as required under CFTC Regulations 39.16 and 39.27(b)(4). Proposed Rule 815 also explains that all third party execution platforms (''Execution Platforms'') that submit, or have submitted on their behalf, swap trades for clearing to the Clearing House, are bound by the Clearing House Rules. CME notes that the Clearing House also separately negotiated provisions in its commercial agreements with third party execution platforms for swaps which stipulate that the Clearing House rules apply once a trade has been submitted for clearing. In addition, the Execution Platforms all contractually agreed to be bound by the Clearing House rules applicable to the clearing services provided to them by the Clearing House.

Proposed Rule 815 specifically confirms that the Clearing House rules apply once a trade has been submitted for clearing and that the Clearing House has the sole authority, where circumstances permit, to: Accept or reject trades, block or cancel trades, block or terminate connections with Execution Platforms, determine whether it will accept trade transaction counterparty risk and determine whether contracts are economically equivalent. In addition, the proposed rules ensure that voids and price adjustments cannot occur after clearing without Clearing House consent, stipulate that Execution Platforms connected to the Clearing House comply with regulatory obligations, and require position transfers to comply with the Clearing House rules. The proposed rules are intended to avoid the possibility of unacceptable ambiguities regarding the clearing and risk management of swap positions and prevent the actions of third parties from limiting or interfering with the ability of the Clearing House to perform prudent risk management and comply with its regulatory obligations. The proposed

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[20] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(3)(A)(iii).

[4] 17 CFR 240.19b–4(f)(4)(ii).

rule does not apply to security-based swaps.

CFTC Regulations require DCOs like the Clearing House to implement an enforceable legal framework to address the default of a clearing member, including but not limited to, the unimpeded ability to liquidate collateral and close out or transfer positions in a timely manner. The Clearing House believes that Execution Platforms may provide the necessary liquidity pools in the future which may assist it in closing out positions in a timely manner. As such, the Clearing House determined that it was important to implement a binding rule providing it with the ability to access the swap liquidity available at Execution Platforms. As noted above, Execution Platforms agreed to be bound by the Clearing House rules in their commercial arrangements with the Clearing House which, in conjunction with these rules, enhances the legal framework under which the Clearing House manages default risks.

The changes that are described in this filing are limited to CME's business as a derivatives clearing organization clearing products under the exclusive jurisdiction of the Commodity Futures Trading Commission (''CFTC'') and do not materially impact CME's security-based swap clearing business in any way. CME notes that it has already submitted the proposed rule changes that are the subject of this filing to its primary regulator, the CFTC, in CME Submission 14–060.

CME believes the proposed rule changes are consistent with the requirements of the Exchange Act including Section 17A of the Exchange Act.[5] The proposed rule changes are generally designed to: Address risks posed by third party execution platforms for swaps by clarifying the time at which the rules of the Clearing House apply; confirm the authority of the Clearing House to conduct risk management in conformance with its regulatory obligations; and ensure that the Clearing House has sufficient flexibility to perform default management. In addition, the proposed rules ensure that voids and price adjustments cannot occur after clearing without Clearing House consent, stipulate that Execution Platforms connected to the Clearing House comply with regulatory obligations, and require position transfers to comply with the Clearing House rules. Further, the proposed rule clarifies that it does not apply to security-based swaps. These purposes promote the prompt and accurate clearance and settlement of securities transactions and, to the extent applicable, derivatives agreements, contracts, and transactions, to assure the safeguarding of securities and funds which are in the custody or control of the clearing agency or for which it is responsible, and, in general, to protect investors and the public interest consistent with Section 17A(b)(3)(F) of the Exchange Act.[6]

Furthermore, the proposed changes are limited in their effect to swaps products offered under CME's authority to act as a derivatives clearing organization. These products are under the exclusive jurisdiction of the CFTC. As such, the proposed CME changes are limited to CME's activities as a derivatives clearing organization clearing swaps that are not security-based swaps; CME notes that the policies of the CFTC with respect to administering the Commodity Exchange Act are comparable to a number of the policies underlying the Exchange Act, such as promoting market transparency for over-the-counter derivatives markets, promoting the prompt and accurate clearance of transactions and protecting investors and the public interest.

Because the proposed changes are limited in their effect to swaps products offered under CME's authority to act as a derivatives clearing organization, the proposed changes are properly classified as effecting a change in an existing service of CME that:

(a) Primarily affects the clearing operations of CME with respect to products that are not securities, including futures that are not security futures, and swaps that are not security-based swaps or mixed swaps; and

(b) does not significantly affect any securities clearing operations of CME or any rights or obligations of CME with respect to securities clearing or persons using such securities-clearing service.

As such, the changes are therefore consistent with the requirements of Section 17A of the Exchange Act[7] and are properly filed under Section 19(b)(3)(A)[8] and Rule 19b–4(f)(4)(ii)[9] thereunder.

B. Self-Regulatory Organization's Statement on Burden on Competition

CME does not believe that the proposed rule change will have any impact, or impose any burden, on competition. The proposed rule changes address potential risks posed to the Clearing House by third party execution platforms. The proposed rules clarify the time at which the rules of the Clearing House apply; confirm the authority of the Clearing House to conduct risk management in conformance with its regulatory obligations; and ensure that the Clearing House has sufficient flexibility to perform default management. In addition, the proposed rules ensure that voids and price adjustments cannot occur after clearing without Clearing House consent, stipulate that Execution Platforms connected to the Clearing House comply with regulatory obligations, and require position transfers to comply with the Clearing House rules. Further, the proposed rule clarifies that it does not apply to security-based swaps. These purposes do not act as a restraint on competition but rather are prudent measures in line with the Clearing House's regulatory risk management obligations.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

CME has not solicited, and does not intend to solicit, comments regarding this proposed rule change. CME has not received any unsolicited written comments from interested parties.

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

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)[10] of the Act and Rule 19b–4(f)(4)(ii)[11] thereunder. At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

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 Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*), or

[5] 15 U.S.C. 78q–1.

[6] 15 U.S.C. 78q–1(b)(3)(F).

[7] 15 U.S.C. 78q–1.

[8] 15 U.S.C. 78s(b)(3)(A).

[9] 17 CFR 240.19b–4(f)(4)(ii).

[10] 15 U.S.C. 78s(b)(3)(A).

[11] 17 CFR 240.19b–4(f)(4)(ii).

• Send an email to *rule-comment@sec.gov.* Please include File No. SR–CME–2014–06 on the subject line.

Paper Comments

• Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090.

All submissions should refer to File Number SR–CME–2014–06. 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 or 10:00 a.m. and 3:00 p.m. Copies of such filing also will be available for inspection and copying at the principal office of CME and on CME's Web site at *http://www.cmegroup.com/market-regulation/rule-filings.html.*

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–CME–2014–06 and should be submitted on or before April 4, 2014.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[12]

Kevin M. O'Neill,

Deputy Secretary.

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[12] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–71671; File No. SR–NYSE–2014–08]

Self-Regulatory Organizations; New York Stock Exchange LLC; Notice of Filing of Proposed Rule Change To Adopt the Bond Trading License and the Bond Liquidity Provider Programs Pursuant to NYSE Rules 87 and 88

March 10, 2014.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] notice is hereby given that, on February 27, 2014, New York Stock Exchange LLC (''NYSE'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend [sic] proposes to make permanent its pilot program (''Pilot Program'') regarding its bond trading license (''BTL'') and the Bond Liquidity Provider (''BLP'') programs pursuant to Rules 87 and 88. The text of the proposed rule change is available on the Exchange's Web site at *www.nyse.com,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

On January 19, 2011, the Exchange established a 12-month pilot program to (1) adopt new Rule 87 to create a BTL for member organizations that desire to trade only debt securities on the Exchange,[3] and (2) adopt new Rule 88 to establish BLPs, a new class of debt market participants.[4] The Pilot Program was extended through January 19, 2014[5] and the Exchange provided the Commission with written notice of its intent to extend the Pilot Program beyond such date.[6] The Exchange has since determined that it is more appropriate at this time to seek the Commission's approval to make the Pilot Program permanent. Accordingly, the Exchange is proposing to make permanent the Pilot Program and adopt Rules 87 and 88 on a permanent basis.

The purpose of Pilot Program is to encourage market participants to bring additional liquidity to the Exchange's bond marketplace by providing incentives for quoting and adding liquidity to the market and to offer investors an alternative to over-the-counter trading for debt securities. Under Rule 87, a member organization that chooses to trade only bonds, or a new member organization that desires to trade only bonds, may apply for a BTL, which is available to any approved member organization. A BTL license is not transferable and may not, in whole or in part, be transferred, assigned, sublicensed or leased. However, the holder of the BTL could, with the prior written consent of the Exchange, transfer a BTL to a qualified and approved member organization (i) that is an affiliate or (ii) that continues

[3] Debt securities are traded on the Exchange pursuant to Rules 86, 1400, and 1401. Bonds eligible to trade on the NYSE Bonds platform include any debt instrument that is listed on the NYSE and any corporate debt of a listed company of the Exchange.

[4] *See* Securities Exchange Act Release No. 63736 (January 19, 2011), 76 FR 4959 (January 27, 2011) (order approving SR–NYSE–2010–74). *See also* Securities Exchange Act Release No. 63444 (December 6, 2010), 75 FR 77024 (December 10, 2010) (notice of filing of SR–NYSE–2010–74).

[5] *See* Securities Exchange Act Release No. 68533 (December 21, 2012), 77 FR 77166 (December 31, 2012) (SR–NYSE–2012–74).

[6] On January 10, 2014, pursuant to Rule 19b–4(f)(6)(iii), the Exchange submitted NYSE–2014–1P through the Commission's Electronic Form 19b–4 Filing System (''EFFS''), which provided the Commission with written notice of the Exchange's intent to file a rule change to extend the Pilot Period. *See* 17 CFR 240.19b–4(f)(6)(iii). On January 16, 2014, NYSE–2014–1P was marked acceptable in the EFFS.

substantially the same business of such BTL holder without regard to the form of the transaction used to achieve such continuation, *e.g.,* merger, sale of substantially all assets, reincorporation, reorganization or the like. The Exchange currently has one member organization operating under a BTL, but has been notified that additional market participants are interested in applying for a BTL.

Under Rule 88, the Exchange provides incentives for quoting and adding liquidity to the bond market in the form of rebates to BLPs that provide liquidity to the Exchange's bond market. The Exchange believes that the rebates encourage the additional utilization of, and interaction with, the Exchange, improve price discovery and liquidity, and encourage competitive quotes and price improvement opportunities. These incentives encourage BLPs to make more liquid and competitive markets. In return, BLPs must meet certain qualification and quoting obligations under the Rule.

Specifically, pursuant to Rule 88(a), a BLP is required to maintain: (1) A bid at least seventy percent (70%) of the trading day for a bond; (2) an offer at least seventy percent (70%) of the trading day for a bond; and (3) a bid or offer at the Exchange's Best Bid (''BB'') or Exchange's Best Offer (''BO'') at least five percent (5%) of the trading day in each of its bonds in the aggregate. To create a financial incentive to serve as a BLP, Rule 88(b) provides that a BLP that meets the quoting requirement for a bond as described in paragraph (a) would receive the liquidity provider rebate set forth in the Exchange's Price List.

To qualify as a BLP pursuant to Rule 88(c), a member organization is required to: (1) Demonstrate an ability to meet the quoting requirements of a BLP; (2) have mnemonics that identify to the Exchange BLP trading activity in assigned BLP bonds; (3) have adequate trading infrastructure and technology to support electronic trading.

Because a BLP is only permitted to trade electronically from off the Floor of the Exchange, a member organization's off-Floor technology must be fully automated to accommodate the Exchange's trading and reporting systems that are relevant to operating as a BLP. If a member organization were unable to support the relevant electronic trading and reporting systems of the Exchange for BLP trading activity, it would not qualify as a BLP.

Pursuant to Rule 88(d), to become a BLP, a member organization is required to submit a BLP application form with all supporting documentation to the Exchange. The Exchange determines whether an applicant is qualified to become a BLP as set forth above. After an applicant submits a BLP application to the Exchange, with supporting documentation, the Exchange notifies the applicant member organization of its decision. If an applicant is approved by the Exchange to act as a BLP, the applicant is required to establish connectivity with relevant Exchange systems before the applicant is permitted to trade as a BLP on the Exchange. In the event an applicant is disapproved or disqualified under proposed Rule 88(d)(4) or (i)(2) by the Exchange, such applicant may request an appeal of such disapproval or disqualification by the Exchange as provided in Rule 88(j), and/or reapply for BLP status three (3) months after the month in which the applicant received disapproval or disqualification notice from the Exchange.

Pursuant to Rule 88(e), a BLP is permitted to withdraw from the status of a BLP by providing notice to the Exchange. Such withdrawal is effective when those bonds assigned to the withdrawing BLP are reassigned to another BLP. After the Exchange receives the notice of withdrawal from the withdrawing BLP, the Exchange reassigns such bonds as soon as practicable, but no later than 30 days of the date the notice was received by the Exchange. If the reassignment of bonds takes longer than the 30-day period, the withdrawing BLP has no further obligations and is not held responsible for any matters concerning its previously assigned BLP bonds.

Rule 88(f) sets forth how the Exchange calculates a BLP's quoting requirements. Beginning with the first month of operation as a BLP, the BLP must satisfy the 70% quoting requirement for each of its assigned BLP bonds. The Exchange determines whether a BLP met its 70% quoting requirement by determining the average percentage of time a BLP was at a bid (offer) in each of its BLP bonds during the regular trading day[7] on a daily and monthly basis. The Exchange determines whether a BLP has met this requirement by calculating the following:

- A ''Daily Bid Quoting Percentage'' is calculated by determining the percentage of time a BLP had at least 10 displayed BLP bonds at a single price level in an Exchange bid during each trading day for a calendar month;
- A ''Daily Offer Quoting Percentage'' is calculated by determining the percentage of time a BLP had at least 10 displayed BLP bonds at a single price level in an Exchange offer during each trading day for a calendar month;
- A ''Monthly Average Bid Quoting Percentage'' is calculated for each BLP bond by summing the bond's ''Daily Bid Quoting Percentages'' for each trading day in a calendar month then dividing the resulting sum by the total number of trading days in such calendar month; and
- A ''Monthly Average Offer Quoting Percentage'' is calculated for each BLP bond by summing the bond's ''Daily Offer Quoting Percentage'' for each trading day in a calendar month then dividing the resulting sum by the total number of trading days in such calendar month.

Only displayed orders entered throughout the trading day are used when calculating whether a BLP is in compliance with its 70% average quoting requirements.

The BLP's 5% quoting requirements is not in effect during the first two months of operation as a BLP in order to allow the BLP time to achieve this quoting metric. The 5% quoting requirement takes effect in the third month of a BLP's operation. At that time, a BLP is required to satisfy the 5% quoting requirement for each assigned BLP bond. The Exchange determines whether a BLP had met its 5% quoting requirement by determining the average percentage of time a BLP was at the BB or BO in each of its assigned BLP bonds during the regular trading day on a daily and monthly basis, as follows:

- A ''Daily BB Quoting Percentage'' is calculated by determining the percentage of time a BLP had at least one displayed BLP bond in an Exchange bid at the BB during each trading day for a calendar month;
- A ''Daily BO Quoting Percentage'' is calculated by determining the percentage of time a BLP had at least one displayed BLP bond in an Exchange offer at the BO during each trading day for a calendar month;
- A ''Daily BBO Quoting Percentage'' is calculated for each trading day by summing the ''Daily BB Quoting Percentage'' and the ''Daily BO Quoting Percentage'' in each BLP bond; and
- A ''Monthly Average BBO Quoting Percentage'' would be calculated for each BLP bond by summing the bond's ''Daily BBO Quoting Percentages'' for each trading day in a calendar month then dividing the resulting sum by the total number of trading days in such calendar month.

[7] ''Trading day'' means any day on which the Exchange is scheduled to be open for business. Days on which the Exchange closes prior to 4 p.m. (Eastern Time) for any reason, which may include any regulatory halt or trading halt, are considered a trading day.

Only displayed orders at the BB and BO throughout the trading day are used when calculating whether a BLP is in compliance with its 5% average quoting requirement.

Rule 88(g) sets forth how BLPs are matched to issuers. The Exchange matches BLPs to issuers with one or more debt issues, each of which has a current outstanding principal of less than $500 million. Each BLP would submit a list of the issuers and the issuer's bonds it would be willing to represent. The BLP willing to represent the most bonds for a given issuer would be matched to that issuer. In the event of a tie (i.e., two or more BLPs seeking to represent the same issuer and the same number of that issuer's bonds), the BLP with the highest lottery number from the first round would be matched with the issuer. On a monthly basis, BLPs are permitted to apply for unrepresented issuers. The BLP willing to represent the most debt issuances of an issuer is awarded status as a BLP for such issuer, with ties resolved by lottery.

A BLP must represent each debt issuance of an issuer that has an outstanding principal of $500 million or more. A BLP also may represent any debt issuance below such level, but would not be required to do so. If a BLP is representing a debt issuance that was above $500 million but falls below such level, or has voluntarily been representing an issuance below the $500 million level where the outstanding principal amount has since been reduced, the BLP may cease representing such issue by notifying the Exchange in writing by the 15th day of the month, in which case the BLP may cease acting as such on the 1st day of the following month.

The Exchange believes that this matching process is fair to approved BLPs and beneficial to issuers. In light of the unique nature of the debt market, the matching process gives BLPs the opportunity to select the issuers they want to represent and thereby take into account the BLP's expertise in particular issuers and sectors. The matching process for the largest issuers is determined on a random basis, while the matching process for smaller issuers is determined in favor of those BLPs willing to offer the broadest coverage to such issuers.

Rule 88(i) sets forth what happens if a BLP fails to meet its quoting requirements. If, in any given calendar month after the first two months a BLP acted as a BLP, a BLP fails to meet any of the quoting requirements set forth in Rule 88(a), the BLP would no longer be eligible for the rebate for the affected bond. If a BLP's failure to meet the quoting requirements continues for three consecutive calendar months in any assigned BLP bond, the Exchange could, in its discretion, take one or more of the following actions: (i) Revoke the assignment of all of the affected issuer's bonds from the BLP; (ii) revoke the assignment of an additional unaffected issuer from a BLP; or (iii) disqualify a member organization from its status as a BLP.

The Exchange, in its sole discretion, would determine if and when a member organization is disqualified from its status as a BLP. One calendar month prior to any such determination, the Exchange would notify a BLP of such impending disqualification in writing. When disqualification determinations are made, the Exchange would provide a disqualification notice to the member organization.

If a member organization were disapproved pursuant to Rule 88(d)(2) or disqualified from its status as a BLP pursuant to Rule 88(i)(1)(C), such member organization could re-apply for BLP status three calendar months after the month in which the member organization received its disqualification notice.

Pursuant to Rule 88(j), in the event a member organization disputes the Exchange's decision to disapprove or disqualify it under Rule 88(d)(4) or (i)(2), such member organization (''appellant'') may request, within five (5) business days of receiving notice of the decision, the Bond Liquidity Provider Panel (''BLP Panel'') to review all such decisions to determine if such decisions were correct. In the event a member organization is disqualified from its status as a BLP pursuant to Rule 88(i)(2), the Exchange will not reassign the appellant's bonds to a different BLP until the BLP Panel has informed the appellant of its ruling.

The BLP Panel consists of the NYSE's Chief Regulatory Officer (''CRO''), or a designee of the CRO, and two (2) officers of the Exchange designated by the Co-Head of U.S. Listings and Cash Execution. The BLP Panel will review the facts and render a decision within the time frame prescribed by the Exchange. The BLP Panel may overturn or modify an action taken by the Exchange and all determinations by the BLP Panel will constitute final action by the Exchange on the matter at issue.

The Exchange believes that the Pilot Program has provided value to the bonds marketplace as the Exchange is the only marketplace that offers pre-trade transparency and real-time reporting of trading in debt securities. The Exchange believes that making the Pilot Program permanent will continue to encourage trading of debt securities on a transparent market and reduce the opportunities for anti-competitive practices.[8] The Exchange therefore believes it is appropriate for it to maintain its BTL and BLP Programs on a permanent basis in order to continue to compete in the retail bond market, thereby encouraging market participants to bring additional liquidity to the Exchange's transparent bond marketplace.

The proposed change is not otherwise intended to address any other issues or make any other amendments to Rules 87 and 88 and the Exchange is not aware of any problems that member organizations would have in complying with the proposed change.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,[9] in general, and furthers the objectives of Section 6(b)(5) of the Act,[10] in particular, because it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to remove impediments to, and perfect the mechanisms of, a free and open market and a national market system and, in general, to protect investors and the public interest.

The Exchange believes the proposed rule change is designed to prevent fraudulent and manipulative acts and practices and to promote just and equitable principles of trade because it seeks to make permanent a Pilot Program that is designed to encourage market participants to bring additional liquidity to the only transparent bond market. The Exchange believes the proposed rule change is designed to facilitate transactions in securities and to remove impediments to, and perfect the mechanisms of, a free and open market and a national market system because making the Pilot Program permanent would expand the number of member organizations that can trade debt securities on the Exchange and enable the Exchange to continue to create incentives for BLPs to provide additional liquidity to the only transparent bond market. The Exchange believes that making the Pilot Program

[8] Commissioner Michael S. Piwowar recently noted the need to improve how the fixed-income market operates, including how more transparency could benefit investors. *See* ''Advancing and Defending SEC's Core Mission,'' Remarks by Commissioner Piwowar to the U.S. Chamber of Commerce, Washington, DC (Jan 27, 2014), *http://www.sec.gov/News/Speech/Detail/Speech/1370540671978.*

[9] 15 U.S.C. 78f(b).

[10] 15 U.S.C. 78f(b)(5).

permanent protects investors and the public interest because investors benefit from the availability of a transparent market for bonds trading, as well as the increased competition and liquidity in the bonds marketplace that the Pilot Program has offered. Finally, the Exchange believes that it is subject to significant competitive forces, as described below in the Exchange's statement regarding the burden on competition, and making the Pilot Program permanent will support the continued availability of a transparent market in this highly competitive environment. For these reasons, the Exchange believes that the proposal to make the Pilot Program permanent is consistent with the Act.

Finally, recognizing the statements of Commissioners who have expressed concern about the state of the U.S. corporate and municipal bond markets as well as recommendations outlined in the Commission's release of its Report on the Municipal Securities Market (Report), the Exchange believes that BLPs, by meeting their quoting requirements, will be an important participant in the democratization of the fixed income market.[11] As highlighted in SEC Chair White's statement during the SEC's 2013 Roundtable on Fixed Income Markets, the Report makes recommendations that include (1) improving pre- and post-trade transparency; (2) promoting the use of transparent and open trading venues, and (3) requiring dealers to seek ''best execution'' for customers and to provide customers with relevant pricing information in connection with their transactions.[12] Achieving these recommendations and applying them to both the municipal and corporate bond markets would, in our view, assist in lowering the systemic risk that is anticipated to increase as interest rates rise and the closed network of bond trading comes under pressure as retirement and pension managers seek to adjust their positions.

B. Self-Regulatory Organization's Statement on Burden on Competition

In accordance with Section 6(b)(8) of the Act,[13] the Exchange believes that the proposed rule change would not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The Exchange believes that the Pilot Program has promoted liquidity and competition in the marketplace and is designed to improve market quality and making the Pilot Program permanent would continue these benefits.

The Exchange notes that it operates in a highly competitive market in which market participants can readily favor competing venues that are not transparent. In such an environment, the Exchange must continually review, and consider adjusting the services it offers and the requirements it imposes to remain competitive with other U.S. bond trading platforms. For the reasons described above, the Exchange believes that the proposed rule change reflects this competitive environment by making permanent a program that promotes transparency, competition, and liquidity in the bond marketplace.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

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 (i) as the Commission may designate up to 90 days of such date 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 the proposed rule change, or

(B) institute proceedings to determine whether the proposed rule change should be disapproved.

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 Act. Comments may be submitted by any of the following methods:

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.* Please include File Number SR–NYSE–2014–08 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090.

