AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

FEDERAL REGISTER

Vol. 80 Friday,

No. 64 April 3, 2015

Pages 18083–18304

OFFICE OF THE FEDERAL REGISTER

The **FEDERAL REGISTER** (ISSN 0097–6326) is published daily, Monday through Friday, except official holidays, by the Office of the Federal Register, National Archives and Records Administration, Washington, DC 20408, under the Federal Register Act (44 U.S.C. Ch. 15) and the regulations of the Administrative Committee of the Federal Register (1 CFR Ch. I). The Superintendent of Documents, U.S. Government Publishing Office, Washington, DC 20402 is the exclusive distributor of the official edition. Periodicals postage is paid at Washington, DC.

The **FEDERAL REGISTER** provides a uniform system for making available to the public regulations and legal notices issued by Federal agencies. These include Presidential proclamations and Executive Orders, Federal agency documents having general applicability and legal effect, documents required to be published by act of Congress, and other Federal agency documents of public interest.

Documents are on file for public inspection in the Office of the Federal Register the day before they are published, unless the issuing agency requests earlier filing. For a list of documents currently on file for public inspection, see *www.ofr.gov.*

The seal of the National Archives and Records Administration authenticates the Federal Register as the official serial publication established under the Federal Register Act. Under 44 U.S.C. 1507, the contents of the **Federal Register** shall be judicially noticed.

The **Federal Register** is published in paper and on 24x microfiche. It is also available online at no charge at *www.fdsys.gov*, a service of the U.S. Government Publishing Office.

The online edition of the **Federal Register** is issued under the authority of the Administrative Committee of the Federal Register as the official legal equivalent of the paper and microfiche editions (44 U.S.C. 4101 and 1 CFR 5.10). It is updated by 6:00 a.m. each day the **Federal Register** is published and includes both text and graphics from Volume 59, 1 (January 2, 1994) forward. For more information, contact the GPO Customer Contact Center, U.S. Government Publishing Office. Phone 202-512-1800 or 866-512-1800 (toll free). E-mail, *gpocusthelp.com.*

The annual subscription price for the **Federal Register** paper edition is $749 plus postage, or $808, plus postage, for a combined **Federal Register, Federal Register** Index and List of CFR Sections Affected (LSA) subscription; the microfiche edition of the **Federal Register** including the **Federal Register** Index and LSA is $165, plus postage. Six month subscriptions are available for one-half the annual rate. The prevailing postal rates will be applied to orders according to the delivery method requested. The price of a single copy of the daily **Federal Register,** including postage, is based on the number of pages: $11 for an issue containing less than 200 pages; $22 for an issue containing 200 to 400 pages; and $33 for an issue containing more than 400 pages. Single issues of the microfiche edition may be purchased for $3 per copy, including postage. Remit check or money order, made payable to the Superintendent of Documents, or charge to your GPO Deposit Account, VISA, MasterCard, American Express, or Discover. Mail to: U.S. Government Publishing Office—New Orders, P.O. Box 979050, St. Louis, MO 63197-9000; or call toll free 1-866-512-1800, DC area 202-512-1800; or go to the U.S. Government Online Bookstore site, see *bookstore.gpo.gov.*

There are no restrictions on the republication of material appearing in the **Federal Register.**

How To Cite This Publication: Use the volume number and the page number. Example: 80 FR 12345.

Postmaster: Send address changes to the Superintendent of Documents, Federal Register, U.S. Government Publishing Office, Washington, DC 20402, along with the entire mailing label from the last issue received.

SUBSCRIPTIONS AND COPIES

PUBLIC

Subscriptions:

Paper or fiche	**202–512–1800**
Assistance with public subscriptions	**202–512–1806**
General online information	**202–512–1530; 1–888–293–6498**

Single copies/back copies:

Paper or fiche	**202–512–1800**
Assistance with public single copies	**1–866–512–1800 (Toll-Free)**

FEDERAL AGENCIES

Subscriptions:

Assistance with Federal agency subscriptions:

Email	*FRSubscriptions@nara.gov*
Phone	**202–741–6000**

Printed on recycled paper.

Contents

Federal Register

Vol. 80, No. 64

Friday, April 3, 2015

Agriculture Department
See Forest Service
NOTICES
Meetings:
National Agricultural Research, Extension, Education, and Economics Advisory Board, 18188

Architectural and Transportation Barriers Compliance Board

PROPOSED RULES
Information and Communication Technology Standards and Guidelines, 18177

Bureau of Consumer Financial Protection
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 18217

Centers for Disease Control and Prevention
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 18238–18239, 18242–18243
Meetings:
Clinical Laboratory Improvement Advisory Committee, 18244

Civil Rights Commission
NOTICES
Meetings:
Mississippi Advisory Committee, 18191
Montana Advisory Committee, 18190
Tennessee Advisory Committee, 18190–18191

Coast Guard
RULES
Drawbridge Operations:
Hoquiam River, Hoquiam, WA, 18114–18116
PROPOSED RULES
Anchorage Grounds:
Lower Mississippi River below Baton Rouge, LA, including South and Southwest Passes; New Orleans, LA, 18175–18177
NOTICES
Requests for Nominations:
Great Lakes Pilotage Advisory Committee, 18245–18246

Commerce Department
See Economics and Statistics Administration
See Foreign-Trade Zones Board
See Industry and Security Bureau
See International Trade Administration
See National Institute of Standards and Technology
See National Oceanic and Atmospheric Administration

Committee for Purchase From People Who Are Blind or Severely Disabled
NOTICES
Procurement List; Additions and Deletions, 18215–18217

Consumer Product Safety Commission
NOTICES
Review of the Standard for the Flammability Open Flame of Mattress Sets, 18218–18219

Defense Department
See Engineers Corps
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 18223
Funding Opportunities:
Office of Economic Adjustment, 18219–18223

Economics and Statistics Administration
NOTICES
Meetings:
Commerce Data Advisory Council, 18200

Energy Department
See Federal Energy Regulatory Commission
PROPOSED RULES
Energy Conservation Program for Consumer Products:
Standards for Residential Water Heaters; Withdrawal, 18167–18168

Engineers Corps
NOTICES
Environmental Assessments; Availability, etc.:
Preparation of a Dredged Material Management Plan for Noyo Harbor, Fort Bragg, Mendocino County, CA; Meeting, 18223–18224

Environmental Protection Agency
RULES
Air Quality Implementation Plans; Approvals and Promulgations:
Pechanga Band of Luiseno Mission Indians; Tribal Implementation Plan and Designation of Air Quality Planning Area, 18120–18133
Air Quality State Implementation Plans; Approvals and Promulgations:
Iowa; Permit Modifications; Muscatine, Iowa, 18133–18136
Extension of Tolerances for Emergency Exemptions, 18141–18143
National Priorities List:
National Oil and Hazardous Substances Pollution Contingency Plan, 18144
Regulation of Fuels and Fuel Additives:
Cellulosic Waiver Credit Price and Minor Amendments to Renewable Fuel Standard Regulations, 18136–18141
PROPOSED RULES
Air Quality State Implementation Plans; Approvals and Promulgations:
California; San Joaquin Valley, South Coast Air Basin, Coachella Valley, and Sacramento Metro Ozone Nonattainment Areas; Reclassification, 18184–18185
Iowa; Permit Modifications; Muscatine, IA, 18179
Regulation of Fuels and Fuel Additives:
Cellulosic Waiver Credit Price and Minor Amendments to Renewable Fuel Standard Regulations, 18179–18184

State Implementation Plan Requirements:
Fine Particulate Matter National Ambient Air Quality Standards, 18177–18179
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 18227
Certain New Chemicals; Receipt and Status Information, 18227–18232
Environmental Impact Statements; Availability, etc.; Weekly Receipts, 18226–18227
Meetings:
Exposure Modeling, 18232–18233
National Environmental Justice Advisory Council; Teleconference, 18233–18234
Spatial Aquatic Model Development, 18232

Federal Aviation Administration
RULES
Airworthiness Directives:
Rolls-Royce plc Turbofan Engines, 18083–18084
IFR Altitudes, 18084–18086
PROPOSED RULES
Designation of Safety Information as Protected from Disclosure
Federal Contract Tower Safety Action Program and Air Traffic Safety Action Program for Engineers & Architects, et al., 18168–18171

Federal Communications Commission
RULES
Private Land Mobile Radio Services, 18144–18146
PROPOSED RULES
Defining Commencement of Operations in the 600 MHz Band, 18185–18187

Federal Energy Regulatory Commission
NOTICES
Combined Filings, 18224–18226

Federal Mine Safety and Health Review Commission
NOTICES
Meetings; Sunshine Act, 18234

Federal Motor Carrier Safety Administration
RULES
Civil Penalties Inflation Adjustments, 18146–18158
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Application for Certificate of Registration for Foreign Motor Carriers and Foreign Motor Private Carriers, 18293–18294
Electronic Logging Device Registration, 18295–18298
Licensing Applications for Motor Carrier Operating Authority, 18278–18279

Federal Railroad Administration
NOTICES
Approvals of Discontinuance; Applications:
Modification of a Railroad Signal System, 18282
Petitions for Waivers of Compliance, 18282–18283
Petitions for Waivers of Compliance; Public Hearing, 18292–18293

Federal Reserve System
NOTICES
Federal Open Market Committee Domestic Policy Directive, 18234–18235
Formations of, Acquisitions by, and Mergers of Bank Holding Companies, 18235

Federal Transit Administration
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals; Correction, 18283

Food and Drug Administration
RULES
Change of Addresses; Technical Amendment, 18087–18095
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Food Labeling; Nutrition Labeling of Standard Menu Items in Restaurants and Similar Retail Food Establishments, 18235
Guidance:
Residual Solvents in Animal Drug Products; Questions and Answers, 18239–18240
Identifying Potential Biomarkers for Qualification and Describing Contexts of Use to Address Areas Important to Drug Development, 18244
Requests for Nominations:
Individuals and Consumer Organizations for Advisory Committees, 18235–18238

Foreign-Trade Zones Board
NOTICES
Applications for Subzone Status:
MAT Industries, LLC; Springfield, MN, 18197
Authorization of Production Activity:
Isola USA Corp.; South Carolina, 18196

Forest Service
NOTICES
Environmental Impact Statements; Availability, etc.:
Proposed East Smoky Panel Mine Project, Smoky Canyon Mine, Caribou County, ID, 18250–18253
Newspapers for Publication:
Southwestern Region, 18188–18190

Geological Survey
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 18253

Government Ethics Office
PROPOSED RULES
Updating Amendments to Office of Government Ethics Organization and Functions Regulations; Updating Amendments to Implementation of Office of Government Ethics Statutory Gift Acceptance Authority; Proposed Amendments to Freedom of Information Act Regulations, 18160–18167

Health and Human Services Department
See Centers for Disease Control and Prevention
See Food and Drug Administration
See Health Resources and Services Administration
See National Institutes of Health

Health Resources and Services Administration
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Shortage Designation Management System, 18240–18241

Homeland Security Department
See Coast Guard
See U.S. Immigration and Customs Enforcement

Housing and Urban Development Department
RULES
Federal Housing Administration:
Removal of Section 235 Home Ownership Program Regulations, 18095–18096
NOTICES
Digital Opportunity Demonstration, 18248–18250
Federal Property Suitable as Facilities to Assist the Homeless, 18246–18248

Industry and Security Bureau
NOTICES
Orders:
Yavuz Cizmeci, 18194–18195

Interior Department
See Geological Survey
See Land Management Bureau

Internal Revenue Service
RULES
Allocation of Controlled Group Research Credit, 18096–18099
PROPOSED RULES
Allocation of Controlled Group Research Credit, 18171–18172

International Trade Administration
NOTICES
Antidumping or Countervailing Duty Investigations, Orders, or Reviews:
Frozen Warmwater Shrimp from India and Thailand, 18202–18215
Steel Threaded Rod from the People's Republic of China, 18200–18202
Export Trade Certificates of Review, 18197–18198

International Trade Commission
NOTICES
Investigations; Determinations, Modifications, and Rulings, etc.:
Certain Electronic Devices, Including Wireless Communication Devices, Computers, Tablet Computers, Digital Media Players, and Cameras, 18254–18255
Certain Wireless Standard Compliant Electronic Devices, Including Communication Devices and Tablet Computers, 18255–18256
Saccharin from China, 18254

Justice Department
RULES
Freedom of Information Act Regulations; Revision, 18099–18114
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Application for Registration and Registration Renewal, 18258–18259
Application for Registration and Registration Renewal, Affidavit for Chain Renewal, 18257–18258
Regulated Transactions Involving Extraordinary Quantities and in Tableting/Encapsulating Machines, Uncommon Methods of Payment and Unusual/Excessive Loss or Disappearance, 18256–18257

Labor Department
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Bureau of Labor Statistics Occupational Safety and Health Statistics Cooperative Agreement Application Package, 18259–18260
Labor Standards for the Registration of Apprenticeship Programs, 18260–18261

Land Management Bureau
NOTICES
Environmental Impact Statements; Availability, etc.:
Proposed East Smoky Panel Mine Project, Smoky Canyon Mine, Caribou County, ID, 18250–18253
Meetings:
California Desert District Advisory Council, 18253–18254

National Highway Traffic Safety Administration
NOTICES
Importation Eligibility; Petition Approvals:
Nonconforming 2012 McLaren MP4–12C Passenger Cars, 18279–18281
Petitions for Decisions of Inconsequential Noncompliance:
BMW of North America, LLC, 18294–18295

National Institute of Standards and Technology
NOTICES
National Cybersecurity Center of Excellence Access Rights Management Use Case for the Financial Services Sector, 18198–18200

National Institutes of Health
NOTICES
Meetings:
Center for Scientific Review, 18241–18242
National Institute of Neurological Disorders and Stroke, 18241

National Oceanic and Atmospheric Administration
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 18193–18194, 18196–18198
Meetings:
Caribbean Fishery Management Council, 18191–18192
Fisheries of the Gulf of Mexico; Southeast Data, Assessment, and Review: Data Review, 18195–18196
New England Fishery Management Council, 18192–18193

Nuclear Regulatory Commission
NOTICES
License Transfers:
Municipal Electric Authority of Georgia, Vogtle Electric Generating Plant, Units 3 and 4, 18262–18263
Privacy Act; Systems of Records, 18263
Standard Review Plans:
Missiles Generated by Extreme Winds, 18261–18262

Pension Benefit Guaranty Corporation
PROPOSED RULES
Multiemployer Plans; Electronic Filing Requirements, 18172–18175

Personnel Management Office
PROPOSED RULES
Federal Employees' Retirement System:
Present Value Conversion Factors for Spouses of Deceased Separated Employees, 18159–18160

NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Report of Withholdings and Contributions for Health Benefits, Life Insurance, Retirement, etc., 18266–18267
Civil Service Retirement System; Present Value Factors, 18263–18265
Federal Employees' Retirement System; Present Value Factors, 18265–18266

Postal Regulatory Commission
RULES
Update to Product Lists, 18117–18119
NOTICES
New Postal Products, 18267–18268

Postal Service
NOTICES
Product Changes:
Parcel Select Negotiated Service Agreement, 18268
Priority Mail Express, Priority Mail, and First-Class Package Service Negotiated Service Agreement, 18269
Priority Mail Negotiated Service Agreement, 18268

Presidential Documents
PROCLAMATIONS
Special Observances:
National Child Abuse Prevention Month (Proc. 9245), 18299–18302
National Financial Capability Month (Proc. 9246), 18303–18304

Science and Technology Policy Office
NOTICES
Impact of the Select Agent and Toxin Regulations; Correction, 18269

Securities and Exchange Commission
NOTICES
Applications for Deregistration, 18273–18274
Self-Regulatory Organizations; Proposed Rule Changes:
NYSE Arca, Inc., 18269–18273

State Department
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Department of State Acquisition Regulation, 18274–18275
Electronic Choice of Address and Agent, 18275–18276
Culturally Significant Objects Imported for Exhibition:
1700s Beadwork of Southeastern Tribes, 18274
Byzantium to Russia, the Origins and Development of Russian Icons 1200 to 1900, 18275

Surface Transportation Board
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Application to Open a Billing Account, 18281–18282

Susquehanna River Basin Commission
NOTICES
Public Hearings, 18276–18277

Tennessee Valley Authority
NOTICES
Meetings:
Regional Energy Resource Council, Public Sessions, 18277–18278

Transportation Department
See Federal Aviation Administration
See Federal Motor Carrier Safety Administration
See Federal Railroad Administration
See Federal Transit Administration
See National Highway Traffic Safety Administration
See Surface Transportation Board
NOTICES
Funding Availability:
National Infrastructure Investments under the Consolidated and Further Continuing Appropriations Act,, 18283–18292

Treasury Department
See Internal Revenue Service

U.S. Immigration and Customs Enforcement
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 18244–18245

Veterans Affairs Department
RULES
Technical Corrections, 18116–18117

Separate Parts In This Issue

Part II
Presidential Documents, 18299–18304

Reader Aids

Consult the Reader Aids section at the end of this page for phone numbers, online resources, finding aids, reminders, and notice of recently enacted public laws.

To subscribe to the Federal Register Table of Contents LISTSERV electronic mailing list, go to http://listserv.access.gpo.gov and select Online mailing list archives, FEDREGTOC-L, Join or leave the list (or change settings); then follow the instructions.

CFR PARTS AFFECTED IN THIS ISSUE

A cumulative list of the parts affected this month can be found in the Reader Aids section at the end of this issue.

3 CFR

Proclamations:

9245.....18301
9246.....18303

5 CFR

Proposed Rules:

843.....18159
2600.....18160
2601.....18160
2604.....18160

10 CFR

Proposed Rules:

430.....18167

14 CFR

39.....18083
95.....18084

Proposed Rules:

193.....18168

21 CFR

1.....18087
26.....18087
99.....18087
201.....18087
203.....18087
206.....18087
207.....18087
310.....18087
312.....18087
314.....18087
600.....18087
601.....18087
606.....18087
607.....18087
610.....18087
660.....18087
680.....18087
801.....18087
807.....18087
812.....18087
814.....18087
822.....18087
1271.....18087

24 CFR

200.....18095
235.....18095

26 CFR

1.....18171

Proposed Rules:

1.....18096

28 CFR

16.....18099

29 CFR

Proposed Rules:

4000.....18172
4041A.....18172
4281.....18172

33 CFR

117.....18114

Proposed Rules:

110.....18175

36 CFR

Proposed Rules:

1193.....18177
1194.....18177

38 CFR

3.....18116

39 CFR

3020.....18117

40 CFR

49.....18120
52.....18133
80.....18136
81.....18120
180.....18141
300.....18144

Proposed Rules:

50.....18177
51.....18177
52.....18179
80.....18179
81.....18184
93.....18177

47 CFR

90.....18144

Proposed Rules:

Ch. I.....18185

49 CFR

383.....18146
385.....18146
386.....18146
387.....18146

Rules and Regulations

Federal Register
Vol. 80, No. 64
Friday, April 3, 2015

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2014–0904; Directorate Identifier 2014–NE–14–AD; Amendment 39–18129; AD 2015–07–01]

RIN 2120–AA64

Airworthiness Directives; Rolls-Royce plc Turbofan Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for certain Rolls-Royce plc (RR) RB211–524 turbofan engines with certain part number (P/N) low-pressure turbine (LPT) stage 3 turbine blades installed. This AD requires implementation of a life limit for certain P/N LPT stage 3 turbine blades and replacement of affected blades that reach or exceed the life limit. This AD was prompted by reports of LPT stage 3 turbine blade failures, release of blades, and subsequent in-flight shutdowns. We are issuing this AD to prevent failure of LPT stage 3 turbine blades and subsequent release of blade debris, which could lead to failure of one or more engines, loss of thrust control, and damage to the airplane.

DATES: This AD becomes effective May 8, 2015.

ADDRESSES: For service information identified in this AD, contact Rolls-Royce plc, Corporate Communications, P.O. Box 31, Derby, England, DE24 8BJ; phone: 011–44–1332–242424; fax: 011–44–1332–249936; email: *http://www.rolls-royce.com/contact/civil_team.jsp*; Internet: *https://www.aeromanager.com.* You may view this service information at the FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA. For information on the availability of this material at the FAA, call 781–238–7125. It is also available on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2014–0904.

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–2014–0904; 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 AD, the mandatory continuing airworthiness information (MCAI), the regulatory evaluation, any comments received, and other information. The address for the Docket Office (phone: 800–647–5527) is Document Management Facility, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: Kenneth Steeves, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; phone: 781–238–7765; fax: 781–238–7199; email: *kenneth.steeves@faa.gov*.

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to the specified products. The NPRM was published in the **Federal Register** on December 2, 2014 (79 FR 71363). The NPRM proposed to correct an unsafe condition for the specified products. The MCAI states:

> Since 2006, a number of low pressure turbine (LPT) Stage 3 blade failures have been reported, each resulting in engine in-flight shut-down. Engineering analysis on those occurrences indicates that blades with an accumulated life of 11,000 flight cycles (FC) or more have an increased risk of failure.
>
> This condition, if not detected and corrected, could lead to release of LPT Stage 3 blade debris and consequent (partial or complete) loss of engine power, possibly resulting in reduced control of the aeroplane.

Comments

We gave the public the opportunity to participate in developing this AD. We considered the comment received. The commenter supports the NPRM (79 FR 71363, December 2, 2014).

Conclusion

We reviewed the available data, including the comment received, and determined that air safety and the public interest require adopting this AD as proposed.

Costs of Compliance

We estimate that this AD affects 2 engines installed on airplanes of U.S. registry. We also estimate that it will take about 120 hours per engine to comply with this AD. The average labor rate is $85 per hour. Parts cost is zero. Based on these figures, we estimate the cost of this AD on U.S. operators to be $20,400.

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 AD will not have federalism implications under Executive Order 13132. This AD will 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 AD:

(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 to the extent that it justifies making a regulatory distinction, 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.

Adoption of the Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 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. The FAA amends § 39.13 by adding the following new airworthiness directive (AD):

2015–07–01 Rolls-Royce plc: Amendment 39–18129; Docket No. FAA–2014–0904; Directorate Identifier 2014–NE–14–AD.

(a) Effective Date

This AD becomes effective May 8, 2015.

(b) Affected ADs

None.

(c) Applicability

This AD applies to all Rolls-Royce plc (RR) RB211–524B–02, RB211–524B–B–02, RB211–524B2–19, RB211–524B2–B–19, RB211–524B3–02, RB211–524C2–19, and RB211–524C2–B–19 turbofan engines with low-pressure turbine (LPT) stage 3 turbine blade, part number (P/N) LK55386, LK86483, or LK86503, installed.

(d) Reason

This AD was prompted by reports of LPT stage 3 turbine blade failure, release of blades, and subsequent in-flight shutdown. We are issuing this AD to prevent failure of LPT stage 3 turbine blades and subsequent release of blade debris, which could lead to failure of one or more engines, loss of thrust control, and damage to the airplane.

(e) Actions and Compliance

Comply with this AD within the compliance times specified, unless already done.

(1) Remove from service before further flight any LPT stage 3 turbine blade, P/N LK55386, LK86483, or LK86503, that exceeds 11,000 flight cycles since new.

(2) If you cannot determine the accumulated flight cycles, remove any LPT stage 3 turbine blade, P/N LK55386, LK86483, or LK86503, within 200 flight cycles after the effective date of this AD.

(3) After the effective date of this AD, do not install any LPT stage 3 turbine blade, P/N LK55386, LK86483, or LK86503, on any engine if the blade has accumulated 11,000 or more flight cycles since new.

(f) Alternative Methods of Compliance (AMOCs)

The Manager, Engine Certification Office, FAA, may approve AMOCs for this AD. Use the procedures found in 14 CFR 39.19 to make your request. You may email your request to: *ANE-AD-AMOC@faa.gov*.

(g) Related Information

(1) For more information about this AD, contact Kenneth Steeves, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; phone: 781–238–7765; fax: 781–238–7199; email: *kenneth.steeves@faa.gov*.

(2) Refer to MCAI European Aviation Safety Agency AD 2014–0210, dated September 19, 2014, for more information. You may examine the MCAI in the AD docket on the Internet at *http://www.regulations.gov/#!documentDetail;D=FAA-2014-0904-0002*.

(3) RR Alert Non-Modification Service Bulletin No. RB.211–72–AH790, Revision 1, dated November 5, 2014, which is not incorporated by reference in this AD, can be obtained from Rolls-Royce plc, using the contact information in paragraph (g)(4) of this AD.

(4) For service information identified in this AD, contact Rolls-Royce plc, Corporate Communications, P.O. Box 31, Derby, England, DE24 8BJ; phone: 011–44–1332–242424; fax: 011–44–1332–249936; email: *http://www.rolls-royce.com/contact/civil_team.jsp*; Internet: *https://www.aeromanager.com*.

(5) You may view this service information at the FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA. For information on the availability of this material at the FAA, call 781–238–7125.

(h) Material Incorporated by Reference

None.

Issued in Burlington, Massachusetts, on March 26, 2015.

Colleen M. D'Alessandro,

Assistant Directorate Manager, Engine & Propeller Directorate, Aircraft Certification Service.

[FR Doc. 2015–07492 Filed 4–2–15; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 95

[Docket No. 31012; Amdt. No. 519]

IFR Altitudes; Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts miscellaneous amendments to the required IFR (instrument flight rules) altitudes and changeover points for certain Federal airways, jet routes, or direct routes for which a minimum or maximum en route authorized IFR altitude is prescribed. This regulatory action is needed because of changes occurring in the National Airspace System. These changes are designed to provide for the safe and efficient use of the navigable airspace under instrument conditions in the affected areas.

DATES: *Effective Date:* 0901 UTC, April 30, 2015.

FOR FURTHER INFORMATION CONTACT: Harry Hodges, Flight Procedure Standards Branch (AMCAFS–420), Flight Technologies and Programs Division, Flight Standards Service, Federal Aviation Administration, Mike Monroney Aeronautical Center, 6500 South MacArthur Blvd. Oklahoma City, OK 73169 (Mail Address: P.O. Box 25082 Oklahoma City, OK 73125) telephone: (405) 954–4164.

SUPPLEMENTARY INFORMATION: This amendment to part 95 of the Federal Aviation Regulations (14 CFR part 95) amends, suspends, or revokes IFR altitudes governing the operation of all aircraft in flight over a specified route or any portion of that route, as well as the changeover points (COPs) for Federal airways, jet routes, or direct routes as prescribed in part 95.

The Rule

The specified IFR altitudes, when used in conjunction with the prescribed changeover points for those routes, ensure navigation aid coverage that is adequate for safe flight operations and free of frequency interference. The reasons and circumstances that create the need for this amendment involve matters of flight safety and operational efficiency in the National Airspace System, are related to published aeronautical charts that are essential to the user, and provide for the safe and efficient use of the navigable airspace. In addition, those various reasons or

circumstances require making this amendment effective before the next scheduled charting and publication date of the flight information to assure its timely availability to the user. The effective date of this amendment reflects those considerations. In view of the close and immediate relationship between these regulatory changes and safety in air commerce, I find that notice and public procedure before adopting this amendment are impracticable and contrary to the public interest and that good cause exists for making the amendment effective in less than 30 days.

Conclusion

The FAA has determined that this 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. For the same reason, the FAA certifies that this amendment will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 95

Airspace, Navigation (air).

Issued in Washington, DC on March 27, 2015.

John Duncan,

Director, Flight Standards Service.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, part 95 of the Federal Aviation Regulations (14 CFR part 95) is amended as follows effective at 0901 UTC, April 30, 2015.

■ 1. The authority citation for part 95 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40106, 40113, 40114, 40120, 44502, 44514, 44719, 44721.

■ 2. Part 95 is amended to read as follows:

§§ 95.4000, 95.4024, 95.6001, 95.6070, 95.6071, 95.6114, 95.6133, 95.6145, 95.6194, 95.6420, 95.6438, 95.6511, 95.6559, 95.6566, 95.7001, 95.7002, 95.7138, 95.7590, 95.8003 [AMENDED]

REVISIONS TO IFR ALTITUDES & CHANGEOVER POINT

[Amendment 519 effective date April 30, 2015]

From	To	MEA	MAA
§ 95.4000 High Altitude RNAV Routes **§ 95.4024 RNAV Route Q24 is Amended to Read in Part**			
Lake Charles, LA Vortac *18000—GNSS MEA *DME/DME/IRU MEA	Fighting Tiger, LA Vortac	*20000	45000
Fighting Tiger, LA VORTAC *18000—GNSS MEA *DME/DME/IRU MEA	Irube, MS WP	*20000	45000
Irube, MS WP *18000—GNSS MEA *DME/DME/IRU MEA	Paytn, AL FIX	*20000	45000

From	To	MEA
§ 95.6001 Victor Routes—U.S. **§ 95.6070 VOR Federal Airway V70 is Amended to Read in Part**		
Lafayette, LA VORTAC *5000—MRA	*Rosey, LA FIX	2100
*Rosey, LA FIX *5000—MRA	Fighting Tiger, LA VORTAC	2100
Fighting Tiger, LA VORTAC	Picayune, MS VOR/DME	2000
§ 95.6071 VOR Federal Airway V71 is Amended to Read in Part		
Fighting Tiger, LA VORTAC	Wrack, LA FIX	2200
§ 95.6114 VOR Federal Airway V114 is Amended to Read in Part		
*Mikle, LA FIX *3000—MRA	Fighting Tiger, LA VORTAC	2000
Fighting Tiger, LA VORTAC	Veils, LA FIX	2800
Veils, LA FIX	Reserve, LA VOR/DME	2000
§ 95.6133 VOR Federal Airway V133 is Amended to Read in Part		
*Ladin, MI FIX *5000—MRA **2800—MOCA	Traverse City, MI VOR/DME	**5000
§ 95.6145 VOR Federal Airway V145 is Amended to Read in Part		
Utica, NY VORTAC	Weepy, NY FIX	*3400

From	To	MEA
*3000—MOCA		
Weepy, NY FIX	Floor, NY FIX	*3000
*2200—MOCA		
Floor, NY FIX	Watertown, NY VORTAC	*3000
*2700—MOCA		
Watertown, NY VORTAC	U.S. Canadian Border	*3000
*1800—MOCA		
§ 95.6194 VOR Federal Airway V194 is Amended to Read in Part		
Lafayette, LA VORTAC	*Rosey, LA FIX	2100
*5000—MRA		
*Rosey, LA FIX	Fighting Tiger, LA VORTAC	2100
*5000—MRA		
Fighting Tiger, LA VORTAC	McComb, MS VORTAC	2300
§ 95.6420 VOR Federal Airway V420 is Amended to Read in Part		
Traverse City, MI VOR/DME	Gaylord, MI VOR/DME	#3000
#Traverse City R–062 Unusable Use Gaylord R–247		
§ 95.6511 VOR Federal Airway V511 is Amended to Read in Part		
Lakeland, FL VORTAC	Hallr, FL FIX	*4000
*2300—MOCA		
§ 95.6559 VOR Federal Airway V559 is Amended to Read in Part		
Lafayette, LA VORTAC	Fighting Tiger, LA VORTAC	2100
§ 95.6566 VOR Federal Airway V566 is Amended to Read in Part		
Veils, LA FIX	Reserve, LA VOR/DME	2000
§ 95.6438 Alaska VOR Federal Airway V438 is Amended to Read in Part		
*Sures, AK FIX	Liber, AK FIX	#**11000
*10000—MRA		
**8900—MOCA		
#MEA is Established With a Gap in Navigation Signal Coverage.		

From	To	MEA	MAA
§ 95.7001 Jet Routes			
§ 95.7002 Jet Route J2 is Amended to Read in Part			
Lake Charles, LA VORTAC	Fighting Tiger, LA VORTAC	18000	45000
Fighting Tiger, LA VORTAC	Semmes, AL VORTAC	18000	45000
§ 95.7138 Jet Route J138 is Amended to Read in Part			
Lake Charles, LA VORTAC	Fighting Tiger, LA VORTAC	18000	45000
Fighting Tiger, LA VORTAC	Semmes, AL VORTAC	18000	45000
§ 95.7590 Jet Route J590 is Amended to Read in Part			
Lake Charles, LA VORTAC	Fighting Tiger, LA VORTAC	18000	45000
Fighting Tiger, LA VORTAC	Greene County, MS VORTAC	18000	45000

Airway segment		Changeover points	
From	To	Distance	From
§ 95.8003 VOR Federal Airway Changeover Point V285 is Amended to Delete Changeover Point			
Manistee, MI VOR/DME	Traverse City, MI VOR/DME	29	
Manistee			

[FR Doc. 2015–07505 Filed 4–2–15; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Parts 1, 26, 99, 201, 203, 206, 207, 310, 312, 314, 600, 601, 606, 607, 610, 660, 680, 801, 807, 812, 814, 822, and 1271

[Docket No. FDA–2015–N–0011]

Food and Drug Administration Regulations; Change of Addresses; Technical Amendment

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule; technical amendment.

SUMMARY: The Food and Drug Administration (FDA) is amending its regulations to update address information for the Center for Biologics Evaluation and Research (CBER) as a result of the recent relocation of CBER offices and laboratories to the FDA White Oak campus in Silver Spring, MD, as well as make other related technical revisions. These changes are being made to ensure the accuracy of the Agency's regulations.

DATES: This rule is effective April 3, 2015.

FOR FURTHER INFORMATION CONTACT: John Reilly, Center for Biologics Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 71, Rm. 7301, Silver Spring, MD 20993–0002, 240–402–7911.

SUPPLEMENTARY INFORMATION: FDA is amending its regulations in parts 1, 26, 99, 201, 203, 206, 207, 310, 312, 314, 600, 601, 606, 607, 610, 660, 680, 801, 807, 812, 814, 822, and 1271 (21 CFR parts 1, 26, 99, 201, 203, 206, 207, 310, 312, 314, 600, 601, 606, 607, 610, 660, 680, 801, 807, 812, 814, 822, and 1271) to reflect the following changes: (1) The relocation of CBER offices and laboratories from various Rockville and Bethesda, MD, locations to the FDA White Oak campus in Silver Spring, MD; (2) the change of address of CBER's Document Control Center; (3) updating the names of certain CBER organizational units referenced in the regulations; (4) revising certain cross-references to be more specific and thereby facilitate locating the appropriate mailing addresses for submissions, requests, and other correspondence relating to biological products regulated by CBER and the Center for Drug Evaluation and Research (CDER); and (5) making other minor changes to ensure accuracy. The updated addresses include locations to which applicants must submit information related to applications or products regulated by CBER or from which the public can request information. Where appropriate, CBER Web addresses for obtaining or submitting forms and other information are added or updated, and outdated addresses are removed. In certain instances, mail previously addressed to specific CBER offices should now be addressed to the CBER Document Control Center.

The technical amendments, reflected in the regulatory text of this final rule, are as follows:

- In § 1.101(d)(2)(i), the CBER unit and address for submitting notifications regarding CBER-regulated products exported under section 802 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 382) are updated to the CBER Document Control Center on the White Oak campus.
- In Appendix E to subpart A of part 26, the contact information provided for CBER, including its address, telephone, and fax numbers to be used in the two-way alert system established in accordance with the 1998 ''Agreement on Mutual Recognition Between the United States of America and the European Community,'' is updated to reflect CBER's move to the White Oak campus.
- In § 99.201(c)(1), the CBER unit and address to send a submission and certification statement, or to send an application for exemption relating to the dissemination of information on an unapproved/new use regarding a biological product or device is updated to the CBER Document Control Center on the White Oak campus.
- In § 201.25(d)(2), the CBER unit and address for submitting a request for exemption from the bar code label requirement for biological products regulated by CBER are updated to the CBER Document Control Center on the White Oak campus. Several other minor changes are made to this provision for purposes of clarity and correctness in referring to products regulated by CBER or CDER.
- In § 201.58, the CBER unit and address for submitting a request for waiver from certain labeling requirements are updated to the CBER Document Control Center on the White Oak campus.
- In § 203.12, the CBER unit and address for submitting an appeal from an adverse decision relating to the reimportation of biological products regulated by CBER are updated to the CBER Document Control Center on the White Oak campus. Several other minor changes in terminology also are made to this provision for purposes of accuracy and consistency when referring to products regulated by CBER or CDER.
- In § 203.37(e), the CBER unit and address for submitting information in notifications and reports involving human prescription biological products regulated by CBER are updated to the CBER Document Control Center on the White Oak campus. Several other minor changes in terminology also are made to this provision for purposes of accuracy and consistency when referring to products regulated by CBER or CDER.
- In § 203.70(b)(2), the CBER unit and address to apply for a reward when providing information leading to a criminal proceeding or conviction related to the sale, purchase, or trade of a drug sample are updated to the CBER Document Control Center on the White Oak campus.
- In § 206.7(b)(1)(i), the CBER unit and address for requesting an exemption from imprinting requirements involving human drug products in solid oral dosage form are updated to the CBER Document Control Center on the White Oak campus.
- In § 207.7(a), the CBER unit and address for submitting blood establishment registration and product listing information are updated to the CBER Document Control Center on the White Oak campus.
- In § 310.503(f)(3), the CBER unit and address for submitting an investigational new drug (IND) application or an application for a biologics license under section 351 of the Public Health Service Act with regard to certain radioactive drugs considered biologics are updated to the CBER Document Control Center on the White Oak campus.
- In § 312.140(a)(3), the address for submitting an IND application involving biological products regulated by CBER is updated to the White Oak campus.
- In § 312.145(b), the CBER unit and address from which to request a list of CBER guidances are updated to the Office of Communication, Outreach and Development and the White Oak campus.
- In § 312.310(d)(1), the CBER local telephone number for requesting emergency expanded access use of investigational biological drug products regulated by CBER is updated.
- In § 314.440(b), the CBER addresses for submitting new drug applications and other correspondence involving certain drug products used in the collection, processing, or storage of

blood components, as well as the address for requesting an opportunity for a hearing, are updated to the White Oak campus.

- In § 600.2(a), the CBER Document Control Center address for regulatory submissions and other correspondence pertaining to licensed biological products regulated by CBER is updated to the White Oak campus.
- In § 600.2(c)(1), the CBER Sample Custodian address for submitting samples and protocols of licensed biological products regulated by CBER or CDER is updated to the White Oak campus.
- In § 600.2(c)(2), the unit and address for submitting samples and protocols of radioactive biological products are updated to the White Oak Radiation Safety Program and the White Oak campus.
- In § 600.11(f)(6), the cross-reference ''§ 600.2'' is changed to ''§ 600.2(a) or (b)'' to provide a more specific citation to the appropriate CBER or CDER address to use when notifying FDA of certain infectious animal diseases.
- In § 600.14(e)(1), the CBER unit and address for reporting biological product deviations for products regulated by CBER are updated to the CBER Document Control Center on the White Oak campus. The specific CBER Web address for submitting such reports electronically is removed, and a more general reference for submitting such reports electronically is added in its place.
- In § 600.22(e), the cross-reference ''§ 600.2'' is changed to ''§ 600.2(c)'' to provide a more specific citation to the appropriate CBER or CDER address to use when submitting product or ingredient samples from an inspection of a licensed establishment.
- In § 601.2(a), the cross-reference ''§ 600.2'' is changed to ''§ 600.2(a) or (b)'' to provide a more specific citation to the appropriate CBER or CDER address to use when submitting an application for a biologics license.
- In § 601.12(f)(4), the reference to Form FDA 2567 (Transmittal of Labels and Circulars) is removed because the form is no longer used.
- In § 601.15, the cross-reference ''§ 600.2'' is changed to ''§ 600.2(c)'' to provide a more specific citation to the appropriate address to use when submitting samples of imported licensed biological products regulated by CBER or CDER.
- In § 601.28, the cross-reference ''§ 600.2'' is changed to ''§ 600.2(a) or (b)'' to provide a more specific citation to the appropriate CBER or CDER address to use when submitting postmarketing pediatric studies with regard to licensed biological products.
- In § 601.29(b), the CBER unit and address from which to request a list of CBER guidances are updated to the White Oak campus.
- In § 601.70(d), the cross-reference ''§ 600.2'' is changed to ''§ 600.2(a) or (b)'' to provide a more specific citation to the appropriate CBER or CDER address to use when submitting annual progress reports of postmarketing studies.
- In § 606.170(b), the cross-reference ''§ 600.2'' is changed to ''§ 600.2(a)'' to clarify the need to use the updated CBER Document Control Center address when submitting a written report involving a fatal adverse reaction relating to blood collection or transfusion.
- In § 606.171(e), the CBER unit and address for reporting blood and blood component product deviations are updated to the CBER Document Control Center on the White Oak Campus. The specific CBER Web address for submitting such reports electronically is removed, and a more general reference for submitting such reports electronically is added in its place. Other editorial changes have been made to improve the provision's clarity without changing its meaning.
- In § 607.7(b) and (c), the cross-reference ''§ 600.2'' is changed to ''§ 600.2(a)'' and the reference to mail code ''(HFM–375)'' is removed to clarify using the updated CBER Document Control Center address in § 600.2(a) when requesting and submitting registration and product listing information with regard to the manufacture of blood products.
- In § 607.22(a), the cross-reference ''§ 600.2'' is changed to ''§ 600.2(a)'' and the reference to mail code ''(HFM–375)'' is removed to clarify using the updated CBER Document Control Center address in § 600.2(a) when requesting and submitting registration and product listing information involving the manufacture of blood products on Form FDA 2830. Reference to the ''Department of Health and Human Services'' as part of the address has been removed.
- Section 607.37(a) is updated to reflect that registrant and product list information filed on Form FDA 2830 for establishments manufacturing blood products, previously made available through public inspection at CBER offices, now is accessible by using CBER's Web site or by visiting FDA's Division of Dockets Management. In § 607.37(b), the name of the CBER unit and address for requesting other information regarding blood establishment registrations and blood product listings are updated to the Office of Communication, Outreach and Development and the White Oak campus.
- In § 610.2(a) and (b), the cross-reference ''§ 600.2'' is changed to ''§ 600.2(c)'' to provide a more specific citation to the appropriate address to use when submitting samples and protocols of licensed biological products.
- In § 610.11(g)(2), the cross-reference ''§ 600.2'' is changed to ''§ 600.2(a) or (b)'' to provide a more specific citation to the appropriate CBER or CDER address to use when submitting a request for an exemption from the general safety test requirement for licensed biological products.
- In § 610.15(a)(3), the cross-reference ''§ 600.2'' is changed to ''§ 600.2(a) or (b)'' to provide a more specific citation to the appropriate CBER or CDER address to use when submitting data regarding the amount of aluminum used in individual doses of a biological product.
- In § 660.3, the CBER unit and address for obtaining a Reference Hepatitis B Surface Antigen Panel have been updated to CBER Reagents and Standards Shipping and the White Oak campus.
- In § 660.6(a)(2), the cross-reference ''§ 600.2'' is changed to ''§ 600.2(c)'' to provide a more specific citation to the appropriate address to use when submitting product samples and protocols involving Antibody to Hepatitis B Surface Antigen. Also, a misspelling of the word ''Official'' in the heading in § 660.6(c) is corrected.
- In § 660.22(b), the CBER unit and address for obtaining reference preparations for Reference Blood Grouping Reagents have been updated to CBER Reagents and Standards Shipping and the White Oak campus.
- In § 660.36, the cross-reference to § 600.2(c) is added to § 660.36(a) and (c), and the cross-reference to § 600.2(a) is added to § 660.36(b), to provide further specificity as to the appropriate address to use when submitting product samples and protocols relating to Reagent Red Blood Cells.
- In § 660.46(a)(2), the cross-reference ''§ 600.2'' is changed to ''§ 600.2(c)'' to provide a more specific citation to the appropriate address to use when submitting product samples and protocols relating to Hepatitis B Surface Antigen.
- In § 660.52, the CBER unit and address for obtaining reference preparations for Reference Anti-Human Globulin are updated to CBER Reagents

and Standards Shipping and the White Oak campus.

- In § 680.1(b)(2)(iii), (b)(3)(iv), and (c), the cross-reference ''§ 600.2'' is changed to ''§ 600.2(a) of this chapter'' to clarify using the updated CBER Document Control Center address when submitting the requested source material information regarding allergenic products.
- In § 801.55(b)(1), the CBER unit and address for requesting an exception or alternative to a unique device identifier for devices regulated by CBER are updated to the CBER Document Control Center on the White Oak campus.
- In § 807.90(a)(2), the address for submitting a premarket notification for devices regulated by CBER is updated to the White Oak campus; the specific CBER Web address for obtaining information about devices regulated by CBER is removed, and a more general reference for obtaining this information on the CBER's Web site is added in its place.
- In § 812.19(a)(2), the address for sending correspondence in connection with investigational device exemptions (IDEs) involving devices regulated by CBER is updated to the White Oak campus.
- In § 814.20(h)(2), the address for submitting a premarket approval application (PMA), a PMA amendment, a PMA supplement, or correspondence involving a PMA for devices regulated by CBER is updated to the White Oak campus.
- In § 814.104(d)(2), the address for submitting an original PMA seeking a humanitarian device exemption (HDE), or related amendments or supplements, or other correspondence relating to an HDE for devices regulated by CBER is updated to the White Oak campus.
- In § 822.8, the address for submitting a postmarket surveillance plan for devices regulated by CBER is updated to the White Oak campus.
- The address for submitting a reclassification petition for devices regulated by CBER in § 860.123(b)(1) was updated to the White Oak campus in a previous FDA document published in the **Federal Register** on December 24, 2014 (79 FR 77387).
- In § 1271.22(b), the CBER address and local telephone number for requesting Form FDA 3356 involving establishment registration and listing for human cells, tissues, and cellular and tissue-based products (HCT/Ps) are updated to the Document Control Center on the White Oak campus. In § 1271.22(c)(1), the CBER unit and address for submitting Form FDA 3356 are updated to the CBER Document Control Center on the White Oak campus. And in § 1271.22(c)(2), the specific CBER Web address for submitting Form FDA 3356 electronically is removed, and a more general reference for submitting this form electronically is added in its place.
- Section 1271.37(a) is updated to reflect that registrant and product list information filed on Form FDA 3356 for HCT/Ps, previously made available for public inspection at CBER offices, can now be accessed through CBER's Web site or by visiting FDA's Division of Dockets Management. In § 1271.37(b), the name of the CBER unit and address for requesting other information regarding HCT/P establishment registrations and HCT/P listings are updated to the Office of Communication, Outreach and Development and the White Oak campus.
- In § 1271.350(a)(5), the CBER unit and address for submitting adverse reaction reports involving an HCT/P have been updated to the CBER Document Control Center on the White Oak campus. In § 1271.350(b)(3), the address for obtaining and submitting Form FDA 3486 by mail has been updated to the CBER Document Control Center on the White Oak campus. The specific CBER Web addresses for obtaining and submitting the form electronically have been replaced by a more general reference to using CBER's electronic Web-based application.

Publication of this document constitutes final action of these changes under the Administrative Procedure Act (5 U.S.C. 553). FDA has determined that notice and public comment are unnecessary because this amendment to the regulations provides only technical changes to update addresses and other information, and is nonsubstantive.

List of Subjects

21 CFR Part 1

Cosmetics, Drugs, Exports, Food labeling, Imports, Labeling, Reporting and recordkeeping requirements.

21 CFR Part 26

Animal drugs, Biologics, Drugs, Exports, Imports.

21 CFR Part 99

Administrative practice and procedure, Biologics, Drugs, Medical devices, Reporting and recordkeeping requirements.

21 CFR Part 201

Drugs, Labeling, Reporting and recordkeeping requirements.

21 CFR Part 203

Labeling, Prescription drugs, Reporting and recordkeeping requirements, Warehouses.

21 CFR Part 206

Drugs.

21 CFR Part 207

Drugs, Reporting and recordkeeping requirements.

21 CFR Part 310

Administrative practice and procedure, Drugs, Labeling, Medical devices, Reporting and recordkeeping requirements.

21 CFR Part 312

Drugs, Exports, Imports, Investigations, Labeling, Medical research, Reporting and recordkeeping requirements, Safety.

21 CFR Part 314

Administrative practice and procedure, Confidential business information, Drugs, Reporting and recordkeeping requirements.

21 CFR Part 600

Biologics, Reporting and recordkeeping requirements.

21 CFR Part 601

Administrative practice and procedure, Biologics, Confidential business information.

21 CFR Part 606

Blood, Labeling, Laboratories, Reporting and recordkeeping requirements.

21 CFR Part 607

Blood.

21 CFR Parts 610 and 660

Biologics, Labeling, Reporting and recordkeeping requirements.

21 CFR Part 680

Biologics, Blood, Reporting and recordkeeping requirements.

21 CFR Part 801

Labeling, Medical devices, Reporting and recordkeeping requirements.

21 CFR Part 807

Confidential business information, Imports, Medical devices, Reporting and recordkeeping requirements.

21 CFR Part 812

Health records, Medical devices, Medical research, Reporting and recordkeeping requirements.

21 CFR Part 814

Administrative practice and procedure, Confidential business information, Medical devices, Medical research, Reporting and recordkeeping requirements.

21 CFR Part 822

Medical devices, Reporting and recordkeeping requirements.

21 CFR Part 1271

Biologics, Drugs, Human cells and tissue-based products, Medical devices, Reporting and recordkeeping requirements.

Therefore, under the Federal Food, Drug, and Cosmetic Act, the Public Health Service Act, and under authority delegated to the Commissioner of Food and Drugs, 21 CFR parts 1, 26, 99, 201, 203, 206, 207, 310, 312, 314, 600, 601, 606, 607, 610, 660, 680, 801, 807, 812, 814, 822, and 1271 are amended as follows:

PART 1—GENERAL ENFORCEMENT REGULATIONS

■ 1. The authority citation for 21 CFR part 1 continues to read as follows:

Authority: 15 U.S.C. 1333, 1453, 1454, 1455, 4402; 19 U.S.C. 1490, 1491; 21 U.S.C. 321, 331, 332, 333, 334, 335a, 343, 350c, 350d, 352, 355, 360b, 360ccc, 360ccc–1, 360ccc–2, 362, 371, 374, 381, 382, 387, 387a, 387c, 393; 42 U.S.C. 216, 241, 243, 262, 264.

§ 1.101 [Amended]

■ 2. Section 1.101 is amended in paragraph (d)(2)(i) by removing the words ''Division of Case Management (HFM–610), Office of Compliance and Biologics Quality, Center for Biologics Evaluation and Research, Food and Drug Administration, 1401 Rockville Pike, Suite 200N, Rockville, MD 20852–1448'' and by adding in their place ''Food and Drug Administration, Center for Biologics Evaluation and Research, Document Control Center, 10903 New Hampshire Ave., Bldg. 71, Rm. G112, Silver Spring, MD 20993–0002''.

PART 26—MUTUAL RECOGNITION OF PHARMACEUTICAL GOOD MANUFACTURING PRACTICE REPORTS, MEDICAL DEVICE QUALITY SYSTEM AUDIT REPORTS, AND CERTAIN MEDICAL DEVICE PRODUCT EVALUATION REPORTS: UNITED STATES AND THE EUROPEAN COMMUNITY

■ 3. The authority citation for 21 CFR part 26 continues to read as follows:

Authority: 5 U.S.C. 552; 15 U.S.C. 1453, 1454, 1455; 18 U.S.C. 1905; 21 U.S.C. 321, 331, 351, 352, 355, 360, 360b, 360c, 360d, 360e, 360f, 360g, 360h, 360i, 360j, 360l, 360m, 371, 374, 381, 382, 383, 393; 42 U.S.C. 216, 241, 242l, 262, 264, 265.

■ 4. Appendix E to subpart A of part 26 is amended under the heading ''B. For the United States:'' in the entry for ''Biologics'' by removing the words ''Director, Office of Compliance and Biologics Quality (HFM–600), 1401 Rockville Pike, Rockville, MD 20852, phone: 301–827–6190, fax: 301–594–1944'' and by adding in their place ''Food and Drug Administration, Center for Biologics Evaluation and Research, Document Control Center, 10903 New Hampshire Ave., Bldg. 71, Rm. G112, Silver Spring, MD 20993–0002, telephone: 240–402–9153, FAX: 301–595–1302''.

PART 99—DISSEMINATION OF INFORMATION ON UNAPPROVED/NEW USES FOR MARKETED DRUGS, BIOLOGICS, AND DEVICES

■ 5. The authority citation for 21 CFR part 99 continues to read as follows:

Authority: 21 U.S.C. 321, 331, 351, 352, 355, 360, 360c, 360e, 360aa–360aaa–6, 371, and 374; 42 U.S.C. 262.

§ 99.201 [Amended]

■ 6. Section 99.201 is amended in paragraph (c)(1) by removing the words ''the Advertising and Promotional Labeling Staff (HFM–602), Center for Biologics Evaluation and Research, Food and Drug Administration, 1401 Rockville Pike, Suite 200N, Rockville, MD 20852–1448'' and by adding in their place ''Food and Drug Administration, Center for Biologics Evaluation and Research, Document Control Center, 10903 New Hampshire Ave., Bldg. 71, Rm. G112, Silver Spring, MD 20993–0002''.

PART 201—LABELING

■ 7. The authority citation for 21 CFR part 201 continues to read as follows:

Authority: 21 U.S.C. 321, 331, 351, 352, 353, 355, 358, 360, 360b, 360gg–360ss, 371, 374, 379e; 42 U.S.C. 216, 241, 262, 264.

§ 201.25 [Amended]

■ 8. Section 201.25 is amended in paragraph (d)(2) by removing the words ''(requests involving a drug product) or to the Office of Compliance and Biologics Quality (HFM–600), Center for Biologics Evaluation and Research, Food and Drug Administration, 1401 Rockville Pike, Rockville, MD 20852 (requests involving a biological product)'' and by adding in their place ''(requests involving a drug product or biological product regulated by the Center for Drug Evaluation and Research) or to the Food and Drug Administration, Center for Biologics Evaluation and Research, Document Control Center, 10903 New Hampshire Ave., Bldg. 71, Rm. G112, Silver Spring, MD 20993–0002 (requests involving a biological product regulated by the Center for Biologics Evaluation and Research)''.

§ 201.58 [Amended]

■ 9. Section 201.58 is amended in the second sentence by removing the words ''Center for Biologics Evaluation and Research, Food and Drug Administration, 1401 Rockville Pike, Suite 200 North, Rockville, MD 20852–1448'' and by adding in their place ''Food and Drug Administration, Center for Biologics Evaluation and Research, Document Control Center, 10903 New Hampshire Ave., Bldg. 71, Rm. G112, Silver Spring, MD 20993–0002''.

PART 203—PRESCRIPTION DRUG MARKETING

■ 10. The authority citation for 21 CFR part 203 continues to read as follows:

Authority: 21 U.S.C. 331, 333, 351, 352, 353, 360, 371, 374, 381.

■ 11. Section 203.12 is revised to read as follows:

§ 203.12 An appeal from an adverse decision by the district office.

An appeal from an adverse decision by the district office involving insulin-containing drugs or human prescription drugs or biological products regulated by the Center for Drug Evaluation and Research may be made to the Office of Compliance, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Silver Spring, MD 20993–0002. An appeal from an adverse decision by the district office involving human prescription biological products regulated by the Center for Biologics Evaluation and Research may be made to the Food and Drug Administration, Center for Biologics Evaluation and Research, Document Control Center, 10903 New Hampshire Ave., Bldg. 71, Rm. G112, Silver Spring, MD 20993–0002.

■ 12. Section 203.37 is amended by revising paragraph (e) to read as follows:

§ 203.37 Investigation and notification requirements.

* * * * *

(e) *Whom to notify at FDA.* Notifications and reports concerning human prescription drugs or biological products regulated by the Center for Drug Evaluation and Research shall be made to the Division of Compliance

Risk Management and Surveillance, Office of Compliance, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Silver Spring, MD 20993–0002. Notifications and reports concerning human prescription biological products regulated by the Center for Biologics Evaluation and Research shall be made to the Food and Drug Administration, Center for Biologics Evaluation and Research, Document Control Center, 10903 New Hampshire Ave., Bldg. 71, Rm. G112, Silver Spring, MD 20993–0002.

■ 13. Section 203.70 is amended by revising paragraph (b)(2) to read as follows:

§ 203.70 Application for a reward.

* * * * *

(b) * * *

(2) Food and Drug Administration, Center for Biologics Evaluation and Research, Office of Compliance and Biologics Quality (ATTN: Director), Document Control Center, 10903 New Hampshire Ave., Bldg. 71, Rm. G112, Silver Spring, MD 20993–0002, as appropriate.

PART 206—IMPRINTING OF SOLID ORAL DOSAGE FORM DRUG PRODUCTS FOR HUMAN USE

■ 14. The authority citation for 21 CFR part 206 continues to read as follows:

Authority: 21 U.S.C. 321, 331, 351, 352, 355, 371; 42 U.S.C. 262.

§ 206.7 [Amended]

■ 15. Section 206.7 is amended in the first sentence of paragraph (b)(1)(i) by removing the words ''Center for Biologics Evaluation and Research (CBER), Food and Drug Administration, 1401 Rockville Pike, Suite 200N, Rockville, MD 20852–1448'' and by adding in their place ''Food and Drug Administration, Center for Biologics Evaluation and Research, Document Control Center, 10903 New Hampshire Ave., Bldg. 71, Rm. G112, Silver Spring, MD 20993–0002''.

PART 207—REGISTRATION OF PRODUCERS OF DRUGS AND LISTING OF DRUGS IN COMMERCIAL DISTRIBUTION

■ 16. The authority citation for 21 CFR part 207 continues to read as follows:

Authority: 21 U.S.C. 321, 331, 351, 352, 355, 360, 360b, 371, 374, 381, 393; 42 U.S.C. 262, 264, 271.

