

municipal solid waste receiving and processing building; processed refuse fuel storage building; boiler and steam turbine; emission control system; ash processing and storage building; and other associated infrastructure and buildings. Two other connected actions, which would be constructed by other utilities, include installation of an approximately 2.0-mile raw water line and construction of a 38 kilovolt (kV) transmission line approximately 0.8 miles in length. The connected actions will be addressed in the EIS.

Among the alternatives that RUS will address in the EIS is the No Action alternative, under which the proposal would not be undertaken. In the EIS, the effects of the proposal will be compared to the existing conditions in the proposal area. Public health and safety, environmental impacts, and engineering aspects of the proposal will be considered in the EIS.

RUS is the lead Federal agency, as defined at 40 CFR 1501.5, for preparation of the EIS. With this Notice, Federal and State agencies and federally recognized Native American Tribes with jurisdiction or special expertise are invited to be cooperating agencies. Such agencies or tribes may make a request to RUS to be a cooperating agency by contacting the RUS contact provided in this Notice. Designated cooperating agencies have certain responsibilities to support the NEPA and scoping process, as specified at 40 CFR 1501.6(b).

As part of its broad environmental review process, RUS must take into account the effect of the proposal on historic properties in accordance with Section 106 of the National Historic Preservation Act (Section 106) and its implementing regulation, "Protection of Historic Properties" (36 CFR part 800). Pursuant to 36 CFR 800.2(d)(3), RUS is using its procedures for public involvement under NEPA to meet its responsibilities to solicit and consider the views of the public during Section 106 review. Accordingly, comments submitted in response to this Notice will inform RUS decision-making during Section 106 review.

As applicable, the EIS will document changes in the affected environment and environmental consequences that may have occurred since the PRIDCO-prepared Final EIS was published in 2010 and USEPA's PSD permit action. The PRIDCO-prepared Final EIS is available in both Spanish and English for review at the addresses provided in this Notice. USEPA PSD permit actions are available for review at the address provided in this notice. RUS's EIS will incorporate this documentation by reference and focus on those topics that

have changed since PRIDCO's Final EIS was published. RUS's Draft EIS will be available for review and comment for 45 days. Following the 45-day review period, RUS will prepare a Final EIS. After a 30-day review period, RUS will publish a Record of Decision (ROD). Notices announcing the availability of the Draft EIS, Final EIS and the ROD will be published in the **Federal Register** and in local newspapers.

Any final action by RUS related to the proposal will be subject to, and contingent upon, compliance with all relevant executive orders and federal, state, and local environmental laws and regulations in addition to the completion of the environmental review requirements as prescribed in RUS's Environmental Policies and Procedures, 7 CFR part 1794, as amended.

Dated: November 19, 2014.

**Mark S. Plank,**

*Director, Engineering and Environmental Staff, USDA, Rural Utilities Service.*

[FR Doc. 2014-28101 Filed 11-26-14; 8:45 am]

**BILLING CODE 3410-15-P**

## DEPARTMENT OF AGRICULTURE

### Rural Utilities Service

#### Environmental Review of Telecommunications Program Projects

**AGENCY:** Rural Utilities Service, USDA.

**ACTION:** Request for public comment.

**SUMMARY:** The Rural Utilities Service (RUS), an agency of the United States Department of Agriculture, hereinafter referred to as "agency," seeks public and Federal agency comments regarding the preparation of a Programmatic Environmental Assessment for the development of a more efficient and effective environmental review process for the RUS Telecommunications Program—an environmental review process that is commensurate with the potential environmental impacts of both wired and wireless projects financed by the agency. RUS is seeking comment from interested stakeholders to contribute to the development of agency procedures for implementing the environmental review procedures of the Telecommunications Infrastructure Loan Program, Farm Bill Broadband Loan Program, Community Connect Grant Program, and Distance Learning and Telemedicine Program. The proposed review process will support the agency's mission of facilitating the development of affordable, reliable utility infrastructure to improve the quality of life and promote economic development in rural America.

**DATES:** Interested parties must submit written comments on or before January 27, 2015.

**ADDRESSES:** Submit comments, identified by docket number RUS-14-Telecom-0008, by any of the following methods:

*Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow instructions for submitting comments.