All submissions should refer to File Number SR–NYSE–2014–08. 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 such filing also will be available for inspection and copying at the principal office of the Exchange. 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–NYSE–2014–08 and should be submitted on or before April 4, 2014.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[14]

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2014–05594 Filed 3–13–14; 8:45 am]

BILLING CODE 8011–01–P

[11] *See* SEC Report on the Municipal Securities Market, July 2012. *http://www.sec.gov/news/studies/2012/munireport073112.pdf;* ''SEC's Gallagher Says Retail Bond Investors Fighting 'Headwinds' '', Jesse Hamilton, Bloomberg News. Sep 20, 2012. *See http://www.bloomberg.com/news/2012-09-19/sec-s-gallagher-says-retail-bond-investors-fighting-headwinds-.html.*

[12] *See* Opening remarks of Chairman Mary Jo White at SEC Roundtable on Fixed Income Markets. *http://www.sec.gov/News/Speech/Detail/Speech/1365171515300.*

[13] 15 U.S.C. 78f(b)(8).

[14] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–71672; File No. SR–MIAX–2014–10]

Self-Regulatory Organizations; Miami International Securities Exchange LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend the MIAX Fee Schedule

March 10, 2014.

Pursuant to the provisions of Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'') [1] and Rule 19b–4 thereunder,[2] notice is hereby given that on February 27, 2014, Miami International Securities Exchange LLC (''MIAX'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') a proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of the Substance of the Proposed Rule Change

The Exchange is filing a proposal to amend the MIAX Option Fee Schedule (''Fee Schedule'') to specify the frequency with which the Exchange may change the Options Regulatory Fee (''ORF'').[3]

The text of the proposed rule change is available on the Exchange's Web site at *http://www.miaxoptions.com/filter/wotitle/rule_filing,* at MIAX's principal office, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend the Fee Schedule (i) to increase the ORF from $0.0040 per contract to $0.0045 per contract; and (ii) to specify the frequency with which the Exchange may change the ORF. The Exchange proposes to increase the ORF in light of increased regulatory costs and expected volume levels in 2014. The filing is based on the substantially similar filings filed by NYSE Arca, Inc and NYSE MKT LLC.[4] The proposed fee change would be operative on April 1, 2014.

The Exchange proposes to increase the ORF from $0.0040 per contract to $0.0045 per contract in light of increased regulatory costs and expected volume levels in 2014. The ORF is assessed by the Exchange on each Member for all options transactions executed or cleared by the Member that are cleared by The Options Clearing Corporation (''OCC'') in the customer range (*i.e.,* transactions that clear in the customer account of the Member's clearing firm at OCC) regardless of the exchange on which the transaction occurs. The fee is collected indirectly from Members through their clearing firms by OCC on behalf of the Exchange. The dues and fees paid by Members go into the general funds of the Exchange, a portion of which is used to help pay the costs of regulation. The ORF is designed to recover a material portion of the costs to the Exchange of the supervision and regulation of Member customer options business, including performing routine surveillances, investigations, examinations, financial monitoring, as well as policy, rulemaking, interpretive and enforcement activities. The Exchange believes that revenue generated from the ORF, when combined with all of the Exchange's other regulatory fees and fines, will cover a material portion, but not all, of the Exchange's regulatory costs. The Exchange notes that its regulatory responsibilities with respect to Member compliance with options sales practice rules have largely been allocated to FINRA under a 17d–2 agreement. The ORF is not designed to cover the cost of that options sales practice regulation. The Exchange will continue to monitor the amount of revenue collected from the ORF to ensure that it, in combination with its other regulatory fees and fines, does not exceed the Exchange's total regulatory costs. If the Exchange determines regulatory revenues exceed regulatory costs, the Exchange will adjust the ORF by submitting a fee change filing to the Commission.

In response to industry feedback requesting greater certainty as to when ORF changes may occur, the Exchange proposes to specify in the Fee Schedule that the Exchange may only increase or decrease the ORF semi-annually, and any such fee change will be effective on the first business day of February or August. In addition to submitting a proposed rule change to the Commission as required by the Act to increase or decrease the ORF, the Exchange will notify participants via a Regulatory Circular of any anticipated change in the amount of the fee at least 30 calendar days prior to the effective date of the change. The Exchange believes that by providing guidance on the timing of any changes to the ORF, the Exchange would make it easier for participants to ensure their systems are configured to properly account for the ORF.

The proposed change is not intended to address any other issues, and the Exchange is not aware of any problems that Members would have in complying with the proposed change.

2. Statutory Basis

The Exchange believes that its proposal to amend its fee schedule is consistent with Section 6(b) of the Act [5] in general, and furthers the objectives of Section 6(b)(4) of the Act [6] in particular, in that it is an equitable allocation of reasonable fees and other charges among Exchange members.

The Exchange believes the proposed fee change is reasonable because it would help the Exchange offset increased regulatory expenses, but would not result in total regulatory revenue exceeding total regulatory costs. Moreover, the Exchange believes the ORF ensures fairness by assessing higher fees to those Members that require more Exchange regulatory services based on the amount of customer options business they conduct. Regulating customer trading activity is much more labor intensive and requires greater expenditure of human and technical resources than regulating non-customer trading activity, which tends to be more automated and less labor-intensive. As a result, the costs associated with

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] The Commission notes that MIAX also is proposing to increase the ORF from $0.0040 per contract to $0.0045 per contract.

[4] *See* Securities Exchange Act Release Nos. 70500 (September 25, 2013), 78 FR 60361 (October 1, 2013) (SR–NYSEArca–2013–91); 70499 (September 25, 2013), 78 FR 60362 (October 1, 2013) (SR–NYSEMKT–2013–76).

[5] 15 U.S.C. 78f(b).

[6] 15 U.S.C. 78f(b)(4).

administering the customer component of the Exchange's overall regulatory program are materially higher than the costs associated with administering the noncustomer component (*e.g.,* Member proprietary transactions) of its regulatory program. The Exchange believes that the proposed change to limit changes to the ORF to twice a year on specific dates with advance notice is reasonable because it will give participants certainty on the timing of changes, if any, and better enable them to properly account for ORF charges among their customers. The Exchange believes that the proposed change is equitable and not unfairly discriminatory because it will apply in the same manner to all Members that are subject to the ORF and provide them with additional advance notice of changes to that fee.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. The proposed change is not intended to address a competitive issue but rather to provide Members with better notice of any change that the Exchange may make to the ORF. In any event, because competitors are free to modify their own fees and credits in response, and because market participants may readily adjust their trading practices, the Exchange believes that the degree to which fee or credit changes in this market may impose any burden on competition is extremely limited. As a result of all of these considerations, the Exchange does not believe that the proposed change will impair the ability of Members or competing order execution venues to maintain their competitive standing in the financial markets.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received.

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

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(ii) of the Act.[7] At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

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 Act. Comments may be submitted by any of the following methods:

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.* Please include File Number SR–MIAX–2014–10 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090.

All submissions should refer to File Number SR–MIAX–2014–10. 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 such filing also will be available for inspection and copying at the principal office of the Exchange. 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–MIAX–2014–10, and should be submitted on or before April 4, 2014.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[8]

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2014–05595 Filed 3–13–14; 8:45 am]

BILLING CODE 8011–01–P

[7] 15 U.S.C. 78s(b)(3)(A)(ii).

[8] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–71669; File No. SR–ISE–2014–10]

Self-Regulatory Organizations; International Securities Exchange, LLC; Notice of Filing of Proposed Rule Change Related to Complex Orders

March 10, 2014.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the ''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on February 25, 2014, the International Securities Exchange, LLC (the ''Exchange'' or the ''ISE'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I and II below, which items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of the Substance of the Proposed Rule Change

The Exchange proposes to amend its rules by limiting certain types of complex orders from legging into the regular market. The text of the proposed rule change is available on the Exchange's Web site *www.ise.com*, at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The self-regulatory organization has

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

prepared summaries, set forth in Sections A, B and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange currently provides functionality that automatically removes a market maker's quotes in all series of an options class when certain parameter settings are triggered. Specifically, there are four parameters that can be set by market makers on a class-by-class basis. Pursuant to Rules 722 and 804, these parameters are mandatory for market maker quotes. Market makers establish a time frame during which the system calculates: (1) The number of total contracts executed by the market maker in an options class; (2) the percentage of the total size of the market maker's quotes in the class that has been executed; (3) the absolute value of the net between contracts bought and contracts sold in an options class; and (4) the absolute value of the net between (a) calls purchased plus puts sold in an options class, and (b) calls sold plus puts purchased in an options class.[3] Once the limits established by these parameters are triggered, the market maker's quotes are removed. The purpose of this functionality is to allow market makers to provide liquidity across potentially hundreds of options series without being at risk of executing the full cumulative size of all such quotes before being given adequate opportunity to adjust their quotes.

Standard complex orders can contain up to eight (8) legs in the trading system today while complex orders with a stock component can contain up to eight (8) option legs and a stock leg. As discussed above, by checking the risk parameters following each execution in an options series, the risk parameters allow market makers to manage their risk. This is not the case, however, when a complex order legs into the regular market. Because the execution of each leg is contingent on the execution of the other legs, the execution of all the legs in the regular market is processed as a single transaction, not as a series of individual transactions. One market maker's quotes in the regular market can thus be hit in up to 8 instruments at the same time by a complex order.

For example, if individual orders to buy 10 contracts for the Jan 30 call, Jan 35 call and Jan 40 call are entered, each is processed as it is received and the market maker quotation parameters are calculated following the execution of each 10-contract order. Thus, if the first, or second order trigger a market maker's risk setting, their quotes will be adjusted prior to the processing of the subsequent order. However, if a complex order to buy all three of these strikes with a quantity of 10 contracts is entered and is executed against bids and offers for the individual series, the market maker parameters for quotes in the regular market are calculated following the execution of all 30 contracts (the sum of the three legs of 10 contracts each).

The legging-in of complex orders presents higher risk to market makers as compared to regular orders being entered in multiple series of an options class in the regular market as it can result in market makers exceeding their parameters by a greater number of contracts. At the request of market makers, the Exchange amended its rules to prevent complex orders from legging into the regular market if they have a large number of legs. Specifically, the Exchange currently limits the legging functionality to complex orders with no more than either two or three legs, as determined by the Exchange on a class by class basis.[4] However, despite the current limitations, certain market participants continue to use atypical multi-leg strategies (2 or more legs) to trade with multiple quotes from a single market maker thereby causing the single leg market maker to trade far more than its limit allows. Although market makers can limit their risk by use of the Exchange's risk parameters, the market maker's quotes are not removed until after a trade is executed. As a result, because of the way complex orders leg into the regular market as a single transaction, market makers end up trading more than the limitations they have set and are therefore exposed to greater risk. In turn, market makers are forced to change their trading behavior to account for the additional risk by widening their quotes, hurting the Exchange's quality of markets and the quality of the markets in general available for trading.

At the request of members and to further minimize the impact to single leg market makers, the Exchange now proposes to amend Rule 722 to limit a potential source of unintended market maker risk when certain types of complex orders leg into the regular market.[5] Specifically, complex orders with two option legs where both legs are buying or both legs are selling and both legs are calls or both legs are puts will be executed only in the complex order book and will not be permitted to leg into the regular market. For example:

- Buy Call 1, Buy Call 2
- Sell Call 1, Sell Call 2
- Buy Put 1, Buy Put 2
- Sell Put 1, Sell Put 2

The Exchange also proposes a similar restriction to limit complex orders with three option legs, where all legs are buying or all legs are selling regardless of whether the option is a call or a put. For example:

- Buy Call 1, Buy Call 2, Buy Put 1
- Buy Put 1, Buy Put 2, Buy Put 3
- Buy Call 1, Buy Call 2, Buy Call 3
- Buy Put 1, Buy Put 2, Buy Call 3
- Sell Put 1, Sell Put 2, Sell Call 1

Strategies that involve these types of combinations of options are not traditional complex order strategies used by retail or professional investors, designed to gain exposure to a particular option class' movement. The vast majority of complex order strategies are made up of calendar and vertical spreads, butterflies and straddles, strategies that seek to hedge the potential move of the underlying security or to capture premium from an anticipated market event. In contrast, the atypical strategies illustrated above are primarily geared towards an aggressive directional capture of volatility. Through a combination of buying or selling multiple option legs at once, regardless of the implied directional move represented by a call versus a put, a market participant using one of these strategies is aggressively buying or selling volatility. By using the complex order mechanism that allows for the simultaneous executions of all legs, these strategies aim to bypass a single leg market maker's risk settings and result in an artificially large transaction that distorts the market for other related instruments, including the underlying security. These distortions in the market for the underlying security and related option series are caused by the simultaneous hedging activity triggered by such strategies. By legging in and potentially bypassing the risk settings of several market participants, these strategies create a larger trade than otherwise possible through the use of 'simple' or single-leg orders which then results in the affected market participants needing to immediately hedge these outsized positions. This activity in turn causes an immediate

[3] *See* Securities Exchange Act Release No. 70132 (August 7, 2013), 78 FR 49311 (August 13, 2013) (SR–ISE–2013–38).

[4] *Id.*

[5] Pursuant to ISE Rule 722(b)(3)(ii), complex orders may be executed against bids and offers on the Exchange for the individual legs of the complex order, provided the complex order can be executed while maintaining a permissible ratio by such bids and offers.

distortion in the market of the related securities as these market participants attempt to simultaneously buy or sell the underlying security or related option series. This type of effect can also be a result of a simple, large order affecting several liquidity providers, but in the case of a complex strategy, involving several legs and therefore more size, the impact is more pronounced. By limiting these types of complex orders from legging in, the Exchange will strengthen the effectiveness of the risk tools it provides and thereby allow liquidity providers to post tighter and more liquid markets for regular orders and traditional complex orders, while at the same time reducing the frequency and size of related market distortions.

Further, the Exchange currently offers an order type called ''legging orders'' [6] to provide additional liquidity for complex orders resting on the complex order book. A complex order resting on the complex order book may be executed either by: (i) Trading against an incoming complex order that is marketable against the resting complex order, or (ii) trading in the regular market when the net price of the complex order can be satisfied by executing all of the legs against the best bids or offers on the Exchange for the individual options series. Under current rules, legging orders may be generated automatically for simple two-legged options orders with the same quantity on both legs. However, with this proposed rule change, which in part applies to simple two-legged options orders with the same quantity on both legs, legging orders cannot be executed for these complex orders due the manner in which the trading system is designed. Specifically, the same component in the trading system handles both the trading of complex orders in the regular market and the execution of legging orders. Therefore, the proposed limitation to exclude these complex orders from trading in the regular market also means that the trading system will not generate legging orders for these types of two-legged complex orders. The Exchange proposes to adopt language in proposed Rule 722(b)(3)(ii)(A) to note that the trading system will not generate legging orders for these complex orders.[7]

Additionally, the Exchange's Facilitation Mechanism has been available for the execution of complex orders since 2005 [8] and the Solicited Order Mechanism has been available for the execution of complex orders since 2006.[9] And since 2011, members have also been able to execute complex orders in the Price Improvement Mechanism.[10] All three mechanisms expose orders to all Exchange members for 500 milliseconds to provide an opportunity for price improvement. Complex orders are processed in these mechanisms at a net price in the same manner as single-legged orders. If an improved net price for a complex order being executed can be achieved from bids and offers for the individual legs of the complex order in the Exchange's auction market, the order being executed receives an execution at the better net price. A single component in the trading system component handles both the trading of a new complex order with the regular order book upon arrival and at the end of the 500 millisecond exposure period. For complex orders that are the subject of this proposed rule change, if an improved net price for such complex orders being executed can be achieved from bids and offers for the individual legs of the complex order, the auction order cannot trade with the individual legs. Because an auction order, such as a PIM or a Facilitation cannot trade outside the ISE's best bid or offer, the auction order will be cancelled at the end of the 500 millisecond exposure period. The cancellation of auction orders in such instances is similar to the current handling of situations when the bid or offer at the ISE, made up of individual series, becomes better than the net price of the complex auction order on the same side (bid better during an auction order where the agency side is the buyer, ask better during an auction where the agency side is the seller). In these instances, at the end of the 500 millisecond exposure period, if the net price of the auction order is inferior to the bid or offer on the same side of auction order, the auction is cancelled without any execution. With respect to the bids and offers for the individual legs of a complex order entered into the three mechanisms, the priority rules for complex orders contained in Rule 722(b)(2) will continue to apply.

The Exchange proposes to amend Supplementary Material .08 to Rule 716 and Supplementary Material .10 to Rule 723 to reflect how complex orders listed in proposed Rule 722(b)(3)(ii)(A) and (B) are treated in the Exchange's three auction mechanisms.

The Exchange notes that the number of these atypical complex orders is small relative to the total number of complex orders executed on the Exchange on a given day. The Exchange believes that the potential risk to market makers in the regular market of allowing these atypical complex orders out-weighs the potential benefit of offering such functionality to a very limited number of orders. With this proposal, the Exchange is not entirely restricting the execution of these types of complex orders. These orders may still be executed in the complex order book thus, will rest on the complex order book until they are traded or cancelled by the member that entered them.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Securities Exchange Act of 1934 (the ''Act'') [11] in general, and furthers the objectives of Section 6(b)(5) of the Act [12] in particular, in that it is designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism for a free and open market and a national market system, and, in general, to protect investors and the public interest.

The Exchange believes it is reasonable to limit the types of complex orders that are eligible to leg-into the regular market. In this respect, the Exchange notes that the vast majority of complex orders sent to the Exchange will be unaffected by this rule change. Moreover, the Exchange believes that the potential risk of continuing to offer legging functionality for complex orders such as those impacted by the proposed rule change limits the amount of liquidity that market makers are willing to provide in the regular market. In particular, market makers may reduce the size of their quotations in the regular market because they are at risk of executing the cumulative size of their quotations across multiple options series without an opportunity to adjust their quotes. Accordingly, reducing market maker risk in the regular market by limiting the legging functionality as proposed herein will benefit investors by encouraging additional liquidity in

[6] A legging order is a limit order on the regular limit order book that represents one side of a complex order that is to buy or sell an equal quantity of two options series resting on the Exchange's complex order book. *See* ISE Rule 715(k).

[7] The Exchange is not proposing to adopt similar language in proposed Rule 722(b)(3)(ii)(B) because legging orders cannot be generated for complex orders with 3 option legs.

[8] *See* Securities Exchange Act Release No. 52327 (August 24, 2005), 70 FR 51854 (August 31, 2005) (SR–ISE–2004–33).

[9] *See* Securities Exchange Act Release No. 53729 (April 26, 2006), 71 FR 26154 (May 3, 2006) (SR–ISE–2006–15).

[10] *See* Securities Exchange Act Release No. 64805 (July 5, 2011), 76 FR 40758 (July 11, 2011) (SR–ISE–2011–30).

[11] 15 U.S.C. 78f(b).

[12] 15 U.S.C. 78f(b)(5).

the regular market. This benefit to investors far exceeds the small amount of potential liquidity provided by the few complex orders this proposal seeks to restrict to trading in the complex order book.

B. Self-Regulatory Organization's Statement on Burden on Competition

The proposed rule change does not impose any burden on competition. The proposed change to limit legging functionality, as proposed, will reduce risk to market makers that are quoting in the regular market. As such, the proposal may encourage market makers to increase the size of their quotations, thereby adding liquidity on the Exchange.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange has not solicited, and does not intend to solicit, comments on this proposed rule change. The Exchange has not received any unsolicited written comments from members or other interested parties.

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.

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 Act. Comments may be submitted by any of the following methods:

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.* Please include File Number SR–ISE–2014–10 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090.

All submissions should refer to File Number SR–ISE–2014–10. 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 such filing also will be available for inspection and copying at the principal offices of the Exchange. 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–ISE–2014–10, and should be submitted on or before April 4, 2014.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[13]

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2014–05592 Filed 3–13–14; 8:45 am]

BILLING CODE 8011–01–P

[13] 17 CFR 200.30–3(a)(12).

SMALL BUSINESS ADMINISTRATION

National Women's Business Council; Addendum to Quarterly Public Meeting

AGENCY: National Women's Business Council, Small Business Administration.

ACTION: Notice of open Public Meeting (Addendum).

SUMMARY: The SBA is issuing this notice to announce the location, date, time, and agenda for its public meeting of the National Women's Business Council. The meeting will be open to the public.

DATES: March 26, 2014 from 3:00 p.m. Eastern Time to 5:30 p.m. Eastern Time. This meeting will take place at 1776.

ADDRESSES: 1776 is located at 1133 15th St. NW., The Penthouse, Washington, DC 20005. Please contact Taylor Barnes at 202–205–6827 or *Taylor.barnes@nwbc.gov* to receive more information and conference call details.

SUPPLEMENTARY INFORMATION: Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (5 U.S.C., Appendix 2), SBA announces the meeting of the National Women's Business Council. As previously announced, the NWBC will be holding their public meeting on March 26th from 12:00 p.m. to 2:00 p.m. at SBA Headquarters. The NWBC will also be meeting later in the day, from 3:00 p.m. to 5:30 p.m., at 1776 to discuss women in STEM fields.

FOR FURTHER INFORMATION CONTACT: The meeting is open to the public however advance notice of attendance is requested. Anyone wishing to attend must either email their interest to *taylor.barnes@nwbc.gov* or call at 202–205–6827 no later than March 19, 2014.

Those needing special accommodation in order to attend or participate in the meeting, please contact 202–205–6827 no later than March 19, 2014.

Dated: March 10, 2014.

Diana Doukas,

SBA Committee Management Officer.

[FR Doc. 2014–05696 Filed 3–13–14; 8:45 am]

BILLING CODE 8025–01–P

DEPARTMENT OF STATE

[Public Notice 8657]

30-Day Notice of Proposed Information Collection: Online Application for Nonimmigrant Visa

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 April 14, 2014.

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 Sydney Taylor, who may be reached at *PRA_BurdenComments@state.gov.*

SUPPLEMENTARY INFORMATION:

- *Title of Information Collection:* Online Application for Nonimmigrant Visa.
- *OMB Control Number:* 1405–0182.
- *Type of Request:* Extension of a currently approved collection.
- *Originating Office:* CA/VO/L/R.
- *Form Number:* DS–160.
- *Respondents:* All Nonimmigrant Visa Applicants.
- *Estimated Number of Respondents:* 11,100,276.
- *Estimated Number of Responses:* 11,100,276.
- *Average Time per Response:* 75 minutes.
- *Total Estimated Burden Time:* 13,875,345.
- *Frequency:* Once per respondent.
- *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 Online Application for Nonimmigrant Visa (DS–160) will be used to collect biographical information from individuals seeking a nonimmigrant visa. The consular officer uses the information collected to determine the applicant's eligibility for a visa. This collection combines questions from current information collections DS–156 Nonimmigrant Visa Application, DS–156E Nonimmigrant Treaty Trader Investor Application (for certain qualifiers), DS–156K Nonimmigrant Fiancé Application, DS–157 Nonimmigrant Supplemental Visa Application, and DS–158 Contact Information and Work History Application, with a new question asking whether the applicant is a permanent resident of a country other than country or place of nationality and, if so, to indicate that country.

Methodology:

The DS–160 will be submitted electronically to the Department via the internet. The applicant will be instructed to print a confirmation page containing a bar coded record locator, which will be scanned at the time of processing. Applicants who submit the electronic application will no longer submit paper-based applications to the Department.

Dated: March 7, 2014.

Edward Ramotowski,

Deputy Assistant Secretary, Bureau of Consular Affairs, Department of State.

[FR Doc. 2014–05689 Filed 3–13–14; 8:45 am]

BILLING CODE 4710–06–P

DEPARTMENT OF STATE

[Public Notice 8658]

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 April 2, 2014, at the Department of Defense, Pentagon, Washington DC 20001.

Pursuant to section 10(d) of the Federal Advisory Committee Act, 5 U.S.C. App § 10(d), and 5 U.S.C. 552b(c)(1), it has been determined that this meeting will be closed to the public because the ISAB will be reviewing and discussing matters properly classified in accordance with Executive Order 13526. The purpose of the ISAB is to provide the Department of State 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 a classified discussion and information exchange related to the ISAB's studies on current U.S. policy and issues regarding arms control, international security, nuclear proliferation, cyber stability, energy security, and diplomacy, as well as the future of cooperative threat reduction, Weapons of Mass Destruction (WMD) elimination, and nuclear strategic stability. The meeting will be held in conjunction with a meeting of the Department of Defense Threat Reduction Advisory Committee.

For more information, contact Richard W. Hartman II, Executive Director of the International Security Advisory Board, U.S. Department of State, Washington, DC 20520, telephone: (202) 736–4290.

Dated: March 7, 2014.

Richard W. Hartman, II,

Executive Director, International Security Advisory Board, U.S. Department of State.