§ 207.7 [Amended]

■ 17. Section 207.7 is amended in the first sentence of paragraph (a) by removing the words ''Center for Biologics Evaluation and Research (HFM–375), 1401 Rockville Pike, Suite 200N, Rockville, MD 20852–1448'' and by adding in their place ''Food and Drug Administration, Center for Biologics Evaluation and Research, Document Control Center, 10903 New Hampshire Ave., Bldg. 71, Rm. G112, Silver Spring, MD 20993–0002''.

PART 310—NEW DRUGS

■ 18. The authority citation for 21 CFR part 310 continues to read as follows:

Authority: 21 U.S.C. 321, 331, 351, 352, 353, 355, 360b–360f, 360j, 361(a), 371, 374, 375, 379e; 42 U.S.C. 216, 241, 242(a), 262, 263b–263n.

§ 310.503 [Amended]

■ 19. Section 310.503 is amended in the last sentence of paragraph (f)(3) by removing the words ''Center for Biologics Evaluation and Research, Food and Drug Administration, 8800 Rockville Pike, Bethesda, MD 20014'' and by adding in their place ''Food and Drug Administration, Center for Biologics Evaluation and Research, Document Control Center, 10903 New Hampshire Ave., Bldg. 71, Rm. G112, Silver Spring, MD 20993–0002''.

PART 312—INVESTIGATIONAL NEW DRUG APPLICATION

■ 20. The authority citation for 21 CFR part 312 continues to read as follows:

Authority: 21 U.S.C. 321, 331, 351, 352, 353, 355, 360bbb, 371; 42 U.S.C. 262.

§ 312.140 [Amended]

■ 21. Section 312.140 is amended in paragraph (a)(3) by removing the words ''Document Control Center (HFM–99), Center for Biologics Evaluation and Research, Food and Drug Administration, 1401 Rockville Pike, Suite 200N, Rockville, MD 20852–1448'' and by adding in their place ''Food and Drug Administration, Center for Biologics Evaluation and Research, Document Control Center, 10903 New Hampshire Ave., Bldg. 71, Rm. G112, Silver Spring, MD 20993–0002''.

§ 312.145 [Amended]

■ 22. Section 312.145 is amended in the last sentence of paragraph (b) by removing the words ''Office of Communication, Training, and Manufacturers Assistance (HFM–40), Center for Biologics Evaluation and Research, Food and Drug Administration, 1401 Rockville Pike, Rockville, MD 20852–1448'' and by adding in their place ''Food and Drug Administration, Center for Biologics Evaluation and Research, Office of Communication, Outreach and Development, 10903 New Hampshire Ave., Bldg. 71, Rm. 3103, Silver Spring, MD 20993–0002''.

§ 312.310 [Amended]

■ 23. Section 312.310 is amended in the second sentence of paragraph (d)(1) by removing ''301–827–1800'' and by adding in its place ''240–402–8010''.

PART 314—APPLICATIONS FOR FDA APPROVAL TO MARKET A NEW DRUG

■ 24. The authority citation for 21 CFR part 314 continues to read as follows:

Authority: 21 U.S.C. 321, 331, 351, 352, 353, 355, 356, 356a, 356b, 356c, 371, 374, 379e.

■ 25. Section 314.440 is amended by revising paragraph (b) introductory text to read as follows:

§ 314.440 Addresses for applications and abbreviated applications.

* * * * *

(b) Applicants shall send applications and other correspondence relating to matters covered by this part for the drug products listed below to the Food and Drug Administration, Center for Biologics Evaluation and Research, Document Control Center, 10903 New Hampshire Ave., Bldg. 71, Rm. G112, Silver Spring, MD 20993–0002, except applicants shall send a request for an opportunity for a hearing under § 314.110 on the question of whether there are grounds for denying approval of an application to the Center for Biologics Evaluation and Research, ATTN: Director, at the same address.

* * * * *

PART 600—BIOLOGICAL PRODUCTS: GENERAL

■ 26. The authority citation for 21 CFR part 600 continues to read as follows:

Authority: 21 U.S.C. 321, 351, 352, 353, 355, 360, 360i, 371, 374; 42 U.S.C. 216, 262, 263, 263a, 264, 300aa–25.

§ 600.2 [Amended]

■ 27. Section 600.2 is amended as follows:

■ a. In the first sentence of paragraph (a) by removing the words ''Document Control Center (HFM–99), Center for Biologics Evaluation and Research, Food and Drug Administration, 1401 Rockville Pike, Suite 200N, Rockville, MD 20852–1448'' and by adding in their place ''Food and Drug Administration, Center for Biologics Evaluation and Research, Document Control Center, 10903 New Hampshire Ave., Bldg. 71,

Rm. G112, Silver Spring, MD 20993–0002''.

■ b. In the first sentence of paragraph (c)(1) by removing the words ''Sample Custodian (ATTN: HFM–672), Food and Drug Administration, Center for Biologics Evaluation and Research, Bldg. NLRC–B, Rm. 113, 5516 Nicholson Lane, Kensington, MD 20895'' and by adding in their place ''Food and Drug Administration, Center for Biologics Evaluation and Research, ATTN: Sample Custodian, 10903 New Hampshire Ave., Bldg. 75, Rm. G707, Silver Spring, MD 20993–0002''; and

■ c. In paragraph (c)(2), by removing the words ''Sample Custodian (ATTN: HFM–672), Food and Drug Administration, Center for Biologics Evaluation and Research, Nicholson Lane Research Center, c/o Radiation Safety Office, National Institutes of Health, 21 Wilson Dr., Rm. 107, Bethesda, MD 20892–6780'' and by adding in their place ''Food and Drug Administration, Center for Biologics Evaluation and Research, ATTN: Sample Custodian, c/o White Oak Radiation Safety Program, 10903 New Hampshire Ave., Bldg. 52–72, Rm. G406A, Silver Spring, MD 20993–0002''.

§ 600.11 [Amended]

■ 28. Section 600.11 is amended in paragraph (f)(6) by removing ''§ 600.2'' and by adding in its place ''§ 600.2(a) or (b)''.

■ 29. Section 600.14 is amended by revising paragraph (e)(1) to read as follows:

§ 600.14 Reporting of biological product deviations by licensed manufacturers.

* * * * *

(e) *Where do I report under this section?* (1) For biological products regulated by the Center for Biologics Evaluation and Research (CBER), send the completed Form FDA 3486 to the CBER Document Control Center (see mailing address in § 600.2(a)), or submit electronically using CBER's electronic Web-based application.

* * * * *

§ 600.22 [Amended]

■ 30. Section 600.22 is amended in paragraph (e) by removing ''§ 600.2'' and by adding in its place ''§ 600.2(c)''.

PART 601—LICENSING

■ 31. The authority citation for 21 CFR part 601 continues to read as follows:

Authority: 15 U.S.C. 1451–1561; 21 U.S.C. 321, 351, 352, 353, 355, 356b, 360, 360c–360f, 360h–360j, 371, 374, 379e, 381; 42 U.S.C. 216, 241, 262, 263, 264; sec 122, Pub. L. 105–115, 111 Stat. 2322 (21 U.S.C. 355 note).

§ 601.2 [Amended]

■ 32. Section 601.2 is amended in the first sentence of paragraph (a) by removing ''§ 600.2'' and by adding in its place ''§ 600.2(a) or (b)''.

§ 601.12 [Amended]

■ 33. Section 601.12 is amended in paragraph (f)(4) by removing the words '', except that Form FDA–2567 (Transmittal of Labels and Circulars) or an equivalent form shall be used''.

§ 601.15 [Amended]

■ 34. Section 601.15 is amended by removing ''§ 600.2'' in both places it appears and by adding in each place ''§ 600.2(c)''.

§ 601.28 [Amended]

■ 35. The introductory text of § 601.28 is amended by removing ''§ 600.2'' and by adding in its place ''§ 600.2(a) or (b)''.

§ 601.29 [Amended]

■ 36. Section 601.29 is amended in the last sentence of paragraph (b) by removing the words ''Office of Communication, Training, and Manufacturers Assistance (HFM–40), Center for Biologics Evaluation and Research, Food and Drug Administration (see mailing addresses in § 600.2 of this chapter)'' and by adding in their place ''Food and Drug Administration, Center for Biologics Evaluation and Research, Office of Communication, Outreach and Development, 10903 New Hampshire Ave., Bldg. 71, Rm. 3103, Silver Spring, MD 20993–0002''.

§ 601.70 [Amended]

■ 37. Section 601.70 is amended in paragraph (d) by removing ''§ 600.2'' and by adding in its place ''§ 600.2(a) or (b)''.

PART 606—CURRENT GOOD MANUFACTURING PRACTICE FOR BLOOD AND BLOOD COMPONENTS

■ 38. The authority citation for 21 CFR part 606 continues to read as follows:

Authority: 21 U.S.C. 321, 331, 351, 352, 355, 360, 360j, 371, 374; 42 U.S.C. 216, 262, 263a, 264.

§ 606.170 [Amended]

■ 39. Section 606.170 is amended in the last sentence of paragraph (b) by removing the words ''(for mailing addresses, see § 600.2 of this chapter)'' and by adding in their place ''(for mailing address, see § 600.2(a) of this chapter)''.

■ 40. Section 606.171 is amended by revising paragraph (e) to read as follows:

§ 606.171 Reporting of product deviations by licensed manufacturers, unlicensed registered blood establishments, and transfusion services.

* * * * *

(e) *Where do I report under this section?* You must send the completed Form FDA 3486 to the Center for Biologics Evaluation and Research (CBER), either in paper or electronic format.

(1) If you make a paper filing, send the completed form to the CBER Document Control Center (see mailing address in § 600.2(a) of this chapter), and identify on the envelope that a BPDR (biological product deviation report) is enclosed; or

(2) If you make an electronic filing, send the completed Form FDA3486 electronically using CBER's electronic Web-based application.

* * * * *

PART 607—ESTABLISHMENT REGISTRATION AND PRODUCT LISTING FOR MANUFACTURERS OF HUMAN BLOOD AND BLOOD PRODUCTS

■ 41. The authority citation for 21 CFR part 607 continues to read as follows:

Authority: 21 U.S.C. 321, 331, 351, 352, 355, 360, 371, 374, 381, 393; 42 U.S.C. 262, 264, 271.

§ 607.7 [Amended]

■ 42. Section 607.7 is amended in paragraphs (b) and (c) by removing both times it appears ''(HFM–375) (see mailing addresses in § 600.2 of this chapter)'' and by adding in their place ''(see mailing address in § 600.2(a) of this chapter)''.

§ 607.22 [Amended]

■ 43. Section 607.22 is amended in the first sentence of paragraph (a) by removing the words ''Department of Health and Human Services, Food and Drug Administration, Center for Biologics Evaluation and Research (HFM–375), (see mailing addresses in § 600.2 of this chapter),'' and by adding in their place ''Food and Drug Administration, Center for Biologics Evaluation and Research (see mailing address in § 600.2(a) of this chapter),''.

■ 44. Section 607.37 is revised to read as follows:

§ 607.37 Inspection of establishment registrations and blood product listings.

(a) Any registration on Form FDA 2830 (Blood Establishment Registration and Product Listing) filed in paper or electronic format by the registrant will

be available for inspection under section 510(f) of the act, through the Center for Biologics Evaluation and Research Blood Establishment Registration Database Web site by using the CBER electronic Web-based application or by going in person to the Food and Drug Administration, Division of Dockets Management Public Reading Room (see address in § 20.120(a) of this chapter). The following information submitted under the blood product listing requirements is illustrative of the type of information that will be available for public disclosure when it is compiled:

(1) A list of all blood products.

(2) A list of all blood products manufactured by each establishment.

(3) A list of blood products discontinued.

(4) All data or information that has already become a matter of public knowledge.

(b) Other requests for information regarding blood establishment registrations and blood product listings should be directed to the Food and Drug Administration, Center for Biologics Evaluation and Research, Office of Communication, Outreach and Development, 10903 New Hampshire Ave., Bldg. 71, Rm. 3103, Silver Spring, MD 20993–0002.

PART 610—GENERAL BIOLOGICAL PRODUCTS STANDARDS

■ 45. The authority citation for 21 CFR part 610 continues to read as follows:

Authority: 21 U.S.C. 321, 331, 351, 352, 353, 355, 360, 360c, 360d, 360h, 360i, 371, 372, 374, 381; 42 U.S.C. 216, 262, 263, 263a, 264.

§ 610.2 [Amended]

■ 46. Section 610.2 is amended in the first sentence of paragraph (a) by removing ''§ 600.2'' and by adding in its place ''§ 600.2(c)'' and in the first sentence of paragraph (b) by removing ''§ 600.2'' and by adding in its place ''§ 600.2(c) of this chapter''.

§ 610.11 [Amended]

■ 47. Section 610.11 is amended in the first sentence of paragraph (g)(2) by removing ''§ 600.2'' and by adding in its place ''§ 600.2(a) or (b)''.

§ 610.15 [Amended]

■ 48. Section 610.15 is amended in paragraph (a)(3) by removing ''§ 600.2'' and by adding in its place ''§ 600.2(a) or (b)''.

PART 660—ADDITIONAL STANDARDS FOR DIAGNOSTIC SUBSTANCES FOR LABORATORY TESTS

■ 49. The authority citation for 21 CFR part 660 continues to read as follows:

Authority: 21 U.S.C. 321, 331, 351, 352, 353, 355, 360, 360c, 360d, 360h, 360i, 371, 372; 42 U.S.C. 216, 262, 263, 263a, 264.

§ 660.3 [Amended]

■ 50. Section 660.3 is amended by removing the words ''Center for Biologics Evaluation and Research (HFM–407) (see mailing addresses in § 600.2 of this chapter)'' and by adding in their place ''Food and Drug Administration, Center for Biologics Evaluation and Research, Reagents and Standards Shipping, 10903 New Hampshire Ave., Bldg. 75, Rm. G704, Silver Spring, MD 20993–0002''.

§ 660.6 [Amended]

■ 51. Section 660.6 is amended in paragraph (a)(2) by removing ''§ 600.2'' and by adding in its place ''§ 600.2(c)'' and in the heading of paragraph (c) by removing the word ''*Offical''* and by adding in its place ''*Official''.*

§ 660.22 [Amended]

■ 52. Section 660.22 is amended in paragraph (b) by removing the words ''Center for Biologics Evaluation and Research (HFM–407) (see mailing addresses in § 600.2 of this chapter)'' and by adding in their place ''Food and Drug Administration, Center for Biologics Evaluation and Research, Reagents and Standards Shipping, 10903 New Hampshire Ave., Bldg. 75, Rm. G704, Silver Spring, MD 20993–0002''.

§ 660.36 [Amended]

■ 53. Section 660.36 is amended as follows:

■ a. In paragraph (a) introductory text by removing the words ''(ATTN: HFM–672) (see mailing addresses in § 600.2 of this chapter)'' and by adding in their place ''(see mailing addresses in § 600.2(c) of this chapter)''.

■ b. In paragraph (b) by adding the words ''(see mailing addresses in § 600.2(a) of this chapter)'' immediately following the words ''Director, Center for Biologics Evaluation and Research''.

■ c. In paragraph (c) by adding the words ''(see mailing addresses in § 600.2(c) of this chapter)'' immediately following the words ''Director, Center for Biologics Evaluation and Research''.

§ 660.46 [Amended]

■ 54. Section 660.46 is amended in paragraph (a)(2) introductory text by removing ''§ 600.2'' and by adding in its place ''§ 600.2(c)''.

§ 660.52 [Amended]

■ 55. Section 660.52 is amended by removing the words ''Center for Biologics Evaluation and Research (HFM–407) (see mailing addresses in § 600.2 of this chapter)'' and by adding in their place ''Food and Drug Administration, Center for Biologics Evaluation and Research, Reagents and Standards Shipping, 10903 New Hampshire Ave., Bldg. 75, Rm. G704, Silver Spring, MD 20993–0002''.

PART 680—ADDITIONAL STANDARDS FOR MISCELLANEOUS PRODUCTS

■ 56. The authority citation for 21 CFR part 680 continues to read as follows:

Authority: 21 U.S.C. 321, 351, 352, 353, 355, 360, 371; 42 U.S.C. 216, 262, 263, 263a, 264.

§ 680.1 [Amended]

■ 57. Section 680.1 is amended as follows:

■ a. In the last sentence of paragraph (b)(2)(iii) by removing the words ''addresses in § 600.2'' and by adding in their place ''address in § 600.2(a) of this chapter''.

■ b. In paragraph (b)(3)(iv) by removing the word ''allergenic'' and by adding in its place the word ''Allergenic'' and by removing the words ''addresses in § 600.2'' and by adding in their place ''address in § 600.2(a) of this chapter''.

■ c. In paragraph (c) by removing the words ''addresses in § 600.2'' and by adding in their place ''address in § 600.2(a) of this chapter''.

PART 801—LABELING

■ 58. The authority citation for 21 CFR part 801 continues to read as follows:

Authority: 21 U.S.C. 321, 331, 351, 352, 360i, 360j, 371, 374.

§ 801.55 [Amended]

■ 59. Section 801.55 is amended in paragraph (b)(1) by removing the words ''Office of Communication, Outreach and Development (HFM–40), Center for Biologics Evaluation and Research, Food and Drug Administration, 1401 Rockville Pike, Suite 200N, Rockville, MD 20852–1448'' and by adding in their place ''Food and Drug Administration, Center for Biologics Evaluation and Research, Document Control Center, 10903 New Hampshire Ave., Bldg. 71, Rm. G112, Silver Spring, MD 20993–0002''.

PART 807—ESTABLISHMENT REGISTRATION AND DEVICE LISTING FOR MANUFACTURERS AND INITIAL IMPORTERS OF DEVICES

■ 60. The authority citation for 21 CFR part 807 continues to read as follows:

Authority: 21 U.S.C. 321, 331, 351, 352, 360, 360c, 360e, 360i, 360j, 371, 374, 381, 393; 42 U.S.C. 264, 271.

§ 807.90 [Amended]

■ 61. Section 807.90 is amended in paragraph (a)(2) by removing in the first sentence the words ''Document Control Center (HFM–99), Center for Biologics Evaluation and Research, Food and Drug Administration, 1401 Rockville Pike, Suite 200N, Rockville, MD 20852–1448'' and by adding in their place ''Food and Drug Administration, Center for Biologics Evaluation and Research, Document Control Center, 10903 New Hampshire Ave., Bldg. 71, Rm. G112, Silver Spring, MD 20993–0002'' and by removing in the second sentence ''at *http://www.fda.gov/cber/dap/devlst.htm*'' and by adding in its place ''by using the Center for Biologics Evaluation and Research electronic Web-based application''.

PART 812—INVESTIGATIONAL DEVICE EXEMPTIONS

■ 62. The authority citation for 21 CFR part 812 continues to read as follows:

Authority: 21 U.S.C. 331, 351, 352, 353, 355, 360, 360c-360f, 360h-360j, 371, 372, 374, 379e, 381, 382, 383; 42 U.S.C. 216, 241, 262, 263b–263n.

§ 812.19 [Amended]

■ 63. Section 812.19 is amended in paragraph (a)(2) by removing the words ''Document Control Center (HFM–99), Center for Biologics Evaluation and Research, Food and Drug Administration, 1401 Rockville Pike, Suite 200N, Rockville, MD 20852–1448'' and by adding in their place ''Food and Drug Administration, Center for Biologics Evaluation and Research, Document Control Center, 10903 New Hampshire Ave., Bldg. 71, Rm. G112, Silver Spring, MD 20993–0002''.

PART 814—PREMARKET APPROVAL OF MEDICAL DEVICES

■ 64. The authority citation for 21 CFR part 814 continues to read as follows:

Authority: 21 U.S.C. 351, 352, 353, 360, 360c-360j, 371, 372, 373, 374, 375, 379, 379e, 381.

§ 814.20 [Amended]

■ 65. Section 814.20 is amended in paragraph (h)(2) by removing the words ''Document Control Center (HFM–99), Center for Biologics Evaluation and Research, Food and Drug Administration, 1401 Rockville Pike, Suite 200N, Rockville, MD 20852–1448'' and by adding in their place ''Food and Drug Administration, Center for Biologics Evaluation and Research, Document Control Center, 10903 New Hampshire Ave., Bldg. 71, Rm. G112, Silver Spring, MD 20993–0002''.

§ 814.104 [Amended]

■ 66. Section 814.104 is amended in paragraph (d)(2) by removing the words ''Document Control Center (HFM–99), Center for Biologics Evaluation and Research, Food and Drug Administration, 1401 Rockville Pike, Suite 200N, Rockville, MD 20852–1448'' and by adding in their place ''Food and Drug Administration, Center for Biologics Evaluation and Research, Document Control Center, 10903 New Hampshire Ave., Bldg. 71, Rm. G112, Silver Spring, MD 20993–0002''.

PART 822—POSTMARKET SURVEILLANCE

■ 67. The authority citation for 21 CFR part 822 continues to read as follows:

Authority: 21 U.S.C. 331, 352, 360i, 360l, 371, 374.

§ 822.8 [Amended]

■ 68. Section 822.8 is amended by removing the words ''Document Control Center (HFM–99), Center for Biologics Evaluation and Research, Food and Drug Administration, 1401 Rockville Pike, Suite 200N, Rockville, MD 20852–1448'' and by adding in their place ''Food and Drug Administration, Center for Biologics Evaluation and Research, Document Control Center, 10903 New Hampshire Ave., Bldg. 71, Rm. G112, Silver Spring, MD 20993–0002''.

PART 1271—HUMAN CELLS, TISSUES, AND CELLULAR AND TISSUE–BASED PRODUCTS

■ 69. The authority citation for 21 CFR part 1271 continues to read as follows:

Authority: 42 U.S.C. 216, 243, 263a, 264, 271.

§ 1271.22 [Amended]

■ 70. Section 1271.22 is amended as follows:

■ a. In paragraph (b)(1) by removing the words ''Center for Biologics Evaluation and Research (HFM–775), Food and Drug Administration, 1401 Rockville Pike, Rockville, MD 20852–1448, Attention: Tissue Establishment Registration Coordinator'' and by adding in their place ''Food and Drug Administration, Center for Biologics Evaluation and Research, Document Control Center, 10903 New Hampshire Ave., Bldg. 71, Rm. G112, Silver Spring, MD 20993–0002, ATTN: Tissue Establishment Registration Coordinator''.

■ b. In paragraph (b)(3) by removing ''301–827–1800'' and by adding in its place ''240–402–8010''.

■ c. In paragraph (c)(1) by removing the words ''Center for Biologics Evaluation and Research (HFM–775), Food and Drug Administration, 1401 Rockville Pike, Rockville, MD 20852–1448, Attention: Tissue Establishment Registration Coordinator'' and by adding in their place the words ''Food and Drug Administration, Center for Biologics Evaluation and Research, Document Control Center, 10903 New Hampshire Ave., Bldg. 71, Rm. G112, Silver Spring, MD 20993–0002, ATTN: Tissue Establishment Registration Coordinator''.

■ d. In paragraph (c)(2) by removing ''at *http://www.fda.gov/cber/tissue/tisreg.htm*'' and by adding in its place the words ''using the CBER electronic Web-based application''.

■ 71. Section 1271.37 is revised to read as follows:

§ 1271.37 Will establishment registrations and HCT/P listings be available for inspection, and how do I request information on registrations and listings?

(a) Any registration on Form FDA 3356 filed in paper or electronic format by each establishment will be available for public inspection through the Center for Biologics Evaluation and Research Human Cell and Tissue Establishment Registration—Public Query Web site by using the CBER electronic Web-based application or by going in person to the Food and Drug Administration, Division of Dockets Management Public Reading Room (see address in § 20.120(a) of this chapter). The following information submitted under the HCT/P requirements is illustrative of the type of information that will be available for public disclosure when it is compiled:

(1) A list of all HCT/P's;

(2) A list of all HCT/P's manufactured by each establishment;

(3) A list of all HCT/P's discontinued; and

(4) All data or information that has already become a matter of public record.

(b) You should direct your other requests for information regarding HCT/P establishment registrations and HCT/P listings to the Food and Drug Administration, Center for Biologics Evaluation and Research, Office of Communication, Outreach and Development, 10903 New Hampshire

Ave., Bldg. 71, Rm. 3103, Silver Spring, MD 20993–0002.

■ 72. Section 1271.350 is amended:

■ a. In the first sentence of paragraph (a)(5) by removing the words ''Center for Biologics Evaluation and Research (HFM–210), Food and Drug Administration, 1401 Rockville Pike, Suite 200N, Rockville, MD 20852–1448'' and by adding in their place ''Food and Drug Administration, Center for Biologics Evaluation and Research, Document Control Center, 10903 New Hampshire Ave., Bldg. 71, Rm. G112, Silver Spring, MD 20993–0002''; and

■ b. By revising paragraph (b)(3) to read as follows:

§ 1271.350 Reporting.

* * * * *

(b) * * *

(3) You must report each such HCT/P deviation that relates to a core CGTP requirement on Form FDA 3486 within 45 days of the discovery of the event either electronically using the Center for Biologics Evaluation and Research electronic Web-based application or by mail to the Food and Drug Administration, Center for Biologics Evaluation and Research, Document Control Center, 10903 New Hampshire Ave., Bldg. 71, Rm. G112, Silver Spring, MD 20993–0002.

Dated: March 23, 2015.

Leslie Kux,

Associate Commissioner for Policy.

[FR Doc. 2015–07268 Filed 4–2–15; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

24 CFR Parts 200 and 235

[Docket No. FR–5829–F–01]

Federal Housing Administration (FHA): Removal of Section 235 Home Ownership Program Regulations

AGENCY: Office of the Assistant Secretary for Housing, Federal Housing Commissioner, HUD.

ACTION: Final rule.

SUMMARY: Through this rule, HUD removes the regulations for its Section 235 Program, which authorized HUD to provide mortgage subsidy payments to lenders to assist lower-income families who are unable to meet the credit requirements generally applicable to FHA mortgage insurance programs. Authority to provide insurance to mortgagees under this program was terminated under the Housing and Community Development Act of 1987 and HUD has not provided new mortgage subsidy payments under this program since then. Because the regulations governing this program are no longer operative, they are being removed by this final rule. To the extent that any Section 235 mortgages remain in existence, or second mortgages for the recapture of subsidy payment pursuant to HUD's regulations governing the Section 235 Program (which was reserved by regulatory streamlining in 1995), the removal of these regulations does not affect the requirements for transactions entered into when Section 235 Program regulations were in effect. Assistance made available under the Section 235 Program will continue to be governed by the regulations that existed immediately before the effective date of this final rule.

DATES: Effective May 4, 2015.

FOR FURTHER INFORMATION CONTACT: Camille E. Acevedo, Associate General Counsel for Legislation and Regulations, Office of General Counsel, Department of Housing and Urban Development, 451 7th Street SW., Room 10276, Washington, DC 20410; telephone 202–708–1793 (this is not a toll-free number). Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at 800–877–8389.

SUPPLEMENTARY INFORMATION:

I. Background

On August 1, 1968, the Housing and Urban Development Act of 1968 (Pub. L. 90–448) amended the National Housing Act to add a new section 235 (12 U.S.C. 1715z) (Section 235 Program). This provision authorized the Secretary to provide subsidies to reduce mortgage interest rates to as low as 1 percent and authorized a new credit assistance homeownership program for lower-income families who were unable to meet the credit requirements generally applicable to FHA mortgage insurance programs. HUD promulgated regulations implementing the Section 235 Program on January 6, 1976 (see 41 FR 1176) and codified these regulations in part 235 of title 24 of the Code of Federal Regulations (CFR). However, on February 5, 1988, the Section 235 Program was terminated under section 401(d) of the Housing and Community Development Act of 1987 (Pub. L. 100–242) and HUD ceased to make mortgage subsidy payments available under this program beginning October 1, 1989.[1] In 1995, HUD removed much of part 235 from the CFR as part of HUD's effort to eliminate outdated, obsolete, or unutilized regulations, leaving only the parts that were necessary to regulate outstanding loans assisted or insured under the program. (See 60 FR 56498.) As of the date of this publication, there are only two outstanding loans remaining that were assisted or insured under this program.

This Final Rule

Since authority for HUD to provide assistance or insurance to low-income borrowers under the Section 235 Homeownership Program expired on October 1, 1989, HUD is proceeding to remove Section 235 Program regulations codified in 24 CFR part 235.

Loans issued with assistance provided under Section 235 that are still outstanding will continue to be governed by the regulations in effect on May 3, 2015. Accordingly, this rule amends § 1301 (Expiring Programs—Savings Clause) of 24 CFR 200, subpart W (Administrative Matters), and adds a new paragraph (g) to § 200.1301, which preserves the Section 235 Program regulations as in effect prior to the effective date of this final rule, and continues to govern any assistance provided under the Section 235 Program before May 4, 2015.

II. Justification for Final Rulemaking

HUD generally publishes a rule for public comment before issuing a final rule for effect, in accordance with HUD's own regulations on rulemaking in 24 CFR part 10. However, part 10 provides for exceptions to the general rule if the agency finds good cause to omit advance notice and public participation. The good cause requirement is satisfied when prior public procedure is impracticable, unnecessary, or contrary to the public interest. (See 24 CFR 10.1.)

HUD finds that public notice and comment are not necessary for this rulemaking because assistance is no longer being provided under this program and, therefore, the regulations are no longer operative. For these reasons, HUD has determined that it is unnecessary to delay the effectiveness of this rule in order to solicit prior public comment.

[1] Although the Section 235 Program was terminated, section 401(d) of the Housing and Community Development Act of 1987 permitted the Secretary to continue to refinance mortgages insured previously under section 235(r) of the National Housing Act. However, no insurance or assistance for new loans has been provided by HUD since October 1, 1989.

III. Findings and Certification

Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*) generally requires an agency to conduct a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements, unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. Because HUD has determined that good cause exists to issue this rule without prior public comment, this rule is not subject to the requirement to publish an initial or final regulatory flexibility analysis under the RFA as part of such action.

Unfunded Mandates Reform

Section 202 of the Unfunded Mandates Reform Act of 1995 (UMRA) [2] requires that an agency prepare a budgetary impact statement before promulgating a rule that includes a Federal mandate 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 in any one year. If a budgetary impact statement is required, section 205 of UMRA also requires an agency to identify and consider a reasonable number of regulatory alternatives before promulgating a rule.[3] However, the UMRA applies only to rules for which an agency publishes a general notice of proposed rulemaking pursuant to the APA.[4] As discussed above, HUD has determined for good cause that the APA does not require general notice and public comment on this rule and, therefore, the UMRA does not apply to this final rule.

Executive Order 13132, Federalism

Executive Order 13132 (entitled ''Federalism'') prohibits an agency from publishing any rule that has federalism implications if the rule either imposes substantial direct compliance costs on state and local governments and is not required by statute, or the rule preempts state law, unless the agency meets the consultation and funding requirements of section 6 of the Executive Order. This final rule will not have federalism implications and would not impose substantial direct compliance costs on state and local governments or preempt state law within the meaning of the Executive Order.

[2] 2 U.S.C. 1532.

[3] 2 U.S.C. 1534.

[4] 2 U.S.C. 1532(a).

Environmental Review

This final rule does not direct, provide for assistance or loan and mortgage insurance for, or otherwise govern, or regulate, real property acquisition, disposition, leasing, rehabilitation, alteration, demolition, or new construction, or establish, revise or provide for standards for construction or construction materials, manufactured housing, or occupancy. Accordingly, under 24 CFR 50.19(c)(1), this final rule is categorically excluded from environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321).

List of Subjects

24 CFR Part 200

Administrative practice and procedure, Claims, Equal employment opportunity, Fair housing, Home improvement, Housing standards, Incorporation by reference, Lead poisoning, Loan programs—housing and community development, Minimum property standards, Mortgage insurance, Organization and functions (Government agencies), Penalties, Reporting and recordkeeping requirements, Social security, Unemployment compensation, Wages.

24 CFR Part 235

Condominiums, Cooperatives, Grant programs—housing and community development, Low and moderate income housing, Mortgage insurance, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, and under the authority of 42 U.S.C. 3535(d), HUD amends 24 CFR parts 200 and 235 as follows:

PART 200—INTRODUCTION TO FHA PROGRAMS

■ 1. The authority citation for part 200 continues to read as follows:

Authority: 12 U.S.C. 1702–1715z–21; 42 U.S.C. 3535(d).

■ 2. Add § 200.1301(g) to read as follows:

§ 200.1301 Expiring programs—Savings clause.

* * * * *

(g) Any existing loan assistance (including recapture of loan assistance), ongoing participation, or insured loans under the program listed in this paragraph will continue to be governed by the regulations in effect as they existed immediately before May 4, 2015 (24 CFR part 235, 2014 Edition):

(1) Part 235, Mortgage Insurance and Assistance Payments for Home Ownership and Project Rehabilitation (12 U.S.C. 1715z).

(2) [Reserved]

PART 235—[Removed]

■ 3. Remove part 235.

Dated: March 27, 2015.

Biniam Gebre,

Acting Assistant Secretary for Housing—Federal Housing Commissioner.

[FR Doc. 2015–07597 Filed 4–2–15; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[TD 9717]

RIN 1545–BL77

Allocation of Controlled Group Research Credit

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Final and temporary regulations.

SUMMARY: This document contains final and temporary regulations relating to the allocation of the credit for increasing research activities (research credit) to corporations and trades or businesses under common control (controlled groups)... This document also contains final and temporary regulations relating to the allocation of the railroad track maintenance credit and the election for a reduced research credit. The text of these temporary regulations also serves as the text of the proposed regulations (REG–133489–13) published in the Proposed Rules section in this issue of the **Federal Register**.

DATES: *Effective date:* These regulations are effective April 3, 2015.

Applicability date: For dates of applicability, see §§ 1.41–6T(j), 1.45G–1T(g), and 1.280C–4T(c).

FOR FURTHER INFORMATION CONTACT: James Holmes, at (202) 317–4137; (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Background

This document contains final and temporary regulations for § 1.41–6, § 1.45G–1, and § 1.280C–4 of the Income Tax Regulations (26 CFR part 1). These regulations update the rules in a manner that is consistent with the amendments made to section 41(f)(1)(A)(ii) and section 41(f)(1)(B)(ii) in Section 301(c) of the Act.

Explanation of Provisions

Section 41—Research Credit

Section 41(a) provides an incremental tax credit for increasing research activities and is based on a percentage of a taxpayer's qualified research expenses over a base amount, basic research payments as determined under section 41(e)(1)(A), and amounts paid or incurred to energy research consortiums (collectively, ''QREs''). Under section 41(f)(1) and § 1.41–6(b), all members of a controlled group are treated as a single taxpayer for purposes of computing the research credit for the group (group credit). Section 1.41–6(b) provides that the group credit is computed by applying all of the section 41 computational rules on an aggregate basis. Section 1.41–6(c) provides a method of allocating a group research credit among the members of the controlled group.

Section 301(c) of the Act amended section 41(f)(1)(A)(ii) and section 41(f)(1)(B)(ii) by requiring the allocation of research credits to each controlled group member ''on a proportionate basis to its share of the aggregate of the qualified research expenses, basic research payments, and amounts paid or incurred to energy research consortiums, taken into account by such controlled group for purposes of this section.'' Section 301(c) of the Act applies to taxable years beginning after December 31, 2011.

Former section 41(f)(1)(A)(ii) and former section 41(f)(1)(B)(ii) provided that the research credit allowable to a controlled group member shall be its proportionate shares of the QREs giving rise to the credit. Prior to these regulations, § 1.41–6(c)(1)(i) required a controlled group to allocate the group credit in proportion to each member's stand-alone entity credit, as defined in § 1.41–6(c)(2), in cases in which the group credit does not exceed the sum of the stand-alone entity credits of all of the members. If the group credit does exceed this sum, then the excess of the group credit over the sum of the stand-alone entity credits of all of the members was allocated in proportion to the QREs of the members of the controlled group. See § 1.41–6(c)(1)(ii).

Notice 2013–20 (2013–15 IRB 902 (April 8, 2013)) was released on March 9, 2013, to provide interim guidance relating to the allocation of the controlled group research credit and is effective for taxable years beginning after December 31, 2011. Notice 2013–20 provides that the group credit is allocated to group members based on each member's share of QREs, without regard to whether the member would have a stand-alone entity credit or what the amount of any such credit would be.

The final and temporary regulations implement the Act's changes to the allocation of the controlled group research credit by revising the allocation method in § 1.41–6(c), (d), and (e). Section 1.41–6T(c) provides an allocation method that follows the approach taken in Notice 2013–20. Section 1.41–6T(c) provides that the group credit is allocated to group members based on a member's proportionate share of the controlled group's aggregate QREs. Members are no longer required to calculate a stand-alone entity credit. The temporary regulations also remove references to the stand-alone entity credit in § 1.41–6(d)(1) and (3). New examples are provided in § 1.41–6T(e). The first example illustrates a general application of the allocation method provided in these temporary regulations. The second example demonstrates an allocation under these temporary regulations where a consolidated group is treated as a single member of a controlled group pursuant to § 1.41–6T(d).

A commenter to Notice 2013–20 suggested that the IRS adopt a safe harbor under § 1.41–6(c) that permits taxpayers to calculate and allocate group credits for taxable years ending prior to January 1, 2013, under the new law. The commenter's proposal would effectively make the Act's amendments retroactive to before the effective date of the statutory change (change effective for taxable years beginning after December 31, 2011). Therefore, the regulations do not adopt this suggestion for taxable years beginning before January 1, 2012. For taxable years beginning before January 1, 2012, taxpayers must apply the rules applicable to such taxable years.

Section 45G—Railroad Track Maintenance Credit (RTMC)

Section 45G, subject to limitations, generally provides a RTMC in an amount equal to fifty percent of the qualified railroad track maintenance expenditures paid or incurred by an eligible taxpayer during the year. Section 45G(e)(2) provides, for controlled groups, that rules similar to the rules of section 41(f)(1) shall apply for purposes of section 45G. Section 1.45G–1(f) provides guidance on determining the amount of RTMC under section 45G if a taxpayer is a member of a controlled group. Section 1.45G–1(f) applies rules similar to the rules of § 1.41–6 for allocating a group RTMC.

The temporary regulations add § 1.45G–1T(f)(4) to provide an allocation method for the RTMC that is consistent with the Act's amendments to section 41(f)(1). Section 1.45G–1T(f)(5)(i) and (ii) of the temporary regulations remove references to the stand-alone entity credit.

Section 280C(c)—Credit for Increasing Research Activities

Section 280C(c)(1) generally disallows otherwise allowable deductions for QREs in an amount equal to the research credit determined under 41(a) for a taxable year. Section 280C(c)(3) provides a method to elect a reduced amount of research credit. Section 280C(c)(4) provides, by reference to section 280C(b)(3), that in the case of a corporation which is a member of a controlled group of corporations (within the meaning of section 41(f)(5)) or a trade or business treated as being under common control with other trades or business (within the meaning of section 41(f)(1)(B)), section 280C(c) shall be applied under rules prescribed by the Secretary similar to the rules applicable under section 41(f)(1)(A) and (B). Section 1.280C–4(b) relates to the election under section 280C(c)(3) that a member of a controlled group may make. Section 1.280C–4(b)(2) contains an example that includes references to the rules in § 1.41–6(c). The temporary regulations update the example in § 1.280C–4(b)(2) because it describes the rules of section 41(f) in effect before the Act's amendments.

Effect on Other Documents

Notice 2013–20 (2013–15 IRB 902) is obsolete for taxable years beginning on or after April 3, 2015.

Effective/Applicability Dates

The temporary regulations are applicable for taxable years beginning on or after April 3, 2015 and expire on April 2, 2018. A taxpayer may apply §§ 1.41–6T, 1.45G–1T, and 1.280C–4T to taxable years beginning after December 31, 2011, but before April 3, 2015. For a taxpayer that does not apply these temporary regulations to a taxable year beginning after December 31, 2011, but before April 3, 2015, the guidance that applies to such taxable year is contained in Notice 2013–20 (2013–15 IRB 902).

Special Analyses

It has been determined that this Treasury decision is not a significant regulatory action as defined in Executive Order 12866, as supplemented by Executive Order 13563. Therefore, a regulatory assessment is not required. It also has been determined that section 553(b) of the Administrative Procedure Act (5 U.S.C. chapter 5) does not apply to these

regulations. For the applicability of the Regulatory Flexibility Act (5 U.S.C. chapter 6), refer to the Special Analyses section of the preamble to the cross-referenced notice of proposed rulemaking published in the Proposed Rules section in this issue of the **Federal Register**. Pursuant to section 7805(f) of the Code, these regulations have been submitted to the Chief Counsel for Advocacy of the Small Business Administration for comment on their impact on small business.

Drafting Information

The principal author of these regulations is James Holmes, Office of the Associate Chief Counsel (Passthroughs and Special Industries). However, other personnel from the IRS and Treasury Department participated in their development.

List of Subjects in 26 CFR Part 1

Income taxes, Reporting and recordkeeping requirements.

Amendments to the Regulations

Accordingly, 26 CFR part 1 is amended as follows:

PART 1—INCOME TAXES

■ **Paragraph 1.** The authority citation for part 1 continues to read in part as follows:

Authority: 26 U.S.C. 7805 * * *

Section 1.41–6T also issued under 26 U.S.C. 41(f)(1) * * *

Section 1.45G–1T also issued under 26 U.S.C. 45G(e)(2) * * *

Section 1.280C–4T also issued under 26 U.S.C. 280C(c)(4) * * *

■ **Par. 2.** Section 1.41–0 is amended by removing the entries in the table of contents for § 1.41–6(c)(1) and § 1.41–6(c)(2) and adding an entry for §§ 1.41–6(j)(4) and (5) to read as follows:

§ 1.41–0. Table of contents.

* * * * *

(j) * * *

(4) *Taxable years beginning after December 31, 2011.*

(5) *Taxable years ending before January 1, 2012.*

■ **Par. 3.** Section 1.41–6 is amended by revising paragraphs (c), (d)(1) and (3), and (e) and adding paragraphs (j)(4) and (5) to read as follows:

§ 1.41–6. Aggregation of expenditures.

* * * * *

(c) [Reserved]. For further guidance, see § 1.41–6T(c).

* * * * *

(d) * * *

(1) [Reserved]. For further guidance, see § 1.41–6T(d)(1).

* * * * *

(3) [Reserved]. For further guidance, see § 1.41–6T(d)(3).

(e) [Reserved]. For further guidance, see § 1.41–6T(e).

* * * * *

(j) * * *

(4) *Taxable years beginning after December 31, 2011.* [Reserved]. For further guidance, see § 1.41–6T(j)(4).

(5) *Taxable years ending before January 1, 2012.* [Reserved]. For further guidance, see § 1.41–6T(j)(5).

■ **Par. 4.** Section 1.41–6T is added to read as follows:

§ 1.41–6T. Aggregation of expenditures (temporary).

(a) through (b) [Reserved]. For further guidance, see § 1.41–6(a) through (b).

(c) *Allocation of the group credit.* The group credit is allocated to each member of the controlled group on a proportionate basis to its share of the aggregate of the qualified research expenses, basic research payments, and amounts paid or incurred to energy research consortiums (collectively ''QREs'' for purposes of paragraphs (c), (d), and (e) of this section) taken into account for the taxable year by such controlled group for purposes of the credit.

(d) *Special rules for consolidated groups*—(1) *In general.* For purposes of applying paragraph (c) of this section, members of a consolidated group who are members of a controlled group are treated as a single member of the controlled group.

(2) [Reserved]. For further guidance, see § 1.41–6(d)(2).

(3) *Special rule for allocation of group credit among consolidated group members.* The portion of the group credit that is allocated to a consolidated group is allocated to each member of the consolidated group on a proportionate basis to its share of the aggregate of the QREs taken into account for the taxable year by such consolidated group for purposes of the credit.

(e) *Examples.* The following examples illustrate the provisions of paragraphs (c) and (d) of this section.

Example 1. Controlled group. A, B, and C are a controlled group. A had $100x, B $300x, and C $500x of qualified research expenses for the year, totaling $900x for the group. A, in the course of its trade or business, also made a payment of $100x to an energy research consortium for energy research. The group's QREs total 1000x and the group calculated its total research credit to be $60x for the year. Based on each member's proportionate share of the controlled group's aggregate QREs, A is allocated $12x, B $18x, and C $30x of the credit.

Example 2. Consolidated group is a member of controlled group. The controlled group's members are D, E, F, G, and H. F, G, and H file a consolidated return and are treated as a single member (FGH) of the controlled group. D had $240x, E $360x, and FGH $600x of qualified research expenses for the year ($1,200x aggregate). The group calculated its research credit to be $100x for the year. Based on the proportion of each member's share of QREs to the controlled group's aggregate QREs for the taxable year D is allocated $20x, E $30x, and FGH $50x of the credit. The $50x of credit allocated to FGH is then allocated to the consolidated group members based on the proportion of each consolidated group member's share of QREs to the consolidated group's aggregate QREs. F had $120x, G $240x, and H $240x of QREs for the year. Therefore, F is allocated $10x, G is allocated $20x, and H is allocated $20x.

(f) through (i) [Reserved]. For further guidance, see § 1.41–6(f) through (i).

(j)(1) through (3) [Reserved]. For further guidance, see § 1.41–6(j)(1) through (3).

(4) *Taxable years beginning after December 31, 2011.* Section 1.41–6T is applicable for taxable years beginning on or after April 3, 2015. Taxpayers may apply § 1.41–6T to taxable years beginning after December 31, 2011, but before April 3, 2015. For a taxpayer that does not apply § 1.41–6T to a taxable year beginning after December 31, 2011, but before April 3, 2015, the guidance that applies to such taxable year is contained in Notice 2013–20 (2013–15 IRB 902).

(5) *Taxable years beginning before January 1, 2012.* See § 1.41–6 as contained in 26 CFR part 1, revised April 1, 2014.

(6) *Expiration date.* The applicability of § 1.41–6T expires on April 2, 2018.

■ **Par. 5.** Section 1.45G–0 is amended by removing the entries in the table of contents for § 1.45G–1(f)(4)(i) and § 1.45G–1(f)(4)(ii) and adding an entry in the table of contents for §§ 1.45G–1(g)(4) and (5) to read as follows:

§ 1.45G–0. Table of contents for the railroad track maintenance credit.

* * * * *

(g) * * *

(4) *Taxable years beginning after December 31, 2011.*

(5) *Taxable years beginning before January 1, 2012.*

■ **Par. 6.** Section 1.45G–1 is amended by revising paragraphs (f)(4) and (f)(5)(i) and (ii) and adding paragraphs (g)(4) and (5) to read as follows:

§ 1.45G–1. Railroad track maintenance credit.

* * * * *

(f) * * *

(4) [Reserved]. For further guidance, see § 1.45G–1T(f)(4).

(5) [Reserved]. For further guidance see § 1.45G–1T(f)(5).

(g) * * *

(4) *Taxable years beginning after December 31, 2011.* [Reserved]. For further guidance see § 1.45G–1T(g)(4).

(5) *Taxable years beginning before January 1, 2012.* [Reserved]. For further guidance see § 1.45G–1T(g)(5).

■ **Par. 7.** Section 1.45G–1T is added to read as follows:

§ 1.45G–1T. Railroad track maintenance credit (temporary).

(a) through (e) [Reserved]. For further guidance, see § 1.45G–1(a) through (e).

(f)(1) through (3) [Reserved]. For further guidance, see § 1.45G–1(f)(1) through (3).

(4) *Allocation of the group credit.* The group credit is allocated to each member of the controlled group on a proportionate basis to its share of the aggregate of the QRTMEs taken into account for the taxable year by such controlled group for purposes of the credit.

(5) *Special rules for consolidated groups*—(i) *In general.* For purposes of applying paragraph (f)(4) of this section, members of a consolidated group who are members of a controlled group are treated as a single member of the controlled group.

(ii) *Special rule for allocation of group credit among consolidated group members.* The portion of the group credit that is allocated to a consolidated group is allocated to each member of the consolidated group on a proportionate basis to its share of the aggregate of the QRTMEs taken into account for the taxable year by such consolidated group for purposes of the credit.

(6) through (8) [Reserved]. For further guidance, see § 1.45G–1(f)(6) through (8).

(g)(1) through (3) [Reserved]. For further guidance, see § 1.45G–1(g)(1) through (3).

(4) *Taxable years beginning after December 31, 2011.* Section 1.45G–1T is applicable for taxable years beginning on or after April 3, 2015. Taxpayers may apply § 1.45G–1T to taxable years beginning after December 31, 2011, but before April 3, 2015. For a taxpayer that does not apply § 1.45G–1T to a taxable year beginning after December 31, 2011, but before April 3, 2015, the guidance that applies to such taxable year is contained in Notice 2013–20 (2013–15 IRB 902).

(5) *Taxable years ending before January 1, 2012.* See § 1.45–1 as contained in 26 CFR part 1, revised April 1, 2014.

(6) *Expiration date.* The applicability of § 1.45G–1T expires on April 2, 2018.

■ **Par. 8.** Section 1.280C–4 is amended by revising paragraph (b)(2), redesignating paragraph (c) as (c)(1) and adding paragraphs (c)(2) and (3) to read as follows:

§ 1.280C–4. Credit for increasing research activities.

* * * * *

(b) * * *

(2) [Reserved]. For further guidance, see § 1.280C–4T(b)(2).

* * * * *

(c) * * *

(2) [Reserved]. For further guidance, see § 1.280C–4T(c)(2).

(3) [Reserved]. For further guidance, see § 1.280C–4T(c)(3).

■ **Par. 9.** Section 1.280C–4T is added to read as follows:

§ 1.280C–4T. Credit for increasing research activities (temporary).

(a) [Reserved]. For further guidance, see § 1.280C–4(a).

(b) *Controlled groups of corporations; trades or businesses under common control.* (1) [Reserved]. For further guidance, see § 1.280C–4(b)(1).

(2) Example. The following example illustrates an application of paragraph (b) of this section: A, B, and C, all of which are calendar year taxpayers, are members of a controlled group of corporations (within the meaning of section 41(f)(5)). A, B, and C each attach a statement to the 2012 Form 6765, ''Credit for Increasing Research Activities,'' showing A and C were the only members of the controlled group to have qualified research expenses when calculating the group credit. A and C report their allocated portions of the group credit on the 2012 Form 6765 and B reports no research credit on Form 6765. Pursuant to § 1.280C–4(a), A and B, but not C, each make an election for the reduced credit under section 280(c)(3)(B) on the 2012 Form 6765. In December 2013, B determines it had qualified research expenses in 2012 resulting in an increased group credit. On an amended 2012 Form 6765, A, B, and C each report their allocated portions of the group credit. B reports its credit as a regular credit under section 41(a) and reduces the credit under section 280C(c)(3)(B). C may not reduce its credit under section 280(c)(3)(B) because C did not make an election for the reduced credit with its original return.

(c)(1) [Reserved]. For further guidance see § 1.280C–4(c)(1).

(2) *Taxable years beginning after December 31, 2011.* Section 1.280C–4T is applicable for taxable years beginning on or after April 3, 2015. Taxpayers may apply § 1.280C–4T to taxable years beginning after December 31, 2011, but before April 3, 2015. For a taxpayer that does not apply § 1.280C–4T to a taxable year beginning after December 31, 2011, but before April 3, 2015, the guidance that applies to such taxable year is contained in Notice 2013–20 (2013–15 IRB 902).

(3) *For taxable years ending before January 1, 2012.* See § 1.280C–4 as contained in 26 CFR part 1, revised April 1, 2014.

(4) *Expiration date.* The applicability of paragraph (b)(2) expires on April 2, 2018.

John Dalrymple,

Deputy Commissioner for Services and Enforcement.

Approved: March 16, 2015.

Mark J. Mazur,

Assistant Secretary of the Treasury (Tax Policy).

[FR Doc. 2015–07331 Filed 4–2–15; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF JUSTICE

28 CFR Part 16

[Docket No. OAG 140; AG Order No. 3517–2015]

RIN 1105–AB27

Revision of Department's Freedom of Information Act Regulations

AGENCY: Department of Justice.

ACTION: Final rule.

SUMMARY: This rule amends the Department's regulations under the Freedom of Information Act (''FOIA''). The regulations have been revised to update and streamline the language of several procedural provisions and to incorporate changes brought about by the amendments to the FOIA under the OPEN Government Act of 2007. Additionally, the regulations have been updated to reflect developments in the case law and to include current cost figures to be used in calculating and charging fees.

DATES: Effective May 4, 2015.

FOR FURTHER INFORMATION CONTACT: Lindsay Roberts, Attorney-Advisor, Office of Information Policy, (202) 514–3642.

SUPPLEMENTARY INFORMATION:

Background Information

On March 21, 2011, the Department of Justice published a proposed rule to revise its existing regulations under the FOIA. *See* 76 FR 15236. On September 19, 2011, the Department reopened the comment period for another thirty days in order to consider additional public comments. *See* 76 FR 57940.

Comments

Interested persons were afforded the opportunity to participate in the

rulemaking process through submission of written comments to the proposed rule during the two open comment periods. In total, the Department received fifteen public submissions in response to its proposed rule, including comments from another agency as well as internal comments from components of the Department. Due consideration has been given to each of the comments received and, in response, the Department has made several modifications to the rule. These modifications include clarifying, revising, or expanding various provisions, withdrawing a provision, retaining existing language for certain other provisions, and making technical edits, such as correcting Web site links.

General Provisions

As an initial matter, the Department has decided that the final regulations will reference the Department's policy to encourage discretionary releases of information whenever disclosure would not foreseeably harm an interest protected by a FOIA exemption.

Some commenters suggested the inclusion of provisions that would merely duplicate certain statutory requirements, such as adding provisions describing the FOIA's standards for tolling of requests or delineating the statutory duties of FOIA Public Liaisons. Other than those instances where the Department believed it was important for emphasis, in order to streamline these regulations the Department has intentionally not simply repeated statutory provisions. These regulations implement the FOIA as well as the Office of Management and Budget's Uniform Freedom of Information Act Fee Schedule and Guidelines, 52 FR 10012 (Mar. 27, 1987) (''OMB Guidelines''), and should be read in conjunction with those authorities. The regulations are not meant to duplicate or to serve as a substitute for these sources.

Fee-Related Provisions

Several public submissions contained comments regarding the Department's assessment of fees. As a general matter, the Department notes that the fee provisions are written to conform with the OMB Guidelines, which establish uniform standards for fee matters. Conformity with the OMB Guidelines is required by the FOIA. *See* 5 U.S.C. 552(a)(4)(A)(i).

One commenter questioned the specific dollar amount that he had been charged by one Department component for producing records on compact discs (''CDs'') as well as the volume of material that was loaded onto each CD. In accordance with the OMB Guidelines, *see* 52 FR at 10018, the Department's current regulations provide (without specifying a dollar amount) for the assessment of ''direct costs,'' meaning the actual cost of producing the media, incurred by the component when producing records in a format other than paper. The direct costs of producing records on CD may include scanning paper records into an electronic format and conducting requisite security scans in addition to the cost associated with the blank CD. Section 16.10(c)(2) of the final rule, which allows components to charge ''direct costs'' for non-paper media, gives components flexibility to adjust fees as the costs of providing records in a specified format change over time. This same flexibility allows components to adjust the volume of material loaded onto each CD to ensure that requesters receive material as efficiently as possible. The expectation is that with technological advances, components will pass along the reduced costs to requesters contemporaneously, without first necessitating a change in the regulation. Accordingly, this regulation is not the proper venue for determining the specific dollar amount that components should charge or the volume of material that should be loaded onto each CD.

Several commenters expressed concerns about the increase in search fees. In contrast to the use of ''direct costs'' for responding to a request for non-paper media, search fees are assessed on a uniform basis throughout the Department in accordance with the OMB Guidelines and are largely salary-based. *See* 52 FR at 10018. The Department has reexamined the rates using a formula for search and review fees that takes into account current pay rates for different levels of staff involved in processing FOIA requests. The revised rule changes the ''administrative'' staff category to ''clerical/administrative'' to account for work performed by either clerical or administrative staff who may assist FOIA professionals in searching for responsive records. As a result of these adjustments, while there is a small increase in the rates from our existing regulations, we were able to reduce the rates from those originally proposed. Updating these costs is consistent with the OMB Guidelines, which provide that ''[a]gencies should charge fees that recoup the full allowable direct costs they incur.'' *Id.* While certain costs are now higher than when last calculated 13 years ago, the revised fee schedule includes a decrease in duplication fees due to advances in technology. The Department includes in the revised regulations a directive that components ''ensure that searches, review, and duplication are conducted in the most efficient and the least expensive manner.'' § 16.10(a). For greater emphasis, the Department moves that directive in the final rule from the definition paragraph in proposed § 16.10 to the introductory paragraph in the final rule.

One commenter recommended that proposed § 16.10(b)(3) contain the statement, included in the existing version of that paragraph, 28 CFR 16.11(b)(3), that ''[c]omponents shall honor a requester's specified preference of form or format.'' The requirement to honor a requester's specified form or format preference is now located in § 16.10(c)(2), concerning charging duplication fees, which is a more appropriate location.

Some commenters expressed concern regarding the provisions that govern fees for educational institutions. The FOIA provides in relevant part that ''fees shall be limited to reasonable standard charges for document duplication when records are not sought for commercial use and the request is made by an educational or noncommercial scientific institution, whose purpose is scholarly or scientific research.'' 5 U.S.C. 552(a)(4)(A)(ii)(II). In other words, such a requester may not be charged fees for searches or review.

