

## DEPARTMENT OF STATE

[Public Notice: 8827]

**In the Matter of the Designation of Mujahidin Shura Council in the Environs of Jerusalem (MSC); Also Known as MSC; Also Known as Mujahideen Shura Council in the Environs of Jerusalem; Also Known as Mujahideen Shura Council; Also Known as Majlis Shura al-Mujahedin Fi Aknaf Bayt al-Maqdis; Also Known as Majlis Shura al-Mujahidin; Also Known as Majlis Shura al-Mujahideen; Also Known as Magles Shoura al-Mujahddin as a Specially Designated Global Terrorist**

Acting under the authority of and in accordance with section 1(b) of Executive Order 13224 of September 23, 2001, as amended by Executive Order 13268 of July 2, 2002, and Executive Order 13284 of January 23, 2003, I hereby determine that the entity known as Mujahidin Shura Council in the Environs of Jerusalem (MSC), also known as MSC, also known as Mujahideen Shura Council in the Environs of Jerusalem, also known as Mujahideen Shura Council, also known as Majlis Shura al-Mujahedin Fi Aknaf Bayt al-Maqdis, also known as Majlis Shura al-Mujahidin, also known as Majlis Shura al-Mujahideen, also known as Magles Shoura al-Mujahddin, committed, or poses a significant risk of committing, acts of terrorism that threaten the security of U.S. nationals or the national security, foreign policy, or economy of the United States.

Consistent with the determination in section 10 of Executive Order 13224 that "prior notice to persons determined to be subject to the Order who might have a constitutional presence in the United States would render ineffectual the blocking and other measures authorized in the Order because of the ability to transfer funds instantaneously," I determine that no prior notice needs to be provided to any person subject to this determination who might have a constitutional presence in the United States, because to do so would render ineffectual the measures authorized in the Order.

This notice shall be published in the **Federal Register**.

Dated: August 1, 2014.

**John F. Kerry**,  
Secretary of State.

[FR Doc. 2014-19776 Filed 8-19-14; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

## Federal Aviation Administration

**Office of Commercial Space Transportation; Notice of Availability of the Final Environmental Assessment (EA) for Issuing an Experimental Permit to Space Exploration Technologies Corp. (SpaceX) for Operation of the DragonFly Vehicle at the McGregor Test Site, McGregor, Texas, and Finding of No Significant Impact (FONSI)**

**AGENCY:** Federal Aviation Administration (FAA), Department of Transportation (DOT).

**ACTION:** Notice of Availability.

**SUMMARY:** In accordance with the National Environmental Policy Act of 1969, as amended (NEPA; 42 U.S.C. 4321, et seq.), Council on Environmental Quality NEPA implementing regulations (40 CFR Parts 1500-1508), and FAA Order 1050.1E, Change 1, the FAA is announcing the availability of the Final EA for Issuing an Experimental Permit to SpaceX for Operation of the DragonFly Vehicle at the McGregor Test Site, McGregor, Texas, and FONSI.

**FOR FURTHER INFORMATION CONTACT:** Mr. Daniel Czelusniak, Federal Aviation Administration, 800 Independence Avenue SW., Suite 325, Washington, DC 20591; email [Daniel.Czelusniak@faa.gov](mailto:Daniel.Czelusniak@faa.gov); or phone (202) 267-5924.

**SUPPLEMENTARY INFORMATION:** The Final EA was prepared to analyze the potential environmental impacts of SpaceX's proposal to conduct suborbital launches and landings of the DragonFly reusable launch vehicle (RLV) at the McGregor, Texas test site located in McLennan and Coryell Counties. To conduct this experimental testing, SpaceX must obtain an experimental permit from the FAA. Under the Proposed Action addressed in the EA, the FAA would issue an experimental permit to SpaceX, which would authorize SpaceX to conduct suborbital launches and landings of the DragonFly RLV from the McGregor test site. To support the DragonFly RLV activities under the experimental permit, SpaceX would construct a 40 foot (ft) by 40 ft launch pad. Therefore, the Proposed Action analyzed in the EA includes the activities that would be authorized by the experimental permit (i.e., the operation of the launch vehicle) as well as the construction of the launch pad. SpaceX anticipates the DragonFly RLV program would require up to two years

to complete (2014-2015). Therefore, the Proposed Action considers one new permit and one potential permit renewal. A maximum of 30 annual operations are proposed in each year of operation.