[FR Doc. 2014–05686 Filed 3–13–14; 8:45 am]

BILLING CODE 4710–35–P

DEPARTMENT OF STATE

[Public Notice 8659]

Shipping Coordinating Committee; Notice of Committee Meeting

The Shipping Coordinating Committee (SHC) will conduct an open meeting at 10:00 a.m. on Friday, April 18, 2014, in Room 2E16–06, United States Coast Guard Headquarters, 2703 Martine Luther King Jr. Ave. SE., Washington, DC 20593–7213. The primary purpose of the meeting is to prepare for the one hundred first Session of the International Maritime Organization's (IMO) Legal Committee to be held at the IMO Headquarters, United Kingdom, April 28–May 2, 2014.

The agenda items to be considered include:

- Adoption of the agenda and report on delegation credentials
- HNS Protocol, 2010
- Fair treatment of seafarers in the event of a maritime accident
- Piracy
- Technical cooperation activities related to maritime legislation
- Election of officers
- Liability and compensation issues connected with transboundary pollution damage from offshore oil exploration and exploitation

Members of the public may attend this meeting up to the seating capacity

of the room. To facilitate the building security process, and to request reasonable accommodation, those who plan to attend should contact the meeting coordinator, Ms. Bronwyn Douglass, by email at *bronwyn.douglass@uscg.mil,* by phone at 202–372–3793, or in writing at Commandant (CG–094), ATTN: Office of Maritime & International Law, US Coast Guard STOP 7213, 2703 Martin Luther King Jr. Ave. SE., Washington, DC 20593–7213 not later than April 11, 2014, which is seven days prior to the meeting. Requests made after April 11, 2014, will be considered but might be difficult to fulfill. Arrivals without pre-clearance cannot be accommodated. Please note that due to security considerations, two valid, government issued photo identifications must be presented to gain entrance to the Headquarters building. The Headquarters building is accessible by taxi and privately owned conveyance (public transportation is not generally available). However, parking in the vicinity of the building is extremely limited. Additional information regarding security and parking may be found at: *http://www.uscg.mil/baseNCR/documents/visit_instructions.pdf.* Additional information regarding this and other IMO SHC public meetings may be found at: *www.uscg.mil/imo.*

Dated: March 10, 2014.

Marc Zlomek,

Executive Secretary, Shipping Coordinating Committee, Department of State.

[FR Doc. 2014–05690 Filed 3–13–14; 8:45 am]

BILLING CODE 4710–09–P

DEPARTMENT OF TRANSPORTATION

Office of the Secretary of Transportation

[Docket No. DOT–OST–2013–0217]

Proposed Information Collection Request; Notice of Requirements and Procedures for Grant Payment Request Submission

AGENCY: Department of Transportation (DOT).

ACTION: Notice and request for comments.

SUMMARY: The Department of Transportation (DOT), Office of the Secretary (OST) will be submitting the following request for extension to the previously approved information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995. The information collection was previously published in the **Federal Register** on December 27, 2013, allowing for a 60-day public comment period.

DATES: April 14, 2014.

ADDRESSES: Direct comments to the Department of Transportation 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_submissions@omb.eop.gov.* Include the information collection title and OMB control number in the subject line of your message.
- *Fax:* 202–395–5806. Attn: Desk Officer for Department of Transportation.
- Send comments regarding the information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 Seventeenth Street NW., Washington, DC 20503, Attention: OST Desk Officer.

FOR FURTHER INFORMATION CONTACT: You may obtain copies of the proposed information collection and supporting documents from US Department of Transportation, Office of Financial Management, B–30, Room W93–431, 1200 New Jersey Avenue SE., Washington, DC 20590–0001, (202) 366–1306, *DOTElectronicInvoicing@dot.gov.*

SUPPLEMENTARY INFORMATION:

Title: Notice of Requirements and Procedures for Grant Payment Request Submission.

OMB Control Number: 2105–0564.

Type of Request: Extension to the previously approved information collection.

Background: This notice sets forth requirements and procedures for grantees that receive payments from DOT OAs,[1] with the exception of DOT grant recipients requesting payment electronically through the National Highway Traffic Safety Administration's Grant Tracking System (GTS), the Federal Highway Administration's Rapid Approval State Payment System (RASPS), or Federal Transit Administration (FTA) grant recipients requesting payment through the Electronic Clearing House Operation System (ECHO-Web).

The proposed procedures provide that—

- Grantees will now be required to have electronic internet access to register in the Delphi eInvoicing system.
- Grantees will be required to submit payment requests electronically and DOT OAs must process payment requests electronically.
- The identities of system users must be verified prior to receiving access to the Delphi eInvoicing system. Users must complete a user request form and provide the following information: Full name, work address, work phone number, work email address, home address and home phone number. Once completed, this form must be presented to a Notary Public for verification. Once notarized, the prospective grantee user will return the form to receive their login credentials.
- DOT Office of Financial Management officials may allow exceptions to the requirement that grantees register and submit payment requests through the Delphi eInvoicing system under limited circumstances. Recipients may apply for an exemption by submitting an electronic Waiver Request Form to the DOT Office of Financial Management. The exceptions will be considered on a case by case basis via Waiver Request Form.

Affected Public: DOT Grant Recipients.

Estimated Number of Respondents: 3,000.

Estimated Number of Responses: 3,000.

Annual Estimated Total Burden Hours: 6,000 (est. 2 hours to complete process × 3,000 recipients).

Frequency of Collection: One time.

Comments: Comments are invited on: Whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; the accuracy of the Department's estimate of the burden of the proposed information collection; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents.

Issued in Washington, DC on March 6, 2014.

Patricia Lawton,

Paperwork Reduction Act Clearance Officer, Department of Transportation.

[FR Doc. 2014–05408 Filed 3–13–14; 8:45 am]

BILLING CODE 4910–9–P

[1] The DOT OAs are: Office of the Secretary of Transportation (OST), Federal Aviation Administration (FAA), Federal Highway Administration (FHWA), Federal Motor Carrier Safety Administration (FMCSA), Federal Railroad Administration (FRA),Federal Transit Administration (FTA), Maritime Administration (MARAD), National Highway Traffic Safety Administration (NHTSA), Office of Inspector General (OIG), Pipeline and Hazardous Materials Safety Administration (PHMSA), Research and Innovative Technology Administration (RITA), Saint Lawrence Seaway Development Corporation (SLSDC) and Surface Transportation Board (STB).

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

Notice of Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits Filed Under Subpart B (Formerly Subpart Q) During the Week Ending February 15, 2014

The following Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits were filed under Subpart B (formerly Subpart Q) of the Department of Transportation's Procedural Regulations (See 14 CFR 301.201 et. seq.). The due date for Answers, Conforming Applications, or Motions to Modify Scope are set forth below for each application. Following the Answer period DOT may process the application by expedited procedures. Such procedures may consist of the adoption of a show-cause order, a tentative order, or in appropriate cases a final order without further proceedings.

Docket Number: DOT- OST–2014–0019.

Date Filed: February 10, 2014.

Due Date for Answers, Conforming Applications, or Motion to Modify Scope: March 3, 2014.

Description: Application of Azerbaijan Airlines requesting a foreign air carrier permit and exemption authority to engage in (1) scheduled air transportation of passengers, property and mail between any point or points in Azerbaijan, via intermediate points, and any point or points in the United States; and (2) charter air transportation of passengers, property and mail between any point or points in Azerbaijan and any point or points in the United States, as well as any point or points in the United States and any point or points in a third country or countries subject to pertinent national, bilateral and international rules and regulations.

Docket Number: DOT–OST–2014–0020.

Date Filed: February 10, 2014.

Due Date for Answers, Conforming Applications, or Motion to Modify Scope: March 3, 2014.

Description: Application of Gem Air LLC requesting authority to operate scheduled passenger service as a commuter air carrier between Salmon, ID and Boise, ID.

Docket Number: DOT–OST–2014–0021.

Date Filed: February 12, 2014.

Due Date for Answers, Conforming Applications, or Motion to Modify Scope: March 5, 2014.

Description: Application of North Cariboo Flying Service Ltd. requesting an amended foreign air carrier permit and an exemption to engage in on-demand large aircraft charter transportation of passengers and property between points(s) in Canada and point(s) in the United States, as well as other charters.

Barbara J. Hairston,

Supervisory Dockets Officer, Docket Operations, Federal Register Liaison.

[FR Doc. 2014–05618 Filed 3–13–14; 8:45 am]

BILLING CODE 4910–9XP

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

DEPARTMENT OF INTERIOR

National Park Service

List of Units of the National Park System Exempt From the Provisions of the National Parks Air Tour Management Act

AGENCY: Federal Aviation Administration, Transportation; National Park Service, Interior.

ACTION: List of Exempt Parks.

SUMMARY: The National Parks Air Tour Management Act (NPATMA) requires the Federal Aviation Administration (FAA) and National Park Service (NPS) to develop an air tour management plan for units of the national park system where an operator has requested authority to provide commercial air tours. The FAA Modernization and Reform Act of 2012 amended various provisions of NPATMA. One provision exempted national park units with 50 or fewer annual flights from the provisions of NPATMA and requires FAA and NPS to jointly publish a list of exempt parks. By **Federal Register** notice (See 77 FR 75254, December 19, 2012), FAA and NPS published an initial list of exempt parks in 2012. This notice provides the annual updated list of parks that are exempt from the provisions of the NPATMA.

FOR FURTHER INFORMATION CONTACT: Keith Lusk—Mailing address: Federal Aviation Administration, P.O. Box 92007, Los Angeles, California 90009–2007. Telephone: (310) 725–3808. Email address: *Keith.Lusk@faa.gov*. Vicki Ward—Mailing address: Natural Sounds and Night Skies Division, National Park Service, 1201 Oakridge Drive, Suite 100–31, Fort Collins, CO 80525. Telephone: (970) 267–2117. Email address: *Vicki_Ward@nps.gov*.

SUPPLEMENTARY INFORMATION:

I. Authority

1. NPATMA (Pub. L. 106–181, codified at 49 U.S.C. 40128) requires the FAA and NPS to develop an air tour management plan for units of the national park system where an operator has requested authority to provide commercial air tours. The FAA Modernization and Reform Act of 2012 (2012 Act) amended various provisions of NPATMA.

2. This **Federal Register** Notice addresses the following 2012 Act amendment provisions (which are codified at 49 U.S.C. 40128(a)(5)):

a. Exempt national park units that have 50 or fewer commercial air tour operations each year from the requirements of NPATMA.

b. Authorize NPS to withdraw the exemption if necessary to protect resources and values or visitor use and enjoyment.

c. Require FAA and NPS to publish a list each year of national parks covered by the exemption.

II. List of Exempt Parks

1. This list is based on interim operating authority (IOA) data available to FAA and NPS. At these parks, the current combined IOA of all air tour operators is 50 operations or fewer annually. Exempt parks are as follows:

Big Bend National Park, TX
Black Canyon of the Gunnison National Park, CO
Capulin Volcano National Monument, NM
Carlsbad Caverns National Park, NM
Casa Grande Ruins National Monument, AZ
Coronado National Memorial, AZ
Devils Tower National Monument, WY
Dinosaur National Monument, UT/CO
El Malpais National Monument, NM
El Morro National Monument, NM
Fort Bowie National Historic Site, AZ
Fort Davis National Historic Site, TX
Fort Union National Monument, NM
Gila Cliff Dwellings National Monument, NM
Great Sand Dunes National Park and Preserve, CO
Guadalupe Mountains National Park, NM
Hohokam Pima National Monument, AZ
Hubbell Trading Post National Historic Site, AZ
Kings Canyon National Park, CA
Mojave National Preserve, CA
Organ Pipe Cactus National Monument, AZ
Pecos National Historical Park, NM
Petrified Forest National Park, AZ
Petroglyph National Monument, NM
Pipe Spring National Monument, AZ

Rio Grande Wild and Scenic River, TX

Saguaro National Park, AZ

Salinas Pueblo Missions National Monument, NM

San Juan Island National Historical Park, WA

Sequoia National Park, CA

Tumacacori National Historic Park, AZ

Walnut Canyon National Monument, AZ

Wupatki National Monument, AZ

2. The list of exempt parks published in this notice is the same as the initial list published on December 19, 2012. The list is based on IOA operational numbers only, since this is the only data currently available to FAA and NPS on the number of air tour operations at parks. The 2012 Act also included a provision that requires air tour operators to report their air tour operations over national parks. These reporting requirements were initiated on January 1, 2013. The full set of reporting data for 2013 will be available for FAA and NPS review in early 2014. Based on a review of the 2013 data, FAA and NPS will publish an updated list of exempt parks based on the actual operations conducted in the most recent calendar year.

III. List of Exempt Parks for Future Years

The FAA and NPS will publish a list of exempt parks annually. The list could change from year to year since parks may be added to or removed from the exempt list based on the previous year's number of annual operations. In order to continue to be exempt, a park must have 50 or fewer annual commercial air tour operations in any given calendar year. The list could also change if NPS withdraws an exempted park. NPS is authorized to withdraw a park from the exempt list if NPS determines that an air tour management plan or a voluntary agreement is necessary to protect park resources and values or park visitor use and enjoyment. Pursuant to the 2012 Act, the NPS shall inform the FAA in writing of each determination to withdraw an exemption. At parks that lose exempt status, operators will return to IOA requirements until an air tour management plan or a voluntary agreement has been established.

Issued in Hawthorne, CA, on December 9, 2013.

Dale Bouffiou,

Deputy Regional Administrator, Western-Pacific Region, Federal Aviation Administration.

Issued in Washington, DC, on December 12, 2013.

Herbert C. Frost,

Associate Director, Natural Resource Stewardship and Science National Park Service.

[FR Doc. 2014–05712 Filed 3–13–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Intent To Rule on Request to Release Deed Restrictions at the Yellowstone Airport, West Yellowstone, Montana

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice requesting comment on request to release deed restrictions at the Yellowstone Airport; re-opening and extension of comment period.

SUMMARY: This action re-opens and extends the comment period for the notice of intent to rule on the request to release deed restrictions at Yellowstone Airport under the provisions of Title 49, U.S.C. 47125 that was published on January 28, 2014. Comments received regarding this notice have requested that the FAA extend the comment period to allow time for full consideration of the proposed ruling.

DATES: The notice of the comment period was published on January 28, 2014 (79 FR 4529), closed Februrary 28, 2014, and is re-opened until May 30, 2014.

ADDRESSES: Comments on the application may be mailed or delivered to the FAA at the following address:

Mr. David S. Stelling, Manager, Federal Aviation Administration, Northwest Mountain Region, Airports Division, Helena Airports District Office, 2725 Skyway Drive, Suite 2, Helena, Montana 59602.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Ms. Debbie Alke, Administrator, Montana Department of Transportation Aeronautics Division, at the following address:

Ms. Debbie Alke, Administrator, Aeronautics Division, Montana Department of Transportation, PO Box 200507, Helena, MT 59620–0507.

FOR FURTHER INFORMATION CONTACT: Mr. Steve Engebrecht, Civil Engineer/Compliance Specialist, Federal Aviation Administration, Northwest Mountain Region, Helena Airports District Office, 2725 Skyway Drive, Suite 2, Helena, Montana 59602.

Any person may inspect, by appointment, the request in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**.

In addition, any person may, upon appointment and request, inspect the request to release deed restrictions and other documents germane to the request in person at the Yellowstone Airport.

Issued in Helena, Montana on March 7, 2014.

David S. Stelling,

Manager, Helena Airports District Office.

[FR Doc. 2014–05639 Filed 3–13–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

[Docket No. FHWA 2014–0008]

Agency Information Collection Activities: Request for Comments for a New Information Collection

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice and request for comments.

SUMMARY: The FHWA invites public comments about our intention to request the Office of Management and Budget's (OMB) approval for a new information collection, which is summarized below under **SUPPLEMENTARY INFORMATION**. We are required to publish this notice in the **Federal Register** by the Paperwork Reduction Act of 1995.

DATES: Please submit comments by May 13, 2014.

ADDRESSES: You may submit comments identified by DOT Docket ID 2014–0008 by any of the following methods:

Web site: For access to the docket to read background documents or comments received go to the Federal eRulemaking Portal: Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.

Fax: 1–202–493–2251.

Mail: Docket Management Facility, U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590–0001.

Hand Delivery or Courier: U.S. 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. ET, Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: William Ostrum, 202–366–4651, Department of Transportation, FHWA, Office of Project Development and Environmental Review, E76–116, 1200 New Jersey Avenue SE., Washington, DC 20590. Office hours are from 8 a.m. to 5 p.m., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Title: FHWA Environmental Excellence Awards.

Background: In 1995 FHWA established the biennial Environmental Excellence Awards to recognize partners, projects, and processes that use FHWA funding sources to go beyond environmental compliance and achieve environmental excellence. The Environmental Excellence Awards also recognize partners, projects, and processes that exemplify innovation and commitment to the human environment, and organization and process innovation. Awardees must make an outstanding contribution that goes beyond traditional transportation projects and that encourages environmental stewardship and partnerships to achieve a truly multi-faceted, environmentally sensitive transportation solution.

Award: Anyone can nominate a project, process, person or group that has used FHWA funding sources to make an outstanding contribution to transportation and the environment. The nominator is responsible for submitting an application via the FHWA Environmental Excellence Awards Web site that gives a summary of the outstanding accomplishments of the entry. The collected information will be used by FHWA to evaluate the project, showcase environmental excellence, and enhance the public's knowledge of environmental stewardship in the planning and project development process. Nominations will be reviewed by a panel of judges from varying backgrounds. It is anticipated that awards will be given every 2 years. The winners are presented plaques at an awards ceremony.

Respondents: Anyone who has used FHWA funding sources in the 50 States, U.S. territories, and the District of Columbia.

Frequency: The information will be collected biennially.

Estimated Average Burden per Response: 8 hours per respondent per application.

Estimated Total Annual Burden Hours: It is expected that the respondents will complete approximately 150 applications for an estimated total of 1200 annual burden hours.

Public Comments Invited: You are asked to comment on any aspect of this information collection, including: (1) Whether the proposed collection is necessary for the FHWA's performance; (2) the accuracy of the estimated burdens; (3) ways for the FHWA to enhance the quality, usefulness, and clarity of the collected information; and (4) ways that the burden could be minimized, including the use of electronic technology, without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request for OMB's clearance of this information collection.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended; and 49 CFR 1.48.

Issued On: March 11, 2014.

Michael Howell,

Information Collection Officer.

[FR Doc. 2014–05632 Filed 3–13–14; 8:45 am]

BILLING CODE 4910–22–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2014–0003]

Qualification of Drivers; Exemption Applications; Vision

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

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

SUMMARY: FMCSA announces receipt of applications from 75 individuals for exemption from the vision requirement in the Federal Motor Carrier Safety Regulations. They are unable to meet the vision requirement in one eye for various reasons. The exemptions will enable these individuals to operate commercial motor vehicles (CMVs) in interstate commerce without meeting the prescribed vision requirement in one eye. If granted, the exemptions would enable these individuals to qualify as drivers of commercial motor vehicles (CMVs) in interstate commerce.

DATES: Comments must be received on or before April 14, 2014.

ADDRESSES: You may submit comments bearing the Federal Docket Management System (FDMS) Docket No. FMCSA–2014–0003 using any of the following methods:

- Federal eRulemaking Portal: Go to *http://www.regulations.gov*. Follow the on-line instructions for submitting comments.
- Mail: Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12–140, Washington, DC 20590–0001.
- Hand Delivery: West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.
- Fax: 1–202–493–2251.

Instructions: Each submission must include the Agency name and the docket numbers for this notice. Note that all comments received will be posted without change to *http://www.regulations.gov,* including any personal information provided. Please see the Privacy Act heading below for further information.

Docket: For access to the docket to read background documents or comments, go to *http://www.regulations.gov* at any time or Room W12–140 on the ground level of the West Building, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The FDMS is available 24 hours each day, 365 days each year. If you want acknowledgment that we received your comments, please include a self-addressed, stamped envelope or postcard or print the acknowledgement page that appears after submitting comments on-line.

Privacy Act: Anyone may search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or of the person signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's Privacy Act Statement for the Federal Docket Management System (FDMS) published in the **Federal Register** on January 17, 2008 (73 FR 3316).

FOR FURTHER INFORMATION CONTACT: Elaine M. Papp, Chief, Medical Programs Division, (202) 366–4001, *fmcsamedical@dot.gov*, FMCSA, Department of Transportation, 1200 New Jersey Avenue SE., Room W64–224, Washington, DC 20590–0001. Office hours are from 8:30 a.m. to 5 p.m., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Background

Under 49 U.S.C. 31136(e) and 31315, FMCSA may grant an exemption from

the Federal Motor Carrier Safety Regulations for a 2-year period if it finds ''such exemption would likely achieve a level of safety that is equivalent to or greater than the level that would be achieved absent such exemption.'' FMCSA can renew exemptions at the end of each 2-year period. The 75 individuals listed in this notice have each requested such an exemption from the vision requirement in 49 CFR 391.41(b)(10), which applies to drivers of CMVs in interstate commerce. Accordingly, the Agency will evaluate the qualifications of each applicant to determine whether granting an exemption will achieve the required level of safety mandated by statute.

Qualifications of Applicants

Luis A. Agudo

Mr. Agudo, age 34, has a retinal scar in his right eye due to a traumatic incident in 2012. The visual acuity in his right eye is 20/80, and in his left eye, 20/20. Following an examination in 2013, his optometrist stated, ''In my opinion, Luis has no trouble seeing with [*sic*] left eye, and is safe driving a commercial vehicle, but I do recommend follow up with retina specialist or myself if changes noted, [*sic*] to ensure/verify stability of right eye.'' Mr. Agudo reported that he has driven straight trucks for 5 years, accumulating 150,000 miles, and tractor-trailer combinations for 5 years, accumulating 600,000 miles. He holds a Class A Commercial Driver's License (CDL) from Minnesota. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Ilidio G. Almeida

Mr. Almeida, 52, has had amblyopia in his right eye since birth. The visual acuity in his right eye is counting fingers, and in his left eye, 20/20. Following an examination in 2013, his ophthalmologist noted, ''Vision should be adequate to drive small trucks if by law one eyed [*sic*] patient is allowed commercially.'' Mr. Almeida reported that he has driven straight trucks for 16.5 years, accumulating 5.8 million miles. He holds an operator's license from New Jersey. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Roger E. Anderson

Mr. Anderson, 47, has had amblyopia in his left eye since childhood. The visual acuity in his right eye is 20/20, and in his left eye, 20/60. Following an examination in 2013, his optometrist noted, ''Mr. Anderson was diagnosed with amblyopia of the right eye before the age of 10 . . . In my opinion he has the ability to operate a commercial vehicle.'' Mr. Anderson reported that he has driven straight trucks for 5 years, accumulating 5,000 miles, and tractor-trailer combinations for 18 years, accumulating 2.16 million miles. He holds a Class A CDL from Texas. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Pablo Ayala

Mr. Ayala, 46, has had amblyopia in his left eye since childhood. The visual acuity in his right eye is 20/20, and in his left eye, 20/80. Following an examination in 2013, his optometrist noted, ''Mr. Ayala has sufficient vision to perform the driving tasks required to operate a commercial vehicle.'' Mr. Ayala reported that he has driven straight trucks for 8 years, accumulating 48,000 miles, and tractor-trailer combinations for 8 years, accumulating 64,000 miles. He holds a Class A CDL from Florida. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Hurley H. Bacon

Mr. Bacon, 75, has complete loss of vision in his left eye due to a traumatic incident in 1959. The visual acuity in his right eye is 20/20, and in his left eye, light perception. Following an examination in 2013, his ophthalmologist noted, ''In my medical opinion Mr. Hurley Bacon has sufficient vision to perform his driving task required to operate a commercial vehicle.'' Mr. Bacon reported that he has driven straight trucks for 54 years, accumulating 540,000 miles. He holds an operator's license from New Mexico. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Dmitry D. Bayda

Mr. Bayda, 41, has had a retinal detachment in his left eye since childhood. The visual acuity in his right eye is 20/20, and in his left eye, no light perception. Following an examination in 2013, his optometrist noted, ''I certify that in my medical opinion, he has sufficient vision to perform the driving tasks required to operate a commercial vehicle.'' Mr. Bayda reported that he has driven tractor-trailer combinations for 7 years, accumulating 525,000 miles. He holds a Class A CDL from Washington. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Marvin J. Bensend Jr.