One commenter took issue with proposed § 16.10(b)(4), concerning the definition of the term educational institution. Specifically, the commenter objected to the phrase indicating that the educational institution must ''operate[] a program of scholarly research'' and argued that this requirement would effectively exclude various types of schools other than universities. The commenter mistakenly asserted that the provision would be new; in fact, not only is it not new, but the requirement that an educational institution have as its purpose ''scholarly'' research derives from the FOIA itself, *see* 5 U.S.C. 552(a)(4)(A)(ii)(II), and the specific language was taken directly from the OMB Guidelines. 52 FR at 10018; *see also id.* at 10014 (addressing rationale for this requirement). As the OMB Guidelines note, whether a school qualifies must be determined on a case-by-case basis:

> As a practical matter, it is unlikely that a preschool or elementary or secondary school would be able to qualify for treatment as an ''educational'' institution since few preschools, for example, could be said to conduct programs of scholarly research. But,

agencies should be prepared to evaluate requests on an individual basis when requesters can demonstrate that the request is from an institution that is within the category, that the institution has a program of scholarly research, and that the documents sought are in furtherance of the institution's program of scholarly research and not for a commercial use.

52 FR at 10014.

Two commenters objected to the provision in proposed § 16.10(b)(4) stating that ''[r]ecords requested for the intention of fulfilling credit requirements are not considered to be sought for a scholarly purpose.'' This requirement is also taken from the OMB Guidelines, which distinguish individual research goals from an institution's research goals. The addition of this language was intended to reflect longstanding Department practice and to alleviate any confusion among student requesters. The statute indicates that the relevant question is whether the request is made ''by an educational or noncommercial scientific institution.'' 5 U.S.C. 552(a)(4)(A)(ii)(II). The OMB Guidelines address how that inquiry is to be made:

Agencies should ensure that it is apparent from the nature of the request that it serves a scholarly research goal of the institution, rather than an individual goal. Thus, for example, a request from a professor of geology at a State university for records relating to soil erosion, written on letterhead of the Department of Geology, could be presumed to be from an educational institution. A request from the same person for drug information from the Food and Drug Administration in furtherance of a murder mystery he is writing would not be presumed to be an institutional request, regardless of whether it was written on institutional stationary [*sic*] . . . .

The institutional versus individual test would apply to student requests as well. A student who makes a request in furtherance of the completion of a course of instruction is carrying out an individual research goal and the request would not qualify, although the student in this case would certainly have the opportunity to apply to the agency for a reduction or waiver of fees.

52 FR at 10014.

The final rule clarifies this provision by replacing the sentence that commenters flagged with a series of examples based on the OMB Guidelines discussion quoted above, thereby making clear that this inquiry applies to professors as well. Students and professors who do not qualify for reduced fees under this provision, and who do not seek the records for a commercial use, will, of course, be afforded the benefits of the two free hours of search time and one hundred pages of duplication without cost that are afforded to any other non-commercial use requester. *See* § 16.10(d)(4) of the final rule. And like all requesters, they may apply for a fee waiver under the fee waiver provision of the FOIA, pursuant to § 16.10(k) of the final rule.

One commenter suggested that the provision in proposed § 16.10(b)(6) stating that ''[a] component's decision to grant a requester media status will be made on a case-by-case basis based upon the requester's intended use'' should be deleted. The Department agrees and believes that the language is better placed under the definition of a ''commercial use'' requester. In the OMB Guidelines, the requester's intended use of the requested records determines whether the requester will fall within the ''commercial use'' fee category, or one of the other categories. *See* 52 FR at 10013, 10017–18. As the OMB Guidelines explain, ''it is possible to envision a commercial enterprise making a request that is not for a commercial use'' and ''[i]t is also possible that a non-profit organization could make a request that is for a commercial use.'' *Id.* at 10013. To make this point clearer, the Department moves the reference to case-by-case determinations to the ''commercial use'' definition. Within the definition of ''representative of the news media,'' the Department retains the statement from its existing regulations that ''a request for records supporting the news-dissemination function of the requester shall not be considered to be for a commercial use.''

This commenter also suggested including a reference to news organizations that operate solely on the Internet in the list of examples of ''representatives of the news media.'' The Department concurs and adds such an example.

Another commenter suggested that the definition of ''representative of the news media'' in proposed § 16.10(b)(6) should not require that the person or entity be ''organized and operated to publish or broadcast news.'' This requirement is being retained because it comes directly from the definition of ''representative of the news media'' in the OMB Guidelines, *see* 52 FR at 10018, which is in turn based on the statute's inclusion of the term ''news'' in this fee category, *see id.* at 10015.

One commenter suggested that proposed § 16.10(c)(1)(iii), regarding the direct costs associated with creating computer programs to extract information, require that requesters be notified of any such costs before the costs are incurred. The Department agrees and revises this provision accordingly. Another commenter suggested that the regulations address the provision of the OPEN Government Act of 2007, codified at 5 U.S.C. 552(a)(4)(A)(viii), that limits the charging of fees in certain instances where time limits are not met. This statutory provision, in fact, has been expressly addressed in proposed § 16.10(d)(2), which sets forth restrictions on charging fees.

One commenter suggested that under proposed § 16.10(e), when components notify requesters of anticipated fees in excess of $25.00, they provide non-commercial use requesters with their statutory entitlements of one hundred free pages and, when search fees are assessed, their two hours of free search time or the cost equivalent. The Department believes that requesters should be apprised of the option to receive their statutory entitlements regardless of whether estimated fees exceed $25.00 and has revised the provision to account for that. However, the Department believes it is preferable not to require components to perform the statutorily entitled free search and duplication before the requester responds to the notice because it would not be an efficient use of limited FOIA resources, inasmuch as the requester might choose to revise the request after receipt of the notice. The Department also adds a provision to permit requesters to designate a specific amount of fees that they are willing to pay. If it turns out that the total cost of processing the request is higher, the component must still process the request up to the amount of fees the requester agreed to pay, unless the requester withdraws the request. Finally, the Department adds language to clarify that when a requester has indicated a willingness to pay some amount of fees, the time to respond is tolled when the Department informs the requester that the total cost of processing the request is higher than the amount the requester indicated a willingness to pay. Once the agency receives the requester's response to the notice, the time to respond to the request will resume from where it was at the date of the notification.

One commenter suggested that Department components should make fee waiver determinations based ''on the face of the request'' under proposed § 16.10(k) and not defer such decisions ''until after search costs are incurred.'' The commenter misinterprets the effect of the six factors contained in proposed § 16.10(k). The regulations do not provide for the assessment of fees as part of the process of making a fee waiver determination. Rather, the six factors set out in the regulations guide

Department components in applying the statutory standard for waiving fees. Requesters do not incur any charge as a result of this process.

Another commenter suggested that the Department delete the word ''ordinarily'' from proposed § 16.10(k)(2)(iii), concerning the third fee waiver factor, which discusses whether disclosure will contribute to public understanding of the subject. The Department accepts this comment and reinstates the original language: ''It shall be presumed that a representative of the news media will satisfy this consideration.''

This commenter also suggested reinstatement of language in the existing regulations regarding presumptions about disclosures made to data brokers. The Department agrees and reinstates that language in § 16.10(k)(3)(ii) as well as the related language about presumptions regarding disclosure to the news media.

One commenter suggested adding a provision containing a statement that components may waive fees as a matter of discretion. The FOIA establishes a standard for waiver or reduction of fees. The Department's regulations are intended to define the manner in which this standard is to be applied. In some cases, components may need to make discretionary judgments, but they must do so within the confines of the statutory standard.

An agency commenter suggested that proposed § 16.10(e) be revised to include a provision that when components notify requesters of the actual or estimated amount of fees that they include in that estimate a breakdown of the fees for search, review, or duplication. The Department agrees and makes that revision.

Exclusion Provision

A number of commenters raised concerns regarding proposed § 16.6(f)(2), which pertained to responses to requests involving records excluded from the requirements of the FOIA by 5 U.S.C. 552(c). Section 552(c), enacted as an amendment to the FOIA in 1986, *see* Public Law 99–570, secs. 1801–04, 100 Stat. 3207, provides special protection for three categories of particularly sensitive law enforcement records. The first exclusion protects against disclosure of a pending criminal law enforcement investigation where there is reason to believe that the target is unaware of the investigation and disclosure of its existence could reasonably be expected to interfere with enforcement proceedings. The second exclusion, which applies only to records maintained by criminal law enforcement agencies, protects against disclosure of unacknowledged, confidential informants. The third exclusion, which applies only to the Federal Bureau of Investigation, protects against disclosure of foreign intelligence or counterintelligence, or international terrorism records, when the existence of those records is classified.

Proposed § 16.6(f)(2) provided as follows: ''When a component applies an exclusion to exclude records from the requirements of the FOIA pursuant to 5 U.S.C. 552(c), the component utilizing the exclusion will respond to the request as if the excluded records did not exist. This response should not differ in wording from any other response given by the component.'' Commenters suggested that this language would impede governmental transparency and accountability.

Proposed § 16.6(f)(2) was intended to incorporate guidance issued more than 20 years ago by Attorney General Edwin Meese. *See* Attorney General's Memorandum on the 1986 Amendments to the Freedom of Information Act 18–30 (December 1987), *available at http://www.justice.gov/oip/86agmemo.htm* (''Meese Guidance''). The Meese Guidance provided, among other things, that where the only records responsive to a request were excluded from the FOIA by statute, that ''a requester can properly be advised in such a situation that 'there exist no records responsive to your FOIA request.' '' *Id.* at 27. The Meese Guidance also advised agencies that they must ensure that their FOIA responses are consistently worded so that a requester is not able to determine from the wording of a response that an exclusion was invoked. *See id.*

In September 2012, in order to bring greater awareness to the public about the existence and effect of these statutory provisions, the Office of Information Policy (''OIP'') issued guidance outlining the steps all agencies should take to ensure proper implementation of exclusions and setting forth the new requirements for their use. *See* Office of Information Policy, ''Implementing FOIA's Statutory Exclusion Provisions'' (September 14, 2012), *available at http://www.justice.gov/oip/foiapost/2012foiapost9.html* (''OIP Exclusion Guidance'').

The OIP Exclusion Guidance establishes a new approach for all agencies to take when responding to requests, in lieu of the approach that had been set forth in proposed § 16.6(f)(2). Specifically, all agency components that maintain criminal law enforcement records now include a notification in their FOIA response letters advising requesters that Congress excluded certain records from the requirements of the FOIA and that the agency's response addresses those records that are subject to the requirements of the FOIA. The Department instructed these law enforcement components to include the following language in response to all FOIA requests:

> For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. 552(c) (2006 & Supp. IV 2010). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

See OIP Exclusion Guidance.

As explained in greater length in the OIP Exclusion Guidance, the Department believes that the use of this language addresses the concerns raised by the commenters who had criticized proposed § 16.6(f)(2), while preserving the integrity of the sensitive law enforcement records at stake.

The final rule retains two provisions in the proposed rule aimed at ensuring proper use of exclusions. Before applying an exclusion, the component must first obtain approval from OIP. *See* § 16.6(g)(1). Furthermore, any component invoking an exclusion must maintain records of its use and approval. *See* § 16.6(g)(2). These provisions are intended to enhance accountability in the use of exclusions.

One commenter suggested that the last sentence of proposed § 16.4(a), which provides that ''[a] record that is excluded from the requirements of the FOIA pursuant to 5 U.S.C. 552(c), shall not be considered responsive to a request'' should be changed to say that the records ''may not be considered responsive.'' This sentence was designed to provide notice that records determined by a component to be properly subject to an exclusion are not considered to be responsive to the FOIA request. The FOIA provides that agencies ''may,'' under certain defined circumstances, treat records ''as not subject to the requirements of [the FOIA],'' 5 U.S.C. 552(c). As a result, components may choose not to apply an exclusion even if the FOIA would allow them to do so. This provision addresses those situations where a component does decide to lawfully apply an exclusion. The provision makes clear that in those cases the excluded records are not responsive to the request. For clarity, we have changed the wording in the final rule to replace the word

''shall'' with ''is'' so that the regulation more clearly conveys that it is addressing the consequence of those situations where a component has decided to apply an exclusion.

An agency commenter suggested that requiring components to obtain OIP approval before applying an exclusion would conflict with OIP's role as the adjudicator of any subsequent administrative appeal. The commenter questioned whether, if OIP approved the use of an exclusion beforehand, it could review impartially its own decision on appeal. The commenter therefore recommended that components be required only to consult with OIP, rather than obtain its approval, before applying an exclusion. The Department declines to make this change. OIP is both a guidance office and an appeal authority, and aims to assist components as early as possible in the process to ensure that requests are processed properly and to obviate the need for appeals where possible. In light of the importance of invoking exclusions properly, the Department believes it is critical that OIP approve their use beforehand, given that only a subset of requesters file administrative appeals.

Other Provisions

Section 16.2 (Proactive Disclosure of Department Records)

One commenter expressed concern that the proposed rule removes a reference to the requirement that records required to be made available for public inspection be indexed as well. In fact, the rule does not remove this requirement; rather, it states that each component is responsible for posting and indexing such records, and for updating posted records and indices on an ongoing basis.

The same commenter suggested that proposed § 16.2 should be modified to require that Department components post online the responses to all FOIA requests that do not involve individuals seeking access to their own records. The Department encourages the posting of all records, particularly records likely to be of interest to the public. However, given that resources are needed to properly code records for posting, it is important that Department components retain flexibility to decide how best to use those resources, including flexibility to use other options such as posting logs of FOIA responses.

Section 16.3 (Requirements for Making a Request)

One commenter expressed concern that proposed § 16.3(a) ''will allow the agency to summarily deny requests when the requester fails to write to the correct 'FOIA office of the Department component.''' This scenario was not the intention of that provision, nor will it be a consequence of the provision. Indeed, as noted in § 16.5(a) of the proposed regulations and as is contemplated in the FOIA itself, components are expected to re-route misdirected requests to the proper component. *See* 5 U.S.C. 552(a)(6)(A)(ii). For emphasis, the Department adds a new § 16.4(c) that expressly states the obligation to re-route misdirected requests.

In addition, the Department adds language to the provision to explain that the requester will receive the quickest response if the request is directed to the component that maintains the records. Requesters have another option as well. For any requester who is uncertain as to which Department component may maintain responsive records, or who simply chooses to do so, proposed § 16.3(a)(2) provides the requester with the option of submitting the request to the FOIA/PA Mail Referral Unit, which will then direct the request to the component(s) that it determines is most appropriate. The Mail Referral Unit is a long-standing service the Department provides to assist requesters who are uncertain as to where to direct their requests.

The same commenter asserted that proposed § 16.3(a)(3), which requires the submission of a certification of identity for first-party requesters and references the Department's Privacy Act regulation in subpart D on that point, should be clarified as only applying to U.S. citizens or lawful alien residents. This provision of the regulations is intended to apply to all first-party requesters, regardless of their country of origin and is intended to protect the privacy of individuals. The reference to subpart D of the regulations is merely meant to inform requesters as to the location of the requirements for verifying their identities when making requests for their own records. As a matter of policy, the Department requires verification of identity for all first-party requesters, not just requesters who are covered by the Privacy Act, to appropriately protect the privacy of all individuals and ensure that an individual's private records are not improperly disclosed to a third party. This is not a new requirement and is in the existing regulations.

One commenter expressed concern that the change in language proposed for § 16.3(c), (redesignated as § 16.3(b) in the final rule), which addresses the requirement to reasonably describe the records sought, would ''establish new barriers to access.'' That was not the Department's intention. We revise this section to conform to the existing regulations and add further resources for requesters to assist them in reasonably describing the records they seek. The section now provides that requesters may discuss their requests with the component's FOIA contact or its FOIA Public Liaison in advance of making a request, as well as to clarify a request already made. Further, requesters may also contact a representative of OIP for assistance. All these officials will be available to assist requesters in reasonably describing the records sought.

Section 16.4 (Responsibility for Responding to Requests)

One commenter noted that the proposed rule deleted existing § 16.7 concerning classified information. This commenter also indicated that it was unclear whether the citation to part 17 in proposed § 16.4(d) (redesignated as § 16.4(e) in the final rule) reflects the Department's obligations with respect to such material. The Department further clarifies this provision to make clear that, in responding to requests for classified information, the component must determine whether the information remains currently and properly classified.

With respect to proposed § 16.4(e) (now incorporated into § 16.4(d) in the final rule), regarding notice of referrals, one commenter was concerned with the reference to protecting the identities of recipients of document referrals when disclosure of the recipient would itself disclose a sensitive, exempt fact. In the intervening period since the close of the second comment period, the Department has issued new guidance on consultations and referrals that requires agencies to use coordination procedures, rather than making a referral, if the recipient cannot be identified due to law enforcement or national security concerns. As a result, this provision, as well as proposed § 16.4(c) (now incorporated into § 16.4(d) in the final rule), is being revised to reflect that new Department guidance. *See* Office of Information Policy, ''Referrals, Consultations, and Coordination: Procedures for Processing Records When Another Agency or Entity Has an Interest in Them,'' (December 2011), *available at www.justice.gov/oip/foiapost/2011foiapost42.html* (explaining exceptions to standard procedures for making referrals and procedures for coordinating responses).

One commenter suggested that any agreements between Department

components as to the processing of certain records, which was discussed in proposed § 16.4(g), should be made publicly available. This provision is intended to hasten processing by eliminating certain consults or referrals for components that share or encounter the same types of records on a regular basis. There is no requirement, however, that components create formal agreements appropriate for posting with respect to these records. In the interests of maintaining flexibility and enhancing efficiency, which are the goals of this section, no changes are being made to the provision.

Section 16.5 (Timing of Responses to Requests)

One commenter contended that the portion of proposed § 16.5(a) concerning the commencement of response time for misdirected requests should be deleted. The commenter is referred to 5 U.S.C. 552(a)(6)(A)(ii) of the FOIA, which is the statutory provision establishing the time period to route misdirected requests.

Another commenter recommended that proposed § 16.5(a) require components to forward any misdirected requests to the Justice Management Division's Mail Referral Unit, rather than to the Department component that the receiving component deems most appropriate. While components are free to do so when they are uncertain as to the proper component, imposing a requirement to route all misdirected requests through the Mail Referral Unit rather than directly to the proper component would unnecessarily delay the receipt of the request by the appropriate Department component. The Department has issued guidance on the handling of misdirected requests, *see* Office of Information Policy, ''OIP Guidance: New Requirement to Route Misdirected FOIA Requests,'' (November 11, 2008), *available at http://www.justice.gov/oip/foiapost/2008foiapost31.htm.*

One commenter took issue with the use of the term ''unusual circumstances'' contained in proposed § 16.5(c) and suggested instead using the term ''unforeseen circumstances.'' However, ''unusual circumstances'' is a term of art that is taken directly from, and defined by, the FOIA. *See* 5 U.S.C. 552(a)(6)(B)(i).

One commenter asserted that the language from the existing regulation stating that information dissemination ''need not be a [requester's] sole occupation,'' 28 CFR 16.5(d)(3) should be restored in proposed § 16.5(e)(3), which pertains to expedited processing. It was not the Department's intention to narrow this standard—indeed, the example provided in the provision references a requester who is not a full-time member of the news media. To provide even greater clarity, the final rule provides that information dissemination ''need not be the requester's sole occupation.''

The commenter also suggested deletion of a sentence from proposed § 16.5(e)(3) regarding the provision of news articles. The commenter noted that requesters frequently make use of news articles to demonstrate a need for expedited processing. While acknowledging that provision of news articles does not ''necessarily require[] the grant of expedited processing'' in all instances, the commenter objected to the proposed sentence as not recognizing the usefulness of providing articles. The Department modifies this sentence to make it clear that provision of news articles on a topic ''can be helpful'' to establishing that the standard is met. This language conveys more appropriately the impact of providing numerous news articles. Finally, the Department revises the final sentence of proposed § 16.5(e)(4), regarding administrative appeal of any component denial of expedited processing, to maintain the language used in the existing regulations.

Section 16.6 (Responses to Requests)

One commenter suggested adding a sentence to proposed § 16.6(d) (redesignated as § 16.6(e) in the final rule), which concerns estimating the volume of information withheld, to require a listing of any documents withheld in full. Another commenter suggested that a brief description of the withheld information be provided if doing so would not reveal exempt information. While the Department understands the desire for such further detail, and encourages components to use their judgment to provide additional helpful information when practical, the Department must balance the time involved with imposing such a requirement against the heavy demands faced by many components to process thousands or tens of thousands of requests each year. In light of those demands, imposing such a requirement would be counterproductive. Contrary to the first commenter's assertion, a listing is not required at the administrative stage of processing a FOIA request. *See Bangoura* v. *U.S. Dep't of the Army,* 607 F. Supp. 2d 134, 143 n.8 (D.D.C. 2009) (holding that list of withheld documents is not required at administrative stage of processing FOIA requests and appeals).

One commenter mistakenly thought that proposed § 16.6(e) had eliminated the requirement that a denial be signed by the head of the component or a designee. The first line of § 16.6(e) in the final rule continues to contain this requirement.

An agency commenter recommended that acknowledgments of requests include a brief description of the subject of the request in order to help requesters keep track of multiple pending requests. The Department agrees and has included such language in § 16.6(b) of the final rule.

The same commenter recommended that the rule reference the statutory requirement that agencies indicate, if technically feasible, the amount of information deleted and the exemption under which each deletion is made unless doing so would harm an interest protected by an applicable exemption. The Department adds such language in § 16.6 of the final rule.

Section 16.7 (Confidential Commercial Information)

One commenter approved of the change to proposed § 16.7(b) which states that ''[a] submitter of confidential commercial information must use good faith efforts to designate by appropriate markings . . . any portion of its submission that it considers to be protected from disclosure under Exemption 4.'' A similar requirement is also contained in proposed § 16.7(e) for submitters relying on Exemption 4 as a basis for nondisclosure after receipt of submitter notice. However, the commenter objected to the language of proposed § 16.7(e) that also states that a submitter *should* provide the component with detailed reasons for withholding under any FOIA exemption. The commenter suggested the use of the word ''must'' instead of ''should.''

The difference in the requirements is based on the nature of the information at issue. Submitters are in the best position to explain why information should be considered confidential commercial information pursuant to Exemption 4, but would not have any specialized insight into the application of other FOIA exemptions. Accordingly, although a submitter's opinion on the applicability of other FOIA exemptions is solicited, the Department does not require it because the components are best suited to make such disclosure determinations.

Section 16.8 (Administrative Appeals)

Two commenters took issue with the timing associated with submitting an administrative appeal set forth in

proposed § 16.8(a). In response, the Department increases the time period from 45 days to 60 days. The Department notes that the use of the postmark or transmission date, rather than a ''received'' date, will provide a date certain for requesters to ensure, and components to ascertain, the timeliness of an appeal.

The Department also adds language in § 16.8(c) of the final rule to indicate that, when issuing a decision on appeal, it will inform the requester of the mediation services offered by the Office of Government Information Services (''OGIS'') of the National Archives and Records Administration as a non-exclusive alternative to litigation.

Section 16.9 (Preservation of Records)

One commenter objected to the language in proposed § 16.9 concerning document preservation. The purpose of proposed § 16.9 is to ensure that components appropriately preserve all records that are subject to a pending request, appeal, or lawsuit under the FOIA. It was not the Department's intention to narrow the scope of the obligation and so the Department is revising the language to state: ''Records will not be disposed of or destroyed while they are the subject of a pending request, appeal, or lawsuit under the FOIA.''

Miscellaneous

One commenter recommended that the regulations restate various provisions included in the 2009 President's Memorandum on the FOIA, Presidential Memorandum for Heads of Executive Departments and Agencies Concerning the Freedom of Information Act, 74 FR 4683 (Jan. 21, 2009), and the 2009 Attorney General FOIA Guidelines, Attorney General Holder's Memorandum for Heads of Executive Departments and Agencies Concerning the Freedom of Information Act, 74 FR 51879 (Oct. 8, 2009). For example, the commenter requested that the rule restate the provision in the Attorney General's FOIA Guidelines that the Department will defend in litigation a denial of a FOIA request only if the disclosure is prohibited by law or if the agency reasonably foresees that disclosure would harm an interest protected by a statutory exemption. Because this rule addresses the procedures for making and responding to FOIA requests, rather than the conduct of FOIA litigation, the Department declines to make this change. The commenter also requested that the rule restore the provision in § 16.1(a) of the existing regulations with regard to the Department's policy on making discretionary disclosures. The Department has decided to do so.

In response to the public comments and feedback from Department components with respect to the phrasing of certain provisions, the Department is revising for clarity the following provisions: § 16.1 (General provisions), § 16.3 (Requirements for making requests), § 16.4 (Responsibility for responding to requests), § 16.6 (Responses to requests), § 16.8 (Administrative appeals), and § 16.10 (Fees). The new wording more precisely states the Department's obligations with respect to consultations and referrals of documents, classified information, acknowledging receipt of requests, marking documents before release, and determining fee status.

In recognition of the greater efficiency of electronic communication, the final rule makes clear that requesters may submit requests and appeals electronically, and instructs components to communicate electronically with requesters to the extent practicable. This language is being added in § 16.3(a) (Requirements for making requests) (General information), § 16.6(a) (Responses to requests) (In general), and § 16.8(a) (Administrative appeals) (Requirements for making an appeal).

Regulatory Flexibility Act

The Attorney General, in accordance with the Regulatory Flexibility Act (5 U.S.C. 605(b)), has reviewed this regulation and by approving it certifies that it will not have a significant economic impact on a substantial number of small entities. Under the FOIA, agencies may recover only the direct costs of searching for, reviewing, and duplicating the records processed for requesters. Thus, fees assessed by the Department are nominal. Further, the ''small entities'' that make FOIA requests, as compared with individual requesters and other requesters, are relatively few in number.

Executive Orders 12866 and 13563—Regulatory Review

This regulation has been drafted and reviewed in accordance with Executive Order 12866 (''Regulatory Planning and Review''), section 1(b) (''The Principles of Regulation''), and in accordance with Executive Order 13563 (''Improving Regulation and Regulatory Review''), section 1 (''General Principles of Regulation'').

The Department of Justice has determined that this rule is a ''significant regulatory action'' under Executive Order 12866, section 3(f), and, accordingly, this rule has been reviewed by the Office of Management and Budget.

Further, both Executive Orders 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. The Department has assessed the costs and benefits of this regulation and believes that the regulatory approach selected maximizes net benefits.

The rule benefits the public by updating and streamlining the language in the Department's existing FOIA regulation. For example, the rule simplifies the assessment of fees in two ways: (1) By eliminating the presumption that requesters will pay fees up to $25 and instead providing that no fees will be assessed if the fees are under $25; and (2) by collapsing three categories of personnel into two for purposes of calculating search fees.

The rule also benefits the public by incorporating references to procedures reflecting Department guidance issued subsequent to the existing version of the regulations, such as guidance on conducting consultations, referrals, and coordination, use of exclusions, assigning tracking numbers, notifying requesters of mediation services, and routing of misdirected requests. Updating the regulation to reflect existing procedures enhances transparency and reduces the risk of confusion for requesters. There are only de minimis costs associated with incorporating the guidance changes into the rule. Many of the provisions addressed in the guidance are implemented simply by inserting standard language into correspondence, such as the language advising requesters of the mediation services offered by OGIS. Other provisions, such as those requiring assignment of tracking numbers, routing of misdirected requests, and provision of status estimates, reference procedures that components were already doing to varying degrees and so incur no meaningful new costs, and to the extent those procedures are now standardized, the time expended to comply is minimal.

The Department does not have statistics as to how many requests fall within the $15 to $25 range. Based on our experience, the Department does not

expect that raising the fee threshold to $25 will have a significant effect on the number of FOIA submissions. Further, for the subset of requests where the fees are more than $14, but less than $25, the public benefits by receiving the additional value of $11 of services without charge. While the Department will incur the cost for those additional services, the cost is minimal since it is only a difference of $11 per request, and it is counterbalanced by the time savings incurred by having the rule simplified. As a result, the Department believes that the effect of the threshold change will be de minimis. It simplifies matters for Department personnel as now there is a clear line between what requesters get for free—services under $25—and when components start assessing fees—at $25. That simplification for Department personnel is a benefit. The fees that the Department currently collects from requesters represent only 0.17% of the Department's processing costs and so the slight change in the threshold for assessing fees simply does not have a measurable cost impact on the Department.

The rule further benefits requesters by changing the way in which timeliness is determined for filing administrative appeals. The rule replaces the difficult-to-determine ''received'' date with a date certain (a postmark), which provides requesters with clarity as to timeliness while imposing no cost on the Department.

Lastly, the rule promotes understanding of requesters' statutory fee entitlements by requiring Department components to advise non-commercial-use requesters of their right to obtain 100 pages and two hours of search time for free. This will impose few if any costs on the Department; some components already follow this procedure, and the remainder can implement it easily.

In sum, the Department is confident that the rule provides multiple benefits to the public while imposing minimal costs.

Unfunded Mandates Reform Act of 1995

This rule will not result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of $100 million or more in any one year, and it will not significantly or uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

Small Business Regulatory Enforcement Fairness Act of 1996

This rule is not a major rule as defined by section 251 of the Small Business Regulatory Enforcement Fairness Act of 1996, 5 U.S.C. 804. This rule will not result in an annual effect on the economy of $100 million or more; a major increase in costs or prices; or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets.

List of Subjects in 28 CFR Part 16

Administrative practice and procedure, Freedom of information, Privacy.

For the reasons stated in the preamble, the Department of Justice amends 28 CFR chapter I, part 16, as follows:

PART 16—PRODUCTION OR DISCLOSURE OF MATERIAL OR INFORMATION

■ 1. Revise the authority citation for part 16 to read as follows:

Authority: 5 U.S.C. 301, 552, 552a, 553; 28 U.S.C. 509, 510, 534; 31 U.S.C. 3717.

■ 2. Revise subpart A of part 16 to read as follows:

Subpart A—Procedures for Disclosure of Records Under the Freedom of Information Act

Sec.

16.1 General provisions.
16.2 Proactive disclosure of Department records.
16.3 Requirements for making requests.
16.4 Responsibility for responding to requests.
16.5 Timing of responses to requests.
16.6 Responses to requests.
16.7 Confidential commercial information.
16.8 Administrative appeals.
16.9 Preservation of records.
16.10 Fees.
16.11 Other rights and services.

Subpart A—Procedures for Disclosure of Records Under the Freedom of Information Act

§ 16.1 General provisions.

(a) This subpart contains the rules that the Department of Justice follows in processing requests for records under the Freedom of Information Act (''FOIA''), 5 U.S.C. 552. The rules in this subpart should be read in conjunction with the text of the FOIA and the Uniform Freedom of Information Fee Schedule and Guidelines published by the Office of Management and Budget (''OMB Guidelines''). Additionally, the Department's ''FOIA Reference Guide'' and its attachments contain information about the specific procedures particular to the Department with respect to making FOIA requests and descriptions of the types of records maintained by different Department components. This resource is available at *http://www.justice.gov/oip/04_3.html.* Requests made by individuals for records about themselves under the Privacy Act of 1974, 5 U.S.C. 552a, are processed under subpart D of part 16 as well as under this subpart. As a matter of policy, the Department makes discretionary disclosures of records or information exempt from disclosure under the FOIA whenever disclosure would not foreseeably harm an interest protected by a FOIA exemption, but this policy does not create any right enforceable in court.

(b) As referenced in this subpart, component means each separate bureau, office, division, commission, service, center, or administration that is designated by the Department as a primary organizational entity.

(c) The Department has a decentralized system for processing requests, with each component handling requests for its records.

§ 16.2 Proactive disclosure of Department records.

Records that are required by the FOIA to be made available for public inspection and copying may be accessed through the Department's Web site at *http://www.justice.gov/oip/04_2.html.* Each component is responsible for determining which of its records are required to be made publicly available, as well as identifying additional records of interest to the public that are appropriate for public disclosure, and for posting and indexing such records. Each component shall ensure that its Web site of posted records and indices is reviewed and updated on an ongoing basis. Each component has a FOIA Public Liaison who can assist individuals in locating records particular to a component. A list of the Department's FOIA Public Liaisons is available at *http://www.justice.gov/oip/foiacontact/index-list.html.*

§ 16.3 Requirements for making requests.

(a) *General information.* (1) The Department has a decentralized system for responding to FOIA requests, with each component designating a FOIA office to process records from that component. All components have the capability to receive requests electronically either through email or a web portal. To make a request for

records of the Department, a requester should write directly to the FOIA office of the component that maintains the records being sought. A request will receive the quickest possible response if it is addressed to the FOIA office of the component that maintains the records sought. The Department's FOIA Reference Guide, which may be accessed as described in § 16.1(a), contains descriptions of the functions of each component and provides other information that is helpful in determining where to make a request. Each component's FOIA office and any additional requirements for submitting a request to a given component are listed in Appendix I to this part. Part 0 of this chapter also summarizes the functions of each component. These references can all be used by requesters to determine where to send their requests within the Department.

(2) A requester may also send requests to the FOIA/PA Mail Referral Unit, Justice Management Division, Department of Justice, 950 Pennsylvania Avenue NW., Washington, DC 20530–0001, or via email to *MRUFOIA.Requests@usdoj.gov,* or via fax to (202) 616–6695. The Mail Referral Unit will forward the request to the component(s) that it determines to be most likely to maintain the records that are sought.

(3) A requester who is making a request for records about himself or herself must comply with the verification of identity provision set forth in subpart D of this part.

(4) Where a request for records pertains to a third party, a requester may receive greater access by submitting either a notarized authorization signed by that individual or a declaration made in compliance with the requirements set forth in 28 U.S.C. 1746 by that individual authorizing disclosure of the records to the requester, or by submitting proof that the individual is deceased (*e.g.,* a copy of a death certificate or an obituary). As an exercise of administrative discretion, each component can require a requester to supply additional information if necessary in order to verify that a particular individual has consented to disclosure.

(b) *Description of records sought.* Requesters must describe the records sought in sufficient detail to enable Department personnel to locate them with a reasonable amount of effort. To the extent possible, requesters should include specific information that may assist a component in identifying the requested records, such as the date, title or name, author, recipient, subject matter of the record, case number, file designation, or reference number. Requesters should refer to Appendix I to this part for additional, component-specific requirements. In general, requesters should include as much detail as possible about the specific records or the types of records that they are seeking. Before submitting their requests, requesters may contact the component's FOIA contact or FOIA Public Liaison to discuss the records they are seeking and to receive assistance in describing the records. If after receiving a request a component determines that it does not reasonably describe the records sought, the component shall inform the requester what additional information is needed or why the request is otherwise insufficient. Requesters who are attempting to reformulate or modify such a request may discuss their request with the component's designated FOIA contact, its FOIA Public Liaison, or a representative of the Office of Information Policy (''OIP''), each of whom is available to assist the requester in reasonably describing the records sought. If a request does not reasonably describe the records sought, the agency's response to the request may be delayed.

§ 16.4 Responsibility for responding to requests.

(a) *In general.* Except in the instances described in paragraphs (c) and (d) of this section, the component that first receives a request for a record and maintains that record is the component responsible for responding to the request. In determining which records are responsive to a request, a component ordinarily will include only records in its possession as of the date that it begins its search. If any other date is used, the component shall inform the requester of that date. A record that is excluded from the requirements of the FOIA pursuant to 5 U.S.C. 552(c), is not considered responsive to a request.

(b) *Authority to grant or deny requests.* The head of a component, or designee, is authorized to grant or to deny any requests for records that are maintained by that component.

(c) *Re-routing of misdirected requests.* Where a component's FOIA office determines that a request was misdirected within the Department, the receiving component's FOIA office shall route the request to the FOIA office of the proper component(s).

(d) *Consultation, referral, and coordination.* When reviewing records located by a component in response to a request, the component shall determine whether another component or another agency of the Federal Government is better able to determine whether the record is exempt from disclosure under the FOIA and, if so, whether it should be released as a matter of discretion. As to any such record, the component shall proceed in one of the following ways:

(1) *Consultation.* When records originated with the component processing the request, but contain within them information of interest to another component, agency, or other Federal Government office, the component processing the request should typically consult with that other component or agency prior to making a release determination.

(2) *Referral.* (i) When the component processing the request believes that a different component, agency, or other Federal Government office is best able to determine whether to disclose the record, the component typically should refer the responsibility for responding to the request regarding that record, as long as the referral is to a component or agency that is subject to the FOIA. Ordinarily, the component or agency that originated the record will be presumed to be best able to make the disclosure determination. However, if the component processing the request and the originating component or agency jointly agree that the former is in the best position to respond regarding the record, then the record may be handled as a consultation.

(ii) Whenever a component refers any part of the responsibility for responding to a request to another component or agency, it shall document the referral, maintain a copy of the record that it refers, and notify the requester of the referral and inform the requester of the name(s) of the component or agency to which the record was referred, including that component's or agency's FOIA contact information,

(3) *Coordination.* The standard referral procedure is not appropriate where disclosure of the identity of the component or agency to which the referral would be made could harm an interest protected by an applicable exemption, such as the exemptions that protect personal privacy or national security interests. For example, if a non-law enforcement component responding to a request for records on a living third party locates within its files records originating with a law enforcement agency, and if the existence of that law enforcement interest in the third party was not publicly known, then to disclose that law enforcement interest could cause an unwarranted invasion of the personal privacy of the third party. Similarly, if a component locates within its files material originating with an

Intelligence Community agency, and the involvement of that agency in the matter is classified and not publicly acknowledged, then to disclose or give attribution to the involvement of that Intelligence Community agency could cause national security harms. In such instances, in order to avoid harm to an interest protected by an applicable exemption, the component that received the request should coordinate with the originating component or agency to seek its views on the disclosability of the record. The release determination for the record that is the subject of the coordination should then be conveyed to the requester by the component that originally received the request.

(e) *Classified information.* On receipt of any request involving classified information, the component shall determine whether the information is currently and properly classified and take appropriate action to ensure compliance with part 17 of this title. Whenever a request involves a record containing information that has been classified or may be appropriate for classification by another component or agency under any applicable executive order concerning the classification of records, the receiving component shall refer the responsibility for responding to the request regarding that information to the component or agency that classified the information, or that should consider the information for classification. Whenever a component's record contains information that has been derivatively classified (for example, when it contains information classified by another component or agency), the component shall refer the responsibility for responding to that portion of the request to the component or agency that classified the underlying information.

(f) *Timing of responses to consultations and referrals.* All consultations and referrals received by the Department will be handled according to the date that the FOIA request initially was received by the first component or agency.

(g) *Agreements regarding consultations and referrals.* Components may establish agreements with other components or agencies to eliminate the need for consultations or referrals with respect to particular types of records.

§ 16.5 Timing of responses to requests.

(a) *In general.* Components ordinarily will respond to requests according to their order of receipt. Appendix I to this part contains the list of the Department components that are designated to accept requests. In instances involving misdirected requests that are re-routed pursuant to § 16.4(c), the response time will commence on the date that the request is received by the proper component's office that is designated to receive requests, but in any event not later than 10 working days after the request is first received by any component's office that is designated by these regulations to receive requests.

(b) *Multitrack processing.* All components must designate a specific track for requests that are granted expedited processing, in accordance with the standards set forth in paragraph (e) of this section. A component may also designate additional processing tracks that distinguish between simple and more complex requests based on the estimated amount of work or time needed to process the request. Among the factors a component may consider are the number of pages involved in processing the request and the need for consultations or referrals. Components shall advise requesters of the track into which their request falls and, when appropriate, shall offer the requesters an opportunity to narrow their request so that it can be placed in a different processing track.

(c) *Unusual circumstances.* Whenever the statutory time limit for processing a request cannot be met because of ''unusual circumstances,'' as defined in the FOIA, and the component extends the time limit on that basis, the component shall, before expiration of the 20-day period to respond, notify the requester in writing of the unusual circumstances involved and of the date by which processing of the request can be expected to be completed. Where the extension exceeds 10 working days, the component shall, as described by the FOIA, provide the requester with an opportunity to modify the request or arrange an alternative time period for processing. The component shall make available its designated FOIA contact and its FOIA Public Liaison for this purpose.

(d) *Aggregating requests.* For the purposes of satisfying unusual circumstances under the FOIA, components may aggregate requests in cases where it reasonably appears that multiple requests, submitted either by a requester or by a group of requesters acting in concert, constitute a single request that would otherwise involve unusual circumstances. Components shall not aggregate multiple requests that involve unrelated matters.

(e) *Expedited processing.* (1) Requests and appeals shall be processed on an expedited basis whenever it is determined that they involve:

(i) Circumstances in which the lack of expedited processing could reasonably be expected to pose an imminent threat to the life or physical safety of an individual;

(ii) An urgency to inform the public about an actual or alleged Federal Government activity, if made by a person who is primarily engaged in disseminating information;

(iii) The loss of substantial due process rights; or

(iv) A matter of widespread and exceptional media interest in which there exist possible questions about the government's integrity that affect public confidence.

(2) A request for expedited processing may be made at any time. Requests based on paragraphs (e)(1)(i), (ii), and (iii) of this section must be submitted to the component that maintains the records requested. When making a request for expedited processing of an administrative appeal, the request should be submitted to OIP. Requests for expedited processing that are based on paragraph (e)(1)(iv) of this section must be submitted to the Director of Public Affairs at the Office of Public Affairs, Department of Justice, 950 Pennsylvania Avenue NW., Washington, DC 20530–0001. A component that receives a misdirected request for expedited processing under the standard set forth in paragraph (e)(1)(iv) of this section shall forward it immediately to the Office of Public Affairs for its determination. The time period for making the determination on the request for expedited processing under paragraph (e)(1)(iv) of this section shall commence on the date that the Office of Public Affairs receives the request, provided that it is routed within 10 working days.

(3) A requester who seeks expedited processing must submit a statement, certified to be true and correct, explaining in detail the basis for making the request for expedited processing. For example, under paragraph (e)(1)(ii) of this section, a requester who is not a full-time member of the news media must establish that the requester is a person whose primary professional activity or occupation is information dissemination, though it need not be the requester's sole occupation. Such a requester also must establish a particular urgency to inform the public about the government activity involved in the request—one that extends beyond the public's right to know about government activity generally. The existence of numerous articles published on a given subject can be helpful in establishing the requirement that there be an ''urgency to inform'' the public on the topic. As a matter of administrative discretion, a component

may waive the formal certification requirement.

(4) A component shall notify the requester within 10 calendar days of the receipt of a request for expedited processing of its decision whether to grant or deny expedited processing. If expedited processing is granted, the request shall be given priority, placed in the processing track for expedited requests, and shall be processed as soon as practicable. If a request for expedited processing is denied, any appeal of that decision shall be acted on expeditiously.

§ 16.6 Responses to requests.

(a) *In general.* Components should, to the extent practicable, communicate with requesters having access to the Internet using electronic means, such as email or web portal.

(b) *Acknowledgments of requests.* A component shall acknowledge the request and assign it an individualized tracking number if it will take longer than 10 working days to process. Components shall include in the acknowledgment a brief description of the records sought to allow requesters to more easily keep track of their requests.

(c) *Grants of requests.* Once a component makes a determination to grant a request in full or in part, it shall notify the requester in writing. The component also shall inform the requester of any fees charged under § 16.10 and shall disclose the requested records to the requester promptly upon payment of any applicable fees.

(d) *Adverse determinations of requests.* A component making an adverse determination denying a request in any respect shall notify the requester of that determination in writing. Adverse determinations, or denials of requests, include decisions that: the requested record is exempt, in whole or in part; the request does not reasonably describe the records sought; the information requested is not a record subject to the FOIA; the requested record does not exist, cannot be located, or has been destroyed; or the requested record is not readily reproducible in the form or format sought by the requester. Adverse determinations also include denials involving fees or fee waiver matters or denials of requests for expedited processing.

(e) *Content of denial.* The denial shall be signed by the head of the component, or designee, and shall include:

(1) The name and title or position of the person responsible for the denial;

(2) A brief statement of the reasons for the denial, including any FOIA exemption applied by the component in denying the request;

(3) An estimate of the volume of any records or information withheld, such as the number of pages or some other reasonable form of estimation, although such an estimate is not required if the volume is otherwise indicated by deletions marked on records that are disclosed in part or if providing an estimate would harm an interest protected by an applicable exemption; and

(4) A statement that the denial may be appealed under § 16.8(a), and a description of the requirements set forth therein.

(f) *Markings on released documents.* Markings on released documents must be clearly visible to the requester. Records disclosed in part shall be marked to show the amount of information deleted and the exemption under which the deletion was made unless doing so would harm an interest protected by an applicable exemption. The location of the information deleted shall also be indicated on the record, if technically feasible.

(g) *Use of record exclusions.* (1) In the event that a component identifies records that may be subject to exclusion from the requirements of the FOIA pursuant to 5 U.S.C. 552(c), the component must confer with OIP to obtain approval to apply the exclusion.

(2) Any component invoking an exclusion shall maintain an administrative record of the process of invocation and approval of the exclusion by OIP.

§ 16.7 Confidential commercial information.

(a) *Definitions.* (1) *Confidential commercial information* means commercial or financial information obtained by the Department from a submitter that may be protected from disclosure under Exemption 4 of the FOIA, 5 U.S.C. 552(b)(4).

(2) *Submitter* means any person or entity, including a corporation, State, or foreign government, but not including another Federal Government entity, that provides information, either directly or indirectly to the Federal Government.

(b) *Designation of confidential commercial information.* A submitter of confidential commercial information must use good faith efforts to designate by appropriate markings, either at the time of submission or within a reasonable time thereafter, any portion of its submission that it considers to be protected from disclosure under Exemption 4. These designations shall expire 10 years after the date of the submission unless the submitter requests and provides justification for a longer designation period.

(c) *When notice to submitters is required.* (1) A component shall promptly provide written notice to a submitter of confidential commercial information whenever records containing such information are requested under the FOIA if, after reviewing the request, the responsive records, and any appeal by the requester, the component determines that it may be required to disclose the records, provided:

(i) The requested information has been designated in good faith by the submitter as information considered protected from disclosure under Exemption 4; or

(ii) The component has a reason to believe that the requested information may be protected from disclosure under Exemption 4, but has not yet determined whether the information is protected from disclosure under that exemption or any other applicable exemption.

(2) The notice shall either describe the commercial information requested or include a copy of the requested records or portions of records containing the information. In cases involving a voluminous number of submitters, notice may be made by posting or publishing the notice in a place or manner reasonably likely to accomplish it.

(d) *Exceptions to submitter notice requirements.* The notice requirements of this section shall not apply if:

(1) The component determines that the information is exempt under the FOIA;

(2) The information has been lawfully published or has been officially made available to the public;

(3) Disclosure of the information is required by a statute other than the FOIA or by a regulation issued in accordance with the requirements of Executive Order 12600 of June 23, 1987; or

(4) The designation made by the submitter under paragraph (b) of this section appears obviously frivolous, except that, in such a case, the component shall give the submitter written notice of any final decision to disclose the information and must provide that notice within a reasonable number of days prior to a specified disclosure date.

(e) *Opportunity to object to disclosure.* (1) A component shall specify a reasonable time period within which the submitter must respond to the notice referenced above. If a submitter has any objections to disclosure, it should provide the component a detailed written statement that specifies all grounds for withholding the particular

information under any exemption of the FOIA. In order to rely on Exemption 4 as basis for nondisclosure, the submitter must explain why the information constitutes a trade secret or commercial or financial information that is privileged or confidential.

(2) A submitter who fails to respond within the time period specified in the notice shall be considered to have no objection to disclosure of the information. Information received by the component after the date of any disclosure decision shall not be considered by the component. Any information provided by a submitter under this subpart may itself be subject to disclosure under the FOIA.

(f) *Analysis of objections.* A component shall consider a submitter's objections and specific grounds for nondisclosure in deciding whether to disclose the requested information.

(g) *Notice of intent to disclose.* Whenever a component decides to disclose information over the objection of a submitter, the component shall provide the submitter written notice, which shall include:

(1) A statement of the reasons why each of the submitter's disclosure objections was not sustained;

(2) A description of the information to be disclosed; and

(3) A specified disclosure date, which shall be a reasonable time subsequent to the notice.

(h) *Notice of FOIA lawsuit.* Whenever a requester files a lawsuit seeking to compel the disclosure of confidential commercial information, the component shall promptly notify the submitter.

(i) *Requester notification.* The component shall notify a requester whenever it provides the submitter with notice and an opportunity to object to disclosure; whenever it notifies the submitter of its intent to disclose the requested information; and whenever a submitter files a lawsuit to prevent the disclosure of the information.

§ 16.8 Administrative appeals.

(a) *Requirements for making an appeal.* A requester may appeal any adverse determinations to OIP. The contact information for OIP is contained in the FOIA Reference Guide, which is available at *http://www.justice.gov/oip/04_3.html.* Appeals can be submitted through the web portal accessible on OIP's Web site. Examples of adverse determinations are provided in § 16.6(d). The requester must make the appeal in writing and to be considered timely it must be postmarked, or in the case of electronic submissions, transmitted, within 60 calendar days after the date of the response. The appeal should clearly identify the component's determination that is being appealed and the assigned request number. To facilitate handling, the requester should mark both the appeal letter and envelope, or subject line of the electronic transmission, ''Freedom of Information Act Appeal.''

(b) *Adjudication of appeals.* (1) The Director of OIP or designee will act on behalf of the Attorney General on all appeals under this section.

(2) An appeal ordinarily will not be adjudicated if the request becomes a matter of FOIA litigation.

(3) On receipt of any appeal involving classified information, OIP shall take appropriate action to ensure compliance with part 17 of this title.

(c) *Decisions on appeals.* A decision on an appeal must be made in writing. A decision that upholds a component's determination will contain a statement that identifies the reasons for the affirmance, including any FOIA exemptions applied. The decision will provide the requester with notification of the statutory right to file a lawsuit and will inform the requester of the mediation services offered by the Office of Government Information Services of the National Archives and Records Administration as a non-exclusive alternative to litigation. If a component's decision is remanded or modified on appeal, the requester will be notified of that determination in writing. The component will thereafter further process the request in accordance with that appeal determination and respond directly to the requester.

(d) *When appeal is required.* Before seeking review by a court of a component's adverse determination, a requester generally must first submit a timely administrative appeal.

§ 16.9 Preservation of records.

Each component shall preserve all correspondence pertaining to the requests that it receives under this subpart, as well as copies of all requested records, until disposition or destruction is authorized pursuant to title 44 of the United States Code or the General Records Schedule 14 of the National Archives and Records Administration. Records shall not be disposed of or destroyed while they are the subject of a pending request, appeal, or lawsuit under the FOIA.

§ 16.10 Fees.

(a) *In general.* Components shall charge for processing requests under the FOIA in accordance with the provisions of this section and with the OMB Guidelines. In order to resolve any fee issues that arise under this section, a component may contact a requester for additional information. Components shall ensure that searches, review, and duplication are conducted in the most efficient and the least expensive manner. A component ordinarily will collect all applicable fees before sending copies of records to a requester. Requesters must pay fees by check or money order made payable to the Treasury of the United States.

(b) *Definitions.* For purposes of this section:

(1) *Commercial use request* is a request that asks for information for a use or a purpose that furthers a commercial, trade, or profit interest, which can include furthering those interests through litigation. A component's decision to place a requester in the commercial use category will be made on a case-by-case basis based on the requester's intended use of the information.

(2) *Direct costs* are those expenses that an agency incurs in searching for and duplicating (and, in the case of commercial use requests, reviewing) records in order to respond to a FOIA request. For example, direct costs include the salary of the employee performing the work (*i.e.,* the basic rate of pay for the employee, plus 16 percent of that rate to cover benefits) and the cost of operating computers and other electronic equipment, such as photocopiers and scanners. Direct costs do not include overhead expenses such as the costs of space, and of heating or lighting a facility.

(3) *Duplication* is reproducing a copy of a record, or of the information contained in it, necessary to respond to a FOIA request. Copies can take the form of paper, audiovisual materials, or electronic records, among others.

(4) *Educational institution* is any school that operates a program of scholarly research. A requester in this fee category must show that the request is authorized by, and is made under the auspices of, an educational institution and that the records are not sought for a commercial use, but rather are sought to further scholarly research. To fall within this fee category, the request must serve the scholarly research goals of the institution rather than an individual research goal.

Example 1. A request from a professor of geology at a university for records relating to soil erosion, written on letterhead of the Department of Geology, would be presumed to be from an educational institution.

Example 2. A request from the same professor of geology seeking drug information from the Food and Drug Administration in furtherance of a

murder mystery he is writing would not be presumed to be an institutional request, regardless of whether it was written on institutional stationery.

Example 3. A student who makes a request in furtherance of the completion of a course of instruction would be presumed to be carrying out an individual research goal, rather than a scholarly research goal of the institution and would not qualify as part of this fee category.

(5) *Noncommercial scientific institution* is an institution that is not operated on a ''commercial'' basis, as defined in paragraph (b)(1) of this section and that is operated solely for the purpose of conducting scientific research the results of which are not intended to promote any particular product or industry. A requester in this category must show that the request is authorized by and is made under the auspices of a qualifying institution and that the records are sought to further scientific research and are not for a commercial use.

(6) *Representative of the news media* is any person or entity organized and operated to publish or broadcast news to the public that actively gathers information of potential interest to a segment of the public, uses its editorial skills to turn the raw materials into a distinct work, and distributes that work to an audience. The term ''news'' means information that is about current events or that would be of current interest to the public. Examples of news media entities include television or radio stations that broadcast ''news'' to the public at large and publishers of periodicals that disseminate ''news'' and make their products available through a variety of means to the general public, including news organizations that disseminate solely on the Internet. A request for records supporting the news-dissemination function of the requester shall not be considered to be for a commercial use. ''Freelance'' journalists who demonstrate a solid basis for expecting publication through a news media entity shall be considered as a representative of the news media. A publishing contract would provide the clearest evidence that publication is expected; however, components shall also consider a requester's past publication record in making this determination.

(7) *Review* is the examination of a record located in response to a request in order to determine whether any portion of it is exempt from disclosure. Review time includes processing any record for disclosure, such as doing all that is necessary to prepare the record for disclosure, including the process of redacting the record and marking the appropriate exemptions. Review costs are properly charged even if a record ultimately is not disclosed. Review time also includes time spent both obtaining and considering any formal objection to disclosure made by a confidential commercial information submitter under § 16.7, but it does not include time spent resolving general legal or policy issues regarding the application of exemptions.

(8) *Search* is the process of looking for and retrieving records or information responsive to a request. Search time includes page-by-page or line-by-line identification of information within records and the reasonable efforts expended to locate and retrieve information from electronic records.

(c) *Charging fees.* In responding to FOIA requests, components shall charge the following fees unless a waiver or reduction of fees has been granted under paragraph (k) of this section. Because the fee amounts provided below already account for the direct costs associated with a given fee type, components should not add any additional costs to charges calculated under this section.

(1) *Search.* (i) Requests made by educational institutions, noncommercial scientific institutions, or representatives of the news media are not subject to search fees. Search fees shall be charged for all other requesters, subject to the restrictions of paragraph (d) of this section. Components may properly charge for time spent searching even if they do not locate any responsive records or if they determine that the records are entirely exempt from disclosure.

(ii) For each quarter hour spent by personnel searching for requested records, including electronic searches that do not require new programming, the fees shall be as follows: professional—$10.00; and clerical/administrative—$4.75.

(iii) Requesters shall be charged the direct costs associated with conducting any search that requires the creation of a new computer program to locate the requested records. Requesters shall be notified of the costs associated with creating such a program and must agree to pay the associated costs before the costs may be incurred.

(iv) For requests that require the retrieval of records stored by an agency at a Federal records center operated by the National Archives and Records Administration (NARA), additional costs shall be charged in accordance with the Transactional Billing Rate Schedule established by NARA.

(2) *Duplication.* Duplication fees shall be charged to all requesters, subject to the restrictions of paragraph (d) of this section. A component shall honor a requester's preference for receiving a record in a particular form or format where it is readily reproducible by the component in the form or format requested. Where photocopies are supplied, the component shall provide one copy per request at a cost of five cents per page. For copies of records produced on tapes, disks, or other media, components shall charge the direct costs of producing the copy, including operator time. Where paper documents must be scanned in order to comply with a requester's preference to receive the records in an electronic format, the requester shall pay the direct costs associated with scanning those materials. For other forms of duplication, components shall charge the direct costs.

(3) *Review.* Review fees shall be charged to requesters who make commercial use requests. Review fees shall be assessed in connection with the initial review of the record, *i.e.,* the review conducted by a component to determine whether an exemption applies to a particular record or portion of a record. No charge will be made for review at the administrative appeal stage of exemptions applied at the initial review stage. However, if a particular exemption is deemed to no longer apply, any costs associated with a component's re-review of the records in order to consider the use of other exemptions may be assessed as review fees. Review fees shall be charged at the same rates as those charged for a search under paragraph (c)(1)(ii) of this section.

(d) *Restrictions on charging fees.* (1) No search fees will be charged for requests by educational institutions (unless the records are sought for a commercial use), noncommercial scientific institutions, or representatives of the news media.

(2) If a component fails to comply with the time limits in which to respond to a request, and if no unusual or exceptional circumstances, as those terms are defined by the FOIA, apply to the processing of the request, it may not charge search fees, or, in the instances of requests from requesters described in paragraph (d)(1) of this section, may not charge duplication fees.

(3) No search or review fees will be charged for a quarter-hour period unless more than half of that period is required for search or review.

(4) Except for requesters seeking records for a commercial use, components shall provide without charge:

(i) The first 100 pages of duplication (or the cost equivalent for other media); and

(ii) The first two hours of search.

(5) When, after first deducting the 100 free pages (or its cost equivalent) and the first two hours of search, a total fee calculated under paragraph (c) of this section is $25.00 or less for any request, no fee will be charged.