The Final EA addresses the potential environmental impacts of implementing the Proposed Action and the No Action Alternative. Under the No Action Alternative, the FAA would not issue an experimental permit to SpaceX for the operation of the DragonFly RLV at the McGregor test site. Existing SpaceX activities would continue at the McGregor test site, which include engine testing for the Falcon 9 launch vehicle.

The impact categories considered in the Final EA include air quality; noise and compatible land use; Department of Transportation Act: Section 4(f); historical, architectural, archaeological, and cultural resources; fish, wildlife, and plants; water quality (surface waters, groundwater, wetlands, and floodplains); natural resources and energy supply; hazardous materials, pollution prevention, and solid waste; light emissions and visual impacts; and socioeconomic, environmental justice, and children's environmental health and safety risks. The Final EA also considers the potential cumulative environmental impacts.

The FAA has posted the Final EA and FONSI on the FAA Web site at [http://www.faa.gov/about/office\\_org/headquarters\\_offices/ast/environmental/review/permits/](http://www.faa.gov/about/office_org/headquarters_offices/ast/environmental/review/permits/).

The FAA published a Notice of Availability of the Draft EA in the **Federal Register** on May 21, 2014. A Notice of Availability of the Draft EA was also published in *The McGregor Mirror* on May 22, 2014. The FAA mailed copies of the Draft EA to the following agencies: Texas Historical Commission (State Historic Preservation Officer), Texas Commission on Environmental Quality, Texas Parks and Wildlife Department, and U.S. Fish and Wildlife Service. An electronic version of the Draft EA was also made available on the FAA Web site. In addition, the FAA printed and mailed a copy of the Draft EA to the McGinley Memorial Library, located at 317 Main Street, McGregor, Texas 76657. The public comment period ended on June 19, 2014. The FAA received letters from the U.S. Department of Interior, Texas Parks and Wildlife Department, and Tonkawa Tribe of Oklahoma. The Final EA responds to all substantive comments and includes any changes or edits resulting from the comments received.

Issued in Washington, DC on: August 12, 2014.

**Daniel Murray,**

*Manager, Space Transportation Development Division.*

[FR Doc. 2014-19818 Filed 8-19-14; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

[Docket No. FTA-2014-0019]

#### Notice of Proposed Buy America Waiver for the Pad and Rubber Boot of a Concrete Block Used in New York City Transit South Ferry Station's Low Vibration Track System

**AGENCY:** Federal Transit Administration, DOT.

**ACTION:** Notice of proposed Buy America waiver and request for comment.

**SUMMARY:** New York City Transit (NYCT), an agency of the Metropolitan Transportation Authority (MTA), has requested a Buy America waiver for the procurement of pads and rubber boots of a concrete block used in its Low Vibration Track (LVT) system on the basis of non-availability. The procurement for the pads and rubber boots are part of the South Ferry Station project. This notice is to inform the public of the waiver request and to seek public comment to inform FTA's decision whether to grant the request. If granted, the waiver would be limited to this one procurement for the South Ferry Station project. The waiver would be conditioned upon the requirement that NYCT must complete the safety testing of U.S.-manufactured pads and rubber boots necessary to meet its specifications within the timeframe provided herein, and to substitute U.S.-manufactured pads and rubber boots for the foreign-made pads and rubber boots to the extent possible.

**DATES:** Comments must be received by August 27, 2014. Late-filed comments will be considered to the extent practicable.

**ADDRESSES:** Please submit your comments by one of the following means, identifying your submissions by docket number FTA-2014-0019:

1. *Web site:* <http://www.regulations.gov>. Follow the instructions for submitting comments on the U.S. Government electronic docket site.

2. *Fax:* (202) 493-2251.

3. *Mail:* U.S. Department of Transportation, 1200 New Jersey Avenue SE., Docket Operations, M-30,

West Building, Ground Floor, Room W12-140, Washington, DC 20590-0001.