Mr. Bensend, 56, has had a cataract in his left eye since 1975. The visual acuity in his right eye is 20/20, and in his left eye, 20/400. Following an examination in 2013, his optometrist noted, ''In my opinion, Mr. Bensend has sufficient vision to perform the driving tasks required to operate a commercial vehicle.'' Mr. Bensend reported that he has driven straight trucks for 40 years, accumulating 800,000 miles. He holds an operator's license from Mississippi. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Ronald L. Bird

Mr. Bird, 59, has complete loss of vision in his left eye due to a traumatic incident in 1993. The visual acuity in his right eye is 20/20, and in his left eye, no light perception. Following an examination in 2013, his optometrist noted, ''I certify that in my medical opinion that Ron L. Bird has sufficient vision to perform the driving tasks required to operate a commercial vehicle.'' Mr. Bird reported that he has driven tractor-trailer combinations for 5 years, accumulating 375,000 miles. He holds a Class A CDL from Utah. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

John R. Bohman

Mr. Bohman, 36, has a retinal detachment in his left eye due to a traumatic incident in 1997. The visual acuity in his right eye is 20/20, and in his left eye, no light perception. Following an examination in 2013, his ophthalmologist noted, ''It is my opinion that John Bohman has sufficient vision to perform the driving tasks required to operate a commercial vehicle.'' Mr. Bohman reported that he has driven straight trucks for 2 years, accumulating 83,000 miles, and tractor-trailer combinations for 13 years, accumulating 1.08 million miles. He holds a Class A CDL from Ohio. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Dale A. Braton

Mr. Braton, 56, has had a retinal detachment in his left eye since 2005. The visual acuity in his right eye is 20/20, and in his left eye, 20/70. Following an examination in 2013, his optometrist noted, ''Dale Braton has sufficient vision to perform [*sic*] driving tasks of a commercial vehicle.'' Mr. Braton reported that he has driven straight trucks for 40 years, accumulating 320,000 miles. He holds an operator's

license from Minnesota. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Michael R. Burnau

Mr. Burnau, 25, has had a macular hole in his left eye since 2005. The visual acuity in his right eye is 20/20, and in his left eye, 20/200. Following an examination in 2013, his optometrist noted, ''Because Mr. Burnau has good peripheral vision in both eyes and good central visual acuity in his right eye, it is my opinion that he has sufficient visual function to operate a commercial vehicle.'' Mr. Burnau reported that he has driven tractor-trailer combinations for 6 years, accumulating 150,000 miles. He holds a Class A CDL from Missouri. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Balwinder S. Chatha

Mr. Chatha, 51, has had macular edema and diabetic retinopathy in his left eye since 2012. The visual acuity in his right eye is 20/25, and in his left eye, 20/60. Following an examination in 2013, his ophthalmologist noted, ''Since Balwinder has nearly normal central vision (20/25 to 20/30+) in his right eye and good peripheral vision in both eyes, it is my medical opinion that he has sufficient vision to safely drive a commercial vehicle at this time.'' Mr. Chatha reported that he has driven tractor-trailer combinations for 26 years, accumulating 2.08 million miles. He holds a Class A CDL from California. His driving record for the last 3 years shows no crashes and one conviction for a moving violation in a CMV; he failed to stop at a stop sign.

Eddie D. Coggins

Mr. Coggins, 65, has had amblyopia in his left eye since birth. The visual acuity in his right eye is 20/20, and in his left eye, 20/200. Following an examination in 2013, his optometrist noted, ''Vision is sufficient to perform driving tasks required to operate [*sic*] commercial vehicle.'' Mr. Coggins reported that he has driven straight trucks for 19 years, accumulating 3.61 million miles, and buses for 9 years, accumulating 18,000 miles. He holds a Class A CDL from North Carolina. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Cody W. Christian

Mr. Christian, 27, has corneal scarring in his right eye due to a traumatic incident during childhood. The visual acuity in his right eye is light perception, and in his left eye, 20/20. Following an examination in 2013, his optometrist noted, ''Cody seems to be able to function to full capacity as far as being able to see well enough to operate a commercial vehicle.'' Mr. Christian reported that he has driven straight trucks for 18 months, accumulating 1,000 miles, and tractor-trailer combinations for 18 months, accumulating 5,000. He holds a Class A CDL from Oklahoma. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Ronald G. Cote

Mr. Cote, 62, has had macular degeneration in his right eye since 2005. The visual acuity in his right eye is 20/80, and in his left eye, 20/20. Following an examination in 2013, his optometrist noted, ''Ronald Cote's vision if [*sic*] sufficient to perform the driving tasks required to operate a commercial vehicle.'' Mr. Cote reported that he has driven straight trucks for 10 years, accumulating 400,000 miles, and tractor-trailer combinations for 31 years, accumulating 1.86 million miles. He holds a Class A CDL from Utah. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Michael T. Deaton

Mr. Deaton, 45, has aphakia in his right eye due to a traumatic incident in 1988. The visual acuity in his right eye is no light perception, and in his left eye, 20/20. Following an examination in 2013, his optometrist noted, ''I am convinced that Mr. Deaton is perfectly capable of performing the tasks related to operating a commercial vehicle.'' Mr. Deaton reported that he has driven straight trucks for 21 years, accumulating 840,000 miles. He holds an operator's license from Kentucky. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Gilbert Deprey

Mr. Deprey, 67, has had a prosthetic right eye since childhood. The visual acuity in his right eye is no light perception, and in his left eye, 20/20. Following an examination in 2013, his optometrist noted, ''In my opinion, Mr. Deprey certainly satisfies and has sufficient vision to perform driving tasks required to operate a commercial motor vehicle.'' Mr. Deprey reported that he has driven straight trucks for 15 years, accumulating 750,000 miles, and tractor-trailer combinations for 18 years, accumulating 990,000 miles. He holds a Class A CDL from Maine. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Billy D. Devine

Mr. Devine, 53, has had a prosthetic left eye since childhood. The visual acuity in his right eye is 20/20, and in his left eye, no light perception. Following an examination in 2013, his optometrist noted, ''In my opinion he has sufficient vision to perform the driving tasks required to operate a commercial vehicle.'' Mr. Devine reported that he has driven tractor-trailer combinations for 16 years, accumulating 1.25 million miles. He holds a Class A CDL from Washington. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

James G. Donze

Mr. Donze, 55, has had strabismic amblyopia in his right eye since childhood. The visual acuity in his right eye is 20/100, and in his left eye, 20/20. Following an examination in 2013, his optometrist noted, ''In my opinion, Mr. Donze has sufficient vision to drive and operate a commercial vehicle.'' Mr. Donze reported that he has driven straight trucks for 30 years, accumulating 15,000 miles. He holds a Class A CDL from Missouri. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Kerry M. Dotson

Ms. Dotson, 46, has had caloboma in her right eye since birth. The visual acuity in her right eye is no light perception, and in her left eye, 20/25. Following an examination in 2013, her optometrist noted, ''In my opinion, Ms. Dotson has sufficient vision to operate a commercial vehicle.'' Ms. Dotson reported that she has driven straight trucks for 13 years, accumulating 273,000 miles. She holds a Class B CDL from Washington. Her driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Jeffrey D. Duncan

Mr. Duncan, 55, has had a retinal detachment in his left eye since 2011. The visual acuity in his right eye is 20/20, and in his left eye, 20/80. Following an examination in 2013, his optometrist noted, ''I certify that, in my medical opinion, this patient has sufficient vision to operate a commercial motor vehicle.'' Mr. Duncan reported that he has driven straight trucks for 15 years, accumulating 337,500 miles. He holds an operator's license from Indiana. His

driving record for the last 3 years show one crash, for which he was not cited but to which he did contribute by following too closely, and no convictions for moving violations in a CMV.

Charles R. Early

Mr. Early, 66, has a corneal scar in his left eye due to a traumatic incident in 1968. The visual acuity in his right eye is 20/20, and in his left eye, light perception. Following an examination in 2013, his optometrist noted, ''Certify that person is able to operate commercial vehicle—This patient meets the state requirement for a restricted license (A,B) in Indiana. He does not pass the traditional vision requirement for his CDL, but it is my understanding that he may be a candidate to get an exemption considering his monocular status.'' Mr. Early reported that he has driven straight trucks for 3 years, accumulating 180,000 miles, and tractor-trailer combinations for 45 years, accumulating 5.4 million miles. He holds an operator's license from Indiana. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Scott E. Elliot

Mr. Elliot, 47, has a prosthetic right eye due to a traumatic incident in 1994. The visual acuity in his right eye is no light perception, and in his left eye, 20/20. Following an examination in 2014, his optometrist noted, ''I believe Scott has sufficient vision to perform safe driving tasks while operating commercial vehicles.'' Mr. Elliot reported that he has driven straight trucks for 29 years, accumulating 870,000 miles, and tractor-trailer combinations for 29 years accumulating 2.9 million miles. He holds a Class AMC CDL from New Hampshire. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Frank J. Faria

Mr. Faria, 54, has had optic atrophy in his left eye since 2004. The visual acuity in his right eye is 20/30, and in his left eye, 20/400. Following an examination in 2013, his optometrist noted, ''It is my opinion that despite the decreased vision in his left eye and visual field defects [*sic*] Mr. Fairer can distinguish colors of traffic controls and signals in green, red and amber. Additionally his ability to adapt and utilize both eyes aids him in performing the tasks need [*sic*] of a commercial truck driver.'' Mr. Faria reported that he has driven straight trucks for 30 years, accumulating 300,000 miles, and tractor-trailer combinations for 30 years, accumulating 180,000 miles. He holds a Class A CDL from California. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Raleigh K. Franklin

Mr. Franklin, 59, has had amblyopia in his left eye since childhood. The visual acuity in his right eye is 20/20, and in his left eye, 20/70. Following an examination in 2014, his optometrist noted, ''I certify that, in my medical opinion, this patient has sufficient vision to operate a commercial motor vehicle.'' Mr. Franklin reported that he has driven straight trucks for 38 years, accumulating 1.43 million miles, and tractor-trailer combination for 34 years, accumulating 595,000 miles. He holds a Class A CDL from Utah. His driving record for the last 3 years shows no crashes and one conviction for a moving violation in a CMV; he exceeded the speed limit by 10 mph.

Dennis A. Feather

Mr. Feather, 45, has had optic atrophy in his left eye since birth. The visual acuity in his right eye is 20/20, and in his left eye, 20/200. Following an examination in 2013, his ophthalmologist noted, ''Central and peripheral vision OD and peripheral vision OS meet the standards to drive a commercial vehicle.'' Mr. Feather reported that he has driven straight trucks for 3 years, accumulating 105,000 miles, and tractor-trailer combinations for 9 years, accumulating 1.8 million miles. He holds a Class A CDL from Florida. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Michael Gargano

Mr. Gargano, 62, has had amblyopia in his right eye since childhood. The visual acuity in his right eye is 20/400, and in his left eye, 20/20. Following an examination in 2014, his optometrist noted, ''In my medical opinion, Mr. Michael Gargano has more than sufficient vision to perform his duties as a commercial vehicle operator.'' Mr. Gargano reported that he has driven straight trucks for 11 years, accumulating 2.75 million miles, and tractor-trailer combinations for 12 years, accumulating 6 million miles. He holds a Class A CDL from Florida. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Nicholas C. Georgen

Mr. Georgen, 31, has had amblyopia in his right eye since childhood. The visual acuity in his right eye is 20/70, and in his left eye, 20/20. Following an examination in 2014, his ophthalmologist noted, ''I would consider the patient's vision sufficient to perform the driving tasks required to operate a commercial vehicle.'' Mr. Georgen reported that he has driven straight trucks for 13 years, accumulating 97,500 miles, and tractor-trailer combinations for 6 years, accumulating 30,000 miles. He holds a Class A CDL from Iowa. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Dean D. Hawks

Mr. Hawks, 56, has had refractive amblyopia in his right eye since childhood. The visual acuity in his right eye is 20/50, and in his left eye, 20/20. Following an examination in 2013, his optometrist noted that Mr. Hawks amblyopia was not progressive and, in his medical opinion, that Mr. Hawks is safe to operate a commercial motor vehicle. Mr. Hawks reported that he has driven tractor-trailer combinations for 8 years, accumulating 720,000 miles. He holds a Class A CDL from Minnesota. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Peter E. Jacobs

Mr. Jacobs, 43, has a retinal detachment in his right eye due to a traumatic incident during 2001. The visual acuity in his right eye is light perception and in his left eye, 20/20. Following an examination in 2014, his ophthalmologist noted, ''I certify that, in my medical opinion, this patient has sufficient vision to operate a commercial motor vehicle.'' Mr. Jacobs reported that he has driven straight trucks for 2 years, accumulating 110,000 miles, and tractor-trailer combinations for 16 years, accumulating 1.2 million miles. He holds a Class A CDL from Florida. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Mark J. Jochim

Mr. Jochim, 51, has had ischemic optic neuropathy in his right eye since 2008. The visual acuity in his right eye is 20/70, and in his left eye, 20/20. Following an examination in 2013, his optometrist noted, ''In my medical opinion as an optometrist, Mr. Jochim has sufficient vision to perform tasks required to operate commercial

vehicles.'' Mr. Jochim reported that he has driven straight trucks for 25 years, accumulating 437,500 miles, and tractor-trailer combinations for 25 years, accumulating 437,500 miles. He holds a Class A CDL from Washington. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Robert E. Johnston, Jr.

Mr. Johnston, 52, has had congenital esotropia in his right eye since childhood. The visual acuity in his right eye is 20/200, and in his left eye, 20/20. Following an examination in 2013, his ophthalmologist noted, ''It is my opinion that Robert E. Johnston has the sufficient vision to perform the driving tasks required to operate a commercial vehicle.'' Mr. Johnston reported that he has driven straight trucks for 27 years, accumulating 596,700 miles. He holds a Class B CDL from Washington. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Alfred R. Kallaus III

Mr. Kallaus, 61, has had amblyopia in his left eye since childhood. The visual acuity in his right eye is 20/25, and in his left eye, 20/150. Following an examination in 2013, his optometrist noted, ''This letter is to verify that in my medical opinion, Alfred Kallaus has sufficient vision to perform the driving tasks required to operate a commercial vehicle.'' Mr. Kallaus reported that he has driven straight trucks for 33 years, accumulating 132,000 miles. He holds an operator's license from California. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Gregory J. Kuhn

Mr. Kuhn, 52, has had a macular hole in his left eye since 1988. The visual acuity in his right eye is 20/20, and in his left eye, 20/400. Following an examination in 2013, his optometrist noted, ''In my medical opinion, Greg Kuhn has sufficient vision to perform the driving tasks required to operate a commercial vehicle.'' Mr. Kuhn reported that he has driven straight trucks for 24 years, accumulating 420,000 miles. He holds a Class B CDL from Nebraska. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

David W. Leach

Mr. Leach, 52, has had a retinal scar in his left eye since 1984. The visual acuity in his right eye is 20/20, and in his left eye, 20/800. Following an examination in 2013, his optometrist noted that, in his medical opinion, Mr. Leach does have sufficient vision to operate a commercial motor vehicle. Mr. Leach reported that he has driven straight trucks for 30 years, accumulating 600,000 miles, and tractor-trailer combinations for 30 years, accumulating 450,000 miles. He holds a Class A CDL from Illinois. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Jason S. Logue

Mr. Logue, 38, has had a prosthetic left eye since childhood. The visual acuity in his right eye is 20/20, and in his left eye, no light perception. Following an examination in 2013, his optometrist noted, ''It is my professional medical opinion that the above has sufficient vision to safely perform the driving task required to operate a commercial vehicle.'' Mr. Logue reported that he has driven straight trucks for 14 years, accumulating 224,000 miles. He holds an operator's license from Georgia. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Jesse Long, Jr.

Mr. Long, 60, has optic nerve damage in his left eye due to a traumatic incident since childhood. The visual acuity in his right eye is 20/20, and in his left eye, 20/50. Following an examination in 2013, his optometrist noted, ''Mr. Long has sufficient vision to perform the driving tasks required to operate a commercial vehicle.'' Mr. Long reported that he has driven tractor-trailer combinations for 12 years, accumulating 1.2 million miles. He holds a Class A CDL from Georgia. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

John L. Lucas

Mr. Lucas, 48, has a prosthetic right eye due to a traumatic incident in 2005. The visual acuity in his right eye is no light perception, and in his left eye, 20/20. Following an examination in 2013, his ophthalmologist noted that, in his medical opinion, Mr. Lucas does have sufficient vision to operate a commercial motor vehicle. Mr. Lucas reported that he has driven straight trucks for 10 years, accumulating 150,000 miles, and tractor-trailer combinations for 20 years, accumulating 2 million miles. He holds a Class A CDL from North Carolina. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

David F. Martin

Mr. Martin, 48, has had a corneal scar in his right eye since 1975. The visual acuity in his right eye is 20/100, and in his left eye, 20/20. Following an examination in 2013, his optometrist noted that, in his medical opinion, Mr. Martin does have sufficient vision to operate a commercial motor vehicle. Mr. Martin reported that he has driven tractor-trailer combinations for 26 years, accumulating 676,000 miles. He holds a Class A CDL from New Jersey. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Martin L. Mayes

Mr. Mayes, 54, has a retinal scar in his left eye due to a traumatic incident during childhood. The visual acuity in his right eye is 20/15, and in his left eye, counting fingers. Following an examination in 2014, his optometrist noted that, in his medical opinion, Mr. Mayes does have sufficient vision to operate a commercial motor vehicle. Mr. Mayes reported that he has driven tractor-trailer combinations for 27 years, accumulating 2.43 million miles. He holds a Class AM CDL from Georgia. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Donald L. McCraw, Jr.

Mr. McCraw, 48, has had congenital neuropathy in his right eye since birth. The visual acuity in his right eye is 20/400, and in his left eye, 20/20. Following an examination in 2013, his optometrist noted, ''In my professional opinion, Mr. McCraw's visual deficiency in the right eye has been stable, and has sufficient peripheral vision to operate a commercial vehicle provided he drives with both eyes open at all time [*sic*].'' Mr. McCraw reported that he has driven straight trucks for 11 years, accumulating 82,500 miles. He holds a Class AM CDL from Virginia. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Daniel A. McNabb

Mr. McNabb, 32, has had refractive amblyopia in his left eye since childhood. The visual acuity in his right eye is 20/20, and in his left eye, 20/60. Following an examination in 2013, his optometrist noted, ''I certify that in my medical opinion, Danny [*sic*] has sufficient VISION [*sic*] to perform the driving tasks required to operate a commercial vehicle.'' Mr. McNabb

reported that he has driven straight trucks for 18 years, accumulating 810,000 miles. He holds an operator's license from Kansas. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Phillip L. Mello

Mr. Mello, 61, has had a prosthetic right eye since 2010. The visual acuity in his right eye is no light perception, and in his left eye, 20/15. Following an examination in 2014, his optometrist noted, ''in my opinion this patient has sufficient vision to operate a commercial vehicle.'' Mr. Mello reported that he has driven straight trucks for 43 years, accumulating 860,000 miles, tractor-trailer combinations for 43 years, accumulating 1.5 million miles, and buses for 23 years, accumulating 115,000 miles. He holds a Class A CDL from California. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Roberto C. Mendez

Mr. Mendez, 27, has had amblyopia in his right eye since birth. The visual acuity in his right eye is 20/100, and in his left eye, 20/20. Following an examination in 2013, his optometrist noted, ''In my medical opinion, Roberto appears to have sufficient vision to perform the driving tasks required to operate a commercial vehicle.'' Mr. Mendez reported that he has driven straight trucks for 5.5 years, accumulating 126,500 miles. He holds an operator's license from Texas. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Clinton F. Merithew

Mr. Merithew, 56, has had Coat's disease in his right eye since childhood. The visual acuity in his right eye is 20/400, and in his left eye, 20/20. Following an examination in 2013, his optometrist noted, ''I certify that, in my medical opinion, this patient has sufficient vision to operate a commercial motor vehicle.'' Mr. Merithew reported that he has driven straight trucks for 35 years, accumulating 875,000 miles, tractor-trailer combinations for 9 years, accumulating 450,000 miles, and buses for 7 years, accumulating 35,000 miles. He holds an operator's license from Nebraska. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Ronald S. Milkowski

Mr. Milkowski, 61, has had a prosthetic left eye since 1976. The visual acuity in his right eye is 20/20, and in his left eye, no light perception. Following an examination in 2014, his ophthalmologist noted, ''In my opinion, Mr. Milkowski had [*sic*] a completely normal right eye with a full field of vision, and he should have no difficulty operating a commercial vehicle.'' Mr. Milkowski reported that he has driven straight trucks for 33 years, accumulating 198,000 miles, and tractor-trailer combinations for 33 years, accumulating 132,000 miles. He holds a Class A CDL from New Jersey. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Robert L. Murray

Mr. Murray, 38, has had a retinal detachment in his right eye since 2001. The visual acuity in his right eye is light perception, and in his left eye, 20/15. Following an examination in 2013, his optometrist noted, ''In my opinion and in light of the fact that the defect is long standing [*sic*], the ocular ability of the opposite eye is very good, and his driving record, Mr. Robert Murray has sufficient vision to perform the driving tasks required to operate a commercial motor vehicle in interstate commerce.'' Mr. Murray reported that he has driven straight trucks for 15 years, accumulating 420,000 miles. He holds a Class AM CDL from Illinois. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Jeffrey L. Oswald

Mr. Oswald, 53, has had a retinal detachment in his left eye since 1980. The visual acuity in his right eye is 20/20, and in his left eye, no light perception. Following an examination in 2013, his ophthalmologist noted, ''I feel Mr. Jeffrey Oswald has adequate vision in his only seeing eye to operate his axle dump truck.'' Mr. Oswald reported that he has driven straight trucks for 38 years, accumulating 3.99 million miles. He holds a Class B CDL from Pennsylvania. His driving record for the last 3 years shows no crashes and one conviction for a moving violation in a CMV; he was cited for unsafe operation.