(e) *Notice of anticipated fees in excess of $25.00.* (1) When a component determines or estimates that the fees to be assessed in accordance with this section will exceed $25.00, the component shall notify the requester of the actual or estimated amount of the fees, including a breakdown of the fees for search, review or duplication, unless the requester has indicated a willingness to pay fees as high as those anticipated. If only a portion of the fee can be estimated readily, the component shall advise the requester accordingly. If the requester is a noncommercial use requester, the notice shall specify that the requester is entitled to the statutory entitlements of 100 pages of duplication at no charge and, if the requester is charged search fees, two hours of search time at no charge, and shall advise the requester whether those entitlements have been provided.

(2) In cases in which a requester has been notified that the actual or estimated fees are in excess of $25.00, the request shall not be considered received and further work will not be completed until the requester commits in writing to pay the actual or estimated total fee, or designates some amount of fees the requester is willing to pay, or in the case of a noncommercial use requester who has not yet been provided with the requester's statutory entitlements, designates that the requester seeks only that which can be provided by the statutory entitlements. The requester must provide the commitment or designation in writing, and must, when applicable, designate an exact dollar amount the requester is willing to pay. Components are not required to accept payments in installments.

(3) If the requester has indicated a willingness to pay some designated amount of fees, but the component estimates that the total fee will exceed that amount, the component shall toll the processing of the request when it notifies the requester of the estimated fees in excess of the amount the requester has indicated a willingness to pay. The component shall inquire whether the requester wishes to revise the amount of fees the requester is willing to pay or modify the request. Once the requester responds, the time to respond will resume from where it was at the date of the notification.

(4) Components shall make available their FOIA Public Liaison or other FOIA professional to assist any requester in reformulating a request to meet the requester's needs at a lower cost.

(f) *Charges for other services.* Although not required to provide special services, if a component chooses to do so as a matter of administrative discretion, the direct costs of providing the service shall be charged. Examples of such services include certifying that records are true copies, providing multiple copies of the same document, or sending records by means other than first class mail.

(g) *Charging interest.* Components may charge interest on any unpaid bill starting on the 31st day following the date of billing the requester. Interest charges shall be assessed at the rate provided in 31 U.S.C. 3717 and will accrue from the billing date until payment is received by the component. Components shall follow the provisions of the Debt Collection Act of 1982 (Pub. L. 97–365, 96 Stat. 1749), as amended, and its administrative procedures, including the use of consumer reporting agencies, collection agencies, and offset.

(h) *Aggregating requests.* When a component reasonably believes that a requester or a group of requesters acting in concert is attempting to divide a single request into a series of requests for the purpose of avoiding fees, the component may aggregate those requests and charge accordingly. Components may presume that multiple requests of this type made within a 30-day period have been made in order to avoid fees. For requests separated by a longer period, components will aggregate them only where there is a reasonable basis for determining that aggregation is warranted in view of all the circumstances involved. Multiple requests involving unrelated matters shall not be aggregated.

(i) *Advance payments.* (1) For requests other than those described in paragraphs (i)(2) or (i)(3) of this section, a component shall not require the requester to make an advance payment before work is commenced or continued on a request. Payment owed for work already completed (*i.e.,* payment before copies are sent to a requester) is not an advance payment.

(2) When a component determines or estimates that a total fee to be charged under this section will exceed $250.00, it may require that the requester make an advance payment up to the amount of the entire anticipated fee before beginning to process the request. A component may elect to process the request prior to collecting fees when it receives a satisfactory assurance of full payment from a requester with a history of prompt payment.

(3) Where a requester has previously failed to pay a properly charged FOIA fee to any component or agency within 30 calendar days of the billing date, a component may require that the requester pay the full amount due, plus any applicable interest on that prior request, and the component may require that the requester make an advance payment of the full amount of any anticipated fee before the component begins to process a new request or continues to process a pending request or any pending appeal. Where a component has a reasonable basis to believe that a requester has misrepresented the requester's identity in order to avoid paying outstanding fees, it may require that the requester provide proof of identity.

(4) In cases in which a component requires advance payment, the request shall not be considered received and further work will not be completed until the required payment is received. If the requester does not pay the advance payment within 30 calendar days after the date of the component's fee determination, the request will be closed.

(j) *Other statutes specifically providing for fees.* The fee schedule of this section does not apply to fees charged under any statute that specifically requires an agency to set and collect fees for particular types of records. In instances where records responsive to a request are subject to a statutorily-based fee schedule program, the component shall inform the requester of the contact information for that program.

(k) *Requirements for waiver or reduction of fees.* (1) Records responsive to a request shall be furnished without charge or at a reduced rate below the rate established under paragraph (c) of this section, where a component determines, based on all available information, that the requester has demonstrated that:

(i) Disclosure of the requested information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government, and

(ii) Disclosure of the information is not primarily in the commercial interest of the requester.

(2) In deciding whether disclosure of the requested information is in the public interest because it is likely to contribute significantly to public understanding of operations or activities

of the government, components shall consider all four of the following factors:

(i) The subject of the request must concern identifiable operations or activities of the Federal Government, with a connection that is direct and clear, not remote or attenuated.

(ii) Disclosure of the requested records must be meaningfully informative about government operations or activities in order to be ''likely to contribute'' to an increased public understanding of those operations or activities. The disclosure of information that already is in the public domain, in either the same or a substantially identical form, would not contribute to such understanding where nothing new would be added to the public's understanding.

(iii) The disclosure must contribute to the understanding of a reasonably broad audience of persons interested in the subject, as opposed to the individual understanding of the requester. A requester's expertise in the subject area as well as the requester's ability and intention to effectively convey information to the public shall be considered. It shall be presumed that a representative of the news media will satisfy this consideration.

(iv) The public's understanding of the subject in question must be enhanced by the disclosure to a significant extent. However, components shall not make value judgments about whether the information at issue is ''important'' enough to be made public.

(3) To determine whether disclosure of the requested information is primarily in the commercial interest of the requester, components shall consider the following factors:

(i) Components shall identify any commercial interest of the requester, as defined in paragraph (b)(1) of this section, that would be furthered by the requested disclosure. Requesters shall be given an opportunity to provide explanatory information regarding this consideration.

(ii) A waiver or reduction of fees is justified where the public interest is greater than any identified commercial interest in disclosure. Components ordinarily shall presume that where a news media requester has satisfied the public interest standard, the public interest will be the interest primarily served by disclosure to that requester. Disclosure to data brokers or others who merely compile and market government information for direct economic return shall not be presumed to primarily serve the public interest.

(4) Where only some of the records to be released satisfy the requirements for a waiver of fees, a waiver shall be granted for those records.

(5) Requests for a waiver or reduction of fees should be made when the request is first submitted to the component and should address the criteria referenced above. A requester may submit a fee waiver request at a later time so long as the underlying record request is pending or on administrative appeal. When a requester who has committed to pay fees subsequently asks for a waiver of those fees and that waiver is denied, the requester shall be required to pay any costs incurred up to the date the fee waiver request was received.

§ 16.11 Other rights and services.

Nothing in this subpart shall be construed to entitle any person, as of right, to any service or to the disclosure of any record to which such person is not entitled under the FOIA.

■ 3. Revise Appendix I to part 16 to read as follows:

Appendix I to Part 16—Components of the Department of Justice

Please consult Attachment B of the Department of Justice FOIA Reference Guide for the contact information and a detailed description of the types of records maintained by each Department component. The FOIA Reference Guide is available at *http://www.justice.gov/oip/04_3.html* or upon request to the Office of Information Policy.

The FOIA offices of Department components and any component-specific requirements for making a FOIA request are listed below. The Certification of Identity form, available at *http://www.justice.gov/oip/forms/cert_ind.pdf,* may be used by individuals who are making requests for records pertaining to themselves. For each of the six components marked with an asterisk, FOIA and Privacy Act (PA) access requests must be sent to OIP, which handles initial requests for those six components.

Antitrust Division, FOIA/PA Unit

Bureau of Alcohol, Tobacco, Firearms, and Explosives, Disclosure Division

Civil Division, FOIA/PA Officer
- Requests for records from case files must include a case caption or name, civil court case number, and judicial district.

Civil Rights Division, FOIA/PA Branch

Community Relations Service, FOIA/PA Coordinator

Criminal Division, FOIA/PA Unit

Drug Enforcement Administration, Freedom of Information Operations Unit, FOI/Records Management Section

Environment and Natural Resources Division, FOIA Coordinator, Law and Policy Section
- Requests for records from case files must include a case caption or name, civil or criminal court case number, and judicial district.

Executive Office for Immigration Review, Office of the General Counsel
- When seeking access to records concerning a named alien individual, requesters must include an alien registration number (''A'' number). If the ''A'' number is not known or the case occurred before 1988, the date of an Order to Show Cause, country of origin, and location of the immigration hearing must be provided.

Executive Office for United States Attorneys, FOIA/Privacy Unit

Executive Office for Organized Crime Drug Enforcement Task Forces
- Requests for records from case files must include the judicial district in which the investigation/prosecution or other litigation occurred.

Executive Office for United States Trustees, FOIA/PA Counsel, Office of the General Counsel
- Requests for records from bankruptcy case files must include a case caption or name, case number, and judicial district.

Federal Bureau of Investigation, Record/Information Dissemination Section, Records Management Division

Federal Bureau of Prisons, FOIA/PA Section

Foreign Claims Settlement Commission

INTERPOL–U.S. National Central Bureau, FOIA/PA Specialist, Office of General Counsel

Justice Management Division, FOIA Contact

National Security Division, FOIA Initiatives Coordinator

Office of the Associate Attorney General*

Office of the Attorney General*

Office of Community Oriented Policing Services, FOIA Officer, Legal Division

Office of the Deputy Attorney General*

Office of Information Policy

Office of the Inspector General, Office of the General Counsel

Office of Justice Programs, Office of the General Counsel

Office of Legal Counsel

Office of Legal Policy*

Office of Legislative Affairs*

Office of the Pardon Attorney, FOIA Officer

Office of Professional Responsibility, Special Counsel for Freedom of Information and Privacy Acts

Office of Public Affairs*

Office of the Solicitor General
- Requests for records from case files must include a case name, docket number, or citation to case.

Office on Violence Against Women

Professional Responsibility Advisory Office, Information Management Specialist

Tax Division, Division Counsel for FOIA and PA Matters
- Requests for records from case files must include a case caption or name, civil or criminal court case number, and judicial district.

United States Marshals Service, Office of the General Counsel
- Requests for records concerning seized property must specify the judicial district of the seizure, civil court case number, asset identification number, and an accurate description of the property.

United States Parole Commission, FOIA/PA Specialist

Dated: March 27, 2015.

Eric H. Holder, Jr.,

Attorney General.

[FR Doc. 2015–07772 Filed 4–2–15; 8:45 am]

BILLING CODE 4110–BE–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2014–1029]

RIN 1625–AA09

Drawbridge Operation Regulation; Hoquiam River, Hoquiam, WA

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is temporarily modifying the operating schedule that governs the Simpson Avenue Bridge on the Hoquiam River, mile 0.5, at Hoquiam, Washington. This temporary final rule is necessary to accommodate Washington State Department of Transportation's (WSDOT) extensive maintenance and restoration efforts on this bridge. WSDOT will only open one leaf of the double leaf bascule bridge when at least two hours of notice is given.

DATES: This temporary final rule is effective from 7 a.m. on April 1, 2015 to 11 p.m. on November 30, 2015.

ADDRESSES: Documents mentioned in this preamble are part of docket USCG–2014–1029. To view documents mentioned in this preamble as being available in the docket, go to *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 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. The telephone number is 202–366–9329.

See the ''Public Participation and Request for Comments'' portion of the **SUPPLEMENTARY INFORMATION** section below for instructions on submitting comments. To avoid duplication, please use only one of three methods.

FOR FURTHER INFORMATION CONTACT: If you have questions on this temporary rule change, call or email Steven M. Fischer, Bridge Administrator, Thirteenth Coast Guard District Bridge Program Office, telephone 206–220–7282; email *d13-pf-d13bridges@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

CFR Code of Federal Regulations
DHS Department of Homeland Security
FR Federal Register
NPRM Notice of Proposed Rulemaking
§ Section Symbol
U.S.C. United States Code

A. Regulatory History and Information

On January 2, 2015, the Coast Guard published a Notice of Proposed Rulemaking (NPRM) entitled ''Drawbridge Operation Regulation; Hoquiam River, Hoquiam, WA'' in the **Federal Register** (80 FR 21). We received no comments on the proposed rule. No public meeting was requested, and none was held.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective in less than 30 days after publication in the **Federal Register** *because to wait otherwise would be impracticable because WSDOT's work will commence on April 1, 2015 and, as noted below, there is no indication that the change will have a significant impact on any waterways users.*

B. Basis and Purpose

WSDOT, who owns and operates the Simpson Avenue Bridge on the Hoquiam River in Hoquiam, Washington, has requested a change to the bridge's existing operating regulations in order to facilitate the maintenance and restoration of the bridge. The restoration project will entail painting, rust removal, and steel repairs which require a full containment system to keep paint and debris out of the Hoquiam River.

In an effort to accommodate both the needs of the waterway and highway users, WSDOT has requested a rule change in order to eliminate the need to repeatedly uninstall and reinstall the containment system. As such, the Coast Guard will change the bridge's current operating regulation from April 1, 2015 to November 30, 2015. During that time the drawbridge would be maintained in the closed position except that, upon at least two hours advance notice, one leaf of the double leaf bascule bridge would be opened.

Vessels that are able to transit under the bridge without an opening will be free to do so. However, the existing vertical navigation clearance of the closed draw span leaf (one half of the double leaf draw bridge), will be reduced from approximately 35 feet to approximately 25 feet at mean high tide and the horizontal navigation clearance will be reduced from 125 feet to approximately 52 feet. Navigation clearance reduction is due to the installation of a required containment system.

Vessel traffic along this part of the Hoquiam River consists of vessels ranging from commercial tug and barge to small pleasure craft. WSDOT has examined bridge opening logs and contacted all waterway users that have requested bridge openings throughout the last year. The input WSDOT received from waterway users indicated that the temporary rule change will have no impact on the known users.

C. Discussion of Final Rule

The Coast Guard will revise the operating regulations at 33 CFR 117.1047. The regulation currently states that the Simpson Avenue Bridge shall open on signal if at least one hour notice is given. The Coast Guard will change the regulation such that from 7 a.m. on April 1, 2015 to 6 p.m. on November 30, 2015, the draw of the Simpson Avenue Bridge, on the Hoquiam River at mile 0.5, at Hoquiam, Washington, shall open half of the bascule (single leaf) when at least two hours of advance notice is given. No alternate routes are available for this waterway. Vessels that can transit under the bridge without an opening may do so at any time, although the existing vertical navigation clearance of the closed draw span (one half of the double leaf draw bridge), will be reduced from approximately 35 feet to approximately 25 feet at mean high tide and the horizontal navigation clearance will be reduced from 125 feet to approximately 52 feet. Navigation clearance reduction is due to the installation of a required containment system.

D. Regulatory Analyses

We developed this rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on these statutes or executive orders.

1. Regulatory Planning and Review

This 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 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 has made this finding based on the fact that all requested bridge openings will be granted with advance notification and vessels that can safely transit under the bridge may do so at any time.

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 rule would not have a significant economic impact on a substantial number of small entities.

This rule would affect the following entities, some of which might be small entities: The owners or operators of vessels needing to transit the bridge at any time of day. This rulemaking will not have a significant economic impact on a substantial number of small entities for the following reasons: The bridge will still be able to open upon advance notification.

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 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.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

4. Collection of Information

This rule calls for no 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 rule, after receiving no comments, under that Order and have determined that it 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 rule will not result in such expenditure, we do discuss the effects of this rule elsewhere in this preamble.

8. Taking of Private Property

This 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 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

We have analyzed this 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 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 action 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 rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

14. Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.lD, which guides the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA)(42 U.S.C. 4321–4370f), and have concluded that this action is one of a category of actions which do not individually or cumulatively have a significant effect on the human environment. This rule simply promulgates the operating regulations or procedures for drawbridges. This rule is categorically excluded, under figure 2–1, paragraph (32)(e), of the Instruction.

Under figure 2–1, paragraph (32)(e), of the Instruction, an environmental analysis checklist and a categorical exclusion determination are not required for this rule.

List of Subjects in 33 CFR Part 117 Bridges.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 117 as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

■ 1. The authority citation for part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 33 CFR 1.05–1; Department of Homeland Security Delegation No. 0170.1.

§ 117.1047 [Amended]

■ 2. In § 117.1047, effective 7 a.m. on April 1, 2015 until 6 p.m. on November 30, 2015, suspend paragraph (c) and add paragraph (e) to read as follows:

§ 117.T1047 Hoquiam River.

* * * * *

(e) Half of the draw (single leaf) of the Simpson Avenue Bridge, mile 0.5, at Hoquiam, WA, shall open on signal if at least a two hour notice is given by telephone or VHF radio to the Washington State Department of Transportation. The opening signal is two prolonged blasts followed by one short blast.

Dated: March 18, 2015.

R.T. Gromlich,

Rear Admiral, U.S. Coast Guard, Commander, Thirteenth Coast Guard District.

[FR Doc. 2015–07317 Filed 4–1–15; 11:15 am]

BILLING CODE 9110–04–P

DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 3

RIN 2900–AP33

Technical Corrections

AGENCY: Department of Veterans Affairs.

ACTION: Final rule.

SUMMARY: The Department of Veterans Affairs (VA) amends its regulations to remove out-of-date legal citations and add the correct authority. This rulemaking contains only nonsubstantive, technical changes.

DATES: This rule is effective April 3, 2015.

FOR FURTHER INFORMATION CONTACT: Michael Rasmussen, Consultant, Regulations Staff (211D), Compensation Service, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420, (202) 461–9700. (This is not a toll-free telephone number.)

SUPPLEMENTARY INFORMATION: On December 2, 2005, VA published a final rule removing 38 CFR 3.5(e) and adding 38 CFR 3.10. 70 FR 72211. Section 3.10(e)(3) regards payment information for surviving spouses in receipt of Dependency and Indemnity Compensation (DIC) and clearly contains an erroneous cross reference to § 3.351(f), which regards death pension. Therefore, VA is correcting this technical error by removing the cross reference to § 3.351(f) and adding, in its place, a cross reference to § 3.351(e), the paragraph regarding DIC.

On September 30, 1997, VA published a final rule redesignating 38 CFR 3.105(h) as § 3.105(i). 62 FR 51274. However, VA failed to update the cross reference to § 3.105(h)(1) in 38 CFR 3.655(c)(4). Therefore, VA is correcting the cross reference in § 3.655(c)(4) to correctly refer to § 3.105(i)(1).

Lastly, on December 29, 2006, VA published a final rule redesignating 38 CFR 3.1000(a)(4) as § 3.1000(a)(5) and adding a new paragraph § 3.1000(a)(4). 71 FR 78368. However, VA failed to update the cross references to § 3.1000(a)(4) in §§ 3.1000(b)(3), (c)(1), and (f) and 3.1003(a). Therefore, VA is correcting the above-noted sections to correctly refer to § 3.1000(a)(5).

Administrative Procedure Act

Pursuant to the Administrative Procedure Act, 5 U.S.C. 553(b)(B), VA has determined that prior notice and opportunity for comment on this rulemaking are unnecessary. This final rule consists of nonsubstantive, technical changes that merely amend VA's regulations to reflect the correct legal citations. For this reason, VA has also determined that there is good cause to waive the 30-day delayed effective date requirement under 5 U.S.C. 553(d)(3).

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'' requiring review by the Office of Management and Budget (OMB), unless OMB waives such review, 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 this rulemaking and its impact analysis are available on VA's Web site at *http://www.va.gov/orpm/,* by following the link for VA Regulations Published from FY 2004 through Fiscal Year to Date.

Regulatory Flexibility Act

The Secretary hereby certifies that this final rule 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. 601–612). This final rule will directly affect only individuals and will not directly affect small entities. Therefore, pursuant to 5 U.S.C. 605(b), this rulemaking is exempt from the final regulatory flexibility analysis requirements of section 604.

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).

Catalog of Federal Domestic Assistance

The Catalog of Federal Domestic Assistance numbers and titles for the programs affected by this document are 64.101, Burial Expenses Allowance for Veterans; 64.104, Pension for Non-Service-Connected Disability for Veterans; 64.105, Pension to Veterans Surviving Spouses, and Children; 64.109, Veterans Compensation for Service-Connected Disability; 64.110, Veterans Dependency and Indemnity

Compensation for Service-Connected Death.

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 Veterans Affairs, approved this document on March 26, 2015, for publication.

List of Subjects in 38 CFR Part 3

Administrative practice and procedure, Claims, Disability benefits, Veterans.

Dated: March 30, 2015.

Michael P. Shores,

Chief Impact Analyst, Office of Regulation Policy & Management, Office of the General Counsel, U.S. Department of Veterans Affairs.

For the reasons set out in the preamble, the Department of Veterans Affairs amends 38 CFR part 3 as follows:

PART 3—ADJUDICATION

Subpart A—Pension, Compensation, and Dependency and Indemnity Compensation

■ 1. The authority citation for part 3, subpart A continues to read as follows:

Authority: 38 U.S.C. 501(a), unless otherwise noted.

§ 3.10 [Amended]

■ 2. Amend § 3.10(e)(3) by removing ''§ 3.351(f)'' and adding in its place ''§ 3.351(e)''.

§ 3.655 [Amended]

■ 3. Amend § 3.655(c)(4) by removing ''§ 3.105(h)(1)'' and adding in its place ''§ 3.105(i)(1)''.

§ 3.1000 [Amended]

■ 4. Amend § 3.1000 as follows:
■ a. In paragraph (b)(3), by removing ''(a)(4)'' and adding in its place ''(a)(5)''.
■ b. In paragraph (c)(1), by removing ''(a)(4)'' and adding in its place ''(a)(5)''.
■ c. In paragraph (f), by removing both references to ''(a)(4)'' and adding in each place ''(a)(5)''.

§ 3.1003 [Amended]

■ 5. Amend § 3.1003 as follows:
■ a. In paragraph (a) introductory text, by removing ''3.1000(a)(1) through (4)'' and adding in its place ''3.1000(a)(1) through (5)'' and by removing ''3.1000(a)(4)'' and adding in its place ''3.1000(a)(5)''.
■ b. In paragraph (a)(2), by removing ''3.1000(a)(1) through (4)'' and adding in its place ''3.1000(a)(1) through (5)''.

[FR Doc. 2015–07540 Filed 4–2–15; 8:45 am]

BILLING CODE 8320–01–P

POSTAL REGULATORY COMMISSION

39 CFR Part 3020

[Docket Nos. MC2010–21 and CP2010–36]

Update to Product Lists

AGENCY: Postal Regulatory Commission.

ACTION: Final rule.

SUMMARY: The Commission is updating the product lists. This action reflects a publication policy adopted by Commission order. The referenced policy assumes periodic updates. The updates are identified in the body of this document. The product lists, which is re-published in its entirety, includes these updates.

DATES: *Effective Date:* April 3, 2015.

Applicability Dates: December 23, 2014, Priority Mail Contract 104 (MC2015–19 and CP2015–23); December 23, 2014, Priority Mail Contract 103 (MC2015–17 and CP2015–21); December 23, 2014, Priority Mail Express Contract 22 (MC2015–15 and CP2015–19); December 30, 2014, Priority Mail Express Contract 24 (MC2015–21 and CP2015–26); January 7, 2015, Priority Mail Contract 105 (MC2015–20 and CP2015–25); January 9, 2015, Priority Mail Express Contract 25 (MC2015–22 and CP2015–28); January 13, 2015, Global Expedited Package Services—Non-Published Rates Contract 5 (MC2015–23 and CP2015–29); February 6, 2015, Priority Mail & First-Class Package Service Contract 2 (MC2015–24 and CP2015–32); February 10, 2015, Priority Mail Contract 111 (MC2015–30 and CP2015–39); February 11, 2015, Priority Mail Contract 108 (MC2015–27 and CP2015–36); February 11, 2015, Priority Mail Contract 110 (MC2015–29 and CP2015–38); February 11, 2015, Priority Mail Contract 106 (MC2015–25 and CP2015–34); February 12, 2015, Priority Mail Contract 107 (MC2015–26 and CP2015–35); February 20, 2015, Priority Mail Contract 109 (MC2015–28 and CP2015–37); February 24, 2015, Priority Mail International Regional Rate Boxes Contract 1 (MC2015–31 and CP2015–40); February 27, 2015, Priority Mail Contract 113 (MC2015–33 and CP2015–43); March 2, 2015, Priority Mail Contract 112 (MC2015–32 and CP2015–42); March 17, 2015, Priority Mail Contract 119 (MC2015–39 and CP2015–50); March 17, 2015, Priority Mail Contract 117 (MC2015–37 and CP2015–48); March 18, 2015, Priority Mail Contract 115 (MC2015–35 and CP2015–46); March 19, 2015, Priority Mail Contract 116 (MC2015–36 and CP2015–47); March 19, 2015, Priority Mail Contract 120 (MC2015–40 and CP2015–51); March 19, 2015, Priority Mail Contract 114 (MC2015–34 and CP2015–45); and March 20, 2015, Priority Mail Contract 118 (MC2015–38 and CP2015–49).

FOR FURTHER INFORMATION CONTACT: David A. Trissell, General Counsel, at 202–789–6800.

SUPPLEMENTARY INFORMATION: This document identifies updates to the product lists, which appear as 39 CFR Appendix A to Subpart A of Part 3020—Mail Classification Schedule. Publication of the updated product lists in the **Federal Register** is addressed in the Postal Accountability and Enhancement Act (PAEA) of 2006.

Authorization. The Commission process for periodic publication of updates was established in Docket Nos. MC2010–21 and CP2010–36, Order No. 445, April 22, 2010, at 8.

Changes. The product lists are being updated by publishing a replacement in its entirety of 39 CFR Appendix A to Subpart A of Part 3020—Mail Classification Schedule. The following products are being added, removed, or moved within the product lists:

1. Priority Mail Contract 104 (MC2015–19 and CP2015–23) (Order No. 2302), added December 23, 2014.
2. Priority Mail Contract 103 (MC2015–17 and CP2015–21) (Order No. 2305), added December 23, 2014.
3. Priority Mail Express Contact 22 (MC2015–15 and CP2015–19) (Order No. 2307), added December 23, 2014.
4. Priority Mail Express Contract 24 (MC2015–21 and CP2015–26) (Order No. 2311), added December 30, 2014.
5. Priority Mail Contract 105 (MC2015–20 and CP2015–25) (Order No. 2317), added January 7, 2015.
6. Priority Mail Express Contract 25 (MC2015–22 and CP2015–28) (Order No. 2318), added January 9, 2015.
7. Global Expedited Package Services—Non-Published Rates Contract 5 (MC2015–23 and CP2015–29) (Order No. 2320), added January 13, 2015.
8. Priority Mail & First-Class Package Service Contract 2 (MC2015–24 and CP2015–32) (Order No. 2347), added February 6, 2015.
9. Priority Mail Contract 111 (MC2015–30 and CP2015–39) (Order No. 2352), added February 10, 2015.
10. Priority Mail Contract 108 (MC2015–27 and CP2015–36) (Order No. 2353), added February 11, 2015.

11. Priority Mail Contract 110 (MC2015–29 and CP2015–38) (Order No. 2354), added February 11, 2015.

12. Priority Mail Contract 106 (MC2015–25 and CP2015–34) (Order No. 2355), added February 11, 2015.

13. Priority Mail Contract 107 (MC2015–26 and CP2015–35) (Order No. 2356), added February 12, 2015.

14. Priority Mail Contract 109 (MC2015–28 and CP2015–37) (Order No. 2362), added February 20, 2015.

15. Priority Mail International Regional Rate Boxes Contract 1 (MC2015–31 and CP2015–40) (Order No. 2364), added February 24, 2015.

16. Priority Mail Contract 113 (MC2015–33 and CP2015–43) (Order No. 2371), added February 27, 2015.

17. Priority Mail Contract 112 (MC2015–32 and CP2015–42) (Order No. 2373), added March 2, 2015.

18. Priority Mail Contract 119 (MC2015–39 and CP2015–50) (Order No. 2393), added March 17, 2015.

19. Priority Mail Contract 117 (MC2015–37 and CP2015–48) (Order No. 2396), added March 17, 2015.

20. Priority Mail Contract 115 (MC2015–35 and CP2015–46) (Order No. 2399), added March 18, 2015.

21. Priority Mail Contract 116 (MC2015–36 and CP2015–47) (Order No. 2401), added March 19, 2015.

22. Priority Mail Contract 120 (MC2015–40 and CP2015–51) (Order No. 2403), added March 19, 2015.

23. Priority Mail Contract 114 (MC2015–34 and CP2015–45) (Order No. 2404), added March 19, 2015.

24. Priority Mail Contract 118 (MC2015–38 and CP2015–49) (Order No. 2405), added March 20, 2015.

Updated product lists. The referenced changes to the product lists are incorporated into 39 CFR Appendix A to Subpart A of Part 3020—Mail Classification Schedule.

List of Subjects in 39 CFR Part 3020

Administrative practice and procedure, Postal Service.

For the reasons discussed in the preamble, the Postal Regulatory Commission amends chapter III of title 39 of the Code of Federal Regulations as follows:

PART 3020—PRODUCT LISTS

■ 1. The authority citation for part 3020 continues to read as follows:

Authority: 39 U.S.C. 503; 3622; 3631; 3642; 3682.

■ 2. Revise Appendix A to Subpart A of Part 3020—Mail Classification Schedule to read as follows:

Appendix A to Subpart A of Part 3020—Mail Classification Schedule

(An asterisk (*) indicates an organizational group, not a Postal Service product.)

Part A—Market Dominant Products

1000 Market Dominant Product List

First-Class Mail*
- Single-Piece Letters/Postcards
- Presorted Letters/Postcards
- Flats
- Parcels
- Outbound Single-Piece First-Class Mail International
- Inbound Letter Post

Standard Mail (Commercial and Nonprofit)*
- High Density and Saturation Letters
- High Density and Saturation Flats/Parcels
- Carrier Route
- Letters
- Flats
- Parcels
- Every Door Direct Mail—Retail

Periodicals*
- In-County Periodicals
- Outside County Periodicals

Package Services*
- Alaska Bypass Service
- Bound Printed Matter Flats
- Bound Printed Matter Parcels
- Media Mail/Library Mail

Special Services*
- Ancillary Services
- International Ancillary Services
- Address Management Services
- Caller Service
- Credit Card Authentication
- International Reply Coupon Service
- International Business Reply Mail Service
- Money Orders
- Post Office Box Service
- Customized Postage
- Stamp Fulfillment Services

Negotiated Service Agreements*
- Domestic*
- Discover Financial Services 1
- Valassis Direct Mail, Inc. Negotiated Service Agreement
- PHI Acquisitions, Inc. Negotiated Service Agreement
- International*
- Inbound Market Dominant Multi-Service Agreements with Foreign Postal Operators
- Inbound Market Dominant Exprés Service Agreement 1

Nonpostal Services*
- Alliances with the Private Sector to Defray Cost of Key Postal Functions
- Philatelic Sales

Market Tests*

Part B—Competitive Products

2000 Competitive Product List

Domestic Products*
- Priority Mail Express
- Priority Mail
- Parcel Select
- Parcel Return Service
- First-Class Package Service
- Standard Post

International Products*
- Outbound International Expedited Services
- Inbound Parcel Post (at UPU rates)
- Outbound Priority Mail International
- International Priority Airmail (IPA)
- International Surface Air List (ISAL)
- International Direct Sacks—M-Bags
- Outbound Single-Piece First-Class Package International Service

Negotiated Service Agreements*
- Domestic*
- Priority Mail Express Contract 8
- Priority Mail Express Contract 10
- Priority Mail Express Contract 11
- Priority Mail Express Contract 12
- Priority Mail Express Contract 13
- Priority Mail Express Contract 14
- Priority Mail Express Contract 15
- Priority Mail Express Contract 16
- Priority Mail Express Contract 17
- Priority Mail Express Contract 18
- Priority Mail Express Contract 19
- Priority Mail Express Contract 20
- Priority Mail Express Contract 21
- Priority Mail Express Contract 22
- Priority Mail Express Contract 23
- Priority Mail Express Contract 24
- Priority Mail Express Contract 25
- Parcel Return Service Contract 3
- Parcel Return Service Contract 4
- Parcel Return Service Contract 5
- Priority Mail Contract 24
- Priority Mail Contract 29
- Priority Mail Contract 31
- Priority Mail Contract 32
- Priority Mail Contract 33
- Priority Mail Contract 34
- Priority Mail Contract 35
- Priority Mail Contract 36
- Priority Mail Contract 38
- Priority Mail Contract 39
- Priority Mail Contract 40
- Priority Mail Contract 41
- Priority Mail Contract 42
- Priority Mail Contract 43
- Priority Mail Contract 44
- Priority Mail Contract 45
- Priority Mail Contract 46
- Priority Mail Contract 47
- Priority Mail Contract 48
- Priority Mail Contract 49
- Priority Mail Contract 50
- Priority Mail Contract 51
- Priority Mail Contract 52
- Priority Mail Contract 53
- Priority Mail Contract 54
- Priority Mail Contract 55
- Priority Mail Contract 56
- Priority Mail Contract 57
- Priority Mail Contract 58
- Priority Mail Contract 59
- Priority Mail Contract 60
- Priority Mail Contract 61
- Priority Mail Contract 62
- Priority Mail Contract 63
- Priority Mail Contract 64
- Priority Mail Contract 65
- Priority Mail Contract 66
- Priority Mail Contract 67
- Priority Mail Contract 68
- Priority Mail Contract 69
- Priority Mail Contract 70
- Priority Mail Contract 71
- Priority Mail Contract 72
- Priority Mail Contract 73
- Priority Mail Contract 74
- Priority Mail Contract 75
- Priority Mail Contract 76
- Priority Mail Contract 77
- Priority Mail Contract 78

Priority Mail Contract 79
Priority Mail Contract 80
Priority Mail Contract 81
Priority Mail Contract 82
Priority Mail Contract 83
Priority Mail Contract 84
Priority Mail Contract 85
Priority Mail Contract 86
Priority Mail Contract 87
Priority Mail Contract 88
Priority Mail Contract 89
Priority Mail Contract 90
Priority Mail Contract 91
Priority Mail Contract 92
Priority Mail Contract 93
Priority Mail Contract 94
Priority Mail Contract 95
Priority Mail Contract 96
Priority Mail Contract 97
Priority Mail Contract 98
Priority Mail Contract 99
Priority Mail Contract 100
Priority Mail Contract 101
Priority Mail Contract 102
Priority Mail Contract 103
Priority Mail Contract 104
Priority Mail Contract 105
Priority Mail Contract 106
Priority Mail Contract 107
Priority Mail Contract 108
Priority Mail Contract 109
Priority Mail Contract 110
Priority Mail Contract 111
Priority Mail Contract 112
Priority Mail Contract 113
Priority Mail Contract 114
Priority Mail Contract 115
Priority Mail Contract 116
Priority Mail Contract 117
Priority Mail Contract 118
Priority Mail Contract 119
Priority Mail Contract 120
Priority Mail Express & Priority Mail Contract 9
Priority Mail Express & Priority Mail Contract 10
Priority Mail Express & Priority Mail Contract 11
Priority Mail Express & Priority Mail Contract 12
Priority Mail Express & Priority Mail Contract 13
Priority Mail Express & Priority Mail Contract 14
Priority Mail Express & Priority Mail Contract 15
Priority Mail Express & Priority Mail Contract 16
Parcel Select & Parcel Return Service Contract 3
Parcel Select & Parcel Return Service Contract 5
Parcel Select Contract 1
Parcel Select Contract 2
Parcel Select Contract 3
Parcel Select Contract 4
Parcel Select Contract 5
Parcel Select Contract 6
Parcel Select Contract 7
Parcel Select Contract 8
Priority Mail—Non-Published Rates
Priority Mail—Non-Published Rates 1
First-Class Package Service Contract 1
First-Class Package Service Contract 3
First-Class Package Service Contract 4
First-Class Package Service Contract 5
First-Class Package Service Contract 6
First-Class Package Service Contract 7
First-Class Package Service Contract 8
First-Class Package Service Contract 9
First-Class Package Service Contract 10
First-Class Package Service Contract 11
First-Class Package Service Contract 12
First-Class Package Service Contract 13
First-Class Package Service Contract 14
First-Class Package Service Contract 15
First-Class Package Service Contract 16
First-Class Package Service Contract 17
First-Class Package Service Contract 18
First-Class Package Service Contract 19
First-Class Package Service Contract 20
First-Class Package Service Contract 21
First-Class Package Service Contract 22
First-Class Package Service Contract 23
First-Class Package Service Contract 24
First-Class Package Service Contract 25
First-Class Package Service Contract 26
First-Class Package Service Contract 27
First-Class Package Service Contract 28
First-Class Package Service Contract 29
First-Class Package Service Contract 30
First-Class Package Service Contract 31
First-Class Package Service Contract 32
First-Class Package Service Contract 33
First-Class Package Service Contract 34
First-Class Package Service Contract 35
First-Class Package Service Contract 36
First-Class Package Service Contract 37
Priority Mail Express, Priority Mail & First-Class Package Service Contract 1
Priority Mail Express, Priority Mail & First-Class Package Service Contract 2
Priority Mail Express, Priority Mail & First-Class Package Service Contract 3
Priority Mail Express, Priority Mail & First-Class Package Service Contract 4
Priority Mail & First-Class Package Service Contract 1
Priority Mail & First-Class Package Service Contract 2
Outbound International *
Global Expedited Package Services (GEPS) Contracts
GEPS 3
Global Direct Contracts
Global Direct Contracts 1
Global Bulk Economy (GBE) Contracts
Global Plus Contracts
Global Plus 1C
Global Plus 2C
Global Reseller Expedited Package Contracts
Global Reseller Expedited Package Services 1
Global Reseller Expedited Package Services 2
Global Reseller Expedited Package Services 3
Global Reseller Expedited Package Services 4
Global Expedited Package Services (GEPS)—Non-Published Rates
Global Expedited Package Services (GEPS)—Non-Published Rates 2
Global Expedited Package Services (GEPS)—Non-Published Rates 3
Global Expedited Package Services (GEPS)—Non-Published Rates 4
Global Expedited Package Services (GEPS)—Non-Published Rates 5
Priority Mail International Regional Rate Boxes—Non-Published Rates
Outbound Competitive International Merchandise Return Service Agreement with Royal Mail Group, Ltd.
Priority Mail International Regional Rate Boxes Contract 1
Inbound International *
International Business Reply Service (IBRS) Competitive Contracts
International Business Reply Service Competitive Contract 1
International Business Reply Service Competitive Contract 3
Inbound Direct Entry Contracts with Customers
Inbound Direct Entry Contracts with Foreign Postal Administrations
Inbound Direct Entry Contracts with Foreign Postal Administrations
Inbound Direct Entry Contracts with Foreign Postal Administrations 1
Inbound EMS
Inbound EMS 2
Inbound Air Parcel Post (at non-UPU rates)
Royal Mail Group Inbound Air Parcel Post Agreement
Inbound Competitive Multi-Service Agreements with Foreign Postal Operators 1
Special Services *
Address Enhancement Services
Greeting Cards, Gift Cards, and Stationery
International Ancillary Services
International Money Transfer Service—Outbound
International Money Transfer Service—Inbound
Premium Forwarding Service
Shipping and Mailing Supplies
Post Office Box Service
Competitive Ancillary Services
Nonpostal Services *
Advertising
Licensing of Intellectual Property other than Officially Licensed Retail Products (OLRP)
Mail Service Promotion
Officially Licensed Retail Products (OLRP)
Passport Photo Service
Photocopying Service
Rental, Leasing, Licensing or other Non-Sale Disposition of Tangible Property
Training Facilities and Related Services
USPS Electronic Postmark (EPM) Program
Market Tests *
Metro Post
International Merchandise Return Service (IMRS)—Non-Published Rates
Customized Delivery

Shoshana M. Grove,

Secretary.

[FR Doc. 2015–07680 Filed 4–2–15; 8:45 am]

BILLING CODE 7710–FW–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 49 and 81

[EPA–R09–OAR–2014–0869; FRL–9924–45-Region 9]

Approval of Tribal Implementation Plan and Designation of Air Quality Planning Area; Pechanga Band of Luiseño Mission Indians

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is taking final action to revise the boundaries of the Southern California air quality planning areas to designate the reservation of the Pechanga Band of Luiseño Mission Indians of the Pechanga Reservation, California as a separate air quality planning area for the 1997 8-hour ozone National Ambient Air Quality Standard. The EPA is also taking final action to approve the Tribe's tribal implementation plan (''TIP'') for maintaining the 1997 8-hour ozone standard within the Pechanga Reservation through 2025 because it meets the Clean Air Act's and the EPA's requirements for maintenance plans. Lastly, based in part on the approval of the maintenance plan, the EPA is granting a request from the Tribe to redesignate the Pechanga Reservation nonattainment area to attainment for the 1997 8-hour ozone standard because the area meets the statutory requirements for redesignation under the Clean Air Act.

DATES: This rule is effective on April 3, 2015.

ADDRESSES: The EPA has established docket number EPA–R09–OAR–2014–0869 for this action. The index to the docket is available electronically at *www.regulations.gov* and in hard copy at EPA Region IX, 75 Hawthorne Street, San Francisco, California. While all documents in the docket are listed in the index, some information may be publicly available only at the hard copy location (*e.g.,* copyrighted material), and some may not be publicly available in either location (*e.g.,* Confidential Business Information). 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: Ken Israels, Grants and Program Integration Office (AIR–8), U.S. Environmental Protection Agency, Region IX, (415) 947–4102, *israels.ken@epa.gov*.

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

Table of Contents

I. Summary of Proposed Action
II. Comments and Responses
III. Final Action
IV. Statutory and Executive Order Reviews

I. Summary of Proposed Action

On January 6, 2015 (80 FR 436), under section 107(d)(3) of the Clean Air Act (CAA or ''Act''), the EPA proposed to revise the boundaries of the South Coast [1] and San Diego County air quality planning areas for the 1997 8-hour ozone [2] national ambient air quality standard (NAAQS or ''standard'') to designate the Pechanga Reservation [3] as a separate nonattainment area for the 1997 8-hour ozone standard.[4] We proposed to do so based on our conclusion that factors such as air quality data, meteorology, and topography do not definitively support inclusion of the reservation in either the South Coast or the San Diego County air quality planning areas, that emissions sources at the Pechanga Reservation contribute minimally to regional ozone concentrations, and that the jurisdictional boundaries factor should be given particular weight under these circumstances.[5] Once this action is effective, the Pechanga air quality planning area for the 1997 8-hour ozone standard will have the same boundaries as the Pechanga nonattainment area for the 2008 ozone standard and the 2012 annual $PM_{2.5}$ standard.[6]

Under CAA section 110(k), the EPA also proposed to approve the Pechanga Ozone Maintenance Plan, submitted by the Tribe on November 4, 2014, as the Tribe's TIP for maintaining the 1997 8-hour ozone standard within the Pechanga Reservation for ten years beyond redesignation, because it meets the requirements for maintenance plans under CAA section 175A.

Lastly, under CAA section 107(d)(3), and based in part on the approval of the Pechanga Ozone Maintenance Plan, the EPA proposed to grant a request from the Tribe to redesignate the newly-established Pechanga Reservation ozone air quality planning area to attainment for the 1997 8-hour ozone standard because the request meets the statutory requirements for redesignation under the Clean Air Act. References herein to our ''proposed rule'' refer to the proposed rule published on January 6, 2015 at 80 FR 436 through 449.

Generally, maintenance plans establish motor vehicle emissions budgets for the last year of the maintenance plan, at a minimum (40 CFR 93.118(b)(2)(i)). However, the Pechanga Tribe did not include motor vehicle emissions budgets for the last year of this maintenance plan because, at the time the maintenance plan was developed, the EPA had revoked the 1997 8-hour ozone standard for transportation conformity purposes, effective July 20, 2013. See 77 FR 30160 (May 21, 2012). However, on December 23, 2014, the DC Circuit held that the EPA lacked authority for such a partial revocation of the 1997 8-hour ozone standard and effectively reinstituted transportation conformity requirements for areas designated nonattainment for the 1997 8-hour ozone standard or redesignated to attainment with an approved CAA section 175A maintenance plan. The Court did not question the EPA's authority to revoke a standard in total. See *Natural Resources Defense Council* v. *EPA* (D.C. Cir. No. 12–1321, December 23, 2014). Since the Court's decision, the EPA has

[1] The South Coast includes Orange County, the southwestern two-thirds of Los Angeles County, southwestern San Bernardino County, and western Riverside County. See 40 CFR 81.305.

[2] Ground-level ozone is a gas that is formed by the reaction of volatile organic compounds (VOC) and oxides of nitrogen (NO_X) in the atmosphere in the presence of sunlight. These precursor emissions are emitted by many types of pollution sources, including stationary sources such as power plants and industrial emissions sources, mobile sources such as on-road and nonroad motor vehicles and engines, and smaller sources that are collectively referred to as ''area sources.''

[3] The Pechanga Band of Luiseño Mission Indians of the Pechanga Reservation (Pechanga Tribe or ''Tribe'') is a federally-recognized tribe whose reservation (''Pechanga Reservation'' or ''reservation'') straddles the boundary between western Riverside County and northern San Diego County where Temecula Valley meets the complex topography that forms the boundary between these two counties.

[4] In 1997, the EPA revised the ozone standard to 0.08 ppm, 8-hour average (''1997 8-hour ozone standard''), and then, in 2008, lowered the eight-hour ozone standard to 0.075 ppm (''2008 ozone standard'').

[5] In proposing to revise the boundaries of the South Coast and San Diego air quality planning areas and to establish the Pechanga Reservation as a separate area for the 1997 8-hour ozone standard, the EPA applied the principles set forth in the EPA's ''Policy for Establishing Separate Air Quality Designations for Areas in Indian Country'' (''Tribal Designation Policy''). See memorandum from Stephen D. Page, Director, EPA Office of Air Quality Planning and Standards, to EPA Regional Air Directors, Regions I–X, dated December 20, 2011, titled ''Policy for Establishing Separate Air Quality Designations for Areas of Indian Country.'' A copy of the Tribal Designation Policy can be found at http://www.epa.gov/ozonedesignations/guidance.htm.

[6] We designated the Pechanga Reservation as a separate air quality planning area for the 2008 ozone standard in 2012 (77 FR 30088, at 30109; May 21, 2012). More recently, we designated the Pechanga Reservation as a separate air quality planning area for the 2012 annual fine particle ($PM_{2.5}$) standard. See 80 FR 2206, at 2225 (January 15, 2015).

published a final rule that, among other things, revokes the 1997 ozone NAAQS for all purposes, including transportation conformity, effective April 6, 2015. See 80 FR 12264 (March 6, 2015). After that date, transportation conformity will no longer be required for the 1997 8-hour ozone standard. The Pechanga Reservation air quality planning area will remain designated nonattainment for the 2008 ozone standard, and transportation conformity continues to apply for that NAAQS.[7]

As we explained in our proposed rule, upon the effective date of our action, certain CAA requirements that had applied to the Pechanga Reservation by virtue of its inclusion in the South Coast ''Extreme'' ozone nonattainment area for the 1-hour ozone standard no longer apply, nor do the requirements that had applied to the reservation by virtue of its designation as ''Severe-17'' for the 1997 8-hour ozone standard. The requirements that no longer apply include, among others, the nonattainment New Source Review (''NNSR'') major source threshold of 10 tons per year (tpy) for ozone precursor emissions in ''Extreme'' ozone nonattainment areas. New or modified stationary sources proposed at the Pechanga Reservation remain subject to major source nonattainment NNSR, however, by virtue of the reservation's classification as a ''Moderate'' ozone nonattainment area for the 2008 ozone standard. The NNSR major source threshold in ''Moderate'' ozone nonattainment areas is 100 tpy for VOC or NO_X.

In our proposed rule, we also explained that, in concluding that it is appropriate to propose approval of the Tribe's request for boundary changes and designation to attainment for the 1997 8-hour ozone standard, the EPA relies heavily on the fact that this is a request from a federally-recognized tribal government. The Pechanga Tribe has been determined previously to qualify for treatment in the same manner as a state (also referred to as ''TAS'') for purposes of CAA section 107(d) and sections 110 and 175A and the submitted maintenance plan, and the lands under consideration here are subject to the EPA's Tribal Designation Policy. The EPA finds that the Tribe's request for a separate area is consistent with the principles set forth in that policy.

The EPA also explained in the proposed rule that our proposed action relies on the facts that there are valid monitoring data showing that current air quality at the Pechanga Reservation meets the 1997 8-hour ozone standard and that the emissions from sources on the Pechanga Reservation are minimal and do not contribute in any meaningful way to ambient concentrations in any nearby ozone nonattainment area. Finally, we noted that the action to establish a separate air quality planning area would simplify implementation of the ozone standards by eliminating the division of the reservation into two different planning areas for the same criteria pollutant standard, the 1997 8-hour ozone standard. This separate treatment of the Pechanga Reservation is consistent with the EPA's prior final actions to reclassify the South Coast ozone nonattainment area in 2010, to establish a separate air quality planning area for the 2008 ozone standard in 2012, and to establish a separate air quality planning area for the 2012 annual $PM_{2.5}$ standard in 2015. In summary, we noted in our proposed rule that the proposed changes in the boundaries and the status of this area are supported by several unique factors that are unlikely to be present in other nonattainment areas.

Please see our proposed rule and related technical support document (TSD) for additional background information about the Pechanga Reservation, the regulatory context, the Tribe's request for a boundary change, and the Tribe's redesignation request, as well as a more detailed explanation of our rationale for the proposed actions.

II. Comments and Responses

Our proposed rule provided for a 30-day comment period. During this period, we received comments from the South Coast Air Quality Management District (SCAQMD or ''District'').[8] We have summarized the comments, and provide responses in the paragraphs that follow.

SCAQMD Comment #1: The SCAQMD states that it knows of no precedent for the EPA to determine the attainment status for an entire separate nonattainment area based on monitors located outside that area, at least where the data are being used to support redesignation from nonattainment to attainment. In addition to the lack of precedent, the SCAQMD also cites statements by the EPA to the effect that monitoring requirements apply ''in the area;'' the EPA's definition of ''design value,'' which refers to the highest site ''in any attainment area or nonattainment area;'' and the decision by the EPA not to designate the Pechanga Reservation as a separate ''attainment'' area for the 2008 ozone standard based on the lack of a regulatory monitor at the reservation, as support for the SCAQMD's conclusion that EPA's regulations do not authorize monitoring data collected outside a given nonattainment area to be used as the basis for determining whether a nonattainment area is attaining the NAAQS for the purposes of redesignation. Lastly, the SCAQMD contends that the EPA must justify its approach and must demonstrate why it will not lead to further attempts by areas within the South Coast to establish separate ozone planning areas to obtain the benefits of a lower ozone classification or a redesignation to attainment.

Response to SCAQMD Comment #1: As described at pages 442 and 443 of our proposed rule, we proposed a finding of attainment based on (1) ozone data collected at a monitor (the ''Temecula'' monitor) located approximately 10 miles north of the Pechanga Reservation and (2) a comparison of Temecula data with available data from the Pechanga ozone monitor. The Temecula data establishes an ozone design value below the 1997 8-hour ozone standard, and the Pechanga data, which includes two complete years (2012 and 2013) of regulatory data, provides the basis for comparison with corresponding Temecula data and thereby establishes representativeness.

Thus, we are not relying solely on the out-of-area data in that we determined that the Temecula data was representative of ozone conditions on the Pechanga Reservation based in part on quality-assured and certified ambient ozone data collected at the regulatory monitor operated on the Pechanga Reservation. Data collected from the Pechanga monitor includes two complete years (2012 and 2013) with which to compare data from the Temecula data, and as shown in table 1 of our proposed rule (80 FR at 443), the fourth highest 8-hour ozone concentrations track very closely at the two sites during those two years, which is expected considering that ozone pollution is regional in nature, the two monitors are only 10 miles apart, and no significant topographic barriers lie between the two monitoring sites.

[7] The transportation conformity rule includes the requirements for the tests that must be satisfied in areas such as the Pechanga Reservation area which does not have its own motor vehicle emission budgets but whose emissions were previously included in budgets for a larger nonattainment area. See 40 CFR 93.109(c)(2)(ii).

[8] On March 3, 2015, the EPA received a late comment letter from the Tribe responding to the SCAQMD's comment letter on the proposed rule. We have not provided responses to the comments in the Tribe's letter in this document but have included it in the docket for this rulemaking.

Also, since publication of the proposed rule, additional preliminary data for year 2014 has become available from both the Temecula and Pechanga monitors. Table 1 below presents the data for 2012 and 2013 previously presented in the proposed rule and adds preliminary data for 2014. While available preliminary 2014 data suggests that higher ozone concentrations were measured at the Pechanga monitor than at the Temecula monitor, the comparison of data between the two sites for 2014 is constrained by the fact that available preliminary 2014 data for Temecula only runs through the end of September 2014 and that data from August 29th–September 17th, which is during the peak ozone season, is missing because of a data logger problem, whereas the 2014 data from the Pechanga monitor reflects all four quarters. Despite its limitations, the available preliminary data for 2014 continues to be consistent with our proposed determination of attainment (which is based on complete, quality-assured, and certified data from the Temecula monitor for years 2011–2013) and is, at the very least, not inconsistent with our determination that the Temecula data are representative of ozone conditions at the Pechanga Reservation. Please see the docket of this final action for an updated analysis that further demonstrates the representativeness of the Temecula data for the purposes of this action.[9]

TABLE 1—FOURTH HIGHEST 8-HOUR OZONE CONCENTRATIONS AT TEMECULA AND PECHANGA MONITORS, 2012–2014, PPM

Monitor (site code)	2012	2013	2014 [a]	2012–2014 design value [a b]
Temecula (06–065–0016)	0.077	0.074	0.074	0.075
Pechanga (06–065–0009)	0.075	0.074	0.079	0.076

[a] All data for year 2014 are preliminary. The 2014 data shown for the Temecula monitor reflects preliminary data from AQS for the first three quarters of 2014. The 2014 data for the Pechanga monitor reflect preliminary data for all four quarters.

[b] The 1997 8-hour ozone standard is attained where the design value is less than or equal to 0.08 ppm. See 40 CFR part 50, appendix I. Given the rounding conventions, however, attainment is achieved where design values are 0.084 ppm or less. See 40 CFR part 50, appendix I, section 2.3. The preliminary design values in this table are well below the relevant ozone NAAQS.

Source: AQS Data Summary Report, dated May 16, 2014; AQS Data Summary Report, dated February 25, 2015.

Our decision to rely on the Temecula data to determine that the Pechanga Reservation has attained the 1997 8-hour ozone standard is not inconsistent with the EPA's decision not to grant Pechanga's request for designation as a separate attainment area for the 2008 ozone standard. The SCAQMD is correct that, in our final rule designating areas for the 2008 ozone standard (77 FR 30088, May 21, 2012), we decided not to designate the Pechanga Reservation as a separate *attainment* area on the grounds that the Pechanga Tribe did not operate a regulatory monitor that showed that the area in fact was attaining the 2008 ozone standard.[10] Instead, we designated the Pechanga Reservation as a separate *nonattainment* area for the 2008 ozone standard, and we did so based on ozone data from a proximate, state regulatory monitor (at Lake Elsinore). At the time of the designation for the 2008 ozone standard, the SCAQMD's Temecula monitor, which began monitoring ozone in Fall of 2010, only had one year of complete ozone data, and the SCAQMD's Lake Elsinore monitoring site was the nearest proximate regulatory ozone monitor with complete data.

The EPA has considered the Pechanga monitor as a regulatory monitor since May 2010, but we invalidated the regulatory data collected prior to the correction of an equipment problem discovered in 2011 (and discussed below in Response to SCAQMD Comment #2), and thus the data from the Pechanga monitor were unavailable for use for the purposes of designating areas for the 2008 ozone standard. Regulatory monitors are those for which the monitoring objective is comparison with the NAAQS and that have adequately achieved the quality assurance and data requirements for regulatory decision making. As noted in our proposed rule (at 80 FR at 477), the Pechanga Tribe has committed in its maintenance plan to continue operating an ambient ozone monitor at the reservation, quality assuring the resulting monitoring data, and entering all data in AQS in accordance with federal requirements and guidelines to verify continued attainment of the 1997 8-hour ozone standard.

Lastly, as to the potential for other areas within the South Coast to rely on out-of-area monitoring data to establish separate ozone planning areas to obtain the benefits of a lower ozone classification or a redesignation to attainment, we note that each request for a boundary change or a change in designation from ''nonattainment'' to ''attainment'' is evaluated on a case-by-case basis to determine whether all applicable CAA requirements are met, and different criteria apply depending upon the type of request. For boundary change requests, the EPA takes into account a number of factors, including air quality data, emissions sources, geographical and meteorological considerations, and jurisdiction, among others, when evaluating such requests. It is not necessarily the case that the same set of factors supporting our action on Pechanga Tribe's request for a separate area for the 1997 8-hour ozone standard would be relevant to (or would support) any other tribe's request for such a change. Requests for redesignation from ''nonattainment'' to ''attainment'' from states or tribes are evaluated based on the criteria set forth in CAA section 107(d)(3)(E).

SCAQMD Comment #2: The SCAQMD suggests that the ambient values of monitoring data from the Pechanga monitor are increasing over time while the monitoring data from the SCAQMD Temecula monitor are decreasing. Based on that assertion, the SCAQMD does not believe that the SCAQMD Temecula monitoring data are representative of air quality on the Pechanga Reservation and asserts that, based on their conclusion that an upward trend in concentrations is occurring at the reservation, the

[9] Please see the docket item titled, ''Maximum Daily 8-hour Ozone Concentrations for Selected Monitors 2012–2014'' for the updated data presentation.