*Postal Mail/Commercial Delivery/Hand Delivery:* Michele Brooks, Director, Program Development and Regulatory Analysis, USDA Rural Development, 1400 Independence Avenue SW., STOP 1522, Room 5159, Washington, DC 20250-1522.

RUS will post all comments received without change, including any personal information that is included with the comment, on <http://www.regulations.gov>.

Comments will be available for inspection online at <http://www.regulations.gov> and at the address listed above between 8:00 a.m. and 4:30 p.m., Monday through Friday, except holidays. A copy of this publication is also available through the Rural Development homepage at [http://www.rurdev.usda.gov/RDU\\_FederalRegisterPubs.html](http://www.rurdev.usda.gov/RDU_FederalRegisterPubs.html). Additional information about the Agency and its programs is available on the Internet at <http://www.rurdev.usda.gov/home.html>.

#### FOR FURTHER INFORMATION CONTACT:

Emily Orler, USDA, Rural Utilities Service, 1400 Independence Avenue SW., Stop 1571, Room 2244-S, Washington, DC 20250-1570, Telephone (202) 720-1414 or email to: [Emily.Orler@wdc.usda.gov](mailto:Emily.Orler@wdc.usda.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

The RUS Telecommunications Program provides a variety of loans and grants to build and expand broadband networks in rural America. Loans to build broadband networks and deliver service to households and businesses in rural communities provide a necessary source of capital for rural telecommunications companies, broadband, wireless companies, and fiber-to-the-home providers. Grant funding is awarded based on a number of factors relating to the benefits to be derived from the proposed broadband network project, as specified in applicable program regulations.

Eligible applicants for RUS loans and grants include for-profit and non-profit entities, tribes, municipalities, and cooperatives. The agency particularly encourages investment in tribal and economically disadvantaged areas. Through low-cost funding for broadband infrastructure, rural residents

can have access to broadband services that will close the digital divide between rural and urban communities, that is sustainable over time, and is crucial for economic development. Once funds are awarded, RUS monitors the projects to make sure they are completed in accordance with program requirements. Each loan and grant program has different applicants, project eligibility requirements, and program objectives.

The Telecommunications Program includes the following programs:

Telecommunications Infrastructure Loan Program provides loans for a variety of applicable technologies, for the costs of construction, improvement, expansion, and acquisition (some restrictions apply) of facilities and equipment to provide telecommunications services in rural areas;

Farm Bill Broadband Loan Program provides loans for a variety of applicable technologies, for costs of construction, improvement, expansion, and acquisition (some restrictions apply) of facilities and equipment to provide broadband service to eligible rural communities;

Community Connect Grant Program provides grants to eligible applicants for broadband access to rural communities currently without broadband service. Priority is given to areas where development of new broadband services will improve economic development and provide enhanced educational and healthcare opportunities. The program serves the most rural, lowest income communities without existing broadband access; and

Distance Learning and Telemedicine Grant Program provides grants for distance learning and telemedicine in rural areas through the use of telecommunications, computer networks, and related advanced technologies to be used by students, teachers, medical professionals, and other rural residents. Grants are awarded based on rurality and economic need through a competitive process and may be used to fund telecommunications-enabled information, audio, and video equipment.

In accordance with the National Environmental Policy Act (NEPA), National Historic Preservation Act (NHPA), the Endangered Species Act (ESA) and other applicable environmental statutes, regulations, and Executive Orders, RUS must evaluate the environmental impact of its actions prior to taking those actions. RUS actions include the approval of financial assistance for project proposals by

eligible applicants within eligible service areas.

The application process for requesting financial assistance for the Telecommunications programs varies slightly from a competitive grant program, individual project proposals, or multi-year "loan design" applications. Accordingly, each program's application process and resulting environmental review process is administered differently. The agency seeks to synchronize future environmental review compliance processes for all Telecommunications Programs and develop a more efficient and effective environmental review process commensurate to the potential environmental impacts of Telecommunications Program projects.

The Programmatic Environmental Assessment of the Telecommunications Program will provide an analysis of the RUS administrative record of past Telecommunications Program projects regarding NEPA, NHPA, and ESA. The analysis will address telecommunication technologies and construction methods, and evaluate alternative program delivery processes for individual projects and loan design applications relevant to existing and future RUS Telecommunications Program projects. If appropriate, the Programmatic Environmental Assessment will provide a basis for preliminary environmental review decisions.