Barry L. Pylant

Mr. Pylant, 50, has had amblyopia in his left eye since childhood. The visual acuity in his right eye is 20/20, and in his left eye, 20/200. Following an examination in 2013, his optometrist noted, ''In my opinion he has sufficient vision to perform the driving tasks to operate a commercial vehicle.'' Mr. Pylant reported that he has driven straight trucks for 25 years, accumulating 250,000 miles. He holds a Class BMV CDL from Alabama. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Steve W. Quenzer

Mr. Quenzer, 56, has had amblyopia in his right eye since birth. The visual acuity in his right eye is 20/50, and in his left eye, 20/20. Following an examination in 2013, his optometrist noted, ''In my opinion Steve has sufficient vision for a CDL as also attested by myself 11 years ago.'' Mr. Quenzer reported that he has driven straight trucks for 15 years, accumulating 75,000 miles, and tractor-trailer combinations for 15 years, accumulating 75,000 miles. He holds a Class A3 CDL from South Dakota. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Bradley W. Reed

Mr. Reed, 27, has complete loss of vision in his right eye due to a traumatic incident during childhood. The visual acuity in his right eye is no light perception, and in his left eye, 20/20. Following an examination in 2014, his optometrist noted, ''In my opinion Bradley Reed has sufficient vision to operate a commercial vehicle.'' Mr. Reed reported that he has driven tractor-trailer combinations for 10 years, accumulating 250,000 miles. He holds an operator's license from Alabama. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Jamey D. Reed

Mr. Reed, 42, has had a chorioretinal scar in his left eye since childhood. The visual acuity in his right eye is 20/20, and in his left eye, 20/400. Following an examination in 2013, his optometrist noted that, in his medical opinion, Mr. Reed does have sufficient vision to operate a commercial motor vehicle. Mr. Reed reported that he has driven straight trucks for 10 years, accumulating 600,000 miles, and tractor-trailer combinations for 3 years, accumulating 240,000 miles. He holds a Class A CDL from Texas. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Erik M. Rice

Mr. Rice, 49, has had a retinal detachment in his right eye since

childhood. The visual acuity in his right eye is 20/200, and in his left eye, 20/20. Following an examination in 2013, his optometrist noted, ''Status Post Retinal Detachment OD—stable since childhood . . . Able to operate commercial vehicle.'' Mr. Rice reported that he has driven tractor-trailer combinations for 1 year, accumulating 60,000 miles. He holds a Class A CDL from Texas. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Thomas A. Rients

Mr. Rients, 64, has had complete loss of vision in his left eye due to a traumatic incident in 1980. The visual acuity in his right eye is 20/15, and in his left eye, no light perception. Following an examination in 2014, his ophthalmologist noted, ''I certify that, in my medical opinion, this patient has sufficient vision to operate a commercial motor vehicle.'' Mr. Rients reported that he has driven straight trucks for 35 years, accumulating 420,000 miles, and tractor-trailer combinations for 35 years, accumulating 420,000 miles. He holds a Class A CDL from Illinois. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Harry L. Ross

Mr. Ross, 61, has had a retinal detachment in his right eye since 1983. The visual acuity in his right eye is 20/200, and in his left eye, 20/20. Following an examination in 2013, his optometrist noted, ''Mr. Ross has a history of a 1983 retinal detachment in the right eye . . . I believe he may operate a large truck/bus for his job.'' Mr. Ross reported that he has driven straight trucks for 25 years, accumulating 750,000 miles. He holds a Class B CDL from Kansas. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Ricky D. Rostad

Mr. Rostad, 48, has had refractive amblyopia in his right eye since childhood. The visual acuity in his right eye is 20/80, and in his left eye, 20/20. Following an examination in 2013, his optometrist noted, ''In my opinion, Mr. Rostad has sufficient vision to perform the driving tasks required to operate a commercial motor vehicle.'' Mr. Rostad reported that he has driven buses for 3 years, accumulating 39,000 miles. He holds an operator's license from Minnesota. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Chad M. St. Mary

Mr. St. Mary, 30, has a prosthetic left eye due to a traumatic incident in 1989. The visual acuity in his right eye is 20/20, and in his left eye, no light perception. Following an examination in 2013, his optometrist noted, ''Based on Chad's vision examination results, I believe he has sufficient vision to perform driving tasks for a commercial vehicle.'' Mr. St. Mary reported that he has driven straight trucks for 12 years, accumulating 120,000 miles. He holds an operator's license from Minnesota. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Tatum R. Schmidt

Mr. Schmidt, 23, has a retinal detachment, aphakia, and a macular scar due to a traumatic incident in 2004. The visual acuity in his right eye is 20/100, and in his left eye, 20/20. Following an examination in 2013, his ophthalmologist noted, ''In my medical opinion, Tatum has sufficient vision to perform the driving test required to operate a commercial vehicle.'' Mr. Schmidt reported that he has driven straight trucks for 4 years, accumulating 14,940 miles, and tractor-trailer combinations for 4 years, accumulating 65,000 miles. He holds a Class A CDL from Iowa. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Harry J. Scholl

Mr. Scholl, 36, has had myopia and amblyopia in his left eye since childhood. The visual acuity in his right eye is 20/20, and in his left eye, 20/100. Following an examination in 2013, his ophthalmologist noted, ''It is my opinion that Mr. Scholl has sufficient vision to perform the driving tasks required to operate a commercial vehicle.'' Mr. Scholl reported that he has driven straight trucks for 2 years, accumulating 30,000 miles. He holds an operator's license from Pennsylvania. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Jacob A. Shaffer

Mr. Shaffer, 52, has complete loss of vision due to a traumatic incident during childhood. The visual acuity in his right eye is 20/20, and in his left eye, no light perception. Following an examination in 2013, his optometrist noted that, in her medical opinion, Mr. Shaffer does have sufficient vision to operate a commercial motor vehicle. Mr. Shaffer reported that he has driven straight trucks for 25 years, accumulating 1.25 million miles, and tractor-trailer combinations for 10 years, accumulating 10,000 miles. He holds a Class AM CDL from Pennsylvania. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Carl D. Short

Mr. Short, 55, has had amblyopia in his left eye since childhood. The visual acuity in his right eye is 20/25, and in his left eye, 20/200. Following an examination in 2013, his ophthalmologist noted, ''In my medical opinion, I feel you have sufficient vision to perform the driving tasks required to operate a commercial vehicle.'' Mr. Short reported that he has driven straight trucks for 5 years, accumulating 150,000 miles, and tractor-trailer combinations for 23 years, accumulating 1.15 million miles. He holds a Class A CDL from Missouri. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Michael W. Slief

Mr. Slief, 32, has had refractive amblyopia in his right eye since birth. The visual acuity in his right eye is 20/70, and in his left eye, 20/20. Following an examination in 2013, his optometrist noted, ''In my medical opinion, Michael has sufficient vision to perform the driving tasks required to operate a commercial vehicle.'' Mr. Slief reported that he has driven straight trucks for 8 years, accumulating 80,000 miles, and tractor-trailer combinations for 8 years, accumulating 12,000 miles. He holds a Class A CDL from Kansas. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Thomas G. Smedema

Mr. Smedema, 62, has had strabismus in his left eye since childhood. The visual acuity in his right eye is 20/20, and in his left eye, 20/200. Following an examination in 2013, his optometrist noted, ''However, I believe in observation of his ambulation and motor skills he has sufficient vision capacity to perform the driving tasks required to operate a commercial vehicle, and, if his driving record reflects an uneventful and safe history, which I leave to your determination, he is a candidate for this exemption.'' Mr. Smedema reported that he has driven straight trucks for 40 years, accumulating 240,000 miles. He holds a Class BCDM CDL from Wisconsin. His driving record for the

last 3 years shows no crashes and no convictions for moving violations in a CMV.

James S. Smith

Mr. Smith, 24, has had amblyopia in his right eye since childhood. The visual acuity in his right eye is 20/70, and in his left eye, 20/20. Following an examination in 2014, his optometrist noted, ''Based on the results of the visual tests performed, if Mr. Smith is wearing his prescription glasses, I do not see any reason why he could not perform the driving tasks required to operate a commercial vehicle.'' Mr. Smith reported that he has driven tractor-trailer combinations for 3 years, accumulating 300,000 miles. He holds a Class A CDL from Arkansas. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Steven S. Smith, Jr.

Mr. Smith, 37, has had refractive amblyopia in his right eye since birth. The visual acuity in his right eye is 20/80, and in his left eye, 20/20. Following an examination in 2013, his optometrist noted, ''Mr. Smith has sufficient vision to perform the driving tasks required to operate a commercial vehicle.'' Mr. Smith reported that he has driven straight trucks for 3 years, accumulating 15,000 miles. He holds an operator's license from Pennsylvania. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Thomas W. Smith

Mr. Smith, 49, has had glaucoma in his left eye since 2002. The visual acuity in his right eye is 20/20, and in his left eye, hand motion. Following an examination in 2013, his ophthalmologist noted, ''I certify that, in my medical opinion, this patient has sufficient vision to operate a commercial motor vehicle.'' Mr. Smith reported that he has driven straight trucks for 25 years, accumulating 25,000 miles. He holds a Class B CDL from Pennsylvania. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Richard H. Solum

Mr. Solum, 72, has had exfoliative glaucoma in his left eye since 2008. The visual acuity in his right eye is 20/25, and in his left eye, light perception. Following an examination in 2013, his optometrist noted, ''It is my opinion that Mr. Solum has sufficient vision to perform driving [*sic*] the driving tasks required to operate a commercial vehicle.'' Mr. Solum reported that he has driven straight trucks for 5 years, accumulating 2,500 miles, and tractor-trailer combinations for 25 years, accumulating 625,000 miles. He holds a Class A CDL from Minnesota. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Scott R. Sorensen

Mr. Sorensen, 49, has had amblyopia in his left eye since childhood. The visual acuity in his right eye is 20/20, and in his left eye, counting fingers. Following an examination in 2014, his ophthalmologist noted, ''I certify that, in my medical opinion, this patient has sufficient vision to operate a commercial motor vehicle.'' Mr. Sorensen reported that he has driven straight trucks for 30 years, accumulating 900,000 miles, and tractor-trailer combinations for 4 years, accumulating 160,000 miles. He holds a Class AM CDL from California. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Robert W. Stewart

Mr. Stewart, 52, has a central vision decrease due to a traumatic incident during childhood. The visual acuity in his right eye is counting fingers, and in his left eye, 20/20. Following an examination in 2013, his optometrist noted, ''In my medical opinion, Mr. Stewart has sufficient vision to perform the driving tasks required to operate a commercial vehicle.'' Mr. Stewart reported that he has driven straight trucks for 9 years, accumulating 4,500 miles, and tractor-trailer combinations for 9 years, accumulating 4,500 miles. He holds a Class A CDL from Missouri. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Samuel M. Stoltzfus

Mr. Stoltzfus, 51, has had amblyopia in his left eye since childhood. The visual acuity in his right eye is 20/20, and in his left eye, 20/100. Following an examination in 2013, his optometrist noted, ''Mr. Stoltzfus has longstanding deeply embedded amblyopia in his left eye . . . He does need the double mirror to continue with his CDL but is otherwise safe to operate a motor carrier.'' Mr. Stoltzfus reported that he has driven straight trucks for 27 years, accumulating 135,000 miles, and tractor-trailer combinations for 12 years, accumulating 2,400 miles. He holds a Class A CDL from Pennsylvania. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Elston L. Taylor

Mr. Taylor, 58, has had a retinal artery occlusion in his right eye since 2009. The visual acuity in his right eye is 20/400, and in his left eye, 20/20. Following an examination in 2013, his optometrist noted, ''It is my medical opinion that Mr. Taylor has sufficient vision and fields to operate a commercial vehicle.'' Mr. Taylor reported that he has driven straight trucks for 10 years, accumulating 50,000 miles, and tractor-trailer combinations for 15.5 years, accumulating 1.5 million miles. He holds a temporary Class A CDL permit from Virginia. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Sherman L. Taylor

Mr. Taylor, 47, has had amblyopia in his left eye since childhood. The visual acuity in his right eye is 20/20, and in his left eye, 20/200. Following an examination in 2013, his optometrist noted, ''I certify that Sherman Lee Taylor has sufficient vision to perform the driving tasks required to operate a commercial vehicle.'' Mr. Taylor reported that he has driven tractor-trailer combinations for 8 years, accumulating 1.28 million miles. He holds a Class A CDL from Florida. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Robert E. Troutman

Mr. Troutman, 32, has scar tissue in his right eye due to a traumatic incident in 2010. The visual acuity in his right eye is 20/20, and in his left eye, 20/200. Following an examination in 2014, his optometrist noted, ''Mr. Troutman, despite acuity deficient in his right eye, has sufficient peripheral field vision to safety perform the driving tasks to operate a commercial vehicle.'' Mr. Troutman reported that he has driven straight trucks for 14 years, accumulating 168,000 miles. He holds an operator's license from North Carolina. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Dale E. Williams

Mr. Williams, 62, has glaucoma in his right eye due to a traumatic incident during childhood. The visual acuity in his right eye is no light perception, and in his left eye, 20/20. Following an examination in 2013, his optometrist noted, ''I feel that the results combined

with Mr. Williams past driving record should in no way impair his ability to drive a commercial vehicle safely.'' Mr. Williams reported that he has driven straight trucks for 19 years, accumulating 665,000 miles. He holds a Class BM CDL from Texas. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Steven E. Young

Mr. Young, 44, has had refractive amblyopia in his left eye since childhood. The visual acuity in his right eye is 20/20, and in his left eye, 20/400. Following an examination in 2013, his optometrist noted, ''In my medical opinion, Steve certainly has sufficient vision to perform the driving tasks required to operate a commercial vehicle.'' Mr. Young reported that he has driven straight trucks for 2 years, accumulating 2,000 miles. He holds a Class B CDL from Missouri. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Request for Comments

In accordance with 49 U.S.C. 31136(e) and 31315, FMCSA requests public comment from all interested persons on the exemption petitions described in this notice. The Agency will consider all comments received before the close of business April 14, 2014. Comments will be available for examination in the docket at the location listed under the **ADDRESSES** section of this notice. The Agency will file comments received after the comment closing date in the public docket, and will consider them to the extent practicable.

In addition to late comments, FMCSA will also continue to file, in the public docket, relevant information that becomes available after the comment closing date. Interested persons should monitor the public docket for new material.

Submitting Comments

You may submit your comments and material online or by fax, mail, or hand delivery, but please use only one of these means. FMCSA recommends that you include your name and a mailing address, an email address, or a phone number in the body of your document so that FMCSA can contact you if there are questions regarding your submission.

To submit your comment online, go to *http://www.regulations.gov* and in the search box insert the docket number FMCSA–2014–0003 and click the search button. When the new screen appears, click on the blue ''Comment Now!'' button on the right hand side of the page. On the new page, enter information required including the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation. 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 this proposed rule based on your comments. FMCSA may issue a final rule at any time after the close of the comment period.

Viewing Comments and Documents

To view comments, as well as any documents mentioned in this preamble, To submit your comment online, go to *http://www.regulations.gov* and in the search box insert the docket number FMCSA–2014–0003 and click ''Search.'' Next, click ''Open Docket Folder'' and you will find all documents and comments related to the proposed rulemaking.

Issued on: February 26, 2014.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2014–05622 Filed 3–13–14; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2014–0013]

Qualification of Drivers; Exemption Applications; Diabetes Mellitus

AGENCY: Federal Motor Carrier Safety Administration (FMCSA).

ACTION: Notice of applications for exemption from the diabetes mellitus requirement; request for comments.

SUMMARY: FMCSA announces receipt of applications from 40 individuals for exemption from the prohibition against persons with insulin-treated diabetes mellitus (ITDM) operating commercial motor vehicles (CMVs) in interstate commerce. If granted, the exemptions would enable these individuals with ITDM to operate CMVs in interstate commerce.

DATES: Comments must be received on or before April 14, 2014.

ADDRESSES: You may submit comments bearing the Federal Docket Management System (FDMS) Docket No. FMCSA–2014–0013 using any of the following methods:

- Federal eRulemaking Portal: Go to *http://www.regulations.gov.* Follow the on-line instructions for submitting comments.
- Mail: Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12–140, Washington, DC 20590–0001.
- Hand Delivery: West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.
- Fax: 1–202–493–2251.

Instructions: Each submission must include the Agency name and the docket numbers for this notice. Note that all comments received will be posted without change to *http://www.regulations.gov,* including any personal information provided. Please see the Privacy Act heading below for further information.

Docket: For access to the docket to read background documents or comments, go to *http://www.regulations.gov* at any time or Room W12–140 on the ground level of the West Building, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Federal Docket Management System (FDMS) is available 24 hours each day, 365 days each year. If you want acknowledgment that we received your comments, please include a self-addressed, stamped envelope or postcard or print the acknowledgement page that appears after submitting comments on-line.

Privacy Act: Anyone may search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or of the person signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's Privacy Act Statement for the Federal Docket Management System (FDMS) published in the **Federal Register** on January 17, 2008 (73 FR 3316).

FOR FURTHER INFORMATION CONTACT: Elaine M. Papp, Chief, Medical Programs Division, (202) 366–4001, *fmcsamedical@dot.gov*, FMCSA, Department of Transportation, 1200 New Jersey Avenue SE., Room W64–224, Washington, DC 20590–0001. Office hours are from 8:30 a.m. to 5

p.m., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Background

Under 49 U.S.C. 31136(e) and 31315, FMCSA may grant an exemption from the Federal Motor Carrier Safety Regulations for a 2-year period if it finds ''such exemption would likely achieve a level of safety that is equivalent to or greater than the level that would be achieved absent such exemption.'' The statute also allows the Agency to renew exemptions at the end of the 2-year period. The 40 individuals listed in this notice have recently requested such an exemption from the diabetes prohibition in 49 CFR 391.41(b)(3), which applies to drivers of CMVs in interstate commerce. Accordingly, the Agency will evaluate the qualifications of each applicant to determine whether granting the exemption will achieve the required level of safety mandated by statute.

Qualifications of Applicants

Schylor M. Altenhofen

Mr. Altenhofen, 22, has had ITDM since 2004. His endocrinologist examined him in 2013 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Altenhofen understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Altenhofen meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2013 and certified that he does not have diabetic retinopathy. He holds an operator's license from Iowa.

Don R. Anderson, III

Mr. Anderson, 48, has had ITDM since 2012. His endocrinologist examined him in 2013 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Anderson understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Anderson meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2013 and certified that he does not have diabetic retinopathy. He holds a chauffer's license from Indiana.

Thomas A. Barnes

Mr. Barnes, 56, has had ITDM since 1998. His endocrinologist examined him in 2013 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Barnes understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Barnes meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2013 and certified that he does not have diabetic retinopathy. He holds a Class C CDL from Michigan.

Charles L. Bryant

Mr. Bryant, 62, has had ITDM since 2012. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Bryant understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Bryant meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2013 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Pennsylvania.

Edward Cannon, Jr.

Mr. Cannon, 55, has had ITDM since 2013. His endocrinologist examined him in 2013 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Cannon understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Cannon meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2013 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Arizona.

Alvin L. Carpenter

Mr. Carpenter, 62, has had ITDM since 2010. His endocrinologist examined him in 2013 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Carpenter understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Carpenter meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2013 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Montana.

Richard D'Ambrosia

Mr. D'Ambrosia, 62, has had ITDM since 2012. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. D'Ambrosia understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. D'Ambrosia meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2013 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from New York.

Jefferey F. Deane

Mr. Deane, 58, has had ITDM since 2010. His endocrinologist examined him in 2013 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in

the last 5 years. His endocrinologist certifies that Mr. Deane understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Deane meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2013 and certified that he does not have diabetic retinopathy. He holds a Class B CDL from Massachusetts.

Keith M. Dickerson

Mr. Dickerson, 59, has had ITDM since 2013. His endocrinologist examined him in 2013 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Dickerson understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Dickerson meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2014 and certified that he has stable nonproliferative diabetic retinopathy. He holds a Class A CDL from Wisconsin.

Carl A. Federighi

Mr. Federighi, 54, has had ITDM since 1984. His endocrinologist examined him in 2013 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Federighi understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Federighi meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2013 and certified that he has stable nonproliferative diabetic retinopathy. He holds an operator's license from California.

Bradley J. Frazier

Mr. Frazier, 56, has had ITDM since 1983. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Frazier understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Frazier meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2013 and certified that he has stable nonproliferative diabetic retinopathy. He holds a Class A CDL from Illinois.

Maximo E. Gaytan

Mr. Gaytan, 60, has had ITDM since 2011. His endocrinologist examined him in 2013 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Gaytan understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Gaytan meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2013 and certified that he has stable proliferative diabetic retinopathy. He holds a Class A CDL from Colorado.

Carl R. Gentry

Mr. Gentry, 53, has had ITDM since 2009. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Gentry understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Gentry meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2014 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Washington.

Benjamin D. Hirsch

Mr. Hirsch, 25, has had ITDM since 1995. His endocrinologist examined him in 2013 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Hirsch understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Hirsch meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2013 and certified that he does not have diabetic retinopathy. He holds an operator's license from Nebraska.

Robert M. Hutchison

Mr. Hutchison, 57, has had ITDM since 2012. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Hutchison understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Hutchison meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2014 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from New York.

Gerald S. Johnson

Mr. Johnson, 64, has had ITDM since 2010. His endocrinologist examined him in 2013 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Johnson understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Johnson meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2013 and certified that he has stable nonproliferative diabetic retinopathy. He holds a Class A CDL from Florida.

Michael E. Jorissen

Mr. Jorissen, 60, has had ITDM since 1996. His endocrinologist examined him in 2013 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Jorissen understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Jorissen meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2013 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from North Dakota.

Craig A. Keese, Jr.

Mr. Keese, 49, has had ITDM since 2013. His endocrinologist examined him in 2013 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Keese understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Keese meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2014 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from New York.

Robert E. Kilheffer, Jr.

Mr. Kilheffer, 62, has had ITDM since 2013. His endocrinologist examined him in 2013 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Kilheffer understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Kilheffer meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2013 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Pennsylvania.

Amos L. Lapp

Mr. Lapp, 51, has had ITDM since 2007. His endocrinologist examined him in 2013 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Lapp understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Lapp meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2013 and certified that he does not have diabetic retinopathy. He holds an operator's license from Pennsylvania.

Edward J. Lulay

Mr. Lulay, 59, has had ITDM since 2013. His endocrinologist examined him in 2013 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Lulay understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Lulay meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2013 and certified that he does not have diabetic retinopathy. He holds a Class B CDL from Illinois.

Archard W. McQuade, Jr.

Mr. McQuade, 28, has had ITDM since 1997. His endocrinologist examined him in 2013 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. McQuade understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. McQuade meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2013 and certified that he does not have diabetic retinopathy. He holds an operator's license from Maryland.

Donald S. Middleton

Mr. Middleton, 49, has had ITDM since 2012. His endocrinologist examined him in 2013 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Middleton understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Middleton meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2014 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Missouri.

Alva D. Moffatt

Mr. Moffatt, 35, has had ITDM since 1983. His endocrinologist examined him in 2013 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Moffatt understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Moffatt meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2014 and certified that he has stable nonproliferative diabetic retinopathy. He holds a Class A CDL from Washington.

John M. Muske

Mr. Muske, 60, has had ITDM since 2012. His endocrinologist examined him in 2013 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Muske understands diabetes management and monitoring,

has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Muske meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2013 and certified that he does not have diabetic retinopathy. He holds an operator's license from Minnesota.

Joseph S. Myers

Mr. Myers, 71, has had ITDM since 2010. His endocrinologist examined him in 2013 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Myers understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Myers meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2013 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Florida.

Stephen R. Newlin

Mr. Newlin, 42, has had ITDM since 2013. His endocrinologist examined him in 2013 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Newlin understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Newlin meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2013 and certified that he does not have diabetic retinopathy. He holds a Class C CDL from Illinois.

Antonio Pepiciello

Mr. Pepiciello, 59, has had ITDM since 2012. His endocrinologist examined him in 2013 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Pepiciello understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Pepiciello meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2013 and certified that he does not have diabetic retinopathy. He holds a Class B CDL from New York.

David R. Petitt

Mr. Petitt, 62, has had ITDM since 1994. His endocrinologist examined him in 2013 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Petitt understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Petitt meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2013 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Washington.

James K. Popp

Mr. Popp, 48, has had ITDM since 1998. His endocrinologist examined him in 2013 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Popp understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Popp meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2013 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Minnesota.

Dustin P. Russell

Mr. Russell, 27, has had ITDM since 1998. His endocrinologist examined him in 2013 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Russell understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Russell meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2013 and certified that he does not have diabetic retinopathy. He holds an operator's license from Pennsylvania.

Gilbert L. Sanchez

Mr. Sanchez, 66, has had ITDM since 1973. His endocrinologist examined him in 2013 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Sanchez understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Sanchez meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2013 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Texas.

Sean L. Shidell

Mr. Shidell, 44, has had ITDM since 2006. His endocrinologist examined him in 2013 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Shidell understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Shidell meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2013 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Wisconsin.

Randall L. Shultz

Mr. Shultz, 56, has had ITDM since 1994. His endocrinologist examined him in 2013 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the

past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Shultz understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Shultz meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2013 and certified that he has stable nonproliferative diabetic retinopathy. He holds a Class A CDL from Missouri.

Patrick J. Smiley

Mr. Smiley, 56, has had ITDM since 2010. His endocrinologist examined him in 2013 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Smiley understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Smiley meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2013 and certified that he has stable nonproliferative diabetic retinopathy. He holds an operator's license from Pennsylvania.

Kenneth R. Soult

Mr. Soult, 52, has had ITDM since 2013. His endocrinologist examined him in 2013 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Soult understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Soult meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2013 and certified that he has stable nonproliferative diabetic retinopathy. He holds an operator's license from Ohio.

Chad B. Spidell

Mr. Spidell, 29, has had ITDM since 2012. His endocrinologist examined him in 2014 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Spidell understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Spidell meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2014 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Pennsylvania.

Cameron M. Sprinkle

Mr. Sprinkle, 56, has had ITDM since 2013. His endocrinologist examined him in 2013 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Sprinkle understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Sprinkle meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2013 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Indiana.

Douglas E. Stewart

Mr. Stewart, 49, has had ITDM since 2013. His endocrinologist examined him in 2013 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Stewart understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Stewart meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2013 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Mississippi.

Thomas L. Williams

Mr. Williams, 49, has had ITDM since 2013. His endocrinologist examined him in 2013 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Williams understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Williams meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2013 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Minnesota.

Request for Comments

In accordance with 49 U.S.C. 31136(e) and 31315, FMCSA requests public comment from all interested persons on the exemption petitions described in this notice. We will consider all comments received before the close of business on the closing date indicated in the date section of the notice.

FMCSA notes that section 4129 of the Safe, Accountable, Flexible and Efficient Transportation Equity Act: A Legacy for Users requires the Secretary to revise its diabetes exemption program established on September 3, 2003 (68 FR 52441).[1] The revision must provide for individual assessment of drivers with diabetes mellitus, and be consistent with the criteria described in section 4018 of the Transportation Equity Act for the 21st Century (49 U.S.C. 31305).