[10] The 2008 ozone standard is 0.075 ppm, 8-hour average, and while the data in table 1 of this document from the Pechanga monitor are consistent with today's final determination that the Pechanga Reservation has attained the 1997 8-hour ozone standard, the data are also consistent with the EPA's designation of the Pechanga Reservation as a nonattainment area for the 2008 ozone standard.

maintenance plan does not demonstrate that it will maintain levels below the standard for the next ten years. The SCAQMD requests that the EPA provide a reasoned explanation demonstrating that this observed increasing trend at the Pechanga Reservation is not real, and that Pechanga ozone levels are actually decreasing as would be expected if Temecula data were representative.

Response to SCAQMD Comment #2: The Pechanga Tribe began operation of an ozone monitor in mid-2008. In 2011, the EPA discovered an equipment problem at the Pechanga monitor that had the effect of diluting ambient ozone concentrations recorded by the monitor. The problem was corrected by the Tribe later in 2011, and the EPA considers the data collected since the problem was corrected to be valid for regulatory purposes. Conversely, the EPA considers the data collected prior to correction of the equipment problem to be invalid for NAAQS comparison purposes. The basis for invalidating the data are a comparison of ozone concentrations measured at other ozone monitors in the region that shows artificially low ozone readings at the Pechanga monitoring site throughout all of 2009, and all of 2010, suggesting that the equipment problem affected data values throughout those periods.[11] Since the problem was corrected, in contrast to the earlier-collected data, the ozone data from the Pechanga monitor track well with other monitors in the region, particularly the Temecula monitor.

Given that the data collected at the Pechanga monitor from 2008 through 2011 (*i.e.,* until equipment correction in late 2011) are invalid, we disagree with the SCAQMD's contention that the data shows that ozone concentrations have trended upward at the Pechanga Reservation but have trended downward at the Temecula site. While the preliminary data for 2014 collected at the Pechanga and Temecula sites are useful in showing that both monitors remain well below the 1997 8-hour ozone standard, we do not believe that a conclusion can be drawn regarding potential differences in ozone concentration trends at the two sites. First, the preliminary 2014 Temecula data has the potential to be artificially low due to missing data during the peak ozone season (see Response to SCAQMD Comment #1). Second, because we only have two complete years of data (2012 and 2013) and one year of preliminary data (2014) from the Pechanga monitor, we do not believe that we have sufficient data to establish a long-term trend of ozone concentrations at the Pechanga Reservation. However, we need only three years of data for an attainment determination, and we have three years of complete, quality-assured and certified data showing that the ozone concentrations at the Temecula site meet the 1997 8-hour ozone standard. Also, taking into account preliminary 2014 data, we now have three years of ambient ozone concentration data from the Pechanga monitor that show a preliminary design value for 2012–2014 of 0.076 ppm, *i.e.,* well below the 1997 8-hour ozone standard (0.084 ppm or less). Moreover, as cited in our proposed rule (on page 440), with respect to our determination of representativeness, we are not relying solely on the limited ozone data from the two monitors but are also relying on modeling data published by the SCAQMD.[12]

As to future ozone concentrations, the Pechanga Ozone Maintenance Plan's demonstration of maintenance through 2025 is not based on an evaluation of ambient ozone trends but rather on an evaluation of emissions inventory data for the South Coast that shows a downward trend in ozone precursor emissions (VOC and NO_X) through the maintenance period. See table 2 of our proposed rule at 80 FR 447. Generally, maintenance plans can demonstrate maintenance of the standard by either showing that future emissions of a pollutant or its precursors will not exceed the level of the attainment inventory, or by modeling to show that the future mix of sources and emission rates will not cause a violation of the standard.[13] In the proposed rule, we agree that the downward trend in regional emissions of ozone precursors is sufficient to demonstrate maintenance of the 1997 8-hour ozone standard through 2025. We also note, however, that modeling results published by the SCAQMD is consistent with our approval of the maintenance demonstration in the Pechanga Ozone Maintenance Plan.[14]

SCAQMD Comment #3: The SCAQMD contends that the maintenance plan fails to include sufficient control measures to prevent adverse effects from emissions growth on the reservation. Specifically, SCAQMD seeks confirmation that the EPA's minor NSR Federal Implementation Plan (FIP) for Indian country applies on the Pechanga Reservation, but notes that, even if it does apply, the EPA may not have adequate resources to properly implement such a program. Further, the SCAQMD is concerned that new or modified stationary sources will not necessarily be subject to the same requirements (such as those related to control technology and offsets) under the EPA's Indian country minor NSR rule as would apply if the sources were proposed in areas subject to the SCAQMD's jurisdiction. The SCAQMD contends that different requirements for new or modified stationary sources, particularly the increase in the applicable NNSR major source threshold from 10 tpy to 100 tpy for VOC and NO_X due to this action, will create a significant competitive advantage and attract development beyond that anticipated in the maintenance plan. Further, the SCAQMD further contends that such unanticipated growth could result in higher-than-expected emissions with the potential to adversely affect ozone air quality downwind of the reservation.

Response to SCAQMD Comment #3: We do not agree with the SCAQMD's assertions. First, in our proposed rule, we indicate that EPA's regulations governing review and permitting of new or modified stationary sources in Indian country[15] (*i.e.,* ''New Source Review'' or NSR) apply to the Pechanga Reservation. See 80 FR at 443 and 444. These regulations include the EPA's Indian country minor NSR program, codified at 40 CFR 49.151 through 49.161, and the Indian country major NSR program for nonattainment areas (referred to as ''nonattainment NSR'' or ''NNSR''), codified at 40 CFR 49.166 through 49.173. The EPA's regulations for the prevention of significant deterioration (PSD), codified at 40 CFR 52.21, also apply to any new major source or major modification proposed at the Pechanga Reservation except for

[11] See EPA Region IX, Pechanga Ozone Data Assessment, August 4, 2011.

[12] See pages II–2–28 through II–2–37 in Appendix II (''Current Air Quality'') of the South Coast Air Quality Management District's 2012 Air Quality Management Plan (February 2013) for figures illustrating the spatial distribution of elevated ozone concentrations in the South Coast.

[13] See memorandum from John Calcagni, Director, Air Quality Management Division, EPA Office of Air Quality Planning and Standards, titled ''Procedures for Processing Requests to Redesignate Areas to Attainment,'' dated September 4, 1992.

[14] See figure 5–13 of the SCAQMD's 2012 Final Air Quality Management Plan (February 2013).

[15] ''Indian country'' as defined at 18 U.S.C. 1151 refers to (1) all land within the limits of any Indian reservation under the jurisdiction of the United States Government, notwithstanding the issuance of any patent, and, including rights-of-way running through the reservation, (2) all dependent Indian communities within the borders of the United States whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a state, and (3) all Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same.

the emissions from such source or modification that are covered by NNSR.

Second, as to whether the EPA has adequate resources to properly implement the Indian country minor source program, we note that, historically, the EPA has administered the PSD program under 40 CFR 52.21 in many parts of California but that, in recent years, the EPA has successfully transferred its PSD permitting responsibilities to the relevant California air districts. We have done so by working with the air districts and the California Air Resources Board (CARB) to develop, adopt and submit permitting rules that meet the PSD SIP requirements. Once approved, the responsibility for PSD permitting vests in the air districts, and while the EPA continues to have a role in district PSD permit reviews, the resource demands are far fewer than where the EPA must administer the entire PSD program in a given district. Moreover, EPA permitting resources that had been used to draft PSD permits in these districts can then be reassigned to other tasks, including those related to the Indian country minor NSR program. Since 2012, the EPA has approved the PSD SIPs for the following California air districts: San Joaquin Valley Unified Air Pollution Control District (APCD) (77 FR 65305, October 26, 2012); and Eastern Kern APCD, Imperial County APCD, Placer County APCD, and Yolo-Solano Air Quality Management District (77 FR 73316, December 10, 2012).

In addition, as the SCAQMD notes in its comments, the EPA can lighten its load by implementing ''general permits,'' and as the SCAQMD also notes, the EPA has proposed, but not yet finalized, such permits for the Indian country minor NSR program. Our proposed general permits cover 11 broad source categories that we expect to be most relevant in the context of Indian country minor NSR. See 79 FR 2546 (January 14, 2014) and 79 FR 41846 (July 17, 2014). We expect to finalize the first set of general permits (*i.e.,* those proposed in January 2014) in the near term, and such permits will streamline the permitting process for the EPA in connection with administration of the Indian country minor NSR program.

Third, the EPA notes that, with or without this action, new or modified sources on the Pechanga Reservation are already subject to the requirements of the EPA's Indian country NSR rules, as cited above. Our action today does not change this fact or change the stringency of EPA's Indian country NSR rules. We recognize that, in some respects, EPA's Indian country NSR rules are less stringent than the corresponding requirements under the SCAQMD's NSR rules that apply outside Indian country in the South Coast. For example, under the SCAQMD's NSR rules, certain new or modified minor sources are subject to offset requirements whereas no such requirements apply under the EPA's Indian country minor NSR rule. However, with respect to control technology requirements, while the Indian country NSR rules do not specifically require new or modified minor sources to meet best available control technology (BACT) or lowest achievable emission rate (LAER) level of control per se, the rules do require the EPA (or the Indian Tribe in cases where a Tribal agency is assisting the EPA with administration of the program through a delegation) to conduct a case-by-case control technology review to determine the appropriate level of control, if any, necessary to assure that the NAAQS are achieved, as well as the corresponding emission limitations for the affected emission units at the new or modified source. See 40 CFR 49.154(c). In carrying out this determination, among other considerations, the EPA takes into account typical control technology or other emission reduction measures used by similar sources in surrounding areas. See 40 CFR 49.154(c)(1)(ii). Thus, the corresponding control technology requirements (*i.e.,* minor source ''BACT'') that the SCAQMD applies to minor sources subject to its authority would inform the EPA's determination regarding control technology requirements and associated emission limitations for new or modified minor stationary sources on the Pechanga Reservation.

Nonetheless, we recognize that our actions today will result in an increase in the applicable major source NSR threshold from 10 tpy to 100 tpy for ozone precursor emissions, which means that new or modified sources on the Pechanga Reservation with potential to emit (''PTE'') between 10 and 100 tpy of VOC or NO_X will no longer be subject to the LAER and emissions offset requirements that otherwise would have applied under the EPA's Indian country major source NNSR rule but instead will be subject to the control technology review described above for new or modified minor sources under the EPA's Indian country minor NSR rule. However, applicable air pollution regulations and requirements are but one of many factors that influence business development decisions and we do not have information that supports a conclusion that the Pechanga Reservation will attract new development at such a rate as to result in emissions growth beyond that anticipated in the Pechanga Ozone Maintenance Plan.

Fourth, the Pechanga Ozone Maintenance Plan projects that current stationary source emissions at the Pechanga Reservation will increase 33 percent for NO_X over the same period.[16] The basic assumption used to develop these projections is that, over the next ten years, the Pechanga Resort and Casino would experience steady growth that would lead to increased NO_X emissions by sources such as the existing boilers due to greater usage rates. We believe that the plan's assumption that, over the next ten years, changes in emissions at the reservation will stem from expansion of the existing resort and casino, rather than from development of new types of commercial or industrial businesses, is reasonable.

The SCAQMD is correct in noting that the Pechanga Ozone Maintenance Plan's projection in emissions associated with the Pechanga Reservation do not account for emissions growth from significant new stationary sources; however, there is no evidence of any specific new stationary sources that are proposed at the reservation, and as noted above, air pollution control considerations are simply one of many considerations that businesses take into account when deciding to develop at a given site. Without such evidence, the EPA declines to speculate on the types or number of new stationary sources that might locate at the reservation over the next ten years (or their associated emissions and downwind impacts) on account of the change in air pollution control requirements (*i.e.,* higher major source threshold for NNSR). Furthermore, any new stationary sources would be subject to the EPA's review under the Indian country minor NSR rules,[17] the Indian country NNSR rules, or the PSD regulation. All three programs provide for control technology review and air quality impacts analysis, and thus, we can reasonably rely on such review to ensure that emission

[16] The Pechanga Ozone Maintenance Plan predicts an increase in NO_X emissions from stationary sources; however, the plan predicts that overall emissions associated with the reservation would decline due to offsetting reductions in mobile source emissions.

[17] Certain low-emitting new sources are exempt from permitting under the EPA's Indian country minor NSR program. Specifically, given the continued status of the Pechanga Reservation as a ''nonattainment'' area for the 2008 ozone standard, notwithstanding today's action to redesignate the reservation as ''attainment'' for the 1997 8-hour ozone standard, the applicable minor source exemption thresholds are 2 tpy for VOC and 5 tpy of NO_X. See 40 CFR 49.153 (table 1 to § 49.153).

growth from new or modified stationary sources at the Pechanga Reservation is controlled to the extent necessary to protect air quality at the reservation and at locations downwind of the reservation. Concerning the SCAQMD's concern that new construction on the Pechanga Reservation could cause attainment problems in other areas, the EPA's and the Tribe's responsibilities to other areas could be addressed under CAA sections 110(a)(2)(D)(i)(I) and 126.

SCAQMD Comment #4: The SCAQMD challenges the EPA's reliance on upwind, out-of-area controls that do not apply on the Pechanga Reservation as constituting acceptable ''other permanent and enforceable measures'' that provide permanent and enforceable reductions and related improvement in air quality as required for redesignation under CAA section 107(d)(3)(E)(iii). The SCAQMD contends that, while some reliance on out-of-area controls may be appropriate, the EPA's near-total reliance on such controls is not reasonable. The SCAQMD believes that local areas must also do their part to improve air quality and reach attainment of the standard.

Response to SCAQMD Comment #4: CAA section 107(d)(3)(E)(iii) is one of five statutory criteria that the EPA must use to evaluate requests for redesignation of an area from nonattainment to attainment. It precludes such redesignation unless the EPA determines that the improvement in air quality is due to permanent and enforceable reductions in emissions resulting from implementation of the applicable implementation plan and applicable federal air pollution control regulations and other permanent and enforceable reductions. (In this context, ''applicable implementation plan'' refers to the TIP.) As such, the criterion calls for the identification of the measures that provided the emissions reductions that resulted in corresponding reductions in ambient concentrations such that, where the standard was once violated, the standard is now attained. The evaluation under section 107(d)(3)(E)(iii) also involves a determination that the improvement in air quality is not due to temporary reductions in emission rates due to temporary adverse economic conditions or unusually favorable meteorology.[18]

The purpose of the criterion is to ensure the permanence and enforceability of reductions that have provided for improved air quality and attainment of the standard. The statute does not qualify the phrase ''other permanent and enforceable reductions'' with a reference to those reductions that are in effect in the area, and thus, it does not matter whether the measures responsible for attainment are in effect in the area for which a redesignation request is being evaluated but only that they are permanent and enforceable.[19] For instance, it is common knowledge that states in the Eastern United States rely in part on emissions reductions from measures adopted by upwind states in attaining the standard. The degree of reliance differs among the states, of course, but those measures adopted in the upwind states qualify as ''other permanent and enforceable reductions'' for the purposes of CAA section 107(d)(3)(E)(iii). Given the language of this particular phrase of section 107, reliance on the legislative history for interpretative purposes is not necessary, but the EPA, in response to this comment, did review the relevant legislative history and found no indication of any special meaning or limitation to the phrase ''other permanent or enforceable reductions'' for the purposes of redesignation.[20] Absent clear legislative history to the contrary, the EPA's interpretation of the statute is reasonable.

In this instance, we found that the improvement in air quality at the Pechanga Reservation is the result of permanent and enforceable emissions reductions from applicable federal air pollutant control regulations, particularly those that control emissions from on-road and nonroad vehicles, and ''other permanent and enforceable reductions'' from upwind sources resulting from CARB and SCAQMD regulations. See our proposed rule at page 446. All of the relevant CARB and SCAQMD regulations are either subject to a waiver or authorization under CAA section 209 or are approved by the EPA into the California SIP, and thus are permanent and enforceable for the purposes of CAA section 107(d)(3)(E)(iii).

As to the SCAQMD's contention that, while some reliance on upwind out-of-area reductions may be appropriate, local areas must do their part, we note that, with respect to section 107(d)(3)(E)(iii), the statute simply requires the EPA to conclude that the measures that caused the improvement in air quality are permanent and enforceable. In this case, the identified measures on which we rely are permanent and enforceable, and they resulted in, and will continue to result in, reduced ozone concentrations on the Pechanga Reservation. The SCAQMD does not identify any specific measure that it believes should have been imposed within the reservation. Instead, the SCAQMD simply asserts that it is unreasonable for the EPA to find that section 107(d)(3)(iii) is satisfied in a given area without significant local controls in that area.

SCAQMD Comment #5: The SCAQMD states that the EPA must ensure that the Pechanga Ozone Maintenance Plan does not underestimate existing and future emissions at the reservation. The SCAQMD suggests that the maintenance plan may be underestimating such emissions because the on-road mobile emissions estimates were scaled to South Coast projections based on relative population (*i.e.,* the population of the Pechanga Reservation relative to the overall population within the South Coast) whereas the Pechanga Resort and Casino generates a significant number of vehicle trips that are unrelated to the population of the reservation.[21]

Response to SCAQMD Comment #5: The SCAQMD is correct that the emissions inventory for the Pechanga Reservation in the Pechanga Ozone Maintenance Plan is based on a population of approximately 500 (the actual number used for the estimates is 467) and that on-road mobile emissions were scaled based on relative population. First, with respect to population, the population of Pechanga Reservation (467 full-time residents) used in the Pechanga Ozone Maintenance Plan to scale regional emissions is correct. The higher value (800 residents) cited in the proposed rule at page 437 is incorrect.

Second, we agree that use of scaling of regional emissions based on population may underestimate on-road mobile emissions at the Pechanga Reservation given the significant number of non-resident motor vehicle trips generated by the Pechanga Resort and Casino. Therefore, for this final rule, we re-calculated vehicle emissions

[18] These principles are set forth in the EPA's guidance document from John Calcagni, Director, Air Quality Management Division, EPA Office of Air Quality Planning and Standards, titled ''Procedures for Processing Requests to Redesignate Areas for Attainment,'' dated September 4, 1992, page 4.

[19] When Congress intended CAA provisions to apply in an area, it did so explicitly. See, *e.g.,* CAA section 182(b)(1)(B) (''. . . the term ''baseline emissions'' means . . . emissions from all anthropogenic sources *in the area.* . . .'') (emphasis added.)

[20] See ''A Legislative History of the Clean Air Act Amendments of 1990,'' Committee Print, 103rd Congress, 1st Session, November 1993. The relevant pages for section 107 are listed on pages 10818–10919 of the section-by-section index found at the end of volume VI.

[21] The SCAQMD also notes an apparent discrepancy in the population figures for the reservation. The proposed rule notes 800 residents whereas the Tribe's August 19, 2014 Application for Treatment as a State identifies only 500 residents.

using EMFAC2011 emissions factors for year 2012 based on the following assumptions: 17,100 average daily vehicle trips associated with non-residents and 1,870 daily vehicle trips associated with residents;[22] 0.5 miles per trip on the reservation for non-resident trips and 2.0 miles per trip on the reservation for trips by reservation residents; and a non-resident vehicle mix based on data from another Indian casino and resort. Resident trips were assumed to be light-duty autos and trucks.

For year 2025, we conservatively increased non-resident vehicle trips by 33% and estimated the corresponding emissions using year 2025 emissions factors from EMFAC2011. Interim year (2015 and 2020) emissions were estimated by interpolating the number of trips between 2012 and 2025 and using the applicable year's EMFAC2011 emissions rates. We present the revised emissions estimates in table 2 below, which presents the same emissions inventory information as table 2 from the proposed rule except for the revised estimates for the Pechanga Reservation.[23]

TABLE 2—OZONE PRECURSOR EMISSIONS ESTIMATES FOR PECHANGA RESERVATION AND SOUTH COAST, 2012, 2015, 2020 AND 2025

[Summer-day average, tons per day]

Ozone precursor	2012	2015	2020	2025
Pechanga Reservation (Based on data as shown in Maintenance Plan except for on-road emissions, which are calculated by the EPA):				
VOC	0.151	0.123	0.094	0.081
NO_X	0.088	0.082	0.072	0.065
South Coast (Based on CARB data as shown in Maintenance Plan rounded to the nearest 10 tons):				
VOC	500	460	420	410
NO_X	490	430	340	280
South Coast (Based on 2012 South Coast AQMP data rounded to the nearest 10 tons):				
VOC	540	480	450	440
NO_X	560	470	370	310

Based on the revised calculations for on-road emissions at the Pechanga Reservation, emissions at the Pechanga Reservation are estimated to be several times higher than presented in the Pechanga Ozone Maintenance Plan and in the proposed rule but are predicted to decrease through the maintenance period due to significant reductions in vehicular emissions resulting from continued implementation of state and federal motor vehicle control programs. Moreover, our conclusion from the proposed rule that the emissions associated with the Pechanga Reservation are minimal in relation to regional ozone precursor emissions remains unchanged given that, even as revised, Pechanga Reservation emissions represent 0.03% or less of regional emissions of VOC and NO_X for all of the years that were analyzed.

SCAQMD Comment #6: The SCAQMD states that the EPA fails to explain its legal theory that would allow the Tribe to fail to identify specific contingency measures in its maintenance plan.

Response to SCAQMD Comment #6: CAA section 175A(d) requires that maintenance plans contain such contingency provisions as the EPA deems necessary to assure that the State will promptly correct any violation of the standard which occurs after the redesignation of the area as an attainment area. Such provisions shall include a requirement that the State will implement all measures with respect to the control of the air pollutant concerned which were contained in the SIP for the area before redesignation of the area as an attainment area. In this context, the reference to ''State'' and ''SIP'' in CAA section 175A corresponds to ''Tribe'' and ''TIP.''

Generally, the EPA believes that, to meet the requirements of CAA section 175A(d), contingency provisions of maintenance plans should identify the measures to be adopted, a schedule and procedure for adoption and implementation, and a specific time limit for action by the State.[24] However, the CAA does not require that specific contingency measures be identified other than those measures that were part of the control strategy that a State or Tribe relied on to attain the standard but is not relying on for maintenance of the standard and is no longer retaining as an active measure in the SIP or TIP. No such measures exist for the Pechanga Reservation.

Notwithstanding the absence of a statutory requirement for specific contingency measures, as noted above, the EPA generally deems it necessary for contingency provisions of maintenance plans to identify specific measures to assure that the State or Tribe will promptly correct any violation of the standard which occurs after the redesignation of the area as an attainment area. Relevant considerations for the EPA in this regard include the probability of a future violation of the standard (based on how close the area is to violating the standard, emissions or ambient concentration trends, and the variability of ambient concentrations from year to year) and the reasonable foreseeability of specific sources or source categories as likely to be responsible for future violations if they occur.

In this instance, the ambient concentrations (0.077 ppm based on 2011–2013 data collected at the Temecula monitor) are below the applicable NAAQS (0.08 ppm), and the emissions trends in the South Coast show steep declines of both VOC and NO_X between 2012 and 2025 (see table 2 of the proposed rule), and thus there is a relatively low probably of a future

[22] The average daily trip value for non-residents is based on a trip generation rate of 4.5 daily trips per slot machine from the Draft Tribal Environmental Impact Report for the Pala Casino and Spa Expansion Project (November 28, 2006), page 59. Resident trips assumed 10 daily trips per dwelling unit. Non-resident vehicle mix is assumed to be the same as that used to calculate vehicle emissions for the Graton Resort and Casino project.

[23] Documentation for the revised on-road motor vehicle emissions estimates is contained in a document titled ''Pechanga Casino—Emissions Inventory,'' dated March 16, 2015.

[24] See John Calcagni, Director, Air Quality Management Division, EPA Office of Air Quality Planning and Standards, titled ''Procedures for Processing Requests to Redesignate Areas for Attainment,'' dated September 4, 1992, page 12.

violation of the 1997 8-hour ozone standard at the Pechanga Reservation. Moreover, any future violation of the 1997 8-hour ozone standard at the Pechanga Reservation is unlikely to be caused by sources at the reservation given the predominant influence of upwind transport of ozone from upwind metropolitan areas in the South Coast. Therefore, the contingency provisions of the Pechanga Ozone Maintenance Plan include annual review of the ozone data and, in the event of a monitored violation, a commitment to work with the EPA to identify, adopt, and implement any additional necessary and appropriate measure(s) needed to promptly correct the violation.[25] Under the particular circumstances described above, the EPA has found that the contingency provisions of the Pechanga Ozone Maintenance Plan meet the requirements of section 175A(d), even though the Pechanga Ozone Maintenance Plan identifies no specific contingency measures for adoption by the Tribe or the EPA.

SCAQMD Comment #7: The SCAQMD asserts that the EPA's proposal to create a separate attainment area for the Pechanga Reservation for the 1997 8-hour ozone standard is inconsistent with the EPA's Tribal Designations Policy. More specifically, the SCAQMD states that the EPA must explain why it fails to take into account the fact that the Pechanga Reservation is not separate from the adjacent South Coast or San Diego areas by topographic or other geographic features whereas the policy cites the presence of topographic or other geographic barriers as a factor to consider where a Tribe submits a request for a separate attainment area adjacent to a nonattainment area.

The SCAQMD notes the EPA's decision to give ''particular weight'' to the ''jurisdictional boundaries'' factor in its tribal designation policy but asserts that the EPA fails to explain what that means, and to the extent that the EPA is referring to the fact that a small part of the Pechanga Reservation is located in San Diego County, this factor should not be determinative because two of the considerations cited by the EPA in evaluating the ''jurisdictional boundaries'' factor are not well-grounded. First, the SCAQMD states that the Tribe acquired lands in San Diego County only recently and that historically the entire reservation has been included in the South Coast. Second, the SCAQMD acknowledges that the Tribe operates its own monitor but suggests that the statement of the Tribe's interest in developing its own permitting program is not genuine because the redesignation request is devoid of any plans by the Tribe to establish an air permitting program or any other regulation. The SCAQMD further suggests that the proposed action essentially amounts to a determination that, given the particular weight for the jurisdictional boundaries factor, the EPA will grant a request for a separate area for any tribe that operates a monitor, even if it does not meet federal requirements.

Response to SCAQMD Comment #7: We do not agree. First, the EPA has proposed action on two separate requests: (1) the Tribe's June 23, 2009 boundary change request to establish a separate ozone *nonattainment* area; and (2) the Tribe's May 9, 2014 request to redesignate the Pechanga Reservation from nonattainment to attainment for the 1997 8-hour ozone standard. The second request of course presumes an affirmative response by the EPA to the first request. The EPA has chosen to take action on both requests in the same document, but different considerations and criteria apply to the different actions. For instance, some considerations that are germane to the evaluation of the Tribe's 2009 boundary change request are not germane to the evaluation of the Tribe's 2014 request for redesignation. Thus, it follows that some information from the 2009 request would not be repeated in the 2014 redesignation request. For example, the existence of a tribal permitting program is not a requirement for redesignation, but the tribe's interest in developing such a program prospectively is a consideration for the boundary change.

Second, the EPA believes that a request from a tribe for a separate nonattainment or attainment area should be supported by data from a tribe's own regulatory monitor or, at the very least, by data from a proximate regulatory monitor that is representative of air quality in the tribe's Indian country area. In this case, the Pechanga operates its own regulatory monitor, and in addition, there is a proximate representative monitor operated by the SCAQMD at the Temecula monitoring site. The EPA did not rely on the Tribe's ozone data for this action because the data was not complete over the 2011–2013 period, not because the monitor was non-regulatory.

Third, the SCAQMD is correct in noting that the EPA, in evaluating the ''geography/topography'' factor as part of our evaluation of the Tribe's boundary change request, concluded that there are no significant topographic barriers to air flow in the area. However, our Tribal Designations Policy calls for a multi-factor evaluation of requests for designation of separate tribal air quality planning areas or requests for a boundary change to establish such areas. The ''geography/topography'' factor is but one of the various factors we take into account. In this instance, we concluded that, considering the three factors of air quality data, meteorology, and topography, the EPA could reasonably include the Pechanga Reservation in either the South Coast air quality planning area to the north, or the San Diego County air quality planning area to the south, or alternatively, the EPA could establish a separate nonattainment area for the Pechanga Reservation as it did for the 2008 ozone standard, and more recently, for the 2012 annual $PM_{2.5}$ standard. See page 441 of our proposed rule.

Further, taking into account the minimal emissions associated with activities on the Pechanga Reservation and the corresponding minimal contribution from Pechanga-related emissions sources to regional ozone levels, we concluded that it was appropriate, and consistent with the principles of the Tribal Designations Policy, to give particular weight to the jurisdictional boundaries factor. Under this factor, we consider what the existing jurisdictional boundaries are for the purposes of providing a clearly defined legal boundary of the area pertaining to the designation or boundary change request and carrying out air quality planning and enforcement functions. When the Pechanga Tribe acquired parcels in San Diego County is not germane.[26] What is

[25] The Pechanga Ozone Maintenance Plan refers to ''. . . implementation of any additional necessary *and* appropriate measure(s). . . .'' (emphasis added). In addition, the EPA is authorized under CAA sections 301(a) and 301(d)(4) to promulgate FIP provisions as are ''necessary *or* appropriate'' (emphasis added) to protect air quality in Indian country, if a tribe does not submit a TIP. See 40 CFR 49.11.

[26] The Pechanga Reservation was expanded to include certain lands in Riverside County and San Diego County under Public Law 110–383, the Pechanga Band of Luiseño Mission Indians Land Transfer Act of 2007. See 78 FR 46603 (August 1, 2013). The public law that was ultimately passed by the 110th Congress and signed by the President on October 10, 2008 was originally introduced on July 22, 2004 as House Bill No. 4908 in the 108th Congress. On July 28, 2005, the bill was reintroduced in the 109th Congress as House Bill 3507. The bill that later became law was reintroduced in the 110th Congress as House Bill 2963 on July 10, 2007. We note that the Tribe began working with the Bureau of Land Management in the 1990's to place these lands into trust. See Statement of Mark Macarro, Pechanga Band of Luiseño Mission Indians, Senate Committee on Indian Affairs, Legislative Hearing on H.R. 2963, Pechanga Band of Luiseño Mission Indians Land Transfer Act, May 15, 2008. Lastly, we note that,

Continued

germane is the fact that the Pechanga Reservation now lies within two different counties (Riverside and San Diego Counties) and thus straddles two different ozone areas for the 1997 8-hour ozone standard (South Coast and San Diego County) and that the Pechanga Reservation is a separate air quality planning area for the 2008 ozone standard. By establishing a separate area for the Pechanga Reservation for the 1997 8-hour ozone standard, the EPA will be aligning the air quality planning areas the two ozone standards thereby simplifying air quality planning and permitting functions at the reservation.[27]

As noted above, in this instance, we are giving ''particular weight'' to the jurisdictional boundaries factor. This means that the jurisdictional factor outweighs other factors that might otherwise counsel against establishment of a separate air quality planning area. In this case, for example, the relevant Indian country area is significantly impacted by upwind sources, a fact that may otherwise support inclusion of the Indian country area in a larger area. However, we have decided that, in this instance, such considerations are outweighed by the jurisdictional boundaries factor and thus proposed to grant the request by the Tribe for a separate area. Our giving of particular weight to the jurisdictional boundaries factor is appropriate given the minimal emissions associated with activities on the Pechanga Reservation, the corresponding minimal contribution from Pechanga-related emissions sources to regional ozone levels, and the location of the reservation on the border of two separate larger areas, is consistent with Tribal Designations Policy. See page 7 of the Tribal Designations Policy for examples of circumstances in which the jurisdictional boundaries factor may bear the most weight in evaluating requests for a separate area.

SCAQMD Comment #8: The SCAQMD contends that the EPA's action to establish the Pechanga Reservation as a separate air quality planning area for the 1997 8-hour ozone standard is inconsistent with the principles that EPA articulated in a previous rulemaking in which the Agency reclassified Indian country (except for the Morongo Reservation and Pechanga Reservation) within the South Coast consistent with the State's request for reclassification of lands under State jurisdiction within the South Coast from ''Severe-17'' to ''Extreme.''

The previous rulemaking to which the SCAQMD refers, ''Designation of Areas for Air Quality Planning Purposes; California; San Joaquin Valley, South Coast Air Basin, Coachella Valley, and Sacramento Metro Ozone Nonattainment Areas; Reclassification,'' was proposed at 74 FR 43654 (August 27, 2009) and finalized (except for the Morongo Reservation and Pechanga Reservation) at 75 FR 24409 (May 5, 2010). As the SCAQMD notes, in the previous rulemaking, the EPA based its decision to reclassify areas of Indian country (other than the Morongo Reservation and Pechanga Reservation, for which final action was deferred) on such considerations as: (1) Boundaries of nonattainment areas are drawn to encompass both areas of direct sources of the pollution problem as well as nearby areas in the same airshed; (2) Emissions changes in lower-classified areas could hinder planning efforts to attain the NAAQS within the overall area through the application of less stringent requirements relative to those that apply in the area with a higher ozone classification; and (3) Uniformity of classification throughout a nonattainment area is thus a guiding principle and premise when an area is being reclassified.

The SCAQMD contends that the EPA has not explained why the rationale articulated by the EPA in the above reclassification rulemaking with respect to the areas of Indian country that were reclassified to ''Extreme'' does not continue to apply in evaluating the request by the Pechanga to establish a separate air quality planning area for the 1997 8-hour ozone standard.

Response to SCAQMD Comment #8: Since the EPA's 2010 final action to grant the State of California's request to reclassify the portion of the South Coast subject to State jurisdiction, and to reclassify Indian country (other than the Morongo and Pechanga Reservations) in the South Coast consistent with the State's request, the EPA has issued its Tribal Designations Policy and applied the principles of the policy in designating the Pechanga Reservation as a separate ozone nonattainment area for the 2008 ozone standard. In so doing, the EPA remains cognizant of the considerations set forth in that earlier rulemaking that caution against undue subdivision of larger air quality planning areas into smaller areas with different classifications. However, the EPA is also cognizant of the distinct jurisdictional principles associated with Indian reservations and the general absence of state regulatory jurisdiction in such areas. The Tribal Designation Policy was issued in part to apply these principles and in recognition of tribal sovereignty in the designations context.

More specifically, we continue to believe that boundaries of nonattainment areas should generally encompass both areas of direct sources of the pollution problem as well as nearby areas in the same airshed and continue to consider uniformity of classification as a guiding principle to avoid the potential hindrance by lower-classified areas to regional planning efforts to attain the standard. The Tribal Designation Policy retains these considerations in evaluating requests by tribes for separate areas as part of a multi-factor analysis. In this instance, we have concluded that establishment of the Pechanga Reservation as a separate area would not hinder regional efforts to attain or maintain the ozone NAAQS, and the benefit of retaining the Pechanga Reservation in two separate airsheds (South Coast and San Diego) is outweighed by other considerations, namely, the jurisdictional boundaries factor.

III. Final Action

For the reasons set forth in the proposed rule and in response to comments above, the EPA is taking final action to establish the Pechanga Reservation as a separate air quality planning area for the 1997 8-hour ozone standard, to approve the Tribe's submittal of the Pechanga Ozone Maintenance Plan, and to approve the Tribe's request to redesignate the newly-designated Pechanga Reservation air quality planning area from nonattainment to attainment for the 1997 8-hour ozone standard.

More specifically, first, pursuant to CAA section 107(d)(3), the EPA is taking final action to revise the boundaries of the South Coast and San Diego County air quality planning areas for the 1997 8-hour ozone standard to designate the Pechanga Reservation as a separate nonattainment area for the 1997 8-hour ozone standard. We are doing so based on our conclusion that factors such as air quality data, meteorology, and topography do not definitively support inclusion of the reservation in either the South Coast or the San Diego County air quality planning areas, that emissions sources at the Pechanga Reservation contribute minimally to regional ozone concentrations, and that the

under Public Law 110–383, the lands transferred to the reservation in 2008 may be used only as open space and for the protection, preservation, and maintenance of the archaeological, cultural, and wildlife resources thereon.

[27] In addition, as noted previously, we recently designated the Pechanga Reservation as a separate air quality planning area for the 2012 annual fine particle ($PM_{2.5}$) standard. See 80 FR 2206, at 2225 (January 15, 2015). As such, we will also be aligning the ozone air quality planning area with the 2012 annual $PM_{2.5}$ air quality planning area.

jurisdictional boundaries factor should be given particular weight under these circumstances. As a result of our final action, the Pechanga Reservation air quality planning area for the 1997 8-hour ozone standard has the same boundaries as the Pechanga Reservation nonattainment area for the 2008 ozone standard and the 2012 annual $PM_{2.5}$ standard.[28]

Second, pursuant to CAA section 110(k), the EPA is taking final action to approve the Pechanga Ozone Maintenance Plan, submitted by the Tribe on November 4, 2014, as the Tribe's TIP for maintaining the 1997 8-hour ozone standard within the Pechanga Reservation for ten years beyond redesignation, because it meets the requirements for maintenance plans under CAA section 175A.

Lastly, pursuant to CAA section 107(d)(3), and based in part on our approval of the Pechanga Ozone Maintenance Plan, the EPA is taking final action to grant a request from the Tribe to redesignate the newly-established Pechanga Reservation ozone air quality planning area to attainment for the 1997 8-hour ozone standard because the request meets the statutory requirements for redesignation in CAA section 107(d)(3)(E).

As a result of our final action, certain CAA requirements that had applied to the Pechanga Reservation by virtue of its inclusion in the South Coast ''Extreme'' ozone nonattainment area for the revoked 1-hour ozone standard no longer apply, nor do the requirements that had applied to the reservation by virtue of its designation as ''Severe-17'' for the 1997 8-hour ozone standard. The requirements that no longer apply include, among others, the NNSR major source threshold of 10 tpy for ozone precursor emissions in ''Extreme'' ozone nonattainment areas. New or modified stationary sources proposed at the Pechanga Reservation remain subject to major source nonattainment NNSR, however, by virtue of the reservation's classification as a ''Moderate'' ozone nonattainment area for the 2008 ozone standard. The NNSR major source threshold in ''Moderate'' ozone nonattainment areas is 100 tpy.

The EPA finds that there is good cause for approval of this TIP and redesignation to attainment to become effective immediately upon publication because a delayed effective date is unnecessary due to the nature of a redesignation to attainment which relieves the area from certain CAA requirements that would otherwise apply to it. The immediate effective date for this redesignation is authorized under both 5 U.S.C. 553(d)(1), which provides that rulemaking actions may become effective less than 30 days after publication if the rule ''grants or recognizes an exemption or relieves a restriction'' and section 553(d)(3), which allows an effective date less than 30 days after publication ''as otherwise provided by the agency for good cause found and published with the rule.''

IV. Statutory and Executive Order Reviews

Under the CAA, redesignation of an Indian reservation air quality planning area to attainment and the accompanying approval of a maintenance plan under section 107(d)(3)(E) are actions that affect the status of a geographical area and do not impose any additional regulatory requirements on sources beyond those imposed by the TIP and applicable federal rules. Redesignation to attainment does not in and of itself create any new requirements, but rather results in the applicability of less stringent requirements contained in the CAA for areas that have been redesignated to attainment. Moreover, under circumstances where a tribe is determined as eligible for TAS for the purposes of section 110 with respect to a given TIP, the Administrator is required to approve a TIP 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 TIP submissions, the EPA's role is to approve tribal choices, provided that they meet the criteria of the Clean Air Act. Accordingly, these actions merely approve a tribal plan and redesignation request as meeting federal requirements and do not impose additional requirements beyond those imposed by tribal law. For these reasons, these actions:

- Are 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);
- Do not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Are 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.*);
- Do 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);
- Do not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Are not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- Are not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- Are 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
- Do not provide the 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, the final actions have ''tribal implications'' as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), with respect to the Pechanga Tribe. However, the actions would not impose substantial direct compliance costs or preempt tribal law. Moreover, these actions respond directly to specific requests submitted by the affected tribe and follow from extensive coordination and consultation between representatives of the Pechanga Tribe and the EPA about these and other related matters.

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. The 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

[28] In our proposed rule at 80 FR 438, we indicated that if we finalize our proposed action to revise the boundaries of the South Coast and San Diego air quality planning areas to designate the Pechanga Reservation as a separate nonattainment area for the 1997 8-hour ozone standard, the EPA would withdraw our proposed action to reclassify the Pechanga Reservation to ''Extreme'' for the 1997 8-hour ozone standard (74 FR 43654, August 27, 2009). (In 2010, we deferred final reclassification with respect to the Pechanga Reservation (and the Morongo Reservation) when we took final action to reclassify the South Coast for the 1997 eight-hour ozone standard (75 FR 24409, May 5, 2010).) Given today's final action and consistent with our statement from the proposed rule, EPA is withdrawing our 2009 proposed reclassification action to the extent it relates to the Pechanga Reservation in the Proposed Rules section of this **Federal Register**.

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 June 2, 2015. 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. This action may not be challenged later in proceedings to enforce its requirements (see section 307(b)(2)).

List of Subjects

40 CFR Part 49

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

40 CFR Part 81

Environmental protection, Air pollution control, Intergovernmental relations, National parks, Ozone, Wilderness areas.

Dated: March 20, 2015.

Jared Blumenfeld,

Regional Administrator, Region IX.

Chapter I, title 40 of the Code of Federal Regulations is amended as follows:

PART 49—INDIAN COUNTRY: AIR QUALITY PLANNING AND MANAGEMENT

■ 1. The authority citation for part 49 continues to read as follows:

Authority: 42 U.S.C. 7401, *et seq.*

Subpart L—Implementation Plans for Tribes—Region IX

■ 2. Subpart L of part 49 is amended by adding an undesignated center heading and § 49.5514 to read as follows:

Implementation Plan for the Pechanga Band of Luiseño Mission Indians of the Pechanga Reservation

§ 49.5514 EPA-approved Tribal rules and plans.

(a) *Purpose and scope.* This section contains the approved implementation plan for the Pechanga Band of Luiseño Mission Indians of the Pechanga Reservation dated May 2014. The plan consists of a redesignation request, a demonstration of maintenance of the 1997 8-hour ozone national ambient air quality standard, and related commitments to continue monitoring and to implement contingency provisions in the event of a monitored violation of the standard.

(b) [Reserved]

(c) [Reserved]

(d) *EPA-approved nonregulatory provisions and quasi-regulatory measures.*

EPA-APPROVED NONREGULATORY PROVISIONS AND QUASI-REGULATORY MEASURES FOR THE PECHANGA BAND OF LUISEÑO MISSION INDIANS OF THE PECHANGA RESERVATION

Name of nonregulatory or quasi-regulatory TIP provision	Tribal submittal date	EPA approval date	Explanation
Ozone Redesignation Request and Maintenance Plan for Pechanga Band of Luiseño Mission Indians of the Pechanga Reservation Nonattainment Area (May 2014).	November 4, 2014	[INSERT **Federal Register** CITATION April 3, 2015.	Tribal redesignation request and maintenance plan for the 1997 8-hour ozone standard.

PART 81—DESIGNATION OF AREAS FOR AIR QUALITY PLANNING PURPOSES

■ 4. The authority citation for part 81 continues to read as follows:

Authority: 42 U.S.C. 7401, *et seq.*

Subpart C—Section 107 Attainment Status Designations

■ 5. Section 81.305 is amended in the table for ''California—1997 8-Hour Ozone NAAQS (Primary and Secondary)'' by:

■ a. Revising the entry under ''Los Angeles-South Coast Air Basin, CA'';

■ b. Adding an entry for ''Pechanga Reservation'' following the entry ''San Bernardino County (part)'' under the entry ''Los Angeles-South Coast Air Basin, CA'';

■ c. Revising the entry under ''San Diego, CA''; and

■ d. Adding Footnote (f).

The revisions and additions read as follows:

§ 81.305 California.

* * * * *

CALIFORNIA—1997 8-HOUR OZONE NAAQS

[Primary and secondary]

Designated area	Designation [a]		Classification	
	Date [1]	Type	Date [1]	Type
* * *	*	*	*	*
Los Angeles—South Coast Air Basin, CA: [d f]	.....	Nonattainment	([2])	Subpart 2/Extreme.
Los Angeles County (part)	.....	Nonattainment	([2])	Subpart 2/Extreme.

CALIFORNIA—1997 8-HOUR OZONE NAAQS—Continued

[Primary and secondary]

Designated area	Designation [a]		Classification	
	Date [1]	Type	Date [1]	Type
That portion of Los Angeles County which lies south and west of a line described as follows: Beginning at the Los Angeles-San Bernardino County boundary and running west along the Township line common to Township 3 North and Township 2 North, San Bernardino Base and Meridian; then north along the range line common to Range 8 West and Range 9 West; then west along the Township line common to Township 4 North and Township 3 North; then north along the range line common to Range 12 West and Range 13 West to the southeast corner of Section 12, Township 5 North and Range 13 West; then west along the south boundaries of Sections 12, 11, 10, 9, 8, and 7, Township 5 North and Range 13 West to the boundary of the Angeles National Forest which is collinear with the range line common to Range 13 West and Range 14 West; then north and west along the Angeles National Forest boundary to the point of intersection with the Township line common to Township 7 North and Township 6 North (point is at the northwest corner of Section 4 in Township 6 North and Range 14 West); then west along the Township line common to Township 7 North and Township 6 North; then north along the range line common to Range 15 West and Range 16 West to the southeast corner of Section 13, Township 7 North and Range 16 West; then along the south boundaries of Sections 13, 14, 15, 16, 17, and 18, Township 7 North and Range 16 West; then north along the range line common to Range 16 West and Range 17 West to the north boundary of the Angeles National Forest (collinear with the Township line common to Township 8 North and Township 7 North); then west and north along the Angeles National Forest boundary to the point of intersection with the south boundary of the Rancho La Liebre Land Grant; then west and north along this land grant boundary to the Los Angeles-Kern County boundary.				
Orange County	.....	Nonattainment	([2])	Subpart 2/Extreme.
Riverside County (part)	.....	Nonattainment	([2])	Subpart 2/Extreme.

CALIFORNIA—1997 8-HOUR OZONE NAAQS—Continued

[Primary and secondary]

Designated area	Designation[a]		Classification	
	Date[1]	Type	Date[1]	Type
That portion of Riverside County which lies to the west of a line described as follows: Beginning at the Riverside-San Diego County boundary and running north along the range line common to Range 4 East and Range 3 East, San Bernardino Base and Meridian; then east along the Township line common to Township 8 South and Township 7 South; then north along the range line common to Range 5 East and Range 4 East; then west along the Township line common to Township 6 South and Township 7 South to the southwest corner of Section 34, Township 6 South, Range 4 East; then north along the west boundaries of Sections 34, 27, 22, 15, 10, and 3, Township 6 South, Range 4 East; then west along the Township line common to Township 5 South and Township 6 South; then north along the range line common to Range 4 East and Range 3 East; then west along the south boundaries of Sections 13, 14, 15, 16, 17, and 18, Township 5 South, Range 3 East; then north along the range line common to Range 2 East and Range 3 East; to the Riverside-San Bernardino County line.				
San Bernardino County (part)		Nonattainment	(2)	Subpart 2/Extreme.
That portion of San Bernardino County which lies south and west of a line described as follows: Beginning at the San Bernardino-Riverside County boundary and running north along the range line common to Range 3 East and Range 2 East, San Bernardino Base and Meridian; then west along the Township line common to Township 3 North and Township 2 North to the San Bernardino-Los Angeles County boundary.				
Pechanga Reservation[c]	April 3, 2015	Attainment.		
* * * * * * *				
San Diego, CA				
San Diego County (part)[f].				
That portion of San Diego County that excludes the areas listed below: La Posta Areas #1 and #2,[b] Cuyapaipe Area,[b] Manzanita Area,[b] Campo Areas #1 and #2[b].	July 5, 2013	Attainment.		
La Posta Areas #1 and #2[b]		Unclassifiable/Attainment.		
Cuyapaipe Area[b]		Unclassifiable/Attainment.		
Manzanita Area[b]		Unclassifiable/Attainment.		
Campo Areas #1 and #2[b]		Unclassifiable/Attainment.		
* * * * * * *				

[a] Includes Indian country located in each county or area, except as otherwise specified.

[b] The boundaries for these designated areas are based on coordinates of latitude and longitude derived from EPA Region 9's GIS database and are illustrated in a map entitled ''Eastern San Diego County Attainment Areas for the 8-Hour Ozone NAAQS,'' dated March 9, 2004, including an attached set of coordinates. The map and attached set of coordinates are available at EPA's Region 9 Air Division office. The designated areas roughly approximate the boundaries of the reservations for these tribes, but their inclusion in this table is intended for CAA planning purposes only and is not intended to be a federal determination of the exact boundaries of the reservations. Also, the specific listing of these tribes in this table does not confer, deny, or withdraw federal recognition of any of the tribes so listed nor any of the tribes not listed.

[c] The use of reservation boundaries for this designation is for purposes of CAA planning only and is not intended to be a federal determination of the exact boundaries of the reservations. Nor does the specific listing of the Tribes in this table confer, deny, or withdraw federal recognition of any of the Tribes listed or not listed.

[d] Excludes Morongo Band of Mission Indians' Indian country in Riverside County.

* * * * * * *

[f] Excludes the Pechanga Reservation.

[1]This date is June 15, 2004, unless otherwise noted.
[2] This date is June 4, 2010.

* * * * *

[FR Doc. 2015–07534 Filed 4–2–15; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R07–OAR–2015–0159; FRL–9925–60–Region 7]

Approval and Promulgation of Implementation Plans; State of Iowa; 2014 Iowa State Implementation Plan; Permit Modifications; Muscatine, Iowa

AGENCY: Environmental Protection Agency.

ACTION: Direct final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving revisions to the State Implementation Plan (SIP) for the State of Iowa to include modified permits for Muscatine County, Iowa. The SIP revision addresses modifications to construction permits that were included in the 2006 24-hour particulate matter less than 2.5 micrometers ($PM_{2.5}$) National Ambient Air Quality Standards (NAAQS) control strategy proposed on August 11, 2014, and published as a final rule in the **Federal Register** on December 1, 2014, with the effective date of December 31, 2014. The state's submission of modified permits includes a revised air dispersion modeling analysis that demonstrated continued attainment of the 2006 24-hour $PM_{2.5}$ NAAQS. This action will also make an administrative correction to permit numbers.

DATES: This direct final rule will be effective June 2, 2015, without further notice, unless EPA receives adverse comment by May 4, 2015. 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–2015–0159 by one of the following methods:

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

2. Email: *Hamilton.heather@epa.gov*.

3. Mail or Hand Delivery: Heather Hamilton, 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–2015–0159. 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 to 4:30 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: Heather Hamilton, Environmental Protection Agency, Air Planning and Development Branch, 11201 Renner Boulevard, Lenexa, Kansas 66219 at (913) 551–7039, or by email at *Hamilton.heather@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 taking direct final action to approve SIP revisions to replace specific EPA SIP-approved construction permits with modified permits in Muscatine County, Iowa. The modified permits are associated with $PM_{2.5}$ emission points at Union Tank Car (UTLX) and Muscatine Power and Water (MPW). Prior versions of these permits were included in the 2006 24-hour $PM_{2.5}$ NAAQS control strategy proposed in the **Federal Register** on August 11, 2014, (79 FR 71027) and published as a final rule on December 1, 2014, (79 FR 71025) with an effective date of December 31, 2014. Prior to publication of the final action, modifications to permits submitted with the control strategy were pending (under review by the state and undergoing public comment) for MPW and UTLX.

Permits for UTLX were modified to reflect current operating conditions, stack configurations, and revised $PM_{2.5}$ emission limits. The permit conditions pertaining to compliance demonstrations and operating condition monitoring, recordkeeping and reporting were included in each modified permit. The Iowa Department of Natural Resources (IDNR) initiated the public comment period that ended on August 28, 2014, for the UTLX modified permits. No comments were received.

Permits for MPW were modified to include updated $PM_{2.5}$ emission limitations associated with the rail unloading system. The permit conditions pertaining to compliance demonstrations and operating condition monitoring, recordkeeping and reporting were included in each modified permit. IDNR initiated the public comment period that ended on September 4, 2014, for the MPW modified permits. No comments were received.

The modified permits submission included a technical demonstration and an updated air dispersion modeling analysis. The modeling analysis, as well as the modified permits were reviewed by EPA and it was determined that the modifications continue to demonstrate emission reductions and attainment of the 2006 24-hour $PM_{2.5}$ NAAQS in Muscatine, Iowa, and therefore, does not relax the SIP. Additional technical detail regarding permit modifications is included in the Technical Support Document included in the docket for this rulemaking.

This action will also make an administrative correction to a permit number.

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

The state submission has met the public notice requirements for SIP submissions in accordance with 40 CFR 51.102. The submission also satisfied the completeness criteria of 40 CFR part 51, appendix V. In addition, as explained above and in more detail in the identified docket documents, the revision meets the substantive SIP requirements of the CAA, including section 110 and implementing regulations.

III. What action is EPA taking?

EPA is taking direct final action to approve SIP revisions to include modified permits for the Muscatine County, Iowa, area. The modified permits are for emission points at UTLX and MPW which were included in the 2006 24-hour $PM_{2.5}$ NAAQS control strategy. The control strategy was proposed in the **Federal Register** on August 11, 2014, and published as a final rule on December 1, 2014, with the effective date of December 31, 2014.

This action also includes an administrative correction to the permit number for (44) Muscatine Power and Water (Permit NO. 95–A–373–P2).

We are publishing this direct final rule without a prior proposed rule because we view this as a noncontroversial amendment and anticipate no adverse comment because the revisions are largely administrative and consistent with Federal regulations. The detailed rationale for the approval is set forth in the technical support document that can be found in Docket ID No. EPA–R07–OAR–2015–0159. However, in the ''Proposed Rules'' section of today's **Federal Register**, we are publishing a separate document that will serve as the proposed rule to approve the SIP revision if adverse comments are received on this direct final rule. We will not institute a second comment period on this action. Any parties interested in commenting must do so at this time. For further information about commenting on this rule, see the **ADDRESSES** section of this document.

If EPA receives adverse comment, we will publish a timely withdrawal in the **Federal Register** informing the public that this direct final rule will not take effect. We will address all public comments in any subsequent final rule based on the proposed rule.

Statutory and Executive Order Reviews

In this rule, EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, EPA is finalizing the incorporation by reference of Iowa's EPA-Approved Iowa Source-Specific Orders/Permits, section 52.820 (d), described in the direct final amendments to 40 CFR part 52 set forth below. EPA has made, and will continue to make, these documents generally available electronically through *www.regulations.gov* and/or in hard copy at the appropriate EPA office (see the **ADDRESSES** section of this preamble for more information).

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'' 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).
- 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).

The SIP is not approved to apply on any Indian reservation land or in any other area where EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, the rule does not have tribal implications and will not impose substantial direct costs on tribal governments or preempt tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

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 June 2, 2015. 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. 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, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Particulate matter, Reporting and recordkeeping requirements.

Dated: March 20, 2015.

Mark Hague,

Acting Regional Administrator, Region 7.

For the reasons stated in the preamble, EPA amends 40 CFR part 52 as set forth below:

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. In § 52.820(d) the table is amended by revising entries (41), (42), (44), (45), (47), (54), (76), (77), (78), (79), (80), (85), (86), (87), (92), (95), (97), (103), (104), (105), (106), (107), and (108) to read as follows:

§ 52.820 Identification of plan.