#### **Request for Comment**

Stakeholder input is vital to improving delivery of the Telecommunications Program to agency participants and the public. The following questions are intended to guide stakeholder comments; however, RUS welcomes pertinent comments beyond the scope of these questions. RUS is requesting comment and discussion from the following stakeholders:

#### *Interested or Affected Citizens*

1. What are your primary concerns with the construction of wired broadband infrastructure in or near road rights-of-way, on existing electrical distribution poles or towers, or on new poles or towers?

2. What environmental issues do you want studied as part of the environmental review of Telecommunications Program projects? Please address your recommendations for wired or wireless technology projects.

3. What environmental protection and design and construction standards would you like Telecommunications

Program participants to use during project construction?

4. How would you like to be involved in RUS and applicant planning for broadband projects?

5. How would you benefit from broadband availability or improvements in your area?

#### *Broadband Providers*

1. What are your greatest challenges in completing environmental reviews, including NEPA, NHPA, and ESA for both wired and wireless technologies?

2. For projects requiring the use of Federal land, what are the greatest challenges in obtaining the necessary land use authorizations or permits?

3. What do you believe is a reasonable length of time for RUS to consider a completed loan application, including environmental reviews and compliance, before making a decision to fund a project?

4. What should RUS do to expedite the completion of environmental reviews and compliance during the review of project applications, particularly for projects that cross land with multiple ownership, *i.e.*, private, Federal, state, or tribal lands?

5. What additional guidance do you want from RUS field personnel to assist you in completing the necessary requirements for a loan or grant application, including environmental reviews and Federal land use permits if they are needed?

6. What environmental protection measures and/or design and construction standard operating procedures for environmental protection have you found to be most efficient and cost-effective?

#### *Federal Land Management and Other Agencies as Appropriate*

1. How and when would you like to be contacted regarding a pending Telecommunications Program project application that relates to or affects your agency's responsibilities?

2. Telecommunications Program projects at times require the use of Federal land, requiring authorization by the relevant Federal land management agency. The land use request prepared by the applicant is summarized in a SF-299 form with appropriate attachments. What information, studies, and reports are most important to you in fulfilling your agency's responsibilities for environmental review of the decision to authorize, modify, or deny a requested land use? Is there a difference in requested information if the proposal is a wired or wireless proposal?

3. If your agency requires an applicant to submit environmental information to

be evaluated during the consideration of a request to use Federal land, how is guidance provided to the applicant by your agency prior to completion of the SF-299? What role should the Telecommunications Program play in providing guidance to such applicants?

4. The Programmatic Environmental Assessment of the Telecommunications Program will outline the Federal land management agencies' categorical exclusions and procedures for identifying extraordinary circumstances. The RUS environmental document will also acknowledge that the use and occupancy of Federal land by some Telecommunications Program projects is necessary and, in particular circumstances with necessary authorizations, appropriate. What barriers do you envision in adopting a RUS environmental document in the consideration of your agency's decisions to authorize a special use permit by a Telecommunications Program participant?

5. How can RUS and other Federal agencies work together to share information as well as train managers and staff at the field levels regarding broadband issues and necessary environmental reviews and Federal decisionmaking, including land use authorizations?

Dated: November 4, 2014.

**Jasper Schneider,**

*Acting Administrator, Rural Utilities Service.*

[FR Doc. 2014-28100 Filed 11-26-14; 8:45 am]

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## DEPARTMENT OF COMMERCE

### Bureau of Industry and Security

#### **In the Matter of: Lev Steinberg, 119 Mackenzie Street, Brooklyn, New York 11235; Order Denying Export Privileges**

On February 25, 2014, in the U.S. District Court for the Southern District of New York, Lev Steinberg ("Steinberg") was convicted of violating the International Emergency Economic Powers Act (50 U.S.C. 1701, *et seq.* (2006 & Supp. IV 2010)) ("IEEPA"). Specifically, Steinberg unlawfully, willfully and knowingly exported and attempted to export from the United States to Russia, items on the Commerce Control List, namely, an Eo-Tech 552 holographic weapons scope and other items, without first having obtained a license to do so from the United States Department of Commerce. Steinberg was sentenced to probation for a term of 12 months, criminal fine of \$4000 and a \$200 assessment.