Section 4129 requires: (1) Elimination of the requirement for 3 years of experience operating CMVs while being treated with insulin; and (2) establishment of a specified minimum period of insulin use to demonstrate stable control of diabetes before being allowed to operate a CMV.

In response to section 4129, FMCSA made immediate revisions to the diabetes exemption program established by the September 3, 2003 notice. FMCSA discontinued use of the 3-year driving experience and fulfilled the requirements of section 4129 while continuing to ensure that operation of CMVs by drivers with ITDM will achieve the requisite level of safety required of all exemptions granted under 49 U.S.C. 31136(e).

Section 4129(d) also directed FMCSA to ensure that drivers of CMVs with

[1] Section 4129(a) refers to the 2003 notice as a ''final rule.'' However, the 2003 notice did not issue a ''final rule'' but did establish the procedures and standards for issuing exemptions for drivers with ITDM.

ITDM are not held to a higher standard than other drivers, with the exception of limited operating, monitoring and medical requirements that are deemed medically necessary.

The FMCSA concluded that all of the operating, monitoring and medical requirements set out in the September 3, 2003 notice, except as modified, were in compliance with section 4129(d). Therefore, all of the requirements set out in the September 3, 2003 notice, except as modified by the notice in the **Federal Register** on November 8, 2005 (70 FR 67777), remain in effect.

Submitting Comments

You may submit your comments and material online or by fax, mail, or hand delivery, but please use only one of these means. FMCSA recommends that you include your name and a mailing address, an email address, or a phone number in the body of your document so that FMCSA can contact you if there are questions regarding your submission.

To submit your comment online, go to *http://www.regulations.gov* and in the search box insert the docket number FMCSA–2014–0013 and click the search button. When the new screen appears, click on the blue ''Comment Now!'' button on the right hand side of the page. On the new page, enter information required including the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation. 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 this proposed rule based on your comments. FMCSA may issue a final rule at any time after the close of the comment period.

Viewing Comments and Documents

To view comments, as well as any documents mentioned in this preamble. To submit your comment online, go to *http://www.regulations.gov* and in the search box insert the docket number FMCSA–2014–0013 and click ''Search.'' Next, click ''Open Docket Folder'' and you will find all documents and comments related to the proposed rulemaking.

Issued on: March 7, 2014.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2014–05619 Filed 3–13–14; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2014–0032]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel WARRIOR; Invitation for Public Comments

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Notice.

SUMMARY: As authorized by 46 U.S.C. 12121, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before April 14, 2014.

ADDRESSES: Comments should refer to docket number MARAD–2014–0032. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. You may also send comments electronically via the Internet at *http://www.regulations.gov*. All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at *http://www.regulations.gov*.

FOR FURTHER INFORMATION CONTACT: Linda Williams, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE., Room W23–453, Washington, DC 20590. Telephone 202–366–0903, Email *Linda.Williams@dot.gov*.

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel WARRIOR is:

Intended Commercial Use Of Vessel: ''Private Vessel Charters, Passengers Only.''

Geographic Region: ''Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, Florida, California, Oregon, Washington and Alaska (excluding waters in Southeastern Alaska and waters north of a line between Gore Point to Cape Suckling [including the North Gulf Coast and Prince William Sound]).''

The complete application is given in DOT docket MARAD–2014–0032 at *http://www.regulations.gov*. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR part 388.

Privacy Act

Anyone is able to search the electronic form of all 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 DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477–78).

By Order of the Maritime Administrator.

Dated: March 6, 2014.

Julie P. Agarwal,

Secretary, Maritime Administration.

[FR Doc. 2014–05565 Filed 3–13–14; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2014–0034]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel THERESA'S FIVE; Invitation for Public Comments

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Notice.

SUMMARY: As authorized by 46 U.S.C. 12121, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before April 14, 2014.

ADDRESSES: Comments should refer to docket number MARAD–2014–0034. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. You may also send comments electronically via the Internet at *http://www.regulations.gov.* All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Linda Williams, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE., Room W23–453, Washington, DC 20590. Telephone 202–366–0903, Email *Linda.Williams@dot.gov.*

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel THERESA'S FIVE is:

Intended Commercial Use of Vessel: ''Dinner Charters.''

Geographic Region: ''New York, New Jersey, Connecticut, Massachusetts, Rhode Island, Florida.''

The complete application is given in DOT docket MARAD–2014–0034 at *http://www.regulations.gov.* Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR Part 388.

Privacy Act

Anyone is able to search the electronic form of all 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 DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477–78).

By Order of the Maritime Administrator.

Dated: March 6, 2014.

Julie P. Agarwal,

Secretary, Maritime Administration.

[FR Doc. 2014–05573 Filed 3–13–14; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2014–0036]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel II RESTLESS; Invitation for Public Comments

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Notice.

SUMMARY: As authorized by 46 U.S.C. 12121, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before April 14, 2014.

ADDRESSES: Comments should refer to docket number MARAD–2014–0036. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. You may also send comments electronically via the Internet at *http://www.regulations.gov.* All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Linda Williams, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE., Room W23–453, Washington, DC 20590. Telephone 202–366–0903, Email *Linda.Williams@dot.gov.*

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel II RESTLESS is:

Intended Commercial Use of Vessel: ''The sailing vessel II RESTLESS will be used as an OUPV charter vessel in Montauk, NY.''

Geographic Region: ''New York.''

The complete application is given in DOT docket MARAD–2014–0036 at *http://www.regulations.gov.* Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR Part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR Part 388.

Privacy Act

Anyone is able to search the electronic form of all 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 DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477–78).

By Order of the Maritime Administrator.

Dated: March 6, 2014.

Julie P. Agarwal,

Secretary, Maritime Administration.

[FR Doc. 2014–05564 Filed 3–13–14; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2014–0033]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel ESTRELLITA; Invitation for Public Comments

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Notice.

SUMMARY: As authorized by 46 U.S.C. 12121, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before April 14, 2014.

ADDRESSES: Comments should refer to docket number MARAD–2014–0033. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. You may also send comments electronically via the Internet at *http://www.regulations.gov.* All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Linda Williams, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE., Room W23–453, Washington, DC 20590. Telephone 202–366–0903, Email *Linda.Williams@dot.gov.*

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel ESTRELLITA is:

Intended Commercial Use Of Vessel: ''Charters while travelling around the country.''

Geographic Region: ''California, Oregon, Washington State, Hawaii, Florida, Alabama, Mississippi, Louisiana, Texas, Georgia, New York, New Jersey, Rhode Island, Maryland.''

The complete application is given in DOT docket MARAD–2014–0033 at *http://www.regulations.gov.* Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR part 388.

Privacy Act

Anyone is able to search the electronic form of all 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 DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477–78).

By Order of the Maritime Administrator.

Dated: March 6, 2014.

Julie P. Agarwal,

Secretary, Maritime Administration.

[FR Doc. 2014–05570 Filed 3–13–14; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2014 0037]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel DUCHESS OF LONGWOOD; Invitation for Public Comments

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Notice.

SUMMARY: As authorized by 46 U.S.C. 12121, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before April 14, 2014.

ADDRESSES: Comments should refer to docket number MARAD–2014–0037. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590. You may also send comments electronically via the Internet at *http://www.regulations.gov.* All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Linda Williams, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE., Room W23–453, Washington, DC 20590. Telephone 202–366–0903, Email *Linda.Williams@dot.gov.*

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel DUCHESS OF LONGWOOD is:

Intended Commercial Use Of Vessel: ''Carrying up to 6 passengers for day trips, half day trips, weekend cruises, full week cruises''

Geographic Region: ''Massachusetts, Rhode Island, New York, Florida''

The complete application is given in DOT docket MARAD–2014–0037 at *http://www.regulations.gov.* Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of

this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR part 388.

Privacy Act

Anyone is able to search the electronic form of all 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 DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477–78).

By Order of the Maritime Administrator.

Dated: March 10, 2014.

Julie P. Agarwal,

Secretary, Maritime Administration.

[FR Doc. 2014–05679 Filed 3–13–14; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2014–0030]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel TWENTY FOUR VII; Invitation for Public Comments

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Notice.

SUMMARY: As authorized by 46 U.S.C. 12121, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before April 14, 2014.

ADDRESSES: Comments should refer to docket number MARAD–2014–0030. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. You may also send comments electronically via the Internet at *http://www.regulations.gov*. All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at *http://www.regulations.gov*.

FOR FURTHER INFORMATION CONTACT: Linda Williams, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE., Room W23–453, Washington, DC 20590. Telephone 202–366–0903, Email *Linda.Williams@dot.gov*.

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel TWENTY FOUR VII is:

Intended Commercial Use Of Vessel: ''Sport Fishing Charters, six customers or less''

Geographic Region: ''Wisconsin, Illinois, Indiana, Michigan.''

The complete application is given in DOT docket MARAD–2014–0030 at *http://www.regulations.gov*. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR part 388.

Privacy Act

Anyone is able to search the electronic form of all 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 DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477–78).

By Order of the Maritime Administrator.

Dated: March 6, 2014.

Julie P. Agarwal,

Secretary, Maritime Administration.

[FR Doc. 2014–05567 Filed 3–13–14; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2014 0038]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel HAKUNA MATATA II; Invitation for Public Comments

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Notice.

SUMMARY: As authorized by 46 U.S.C. 12121, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before April 14, 2014.

ADDRESSES: Comments should refer to docket number MARAD–2014–0038. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. You may also send comments electronically via the Internet at *http://www.regulations.gov*. All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at *http://www.regulations.gov*.

FOR FURTHER INFORMATION CONTACT: Linda Williams, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE., Room W23–453, Washington, DC 20590. Telephone 202–366–0903, Email *Linda.Williams@dot.gov*.

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel HAKUNA MATATA II is:

Intended Commercial Use of Vessel: ''The vessel will be used primarily for charter fishing. The vessel is a replacement for a vessel currently operating in the area for many years. The current vessel will be taken out of service.''

Geographic Region: ''Minnesota, Wisconsin, Illinois, Michigan, Indiana, Ohio, Pennsylvania.''

The complete application is given in DOT docket MARAD–2014–0038 at *http://www.regulations.gov*. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR part 388.

Privacy Act

Anyone is able to search the electronic form of all 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 DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477–78).

By Order of the Maritime Administrator.

Dated: March 10, 2014.

Julie P. Agarwal,

Secretary, Maritime Administration.

[FR Doc. 2014–05687 Filed 3–13–14; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2014 0031]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel THE BIG HAWG; Invitation for Public Comments

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Notice.

SUMMARY: As authorized by 46 U.S.C. 12121, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.—build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before April 14, 2014.

ADDRESSES: Comments should refer to docket number MARAD–2014–0031. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. You may also send comments electronically via the Internet at *http://www.regulations.gov.* All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Linda Williams, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE., Room W23–453, Washington, DC 20590. Telephone 202–366–0903, Email *Linda.Williams@dot.gov.*

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel THE BIG HAWG is:

Intended Commercial Use Of Vessel: ''6 pack sport fishing charters.''

Geographic Region: ''Ohio.''

The complete application is given in DOT docket MARAD–2014–0031 at *http://www.regulations.gov.* Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR part 388.

Privacy Act

Anyone is able to search the electronic form of all 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 DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477–78).

By Order of the Maritime Administrator.

Dated: March 6, 2014.

Julie P. Agarwal,

Secretary, Maritime Administration.

[FR Doc. 2014–05575 Filed 3–13–14; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2014–0035]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel CAPRICORN; Invitation for Public Comments

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Notice.

SUMMARY: As authorized by 46 U.S.C. 12121, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before April 14, 2014.

ADDRESSES: Comments should refer to docket number MARAD–2014–0035. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. You may also send comments electronically via the Internet at *http://www.regulations.gov.* All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Linda Williams, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE., Room W23–453,

Washington, DC 20590. Telephone 202–366–0903, Email *Linda.Williams@dot.gov.*

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel CAPRICORN is:

Intended Commercial Use of Vessel: ''yacht charter.''

Geographic Region: ''New York, Massachusetts, New Jersey, Rhode Island, Maine, New Hampshire, Florida, South Carolina, Georgia, Connecticut, Delaware, Maryland, Virginia, North Carolina.''

The complete application is given in DOT docket MARAD–2014–0035 at *http://www.regulations.gov.* Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR part 388.

Privacy Act

Anyone is able to search the electronic form of all 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 DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477–78).

By Order of the Maritime Administrator.

Dated: March 6, 2014.

Julie P. Agarwal,

Secretary, Maritime Administration.

[FR Doc. 2014–05574 Filed 3–13–14; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2014–0039]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel BLUE HERON; Invitation for Public Comments

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Notice.

SUMMARY: As authorized by 46 U.S.C. 12121, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before April 14, 2014.

ADDRESSES: Comments should refer to docket number MARAD–2014–0039. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. You may also send comments electronically via the Internet at *http://www.regulations.gov.* All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Linda Williams, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE., Room W23–453, Washington, DC 20590. Telephone 202–366–0903, Email *Linda.Williams@dot.gov.*

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel BLUE HERON is:

Intended Commercial Use of Vessel: ''Sailing charters, sailing instruction, and sport fishing on the Great Lakes and/or coastal Florida. One of our offerings will be a unique, niche charter that combines sailing, sport fishing, and snorkeling.''

Geographic Region: ''Michigan, Ohio, Indiana, Illinois, Wisconsin, Minnesota, Pennsylvania, New York, Florida.''

The complete application is given in DOT docket MARAD–2014–0039 at *http://www.regulations.gov.* Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR Part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR Part 388.

Privacy Act

Anyone is able to search the electronic form of all 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 DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477–78).

By Order of the Maritime Administrator.

Dated: March 10, 2014.

Julie P. Agarwal,

Secretary, Maritime Administration.

[FR Doc. 2014–05720 Filed 3–13–14; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD 2014–0041]

Request for Comments of a Previously Approved Information Collection

AGENCY: Maritime Administration (MARAD).

ACTION: Notice and request for comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (ICR) abstracted below is being forwarded to the Office of Management and Budget (OMB) for review and comments. A **Federal Register** Notice with a 60-day comment

period soliciting comments on the following information collection was published on November 29, 2013 (**Federal Register** 71713, Vol. 78, No. 230).

DATES: Comments must be submitted on or before April 14, 2014.

FOR FURTHER INFORMATION CONTACT: Michael Romstadt, Training Instructor (Firefighting), Maritime Administration, 1200 New Jersey Avenue SE., W28–302, Washington, DC 20590; Telephone (419) 259–6362 or email: *michael.romstadt@dot.gov.*

SUPPLEMENTARY INFORMATION:

Title: Supplementary Training Course Application.

OMB Control Number: 2133–0030.

Type of Request: Renewal of a Previously Approved Information Collection.

Abstract: Section 1305(a) of the Maritime Education and Training Act of 1980 indicates that the Secretary of Transportation may provide maritime-related training to merchant mariners of the United States and to individuals preparing for a career in the merchant marine of the United States. Also, the U.S. Coast Guard requires a firefighting certificate for U.S. merchant marine officers. This collection provides the information necessary for the maritime schools to plan their course offerings and for applicants to complete their certificate requirements.

Affected Public: U.S. Merchant Marine Seamen, both officers and unlicensed personnel, and other U.S. citizens employed in other areas of waterborne commerce.

Estimated Number of Respondents: 500.

Estimated Number of Responses: 500.

Annual Estimated Total Annual Burden Hours: 25.

Addresses: Send comments regarding the burden estimate, including suggestions for reducing the burden, to the Office of Management and Budget, Attention: Desk Officer for the Office of the Secretary of Transportation, 725 17th Street NW., Washington, DC 20503.

Comments are invited on: Whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; the accuracy of the Department's estimate of the burden of the proposed information collection; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended; and 49 CFR 1:93.

Dated: March 10, 2014.

Julie P. Agarwal,

Secretary, Maritime Administration.

[FR Doc. 2014–05692 Filed 3–13–14; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. DOT–MARAD 2014–0042]

Request for Comments of a Previously Approved Information Collection

AGENCY: Maritime Administration (MARAD), Department of Transportation.

ACTION: Notice and request for comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (ICR) abstracted below is being forwarded to the Office of Management and Budget (OMB) for review and comments. A **Federal Register** Notice with a 60-day comment period soliciting comments on the following information collection was published on January 6, 2014 (**Federal Register** 701, Vol. 79, No. 3).

DATES: Comments must be submitted on or before April 14, 2014.

FOR FURTHER INFORMATION CONTACT: Michael Pucci, Office of Maritime Program, Maritime Administration, 1200 New Jersey Avenue SE., Washington, DC 20590. Telephone: 202–366–5167; FAX: 202–366–7485; or email: *michael.pucci@dot.gov.* Copies of this collection also can be obtained from that office.

SUPPLEMENTARY INFORMATION:

Title: Requirements for Establishing U.S. Citizenship—46 CFR Part 355

OMB Control Number: 2133–0012

Type of Request: Renewal of a Previously Approved Information Collection

Abstract: In accordance with 46 CFR part 355, shipowners, charterers, equity owners, ship managers, etc., seeking benefits provided by statute are required to provide on an annual basis, an Affidavit of U.S. Citizenship to the Maritime Administration (MARAD) for analysis. The Affidavits of U.S. Citizenship filed with MARAD will be reviewed to determine if the Applicants are eligible to participate in the programs offered by the agency.

Affected Public: Shipowners, charterers, equity owners, ship managers.

Estimated Number of Respondents: 500.

Estimated Number of Responses: 500.

Annual Estimated Total Annual Burden Hours: 2500.

ADDRESSES: Send comments regarding the burden estimate, including suggestions for reducing the burden, to the Office of Management and Budget, Attention: Desk Officer for the Office of the Secretary of Transportation, 725 17th Street NW., Washington, DC 20503.

Comments are invited on: Whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; the accuracy of the Department's estimate of the burden of the proposed information collection; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended; and 49 CFR 1:93.

Dated: March 11, 2014.

Julie P. Agarwal,

Secretary, Maritime Administration.

[FR Doc. 2014–05734 Filed 3–13–14; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD 2014–0040]

Request for Comments of a Previously Approved Information Collection

AGENCY: Maritime Administration (MARAD), Department of Transportation.

ACTION: Notice and request for comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (ICR) abstracted below is being forwarded to the Office of Management and Budget (OMB) for review and comments. A **Federal Register** Notice with a 60-day comment period soliciting comments on the following information collection was published on November 29, 2013 (**Federal Register** 71705, Vol. 78, No. 230).

DATES: Comments must be submitted on or before April 14, 2014.

FOR FURTHER INFORMATION CONTACT: Linden Houston, Office of Deepwater Ports and Offshore Activities, MAR–530, Maritime Administration, U.S. Department of Transportation, 1200 New Jersey Avenue SE., Washington, DC 20590, (202) 366–4839.

SUPPLEMENTARY INFORMATION:

Title: Application for Conveyance of Port Facility Property, formerly, Port Facility Conveyance Information.

OMB Control Number: 2133–0524.

Type of Request: Renewal of a Previously Approved Information Collection.

Abstract: Section 2927 of Public Law 103–160 authorizes the Department of Transportation to convey excess federal real and related personal property needed by states and local government entities for the development or operation of a port facility. The requested information is required to evaluate the applicants need and eligibility for the property. Compliance data is required on a yearly basis to determine if conveyed property is being used in accordance with the terms of the conveyance.

Affected Public: Eligible state and local public entities.

Estimated Number of Respondents: 10.

Estimated Number of Responses: 10.

Annual Estimated Total Annual Burden Hours: 440.

ADDRESSES: Send comments regarding the burden estimate, including suggestions for reducing the burden, to the Office of Management and Budget, Attention: Desk Officer for the Office of the Secretary of Transportation, 725 17th Street NW., Washington, DC 20503.

Comments are invited on: Whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; the accuracy of the Department's estimate of the burden of the proposed information collection; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended; and 49 CFR 1:93.

Dated: March 10, 2014.

Julie P. Agarwal,

Secretary, Maritime Administration.

[FR Doc. 2014–05723 Filed 3–13–14; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

Marine Transportation System National Advisory Council

AGENCY: Maritime Administration (MARAD), Department of Transportation.

ACTION: National Advisory Council public meeting.

SUMMARY: The Maritime Administration announces that the Marine Transportation System National Advisory Council (MTSNAC) meeting, originally scheduled for February 13, 2014 and cancelled due to inclement weather, has now been rescheduled for April 1, 2014. The meeting will be held to discuss potential recommendations to the Secretary on the integration of marine highways into the national transportation system, options to provide a steady and reliable funding mechanism for port infrastructure development, methods to mitigate the impact of cargo diverted as a result of natural disasters, and surface transportation reauthorization issues. A public comment period will commence at 2:30 p.m. on April 1, 2014. To provide time for as many people to speak as possible, speaking time for each individual will be limited to three minutes. Members of the public who would like to speak are asked to contact Richard J. Lolich by March 25, 2014. Commenters will be placed on the agenda in the order in which notifications are received. If time allows, additional comments will be permitted. Copies of oral comments must be submitted in writing at the meeting. Additional written comments are welcome and must be filed by April 4, 2014.

DATES: The meeting will be held on Tuesday, April 1, 2014, from 8:30 a.m. to 5:00 p.m.

ADDRESSES: The meeting will be held in the Media Center at the U.S. Department of Transportation Headquarters, 1200 New Jersey Ave. SE., Washington, DC 20590. To participate via teleconference, please contact Richard Lolich at the Maritime Administration as indicated below.

FOR FURTHER INFORMATION CONTACT: Richard Lolich, (202) 366–0704; Maritime Administration, MAR–540, Room W21–310, 1200 New Jersey Ave. SE., Washington, DC 20590–0001; *richard.lolich@dot.gov.*

(Authority: 5 U.S.C. App 2, Sec. 9(a)(2); 41 CFR 101–6. 1005; DOT Order 1120.3B)

Dated: March 11, 2014.

Julie P. Agarwal,

Secretary, Maritime Administration.

[FR Doc. 2014–05730 Filed 3–13–14; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket Number NHTSA–2014–0010]

Reports, Forms, and Record Keeping Requirements

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Request for public comment on proposed collection of information.

SUMMARY: Before a Federal agency can collect certain information from the public, it must receive approval from the Office of Management and Budget (OMB). Under procedures established by the Paperwork Reduction Act of 1995, before seeking OMB approval, Federal agencies must solicit public comment on proposed collections of information, including extensions and reinstatement of previously approved collections. This document describes one collection of information for which NHTSA intends to seek OMB approval.

DATES: Comments must be received on or before May 13, 2014.

ADDRESSES: You may submit comments identified by docket number at the heading of this notice by any of the following methods:

- Web site: *http://www.regulations.gov.* Follow the instructions for submitting comments on the electronic docket site by clicking on ''Help and Information'' or ''Help/Info.''
- Fax: 1–202–493–2251.
- Mail: U.S. Department of Transportation, Docket Operations, M–30, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.
- Hand Delivery: 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12–140, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.
- Federal eRulemaking Portal: Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.

Instructions: All submissions must include the agency name and docket number. Note that all comments received will be posted without change to *http://www.regulations.gov,* including

any personal information provided. Please see the Privacy Act discussion below. We will consider all comments received before the close of business on the comment closing date indicated above. To the extent possible, we will also consider comments filed after the closing date.

Docket: For access to the docket to read comments received, go to *http://www.regulations.gov* at any time or to 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays. Telephone: (202) 366–9826.

Privacy Act: Anyone is able to search the electronic form of all 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 DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477–78) or you may visit *http://www.dot.gov/privacy.html.*

FOR FURTHER INFORMATION CONTACT: For additional information or access to background documents, contact Wayne McKenzie, Office of Crash Avoidance Standards (NVS–121), National Highway Traffic Safety Administration, West Building, W43–462, 1200 New Jersey Avenue SE., Washington, DC 20590. Mr. McKenzie can be reached at (202) 366–1729.

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995, before an agency submits a proposed collection of information to OMB for approval, it must publish a document in the **Federal Register** providing a 60-day comment period and otherwise consult with members of the public and affected agencies concerning each proposed collection of information. The OMB has promulgated regulations describing what must be included in such a document. Under OMB's regulations (at 5 CFR 1320.8(d)), an agency must ask for public comment on the following:

(i) 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;

(ii) 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;

(iii) How to enhance the quality, utility, and clarity of the information to be collected; and

(iv) How to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

In compliance with these requirements, NHTSA asks public comment on the following proposed collection of information:

Title: 49 CFR 571.125, Warning Devices.

Type of Request: Extension of a currently approved collection.

OMB Control Number: 2157–0506.

Affected Public: Businesses or other for profit organizations.