* * * * *

(d) * * *

EPA-APPROVED IOWA SOURCE-SPECIFIC ORDERS/PERMITS

Name of source	Order/Permit No.	State effective date	EPA Approval date	Explanation
*	*	*	*	*
(41) Muscatine Power and Water.	Permit NO. 93–A–288–S4	9/12/14	4/3/15 *and [Insert* **Federal Register** *citation].*	
(42) Muscatine Power and Water.	Permit NO. 93–A–289–S4	9/12/14	4/3/15 *and [Insert* **Federal Register** *citation].*	
*	*	*	*	*
(44) Muscatine Power and Water.	Permit NO. 95–A–373–P2	7/22/13	4/3/15 *and [Insert* **Federal Register** *citation].*	
(45) Muscatine Power and Water.	Permit NO. 00–A–638–S1	7/22/13	4/3/15 *and [Insert* FEDERAL REGISTER *citation].*	
*	*	*	*	*
(47) Muscatine Power and Water.	Permit NO. 00–A–683–S1	7/22/13	4/3/15 *and [Insert* **Federal Register** *citation].*	
*	*	*	*	*
(54) Muscatine Power and Water.	Permit NO. 04–A–617–S1	7/22/13	4/3/15 *and [Insert* **Federal Register** *citation].*	
*	*	*	*	*
(76) Muscatine Power and Water.	Permit NO. 80–A–196–S4	7/22/13	4/3/15 *and [Insert* **Federal Register** *citation].*	
(77) Muscatine Power and Water.	Permit NO. 93–A–286–S5	7/22/13	4/3/15 *and [Insert* **Federal Register** *citation].*	
(78) Muscatine Power and Water.	Permit NO. 01–A–457–S5	7/22/13	4/3/15 *and [Insert* **Federal Register** *citation].*	
(79) Muscatine Power and Water.	Permit NO. 06–A–650–S3	7/22/13	4/3/15 *and [Insert* **Federal Register** *citation].*	
(80) Muscatine Power and Water.	Permit NO. 13–A–160–S1	7/22/13	4/3/15 *and [Insert* **Federal Register** *citation].*	
		* * * * * * *		
(85) Union Tank Car Company.	Permit NO. 00–A–1086–S3.	9/2/14	4/3/15 *and [Insert* **Federal Register** *citation].*	
(86) Union Tank Car Company.	Permit NO. 00–A–1087–S3.	9/2/14	4/3/15 *and [Insert* **Federal Register** *citation].*	
(87) Union Tank Car Company.	Permit NO. 00–A–1088–S3.	9/2/14	4/3/15 *and [Insert* **Federal Register** *citation].*	
*	*	*	*	*
(92) Union Tank Car Company.	Permit NO. 96–A–636–S4	9/2/14	4/3/15 *and [Insert* **Federal Register** *citation].*	
*	*	*	*	*
(95) Union Tank Car Company.	Permit NO. 00–A–531–S3	9/2/14	4/3/15 *and [Insert* **Federal Register** *citation].*	
*	*	*	*	*
(97) Union Tank Car Company.	Permit NO. 00–A–533–S3	9/2/14	4/3/15 *and [Insert* **Federal Register** *citation].*	

EPA-APPROVED IOWA SOURCE-SPECIFIC ORDERS/PERMITS—Continued

Name of source	Order/Permit No.	State effective date	EPA Approval date	Explanation
*	*	*	*	*
(103) Union Tank Car Company.	Permit NO. 00–A–1089–S3.	9/2/14	4/3/15 *and [Insert* **Federal Register** *citation].*	
(104) Union Tank Car Company.	Permit NO. 00–A–1090–S3.	9/2/14	4/3/15 *and [Insert* **Federal Register** *citation].*	
(105) Union Tank Car Company.	Permit NO. 00–A–1091–S3.	9/2/14	4/3/15 *and [Insert* **Federal Register** *citation].*	
(106) Union Tank Car Company.	Permit NO. 10–A–043–S3	9/2/14	4/3/15 *and [Insert* **Federal Register** *citation].*	
(107) Union Tank Car Company.	Permit NO. 09–A–009–S3	9/2/14	4/3/15 *and [Insert* **Federal Register** *citation].*	
(108) Union Tank Car Company.	Permit NO. 09–A–010–S3	9/2/14	4/3/15 *and [Insert* **Federal Register** *citation].*	
*	*	*	*	*

* * * * *

[FR Doc. 2015–07488 Filed 4–2–15; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 80

[EPA–HQ–OAR–2015–0049; FRL–9924–71–OAR]

RIN 2060–AS48

Regulation of Fuels and Fuel Additives: Cellulosic Waiver Credit Price and Minor Amendments to Renewable Fuel Standard Regulations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: The Environmental Protection Agency (EPA) is taking direct final action to clarify our regulations related to the data sources used to establish the cellulosic waiver credit (CWC) price. We are also removing references to CWC prices from the renewable fuel standard regulations, and instead intend to post the prices on EPA's Web site. The direct final rule also indicates what the CWC prices for 2014 and 2015 would be using the data sources and methodology contained in the rule; however these prices will not be established until they are posted on our Web site following the effective date of the rule. In addition, we are making minor amendments to the renewable fuel standard program regulations to reinsert sections inadvertently overwritten by the Quality Assurance Program final rule published on July 18, 2014.

DATES: This rule is effective on June 2, 2015 without further notice, unless EPA receives relevant adverse comment by May 4, 2015. If EPA receives relevant adverse comment, we will publish in the **Federal Register** a timely withdrawal of the portions of this direct final rule on which adverse comment was received informing the public that those portions of the rule will not take effect.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–HQ–OAR–2015–0049, by one of the following methods:

- *www.regulations.gov:* Follow the on-line instructions for submitting comments.
- *Email: a-and-r-docket@epa.gov.*
- *Mail:* Air and Radiation Docket and Information Center, Environmental Protection Agency, Mailcode: 28221T, 1200 Pennsylvania Ave. NW., Washington, DC 20460.
- *Hand Delivery:* EPA Docket Center, EPA WJC West Building, Room 3334, 1301 Constitution Ave. NW., Washington, DC 20460. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

Instructions: Direct your comments to Docket ID No. EPA–HQ–OAR–2015–0049. 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.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. For additional information about EPA's public docket visit the EPA Docket Center homepage at *http://www.epa.gov/epahome/dockets.htm.* For additional instructions on submitting comments, go to Section I.B of the **SUPPLEMENTARY INFORMATION** section of this document.

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, *e.g.,* 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. Publicly available docket materials are available either electronically in *www.regulations.gov* or in hard copy at the Air and Radiation Docket and Information Center, EPA/DC, EPA WJC 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: Julia MacAllister, Office of Transportation and Air Quality, Assessment and Standards Division, Environmental Protection Agency, 2000 Traverwood Drive, Ann Arbor MI 48105; Telephone number: 734–214–4131; Fax number: 734–214–4816; Email address: *macallister.julia@epa.gov,* or the public information line for the Office of Transportation and Air Quality; telephone number (734) 214–4333; Email address: *OTAQ@epa.gov.*

SUPPLEMENTARY INFORMATION:

Why is EPA issuing a direct final rule?

EPA is publishing this rule without a prior proposed rule because we view this as a noncontroversial action and we anticipate no adverse comment. This action clarifies our regulations related to the data sources used to establish the price for cellulosic waiver credits (CWC). EPA is also removing the CWC prices from our regulations so as to allow the prices to be established in a more expeditious manner. The CWC prices will instead be published on EPA's ''Renewable Fuels: Regulations & Standards'' Web site (*http://www.epa.gov/otaq/fuels/renewablefuels/regulations.htm*). The action also reinserts regulatory provisions in the renewable fuel standard (RFS) program regulations that were inadvertently overwritten by the Quality Assurance Program (QAP) final rule (79 FR 42078, July 18, 2014).

Clarifying the data sources used in calculating the CWC price will eliminate uncertainty regarding EPA's process in establishing the CWC prices, will enable stakeholders to better predict the annual CWC price before it is established, and will allow EPA to establish the CWC price in a more timely manner. This action does not change the formula used to establish the CWC price (listed in our regulations at 40 CFR 80.1456(d)).

In the ''Proposed Rules'' section of today's **Federal Register**, we are publishing a separate document that will serve as the proposed rule to make the changes described herein if adverse comments are received on this direct final rule. We will not institute a second comment period on this action. Any parties interested in commenting must do so at this time. For further information about commenting on this rule, see the **ADDRESSES** section of this document.

If EPA receives relevant adverse comment or a request for a public hearing, we will publish a timely withdrawal in the **Federal Register** informing the public of the portions of this direct final rule that will not take effect. We will address all public comments in a subsequent final rule based on the proposed rule.

Does this action apply to me?

Entities potentially affected by this direct final rule are those involved with the production, distribution, and sale of transportation fuels, including gasoline and diesel fuel or renewable fuels such as ethanol and biodiesel. Potentially regulated categories include:

Category	NAICS [1] codes	SIC [2] codes	Examples of potentially regulated entities
Industry	324110	2911	Petroleum Refineries.
Industry	325193	2869	Ethyl alcohol manufacturing.
Industry	325199	2869	Other basic organic chemical manufacturing.
Industry	424690	5169	Chemical and allied products merchant wholesalers.
Industry	424710	5171	Petroleum bulk stations and terminals.
Industry	424720	5172	Petroleum and petroleum products merchant wholesalers.
Industry	454319	5989	Other fuel dealers.

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

This table is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be regulated by this action. This table lists the types of entities that EPA is now aware could potentially be regulated by this action. Other types of entities not listed in the table could also be regulated. To determine whether your activities would be regulated by this action, you should carefully examine the applicability criteria in 40 CFR part 80. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed in **FOR FURTHER INFORMATION CONTACT**.

Outline of This Preamble

I. Executive Summary
II. Clarifications Related to CWC Price Calculation
III. CWC Price Calculations for 2014 and 2015
IV. Reinsertion of Inadvertently Overwritten Language
V. Statutory and Executive Order Reviews
A. Executive Order 12866: Regulatory Planning and Review and Executive Order 13563: Improving Regulation and Regulatory Review
B. Paperwork Reduction Act
C. Regulatory Flexibility Act
D. Unfunded Mandates Reform Act
E. Executive Order 13132: Federalism
F. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments
G. Executive Order 13045: Protection of Children From Environmental Health Risks and Safety Risks
H. Executive Order 13211: Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use
I. National Technology Transfer and Advancement Act
J. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations
K. Congressional Review Act
VI. Statutory Authority

I. Executive Summary

For any calendar year for which the projected volume of cellulosic biofuel production is less than the applicable volume of cellulosic biofuel set forth in CAA 211(o)(2)(B)(III), EPA must reduce the required volume of cellulosic biofuel for that year to the projected volume, and must provide obligated parties the opportunity to purchase cellulosic waiver credits (CWC). The price of these credits is determined using a formula specified in the CAA.[1] The cellulosic waiver credit price is the greater of $0.25 or $3.00 minus the wholesale price of gasoline, where both the $0.25 and $3.00 are adjusted for inflation. In this action we are clarifying the data sources we use to calculate the inflation adjustments used in this formula. This will eliminate potential uncertainty regarding EPA's approach to establishing the CWC prices. We are not

[1] CAA 211(o)(7)(D)(ii).

making any modifications to the formula used to calculate the CWC price.

Additionally, in order to provide more certainty to the market through timely publication of CWC prices, EPA is also amending the procedure it uses to announce CWC prices. To date, we have established the prices by rulemaking and published them in the Code of Federal Regulations. To allow more expeditious publication of these prices, EPA is removing references to CWC prices from the CFR. The prices will instead be posted by the Office of Transportation and Air Quality within the Office of Air and Radiation on EPA's ''Renewable Fuels: Regulations & Standards'' Web site (*http://www.epa.gov/otaq/fuels/renewablefuels/regulations.htm*).

We are also making minor amendments to the regulations to reinsert language applicable to biofuel producers using *Arundo donax* or *Pennisetum purpureum* as feedstock, which was inadvertently overwritten by the Quality Assurance Program (QAP) final rule (79 FR 42078, July 18, 2014), and to make minor conforming changes to the numbering of other regulatory provisions.

II. Clarifications Related to CWC Price Calculation

EPA is taking action to clarify sections of the regulations related to the CWC price calculation. These changes are consistent with the CWC price formula set forth in the statute, and more specifically, with the statutory direction to adjust certain terms in the formula for inflation. We believe the regulations as amended will more clearly articulate the data sources that EPA will use in calculating the CWC price for each year.

The regulations that outline the process used by EPA to calculate the CWC price are set forth in 40 CFR 80.1456(d). The regulations currently state that ''the wholesale price of gasoline used in the CWC calculation will be calculated by averaging the most recent twelve monthly values for U.S. Total Gasoline Bulk Sales (Price) by Refiners as provided by the Energy Information Administration (EIA) that are available as of September 30 of the year preceding the compliance period.'' [2] In practice, given the publication schedule for the referenced EIA publication, this means that EPA calculates the wholesale price of gasoline using data from the 12 months prior to July of the year preceding the compliance period (*i.e.,* July 2011–June 2012 data for the 2013 CWC price). We are not making any modifications to this portion of the regulations.

The regulations also currently state that the inflation adjustment used in calculating the CWC price will be calculated at the time EPA sets the cellulosic biofuel standard.[3] In an effort to provide certainty to the market in relation to the CWC price as soon as reasonably practical, EPA believes it would be preferable to announce the CWC price as soon as the relevant data on the wholesale price of gasoline is available. Therefore, we are amending these regulations to calculate the inflation adjustment using data from June of the year preceding the compliance period. We believe this is appropriate as it is the most recent month within the time period over which we calculate the average wholesale price of gasoline. We are also amending our regulations to eliminate the regulatory references to CWC prices. Instead we intend to announce the CWC price in a notice on our ''Renewable Fuels: Regulations & Standards'' Web site by November of the year preceding the compliance period. Consistent with previous CWC calculations, EPA will continue to base the inflation adjustment on the Consumer Price Index for All Urban Consumers (CPI–U): U.S. City Average, Unadjusted Index for All Items expenditure category as provided by the Bureau of Labor and Statistics. We are amending our regulations in this action to clarify that we are using the unadjusted price index, rather than the seasonally adjusted price index, to calculate the inflation adjustment. We believe this is appropriate as the unadjusted index most accurately reflects the prices consumers actually pay and do not change, whereas the seasonally adjusted indexes are subject to revision for up to five years after their release.[4] We are also clarifying that we are using ''US City Average'' data, as opposed to data for geographic subsets of the country. This is appropriate in light of the nation-wide applicability of the RFS program. Both of these changes simply clarify EPA's current practice, and are designed to promote regulatory certainty and understanding by stakeholders.

We are also amending the section of our regulations where the CWC price for previous years is listed.[5] EPA has included the prices for 2010, 2011, 2012, and 2013 CWCs in our regulations. Promulgating prices in our regulations, however, requires EPA to undertake a rulemaking, which we believe may unnecessarily delay the announcement of the CWC price. Furthermore, we believe the CWC price need not be established by rulemaking, for the following reasons. First, the formula and all data sources for the CWC price are specified in our regulations, so the actual price calculation is a procedural action that will not benefit from a notice and comment rulemaking. Second, CWCs are purchased from EPA, and EPA can ensure that the correct price is paid for them. Finally, the publication of the CWC price in the CFR is not necessary for informational purposes as EPA intends to promptly post the CWC prices on our Web site.

Therefore, in this action EPA is deleting the sections of our regulations containing the CWC prices for previous years and is instead including a statement in the regulations indicating that the CWC price for each year will be posted on EPA's ''Renewable Fuels: Regulations & Standards'' Web site (*http://www.epa.gov/otaq/fuels/renewablefuels/regulations.htm*). Adopting this approach will allow EPA to announce the CWC prices at the earliest opportunity. We believe this will benefit both cellulosic biofuel producers and obligated parties. EPA will post the CWC prices for 2013, 2014, and 2015 on our Web site following the effective date of this rule.

III. CWC Price Calculations for 2014 and 2015

To illustrate the derivation of CWC prices pursuant to the statutory formula, and with the data sources specified in this direct final rule, we explain in this section the derivation of CWC prices for 2014 and 2015.[6] EPA determined the average wholesale (refinery gate) price of gasoline using the monthly average prices for the 12 months prior to July of the year preceding each compliance period. In this calculation EPA uses the U.S. Total Gasoline Bulk Sales Price by Refiners (Dollars per Gallon) as reported by the U.S. Energy Information Administration (EIA). The data are

[2] 40 CFR 80.1456(d)(2).

[3] 40 CFR 80.1456(d)(3).

[4] For more information on Seasonally Adjusted vs. Unadjusted Indexes see *http://www.bls.gov/cpi/cpisapage.htm.*

[5] 40 CFR 80.1405(d).

[6] The calculations for the 2013 CWC were explained in a memo to the docket for our rulemaking establishing the 2013 standards (EPA–HQ–OAR–2012–0546–0134). The 2013 CWC price was calculated in accordance with the methodology and data sources described in this rule, with one minor difference. To calculate the Inflation Factor the August 2012 Index (230.037) was used rather than the June 2012 Index (229.815). Using the June 2012 Index in place of the August 2012 Index does not change the CWC waiver credit price for 2013 of $0.42. EPA will therefore confirm the 2013 CWC price in the announcement on our Web site following the effective date of this rule.

shown below in Table 1 and Table 2 for the calculations for 2014 and 2015, respectively, and can be found at: (*http://www.eia.gov/dnav/pet/hist/LeafHandler.ashx?n=PET&s=EMA_EPM0_PBR_NUS_DPG&f=M*).

TABLE 1—WHOLESALE GASOLINE PRICES FOR 2014 CWC CALCULATION

Month	Average price in ($)
July 2012	2.703
August 2012	2.961
September 2012	3.133
October 2012	2.922
November 2012	2.622
December 2012	2.554
January 2013	2.668
February 2013	2.892
March 2013	2.963
April 2013	2.822
May 2013	2.824
June 2013	2.817

TABLE 2—WHOLESALE GASOLINE PRICES FOR 2015 CWC CALCULATION

Month	Average price in ($)
July 2013	2.879
August 2013	2.916
September 2013	2.831
October 2013	2.610
November 2013	2.496
December 2013	2.551
January 2014	2.598
February 2014	2.650
March 2014	2.763
April 2014	2.829
May 2014	2.853
June 2014	2.924

The average monthly price in dollars for the calculation of the 2014 CWC price is 2.823. The average monthly price in dollars for the calculation of the 2015 CWC price is 2.742.

The CAA requires that EPA adjust for inflation the comparison values of twenty-five cents ($0.25) and three dollars ($3.00) in the CWC price formula. EPA must compare the inflated twenty-five cent value with the amount the inflated three dollar value exceeds the average wholesale price of gasoline. EPA is required to use the greater of the two values as the price for the cellulosic biofuel waiver credits.

EPA evaluated inflation by using the Unadjusted Index values from the Consumer Price Index for All Urban Consumers (CPI–U): U.S. City Average, for the All Items expenditure category as provided by the Bureau of Labor and Statistics, for the months of January 2009 (the first comparable value after 2008) and June 2013 and June 2014, as discussed in Section II of this preamble. These unadjusted indexes are used to calculate an Inflation Factor for each year, as shown in Table 4 below. Finally, we compare $0.25 (inflation adjusted) to $3.00 (inflation adjusted) minus the wholesale price of gasoline for each year. The greater of these values is the price for the cellulosic waiver credits.

TABLE 3—INFLATION ADJUSTMENTS

Month	Unadjusted index	Source
January 2009	211.143	*http://www.bls.gov/cpi/cpid0901.pdf* (Table 1).
June 2013	233.504	*http://www.bls.gov/cpi/cpid1306.pdf* (Table 1).
June 2014	238.343	*http://www.bls.gov/cpi/cpid1406.pdf* (Table 1).

TABLE 4—INFLATION FACTORS

Months	Equation	Inflation factor
Jan. 2009–June 2013	1+(233.504-211.143)/211.143	1.106
Jan. 2009–June 2014	1+(238.343-211.143)/211.143	1.129

TABLE 5—CELLULOSIC WAIVER CREDIT PRICE CALCULATIONS

Year	$0.25 (Inflation adjusted)	$3—Wholesale price of gasoline (inflation adjusted)	CWC Price (larger of the two values, rounded to the nearest cent)
2014	$0.25 * 1.106 = $0.28	($3.00 * 1.106) − $2.823 = $0.4947	$0.49
2015	$0.25 * 1.129 = $0.28	($3.00 * 1.129) − $2.742 = $0.6445	0.64

As shown in Table 5, using the data sources for the inflation adjustment that are specified in this direct final rule results in a CWC price of $0.49 for 2014 and $0.64 for 2015. These prices, along with the CWC price for 2013 ($0.42) will be posted on EPA's Web site after the effective date of this rule.

EPA notes that in this action we are not making a determination regarding whether CWCs will actually be offered. As required by statute, CWCs are only made available for sale if EPA lowers the required cellulosic biofuel volume requirement below the applicable volume set forth in the Act. EPA will decide whether or not it will lower the required cellulosic biofuel volumes in future rules establishing the 2014 and 2015 cellulosic biofuel percentage standards. At that time EPA will determine if CWCs will be sold. If so, they will be sold at the prices indicated above. However EPA notes that it has offered CWCs for every year since 2010, the first year for which a separate cellulosic biofuel standard was established. Given the anticipated shortfall in cellulosic biofuel production, as compared to statutory volumes, in these years it is probable that CWCs will be offered.

IV. Reinsertion of Inadvertently Overwritten Language

In the RFS RIN Quality Assurance Program final rule (79 FR 42078, July 18, 2014), we moved the previous 40 CFR 80.1426(f)(12) (regarding process

heat produced from biogas) to 40 CFR 80.1426(f)(14) as we had proposed on February 21, 2013 (78 FR 12158). When we moved 40 CFR 80.1426(f)(12) to 40 CFR 80.1426(f)(14), however, we inadvertently overwrote the previous 40 CFR 80.1426(f)(14) (regarding renewable fuel produced from giant reed (*Arundo donax*) or napier grass (*Pennisetum purpureum*)) that had been finalized in a separate final rule which was published on July 11, 2013 (78 FR 41703). The new 40 CFR 80.1426(f)(12) finalized in the RFS RIN Quality Assurance Program final rule dealt with additional requirements for producers and importers when generating RINs. In today's action, we are amending the regulations to undo our inadvertent elimination of the regulatory provisions related to giant reed and napier grass. Specifically, we are: (1) Re-inserting the inadvertently eliminated language as 40 CFR 80.1426(f)(14) (See 78 FR 41714, July 11, 2013); (2) moving the current 40 CFR 80.1426(f)(14) (process heat produced from biogas) back to 40 CFR 80.1426(f)(12), where it existed prior to the RFS RIN Quality Assurance Program final rule (See 75 FR 79977, December 21, 2010); and (3) moving the current 40 CFR 80.1426(f)(12) to a new 40 CFR 80.1426(f)(17).

V. Statutory and Executive Order Reviews

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

This action is not a significant regulatory action and was therefore not submitted to the Office of Management and Budget (OMB) for review.

B. Paperwork Reduction Act

This action does not impose an information collection burden under the PRA. The changes made to the regulations as a result of this action impose no new or different reporting requirements on regulated parties.

C. Regulatory Flexibility Act

I certify that this action will not have a significant economic impact on a substantial number of small entities under the RFA. In making this determination, the impact of concern is any significant adverse economic impact on small entities. An agency may certify that a rule will not have a significant economic impact on a substantial number of small entities if the rule relieves regulatory burden, has no net burden or otherwise has a positive economic effect on the small entities subject to the rule. This action clarifies the data sources and methodology used by EPA to establish the CWC price, establishes these prices for 2014 and 2015, and reinserts inadvertently overwritten regulatory language. The impacts of the RFS2 program on small entities were already addressed in the RFS2 final rule promulgated on March 26, 2010 (75 FR 14670), and this rule will not impose any additional requirements on small entities beyond those already analyzed. We have therefore concluded that this action will have no net regulatory burden for all directly regulated small entities.

D. Unfunded Mandates Reform Act

This action does not contain any unfunded mandate as described in UMRA, 2 U.S.C. 1531–1538, and does not significantly or uniquely affect small governments. This action implements mandate(s) specifically and explicitly set forth in Clean Air Act section 211(o) without the exercise of any policy discretion by the EPA.

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.

F. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments

This action does not have tribal implications, as specified in Executive Order 13175. This rule will be implemented at the Federal level and potentially impacts gasoline, diesel, and renewable fuel producers, importers, distributors, and marketers. Tribal governments would be affected only to the extent they purchase and use regulated fuels. Thus, Executive Order 13175 does not apply to this action.

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

The EPA interprets E.O. 13045 as applying only to those regulatory actions that concern environmental health or safety risks that the EPA has reason to believe may disproportionately affect children, per the definition of ''covered regulatory action'' in section 2–202 of the Executive Order. This action is not subject to Executive Order 13045 because it does not establish an environmental standard intended to mitigate health or safety risks and because it implements specific standards established by Congress in statutes (section 211(o) of the Clean Air Act).

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

This action is not subject to Executive Order 13211 because it is not a significant regulatory action under Executive Order 12866.

I. National Technology Transfer and Advancement Act

This rulemaking does not involve technical standards.

J. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations

This rule is a technical correction and does not concern an environmental health or safety risk. Therefore, Executive Order 12898 does not apply.

K. Congressional Review Act

This action is subject to the CRA, and the EPA will submit a rule report to each House of the Congress and to the Comptroller General of the United States. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

VI. Statutory Authority

Statutory authority for this action comes from section 211 of the Clean Air Act, 42 U.S.C. 7545.

List of Subjects in 40 CFR Part 80

Environmental protection, Administrative practice and procedure, Air pollution control, Diesel fuel, Fuel additives, Gasoline, Imports, Oil imports, Petroleum, Renewable Fuel.

Dated: March 24, 2015.

Gina McCarthy,

Administrator.

For the reasons set forth in the preamble, title 40, chapter I of the Code of Federal Regulations is amended as set forth below.

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, 7521, 7542, 7545, and 7601(a).

Subpart M—Renewable Fuel Standard

■ 2. Section 80.1405 is amended by revising paragraph (d) to read as follows:

§ 80.1405 What are the Renewable Fuel Standards?

* * * * *

(d) The price for cellulosic biofuel waiver credits will be calculated in accordance with § 80.1456(d) and published on EPA's Web site.

■ 3. Section 80.1426 is amended by revising paragraphs (f)(12) and (f)(14), and adding paragraph (f)(17) to read as follows:

§ 80.1426 How are RINs generated and assigned to batches of renewable fuel by renewable fuel producers or importers?

* * * * *

(f) * * *

(12) For purposes of Table 1 of this section, process heat produced from combustion of gas at a renewable fuel facility is considered derived from biomass if the gas is biogas.

(i) For biogas directly transported to the facility without being placed in a commercial distribution system, all of the following conditions must be met:

(A) The producer has entered into a written contract for the procurement of a specific volume of biogas with a specific heat content.

(B) The volume of biogas was sold to the renewable fuel production facility, and to no other facility.

(C) The volume and heat content of biogas injected into the pipeline and the volume of gas used as process heat are measured by continuous metering.

(ii) For biogas that has been gathered, processed and injected into a common carrier pipeline, all of the following conditions must be met:

(A) The producer has entered into a written contract for the procurement of a specific volume of biogas with a specific heat content.

(B) The volume of biogas was sold to the renewable fuel production facility, and to no other facility.

(C) The volume of biogas that is withdrawn from the pipeline is withdrawn in a manner and at a time consistent with the transport of fuel between the injection and withdrawal points.

(D) The volume and heat content of biogas injected into the pipeline and the volume of gas used as process heat are measured by continuous metering.

(E) The common carrier pipeline into which the biogas is placed ultimately serves the producer's renewable fuel facility.

(iii) The process heat produced from combustion of gas at a renewable fuel facility described in paragraph (f)(12)(i) of this section shall not be considered derived from biomass if any other party relied upon the contracted volume of biogas for the creation of RINs.

* * * * *

(14) A producer or importer of renewable fuel using giant reed (*Arundo donax*) or napier grass (*Pennisetum purpureum*) as a feedstock may generate RINs for that renewable fuel if:

(i) The feedstock is produced, managed, transported, collected, monitored, and processed according to a Risk Mitigation Plan approved by EPA under the registration procedures specified in § 80.1450(b)(1)(x)(A); or,

(ii) EPA has determined that there is not a significant likelihood of spread beyond the planting area of the feedstock used for production of the renewable fuel. Any determination that *Arundo donax* or *Pennisetum purpureum* does not present a significant likelihood of spread beyond the planting area must be based upon clear and compelling evidence, including information and supporting data submitted by the producer. Such a determination must be made by EPA as specified in § 80.1450(b)(1)(x)(B).

* * * * *

(17)(i) For purposes of this section, any renewable fuel other than ethanol, biodiesel, or renewable diesel that meets the ASTM D 975–13a Grade No. 1–D or No. 2–D specifications (incorporated by reference, see § 80.1468) is considered renewable fuel and the producer or importer may generate RINs for such fuel only if all of the following apply:

(A) The fuel is produced from renewable biomass and qualifies for a D code in Table 1 to this section or has been otherwise approved by the Administrator.

(B) The fuel producer or importer maintains records demonstrating that the fuel was produced for use as a transportation fuel, heating oil or jet fuel by any of the following:

(*1*) Blending the renewable fuel into gasoline or diesel fuel to produce a transportation fuel, heating oil or jet fuel that meets all applicable standards.

(*2*) Entering into a written contract for the sale of the renewable fuel, which specifies the purchasing party shall blend the fuel into gasoline or diesel fuel to produce a transportation fuel, heating oil or jet fuel that meets all applicable standards.

(*3*) Entering into a written contract for the sale of the renewable fuel, which specifies that the fuel shall be used in its neat form as a transportation fuel, heating oil or jet fuel that meets all applicable standards.

(C) The fuel was sold for use in or as a transportation fuel, heating oil, or jet fuel, and for no other purpose.

(ii) [Reserved]

* * * * *

■ 4. Section 80.1456 is amended by revising paragraph (d)(3) to read as follows:

§ 80.1456 What are the provisions for cellulosic biofuel waiver credits?

* * * * *

(d) * * *

(3) The inflation adjustment will be calculated by comparing the Consumer Price Index for All Urban Consumers (CPI–U): U.S. City Average, Unadjusted Index for All Items expenditure category as provided by the Bureau of Labor Statistics for June of the year preceding the compliance period to the comparable value reported for January 2009.

* * * * *

[FR Doc. 2015–07476 Filed 4–2–15; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[EPA–HQ–OPP–2015–0125; FRL–9924–40]

Extension of Tolerances for Emergency Exemptions (Multiple Chemicals)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This regulation extends or re-establishes time-limited tolerances for residues of the pesticides fluridone in or on cotton undelinted seed, and diflubenzuron in or on alfalfa forage and hay. These actions are in response to EPA's granting of emergency exemptions under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) authorizing use of these pesticides. In addition, the Federal Food, Drug, and Cosmetic Act (FFDCA) requires EPA to establish a time-limited tolerance or exemption from the requirement for a tolerance for pesticide chemical residues in food that will result from the use of a pesticide under an emergency exemption granted by EPA.

DATES: This regulation is effective April 3, 2015. Objections and requests for hearings must be received on or before June 2, 2015, and must be filed in accordance with the instructions provided in 40 CFR part 178 (see also Unit I.C. of the **SUPPLEMENTARY INFORMATION**).

ADDRESSES: The docket for this action, identified by docket identification (ID)

number EPA–HQ–OPP–2015–0125, is available at *http://www.regulations.gov* or at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), West William Jefferson Clinton Bldg., Rm. 3334, 1301 Constitution Ave. NW., Washington, DC 20460–0001. 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 OPP Docket is (703) 305–5805. Please review the visitor instructions and additional information about the docket available at *http://www.epa.gov/dockets.*

FOR FURTHER INFORMATION CONTACT: Susan Lewis, Registration Division (7505P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460–0001; main telephone number: (703) 305–7090; email address: *RDFRNotices@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. The following list of North American Industrial Classification System (NAICS) codes is not intended to be exhaustive, but rather provides a guide to help readers determine whether this document applies to them. Potentially affected entities may include:

- Crop production (NAICS code 111).
- Animal production (NAICS code 112).
- Food manufacturing (NAICS code 311).
- Pesticide manufacturing (NAICS code 32532).

B. How can I get electronic access to other related information?

You may access a frequently updated electronic version of 40 CFR part 180 through the Government Publishing Office's e-CFR site at *http://www.ecfr.gov/cgi-bin/text-idx?&c=ecfr&tpl=/ecfrbrowse/Title40/40tab_02.tpl.*

C. How can I file an objection or hearing request?

Under FFDCA section 408(g), 21 U.S.C. 346a, any person may file an objection to any aspect of this regulation and may also request a hearing on those objections. You must file your objection or request a hearing on this regulation in accordance with the instructions provided in 40 CFR part 178. To ensure proper receipt by EPA, you must identify docket ID number EPA–HQ–OPP–2015–0125 in the subject line on the first page of your submission. All requests must be in writing, and must be received by the Hearing Clerk on or before June 2, 2015. Addresses for mail and hand delivery of objections and hearing requests are provided in 40 CFR 178.25(b).

In addition to filing an objection or hearing request with the Hearing Clerk as described in 40 CFR part 178, please submit a copy of the filing (excluding any Confidential Business Information (CBI)) for inclusion in the public docket. Information not marked confidential pursuant to 40 CFR part 2 may be disclosed publicly by EPA without prior notice. Submit the non-CBI copy of your objection or hearing request, identified by docket ID number EPA–HQ–OPP–2015–0125, by one of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be CBI or other information whose disclosure is restricted by statute.
- *Mail:* OPP Docket, Environmental Protection Agency Docket Center (EPA/DC), (28221T), 1200 Pennsylvania Ave. NW., Washington, DC 20460–0001.
- *Hand Delivery:* To make special arrangements for hand delivery or delivery of boxed information, please follow the instructions at *http://www.epa.gov/dockets/contacts.html.* Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at *http://www.epa.gov/dockets.*

II. Background and Statutory Findings

EPA, on its own initiative, has previously issued final rules under FFDCA section 408, 21 U.S.C. 346a, establishing time-limited tolerances for fluridone, 1-methyl-3-phenyl-5-(3-(trifluoromethyl)phenyl)-4(1H)-pyridone, in or on cotton undelinted seed, and for diflubenzuron, *N*-[[(4-chlorophenyl)amino]carbonyl] -2,6-difluorobenzamide, in or on alfalfa forage and hay.

EPA established those tolerances because FFDCA section 408(l)(6) requires EPA to establish a time-limited tolerance or exemption from the requirement for a tolerance for pesticide chemical residues in food that will result from the use of a pesticide under an emergency exemption granted by EPA under FIFRA section 18. Such tolerances can be established without providing notice or time for public comment.

EPA received requests to extend the emergency use of these chemicals for this year's growing season. After having reviewed these submissions, EPA concurs that emergency conditions continue to exist. EPA assessed the potential risks presented by residues for each chemical. In doing so, EPA considered the safety standard in FFDCA section 408(b)(2), and decided that the necessary tolerance under FFDCA section 408(l)(6) would be consistent with the safety standard and with FIFRA section 18.

The data and other material relevant to these safety findings have been evaluated and discussed in the final rule originally published to support these uses. Based on that data and information considered, the Agency again concludes that these time-limited tolerances will continue to meet the requirements of FFDCA section 408(l)(6). Therefore, the time-limited tolerances are extended until December 31, 2017. EPA will publish a document in the **Federal Register** to remove the revoked tolerances from the Code of Federal Regulations (CFR). Although these tolerances will expire and are revoked on the date listed under FFDCA section 408(l)(5), residues of the pesticide not in excess of the amounts specified in the tolerance remaining in or on the commodity after that date will not be unlawful, provided the residue is present as a result of an application or use of a pesticide at a time and in a manner that was lawful under FIFRA, the tolerance was in place at the time of the application, and the residue does not exceed the level that was authorized by the tolerance. EPA will take action to revoke these tolerances earlier if any experience with, scientific data on, or other relevant information on this pesticide indicate that the residues are not safe.

Tolerances for the use of the following pesticide chemicals on specific commodities are being extended:

Fluridone. EPA has authorized under FIFRA section 18 the emergency use of fluridone on cotton for control of glyphosate-resistant Palmer amaranth in Arkansas, Georgia, Missouri, North Carolina, South Carolina and Tennessee. This regulation re-establishes a time-limited tolerance for residues of the herbicide fluridone, 1-methyl-3-phenyl-5-(3-(trifluoromethyl)phenyl)-4(1H)-pyridone, and its metabolites and degradates, determined as only the parent fluridone, in or on cotton, undelinted seed at 0.1 parts per million (ppm) for an additional three-year period. This tolerance will expire and is

revoked on December 31, 2017. The final rule originally establishing the time-limited tolerance was published in the **Federal Register** of November 7, 2012 (77 FR 66715) (FRL–9366–8).

Diflubenzuron. EPA has authorized under FIFRA section 18 the use of diflubenzuron on alfalfa grown for hay for control of Mormon crickets (*Anabrus simplex*) and grasshoppers (Family *Acrididae, v*arious spp.) in Wyoming. This regulation re-establishes time-limited tolerances for residues of the insecticide diflubenzuron, *N*-[[(4-chlorophenyl)amino]carbonyl] -2,6-difluorobenzamide, and its metabolites, p-chlorophenylurea and p-chloroaniline, in or on alfalfa forage and alfalfa hay at 6.0 ppm for an additional three-year period. These tolerances will expire and are revoked on December 31, 2017. The final rule originally establishing the time-limited tolerances was published in the **Federal Register** of November 28, 2008 (73 FR 72352) (FRL–8388–9).

III. International Residue Limits

In making its tolerance decisions, EPA seeks to harmonize U.S. tolerances with international standards whenever possible, consistent with U.S. food safety standards and agricultural practices. EPA considers the international maximum residue limits (MRLs) established by the Codex Alimentarius Commission (Codex), as required by FFDCA section 408(b)(4). The Codex Alimentarius is a joint United Nations Food and Agriculture Organization/World Health Organization food standards program, and it is recognized as an international food safety standards-setting organization in trade agreements to which the United States is a party. EPA may establish a tolerance that is different from a Codex MRL; however, FFDCA section 408(b)(4) requires that EPA explain the reasons for departing from the Codex level.

The Codex has not established MRLs for fluridone on cotton or diflubenzuron on alfalfa.

IV. Statutory and Executive Order Reviews

This action establishes tolerances under FFDCA sections 408(e) and 408(l)(6). The Office of Management and Budget (OMB) has exempted these types of actions from review under Executive Order 12866, entitled ''Regulatory Planning and Review'' (58 FR 51735, October 4, 1993). Because this action has been exempted from review under Executive Order 12866, this action is not subject to Executive Order 13211, entitled ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355, May 22, 2001) or Executive Order 13045, entitled ''Protection of Children from Environmental Health Risks and Safety Risks'' (62 FR 19885, April 23, 1997). This action does not contain any information collections subject to OMB approval under the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 *et seq.*), nor does it require any special considerations under Executive Order 12898, entitled ''Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations'' (59 FR 7629, February 16, 1994).

Since tolerances and exemptions that are established in accordance with FFDCA sections 408(e) and 408(l)(6), such as the tolerances in this final rule, do not require the issuance of a proposed rule, the requirements of the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*) do not apply.

This action directly regulates growers, food processors, food handlers, and food retailers, not States or tribes, nor does this action alter the relationships or distribution of power and responsibilities established by Congress in the preemption provisions of FFDCA section 408(n)(4). As such, the Agency has determined that this action will not have a substantial direct effect on States or tribal governments, on the relationship between the national government and the States or tribal governments, or on the distribution of power and responsibilities among the various levels of government or between the Federal Government and Indian tribes. Thus, the Agency has determined that Executive Order 13132, entitled ''Federalism'' (64 FR 43255, August 10, 1999) and Executive Order 13175, entitled ''Consultation and Coordination with Indian Tribal Governments'' (65 FR 67249, November 9, 2000) do not apply to this action. In addition, this action does not impose any enforceable duty or contain any unfunded mandate as described under Title II of the Unfunded Mandates Reform Act (UMRA) (2 U.S.C. 1501 *et seq.*).

This action does not involve any technical standards that would require Agency consideration of voluntary consensus standards pursuant to section 12(d) of the National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note).

V. Congressional Review Act

Pursuant to the Congressional Review Act (5 U.S.C. 801 *et seq.*), 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**. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: March 26, 2015.

Susan Lewis,

Director, Registration Division, Office of Pesticide Programs.

Therefore, 40 CFR chapter I is amended as follows:

PART 180—[AMENDED]

■ 1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 321(q), 346a and 371.

■ 2. In § 180.377, amend the table in paragraph (b) by revising the entries for ''Alfalfa, forage'' and ''Alfalfa, hay'' to read as follows:

§ 180.377 Diflubenzuron; tolerances for residues.

* * * * *

(b) * * *

Commodity	Parts per million	Expiration/revocation date
Alfalfa, forage	6.0	12/31/2017
Alfalfa, hay	6.0	12/31/2017
* * * * *		

* * * * *

■ 3. In § 180.420, revise the table in paragraph (b) to read as follows:

§ 180.420 Fluridone; tolerances for residues.

* * * * *

(b) * * *

Commodity	Parts per million	Expiration/revocation date
Cotton, undelinted seed	0.1	12/31/2017

* * * * *

[FR Doc. 2015–07624 Filed 4–2–15; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 300

[EPA–HQ–SFUND–1991–006; FRL–9925–52–Region 8]

National Oil and Hazardous Substances Pollution Contingency Plan National Priorities List

AGENCY: Environmental Protection Agency (EPA).

ACTION: Withdrawal of direct final rule.

SUMMARY: On February 5, 2015, the Environmental Protection Agency (EPA) published a Notice of Intent to Delete and a direct final Notice of Deletion for the Midvale Slag from the National Priorities List. The EPA is withdrawing the Final Notice of Deletion due to adverse comments that were received during the public comment period. After consideration of the comments received, if appropriate, EPA will publish a Notice of Deletion in the **Federal Register** based on the parallel Notice of Intent to Delete and place a copy of the final deletion package, including a Responsiveness Summary, if prepared, in the Site repositories.

DATES: This withdrawal of the direct final action published February 5, 2015 (80 FR 6458) is effective as of April 3, 2015.

ADDRESSES: *Information Repositories:* Comprehensive information on the Site, as well as the comments that we received during the comment period, are available in the docket EPA–HQ–SFUND–1991–0006 accessed through the *http://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, will be publicly available only in hard copy. Publicly available docket materials are available electronically at *http://www.regulations.gov* or in hard copy at Ruth Tyler Branch Library, 8041 South Wood, Midvale, UT 84047; Phone: (801–944–7641); Hours: M–Th: 9 a.m.–9 p.m.; Fri-Sat: 9:00 a.m.–5:30 p.m.

FOR FURTHER INFORMATION CONTACT: Erna Waterman, Remedial Project Manager, U.S. Environmental Protection Agency, Region 8, Mail code: 8EPR–SR, 1595 Wynkoop Street, Denver, CO 80202–1129; Phone: (303) 312–6762; Email: *waterman.erna@epa.gov.* You may contact Erna to request a hard copy of publicly available docket materials.

List of Subjects in 40 CFR Part 300

Environmental protection, Air pollution control, Chemicals, Hazardous waste, Hazardous substances, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Superfund, Water pollution control, Water supply.

Dated: March 24, 2015.

Shaun L. McGrath,

Regional Administrator, Region 8.

For the reasons set out in this document, 40 CFR part 300 is amended as follows:

PART 300—NATIONAL OIL AND HAZARDOUS SUBSTANCES POLLUTION CONTINGENCY PLAN

■ 1. The authority citation for part 300 continues to read as follows:

Authority: 33 U.S.C. 1321(c)(2); 42 U.S.C. 9601–9657; E.O. 13626, 77 FR 56749, 3 CFR, 2013 Comp., p.306; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p.351; E.O. 12580, 52 FR 2923, 3 CFR, 1987 Comp., p.193.

■ 2. Accordingly, the amendment to Table 1 of Appendix B to CFR part 300 to remove the entry ''UT'' ''Midvale Slag'' ''Midvale'' published February 5, 2015 (80 FR 6458) is withdrawn as of April 3, 2015.

[FR Doc. 2015–07472 Filed 4–2–15; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 90

[WP Docket No. 07–100, FCC 15–28]

Private Land Mobile Radio Services

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In this document, the Federal Communications Commission (Commission) grants an unopposed petition filed by the Public Safety Communications Council (PSCC) for partial reconsideration of the *Fifth Report and Order* in this proceeding. Specifically, for applicants seeking authority to operate centralized trunked stations on Public Safety Pool channels, we eliminate the requirement that the applicant demonstrate that the proposed station's service contour will not be overlapped by any incumbent station's interference contour. We also amend the rule changes adopted in the *Fifth Report and Order* regarding treatment of mobile stations to clarify how to protect 150–174 MHz band mobile stations that are associated with a base station. This proceeding is part of our continuing effort to provide clear and concise rules that facilitate new wireless technologies, devices and services, and are easy for the public to understand.

DATES: Effective May 4, 2015.

FOR FURTHER INFORMATION CONTACT: Rodney P. Conway, at *Rodney.Conway@FCC.gov*, Wireless Telecommunications Bureau, (202) 418–2904, or TTY (202) 418–7233.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Second Order on Reconsideration* in WP Docket No. 07–100; FCC 15–28, adopted on March 9, 2015, and released March 11, 2015. The full text of this document is available for inspection and copying during normal business hours in the FCC Reference Center, 445 12th Street SW., Washington, DC 20554. The full text may also be downloaded at: *www.fcc.gov.* Alternative formats are available to persons with disabilities by sending an email to *fcc504@fcc.gov* or by calling the Consumer & Governmental Affairs Bureau at 202–418–0530 (voice), 202–418–0432 (tty).

Summary

1. A trunked radio system employs technology that can search two or more available channels and automatically assign a user an open channel. In the *Fifth Report and Order,* the Commission revised, clarified, and streamlined § 90.187 of its rules, which specifies the manner in which trunking may be accomplished in the 150–174 MHz and 421–512 MHz private land mobile radio bands. PSCC seeks reconsideration with respect to two of those rule changes.

2. *Section 90.187(d)(3).* As noted in the Fifth Report and Order, § 90.187 requires that a trunked system monitor the frequencies and employ equipment that prevents transmission on a frequency if a signal from another system is present on it, with certain exceptions. One of these exceptions is if the licensee obtains the written consent of all ''affected licensees.'' Whether an incumbent is an affected licensee depends on both the spectral proximity of the existing and proposed frequencies, and the physical proximity of the existing and proposed facilities. In the Fifth Report and Order, the Commission modified § 90.187 to require that the contour analysis used to determine physical proximity be performed by an applicant for a new centralized trunked system to demonstrate both that (1) the proposed system's interference contour will not overlap any spectrally proximate incumbent system's service contour;

and (2) its proposed service contour will not be overlapped by the interference contour of any incumbent system (a ''reverse'' contour analysis). The Commission adopted the reverse contour requirement because its benefits—to prevent the licensing of stations that would appear to have little function other than to enable the applicant to block the expansion of viable incumbent systems—outweighed the limited additional burden on frequency coordinators of performing a two-way analysis. It noted that applicants with legitimate reasons for seeking authorization for service contours overlapped by incumbents' interference contours could seek case-by-case waivers.

3. PSCC states that there are situations in which it is appropriate to license low-power Public Safety stations within the interference contours of incumbent stations in order to fill a specific communications need, such as providing communications capacity at a prison or courthouse, and that such stations have no effect on incumbent licensees. PSCC believes that the coordination of such stations should be permitted based on the expertise of the Public Safety Pool frequency coordinators rather than requiring licensees to utilize the slower and more burdensome case-by-case waiver process. Further, PSCC asserts that while ''a practice similar to 'greenmail' '' may occur on Industrial/Business Pool channels, which the reverse contour analysis might help to prevent, the issue does not arise on Public Safety Pool channels.

4. We agree with PSCC that the reverse contour requirement is not necessary for the Public Safety Pool channels, and should apply only to Industrial/Business Pool channels. No party has opposed PSCC's request, and we find the risk of such potential ''greenmail'' activity in connection with public safety facilities to be unlikely and certainly outweighed by the cost of pursuing case-by-case waivers. Accordingly, we are amending the rules to eliminate the ''affected licensees'' consent requirement for Public Safety Pool applicants for stations with a proposed service contour overlapped by an incumbent system's interference contour. Such Public Safety Pool applicants will be permitted to prosecute their applications, which require coordination by a Public Safety Pool frequency coordinator, without obtaining the consent of ''affected licensees'' unless their proposed interference contour overlaps any spectrally proximate incumbent licensee's service contour. We amend § 90.187(d)(3) to make clear that when a public safety applicant files an application in which its service contour is overlapped by the interference contour of an incumbent station, the applicant must accept any resultant interference.

5. *Section 90.187(d)(1)(B).* Formerly, § 90.187 was not entirely clear about how to treat mobile stations for the foregoing contour analysis. The Commission amended the rule in the *Fifth Report and Order* to provide that, for purposes of the contour analysis to determine whether a station is an affected licensee, a mobile-only system's authorized operating area will be used as both its service contour and its interference contour. The Commission concluded that using the service area boundary for both the protected contour and the interference contour would allow establishment of new facilities while still providing an appropriate level of protection to the mobile operations.

6. PSCC concurs with the Commission's decision to address the protection of mobile stations not associated with a base station by making the mobile-only authorized operating area represent both the interference and service contours. It notes, however, that the Commission did not adopt any provision regarding protection of mobile units that are associated with a base station, and suggests that associated mobile units be treated analogously to unassociated mobile units by using the associated base station's service contour as both the associated mobile unit's service contour and interference contour.

7. We agree that this omission should be addressed with respect to the 150–174 MHz band, where the base and mobile frequencies generally are not paired. As the Commission concluded with respect to mobile units not associated with a base station, using the service area boundary for 150–174 MHz mobile units that are associated with a base station for both the protected contour and the interference contour will allow establishment of new facilities while still providing an appropriate level of protection to incumbent operations. We amend § 90.187(d)(1)(B) accordingly.

I. Procedural Matters

Paperwork Reduction Act

8. This document does not contain proposed information collection(s) subject to the Paperwork Reduction Act of 1995 (PRA), Public Law 104–13. In addition, therefore, it does not contain any new or modified ''information collection burden for small business concerns with fewer than 25 employees,'' pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, *see* 44 U.S.C. 3506(c)(4).

II. Final Regulatory Flexibility Analysis

9. As required by the Regulatory Flexibility Act (RFA), a Final Regulatory Flexibility Analysis (FRFA) was incorporated in the *Fifth Report and Order.* In view of the fact that we have adopted further rule amendments in the *Second Order on Reconsideration,* we have included this Supplemental Final Regulatory Flexibility Certification. This Certification conforms to the RFA. *See 5 U.S.C. 604.*

10. The Regulatory Flexibility Act of 1980, as amended (RFA) requires that a regulatory flexibility analysis be prepared for rulemaking proceedings, unless the agency certifies that ''the rule will not have a significant economic impact on a substantial number of small entities.'' *See 5 U.S.C. 605(b).* The RFA generally defines ''small entity'' as having the same meaning as the terms ''small business,'' ''small organization,'' and ''small governmental jurisdiction.'' *See 5 U.S.C. 601(6).* In addition, the term ''small business'' has the same meaning as the term ''small business concern'' under the Small Business Act. *See 5 U.S.C. 601(3).* A small business concern is one which (1) is independently owned and operated, (2) is not dominant in its field of operation, and (3) satisfies any additional criteria established by the Small Business Administration (SBA). *See Small Business Act, 5 U.S.C. 632 (1996).* The FRFA incorporated in the *Fifth Report and Order* described and estimated the number of small entity licensees and regulatees that may be affected by the rules changes adopted therein, described the projected reporting, recordkeeping, and other compliance requirements associated therewith, identified the steps taken to minimize significant economic impact on small entities and significant alternatives considered in connection therewith, and identified no federal rules that may duplicate, overlap, or conflict therewith. That FRFA is unchanged by this *Second Order on Reconsideration* except as described below.

11. The *Second Order on Reconsideration* makes technical modifications to our rule regarding the contour analysis for determining whether to permit a new centralized trunked station. These rule changes are not expected to have any significant cumulative effect on frequency coordination costs. Therefore, we certify

that the requirements of the *Second Order on Reconsideration* will not have a significant economic impact on a substantial number of small entities.

12. The Commission will send a copy of the *Second Order on Reconsideration,* including a copy of this final certification, in a report to Congress pursuant to the Congressional Review Act, *see* U.S.C. 801(a)(1)(A). In addition, the *Second Order on Reconsideration* and this certification will be sent to the Chief Counsel for Advocacy of the Small Business Administration. A copy of this Second Order on Reconsideration and this certification (or summaries thereof) will also be published in the **Federal Register**. *See 5 U.S.C. 604(b).*

III. Ordering Clauses

13. Accordingly, *it is ordered* pursuant to sections 4(i), 303(r), and 405 of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 303(r), 405, and § 1.429 of the Commission's rules, 47 CFR 1.429, that the Petition for Reconsideration of the Fifth Report and Order filed by the Public Safety Communications Council on June 12, 2013, *is granted* to the extent set forth herein.

14. *It is further ordered* that part 90 of the Commission's rules *is amended,* effective May 4, 2015.

List of Subjects in 47 CFR Part 90

Communications equipment, Radio, Reporting and recordkeeping requirements.

Federal Communications Commission.

Marlene H. Dortch,

Secretary.

For the reasons discussed, the Federal Communications Commission amends 47 CFR part 90 as follows:

PART 90—PRIVATE LAND MOBILE RADIO SERVICES

■ 1. The authority citation for part 90 continues to read as follows:

Authority: Sections 4(i), 11, 303(g), 303(r), and 332(c)(7) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 161, 303(g), 303(r), and 332(c)(7) and Title VI of the Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. 112–96 Stat. 156.

■ 2. Section 90.187 is amended by revising paragraphs (d)(1)(ii)(A) and (d)(3) to read as follows:

§ 90.187 Trunking in the bands between 150 and 512 MHz.

* * * * *

(d) * * *

(1) * * *

(ii) * * *

(A) Licensees (and filers of previously filed pending applications) with a service contour (37 dBu for stations in the 150–174 MHz band, and 39 dBu for stations in the 421–512 MHz band) that is overlapped by the proposed centralized trunked station's interference contour (19 dBu for stations in the 150–174 MHz band, and 21 dBu for stations in the 421–512 MHz band). Contour calculations are required for base station facilities. Contour calculations are required for associated mobile stations only in the 150–174 MHz band, with the associated base station's service contour used as both the mobile station's service contour and its interference contour.

* * * * *

(3) In addition, the service contour for proposed centralized trunked stations on Industrial/Business Pool frequencies shall not be overlapped by an incumbent licensee's interference contour. An application filed for Public Safety Pool frequencies, see § 90.20, for a proposed centralized trunked station in which the service contour of the proposed station is overlapped by the interference contour of the incumbent station(s) is allowed, but the applicant must accept any resultant interference.

* * * * *

[FR Doc. 2015–07600 Filed 4–2–15; 8:45 am]

BILLING CODE 6712–01–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

49 CFR Parts 383, 385, 386 and 387

[Docket Number: FMCSA–2014–0261]

RIN 2126–AB75

Civil Penalties Inflation Adjustments

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), DOT.

ACTION: Final rule.

SUMMARY: The FMCSA specifies inflation adjustments to civil penalty amounts assessed to those who violate the Federal Motor Carrier Safety Regulations (FMCSRs) and Hazardous Materials Regulations (HMRs). Some of these adjustments are required by the Federal Civil Penalties Inflation Adjustment Act of 1990 (Adjustment Act), as amended by the Debt Collection Improvement Act of 1996 (DCIA). Most of the civil penalties were last adjusted for inflation in 2007, and some have not been changed since 2003. Other changes to the civil penalties were mandated by Congress in the Moving Ahead for Progress in the 21st Century Act (MAP–21). This final rule ensures that FMCSA's civil penalties are consistent with the applicable statutes.

DATES: Effective June 2, 2015.

FOR FURTHER INFORMATION CONTACT: Ms. Nikki McDavid, Enforcement Division, by email at *nikki.mcdavid@dot.gov* or phone at 202–366–0831. Office hours are from 8:00 a.m. to 4:30 p.m. Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

The Supplementary Information section of this rule is organized as follows.

Table of Contents

I. Executive Summary
  A. Purpose and Summary of Major Provisions
  B. Benefits and Costs
II. Legal Basis for the Rulemaking
  A. MAP–21
  B. The Debt Collection Improvement Act of 1996
  C. SAFETEA–LU
  D. Other Authorities
III. Background
  A. Method of Calculation
IV. Section-by-Section Analysis
V. Rulemaking Analyses and Notices

I. Executive Summary

A. Purpose and Summary of the Major Provisions

This final rule adjusts the amount of FMCSA's civil penalties to account for inflation as directed by the Adjustment Act, as amended by the DCIA. The specific inflation adjustment methodology is described below. This final rule also eliminates existing inconsistencies between regulatory language in Appendices A and B of 49 U.S.C. part 386 and other parts of the FMCSRs by removing the penalty amounts from the regulatory language and listing all penalty amounts in these appendices only. Finally, this rulemaking addresses changes to the hazardous material civil penalties violations which were mandated by MAP–21.

B. Benefits and Costs

The changes imposed by this final rule upon the civil penalty amounts alter only the magnitude of transfer payments; transfer payments by definition are not considered in the monetization of societal costs and benefits of rulemakings. Congress has stated in the Adjustment Act, section 2, that increasing penalties over time will deter violations. Therefore, with this deterrence, FMCSA infers that there may be some safety benefits that occur due to this final rule. The deterrence effect of increasing penalties, which Congress has recognized, cannot be

reliably quantified into safety benefits, however.

II. Legal Basis for the Rulemaking

This rulemaking is based primarily on three statutes.

A. The Debt Collection Improvement Act of 1996

To preserve the remedial effect of civil penalties and foster compliance with applicable regulations, the Adjustment Act (Pub. L. 101–410, 104 Stat. 890, October 5, 1990), as amended by the DCIA, (Pub. L. 104–134, April 26, 1996, 110 Stat. 1321–1373; 28 U.S.C. 2461), requires Federal agencies to regularly adjust certain civil penalties for inflation. The statute requires each agency to make an initial inflationary adjustment for all applicable civil penalties and to make further adjustments to these penalty amounts. The detailed methodology required by statute is discussed in the Background section below.

B. MAP–21

This rule's authority is partly based on MAP–21 (Pub. L. 112–141, 126 Stat. 405, July 6, 2012). Specifically, the authority comes from Title III of MAP–21, the Hazardous Materials Transportation Safety Improvement Act of 2012, including section 33010, which amended 49 U.S.C. 5123, a civil penalty provision, effective on October 1, 2012.

Previously, 49 U.S.C. 5123 provided for penalties of not less than $250 and not more than $50,000 for violations of regulations related to the transportation of hazardous materials, and not less than $450 and not more than $50,000 for violations of regulations related to hazardous materials training. For violations that resulted in death, serious illness, or severe injury to any person or substantial destruction of property, section 5123 provided for penalties up to $100,000. MAP–21 amended section 5123 to remove the minimum penalty for violations related to the transportation of hazardous materials, provide for penalties up to $75,000 for violations related to the transportation of hazardous materials or training, and $175,000 in the event of death, serious illness, severe injury or substantial destruction of property. To implement these changes, this final rule amends 49 CFR part 386, Appendix B (e)(1–5).