Section 766.25 of the Export Administration Regulations ("EAR" or "Regulations")<sup>1</sup> provides, in pertinent part, that "[t]he Director of the Office of Exporter Services, in consultation with the Director of the Office of Export Enforcement, may deny the export privileges of any person who has been convicted of a violation of the Export Administration Act ("EAA"), the EAR, or any order, license or authorization issued thereunder; any regulation, license, or order issued under the International Emergency Economic Powers Act (50 U.S.C. 1701-1706); 18 U.S.C. 793, 794 or 798; section 4(b) of the Internal Security Act of 1950 (50 U.S.C. 783(b)), or section 38 of the Arms Export Control Act (22 U.S.C. 2778)." 15 CFR 766.25(a); *see also* Section 11(h) of the EAA, 50 U.S.C. app. § 2410(h). The denial of export privileges under this provision may be for a period of up to 10 years from the date of the conviction. 15 CFR 766.25(d); *see also* 50 U.S.C. app. § 2410(h). In addition, Section 750.8 of the Regulations states that the Bureau of Industry and Security's Office of Exporter Services may revoke any Bureau of Industry and Security ("BIS") licenses previously issued in which the person had an interest in at the time of his conviction.

BIS has received notice of Steinberg's conviction for violating the IEEPA, and in accordance with Section 766.25 of the Regulations, BIS has provided notice and an opportunity for Steinberg to make a written submission to BIS. BIS has not received a submission from Steinberg.

Based upon my review and consultations with BIS's Office of Export Enforcement, including its Director, and the facts available to BIS, I have decided to deny Steinberg's export privileges under the Regulations for a period of two (2) years from the date of Steinberg's conviction. I have also decided to revoke all licenses issued pursuant to the Act or Regulations in which Steinberg had an interest at the time of his conviction.

Accordingly, *it is hereby ordered:*

First, from the date of this Order until February 25, 2016, Lev Steinberg, with

<sup>1</sup> The Regulations are currently codified in the Code of Federal Regulations at 15 CFR parts 730-774 (2014). The Regulations issued pursuant to the Export Administration Act (50 U.S.C. app. §§ 2401-2420 (2000)) ("EAA"). Since August 21, 2001, the EAA has been in lapse and the President, through Executive Order 13222 of August 17, 2001 (3 CFR, 2001 Comp. 783 (2002)), which has been extended by successive Presidential Notices, the most recent being that of August 7, 2014 (79 FR 46959 (August 11, 2014)), has continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. 1701, *et seq.* (2006 & Supp. IV 2010)).

a last known address of 119 Mackenzie Street, Brooklyn, New York 11235, and when acting for or on his behalf, his successors, assigns, employees, agents or representatives (the "Denied Person"), may not, directly or indirectly, participate in any way in any transaction involving any commodity, software or technology (hereinafter collectively referred to as "item") exported or to be exported from the United States that is subject to the Regulations, including, but not limited to:

A. Applying for, obtaining, or using any license, License Exception, or export control document;

B. Carrying on negotiations concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding, transporting, financing, or otherwise servicing in any way, any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or in any other activity subject to the Regulations; or

C. Benefitting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or in any other activity subject to the Regulations.

Second, no person may, directly or indirectly, do any of the following:

A. Export or reexport to or on behalf of the Denied Person any item subject to the Regulations;

B. Take any action that facilitates the acquisition or attempted acquisition by the Denied Person of the ownership, possession, or control of any item subject to the Regulations that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby the Denied Person acquires or attempts to acquire such ownership, possession or control;

C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from the Denied Person of any item subject to the Regulations that has been exported from the United States;

D. Obtain from the Denied Person in the United States any item subject to the Regulations with knowledge or reason to know that the item will be, or is intended to be, exported from the United States; or

E. Engage in any transaction to service any item subject to the Regulations that has been or will be exported from the United States and which is owned, possessed or controlled by the Denied Person, or service any item, of whatever origin, that is owned, possessed or