Abstract: 49 U.S.C. 30111, 30112 and 30117 of the National Traffic and Motor Vehicle Safety Act of 1996 as amended (''the Safety Act''), authorized the issuance of Federal Motor Vehicle Safety Standards (FMVSS). The Secretary is authorized to issue, amend, and revoke such rules and regulations as she/he deems necessary. Using this authority, the agency issued FMVSS No. 125, ''Warning Devices'' (Appendix 2) which applies to devices, without self-contained energy sources, that are designed to be carried mandatory in buses and trucks that have a Gross Vehicle Weight Rating (GVWR) greater than 10,000 pounds and voluntarily in other vehicles. These devices are used to warn approaching traffic of the presence of a stopped vehicle, except for devices designed to be permanently affixed to the vehicles.

Estimated Annual Burden: 1 hour.

Number of respondents: 3.

David M. Hines,

Director, Office of Crash Avoidance Standards.

[FR Doc. 2014–05652 Filed 3–13–14; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[U.S. DOT Docket Number NHTSA–2014–0024]

Reports, Forms, and Recordkeeping Requirements

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Request for public comment on an extension of a currently approved collection.

SUMMARY: Before a Federal agency can collect certain information from the public, it must receive approval from the Office of Management and Budget (OMB). Under procedures established by the Paperwork Reduction Act of 1995, before seeking OMB approval, Federal agencies must solicit public comment on proposed collections of information, including extensions and reinstatement of previously approved collections.

This document describes one collection of information for which NHTSA intends to seek OMB approval.

DATES: Comments must be received on or before May 13, 2014.

ADDRESSES: Comments must refer to the docket notice numbers cited at the beginning of this notice and be submitted to Docket Management, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12–140, Washington, DC 20590 by any of the following methods.

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Mail:* Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12–140, Washington, DC 20590.
- *Hand Delivery/Courier:* 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.
- *Fax:* (202) 493–2251.

Instructions: For detailed instructions on submitting comments and additional information on the rulemaking process, see the **SUPPLEMENTARY INFORMATION** section of this document. Note that all comments received will be posted without change to *http://www.regulations.gov*, including any personal information provided. Please see the Privacy Act heading below.

Privacy Act: Anyone is able to search the electronic form of all 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 DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477–78) or you may visit *http://Docket Info.dot.gov.*

Docket: For access to the docket to read background documents or comments received, go to the street address listed above. The internet access to the docket will be at *http://www.regulations.gov.* Follow the online instructions for accessing the dockets.

FOR FURTHER INFORMATION CONTACT: Complete copies of each request for

collection of information may be obtained at no charge from Deborah Mazyck, NHTSA, 1200 New Jersey Ave. SE., Room W43–443, NVS–131, Washington, DC 20590. Ms. Mazyck's telephone number is (202) 366–4139. Please identify the relevant collection of information by referring to its OMB Control Number.

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995, before an agency submits a proposed collection of information to OMB for approval, it must first publish a document in the **Federal Register** providing a 60-day comment period and otherwise consult with members of the public and affected agencies concerning each proposed collection of information. The OMB has promulgated regulations describing what must be included in such a document. Under OMB's regulation (at 5 CFR 1320.8(d)), an agency must ask for public comment on the following:

(i.) 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;

(ii.) 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;

(iii.) How to enhance the quality, utility, and clarity of the information to be collected and;

(iv.) How to minimize the burden of the collection of information on those who are to respond, including 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.

In compliance with these requirements, NHTSA asks for public comments on the following proposed collections of information:

Title: Automobile Parts Content Labeling for 49 CFR Part 583.

OMB Control Number: 2127–0573.

Form Number: The collection of this information uses no standard form.

Affected Public: Vehicle manufacturers.

Requested Expiration Date of Approval: Three years from approval date.

Abstract: 49 CFR part 583 establishes requirements for the disclosure of information relating to the countries of origin of the equipment of new passenger motor vehicles. This information will be used by NHTSA to determine whether manufacturers are complying with the American Automobile Labeling Act (49 U.S.C. 32304). The American Automobile Labeling Act requires all new passenger motor vehicles (including passenger cars, certain small buses, all light trucks and multipurpose passenger vehicles with a gross vehicle weight rating of 8,500 pounds or less), to bear labels providing information about domestic and foreign content of their equipment. The labels, which are affixed to new passenger motor vehicles, serve as an aid to potential purchasers in the selection of new passenger motor vehicles by providing them with information about the value of the U.S./Canadian and foreign parts of each vehicle, the countries of origin of the engine and transmission, and the site of the vehicle's final assembly.

Estimated Annual Burden: NHTSA anticipates approximately 21 vehicle manufacturers will be affected by these reporting requirements. NHTSA does not believe that any of these 21 manufacturers are a small business (i.e., one that employs less than 500 persons) since each manufacturer employs more than 500 persons. Manufacturers of new passenger motor vehicles, including passenger cars, certain small buses, and light trucks with a gross vehicle weight rating of 8,500 pounds or less, must file a report annually.

NHTSA estimates that the vehicle manufacturers will incur a total reporting annual hour burden and cost burden of 52,962 hours and $2,439,108, respectively. The amount includes annual burden hours incurred by multi-stage manufacturers and motor vehicle equipment suppliers.

Number of Respondents: 21.

Comments are invited on: Whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; the accuracy of the Department's estimate of the burden of the proposed information collection; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

David M. Hines,

Director, Office of Crash Avoidance Standards.

[FR Doc. 2014–05649 Filed 3–13–14; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket Number NHTSA–2014–0011]

Reports, Forms, and Record Keeping Requirements

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Request for public comment on proposed collection of information.

SUMMARY: Before a Federal agency can collect certain information from the public, it must receive approval from the Office of Management and Budget (OMB). Under procedures established by the Paperwork Reduction Act of 1995, before seeking OMB approval, Federal agencies must solicit public comment on proposed collections of information, including extensions and reinstatement of previously approved collections. This document describes one collection of information for which NHTSA intends to seek OMB approval.

DATES: Comments must be received on or before May 13, 2014.

ADDRESSES: You may submit comments identified by docket number at the heading of this notice by any of the following methods:

- Web site: *http://www.regulations.gov*. Follow the instructions for submitting comments on the electronic docket site by clicking on ''Help and Information'' or ''Help/Info.''
- Fax: 1–202–493–2251.
- Mail: U.S. Department of Transportation, Docket Operations, M–30, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.
- Hand Delivery: 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12–140, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.
- Federal eRulemaking Portal: Go to *http://www.regulations.gov*. Follow the online instructions for submitting comments.

Instructions: All submissions must include the agency name and docket number. Note that all comments received will be posted without change to *http://www.regulations.gov,* including any personal information provided. Please see the Privacy Act discussion below. We will consider all comments received before the close of business on the comment closing date indicated above. To the extent possible, we will also consider comments filed after the closing date.

Docket: For access to the docket to read comments received, go to *http://www.regulations.gov* at any time or to 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays. Telephone: (202) 366–9826.

Privacy Act: Anyone is able to search the electronic form of all 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 DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477–78) or you may visit *http://www.dot.gov/privacy.html*.

FOR FURTHER INFORMATION CONTACT: For additional information or access to background documents, contact Wayne McKenzie, Office of Crash Avoidance Standards (NVS–121), National Highway Traffic Safety Administration, West Building W43–462, 1200 New Jersey Avenue SE., Washington, DC 20590. Mr. McKenzie can be reached at (202) 366–1729.

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995, before an agency submits a proposed collection of information to OMB for approval, it must publish a document in the **Federal Register** providing a 60-day comment period and otherwise consult with members of the public and affected agencies concerning each proposed collection of information. The OMB has promulgated regulations describing what must be included in such a document. Under OMB's regulations (at 5 CFR 1320.8(d)), an agency must ask for public comment on the following:

(i) 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;

(ii) 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;

(iii) How to enhance the quality, utility, and clarity of the information to be collected; and

(iv) How to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

In compliance with these requirements, NHTSA asks public comment on the following proposed collection of information:

Title: 49 CFR Part 564, Replaceable Light Source Dimensional Information Collection.

Type of Request: Extension of a currently approved collection.

OMB Control Number: 2157–0563.

Affected Public: Businesses or other for profit organizations.

Abstract: The information to be collected is in response to 49 CFR part 564, ''Replaceable Light Source Dimensional Information.'' Persons desiring to use newly designed replaceable headlamp light sources are required to submit interchangeability and performance specifications to the agency. After a short agency review to assure completeness, the information is placed in a public docket for use by any person who would like to manufacture headlamp light sources for highway motor vehicles. In Federal Motor Vehicle Safety Standard No. 108, Lamps, reflective devices and associated equipment, ''Part 564 submissions'' are referenced as being the source of information regarding the performance and interchangeability information for legal headlamp light sources, whether original equipment or replacement equipment. The submitted information about headlamp light sources becomes the basis for certification of compliance with safety standards.

Estimated Annual Burden: 28 hours.

Number of respondents: 7.

David M. Hines,

Director, Office of Crash Avoidance Standards.

[FR Doc. 2014–05651 Filed 3–13–14; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

Reports, Forms and Record Keeping Requirements; Agency Information Collection Activity Under OMB Review

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.), this notice announces that the Information Collection Request (ICR) abstract regarding the Uniform Tire Quality Grading Standard (UTQGS) below has been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collections and their expected burden. The Federal Register Notice with a 60-day comment period was published on November 29, 2013 [78 FR 71714]. The agency received one comment to the 60 day notice.

DATES: Comments must be submitted on or before April 14, 2014.

FOR FURTHER INFORMATION CONTACT: Mr. Hisham Mohamed at the National Highway Traffic Safety Administration, Office of International Policy, Fuel Economy and Consumer Programs (NVS–131), 1200 New Jersey Ave. SE., W43–437, Washington, DC 20590. Mr. Mohamed's telephone number is (202) 366–0307.

SUPPLEMENTARY INFORMATION:

National Highway Traffic Safety Administration

Title: 49 CFR Part 575.104; Uniform Tire Quality Grading Standard

OMB Number: 2127–0519.

Type of Request: Extension of a currently approved information collection.

Abstract: Part 575 requires tire manufacturers and tire brand name owners to submit reports to NHTSA regarding the UTQGS grades of all passenger car tire lines they offer for sale in the United States. This information is used by consumers of passenger car tires to compare tire quality in making their purchase decisions. The information is provided in several different ways to insure that the consumer can readily see and understand the tire grades: (1) The grades are molded into the sidewall of the tire so that they can be reviewed on both the new and old tires; (2) a paper label is affixed to the tread face of the new tires that provides the grades of that particular tireline along with an explanation of the grading system; (3) the tire manufacturer or brand name owner provides prospective purchasers of tires the information for each tire offered for sale at the particular location; (4) vehicle manufacturers include in the owner's manual of each vehicle the grade information for the tires with which the vehicle is equipped; (5) NHTSA compiles the grading information of all manufacturers' tirelines into a booklet that is available to the public both in printed form and on NHTSA's Web site.

Affected Public: All passenger car tire manufacturers and brand name owners offering passenger car tires for sale in the United States.

Estimated Total Annual Burden: NHTSA estimates that a cost of approximately $35.1 million to tire manufacturers and brand name owners is required to comply with this regulation.

ADDRESSES: Send comments, within 30 days, to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725–17th Street NW., Washington, DC 20503, Attention NHTSA Desk Officer.

Comments are invited on: Whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; the accuracy of the Departments' estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology. Comments to OMB are most effective if OMB receives them within 30 days of publication.

David M. Hines,

Director, Office of Crash Avoidance Standards.

[FR Doc. 2014–05650 Filed 3–13–14; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. FD 35809]

Union Pacific Railroad Company—Temporary Trackage Rights Exemption—BNSF Railway Company

BNSF Railway Company (BNSF), pursuant to a written trackage rights agreement dated March 1, 2014, has agreed to grant temporary overhead trackage rights to Union Pacific Railroad Company (UP) between milepost 579.3 near Mill Creek, Okla., on BNSF's Creek Subdivision and milepost 631.0 near Joe Junction, Tex., on BNSF's Madill Subdivision, a distance of 51.7 miles.

The transaction may be consummated on or after March 30, 2014, the effective date of the exemption (30 days after the verified notice of exemption was filed).[1] The temporary trackage rights will expire on November 30, 2014. The purpose of the temporary trackage rights is to allow UP to move loaded and empty unit ballast trains to be used for UP maintenance of way projects.

As a condition to this exemption, any employees affected by the acquisition of the temporary trackage rights will be protected by the conditions imposed in *Norfolk & Western Railway—Trackage Rights—Burlington Northern, Inc.,* 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Railway, Inc.—Lease & Operate—California Western Railroad,* 360 I.C.C. 653 (1980), and any employees affected by the discontinuance of those trackage rights will be protected by the conditions set out in *Oregon Short Line Railroad—Abandonment Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho,* 360 I.C.C. 91 (1979).

This notice is filed under 49 CFR 1180.2(d)(8). If it contains false or misleading information, the exemption is void *ab initio.* Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the effectiveness of the exemption. Petitions for stay must be filed no later than March 21, 2014 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35809, must be filed with the Surface Transportation Board, 395 E Street SW., Washington, DC 20423–0001. In addition, a copy of each pleading must be served on Jeremy M. Berman, Union Pacific Railroad Company, 1400 Douglas Street, STOP 1580, Omaha, NE 68179.

Board decisions and notices are available on our Web site at ''*www.stb.dot.gov.*''

Decided: March 6, 2014.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.

Raina S. White,

Clearance Clerk.

[FR Doc. 2014–05660 Filed 3–13–14; 8:45 am]

BILLING CODE 4915–01–P

[1] UP states that the transaction will be consummated on April 1, 2014.

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. FD 35808]

BNSF Railway Company—Temporary Trackage Rights Exemption—Union Pacific Railroad Company

Union Pacific Railroad Company (UP), pursuant to a written trackage rights agreement dated March 1, 2014, has agreed to grant local trackage rights[1] to BNSF Railway Company (BNSF) over UP rail lines located between: (1) UP milepost 93.2 at Stockton, Cal., on UP's Oakland Subdivision, and UP milepost 219.4 at Elsey, Cal., on UP's Canyon Subdivision, a distance of 126.2 miles; and (2) UP milepost 219.4 at Elsey, Cal., and UP milepost 280.7 at Keddie, Cal., on UP's Canyon Subdivision, a distance of 61.3 miles.

The transaction may be consummated on March 30, 2014, the effective date of the exemption (30 days after the exemption is filed).

The purpose of this transaction is to allow BNSF to move empty and loaded ballast trains to and from the ballast pit at Elsey, Cal., which is adjacent to the UP rail line. The trackage rights are temporary in nature and are scheduled to expire at midnight on October 31, 2014.

As a condition to this exemption, any employee affected by the trackage rights will be protected by the conditions imposed in *Norfolk & Western Railway—Trackage Rights—Burlington Northern, Inc.,* 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Railway—Lease & Operate—California Western Railroad,* 360 I.C.C. 653 (1980).

This notice is filed under 49 CFR 1180.2(d)(7). If it contains false or misleading information, the exemption is void *ab initio.* Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the effectiveness of the exemption. Stay petitions must be filed by March 21, 2014 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35808, must be filed with the Surface Transportation Board, 395 E Street SW., Washington, DC 20423–0001. In addition, a copy of each pleading must be served on Karl Morell, Of Counsel, Ball Janik LLP, Suite 225, 655 Fifteenth St. NW., Washington, DC 20005.

Board decisions and notices are available on our Web site at ''*www.stb.dot.gov.*''

Decided: March 10, 2014.

[1] BNSF states that the trackage rights being granted here are only temporary rights, but, because they are ''local'' rather than ''overhead'' rights, they do not qualify for the Board's class exemption for temporary trackage rights at 49 CFR 1180.2(d)(8). *See R.R. Consolidation Procedures,* 6 S.T.B. 910 (2003). Therefore, BNSF concurrently filed a petition for partial revocation of this exemption in *BNSF Railway Company—Temporary Trackage Rights Exemption—Union Pacific Railroad Company,* Docket No. FD 35808 (Sub-No. 1), wherein BNSF requests that the Board permit the proposed trackage rights arrangement described in the present proceeding to expire at midnight on October 31, 2014, as provided in the parties' agreement. That petition will be addressed by the Board in a separate decision.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.

Derrick A. Gardner,

Clearance Clerk.

[FR Doc. 2014–05579 Filed 3–13–14; 8:45 am]

BILLING CODE 4915–01–P

DEPARTMENT OF THE TREASURY

Submission for OMB Review; Comment Request

March 11, 2014.

The Department of the Treasury will submit the following information collection requests to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, Public Law 104–13, on or after the date of publication of this notice.

DATES: Comments should be received on or before April 14, 2014 to be assured of consideration.

ADDRESSES: Send comments regarding the burden estimate, or any other aspect of the information collection, including suggestions for reducing the burden, to (1) Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for Treasury, New Executive Office Building, Room 10235, Washington, DC 20503, or email at *OIRA_Submission@OMB.EOP.gov* and (2) Treasury PRA Clearance Officer, 1750 Pennsylvania Ave. NW., Suite 8140, Washington, DC 20220, or email at *PRA@treasury.gov.*

FOR FURTHER INFORMATION CONTACT: Copies of the submission(s) may be obtained by calling (202) 927–5331, email at *PRA@treasury.gov,* or the entire information collection request may be found at *www.reginfo.gov.*

Internal Revenue Service (IRS)

OMB Number: 1545–1186.

Type of Review: Extension without change of a currently approved collection.

Title: Rental Real Estate Income and Expenses of a Partnership or an S Corporation.

Form: 8825.

Abstract: Form 8825 is used to verify that partnerships and S corporations have correctly reported their income and expenses from rental real estate property. The form is filed with either Form 1065 or Form 1120S.

Affected Public: Private Sector: Businesses or other for-profits.

Estimated Annual Burden Hours: 6,288,600.

OMB Number: 1545–1292.

Type of Review: Extension without change of a currently approved collection.

Title: TD 8448—Enhanced Oil Recovery Credit (PS–97–91 and PS–101–90).

Abstract: This regulation provides guidance concerning the costs subject to the enhanced oil recovery credit, the circumstances under which the credit is available, and procedures for certifying to the Internal Revenue Service that a project meets the requirements of section 43(c) of the Internal Revenue Code.

Affected Public: Private Sector: Businesses or other for-profits.

Estimated Annual Burden Hours: 1,460.

OMB Number: 1545–1324.

Type of Review: Extension without change of a currently approved collection.

Title: TD 8530—Limitation on Net Operating Loss Carryforwards and Certain Built-in Losses Following Ownership Change; Special Rule for Value of a Loss Corporation Under the Jurisdiction of a Court in a Title 11 Case (CO–88–90).

Abstract: This information serves as evidence of an election to apply section 382(1)(6) in lieu of section 382(1)(5) and an election to apply the provisions of the regulations retroactively. It is required by the Internal Revenue Service to assure that the proper amount of carryover attributes are used by a loss corporation following specified types of ownership changes.

Affected Public: Private Sector: Businesses or other for-profits.

Estimated Annual Burden Hours: 813.

OMB Number: 1545–1743.

Type of Review: Extension without change of a currently approved collection.

Title: Summary of Archer MSAs.

Form: 8851.

Abstract: This form will be used by the IRS to determine whether numerical limits set forth in section 220(j)(1) have been exceeded.

Affected Public: Private Sector: Businesses or other for-profits.

Estimated Annual Burden Hours: 1,540,000.

OMB Number: 1545–1890.

Type of Review: Extension without change of a currently approved collection.

Title: Revenue Procedure 2010–52, Extension of the Amortization Period for Plan Sponsor of a Multiemployer Pension Plan.

Abstract: This revenue procedure describes the process for obtaining an extension of the amortization period for the minimum funding standards set forth in section 412(e) of the Code.

Affected Public: Private Sector: Businesses or other for-profits.

Estimated Annual Burden Hours: 2,500.

OMB Number: 1545–1891.

Type of Review: Extension without change of a currently approved collection.

Title: HCTC Health Plan Administrator (HPA) Return of Funds.

Form: 13560.

Abstract: Form 13560 is completed by Health Plan Administrators (HPAs) and accompanies a return of funds in order to ensure proper handling. This form serves as supporting documentations for any funds returned by an HPA and clarifies where the payment should be applied and why it is being sent.

Affected Public: State, Local, and Tribal Governments.

Estimated Annual Burden Hours: 50.

Dawn D. Wolfgang,

Treasury PRA Clearance Officer.

[FR Doc. 2014–05601 Filed 3–13–14; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Submission for OMB Review; Comment Request

March 11, 2014.

The Department of the Treasury will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, Public Law 104–13, on or after the date of publication of this notice.

DATES: Comments should be received on or before April 14, 2014 to be assured of consideration.

ADDRESSES: Send comments regarding the burden estimate, or any other aspect of the information collection, including suggestions for reducing the burden, to (1) Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for Treasury, New Executive Office Building, Room 10235, Washington, DC 20503, or email at *OIRA_Submission@OMB.EOP.gov* and (2) Treasury PRA Clearance Officer, 1750 Pennsylvania Ave. NW., Suite 8141, Washington, DC 20220, or email at *PRA@treasury.gov.*

FOR FURTHER INFORMATION CONTACT: Copies of the submission(s) may be obtained by calling (202) 622–1295, emailing *PRA@treasury.gov,* or the entire information collection request may be found at *www.reginfo.gov.*

Bureau of the Fiscal Service

OMB Number: 1535–0117.

Type of Review: Revision of a currently approved collection.

Title: Resolution for Transactions Involving Treasury Securities.

Form: PD F 1010.

Abstract: Completed by an official of an organization that is designated to act on behalf of the organization. The form is used only by those organizations that would like to delegate authority to certain officer(s) to dispose of Treasury securities that either are owned by the organization or are held by it in a fiduciary capacity.

Affected Public: Private Sector: Businesses or other for-profits.

Estimated Annual Burden Hours: 430.

Dawn D. Wolfgang,

Treasury PRA Clearance Officer.

[FR Doc. 2014–05600 Filed 3–13–14; 8:45 am]

BILLING CODE 4810–39–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Proposed Collection; Comment Request for Regulation Project

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice and request for comments.

SUMMARY: The Department of the Treasury, 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 proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104–13 (44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning, Disclosure of Returns and Return Information by Other Agencies (301.6103(p)(2)(B)–1).

DATES: Written comments should be received on or before May 13, 2014 to be assured of consideration.

ADDRESSES: Direct all written comments to Christie A. Preston, Internal Revenue Service, Room 6129, 1111 Constitution Avenue NW., Washington, DC 20224.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the regulation should be directed to Martha R. Brinson, Internal Revenue Service, Room 6129, 1111 Constitution Avenue NW., Washington DC 20224, or through the Internet at *Martha.R.Brinson@irs.gov.*

SUPPLEMENTARY INFORMATION:

Title: Disclosure of Returns and Return Information by Other Agencies.

OMB Number: 1545–1757.

Regulation Project Number: TD 9036.

Abstract: In general, under the regulations, the IRS is permitted to authorize agencies with access to returns and return information under section 6103 of the Internal Revenue Code to re-disclose returns and return information based on a written request and the Commissioner's approval, to any authorized recipient set forth in Code section 6103, subject to the same conditions and restrictions, and for the same purposes, as if the recipient had received the information from the IRS directly.

Current Actions: There are no changes to this existing regulation.

Type of Review: Extension of a currently approved collection.

Affected Public: Federal, estate, local or tribal governments.

Estimated Number of Respondents: 11.

Estimated Time per Respondent: 1 hour.

Estimated Total Annual Burden Hours: 11.

The following paragraph applies to all of the collections of information covered by this notice:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

Request for Comments: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the 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 collection of information; (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 respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Approved: March 6, 2014.

Christie A. Preston,

IRS Reports Clearance Officer.

[FR Doc. 2014–05561 Filed 3–13–14; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Tax Counseling for the Elderly Program Availability of Application Packages

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice.

SUMMARY: This document provides notice of the availability of Application Packages for the 2015 Tax Counseling for the Elderly (TCE) Program.

DATES: Application instructions are available electronically from the IRS on May 1, 2014 by visiting: IRS.gov (key word search—''TCE'') or through Grants.gov. The deadline for submitting an application package to the IRS for the Tax Counseling for the Elderly (TCE) Program is May 31, 2014. However, because this date falls on a non-workday the deadline is being extended until Monday, June 2, 2014. All applications must be submitted through Grants.gov.