4. *Hand Delivery:* U.S. Department of Transportation, 1200 New Jersey Avenue SE., Docket Operations, M-30, West Building, Ground Floor, Room W12-140, Washington, DC 20590-0001 between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

*Instructions:* All submissions must make reference to the "Federal Transit Administration" and include docket number FTA-2014-0019. Due to the security procedures in effect since October 2011, mail received through the U.S. Postal Service may be subject to delays. Parties making submissions responsive to this notice should consider using an express mail firm to ensure the prompt filing of any submissions not filed electronically or by hand. Note that all submissions received, including any personal information therein, will be posted without change or alteration to <http://www.regulations.gov>. For more information, you may review DOT's complete Privacy Act Statement in the **Federal Register** published April 11, 2000 (65 FR 19477), or you may visit <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:**

Mary J. Lee, Attorney-Advisor, at (202) 366-0985 or [mary.j.lee@dot.gov](mailto:mary.j.lee@dot.gov).

**SUPPLEMENTARY INFORMATION:** The purpose of this notice is to provide notice and seek comment on whether FTA should grant a non-availability waiver for the procurement of the pad and rubber boot of the concrete block used in NYCT's LVT system for the South Ferry Station Project.

With certain exceptions, FTA's Buy America requirements prevent FTA from obligating an amount that may be appropriated to carry out its program for a project unless "the steel, iron, and manufactured goods used in the project are produced in the United States." 49 U.S.C. 5323(j)(1). A manufactured product is considered produced in the United States if: (1) The manufacturing processes for the product take place in the United States; and (2) the components of the product are of U.S. origin. A component is considered of U.S. origin if it is manufactured in the United States, regardless of the origin of its subcomponents. 49 CFR 661.5(d). If, however, FTA determines that "the steel, iron, and goods produced in the United States are not produced in a sufficient and reasonably available amount or are not of a satisfactory quality," then FTA may issue a waiver (non-availability waiver). 49 U.S.C. 5323(j)(2)(B); 49 CFR 661.7(c).

On March 21, 2014, FTA granted a waiver for the pad and the rubber boot to MTA Capital Construction Company, a construction management company for MTA expansion projects that is responsible for managing NYCT's Second Avenue Subway (SAS) Project. This waiver was limited to Phase 1 of the SAS Project and in granting the waiver FTA expressed its expectation that MTA would continue its good faith efforts to seek U.S. manufacturers of the pad and rubber boot. On April 29, 2014, FTA followed up with a letter and reiterated its expectations that MTA continue to seek U.S.-manufactured pads and rubber boots and provided its findings on potential U.S. manufacturers.<sup>1</sup>

On July 14, 2014, NYCT requested another Buy America waiver for the pads and rubber boots to be procured for its South Ferry Station project. While NYCT has been conducting its own searches for U.S. manufacturers to find a U.S.-made pad and rubber boot, and Construction Polymers Technologies, Inc. (CPT)—the manufacturer for the concrete block for which the pad and rubber boot are components—has found U.S. manufacturers, NYCT asserts that safety testing of U.S.-manufactured pads and boots must be conducted before they can be used in NYCT's LVT system. NYCT represents that all of the necessary testing that it must undertake with respect to new and untested items such as the pad and the boot will take approximately three months *after* CPT conducts its own testing and produces its results. FTA has been informed that CPT expects to produce its test results to NYCT on or about September 15, 2014. Accordingly, because of the timing of the contract award, which NYCT anticipates will occur by the end of September 2014, as well as the construction schedule, NYCT has requested a waiver. If the waiver is not granted, NYCT asserts that there would be no Buy America compliant items that also meet its safety specifications, which cannot be waived.

The purpose of this notice is to publish the waiver request and seek public comment from all interested parties in accordance with 49 U.S.C. 5323(j)(3)(A). Comments will help FTA understand completely the facts surrounding the request, including the effects of a potential waiver and the merits of the request. If the waiver is

<sup>1</sup> FTA leveraged the resources of the U.S. Department of Commerce, National Institute of Standards and Technology (NIST), through an interagency agreement currently in place, and had NIST conduct a supplier scouting resulting in a report completed by NIST of potential U.S.-manufacturers for the pad and rubber boot.