Other MAP–21 provisions that are the basis for changes to additional civil penalties in this final rule include: Section 32108, Reporting and recordkeeping related to operating authority registration (49 U.S.C. 14901(a)); section 32108, Passenger carrier operating without registration (49 U.S.C. 14901(a)); section 32108, Property carrier operating without registration (49 U.S.C. 14901(a)); section 32108, a motor carrier or broker transporting hazardous waste without registration (49 U.S.C. 14901(b)); section 32110, Disobedience to a subpoena (49 U.S.C. 525); section 32503, Operating in violation of an unsatisfactory/unfit out of service order (49 U.S.C. 521(b)(2)(F)); section 32503, Operating in violation of an imminent hazard order (49 U.S.C. 521(b)(2)(F)); section 32505, Strikes ''knowingly and willfully'' from 49 U.S.C. 524 (evasion of safety-related regulations); section 32505, Evasion of commercial regulations (49 U.S.C. 14906);); and section 32919, Unlawful brokering (49 U.S.C. 14916).

C. SAFETEA–LU

Two provisions under the Safe Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Pub. L. 109–59, 119 Stat. 1144, Aug. 10, 2005), (SAFETEA–LU) provides authority to increase civil penalties. First, section 4102 (b), codified at 49 U.S.C. 31310 (i)(2)(C), addresses an employer of a CDL-holder who knowingly allows, requires, permits, or authorizes an employee to operate a CMV when the CDL-holder is subject to an out-of-service order. Second, section 4209 (d)(3), codified at 49 U.S.C. 14901 (d)(3), addresses providing household good transportation without a registration.

D. Other Authorities

Generally, agencies may promulgate final rules only after issuing a notice of proposed rulemaking and providing an opportunity for public comment under procedures required by the Administrative Procedure Act (5 U.S.C. 551–706) (APA), as provided in 5 U.S.C. 553(b) and (c). The APA provides a good cause exception from these requirements when notice and public comment procedures are ''impracticable, unnecessary, or contrary to the public interest'' (5 U.S.C. 553(b)(3)(B)). However, the good cause exception requires an agency finding that includes a brief statement of reasons in the rules issued to dispense with notice and comment procedures.

In this instance, FMCSA finds that notice and comment is unnecessary prior to adoption of this final rule because adjustments to civil penalties are statutorily mandated by Congress and the Agency's final rule is a nondiscretionary, ministerial act to implement these statutory obligations. The amendments made in this final rule merely adjust penalty provisions for inflation and do not impose new discretionary requirements on the public. For these reasons, the FMCSA finds good cause that notice and public comment in accordance with the APA on this final rule is unnecessary. For the same reasons the agency finds notice and comment procedures unnecessary under 49 U.S.C. 553(b)(3)(B), the agency also finds good cause under 49 U.S.C. 553(d) that this rule be effective on the date of publication in the **Federal Register**.

Finally, 49 U.S.C. 31138 (c)(4) and 49 U.S.C. 31139 (c) are authorities relied upon to address technical amendments to part 387 regarding factors FMCSA must take into account in assessing penalties, which includes the ability of parties to pay violations. These changes to part 387 capture the precise statutory language of those authorities.

III. Background

This final rule eliminates existing inconsistencies between regulatory language in Appendices A and B of part 386 and other parts of the FMCSRs by removing the penalty amounts from the regulatory language and listing all penalty amounts in these appendices only. Specifically, for ease of reference, the penalty amounts contained in sections 383.53 (b) and (c), section 385.111(h), section 387.17, and section 387.41 are removed and now referenced only in Appendix B.

A. Method of Calculation

Under the DCIA, the inflation adjustment for each civil penalty is determined by increasing the maximum civil penalty amount per violation by applying a cost-of-living adjustment. The DCIA specifies the cost-of-living adjustment as the percentage by which the Consumer Price Index (CPI) ''for the month of June of the calendar year preceding the adjustment exceeds the CPI for the month of June of the year in which the amount of such civil penalty was last set or adjusted pursuant to law'' ((section 5(b))). Any calculated increase under this adjustment is subject to a specific rounding formula set forth in the DCIA as follows:

(1) Multiple of $10 in the case of penalties less than or equal to $100;

(2) multiple of $100 in the case of penalties greater than $100 but less than or equal to $1,000;

(3) multiple of $1,000 in the case of penalties greater than $1,000 but less than or equal to $10,000;

(4) multiple of $5,000 in the case of penalties greater than $10,000 but less than or equal to $100,000;

(5) multiple of $10,000 in the case of penalties greater than $100,000 but less than or equal to $200,000; and

(6) multiple of $25,000 in the case of penalties greater than $200,000.

For example, under Appendix A of 49 CFR part 386, part IV, paragraph (e), failure to return a written certification of correction as required by an out-of-service order, is subject to a civil penalty. The penalty was adjusted for inflation on September 28, 2007 (72 FR 55100), resulting in a maximum penalty of $750 per violation. The CPI was approximately 238 in June 2014, and 208 in June 7, 2007 (see U.S. Bureau of Labor Statistics at *http://www.bls.gov/cpi/*). Thus, the inflation factor is 238/208 or 1.14.[1] The new penalty amount after the increase is the result of multiplying $750 × 1.14 = $855. Under the statute, however, the inflation adjustment increase is to be rounded to the nearest multiple of $100 in the case of penalties greater than $100 but less than or equal to $1,000. In this example, the amount of the increase in the daily maximum penalty was $105, and when rounded to the nearest multiple of $100 equals $100, so the new daily maximum penalty is $850. Therefore, Appendix A, 49 CFR part 386, part IV, paragraph (e) is revised to provide an adjusted maximum penalty of $850 ($750 + $100) per violation.

The 1.14 inflation factor is used to adjust penalties that were adjusted in 2007, which included penalties: Under the Transportation Equity Act for the 21st Century (Pub. L. 105–178, 112 Stat. 107); established in the ICC Termination Act of 1995 (Pub. L. 104–88, 109 Stat. 809); and enacted in the Motor Carrier Safety Improvement Act of 1999 (Pub. L. 106–159, 113 Stat. 1748 (Dec. 9, 1999)).

Some penalties were adjusted in 2003 but not adjusted in 2007. The adjustment factor used to update those amounts in this final rule uses the June 2003 CPI value of 184: 238/184 = 1.30. For example, the penalty for operating a CMV when the driver was placed out of service (49 CFR part 386, Appendix B, paragraph (b)) was $3,750 per violation. This penalty has not been adjusted since 2003, so it will be increased to $4,750, applying the following calculation: The increment of $1,125 ($3,750 × 1.30 = $4,875, less the original penalty of $3,750) will be rounded to the nearest thousand and added to the original value of the penalty. If the penalty is less than half the rounding amount, no inflation factor will be added. See the table, Inflation Adjustments for part 386, in the Section-by-Section discussion, directly below.

However, the statute requires that any penalty being adjusted for the first time not exceed 10% of such penalty. Each of these are marked with an asterisk in the following table. For example, the penalty for an employer of a CDL-holder who knowingly allows, requires, permits or authorizes that CDL-holder to operate a CMV in violation of a Federal, State, or local law or regulation (part 386, Appendix B (b)(3)) is $10,000 for each offense. The adjustment would be $3,000 based on the following calculation: $10,000 × 1.30= $13,000, or an increase of $3,000. But since its first adjustment would be greater than 10%, the actual adjustment is capped at $1,000, which means the inflated penalty amount is now $11,000 ($10,000 + $1,000).

MAP–21 revised several civil penalties under the Federal Hazardous Materials Regulations (49 CFR parts 171–180), which have been promulgated by final rule in 78 FR 60226, (October 1, 2013). The FMCSA is not adjusting these penalties for inflation or any penalties established in 2011 and 2012, because, given their comparatively recent establishment, the inflationary adjustments would have, at most, a minimal impact on these penalties. However, the agency will increase such penalties in future rulemakings as appropriate.

IV. Section-by-Section Analysis

Summary of Penalty Adjustments

As noted in the regulatory text (part 386 appendices A and B) in today's rule, the adjusted civil penalties identified in the appendices supersede, where a discrepancy exists, the corresponding civil penalty amounts identified in title 49, United States Code.

Part 383

The penalty amounts contained in Sections 383.53 (b) and (c) are removed and now referenced in Appendix B (b)(1), (b)(2), and (b)(3).

Part 385

The penalty amount contained in Section 385.111(h) is removed and now referenced in Appendix B (f)(1).

Part 386

Part 386 Appendix A has a new introduction to mirror the language at the beginning of Appendix B. Below is the table with the current civil penalty amounts in the appendices of part 386 and increases applied:

TABLE 1—INFLATION ADJUSTMENTS FOR PART 386

Civil penalty location in Part 386	Current penalty amount	Inflation rate	Increment applied	Final adjusted value:	Legal authority
Appendix A II Subpoena	$1,000	0.00	$0	$1,000	MAP–21 Pub. L. 112–141, sec. 32110, 126 Stat. 405, 782, (2012) (49 U.S.C. 525).
Appendix A II Subpoena	10,000	0.00	0	10,000	MAP–21 Pub. L. 112–141, sec. 32110, 126 Stat. 405, 782 (2012) (49 U.S.C. 525).
Appendix A IV (a) Out-of-service order (operation of CMV by driver).	2,100	1.30	1,000	3,100	Pub. L. 98–554, sec. 213(b), 98 Stat. 2829, 2841–2843 (1984) (49 U.S.C. 521(b)(7)), 55 FR 11224 (March 27, 1990).
Appendix A IV (b) Out-of-service order (requiring or permitting operation of CMV by driver).	16,000	1.30	5,000	21,000	Pub. L. 98–554, sec. 213(a), 98 Stat, 2829 (1984) (49 U.S.C. 521(b)(7)), 55 FR 11224 (March 27, 1990).

[1] For this calculation, FMCSA utilized the unrounded CPI values and rounded the inflation factor to the nearest tenth. The exact calculation is (238.343/208.352) = 1.14.

TABLE 1—INFLATION ADJUSTMENTS FOR PART 386—Continued

Civil penalty location in Part 386	Current penalty amount	Inflation rate	Increment applied	Final adjusted value:	Legal authority
Appendix A IV (c) Out-of-service order (operation by driver of CMV or intermodal equipment that was placed out of service).	2,100	1.30	1,000	3,100	Pub. L. 98–554, sec. 213(a), 98 Stat 2829 (1984) (49 U.S.C. 521(b)(7)), 55 FR 11224 (March 27, 1990).
Appendix A IV (d) Out-of-service order (requiring or permitting operation of CMV or intermodal equipment that was placed out of service).	16,000	1.30	5,000	21,000	Pub. L. 98–554, sec. 213(a), 98 Stat 2829 (1984) (49 U.S.C. 521(b)(7)), 55 FR 11224 (March 27, 1990).
Appendix A IV (e) Out-of-service order (failure to return written certification of correction).	750	1.14	100	850	49 U.S.C. sec. 521 (b)(2)(B), 49 CFR 396.9 (d)(3).
Appendix A IV (g) Out-of-service order (failure to cease operations as ordered).	25,000	0.00	0	25,000	MAP–21, Pub. L. 112–141, sec. 32503, 126 Stat. 405, 803 (2012) (49 U.S.C. 521(b)(2)(F)).
Appendix A IV (h) Out-of-service order (operating in violation of order.).	16,000	0.00	0	16,000	Pub. L. 98–554, sec. 213(a), 98 Stat, 2829, 2841–2843 (1984) (49 U.S.C. 521(b)(7)).
Appendix A IV (i) Out-of-service order (conducting operations during suspension or revocation for failure to pay penalties).	11,000	1.30	5,000	16,000	TEA–21, Pub. L. 105–178, sec. 4015(b), 112 Stat. 411–12 (1998) (49 U.S.C. 521(b)(2)(A)), 521 (b)(7)), 65 FR 56521, 56530 (September 19, 2000).
Appendix A IV (j) (conducting operations during suspension or revocation).	11,000	0.00	0	11,000	Pub. L. 98–554, sec. 213(a), 98 Stat, 2829, 2841–2843 (1984) (49 U.S.C. 521(b)(7)).
Appendix B (a)(1)* Recordkeeping—maximum penalty per day.	1,000	1.10	100	1,100	SAFETEA–LU, Pub. L. 109–59, sec. 4102 (a), 119 Stat. 1144, 1715 (2005) (49 U.S.C. 521(b)(2)(B)(i)).
Appendix B (a)(1)* Recordkeeping—maximum total penalty.	10,000	1.10	1,000	11,000	SAFETEA–LU, Pub. L. 109–59, sec. 4102 (a), 119 Stat. 1144, 1715 (2005) (49 U.S.C. 521(b)(2)(B)(i)).
Appendix B (a)(2)* Knowing falsification of records.	10,000	1.10	1,000	11,000	SAFETEA–LU, Pub. L. 109–59, sec. 4102 (a), 119 Stat. 1144, 1715 (2005) (49 U.S.C. 521(b)(2)(B)(ii)).
Appendix B (a)(3) Non-recordkeeping violations.	11,000	1.30	5,000	16,000	TEA–21, Pub. L. 105–178, sec. 4015(b), 112 Stat. 107, 411–12 (1998) (49 U.S.C. 521(b)(2)(A)).
Appendix B (a)(4) Non-recordkeeping violations by drivers.	2,750	1.30	1,000	3,750	TEA–21, Pub. L. 105–178, sec. 4015(b), 112 Stat. 107, 411–12 (1998) (49 U.S.C. 521(b)(2)(A)).
Appendix B (a)(5)* Violation of 49 CFR 392.5.	3,750	1.10	375	4,125	SAFETEA–LU, Pub. L. 109–59, 119 Stat. 1144, 1715; sec. 4102 (b), 119 Stat. 1715–16 (2005) (49 U.S.C. 31310 (i)(2)(A)).
Appendix B (b) Commercial driver's license (CDL) violations.	3,750	1.30	1,000	4,750	Pub. L. 99–570, sec. 12012(b), 100 Stat. 3207–184–85 (1986) (49 U.S.C. 521(b)(2)(C)).
Appendix B (b)(1)*[M] Special penalties pertaining to violation of out-of-service orders (first conviction).	2,500	1.10	250	2,750	SAFETEA–LU, Pub. L. 109–59, sec. 4102(b), 119 Stat. 1144, 1715 (2005) (49 U.S.C. 31310 (i)(2)(A)).
Appendix B (b)(1)*[M] Special penalties pertaining to violation of out-of-service orders (second or subsequent conviction).	5,000	1.10	500	5,500	SAFETEA–LU, Pub. L. 109–59, 119, sec. 4102 (b), Stat. 1144, 1715 (2005) (49 U.S.C. 31310 (i)(2)(A)).
Appendix B (b)(2)[M] Employer violations pertaining to knowingly allowing, authorizing employee violations of out-of-service order (minimum penalty).	3,750	1.30	1,000	4,750	Pub. L. 99–570, sec. 12012(b), 100 Stat. 3207,184–85 (1986) (49 U.S.C. 521(b)(2)(C)).
Appendix B (b)(2)*[M] Employer violations pertaining to knowingly allowing, authorizing employee violations of out-of-service order (maximum penalty).	25,000	1.10	2,500	27,500	SAFETEA–LU, Pub. L. 109–59, sec. 4102 (b), 119 Stat. 1144, 1715 (2005) (49 U.S.C. 31310 (i)(2)(C)).

TABLE 1—INFLATION ADJUSTMENTS FOR PART 386—Continued

Civil penalty location in Part 386	Current penalty amount	Inflation rate	Increment applied	Final adjusted value:	Legal authority
Appendix B (b)(3)M* Special penalties pertaining to railroad-highway grade crossing violations.	10,000	1.10	1,000	11,000	ICC Termination Act of 1995, Pub. L. 104–88, sec. 403(a), 109 Stat. 956 (1995) (49 U.S.C. 31310(j)(2)(B)).
Appendix B (d) Financial responsibility violations.	16,000	1.30	5,000	21,000	Pub. L. 103–272, sec. 31139(f), 108 Stat. 745, 1006–1008 (1994) (49 U.S.C. 31139(g)(1)).
Appendix B (e)(1) Violations of Hazardous Materials Regulations (HMRs) and Safety Permitting Regulations (transportation or shipment of hazardous materials).	75,000	0.00	0	75,000	MAP–21 Pub. L. 112–141, sec. 33010, 126 Stat. 405, 837–838 (2012) (49 U.S.C. 5123(a)(1)).
Appendix B (e)(2) Violations of Hazardous Materials Regulations (HMRs) and Safety Permitting Regulations (training)—minimum penalty.	450	0.00	0	450	MAP–21 Pub. L. 112–141, sec. 33010, 126 Stat. 405, 837 (2012) (49 U.S.C. 5123(a)(3)).
Appendix B (e)(2) Violations of Hazardous Materials Regulations (HMRs) and Safety Permitting Regulations (training)—maximum penalty.	75,000	0.00	0	75,000	MAP–21 Pub. L. 112–141, sec. 33010 126 Stat. 405, 837 (2012) (49 U.S.C. 5123(a)(1)).
Appendix B (e)(3) Violations of Hazardous Materials Regulations (HMRs) and Safety Permitting Regulations (packaging or container).	75,000	0.00	0	75,000	MAP–21 Pub. L. 112–141, sec. 33010, 126 Stat. 405, 837, (2012) 49 U.S.C. 5123(a)(1)).
Appendix B (e)(4) Violations of Hazardous Materials Regulations (HMRs) and Safety Permitting Regulations (compliance with FMCSRs).	75,000	0.00	0	75,000	MAP–21 Pub. L. 112–141, sec. 33010, 126 Stat. 405, 837 (2012) (49 U.S.C. 5123(a)(1)).
Appendix B (e)(5) Violations of Hazardous Materials Regulations (HMRs) and Safety Permitting Regulations (death, serious illness, severe injury to persons; destruction of property).	175,000	0.00	0	175,000	MAP–21 Pub. L. 112–141, sec. 33010, 126 Stat. 405, 837 (2012) (49 U.S.C. 5123(a)(2)).
Appendix B (f)(1) Operating after being declared unfit by assignment of a final ''unsatisfactory'' safety rating (generally).	25,000	0.00	0	25,000	MAP–21, Pub. L. 112–141, sec. 32503, 126 Stat. 405, 803 (2012) (49 U.S.C. 521(b)(2)(F)).
Appendix B (f)(2) Operating after being declared unfit by assignment of a final ''unsatisfactory'' safety rating (hazardous materials)—maximum penalty.	75,000	0.00	0	75,000	MAP–21, Pub. L. 112–141, sec. 33010, 126 Stat. 405, 837 (49 U.S.C. 5123(a)(1)).
Appendix B (f)(2) Operating after being declared unfit by assignment of a final ''unsatisfactory'' safety rating (hazardous materials)—maximum penalty if death, serious illness, severe injury to persons; destruction of property.	175,000	0.00	0	175,000	MAP–21, Pub. L. 112–141, sec. 33010, 126 Stat. 405, 837 (2012) (49 U.S.C. 5123(a)(2)).
Appendix B (g)(1)M Violations of the commercial regulations (CR) (property carriers).	10,000	0.00	0	10,000	MAP–21, Pub. L. 112–141, sec. 32108(a), 126 Stat. 405, 782 (2012) (49 U.S.C. 14901(a)).
Appendix B (g)(2) Violations of the CRs (brokers).	10,000	0.00	0	10,000	MAP–21 Pub. L. 112–141, sec. 32919(a), 126 Stat. 405, 827 (2012) (49 U.S.C. § 14916(c)).
Appendix B (g)(3) Violations of the CRs (passenger carriers).	25,000	0.00	0	25,000	MAP–21, Pub. L. 112–141, sec. 32108(a), 126 Stat. 405, 782 (2012) (49 U.S.C. § 14901(a)).
Appendix B (g)(4) Violations of the CRs (foreign motor carriers, foreign motor private carriers).	10,000	0.00	0	10,000	MAP–21, Pub. L. 112–141, sec. 32108(a), 126 Stat. 405, 782 (2012) (49 U.S.C. 14901(a)).

TABLE 1—INFLATION ADJUSTMENTS FOR PART 386—Continued

Civil penalty location in Part 386	Current penalty amount	Inflation rate	Increment applied	Final adjusted value:	Legal authority
Appendix B (g)(5) Violations of the CRs (foreign motor carriers, foreign motor private carriers before implementation of North American Free Trade Agreement land transportation provisions)—maximum penalty for intentional violation.	11,000	1.30	5,000	16,000	MCSIA of 1999, Pub. L. 106–59, sec. 219(b), 113 Stat. 1748, 1768 (1999) (49 U.S.C. 14901 note).
Appendix B (g)(5) Violations of the CRs (foreign motor carriers, foreign motor private carriers before implementation of North American Free Trade Agreement land transportation provisions)—maximum penalty for a pattern of intentional violations.	32,500	1.14	5,000	37,500	MCSIA of 1999, Pub. L. 106–59, sec. 219(c), 113 Stat. 1748, 1768 (1999) (49 U.S.C. 14901 note).
Appendix B (g)(6) Violations of the CRs (motor carrier or broker for transportation of hazardous wastes)—minimum penalty.	20,000	0.00	0	20,000	MAP–21, Pub. L. 112–141, sec. 32108, 126 Stat. 405, 782 (2012) (49 U.S.C. 14901(b)).
Appendix B (g)(6) Violations of the CRs (motor carrier or broker for transportation of hazardous wastes)—maximum penalty.	40,000	0.00	0	40,000	MAP–21 Pub. L. 112–141, sec. 32108, 126 Stat. 405,782 (2012) (49 U.S.C. 14901(b)).
Appendix B (g)(7) Violations of the CRs (HHG carrier or freight forwarder, or their receiver or trustee).	1,100	1.30	0	1,100	ICC Termination Act of 1995, Pub. L. 104–88, sec. 103, 100 Stat. 803, 914 (1995) (49 U.S.C. § 14901(d)(1)).
Appendix B (g)(8) Violation of the CRs (weight of HHG shipment, charging for services)—minimum penalty for first violation.	2,200	1.30	1,000	3,200	ICC Termination Act of 1995, Pub. L. 104–88, sec. 103, 100 Stat. 803, 914 (1995) (49 U.S.C. § 14901(e)).
Appendix B (g)(8) Violation of the CRs (weight of HHG shipment, charging for services)—subsequent violations.	6,500	1.14	1,000	7,500	ICC Termination Act of 1995, Pub. L. 104–88, sec. 103, 100 Stat. 803, 914 (1995) (49 U.S.C. 14901(e)).
Appendix B (g)(10) Tariff violations ..	120,000	1.14	20,000	140,000	ICC Termination Act of 1995, Pub. L. 104–88, sec. 103, 100 Stat. 803, 868–869, 915 (1995) (49 U.S.C. 13702, 14903).
Appendix B (g)(11) Additional tariff violations (rebates or concessions)—first violation.	220	1.30	100	320	ICC Termination Act of 1995, Pub. L. 104–88, sec. 103, 100 Stat. 803, 915–916 (1995) (49 U.S.C. 14904(a)).
Appendix B (g)(11) Additional tariff violations (rebates or concessions)—subsequent violations.	275	1.30	100	375	ICC Termination Act of 1995, Pub. L. 104–88, sec. 103, 100 Stat. 803, 915–916 (1995) (49 U.S.C. 14904(a)).
Appendix B (g)(12) Tariff violations (freight forwarders)—maximum penalty for first violation.	650	1.14	100	750	ICC Termination Act of 1995, Pub. L. 104–88, sec. 103, 100 Stat. 803, 916 (49 U.S.C. 14904(b)(1)).
Appendix B (g)(12) Tariff violations (freight forwarders)—maximum penalty for subsequent violations.	2,200	1.30	1,000	3,200	ICC Termination Act of 1995, Pub. L. 104–88, sec. 103, 100 Stat. 803, 916 (1995) (49 U.S.C. § 14904(b)(1)).
Appendix B (g)(13) service from freight forwarder at less than rate in effect—maximum penalty for first violation.	650	1.14	100	750	ICC Termination Act of 1995, Pub. L. 104–88, sec. 103, 100 Stat. 803, 916 (1995) (49 U.S.C. 14904(b)(2)).
Appendix B (g)(13) service from freight forwarder at less than rate in effect—maximum penalty for subsequent violation(s).	2,200	1.30	1,000	3,200	ICC Termination Act of 1995, Pub. L. 104–88, sec. 103, 100 Stat. 803, 916 (1995) (49 U.S.C. 14904(b)(2)).
Appendix B (g)(14) Violations related to loading and unloading motor vehicles.	11,000	1.30	5,000	16,000	ICC Termination Act of 1995, Pub. L. 104–88, sec. 103, 100 Stat. 803, 916 (1995) (49 U.S.C. 14905).
Appendix B (g)(16) Reporting and recordkeeping under 49 U.S.C. subtitle IV, part B (except 13901 and 13902(c)—minimum penalty.	1,000	0.00	0	1,000	MAP–21, Pub. L. 112–141, sec. 32108, 126 Stat. 405, 782 (2012) (49 U.S.C. 14901).

TABLE 1—INFLATION ADJUSTMENTS FOR PART 386—Continued

Civil penalty location in Part 386	Current penalty amount	Inflation rate	Increment applied	Final adjusted value:	Legal authority
Appendix B (g)(16) Reporting and recordkeeping under 49 U.S.C. subtitle IV, part B—maximum penalty.	6,500	1.14	1,000	7,500	ICC Termination Act of 1995, Pub. L. 104–88, sec. 103, 100 Stat. 803, 916–917 (1995) (49 U.S.C. 14907).
Appendix B (g)(17) Unauthorized disclosure of information.	2,200	1.30	1,000	3,200	ICC Termination Act of 1995, Pub. L. 104–88, sec. 103, 100 Stat. 803, 917 (1995) (49 U.S.C. 14908).
Appendix B (g)(18) Violation of 49 U.S.C. subtitle IV, part B, or condition of registration.	650	1.14	100	750	ICC Termination Act of 1995, Pub. L. 104–88, sec. 103, 100 Stat. 803, 917 (1995) (49 U.S.C. 14910).
Appendix B (g)(21)(i)*M: Knowingly and willfully fails to deliver or unload HHG at destination.	10,000	1.10	1,000	11,000	ICC Termination Act of 1995, Pub. L. 104–88, sec. 103, 100 Stat. 803, 916 (1995) (49 U.S.C. 14905).
Appendix B (g)(22)* HHG broker estimate before entering into an agreement with a motor carrier.	10,000	1.09	900	10,900	SAFETEA–LU, Pub. L. 109–59, sec. 4209(2), 119 Stat. 1144, 1758, (2005) (49 U.S.C. 14901(d)(2)).
Appendix B (g)(23)* HHG transportation or broker services—registration requirement.	25,000	1.09	2,250	27,250	SAFETEA–LU, Pub. L. 109–59, sec. 4209(d)(3), 119 Stat. 1144, 1758 (2005) (49 U.S.C. 14901 (d)(3)).
Appendix B (h)* Copying of records and access to equipment, lands, and buildings—maximum penalty per day.	1,000	1.10	100	1,100	SAFETEA–LU, Pub. L. 109–59, sec. 4103(2), 119 Stat. 1144, 1716 (2005) (49 U.S.C. 521(b)(2)(E)).
Appendix B (h)* Copying of records and access to equipment, lands, and buildings—maximum total penalty.	10,000	1.10	1,000	11,000	SAFETEA–LU, Pub. L. 109–59, sec. 4103(2), 119 Stat. 1716 (2005) (49 U.S.C. 521(b)(2)(E)).
Appendix B (i)(1)M Evasion of regulations under 49 U.S.C. ch. 5, 51, subchapter III of 311 (except 31138 and 31139), 31302–31304, 31305(b), 31310(g)(1)(A), 31502—minimum penalty for first violation.	2,000	0.00	0	2,000	MAP–21 Pub. L. 112–141, sec. 32505, 126 Stat. 405, 804 (2012) (49 U.S.C. 524).
Appendix B (i)(1)M Evasion of regulations under 49 U.S.C. ch. 5, 51, subchapter III of 311 (except 31138 and 31139), 31302–31304, 31305(b), 31310(g)(1)(A), 31502—maximum penalty for first violation.	5,000	0.00	0	5,000	MAP–21 Pub. L. 112–141, § sec. 32505, 126 Stat. 405, 804 (2012) (49 U.S.C. 524).
Appendix B (i)(1)M Evasion of regulations under 49 U.S.C. ch. 5, 51, subchapter III of 311 (except 31138 and 31139), 31302–31304, 31305(b), 31310(g)(1)(A), 31502—minimum penalty for subsequent violation(s).	2,500	0.00	0	2,500	MAP–21 Pub. L. 112–141, sec. 32505, 126 Stat. 405, 804 (2012) (49 U.S.C. 524). MAP–21 Pub. L. 112–141, § 32505, 126 Stat. 405, 804 (2012) (49 U.S.C. 524).
Appendix B (i)(1)M Evasion of regulations under 49 U.S.C. ch. 5, 51, subchapter III of 311 (except 31138 and 31139), 31302–31304, 31305(b), 31310(g)(1)(A), 31502—maximum penalty for subsequent violation(s).	7,500	0.00	0	7,500	MAP–21 Pub. L. 112–141, sec. 32505, 126 Stat. 405, 804 (2012) (49 U.S.C. 524).
Appendix B (i)(2)M Evasion of regulations under 49 U.S.C. subtitle IV, part B—minimum penalty for first violation.	2,000	0.00	0	2,000	MAP–21 Pub. L. 112–141, sec. 32505, 126 Stat. 405, 804 (2012) (49 U.S.C. 14906).
Appendix B (i)(2)M Evasion of regulations under 49 U.S.C. subtitle IV, part B—minimum penalty for subsequent violation(s).	5,000	0.00	0	5,000	MAP–21 Pub. L. 112–141, sec. 32505, 126 Stat. 405, 804 (2012) (49 U.S.C. 14906).

The provisions that are being updated for the first time here are marked with an asterisk. Their adjustment is capped at 10%. There are two penalties from 2010 that will be updated for the first time in this rule and will have an inflation rate of 1.09 (238/218). Penalties that were established recently will not be adjusted and are marked with an n/a for not applicable. Penalties marked with an ''M'' were moved from other locations in Appendix B or other regulatory provisions, as noted in this section. Of these moved provisions, two contain no penalty amounts because they were reserved for future use. Penalties that were last adjusted in 2003 have an inflation rate of 1.30, and those that were adjusted for inflation in 2007 have an inflation rate of 1.14.

In Appendix B subsection (c), Special penalties pertaining to violations of out-of-service orders by CDL holders, was reserved, and its former provisions were placed into two subsections Appendix B (b)(1) and (2) in the same order they appeared in subsection (c). The first provision relates to a CDL holder, while the second relates to an employer of a CDL holder. This change clarifies Appendix B by placing all penalties related to commercial driver license programs into one section for ease of use. To implement this change, the reserved subsection (c) title, ''Special penalties pertaining to violations of out-of-service orders by CDL holders,'' was deleted. Second, the phrase ''except: (1)'' Was inserted before the new provision beginning with the phrase ''A CDL holder.'' Third, the word ''and'' was added between new subsections (b)(1) and (b)(2) to properly mark them as separate provisions.

Appendix B subsection (g)(1) is deleted and moved to current subsection (g)(16) in order that both the minimum and maximum penalties appear in one consolidated provision.

Former Appendix B subsection (g)(2) is now divided into two separate subsections, the first regarding motor carriers and the second addressing brokers. Specifically, former subsection (g)(2) is renamed subsection (g)(1) and the term ''broker'' is deleted and the term ''motor'' added before the term ''carrier'' to clarify its application to motor carriers only. In addition, a new subsection (g)(2) is amended based on a statutory provision in MAP–21, sec. 32919(a), 49 U.S.C. 14916, which contains penalties associated with knowingly violating registration (49 U.S.C. 13904) and financial security requirements (49 U.S.C. 13906) for brokers.

Subsection (g)(15), regarding evasion of commercial regulations was reserved. And its provisions were moved to section (i) in a new paragraph (2). Existing paragraph (1) regarding evasion of safety regulations remains in place.

Part 387

The penalty amounts contained in Sections 387.17 and 387.41 are removed and now referenced in Appendix B (d) only. This also corrects a discrepancy between the Appendix B penalty amount, that had been properly inflated, and the amount in the regulatory text, which had not been properly inflated. In addition, the phrase ''ability to pay and any'' was added before the phrase ''effect on ability'' in both sections 387.17 and 387.41 to capture the precise statutory language in 49 U.S.C. 31138 (c)(4) and 49 U.S.C. 31139 (c) regarding factors FMCSA must consider before assessing penalties.

V. Rulemaking Analyses and Notices

Regulatory Planning and Review (Executive Order (E.O.) 12866) and DOT Regulatory Policies and Procedures

The FMCSA has determined that this action is not a significant regulatory action within the meaning of Executive Order 12866, as supplemented by E.O. 13563 (76 FR 3821, January 21, 2011) or within the meaning of Department of Transportation Regulatory Policies and Procedures. The Office of Management and Budget (OMB) did not review this document. The changes imposed by this final rule upon the civil penalty amounts alter only the magnitude of transfer payments, which by definition are not considered in the monetization of societal costs and benefits of rulemakings. Congress has stated in the Adjustment Act, section 2, that increasing penalties over time will deter violations. Therefore, FMCSA infers that there may be some safety benefits that occur due to this final rule. The deterrence effect of increasing penalties that Congress has recognized, however, cannot be quantified into safety benefits. The Agency expects the final rule, which is statutorily mandated to preserve the remedial effect of civil penalties, will have minimal costs. Therefore, a full regulatory evaluation is unnecessary.

Assistance for Small Entities

In accordance with section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996, FMCSA wants to assist small entities in understanding this final rule so that they can better evaluate its effects on themselves and participate in the rulemaking initiative. If the final rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please consult the FMCSA point of contact, Ms. Nikki McDavid, listed in the **FOR FURTHER INFORMATION CONTACT** section of this final rule.

Small businesses may send comments on the actions of Federal employees who enforce or otherwise determine compliance with Federal regulations to the Small Business Administration's Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of FMCSA, call 1–888–REG–FAIR (1–888–734–3247). DOT has a policy regarding the rights of small entities to regulatory enforcement fairness and an explicit policy against retaliation for exercising these rights.

Unfunded Mandates Reform Act of 1995

The final rule will not impose an unfunded Federal mandate, as defined by the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1532, *et seq.*), that will result in the expenditure by State, local and tribal governments, in the aggregate, or by the private sector, of $151 million (which is the value equivalent of $100,000,000 in 1995, adjusted for inflation to 2012 levels) or more in any 1 year.

Federalism (E.O. 13132)

A rule has implications for Federalism under Section 1(a) of Executive Order 13132 if it has ''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.'' FMCSA has determined that this rule would not have substantial direct costs on or for States, nor would it limit the policymaking discretion of States. Nothing in this document preempts any State law or regulation. Therefore, this rule does not have sufficient federalism implications to warrant the preparation of a federalism assessment.

Civil Justice Reform (E.O. 12988)

This final rule meets applicable standards in sections 3(a) and 3(b)(2) of E.O. 12988, Civil Justice Reform, to minimize litigation, eliminates ambiguity, and reduce burden.

Protection of Children (E.O. 13045)

E.O. 13045, Protection of Children from Environmental Health Risks and Safety Risks (62 FR 19885, Apr. 23, 1997), requires agencies issuing ''economically significant'' rules, if the regulation also concerns an environmental health or safety risk that an agency has reason to believe may disproportionately affect children, to include an evaluation of the regulation's environmental health and safety effects on children. The Agency determined that this final rule is not economically significant. Therefore, no analysis of the impacts on children is required. In any event, the Agency does not anticipate that this regulatory action could in any respect present an environmental or safety risk that could disproportionately affect children.

Taking of Private Property (E.O. 12630)

FMCSA reviewed this final rule in accordance with E.O. 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights, and has determined it will not effect a taking of private property or otherwise have taking implications.

Privacy Impact Assessment

Section 522 of title I of division H of the Consolidated Appropriations Act, 2005, enacted December 8, 2004 (Pub. L. 108–447, 118 Stat. 2809, 3268, 5 U.S.C. 552a note), requires the Agency to conduct a privacy impact assessment (PIA) of a regulation that will affect the privacy of individuals. This rule does not require the collection of personally identifiable information (PII).

Intergovernmental Review (E.O. 12372)

The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities do not apply to this program.

Paperwork Reduction Act

This action does not contain information collection requirements for purposes of the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501 *et seq.*).

National Environmental Policy Act and Clean Air Act

FMCSA analyzed this rule for the purpose of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*) and determined this action is categorically excluded from further analysis and documentation in an environmental assessment or environmental impact statement under FMCSA Order 5610.1(69 FR 9680, March 1, 2004), Appendix 2, paragraph (6)(b). The Categorical Exclusion (CE) in paragraph 6(b) covers technical or minor amendments to existing FMCSRs. The content in this rule is covered by this CE. The CE determination is available for inspection or copying in the Regulations.gov Web site listed under **ADDRESSES**.

FMCSA also analyzed this rule under the Clean Air Act, as amended (CAA), section 176(c) (42 U.S.C. 7401 *et seq.*), and implementing regulations promulgated by the Environmental Protection Agency. Approval of this action is exempt from the CAA's general conformity requirement since it does not affect direct or indirect emissions of criteria pollutants.

Environmental Justice (E.O. 12898)

Under E.O. 12898, each Federal agency must identify and address, as appropriate, ''disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations'' in the United States, its possessions, and territories. FMCSA evaluated the environmental justice effects of this rule in accordance with the E.O., and has determined that no environmental justice issue is associated with this rule, nor is there any collective environmental impact that would result from its promulgation.

Energy Supply, Distribution, or Use (E.O. 13211)

FMCSA has analyzed this rule under E.O. 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. The Agency has determined that it is not a ''significant energy action'' under that order because it is not a ''significant regulatory action'' likely to have a significant adverse effect on the supply, distribution, or use of energy. Therefore, it does not require a Statement of Energy Effects under E.O. 13211.

Indian Tribal Governments (E.O. 13175)

This rule does not have tribal implications under E.O. 13175, Consultation and Coordination with Indian Tribal Governments, because it does 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.

National Technology Transfer and Advancement Act (Technical Standards)

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through OMB, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards (*e.g.,* specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) are standards that are developed or adopted by voluntary consensus standards bodies. This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

List of Subjects

49 CFR Part 383

Administrative practice and procedure, Alcohol abuse, Drug abuse, Highway safety, Motor carriers.

49 CFR Part 385

Administrative practice and procedure, Highway safety, Mexico, Motor carriers, Motor vehicle safety, Reporting and recordkeeping requirements.

49 CFR Part 386

Administrative procedures, Commercial motor vehicle safety, Highways and roads, Motor carriers, Penalties.

49 CFR Part 387

Buses, Freight, Freight forwarders, Hazardous materials transportation, Highway safety, Insurance, Intergovernmental relations, Motor carriers, Motor vehicle safety, Moving of household goods, Penalties, Reporting and recordkeeping requirements, Surety bonds.

For the reasons stated in the preamble, FMCSA is amending title 49 CFR parts 383, 385, 386, and 387 to read as follows:

PART 383—COMMERCIAL DRIVER'S LICENSE STANDARDS; REQUIREMENTS AND PENALTIES

■ 1. The authority citation for part 383 continues to read as follows:

Authority: 49 U.S.C. 521, 31136, 31301 *et seq.,* and 31502; secs. 214 and 215 of Pub. L. 106–159, 113 Stat. 1748, 1766, 1767; sec. 1012(b) of Pub. L. 107–56, 115 Stat. 272, 297, sec. 4140 of Pub. L. 109–59, 119 Stat. 1144, 1746; and 49 CFR 1.87.

■ 2. Revise § 383.53 to read as follows:

§ 383.53 Penalties.

(a) *General rule.* Any person who violates the rules set forth in subparts B and C of this part may be subject to civil or criminal penalties under 49 U.S.C. 521(b), as provided in part 386, Appendix B, of this chapter.

(b) *Special penalties pertaining to violation of out-of-service orders*—(1) *Driver violations.* A driver who is convicted of violating an out-of-service order shall be subject to a civil penalty as stated in part 386 Appendix B, in addition to disqualification under § 383.51(e).

(2) *Employer violations.* An employer who is convicted of a violation of § 383.37(d) shall be subject to a civil penalty as stated in part 386, appendix B, of this chapter.

(c) *Special penalties pertaining to railroad-highway grade crossing violations.* An employer who is convicted of a violation of § 383.37(e) shall be subject to a civil penalty stated in part 386, appendix B, of this chapter.

PART 385—SAFETY FITNESS PROCEDURES

■ 3. The authority citation for part 385 is revised to read as follows:

Authority: 49 U.S.C. 113, 504, 521(b), 5105(e), 5109, 5123, 13901–13905, 31133, 31135, 31136, 31137(a), 31144, 31148, and 31502; Sec. 113(a), Pub. L. 103–311; Sec. 408, Pub. L. 104–88; Sec. 350 of Pub. L. 107–87; and 49 CFR 1.87.

■ 4. Amend § 385.111 by revising paragraph (h) to read as follows:

§ 385.111 Suspension and revocation of Mexico-domiciled carrier registration.

* * * * *

(h) If a Mexico-domiciled motor carrier operates a commercial motor vehicle in violation of a suspension or out-of-service order, it shall be subject to the penalty provisions in 49 U.S.C. 521(b) and the amount as stated in part 386, appendix B, of this chapter.

* * * * *

PART 386—RULES OF PRACTICE FOR MOTOR CARRIER, INTERMODAL EQUIPMENT PROVIDER, BROKER, FREIGHT FORWARDER, AND HAZARDOUS MATERIALS PROCEEDINGS

■ 5. The authority citation for part 386 is revised to read as follows:

Authority: 49 U.S.C. 113, chapters 5, 51, 59, 131–141, 145–149, 311, 313, and 315; 49 U.S.C. 5123; Sec. 204, Pub. L. 104–88, 109 Stat. 803, 941 (49 U.S.C. 701 note); Sec. 217, Pub. L. 105–159, 113 Stat. 1748, 1767; Sec. 206, Pub. L. 106–159, 113 Stat. 1763; subtitle B, title IV of Pub. L. 109–59; and 49 CFR 1.81 and 1.87.

■ 6. Revise Appendix A to part 386 to read as follows:

Appendix A to Part 386—Penalty Schedule: Violations of Notices and Orders

The Debt Collection Improvement Act of 1996 [Pub. L. 104–134, title III, chapter 10, sec. 31001, par. (s), 110 Stat. 1321–1373] amended the Federal Civil Penalties Inflation Adjustment Act of 1990 to require agencies to adjust for inflation ''each civil monetary penalty provided by law within the jurisdiction of the Federal agency . . .'' and to publish that regulation in the **Federal Register**. Pursuant to that authority, the inflation adjusted civil penalties identified in this appendix supersede the corresponding civil penalty amounts identified in title 49, United States Code.

I. Notice to Abate

Violation—Failure to cease violations of the regulations in the time prescribed in the notice. (The time within which to comply with a notice to abate shall not begin to run with respect to contested violations, *i.e.,* where there are material issues in dispute under § 386.14, until such time as the violation has been established.)

Penalty—Reinstatement of any deferred assessment or payment of a penalty or portion thereof.

II. Subpoena

Violation—Failure to respond to Agency subpoena to appear and testify or produce records.

Penalty—minimum of $1,000 but not more than $10,000 per violation.

III. Final Order

Violation—Failure to comply with Final Agency Order.

Penalty—Automatic reinstatement of any penalty previously reduced or held in abeyance and restoration of the full amount assessed in the Notice of Claim less any payments previously made.

IV. Out-of-Service Order

a. Violation—Operation of a commercial vehicle by a driver during the period the driver was placed out of service.

Penalty—Up to $3,100 per violation. (For purposes of this violation, the term ''driver'' means an operator of a commercial motor vehicle, including an independent contractor who, while in the course of operating a commercial motor vehicle, is employed or used by another person.)

b. Violation—Requiring or permitting a driver to operate a commercial vehicle during the period the driver was placed out of service.

Penalty—Up to $21,000 per violation. (This violation applies to motor carriers including an independent contractor who is not a ''driver,'' as defined under paragraph IV(a) of this appendix.)

c. Violation—Operation of a commercial motor vehicle or intermodal equipment by a driver after the vehicle or intermodal equipment was placed out-of-service and before the required repairs are made.

Penalty—$3,100 each time the vehicle or intermodal equipment is so operated. (This violation applies to drivers as defined in paragraph IV(a) of this appendix.)

d. Violation—Requiring or permitting the operation of a commercial motor vehicle or intermodal equipment placed out-of-service before the required repairs are made.

Penalty—Up to $21,000 each time the vehicle or intermodal equipment is so operated after notice of the defect is received. (This violation applies to intermodal equipment providers and motor carriers, including an independent owner operator who is not a ''driver,'' as defined in paragraph IV(a) of this appendix.)

e. Violation—Failure to return written certification of correction as required by the out-of-service order.

Penalty—Up to $850 per violation.

f. Violation—Knowingly falsifies written certification of correction required by the out of service order.

Penalty—Considered the same as the violations described in paragraphs IV(c) and IV(d) of this appendix, and subject to the same penalties.

Note: Falsification of certification may also result in criminal prosecution under 18 U.S.C.1001.

g. Violation—Operating in violation of an order issued under § 386.72(b) to cease all or part of the employer's commercial motor vehicle operations or to cease part of an intermodal equipment provider's operations, *i.e.* failure to cease operations as ordered.

Penalty—Up to $25,000 per day the operation continues after the effective date and time of the order to cease.

h. Violation—Operating in violation of an order issued under § 386.73.

Penalty—Up to $16,000 per day the operation continues after the effective date and time of the out-of-service order.

i. Violation—Conducting operations during a period of suspension under § 386.83 or § 386.84 for failure to pay penalties.

Penalty—Up to $16,000 for each day that operations are conducted during the suspension or revocation period.

j. Violation—Conducting operations during a period of suspension or

revocation under §§ 385.911, 385.913, 385.1009 or 385.1011.

Penalty—Up to $11,000 for each day that operations are conducted during the suspension or revocation period.

■ 7. Revise Appendix B to part 386 to read as follows:

Appendix B to Part 386—Penalty Schedule: Violations and Monetary Penalties

The Debt Collection Improvement Act of 1996 [Pub. L. 104–134, title III, chapter 10, sec. 31001, par. (s), 110 Stat. 1321–1373] amended the Federal Civil Penalties Inflation Adjustment Act of 1990 to require agencies to adjust for inflation ''each civil monetary penalty provided by law within the jurisdiction of the Federal agency . . .'' and to publish that regulation in the **Federal Register**. Pursuant to that authority, the inflation-adjusted civil penalties listed in this appendix supersede the corresponding civil penalty amounts listed in title 49, United States Code.

What are the types of violations and maximum monetary penalties?

(a) *Violations of the Federal Motor Carrier Safety Regulations (FMCSRs):*

(1) *Recordkeeping.* A person or entity that fails to prepare or maintain a record required by parts 40, 382, 385, and 390–99 of this subchapter, or prepares or maintains a required record that is incomplete, inaccurate, or false, is subject to a maximum civil penalty of $1,100 for each day the violation continues, up to $11,000.

(2) *Knowing falsification of records.* A person or entity that knowingly falsifies, destroys, mutilates, or changes a report or record required by parts 382, 385, and 390–99 of this subchapter, knowingly makes or causes to be made a false or incomplete record about an operation or business fact or transaction, or knowingly makes, prepares, or preserves a record in violation of a regulation order of the Secretary is subject to a maximum civil penalty of $11,000 if such action misrepresents a fact that constitutes a violation other than a reporting or recordkeeping violation.

(3) *Non-recordkeeping violations.* A person or entity that violates parts 382, 385, or 390–99 of this subchapter, except a recordkeeping requirement, is subject to a civil penalty not to exceed $16,000 for each violation.

(4) *Non-recordkeeping violations by drivers.* A driver who violates parts 382, 385, and 390–99 of this subchapter, except a recordkeeping violation, is subject to a civil penalty not to exceed $3,750.

(5) *Violation of 49 CFR 392.5.* A driver placed out of service for 24 hours for violating the alcohol prohibitions of 49 CFR 392.5(a) or (b) who drives during that period is subject to a civil penalty not to exceed $4,125 for each violation.

(6) *Egregious violations of driving-time limits in 49 CFR part 395.* A driver who exceeds, and a motor carrier that requires or permits a driver to exceed, by more than 3 hours the driving-time limit in 49 CFR 395.3(a) or 395.5(a), as applicable, shall be deemed to have committed an egregious driving-time limit violation. In instances of an egregious driving-time violation, the Agency will consider the ''gravity of the violation,'' for purposes of 49 U.S.C. 521(b)(2)(D), sufficient to warrant imposition of penalties up to the maximum permitted by law.

(b) *Commercial driver's license (CDL) violations.* Any person who violates 49 CFR part 383, subparts B, C, E, F, G, or H is subject to a civil penalty not to exceed $4,750; except:

(1) A CDL-holder who is convicted of violating an out-of-service order shall be subject to a civil penalty of not less than $2,750 for a first conviction and not less than $5,500 for a second or subsequent conviction;

(2) An employer of a CDL-holder who knowingly allows, requires, permits, or authorizes an employee to operate a CMV during any period in which the CDL-holder is subject to an out-of-service order, is subject to a civil penalty of not less than $4,750 or more than $27,500; and

(3) An employer of a CDL-holder who knowingly allows, requires, permits, or authorizes that CDL-holder to operate a CMV in violation of a Federal, State, or local law or regulation pertaining to railroad-highway grade crossings is subject to a civil penalty of not more than $11,000.

(c) [Reserved]

(d) *Financial responsibility violations.* A motor carrier that fails to maintain the levels of financial responsibility prescribed by part 387 of this subchapter or any person (except an employee who acts without knowledge) who knowingly violates the rules of part 387 subparts A and B is subject to a maximum penalty of $21,000. Each day of a continuing violation constitutes a separate offense.

(e) *Violations of the Hazardous Materials Regulations (HMRs) and Safety Permitting Regulations found in Subpart E of Part 385.* This paragraph applies to violations by motor carriers, drivers, shippers and other person who transport hazardous materials on the highway in commercial motor vehicles or cause hazardous materials to be so transported.

(1) All knowing violations of 49 U.S.C. chapter 51 or orders or regulations issued under the authority of that chapter applicable to the transportation or shipment of hazardous materials by commercial motor vehicle on the highways are subject to a civil penalty of not more than $75,000 for each violation. Each day of continuing violation constitutes a separate offense.

(2) All knowing violations of 49 U.S.C. chapter 51 or orders or regulations issued under the authority of that chapter applicable to training related to the transportation or shipment of hazardous materials by commercial motor vehicle on highways are subject to a civil penalty of not less than $450 and not more than $75,000 for each violation.

(3) All knowing violations of 49 U.S.C. chapter 51 or orders, regulations or exemptions under the authority of that chapter applicable to the manufacture, fabrication, marking, maintenance, reconditioning, repair, or testing of a packaging or container that is represented, marked, certified, or sold as being qualified for use in the transportation or shipment of hazardous materials by commercial motor vehicle on highways are subject to a civil penalty of not more than $75,000 for each violation.

(4) Whenever regulations issued under the authority of 49 U.S.C. chapter 51 require compliance with the FMCSRs while transporting hazardous materials, any violations of the FMCSRs will be considered a violation of the HMRs and subject to a civil penalty of not more than $75,000.

(5) If any violation subject to the civil penalties set out in paragraphs (e)(1) through (4) of this appendix results in death, serious illness, or severe injury to any person or in substantial destruction of property, the civil penalty may be increased to not more than $175,000 for each offense.

(f) *Operating after being declared unfit by assignment of a final ''unsatisfactory'' safety rating.* (1) A motor carrier operating a commercial motor vehicle in interstate commerce (except owners or operators of commercial motor vehicles designed or used to transport hazardous materials for which placarding of a motor vehicle is required under regulations prescribed under 49 U.S.C. chapter 51) is subject, after being placed out of service because of receiving a final ''unsatisfactory'' safety rating, to a civil penalty of not more than $25,000 (49 CFR 385.13). Each day the transportation continues in violation of a final ''unsatisfactory'' safety rating constitutes a separate offense.

(2) A motor carrier operating a commercial motor vehicle designed or

used to transport hazardous materials for which placarding of a motor vehicle is required under regulations prescribed under 49 U.S.C. chapter 51 is subject, after being placed out of service because of receiving a final ''unsatisfactory'' safety rating, to a civil penalty of not more than $75,000 for each offense. If the violation results in death, serious illness, or severe injury to any person or in substantial destruction of property, the civil penalty may be increased to not more than $175,000 for each offense. Each day the transportation continues in violation of a final ''unsatisfactory'' safety rating constitutes a separate offense.

(g) *Violations of the commercial regulations (CRs).* Penalties for violations of the CRs are specified in 49 U.S.C. Chapter 149. These penalties relate to transportation subject to the Secretary's jurisdiction under 49 U.S.C. Chapter 135. Unless otherwise noted, a separate violation occurs for each day the violation continues.

(1) A person who operates as a motor carrier for the transportation of property in violation of the registration requirements of 49 U.S.C. 13901 is liable for a minimum penalty of $10,000 per violation.

(2) A person who knowingly operates as a broker in violation of registration requirements of 49 U.S.C. 13904 or financial security requirements of 49 U.S.C. 13906 is liable for a penalty not to exceed $10,000 for each violation.

(3) A person who operates as a motor carrier of passengers in violation of the registration requirements of 49 U.S.C. 13901 is liable for a minimum penalty of $25,000 per violation.

(4) A person who operates as a foreign motor carrier or foreign motor private carrier of property in violation of the provisions of 49 U.S.C. 13902(c) is liable for a minimum penalty of $10,000 per violation.

(5) A person who operates as a foreign motor carrier or foreign motor private carrier without authority, before the implementation of the land transportation provisions of the North American Free Trade Agreement, outside the boundaries of a commercial zone along the United States-Mexico border is liable for a maximum penalty of $16,000 for an intentional violation and a maximum penalty of $37,500 for a pattern of intentional violations.

(6) A person who operates as a motor carrier or broker for the transportation of hazardous wastes in violation of the registration provisions of 49 U.S.C. 13901 is liable for a minimum penalty of $20,000 and a maximum penalty of $40,000 per violation.

(7) A motor carrier or freight forwarder of household goods, or their receiver or trustee, that does not comply with any regulation relating to the protection of individual shippers, is liable for a minimum penalty of $1,100 per violation.

(8) A person—

(i) Who falsifies, or authorizes an agent or other person to falsify, documents used in the transportation of household goods by motor carrier or freight forwarder to evidence the weight of a shipment or

(ii) Who charges for services which are not performed or are not reasonably necessary in the safe and adequate movement of the shipment is liable for a minimum penalty of $3,200 for the first violation and $7,500 for each subsequent violation.

(9) A person who knowingly accepts or receives from a carrier a rebate or offset against the rate specified in a tariff required under 49 U.S.C. 13702 for the transportation of property delivered to the carrier commits a violation for which the penalty is equal to three times the amount accepted as a rebate or offset and three times the value of other consideration accepted or received as a rebate or offset for the six-year period before the action is begun.

(10) A person who offers, gives, solicits, or receives transportation of property by a carrier at a different rate than the rate in effect under 49 U.S.C. 13702 is liable for a maximum penalty of $140,000 per violation. When acting in the scope of his/her employment, the acts or omissions of a person acting for or employed by a carrier or shipper are considered to be the acts and omissions of that carrier or shipper, as well as that person.

(11) Any person who offers, gives, solicits, or receives a rebate or concession related to motor carrier transportation subject to jurisdiction under subchapter I of 49 U.S.C. Chapter 135, or who assists or permits another person to get that transportation at less than the rate in effect under 49 U.S.C. 13702, commits a violation for which the penalty is $320 for the first violation and $375 for each subsequent violation.

(12) A freight forwarder, its officer, agent, or employee, that assists or willingly permits a person to get service under 49 U.S.C. 13531 at less than the rate in effect under 49 U.S.C. 13702 commits a violation for which the penalty is up to $750 for the first violation and up to $3,200 for each subsequent violation.

(13) A person who gets or attempts to get service from a freight forwarder under 49 U.S.C. 13531 at less than the rate in effect under 49 U.S.C. 13702 commits a violation for which the penalty is up to $750 for the first violation and up to $3,200 for each subsequent violation.

(14) A person who knowingly authorizes, consents to, or permits a violation of 49 U.S.C. 14103 relating to loading and unloading motor vehicles or who knowingly violates subsection (a) of 49 U.S.C. 14103 is liable for a penalty of not more than $16,000 per violation.

(15) [Reserved]

(16) A person required to make a report to the Secretary, answer a question, or make, prepare, or preserve a record under Part B of Subtitle IV, Title 49, U.S.C., or an officer, agent, or employee of that person, is liable for a minimum penalty of $1,000 and for a maximum penalty of $7,500 per violation if it does not make the report, does not completely and truthfully answer the question within 30 days from the date the Secretary requires the answer, does not make or preserve the record in the form and manner prescribed, falsifies, destroys, or changes the report or record, files a false report or record, makes a false or incomplete entry in the record about a business related fact, or prepares or preserves a record in violation of a regulation or order of the Secretary.

(17) A motor carrier, water carrier, freight forwarder, or broker, or their officer, receiver, trustee, lessee, employee, or other person authorized to receive information from them, who discloses information identified in 49 U.S.C. 14908 without the permission of the shipper or consignee is liable for a maximum penalty of $3,200.