ADDRESSES: Internal Revenue Service, Grant Program Office, 5000 Ellin Road, NCFB C4–110, SE:W:CAR:SPEC:FO:GPO, Lanham, Maryland 20706,

FOR FURTHER INFORMATION CONTACT: Grant Program Office via their email address at *tce.grant.office@irs.gov*.

SUPPLEMENTARY INFORMATION: Authority for the Tax Counseling for the Elderly (TCE) Program is contained in Section 163 of the Revenue Act of 1978, Public Law 95–600, (92 Stat. 12810), November 6, 1978. Regulations were published in the **Federal Register** at 44 FR 72113 on December 13, 1979. Section 163 gives the IRS authority to enter into cooperative agreements with private or public non-profit agencies or organizations to establish a network of trained volunteers to provide free tax information and return preparation assistance to elderly individuals. Elderly individuals are defined as individuals age 60 and over at the close of their taxable year. Because applications are being solicited before the FY 2015 budget has been approved, cooperative agreements will be entered into subject to the appropriation of funds.

Dated: March 5, 2014.

Carol Quiller,

Acting Chief, Grant Program Office, IRS, Stakeholder Partnerships, Education & Communication.

[FR Doc. 2014–05563 Filed 3–13–14; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Community Volunteer Income Tax Assistance Matching Grant Program; Availability of Application for Federal Financial Assistance

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice.

SUMMARY: This document provides notice of the availability of the application package for the 2015 Community Volunteer Income Tax Assistance (VITA) Matching Grant Program.

DATES: Application instructions are available electronically from the IRS on May 1, 2014 by visiting: IRS.gov (key word search—''VITA Grant''). Application packages are available on May 1, 2014 by visiting Grants.gov and searching with the Catalog of Federal Domestic Assistance (CFDA) number 21.009. The deadline for submitting an application to the IRS through Grants.gov for the Community VITA Matching Grant Program is May 31, 2014. However, because this date falls on a non-workday the deadline is being extended until Monday, June 2, 2014. All applications must be submitted through Grants.gov.

ADDRESSES: Internal Revenue Service, Grant Program Office, 401 West Peachtree St. NW., Suite 1645, Stop 420–D, Atlanta, GA 30308.

FOR FURTHER INFORMATION CONTACT: Grant Program Office via their email address at *Grant.Program.Office@irs.gov.*

SUPPLEMENTARY INFORMATION: Authority for the Community Volunteer Income Tax Assistance (VITA) Matching Grant Program is contained in the Consolidated Appropriations Act, 2014, Public Law 113–76, signed January 17, 2014.

Dated: March 5, 2014.

Carol Quiller,

Acting Chief, Grant Program Office, IRS, Stakeholder Partnerships, Education & Communication.

[FR Doc. 2014–05571 Filed 3–13–14; 8:45 am]

BILLING CODE 4830–01–P

U.S.-CHINA ECONOMIC AND SECURITY REVIEW COMMISSION

Notice of Open Public Hearing

AGENCY: U.S.-China Economic and Security Review Commission.

ACTION: Notice of open public hearing—March 13, 2014, Washington, DC.

SUMMARY: Notice is hereby given of the following hearing of the U.S.-China Economic and Security Review Commission.

Name: Dennis C. Shea, Chairman of the U.S.-China Economic and Security Review Commission. The Commission is mandated by Congress to investigate, assess, and report to Congress annually on ''the national security implications of the economic relationship between the United States and the People's Republic of China.'' Pursuant to this mandate, the Commission will hold a public hearing in Washington, DC on March 13, 2014, ''China and Evolving Security Dynamics in East Asia.''

Background: This is the third public hearing the Commission will hold during its 2014 report cycle to collect input from academic, industry, and government experts on national security implications of the U.S. bilateral trade and economic relationship with China. This hearing will explore the evolving security dynamics in Asia and the effects of this changing environment on the United States. More specifically, it will address how Northeast and Southeast Asia are responding to China's rise and consider what implications follow for U.S. alliances and partnerships in the region.

The hearing will be co-chaired by Commissioners Peter T.R. Brookes and Jeffrey L. Fiedler. Any interested party may file a written statement by March 13, 2014, by mailing to the contact below. A portion of each panel will include a question and answer period between the Commissioners and the witnesses.

Location, Date and Time: Russell Senate Office Building, Room 328A. Thursday, March 13, 2014, 9 a.m.–3 p.m. Eastern Time. A detailed agenda for the hearing is posted to the Commission's Web site at *www.uscc.gov.* Also, please check our Web site for possible changes to the hearing schedule. *Reservations are not required to attend the hearing.*

FOR FURTHER INFORMATION CONTACT: Any member of the public seeking further information concerning the hearing should contact Reed Eckhold, 444 North Capitol Street NW., Suite 602, Washington, DC 20001; phone: 202–624–1496, or via email at *reckhold@uscc.gov. Reservations are not required to attend the hearing.*

Authority: Congress created the U.S.-China Economic and Security Review Commission in 2000 in the National Defense Authorization Act (Pub. L. 106–398), as amended by Division P of the Consolidated Appropriations Resolution, 2003 (Pub. L. 108–7), as amended by Public Law 109–108 (November 22, 2005).

Dated: March 10, 2014.

Michael Danis,

Executive Director, U.S.-China Economic and Security Review Commission.

[FR Doc. 2014–05554 Filed 3–13–14; 8:45 am]

BILLING CODE 1137–00–P

DEPARTMENT OF VETERANS AFFAIRS

Disciplinary Appeals Board Panel

AGENCY: Department of Veterans Affairs.

ACTION: Notice with request for comments.

SUMMARY: Section 203 of the Department of Veterans Affairs Health Care Personnel Act of 1991 (Pub. L. 102–40), dated May 7, 1991, revised the disciplinary grievance and appeal procedures for employees appointed under 38 U.S.C. 7401(1). It also required the periodic designation of employees of the Department who are qualified to serve on Disciplinary Appeals Boards. These employees constitute the Disciplinary Appeals Board Panel from which Board members in a case are appointed. This notice announces that the roster of employees on the Panel is available for review and comment. Employees, employee organizations, and other interested parties shall be provided, without charge, a list of the names of employees on the Panel upon request and may submit comments concerning the suitability for service on the Panel of any employee whose name is on the list.

DATES: Names that appear on the Panel may be selected to serve on a Board or as a grievance examiner after April 14, 2014.

ADDRESSES: Requests for the list of names of employees on the Panel and written comments may be directed to: Secretary of Veterans Affairs, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420. Requests and comments may also be faxed to (202) 273–9776.

FOR FURTHER INFORMATION CONTACT: Larry Ables, Employee Relations and Performance Management Service, Office of Human Resources Management, Department of Veterans

Affairs, 810 Vermont Avenue NW., Mailstop 051, Washington, DC 20420. Mr. Ables may be reached at (202) 461–6172.

SUPPLEMENTARY INFORMATION: Public Law 102–40 requires that the availability of the roster be posted in the **Federal Register** periodically and not less than annually. The 2013 newly trained Disciplinary Appeals Board members covered by this notice are identified and listed with their positions in Appendix A.

Signing Authority

The Secretary of Veterans Affairs, or designee, approved this document and authorized the undersigned to sign and submit the document to the Office of the Federal Register for publication electronically as an official document of the Department of Veterans Affairs. Jose D. Riojas, Chief of Staff, Department of Veteran Affairs, approved this document on February 25, 2014, for publication.

Dated: March 10, 2014.

William F. Russo,

Deputy Director, Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs.

Appendix A

2013 TRAINING ATTENDEES—DISCIPLINARY APPEALS BOARD

Name	Title	Position	VISN
Naomi Alazraki	M.D	Chief, Nuclear Medicine	7
Gloria Bengoa-Farrington	R.N	Nurse Manager	12
Alan Bernstein	R.N	Associate Director, Patient Care Services	17
Kay Bower	R.N	Associate Director, Patient Care Services	11
Colleen Butler	R.N	Women Veterans Program Manager	19
J. Michael Casparian	M.D	Chief, Dermatology	15
Theresa Christenson	R.N	Clinical Nurse Manager	12
Michael Cook	D.O	Section Chief, Nuclear Medicine	3
Karin Cooke	R.N	Associate Chief Nurse	4
Nancy Downey	N.P	Chief, Quality Management	22
Jean Dunn	R.N	Associate Chief Nurse, VISN 17	17
Melissa Edwards	R.N	Chief Nurse	6
Maura Flynn	N.P	Nurse Practitioner	1
Sumit Ghosh	M.D	Physician, Gynecology	4
Phillip Haddad	M.D	Physician, Hematology/Oncology	16
Sean Hatton	M.D	Chief, Admin Medicine	7
Michele Hill	R.N	Chief Nurse	6
Areef Ishani	M.D	Section Chief, Nephrology	23
Patrice Kennedy	N.P	Nurse Practitioner	19
Terry Reese	N.P	Nurse Practitioner	15
Susan Walsh	R.N	Home Based Primary Care Coordinator	2
Jayson Yap	M.D	Nephrologist	10
Zahid Yasin	M.D	Physician	16

[FR Doc. 2014–05580 Filed 3–13–14; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

Advisory Committee on Disability Compensation

Notice of Meeting

AGENCY: Department of Veterans Affairs.

ACTION: Notice of Committee Meeting.

The Department of Veterans Affairs (VA) gives notice under the Federal Advisory Committee Act, 5 U.S.C. App. 2, that the meeting of the Advisory Committee on Disability Compensation, previously scheduled for March 3–4, 2014, at the U.S. Department of Veterans Affairs and cancelled due to inclement weather and closure of the Federal Government in Washington, DC, has been rescheduled for March 31, 2014, and April 1, 2014. The Committee will meet in Room 730, 810 Vermont Avenue NW., Washington, DC 20420. The session will begin at 8:30 a.m. and end at 4:30 p.m. on both days. The meeting is open to the public.

The purpose of the Committee is to advise the Secretary of Veterans Affairs on the maintenance and periodic readjustment of the VA Schedule for Rating Disabilities. The Committee is to assemble and review relevant information relating to the nature and character of disabilities arising during service in the Armed Forces, provide an ongoing assessment of the effectiveness of the rating schedule, and give advice on the most appropriate means of responding to the needs of Veterans relating to disability compensation.

The Committee will receive briefings on issues related to compensation for Veterans with service-connected disabilities and other VA benefits programs. Time will be allocated for receiving public comments in the afternoon. Public comments will be limited to three minutes each. Individuals wishing to make oral statements before the Committee will be accommodated on a first-come, first-served basis. Individuals who speak are invited to submit 1–2 page summaries of their comments at the time of the meeting for inclusion in the official meeting record.

The public may submit written statements for the Committee's review to Nancy Copeland, Designated Federal Officer, Department of Veterans Affairs, Veterans Benefits Administration, Compensation Service, Regulation Staff (211D), 810 Vermont Avenue NW., Washington, DC 20420 or email at *nancy.copeland@va.gov.* Because the meeting is being held in a government building, a photo I.D. must be presented at the Guard's Desk as a part of the clearance process. Therefore, you should allow an additional 15 minutes before the meeting begins. Any member of the public wishing to attend the meeting or seeking additional information should email Mrs. Copeland or contact her at (202) 461–9685.

Dated: March 10, 2014.

By Direction of the Secretary.

William F. Russo,

Deputy Director, Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs.

[FR Doc. 2014–05584 Filed 3–13–14; 8:45 am]

BILLING CODE 8320–01–P

FEDERAL REGISTER

Vol. 79 Friday,

No. 50 March 14, 2014

Part II

The President

Proclamation 9089—Boundary Enlargement of the California Coastal National Monument

Notice of March 12, 2014—Continuation of the National Emergency With Respect to Iran

Federal Register
Vol. 79, No. 50
Friday, March 14, 2014

Presidential Documents

Title 3—

The President

Proclamation 9089 of March 11, 2014

Boundary Enlargement of the California Coastal National Monument

By the President of the United States of America

A Proclamation

Through Proclamation 7264 of January 11, 2000, President Clinton established the California Coastal National Monument (monument) to protect the biological treasures situated offshore on thousands of unappropriated or unreserved islands, rocks, exposed reefs, and pinnacles owned or controlled by the Government of the United States within 12 nautical miles of the shoreline of the State of California. These dramatic features contribute to California's awe-inspiring coastal scenery and provide havens for significant populations of seabirds and marine mammals. The monument protects feeding and nesting habitat for an estimated 200,000 breeding seabirds. Development on the mainland has forced seabirds that once fed and nested in the shoreline ecosystem to retreat to these protected areas. The monument also protects forage and breeding habitat for California sea lions, southern sea otters, and northern (Steller) sea lions.

As President Clinton noted in his proclamation, although these offshore habitats may appear distinct from nearby shoreline habitats, they are dependent upon each other, with vital and dynamic exchange of nutrients and organisms being essential to maintaining their healthy ecosystems. The addition of the Point Arena-Stornetta Public Lands as the first shoreline unit of the monument would expand the monument to include coastal bluffs and shelves, tide pools, onshore dunes, coastal prairies, riverbanks, and the mouth and estuary of the Garcia River. The expanded monument would present exemplary opportunities for geologists, archeologists, historians, and biologists to use the historic and scientific objects in these lands to further illuminate the evolving relationship between California's abundant coastal resources and its human inhabitants.

The Point Arena-Stornetta Public Lands, in Mendocino County, California, encompass a wind-swept landscape of dramatic coastal beauty and significant scientific importance. Like the monument's striking offshore rocks and islands, these lands have been shaped by powerful geologic forces. An uplifted coastal terrace that underlies much of the area is part of the Gualala Block, a piece of continental crust that was captured by the San Andreas Fault and is now joined to the Pacific Plate. The striking bluffs that form the outer edge of the terrace are pierced in a few locations by blowholes—openings near the bluff's edge through which rising tides force gusts of salt-laced air and occasional geysers of ocean water. Near some of the blowholes, a creek flows over the edge of the cliff, sending a delicate sheet of water into the cold waves below.

Some of California's most spectacular wildlife make use of this striking landscape and its diverse vegetation communities. The Point Arena-Stornetta Public Lands provide important habitat for harbor seals, Steller sea lions, and an occasional elephant seal, which visitors can catch sight of from the vantage of the terrace's western bluffs. The terrace itself supports thriving native bunchgrass prairie and coastal scrub communities. Generally low-lying vegetation is punctuated by a rare bishop pine forest and the southernmost natural example of a shore pine forest.

The bunchgrass prairie is home to the endemic Behren's silverspot butterfly, which is dependent on the presence of the dog violet. The rare and endemic Point Arena mountain beaver makes use of the diverse habitats in these lands. A wide array of rare bird species also uses the area's interconnected habitats, including the black oystercatcher, the little willow flycatcher, the yellow warbler, and the black-crowned night heron. Squadrons of brown pelicans are a frequent sight, gliding low over the powerful waves, while snowy plovers are sometimes seen foraging along the surf line.

Water plays an essential role in sustaining and connecting plant and animal life in this rugged landscape. At the northern end of these lands, the Garcia River ends its 44-mile journey to the Pacific. The estuary formed by the meeting of these waters provides both a nursery for juvenile fish and a transition zone for a variety of far-roaming salmonids, including central California coast coho salmon, the California coastal Chinook salmon, and northern California steelhead. These anadromous species depend on the Garcia River estuary and its flow through the Point Arena-Stornetta Public Lands to access their upstream spawning habitat. Across the river, powerful winds sculpt an extensive dune system, its shifting sands pocketed with brackish, semi-permanent ponds. Hathaway Creek, which feeds into the Garcia River, also passes through the public lands and provides important riparian habitat. The area's salt marshes, brackish pools, and freshwater springs and seeps support an array of plant and animal species, including Humboldt Bay owl's clover, as well as the rare California red-legged frog.

For thousands of years, people have been drawn to this area's varied and plentiful natural resources. The human history of the Point Arena-Stornetta Public Lands, which lie within the ancestral lands of the Central Pomo Indians, is written across the landscape. Numerous cultural and archeological sites, including middens and lithic scatters, as well as a few chert and obsidian tools, have been found on these lands. Sites and artifacts on these lands provide evidence of the many generations of people who gathered the abundant abalone, fish, mussels, tubers, and seeds and yield data about prehistoric lifeways and settlements. Among the oldest artifacts found in the area is obsidian debitage material dated to over 4,000 years ago. Additionally, these lands contain reminders of the 19th century industries that played a formative role in the development of Point Arena and the greater northern California coastal region.

WHEREAS section 2 of the Act of June 8, 1906 (34 Stat. 225, 16 U.S.C. 431) (the ''Antiquities Act'') authorizes the President, in his discretion, to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Government of the United States to be national monuments, and to reserve as a part thereof parcels of land, the limits of which in all cases shall be confined to the smallest area compatible with the proper care and management of the objects to be protected;

WHEREAS it is in the public interest to preserve the objects of scientific and historic interest on the Point Arena-Stornetta Public Lands;

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by the authority vested in me by section 2 of the Antiquities Act, hereby proclaim the objects identified above that are situated upon lands and interests in lands owned or controlled by the Government of the United States to be part of the California Coastal National Monument and, for the purpose of protecting those objects, reserve as a part thereof all lands and interests in lands owned or controlled by the Government of the United States within the boundaries described on the accompanying map, which is attached hereto and forms a part of this proclamation. Together, these objects and lands shall be known as the ''Point Arena-Stornetta Unit'' of the monument (unit). The reserved Federal lands and interests in lands consist of approximately 1,665 acres, which is the smallest area compatible with the proper care and management of the objects to be protected.

All Federal lands and interests in lands within the boundaries of the unit are hereby appropriated and withdrawn from all forms of entry, location, selection, sale, leasing, or other disposition under the public land laws, including withdrawal from location, entry, and patent under the mining laws, and from disposition under all laws relating to mineral and geothermal leasing.

The establishment of the unit is subject to valid existing rights. Lands and interests in lands within the unit boundaries not owned or controlled by the Government of the United States shall be reserved as a part of the unit upon acquisition of ownership or control by the United States.

The Secretary of the Interior shall manage the unit through the Bureau of Land Management as part of the National Landscape Conservation System, pursuant to applicable legal authorities, to protect the objects identified above.

Except for emergency or authorized administrative purposes, motorized vehicle use in the unit shall be permitted only on designated roads, and non-motorized mechanized vehicle use shall be permitted only on roads and trails designated for their use.

Nothing in this proclamation shall be deemed to enlarge or diminish the rights of any Indian tribe.

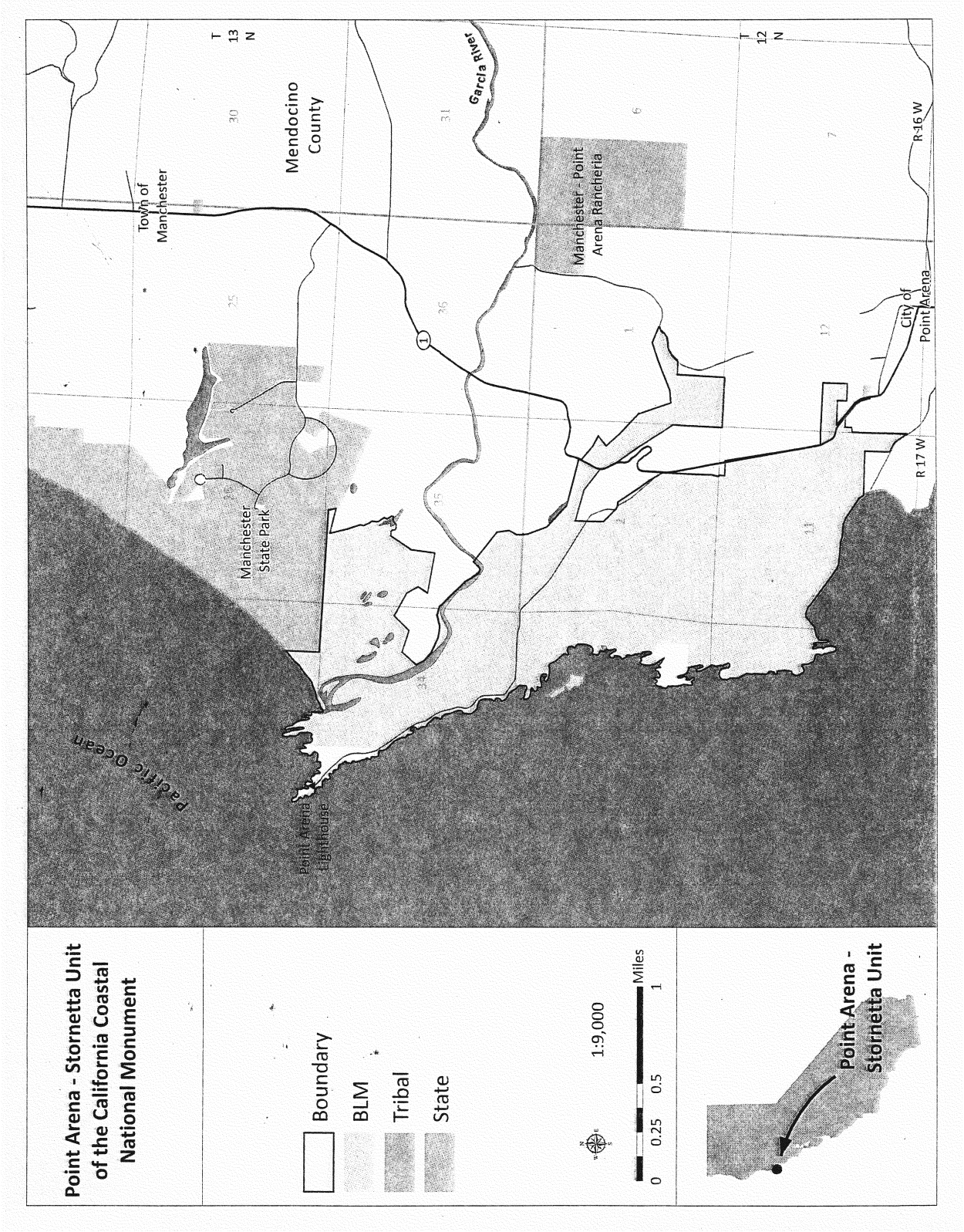
Nothing in this proclamation shall enlarge or diminish the jurisdiction or authority of the State of California, including its jurisdiction and authority with respect to fish and wildlife management.

Nothing in this proclamation shall be deemed to revoke any existing withdrawal, reservation, or appropriation; however, the monument shall be the dominant reservation.

Warning is hereby given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of this monument and not to locate or settle upon any of the lands thereof.

IN WITNESS WHEREOF, I have hereunto set my hand this eleventh day of March, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

Billing code 3295–F4–P



[FR Doc. 2014–05878

Filed 3–13–14; 11:15 a.m.]

Billing code 4310–10–C

Presidential Documents

Notice of March 12, 2014

Continuation of the National Emergency With Respect to Iran

On March 15, 1995, by Executive Order 12957, the President declared a national emergency with respect to Iran, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706), to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States constituted by the actions and policies of the Government of Iran. On May 6, 1995, the President issued Executive Order 12959, imposing more comprehensive sanctions on Iran to further respond to this threat. On August 19, 1997, the President issued Executive Order 13059, consolidating and clarifying the previous orders. I took additional steps pursuant to this national emergency in Executive Order 13553 of September 28, 2010, Executive Order 13574 of May 23, 2011, Executive Order 13590 of November 20, 2011, Executive Order 13599 of February 5, 2012, Executive Order 13606 of April 22, 2012, Executive Order 13608 of May 1, 2012, Executive Order 13622 of July 30, 2012, Executive Order 13628 of October 9, 2012, and Executive Order 13645 of June 3, 2013.

While the Joint Plan of Action (JPOA) between the P5+1 and Iran that went into effect on January 20, 2014, marks the first time in a decade that Iran has agreed to and taken specific actions to halt its nuclear program and roll it back in key respects, certain actions and policies of the Government of Iran continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For this reason, the national emergency declared on March 15, 1995, must continue in effect beyond March 15, 2014. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency with respect to Iran declared in Executive Order 12957. The emergency declared by Executive Order 12957 constitutes an emergency separate from that declared on November 14, 1979, by Executive Order 12170. This renewal, therefore, is distinct from the emergency renewal of November 2013.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

THE WHITE HOUSE,

March 12, 2014.

[FR Doc. 2014–05879

Filed 3–13–14; 11:15 am]

Billing code 3295–F4

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Federal Register

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CFR Checklist. Effective January 1, 2009, the CFR Checklist no longer appears in the Federal Register. This information can be found online at **http://bookstore.gpo.gov/.**

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