(18) A person who violates a provision of Part B, Subtitle IV, Title 49, U.S.C., or a regulation or order under Part B, or who violates a condition of registration related to transportation that is subject to jurisdiction under subchapter I or III or Chapter 135, or who violates a condition of registration of a foreign motor carrier or foreign motor private carrier under section 13902, is liable for a penalty of $750 for each violation if another penalty is not provided in 49 U.S.C. Chapter 149.

(19) A violation of Part B, Subtitle IV, Title 49, U.S.C., committed by a director, officer, receiver, trustee, lessee, agent, or employee of a carrier that is a corporation is also a violation by the corporation to which the penalties of Chapter 149 apply. Acts and omissions of individuals acting in the scope of their employment with a carrier are considered to be the actions and omissions of the carrier as well as the individual.

(20) In a proceeding begun under 49 U.S.C. 14902 or 14903, the rate that a

carrier publishes, files, or participates in under section 13702 is conclusive proof against the carrier, its officers, and agents that it is the legal rate for the transportation or service. Departing, or offering to depart, from that published or filed rate is a violation of 49 U.S.C. 14902 and 14903.

(21) A person—

(i) Who knowingly and willfully fails, in violation of a contract, to deliver to, or unload at, the destination of a shipment of household goods in interstate commerce for which charges have been estimated by the motor carrier transporting such goods, and for which the shipper has tendered a payment in accordance with part 375, subpart G of this chapter, is liable for a civil penalty of not less than $11,000 for each violation. Each day of a continuing violation constitutes a separate offense.

(ii) Who is a carrier or broker and is found to be subject to the civil penalties in paragraph (i) of this appendix may also have his or her carrier and/or broker registration suspended for not less than 12 months and not more than 36 months under 49 U.S.C. chapter 139. Such suspension of a carrier or broker shall extend to and include any carrier or broker having the same ownership or operational control as the suspended carrier or broker.

(22) A broker for transportation of household goods who makes an estimate of the cost of transporting any such goods before entering into an agreement with a motor carrier to provide transportation of household goods subject to FMCSA jurisdiction is liable to the United States for a civil penalty of not less than $10,900 for each violation.

(23) A person who provides transportation of household goods subject to jurisdiction under 49 U.S.C. chapter 135, subchapter I, or provides broker services for such transportation, without being registered under 49 U.S.C. chapter 139 to provide such transportation or services as a motor carrier or broker, as the case may be, is liable to the United States for a civil penalty of not less than $27,250 for each violation.

(h) *Copying of records and access to equipment, lands, and buildings.* A person subject to 49 U.S.C. chapter 51 or a motor carrier, broker, freight forwarder, or owner or operator of a commercial motor vehicle subject to part B of subtitle VI of title 49 U.S.C. who fails to allow promptly, upon demand in person or in writing, the Federal Motor Carrier Safety Administration, an employee designated by the Federal Motor Carrier Safety Administration, or an employee of a MCSAP grant recipient to inspect and copy any record or inspect and examine equipment, lands, buildings, and other property, in accordance with 49 U.S.C. 504(c), 5121(c), and 14122(b), is subject to a civil penalty of not more than $1,100 for each offense. Each day of a continuing violation constitutes a separate offense, except that the total of all civil penalties against any violator for all offenses related to a single violation shall not exceed $11,000.

(i) *Evasion.* A person, or an officer, employee, or agent of that person:

(1) Who by any means tries to evade regulation of motor carriers under Title 49, United States Code chapter 5, chapter 51, subchapter III of chapter 311 (except sections 31138 and 31139) or section 31302, 31303, 31304, 31305(b), 31310(g)(1)(A), or 31502, or a regulation issued under any of those provisions, shall be fined at least $2,000 but not more than $5,000 for the first violation and at least $2,500 but not more than $7,500 for a subsequent violation.

(2) Who tries to evade regulation under Part B of Subtitle IV, Title 49, U.S.C., for carriers or brokers is liable for a penalty of at least $2,000 for the first violation of at least $5,000 for a subsequent violation.

PART 387—MINIMUM LEVELS OF FINANCIAL RESPONSIBILITY FOR MOTOR CARRIERS

■ 8. The authority citation for part 387 continues to read as follows:

Authority: 49 U.S.C. 13101, 13301, 13906, 14701, 31138, 31139, and 31144; and 49 CFR 1.87.

■ 9. Revise § 387.17 to read as follows:

§ 387.17 Violation and penalty.

Any person (except an employee who acts without knowledge) who knowingly violates the rules of this subpart shall be liable to the United States for a civil penalty as stated in part 386, appendix B, of this chapter, and if any such violation is a continuing one, each day of violation will constitute a separate offense. The amount of any such penalty shall be assessed by FMCSA's Administrator, by written notice. In determining the amount of such penalty, the Administrator, or his/her authorized delegate shall take into account the nature, circumstances, extent, the gravity of the violation committed and, with respect to the person found to have committed such violation, the degree of culpability, any history of prior violations, ability to pay, and any effect on ability to continue to do business, and such other matters as justice may require.

■ 10. Revise § 387.41 to read as follows:

§ 387.41 Violation and penalty.

(a) Any person (except an employee who acts without knowledge) who knowingly violates the rules of this subpart shall be liable to the United States for a civil penalty as stated in part 386, appendix B, of this chapter, and if any such violation is a continuing one, each day of violation will constitute a separate offense. The amount of any such penalty shall be assessed by the Administrator or his/her designee, by written notice.

(b) In determining the amount of such penalty, the Administrator or his/her designee shall take into account the nature, circumstances, extent, the gravity of the violation committed and, with respect to the person found to have committed such violation, the degree of culpability, any history of prior violations, the ability to pay, and any effect on ability to continue to do business, and such other matters as justice may require.

Issued under the authority of delegation in 49 CFR 1.87 on March 26, 2015.

T.F. Scott Darling, III,

Chief Counsel.

[FR Doc. 2015–07701 Filed 4–2–15; 8:45 am]

BILLING CODE 4910–EX–P

Proposed Rules

Federal Register
Vol. 80, No. 64
Friday, April 3, 2015

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.

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Part 843

RIN 3206–AN16

Federal Employees' Retirement System; Present Value Conversion Factors for Spouses of Deceased Separated Employees

AGENCY: Office of Personnel Management.

ACTION: Proposed rule.

SUMMARY: The Office of Personnel Management (OPM) is issuing a proposed rule to revise the table of reduction factors for early commencing dates of survivor annuities for spouses of separated employees who die before the date on which they would be eligible for unreduced deferred annuities. This rule is necessary to ensure that the tables conform to demographic assumptions adopted by the Board of Actuaries and published in the **Federal Register** on March 20, 2015, as required by 5 U.S.C. 8461(i).

DATES: We must receive your comments by June 2, 2015.

ADDRESSES: You may submit comments, identified by docket number and/or RIN number RIN 3206–AN16 by any of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Email: combox@opm.gov.* Include RIN number 3206–AN16 in the subject line of the message.
- *Mail:* Jim Giuseppe, Retirement Policy, Retirement Services, Office of Personnel Management, 1900 E. Street NW., Washington, DC 20415–3200.

FOR FURTHER INFORMATION CONTACT: Roxann Johnson, (202) 606–0299.

SUPPLEMENTARY INFORMATION: On March 20, 2015, OPM published a notice in the **Federal Register** to revise the normal cost percentages under the Federal Employees' Retirement System (FERS) Act of 1986, Public Law 99–335, 100 Stat. 514, as amended, based on demographic factors adopted by the Board of Actuaries of the Civil Service Retirement System. 80 FR 15,036 (March 20, 2015). By statute under 5 U.S.C. 8461(i), the demographic factors require corresponding changes in factors used to produce actuarially equivalent benefits when required by the FERS Act.

Section 843.311 of title 5, Code of Federal Regulations, regulates the benefits for the survivors of separated employees under 5 U.S.C. 8442(c). This section provides a choice of benefits for eligible current and former spouses. If the current or former spouse is the person entitled to the unexpended balance under the order of precedence at 5 U.S.C. 8424, he or she may elect to receive the unexpended balance instead of an annuity.

Alternatively, an eligible current or former spouse may elect to receive an annuity commencing on the day after the employee's death or on the deceased separated employee's 62nd birthday. If the annuity commences on the deceased separated employee's 62nd birthday, the annuity will equal 50 percent of the annuity that the separated employee would have received had he or she attained age 62. If the current or former spouse elects the earlier commencing date, the annuity is reduced using the factors in Appendix A to subpart C of part 843 to make the annuity actuarially equivalent to the present value of the annuity that the spouse or former spouse would have received if the annuity had commenced on the retiree's 62nd birthday. These rules amend that appendix to conform to the revised demographic assumptions.

Executive Order 12866, Regulatory Review

This rule has been reviewed by the Office of Management and Budget in accordance with Executive Order (E.O.) 12866, as amended by E.O. 13258 and E.O. 13422.

Regulatory Flexibility Act

I certify that this regulation will not have a significant economic impact on a substantial number of small entities because the regulation will only affect retirement payments to surviving current and former spouses of former employees and Members who separated from Federal service with title to a deferred annuity.

List of Subjects in 5 CFR Part 843

Air traffic controllers, Disability benefits, Firefighters, Government employees, Law enforcement officers, Pensions, Retirement.

U.S. Office of Personnel Management.

Katherine Archuleta,

Director.

For the reasons stated in the preamble, the Office of Personnel Management proposes to amend 5 CFR part 843 as follows:

PART 843—FEDERAL EMPLOYEES RETIREMENT SYSTEM—DEATH BENEFITS AND EMPLOYEE REFUNDS

■ 1. The authority citation for part 843 continues to read as follows:

Authority: 5 U.S.C. 8461; §§ 843.205, 843.208, and 843.209 also issued under 5 U.S.C. 8424; § 843.309 also issued under 5 U.S.C. 8442; § 843.406 also issued under 5 U.S.C. 8441.

Subpart C—Current and Former Spouse Benefits

■ 2. Revise Appendix A to subpart C of part 843 to read as follows:

Appendix A to Supart C of Part 843—Present Value Conversion Factors for Earlier Comencing Date of Annuities of Current and Former Spouses of Diseased Separated Employees

With at least 10 but less than 20 years of creditable service—

Age of separated employee at birthday before death	Multiplier
26	.0726
27	.0792
28	.0859
29	.0930
30	.1002
31	.1081
32	.1165
33	.1252
34	.1343
35	.1443
36	.1550
37	.1664
38	.1786
39	.1914
40	.2053
41	.2200
42	.2358
43	.2528
44	.2710
45	.2905
46	.3114
47	.3337
48	.3580

Age of separated employee at birthday before death	Multiplier
49	.3839
50	.4118
51	.4419
52	.4745
53	.5097
54	.5477
55	.5889
56	.6336
57	.6822
58	.7350
59	.7926
60	.8556
61	.9244

With at least 20, but less than 30 years of creditable service—

Age of separated employee at birthday before death	Multiplier
36	.1810
37	.1943
38	.2086
39	.2236
40	.2398
41	.2570
42	.2754
43	.2953
44	.3166
45	.3394
46	.3638
47	.3899
48	.4182
49	.4485
50	.4812
51	.5164
52	.5545
53	.5955
54	.6400
55	.6881
56	.7404
57	.7972
58	.8590
59	.9264

With at least 30 years of creditable service—

Age of separated employee at birthday before death	Multiplier by separated employee's year of birth	
	After 1966	From 1950 through 1966
46	.4561	.4910
47	.4889	.5264
48	.5244	.5646
49	.5624	.6055
50	.6035	.6497
51	.6476	.6973
52	.6954	.7487
53	.7469	.8042
54	.8027	.8643
55	.8631	.9294
56	.9287	1.0000

[FR Doc. 2015–07747 Filed 4–2–15; 8:45 am]

BILLING CODE 6325–38–P

OFFICE OF GOVERNMENT ETHICS

5 CFR Part 2600, 2601, 2604

RIN 3209–AA40, 3209–AA41, 3209–AA39

Organization and Functions; Implementation of Statutory Gift Acceptance Authority; Freedom of Information Act

AGENCY: Office of Government Ethics (OGE).

ACTION: Proposed rule.

SUMMARY: The U.S. Office of Government Ethics is updating and streamlining its organization and functions regulation and its statutory gift acceptance authority implementation. OGE is also updating and streamlining its Freedom of Information Act (FOIA) regulation to reflect OGE's existing policy and practice and to implement changes to the FOIA. Finally, the proposed revisions make administrative changes and update cost figures for calculating and charging fees.

DATES: Written comments are invited and must be received on or before June 2, 2015.

ADDRESSES: You may submit written comments to OGE on the proposed rule by any of the following methods:

- *Email: usoge@oge.gov.* Include the appropriate Regulation Identifier Number in the subject line of the message.
- *Fax:* (202) 482–9237.
- *Mail/Hand Delivery/Courier:* U.S. Office of Government Ethics, Suite 500, 1201 New York Avenue NW., Washington, DC 20005–3917, Attention: Jennifer Matis, Assistant Counsel.

Instructions: All submissions must include OGE's agency name and the appropriate Regulation Identifier Number. Use RIN 3209–AA40 to submit comments on the proposed changes to 5 CFR part 2600; RIN 3209–AA41 to submit comments on the proposed changes to 5 CFR part 2600; and RIN 3209–AA39 to submit comments on the proposed changes to 5 CFR part 2604. OGE will post all comments on its Web site (*www.oge.gov*). All comments received will be posted without change; OGE generally does not edit a commenter's personal identifying information from submissions. You should submit only information that you wish to make available publicly.

FOR FURTHER INFORMATION CONTACT: Jennifer Matis, Assistant Counsel, 202–482–9216.

SUPPLEMENTARY INFORMATION:

A. Substantive Discussion

The rule proposes revisions to standardize, update, and streamline the language of 5 CFR parts 2600, 2601, and 2604. In addition, the proposed revisions to 5 CFR part 2600 remove out-of-date information regarding OGE's organizational structure and instead refer individuals to its Web site for current information. Likewise, the proposed revisions to 5 CFR part 2601 reflect changes to OGE's organizational structure.

The primary purpose of the proposed revisions to 5 CFR part 2604 is to reflect changes to the FOIA under the Openness Promotes Effectiveness in our National (OPEN) Government Act of 2007, Public Law 110–175, and to incorporate principles established by the 2009 FOIA memorandum. OGE is committed to operating transparently and has been administratively adhering to the developments in FOIA law and to the President's directive. Except as noted below, the proposed revisions reflect OGE's existing policies and practices.

The following is a subpart-by-subpart analysis of the proposed changes to 5 CFR part 2604:

Subpart A—General Provisions. The definition of ''duplication'' has been updated in accordance with changes in technology. The definition of ''representative of the news media'' has been revised to incorporate amendments to the FOIA under the OPEN Government Act. Section 2604.104 has been added to inform FOIA requesters about OGE's obligations regarding the preservation of records. Section 2604.105 has been added to clarify that OGE's FOIA regulation does not create an entitlement to additional rights or services beyond those conferred by the FOIA.

Subpart B—FOIA Public Reading Room Facility and Web site; Index Indentifying Information for the Public. Section 2604.201(a)(2) was revised to reflect OGE's existing practice of proactively identifying and posting on its Web site records of interest to the public, in accordance with the principles set forth by the 2009 FOIA memorandum. Section 2604.201(b)(5) was revised to parallel the language of the FOIA. After consideration, OGE decided not to revise § 2604.202(b), which contains a notice that the Director of OGE has determined that it is unnecessary and impracticable to publish and distribute a quarterly index of materials available under 5 U.S.C. 552(a)(2). However, OGE will consider whether it would be feasible to publish

and update such an index on its Web site.

Subpart C—Production and Disclosure of Records Under FOIA. Section 2604.301 was revised to remove the option of submitting a request in person or by telephone. This change promotes efficiency in the receipt and tracking of requests, particularly in light of the fact that OGE has received few, if any, requests in person or by telephone. Section 2604.304 was revised to clarify the requirements for submitting an appeal and to correctly reflect the official delegated authority by OGE's Director to make a determination with respect to appeals.

Several revisions were made to this subpart to incorporate changes to the FOIA under the OPEN Government Act. The new § 2604.302(a) was added to reflect OGE's practice of acknowledging requests when the FOIA Officer determines that they will take longer than 10 working days to process. The redesignated § 2604.302(c) was revised to clarify OGE's practice of referring requests only to agencies subject to the FOIA and providing requesters with a point of contact within the receiving agency. Section 2604.304(e) was added to reflect OGE's practice of notifying requesters of the dispute resolution services of the Office of Government Information Services when a denial of a request for records is upheld in whole or in part on appeal. The new § 2604.305(a)(2) was added to notify requesters regarding the tolling of time limits. The extension of time limits provision in § 2604.305(c) was revised to more closely parallel the current language of the FOIA, including a notification that OGE will make available its Public Liaison to assist in the resolution of disputes.

Subpart D—Exemptions Under FOIA. Section 2604.401 was revised to reflect OGE's existing policy regarding discretionary disclosures of exempt records, as well as to incorporate the principles set forth in the 2009 FOIA memorandum. Section 2604.402 was revised to give a submitter of business information a reasonable time, up to 10 working days, to provide a written statement of objection to a disclosure, rather than restricting the submitter to five working days in all circumstances.

Subpart E—Schedule of Fees. Proposed changes to OGE's FOIA fee schedule are found at § 2604.501. Document search and review charges will increase slightly to $16 and $28 per hour for clerical and professional time, respectively. This increase is reasonable in light of the base salaries of OGE employees and is expected to have little impact on requesters. The duplication charge will remain the same at 15 cents per page. Section 2604.503(d) was added to incorporate an amendment to the FOIA under the OPEN Government Act, which limits an agency's authority to assess certain fees if the agency fails to comply with statutory time limits, unless unusual or exceptional circumstances apply.

Subpart F—Annual OGE FOIA Report. Section 2604.601 was revised to incorporate by reference the provisions of 5 U.S.C. 552(e) rather than provide a detailed description of the contents of OGE's annual FOIA report. In light of the changes in annual FOIA reporting requirements made by the OPEN Government Act and the possibility of additional changes, this revision helps to ensure that the public is provided with updated information on OGE's reporting obligations both now and in the future.

Subpart G—Fees for the Reproduction and Mailing of Public Financial Disclosure Reports. Copies of public financial disclosure reports are requested and provided pursuant to section 105 of the Ethics in Government Act of 1978, as amended, and § 2634.603 of this chapter, not pursuant to the FOIA. Section 2604.702 was revised to increase the duplication charge for the reproduction of public financial reports to 15 cents per page, the same charge assessed to FOIA requesters under § 2604.501(b)(2). The documents are also available electronically through OGE's Web site at no charge.

B. Statutory Authority

OGE is proposing this rulemaking under the authority of 5 U.S.C. 301, 552 (as amended), and 553 and 5 U.S.C. app 105(b).

C. Matters of Regulatory Procedure

Regulatory Planning and Review (Executive Orders 12866 and 13563)

In promulgating this rulemaking, OGE has adhered to the regulatory philosophy and the applicable principals of regulation set forth in Executive Orders 12866 and 13563. The proposed rule has not been reviewed by the Office of Management and Budget because it is not a significant regulatory action for the purposes of Executive Order 12866.

Congressional Review Act

The proposed rule is not a major rule as defined in 5 U.S.C. Chapter 8, Congressional Review of Agency Rulemaking.

Paperwork Reduction Act

The proposed rule is not subject to section 3504(h) of the Paperwork Reduction Act, 44 U.S.C. 3501, because it does not contain any information collection requirements subject to approval by the Office of Management and Budget.

Federalism (Executive Order 13132)

The proposed rule 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. Therefore, in accordance with Executive Order 13132, OGE has determined that this proposed rule does not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement.

Unfunded Mandates Reform Act

The proposed rule neither imposes an unfunded mandate of more than $100 million per year nor imposes a significant or unique effect on State, local or tribal governments, or the private sector.

Regulatory Flexibility Act

As required by the Regulatory Flexibility Act, it is hereby certified that this proposed rule will not have a significant impact on a substantial number of small entities because this regulation will affect only people and organizations who file FOIA requests with OGE.

Civil Justice Reform (Executive Order 12988)

It is hereby certified that this proposed rule does not unduly burden the judicial system and meets the requirements of Executive Order 12988.

List of Subjects

5 CFR Parts 2600 and 2601

Administrative practice and procedure, Organization and functions (Government agencies).

5 CFR Part 2604

Administrative practice and procedure, Archives and records, Confidential business information, Freedom of information, Reporting and recordkeeping requirements.

Approved: March 25, 2015.

Walter M. Shaub, Jr.,

Director, Office of Government Ethics.

For the reasons set out above, OGE proposes to amend 5 CFR parts 2600, 2601, and 2604 as follows:

PART 2600—ORGANIZATION AND FUNCTIONS OF THE OFFICE OF GOVERNMENT ETHICS

■ 1. The authority citation for part 2600 continues to read as follows:

Authority: 5 U.S.C. App. (Ethics in Government Act of 1978); E.O. 12674, 54 FR 15159, 3 CFR, 1989 Comp., p. 215, as modified by E.O. 12731, 55 FR 42547, 3 CFR, 1990 Comp., p. 306.

■ 2. Amend § 2600.101 by revising the first sentence of paragraph (a) to read as follows:

§ 2600.101 Mission and history.

(a) The U.S. Office of Government Ethics (OGE) was established by the Ethics in Government Act of 1978, Public Law 95–521, 92 Stat. 1824 (1978). * * *

* * * * *

■ 3. Amend § 2600.102 by revising paragraphs (a) and (b) to read as follows:

§ 2600.102 Contact information.

(a) *Address.* OGE is located at 1201 New York Avenue NW., Suite 500, Washington, DC 20005–3917. OGE does not have any regional offices. OGE's general email address is *contactoge@oge.gov.*

(b) *Web site.* Information about OGE and its role in the executive branch ethics program as well as copies of publications that have been developed for training, educational and reference purposes are available electronically on OGE's Web site (*www.oge.gov*). OGE has posted on its Web site various Executive Orders, statutes, and regulations that together form the basis for the executive branch ethics program. The site also contains ethics advisory opinions and letters published by OGE, as well as other pertinent information.

* * * * *

■ 4. Revise § 2600.103 to read as follows:

§ 2600.103 Office of Government Ethics organization and functions.

OGE's Director is appointed by the President and confirmed by the Senate for a five-year term. Additional information regarding OGE's organization and functions is available on its Web site at *www.oge.gov.*

PART 2601—IMPLEMENTATION OF OFFICE OF GOVERNMENT ETHICS STATUTORY GIFT ACCEPTANCE AUTHORITY

■ 5. The authority citation for part 2601 continues to read as follows:

Authority: 5 U.S.C. App. (Ethics in Government Act of 1978).

■ 6. Amend § 2601.103 by revising the first sentence of paragraph (a) and the first sentence of paragraph (d) to read as follows:

§ 2601.103 Policy.

(a) *Scope.* OGE may use its statutory authority to solicit, accept and utilize gifts to the agency that aid or facilitate the agency's work. * * *

* * * * *

(d) *Endorsement.* Acceptance of a gift pursuant to this part will not in any way be deemed to be an endorsement of the donor, or the donor's products, services, activities, or policies. * * *

* * * * *

■ 7. Amend § 2601.105 by revising the introductory text, removing the definition of ''Administrative Division'' and revising the definitions of ''Agency,'' ''Authorized agency official,'' ''Director,'' and ''Employee'' to read as follows:

§ 2601.105 Definitions.

As used in this part:

Agency means the U.S. Office of Government Ethics (OGE).

Authorized agency official means the Director of OGE or the Director's delegee.

Director means the Director of OGE.

Employee means an employee of OGE.

* * * * *

■ 8. Amend § 2601.202 by revising paragraphs (a), (b), (d), and (f) to read as follows:

§ 2601.202 Procedure.

(a) The authorized agency official will have the authority to solicit, accept, refuse, return, or negotiate the terms of acceptance of a gift.

(b) An employee, other than an authorized agency official, will immediately forward all offers of gifts covered by this part regardless of value to an authorized agency official for consideration and will provide a description of the gift offered. An employee will also inform an authorized agency official of all discussions of the possibility of a gift. An employee will not provide a donor with any commitment, privilege, concession or other present or future benefit (other than an appropriate acknowledgment) in return for a gift.

* * * * *

(d) Gifts may be acknowledged in writing in the form of a letter of acceptance to the donor. The amount of a monetary gift will be specified. In the case of nonmonetary gifts, the letter will not make reference to the value of the gift. Valuation of nonmonetary gifts is the responsibility of the donor. Letters of acceptance will not include any statement regarding the tax implications of a gift, which remain the responsibility of the donor. No statement of endorsement should appear in a letter of acceptance to the donor.

* * * * *

(f) A gift of money or the proceeds of a gift will be deposited in an appropriately documented agency fund. A check or money order should be made payable to the ''U.S. Office of Government Ethics.''

■ 9. Amend § 2601.203 by revising paragraph (a) to read as follows:

§ 2601.203 Conflict of interest analysis.

(a) A gift will not be solicited or accepted if the authorized agency official determines that such solicitation or acceptance of the gift would reflect unfavorably upon the ability of the agency, or any employee of the agency, to carry out OGE responsibilities or official duties in a fair and objective manner, or would compromise the integrity or the appearance of the integrity of its programs or any official involved in those programs.

* * * * *

■ 10. Amend § 2601.204 by revising the Note to § 2601.204 to read as follows:

§ 2601.204 Conditions for acceptance.

* * * * *

Note to § 2601.204: Nothing in this part will prohibit the agency from offering or providing the donor an appropriate acknowledgment of its gift in a publication, speech or other medium.

■ 11. Amend § 2601.301 by revising paragraphs (a) and (b) and the introductory text of paragraph (c) to read as follows:

§ 2601.301 Accounting of gifts.

(a) OGE's Designated Agency Ethics Official (DAEO) will ensure that gifts are properly accounted for by following appropriate internal controls and accounting procedures.

(b) The DAEO will maintain an inventory of donated personal property valued at over $500. The inventory will be updated each time an item is sold, excessed, destroyed or otherwise disposed of or discarded.

(c) The DAEO will maintain a log of all gifts valued at over $500 accepted pursuant to this part. The log will include, to the extent known:

* * * * *

PART 2604—FREEDOM OF INFORMATION ACT RULES AND SCHEDULE OF FEES FOR THE PRODUCTION OF PUBLIC FINANCIAL DISCLOSURE REPORTS

■ 12. The authority citation for part 2604 continues to read as follows:

Authority: 5 U.S.C. 552; 5 U.S.C. App. (Ethics in Government Act of 1978); E.O. 12600, 52 FR 23781, 3 CFR, 1987 Comp., p. 235; E.O. 13392, 70 FR 75373, 3 CFR, 2005 Comp., p. 216.

■ 13. Revise § 2604.101 to read as follows:

§ 2604.101 Purpose.

This part contains the regulations of the U.S. Office of Government Ethics (OGE) implementing the Freedom of Information Act (FOIA), as amended. It describes how any person may obtain records from OGE under the FOIA. It also implements section 105(b)(1) of the Ethics in Government Act of 1978 (Ethics Act), as amended, which authorizes an agency to charge reasonable fees to cover the cost of reproduction and mailing of public financial disclosure reports requested by any person.

■ 14. Amend § 2604.102 by revising the first sentence of paragraph (c) to read as follows:

§ 2604.102 Applicability.

* * * * *

(c) *Records available through routine distribution procedures.* When the record requested includes material published and offered for sale (*e.g.,* by the Government Publishing Office) or which is available to the public through an established distribution system (such as that of the National Technical Information Service of the Department of Commerce), OGE will explain how the record may be obtained through those channels. * * *

■ 15. Amend § 2604.103 by:

■ a. Revising the definitions of ''Business information,'' ''Business submitter,'' ''Chief FOIA Officer,'' ''Duplication,'' ''FOIA Public Liaison,'' ''FOIA Requester Service Center'';

■ b. Removing the definition of ''He, his and him''; and

■ c. Revising the definitions of ''Office or OGE,'' ''Records,'' and ''Representative of the news media.''

The revisions read as follows:

§ 2604.103 Definitions.

* * * * *

Business information means trade secrets or other commercial or financial information, provided to OGE by a submitter, which arguably is protected from disclosure under Exemption 4 of the Freedom of Information Act.

Business submitter means any person who provides business information, directly or indirectly, to OGE and who has a proprietary interest in the information.

Chief FOIA Officer means the OGE official designated under E.O. 13392 to provide oversight of all of OGE's FOIA program operations.

* * * * *

Duplication means the process of making a copy of a record. Such copies include photocopies, flash drives, and optical discs.

* * * * *

FOIA Public Liaison means the OGE official designated under E.O. 13392 to review upon request any concerns of FOIA requesters about the service received from OGE's FOIA Requester Service Center and to address any other FOIA-related inquiries.

FOIA Requester Service Center means the OGE unit designated under E.O. 13392 to answer any questions requesters have about the status of OGE's processing of their FOIA requests.

* * * * *

Office or OGE means the United States Office of Government Ethics.

* * * * *

Records means any handwritten, typed, or printed documents (such as memoranda, books, brochures, studies, writings, drafts, letters, transcripts, and minutes) and documentary material in other forms (such as electronic documents, electronic mail, magnetic tapes, cards or discs, paper tapes, audio or video recordings, maps, photographs, slides, microfilm and motion pictures) that are either created or obtained by OGE and are under its control. It does not include objects or articles such as exhibits, models, equipment, and duplication machines or audiovisual processing materials.

Representative of the news media means a person or entity that gathers information of potential interest to a segment of the public, uses editorial skills to turn the raw materials into a distinct work, and distributes that work to an audience. In this clause, the term ''news'' means information that is about current events or that would be of current interest to the public. Examples of news media entities include television or radio stations broadcasting to the public at large and publishers of periodicals (but only if such entities qualify as disseminators of ''news'') who distribute their products to the general public or who make their products available for purchase or subscription by the general public, and entities that may disseminate news through other media, such as electronic dissemination of text. Freelance journalists will be considered as representatives of a news media entity if they can show a solid basis for expecting publication through such an entity. A publication contract is such a basis, and the requester's past publication record may show such a basis.

* * * * *

■ 16. Add § 2604.104 to subpart A to read as follows:

§ 2604.104 Preservation of records.

OGE will preserve all correspondence pertaining to the requests that it receives under this part, as well as copies of all responsive records, until disposition or destruction is authorized by title 44 of the United States Code or the National Archives and Records Administration's General Records Schedule. Records will not be disposed of while they are the subject of a pending request, appeal, or lawsuit.

■ 17. Add § 2604.105 to subpart A to read as follows:

§ 2604.105 Other rights and services.

Nothing in this part will be construed to entitle any person, as of right, to any service or to the disclosure of any record to which such person is not entitled under the FOIA.

■ 18. Revise the heading of Subpart B to read as follows:

Subpart B—FOIA Public Reading Room Facility and Web Site; Index Identifying Information for the Public

■ 19. Amend § 2604.201 by revising the heading, paragraph (a), paragraph (b) introductory text, and paragraphs (b)(2), (b)(5), and (c) to read as follows:

§ 2604.201 Public reading room facility and Web site.

(a)(1) *Location of public reading room facility.* OGE maintains a public reading room facility at its offices located at 1201 New York Avenue NW., Suite 500, Washington, DC 20005–3917. Persons desiring to utilize the reading room facility should contact OGE, in writing or by telephone: 202–482–9300, TDD: 202–482–9293, or FAX: 202–482–9237, to arrange a time to inspect the materials available there.

(2) *Web site.* The records listed in paragraph (b) of this section that were created on or after November 1, 1996, or which OGE is otherwise able to make electronically available, along with the OGE FOIA and Public Records Guide and OGE's annual FOIA reports, are also available via OGE's Web site (*www.oge.gov*). OGE will proactively identify additional records of interest to the public and will post such records on its Web site when practicable.

(b) *Records available.* The OGE public reading room facility contains OGE records which are required by 5 U.S.C. 552(a)(2) to be made available for public inspection and copying, including.:

* * * * *

(2) Any statements of policy and interpretation which have been adopted by OGE and are not published in the **Federal Register**;

* * * * *

(5) A general index of the records referred to under § 2604.201(b)(4).

(c) *Copying.* The cost of copying information available in OGE's public reading room facility will be imposed on a requester in accordance with the provisions of subpart E of this part.

* * * * *

■ 20. Amend § 2604.202 by revising paragraph (a) to read as follows:

§ 2604.202 Index identifying information for the public.

(a) OGE will maintain and make available for public inspection and copying a current index of the materials available at its public reading room facility which are required to be indexed under 5 U.S.C. 552(a)(2).

* * * * *

■ 21. Amend § 2604.301 by revising paragraph (a), paragraph (b) introductory text, and paragraphs (b)(2) and (d) to read as follows:

§ 2604.301 Requests for records.

(a) *Addressing requests.* Requests for copies of records may be made by mail or email. Requests sent by mail should be addressed to the FOIA Officer, U.S. Office of Government Ethics, 1201 New York Avenue NW., Suite 500, Washington, DC 20005–3917. The envelope containing the request and the letter itself should both clearly indicate that the subject is a Freedom of Information Act request. Email requests should be sent to *usoge@oge.gov* and should indicate in the subject line that the message contains a Freedom of Information Act request.

(b) *Description of records.* Each request must reasonably describe the desired records in sufficient detail to enable OGE personnel to locate the records with a reasonable amount of effort. A request for a specific category of records will be regarded as fulfilling this requirement if it enables responsive records to be identified by a technique or process that is not unreasonably burdensome or disruptive of OGE operations.

* * * * *

(2) If the FOIA Officer determines that a request does not reasonably describe the records sought, the FOIA Officer will either advise the requester what additional information is needed to locate the record, or otherwise state why the request is insufficient. The FOIA Officer will also extend to the requester an opportunity to confer with OGE personnel with the objective of reformulating the request in a manner which will meet the requirements of this section.

* * * * *

(d) *Requests for records relating to corrective actions.* No record developed pursuant to the authority of 5 U.S.C. app. 402(f)(2) concerning the investigation of an employee for a possible violation of any provision relating to a conflict of interest will be made available pursuant to this part unless the request for such information identifies the employee to whom the records relate and the subject matter of any alleged violation to which the records relate. Nothing in this subsection will affect the application of subpart D of this part to any record so identified.

* * * * *

■ 22. Amend § 2604.302 by redesignating paragraphs (a) through (d) as (b) through (e), respectively; adding new paragraph (a); and revising redesignated paragraph (c) to read as follows:

(a) *Acknowledgement of requests.* If the FOIA Officer determines that a request will take longer than 10 working days to process, OGE will send a written acknowledgment that includes the request's individualized tracking number.

* * * * *

(c) *Referral to, or consultation with, another agency.* When a requester seeks access to records that originated in another Government agency subject to the FOIA, OGE will normally refer the request to the other agency for response; alternatively, OGE may consult with the other agency in the course of deciding itself whether to grant or deny a request for access to such records. If OGE refers the request to another agency, it will notify the requester of the referral and provide a point of contact within the receiving agency. If release of certain records may adversely affect United States relations with foreign governments, OGE will usually consult with the Department of State. A request for any records classified by some other agency will be referred to that agency for response.

* * * * *

■ 23. Amend § 2604.303 by revising paragraph (a) and the introductory text to paragraph (b) to read as follows:

§ 2604.303 Form and content of responses.

(a) *Form of notice granting a request.* After the FOIA Officer has made a determination to grant a request in whole or in part, the requester will be notified in writing. The notice will describe the manner in which the record will be disclosed, whether by providing a copy of the record with the response or at a later date, or by making a copy of the record available to the requester for inspection at a reasonable time and place. The procedure for such an inspection may not unreasonably disrupt OGE operations. The response letter will also inform the requester in the response of any fees to be charged in accordance with the provisions of subpart E of this part.

(b) *Form of notice denying a request.* When the FOIA Officer denies a request in whole or in part, the FOIA Officer will so notify the requester in writing. The response will be signed by the FOIA Officer and will include:

* * * * *

■ 24. Revise § 2604.304 to read as follows:

§ 2604.304 Appeal of denials.

(a) *Right of appeal.* If a request has been denied in whole or in part, the requester may appeal the denial by mail or email to the Program Counsel of the U.S. Office of Government Ethics. Requests sent by mail should be addressed to 1201 New York Avenue NW., Suite 500, Washington, DC 20005–3917. The envelope containing the request and the letter itself should both clearly indicate that the subject is a Freedom of Information Act appeal. Email requests should be sent to *usoge@oge.gov* and should indicate in the subject line that the message contains a Freedom of Information Act appeal.

(b) *Letter of appeal.* The appeal must be in writing and must be sent within 30 calendar days of receipt of the denial letter. An appeal should include a copy of the initial request, a copy of the letter denying the request in whole or in part, and a statement of the circumstances, reasons or arguments advanced in support of disclosure of the request for the record.

(c) *Action on appeal.* The disposition of an appeal will be in writing and will constitute the final action of OGE on a request. A decision affirming in whole or in part the denial of a request will include a brief statement of the reason or reasons for affirmance, including each FOIA exemption relied on. If the denial of a request is reversed in whole or in part on appeal, the request will be processed promptly in accordance with the decision on appeal.

(d) *Judicial review.* If the denial of the request for records is upheld in whole or in part, OGE will notify the person making the request of the right to seek judicial review under 5 U.S.C. 552(a)(4).

(e) *Dispute Resolution Services.* If the denial of the request for records is upheld in whole or in part, OGE will notify the requester about the dispute resolution services offered by the Office of Government Information Services (OGIS) and provide contact information for that office.

■ 25. Amend § 2604.305 by redesignating paragraph (a)(2) as (a)(3), adding new paragraph (a)(2), and revising paragraphs (a)(1) and (c) to read as follows:

§ 2604.305 Time limits.

(a)(1) *Initial request.* Following receipt of a request for records, the FOIA Officer will determine whether to comply with the request and will notify the requester in writing of the determination within 20 working days.

(2) *Tolling.* OGE may toll the 20-working day period once while awaiting a response to information reasonably requested from the requester. OGE may also toll the 20-working day period while awaiting a response to a request for clarification regarding fees. There is no limit on the number of times OGE may toll the statutory time period to request clarification regarding fees. In either case, the tolling period ends upon receipt of the requester's response to the request for information or clarification. If OGE does not receive a response to a request for clarification regarding fees within 30 calendar days, it will consider the request ''closed.''

* * * * *

(c) *Extension of time limits.* When additional time is required for one of the reasons stated in paragraph (d) of this section, OGE will, within the statutory 20-working day period, issue written notice to the requester setting forth the reasons for the extension and the date on which a determination is expected to be made. If more than 10 additional working days are needed, the requester will be notified and provided an opportunity to limit the scope of the request or to arrange for an alternative time frame for processing the request or a modified request. To aid the requester, OGE will make available its FOIA Public Liaison to assist in the resolution of any disputes.

* * * * *

■ 26. Amend § 2604.401 by revising paragraphs (a), (b), and the introductory text to paragraph (c) to read as follows:

§ 2604.401 Policy.

(a) *Policy on application of exemptions.* A requested record will not be withheld from inspection or copying unless it comes within one of the classes of records exempted by 5 U.S.C. 552. In making its determination on withholding, OGE will consider making discretionary disclosures of records exempt under the FOIA whenever disclosure is not prohibited by statute, Executive Order, or regulation and would not foreseeably harm an interest protected by a FOIA exemption.

(b) *Pledge of confidentiality.* Information obtained from any individual or organization, furnished in reliance on a provision for confidentiality authorized by applicable statute, Executive Order or regulation, will not be disclosed to the extent it can be withheld under one of the exemptions. However, this paragraph does not itself authorize the giving of any pledge of confidentiality by any officer or employee of OGE.

(c) *Exception for law enforcement information.* OGE may treat records compiled for law enforcement purposes as not subject to the requirements of the Freedom of Information Act when:

* * * * *

■ 27. Amend § 2604.402 by revising paragraphs (a), (c)(2), (d), paragraph (e) introductory text, and paragraphs (e)(3) and (f) to read as follows:

§ 2604.402 Business information.

(a) *In general.* Business information provided to OGE by a submitter will not be disclosed pursuant to a Freedom of Information Act request except in accordance with this section.

* * * * *

(c) * * *

* * * * *

(2) The FOIA Officer has reason to believe that the information may be protected from disclosure under Exemption 4 of the FOIA. Such written notice will either describe the exact nature of the business information requested or provide copies of the records containing the business information. The requester also will be notified that notice and an opportunity to object are being provided to a submitter.

(d) *Opportunity to object to disclosure.* OGE will give a submitter a reasonable time, up to 10 working days, from receipt of the predisclosure notification to provide a written statement of any objection to disclosure. Such statement will specify all the grounds for withholding any of the information under any exemption of the FOIA and, in the case of Exemption 4, will demonstrate why the information is deemed to be a trade secret or commercial or financial information that is privileged or confidential. Information provided by a submitter pursuant to this paragraph may itself be subject to disclosure under the FOIA.

(e) *Notice of intent to disclose.* The FOIA Officer will consider all objections raised by a submitter and specific grounds for nondisclosure prior to determining whether to disclose business information. Whenever the FOIA Officer decides to disclose business information over the objection of a submitter, the FOIA Officer will send the submitter a written notice at least 10 working days before the date of disclosure containing:

* * * * *

(3) A specified disclosure date. The requester will also be notified of the FOIA Officer's determination to disclose records over a submitter's objections.

(f) *Notice of FOIA lawsuit.* Whenever a requester brings suit seeking to compel disclosure of business information, the FOIA Officer will promptly notify the submitter.

* * * * *

■ 28. Amend § 2604.501 by revising paragraphs (a), (b)(1), (b)(2), and (b)(4) to read as follows:

§ 2604.501 Fees to be charged—general.

(a) *Policy.* Fees will be assessed according to the schedule contained in paragraph (b) of this section and the category of requesters described in § 2604.502 for services rendered in responding to and processing requests for records under subpart C of this part. All fees will be charged to the requester, except where the charging of fees is limited under § 2604.503(a) and (b) or where a waiver or reduction of fees is granted under § 2604.503(c). Requesters will pay fees by check or money order made payable to the Treasury of the United States.

(b) * * *

(1) *Searches*—(i) *Manual searches for records.* Whenever feasible, OGE will charge at the salary rate (*i.e.,* basic pay plus 16%) of the employee making the search. However, where a homogeneous class of personnel is used exclusively in a search (*e.g.,* all clerical time or all professional time) OGE will charge $16.00 per hour for clerical time and $28.00 per hour for professional time. Charges for search time will be billed by 15 minute segments.

(ii) *Computer searches for records.* Requesters will be charged the actual direct cost of conducting a search using existing programming. These direct costs will include the cost of operating a central processing unit for that portion of operating time that is directly attributable to searching for records responsive to a request, as well as the cost of operator/programmer salary apportionable to the search. OGE will not alter or develop programming to conduct a search.

(iii) *Unproductive searches.* OGE will charge search fees even if no records are found which are responsive to the request, or if the records found are exempt from disclosure.

(2) *Duplication.* The standard copying charge for documents in paper copy is $0.15 per page. When responsive information is provided in a format other than paper copy, such as in the form of computer tapes, flash drives, and discs, the requester may be charged the direct costs of the medium used to produce the information, as well as any related reproduction costs.

* * * * *

(4) *Other services and materials.* Where OGE elects, as a matter of administrative discretion, to comply with a request for a special service or materials, such as certifying that records are true copies or sending records by special methods, the actual direct costs of providing the service or materials will be charged.

■ 29. Revise § 2604.502 to read as follows:

§ 2604.502 Fees to be charged—categories of requesters.

(a) *Fees for various requester categories.* The paragraphs below state, for each category of requester, the type of fees generally charged by OGE. However, for each of these categories, the fees may be limited, waived or reduced in accordance with the provisions set forth in § 2604.503. In determining whether a requester belongs in any of the following categories, OGE will determine the use to which the requester will put the documents requested. If OGE has reasonable cause to doubt the use to which the requester will put the records sought, or where the use is not clear from the request itself, OGE will seek clarification before assigning the request to a specific category.

(b) *Commercial use requester.* OGE will charge the full costs of search, review, and duplication. Commercial use requesters are not entitled to two hours of free search time or 100 free pages of reproduction as described in § 2604.503(a); however, the minimum fees provision of § 2604.503(b) does apply to such requesters.

(c) *Educational and noncommercial scientific institutions and news media.* If the request is from an educational institution or a noncommercial scientific institution, operated for scholarly or scientific research, or a representative of the news media, and the request is not for a commercial use, OGE will charge only for duplication of documents, excluding charges for the first 100 pages.

(d) *All other requesters.* If the request is not one described in paragraph (b) or (c) of this section, OGE will charge the full and direct costs of searching for and reproducing records that are responsive to the request, excluding the first 100 pages of duplication and the first two hours of search time.

■ 30. Amend § 2604.503 by revising paragraphs (a), (b), (c) introductory text, (c)(1) introductory text, (c)(2), and (c)(3), and adding paragraph (d) to read as follows:

§ 2604.503 Limitations on charging fees.

(a) *In general.* Except for requesters seeking records for a commercial use as described in § 2604.502(b), OGE will provide, without charge, the first 100 pages of duplication and the first two hours of search time, or their cost equivalent.

(b) *Minimum fees.* OGE will not assess fees for individual requests if the total charge would be $10.00 or less.

(c) *Waiver or reduction of fees.* Records responsive to a request under 5 U.S.C. 552 will be furnished without charge or at a reduced charge where OGE determines, based upon information provided by a requester in support of a fee waiver request, that disclosure of the requested information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the Government and is not primarily in the commercial interest of the requester. Requests for a waiver or reduction of fees will be considered on a case-by-case basis.

(1) In determining whether disclosure is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the Government, OGE will consider the following factors:

* * * * *

(2) In determining whether disclosure of the requested information is not primarily in the commercial interest of the requester, OGE will consider the following factors:

(i) *The existence and magnitude of a commercial interest:* Whether the requester has a commercial interest that would be furthered by the requested disclosure. OGE will consider all commercial interests of the requester, or any person on whose behalf the requester may be acting, which would be furthered by the requested disclosure. In assessing the magnitude of identified commercial interests, consideration will be given to the effect that the information disclosed would have on those commercial interests; and

(ii) *The primary interest in disclosure:* Whether the magnitude of the identified commercial interest of the requester is sufficiently large, in comparison with the public interest in disclosure, that disclosure is primarily in the commercial interest of the requester. A fee waiver or reduction is warranted only where the public interest can fairly be regarded as greater in magnitude than the requester's commercial interest in disclosure. OGE will ordinarily presume that, where a news media requester has satisfied the public interest standard, the public interest will be served primarily by disclosure to that requester. Disclosure to data brokers and others who compile and market Government information for direct economic return will not be presumed to primarily serve the public interest.

(3) Where only a portion of the requested record satisfies the requirements for a waiver or reduction of fees under this paragraph, a waiver or reduction will be granted only as to that portion.

* * * * *

(d) If OGE does not comply with one of the time limits under § 2604.305, it will not assess search fees (or, in the case of a requester described under § 2604.502(c), duplication fees), unless unusual or exceptional circumstances apply, as defined in 5 U.S.C. 552(a)(6)(B) and (C).

■ 31. Amend § 2604.504 by revising paragraphs (a), (b), (c)(1) through (3), (d), and (e) to read as follows:

§ 2604.504 Miscellaneous fee provisions.

(a) *Notice of anticipated fees in excess of $25.00.* Where OGE determines or estimates that the fees to be assessed under this section may amount to more than $25.00, it will notify the requester as soon as practicable of the actual or estimated amount of fees, unless the requester has indicated in advance the willingness to pay fees as high as those anticipated. Where a requester has been notified that the actual or estimated fees may exceed $25.00, the request will be deemed not to have been received until the requester has agreed to pay the anticipated total fee. A notice to the requester pursuant to this paragraph will include the opportunity to confer with OGE personnel in order to reformulate the request to meet the requester's needs at a lower cost.

(b) *Aggregating requests.* A requester may not file multiple requests, each seeking portions of a document or documents in order to avoid the payment of fees. Where there is reason to believe that a requester, or group of requesters acting in concert, is attempting to divide a request into a series of requests for the purpose of evading the assessment of fees, OGE

may aggregate the requests and charge accordingly. OGE will presume that multiple requests of this type made within a 30-calendar day period have been made in order to evade fees. Multiple requests regarding unrelated matters will not be aggregated.

(c) * * *

(1) OGE estimates or determines that the total fee to be assessed under this section is likely to exceed $250.00. When a determination is made that the allowable charges are likely to exceed $250.00, the requester will be notified of the likely cost and will be required to provide satisfactory assurance of full payment where the requester has a history of prompt payment of FOIA fees, or will be required to submit an advance payment of an amount up to the full estimated charges in the case of requesters with no history of payment; or

(2) A requester has previously failed to pay a fee charged in a timely fashion (*i.e.,* within 30 calendar days of the date of the billing). In such cases the requester may be required to pay the full amount owed plus any applicable interest as provided by paragraph (e) of this section, and to make an advance payment of the full amount of the estimated fee before OGE begins to process a new request.

(3) When OGE requests an advance payment of fees, the administrative time limits described in subsection (a)(6) of the FOIA will begin to run only after OGE has received the advance payment.

(d) *Billing and payment.* Normally OGE will require a requester to pay all fees before furnishing the requested records. However, OGE may send a bill along with, or following the furnishing of records, in cases where the requester has a history of prompt payment.

(e) *Interest charges.* Interest charges on an unpaid bill may be assessed starting on the 31st calendar day following the day on which the billing was sent. Interest will be at the rate prescribed in 31 U.S.C. 3717 and will accrue from the date of billing. To collect unpaid bills, OGE will follow the provisions of the Debt Collection Act of 1982, as amended (96 Stat. 1749 *et seq.*) including the use of consumer reporting agencies, collection agencies, and offset.

■ 32. Revise § 2604.601 to read as follows:

§ 2604.601 Electronic posting and submission of annual OGE FOIA report.

On or before February 1 of each year, OGE will electronically post on its Web site and submit to the Office of Information and Privacy at the United States Department of Justice a report of its activities relating to the Freedom of Information Act (FOIA) during the preceding fiscal year. The report will include the information required by 5 U.S.C. 552(e).

§ 2604.602 [Removed]

■ 33. Remove § 2604.602.

■ 34. Revise § 2604.701 to read as follows:

§ 2604.701 Policy.

Fees for the reproduction and mailing of public financial disclosure reports (SF 278s) requested pursuant to section 105 of the Ethics in Government Act of 1978, as amended, and § 2634.603 of this chapter will be assessed according to the schedule contained in § 2604.702. Requesters will pay fees by check or money order made payable to the Treasury of the United States. Except as provided in § 2604.702(d), nothing concerning fees in subpart E of this part supersedes the charges set forth in this subpart for records covered in this subpart.

■ 35. Amend § 2604.702 by revising paragraphs (a), (b), and (c) to read as follows:

§ 2604.702 Charges.

(a) *Duplication.* Except as provided in paragraph (c) of this section, copies of public financial disclosure reports (SF 278s) requested pursuant to section 105 of the Ethics in Government Act of 1978, as amended, and § 2634.603 of this chapter will be provided upon payment of $0.15 per page furnished.

(b) *Mailing.* Except as provided in paragraph (c) of this section, the actual direct cost of mailing public financial disclosure reports will be charged for all forms requested. Where OGE elects to comply, as a matter of administrative discretion, with a request for special mailing services, the actual direct cost of such service will be charged.

(c) *Minimum fees.* OGE will not assess fees for individual requests if the total charge would be $10.00 or less.

* * * * *

[FR Doc. 2015–07376 Filed 4–2–15; 8:45 am]

BILLING CODE 6345–03–P

DEPARTMENT OF ENERGY

10 CFR Part 430

[Docket No. EERE–2012–BT–STD–0022]

RIN 1904–AC78

Energy Conservation Program for Consumer Products: Energy Conservation Standards for Residential Water Heaters

AGENCY: Office of Energy Efficiency and Renewable Energy, Department of Energy.

ACTION: Proposed rule; withdrawal.

SUMMARY: The U.S. Department of Energy (DOE) withdraws a proposed rule published in the **Federal Register** on February 26, 2013 that proposed to establish a waiver process to allow the manufacture and sale of certain large-volume (>55 gallon) electric storage water heaters under 1-year waivers granted by DOE, provided that a specific set of features are included and conditions are met to ensure their use only in residences enrolled in utility electric thermal storage (ETS) programs.

DATES: The proposed rule published on February 26, 2013 at 78 FR 12969 is withdrawn as of April 3, 2015.

FOR FURTHER INFORMATION CONTACT:

Ms. Ashley Armstrong, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies, EE–2J, 1000 Independence Avenue SW., Washington, DC 20585–0121. Telephone: (202) 586–6590. Email: *Ashley.Armstrong@ee.doe.gov.*

Mr. Eric Stas, U.S. Department of Energy, Office of the General Counsel, GC–33, 1000 Independence Avenue SW., Washington, DC 20585–0121. Telephone: (202) 586–5827. Email: *Eric.Stas@hq.doe.gov.*

SUPPLEMENTARY INFORMATION:

I. Authority

Title III, Part B [1] of the Energy Policy and Conservation Act of 1975 (''EPCA'' or ''the Act''), Public Law 94–163 (42 U.S.C. 6291–6309, as codified) established the Energy Conservation Program for Consumer Products Other Than Automobiles.[2] These products include residential water heaters (RWH), the subject of this document. (42 U.S.C. 6292(a)(4))

[1] For editorial reasons, upon codification in the U.S. Code, Part B was redesignated as Part A.

[2] All references to EPCA in this document refer to the statute as amended through the American Energy Manufacturing Technical Corrections Act (AEMTCA), Public Law 112–210 (Dec. 18, 2012).

II. Background

The National Appliance Energy Conservation Act of 1987 (NAECA; Pub. L. 100–12) amended EPCA to, among other things, establish energy conservation standards for residential water heaters. (42 U.S.C. 6295(e)(1); 42 U.S.C. 6295(e)(4)) DOE initially amended the statutorily prescribed standards for water heaters in a final rule published on January 17, 2001. 66 FR 4474 (Jan. 17, 2001). Subsequently, DOE amended the residential water heater standards a second time in another final rule published on April 16, 2010 (hereinafter known as the April 2010 final rule). 73 FR 20112 (April 16, 2010).

The energy conservation standards for residential water heaters adopted in the April 2010 final rule will apply to products manufactured on or after April 16, 2015. 75 FR 20234 (April 16, 2010). The amended energy conservation standards consist of minimum energy factors [3] (EF) that vary based on the rated storage volume of the water heater, the type of energy it uses (*i.e.,* gas, oil, or electricity), and whether it is a storage, instantaneous, or tabletop model. 10 CFR 430.32(d) Of particular relevance to this notice, electric water heaters with a rated storage volume above 55 gallons (referred to hereinafter as ''large-volume'' electric storage water heaters) will be required to have an energy factor of at least 2.057 − (0.00113 × Rated Storage Volume in gallons). *Id.* Such a level is currently achievable only by using heat pump water heater technology and cannot be achieved in electric water heaters that rely solely on electric resistance elements.

Subsequent to the publication of the April 2010 final rule, several stakeholders indicated to DOE their concerns about the interaction of the amended standards in the April 2010 final rule and the use of large-volume electric storage water heaters in utility ETS programs. To gather additional information on the impact of the amended standard established in the April 2010 final rule on ETS programs that use large-volume electric storage water heaters, DOE issued a request for information (RFI) and received numerous additional comments on these topics. 77 FR 35299 (June 13, 2012). After considering comments submitted by interested parties, DOE published a notice of proposed rulemaking (NOPR) proposing to establish a waiver process to allow any manufacturer, utility, or a combination of the two to request a waiver granting an exemption from the amended energy conservation standards established in the April 2010 final rule for certain large-volume electric storage water heaters used in an ETS program. 78 FR 12969 (Feb. 26, 2013). As proposed, each waiver would have allowed manufacturers to produce, for a 1-year period, a limited number of large-volume electric storage water heaters that would not otherwise meet the April 2010 amended standard levels, provided that a specific set of features are included and conditions are met to ensure their use exclusively in utility ETS programs. More information on DOE's waiver proposal and stakeholder feedback can be found in the rulemaking docket.[4]

III. Discussion

By this document, DOE withdraws its February 26, 2013 NOPR. DOE commissioned a study to examine the capability of large-capacity water heaters, both resistance and heat pump, to support ETS programs and found both water heater types worked for such programs. For additional discussion of the capability of using large-volume electric storage water heaters that meet the April 2010 amended standard levels to support utility ETS programs, see the following reports: *http://www.pnnl.gov/main/publications/external/technical_reports/PNNL-23527.pdf and http://www.pnnl.gov/main/publications/external/technical_reports/PNNL–23697.pdf.*

IV. Approval of the Office of the Secretary

The Secretary of Energy has approved publication of this withdrawal.

Issued in Washington, DC, on March 26, 2015.

Roland Risser,

Acting Deputy Assistant Secretary for Energy Efficiency, Energy Efficiency and Renewable Energy.

[FR Doc. 2015–07706 Filed 4–2–15; 8:45 am]

BILLING CODE 6450–01–P

[3] Energy factor is a measure of overall water heater efficiency that accounts for efficiency during active, standby, and cyclical operation.

[4] *http://www.regulations.gov/#!docketDetail;D=EERE-2012-BT-STD-0022.*

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 193

[Docket No.: FAA–2014–0142]

RIN 2120–AA66

Federal Contract Tower Safety Action Program (SAFER–FCT and Air Traffic Safety Action Program for Engineers & Architects, Staff Support Specialists, Aviation Technical System Specialists (Series 2186) and Flight Procedures Team (ATSAP–X)

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of Proposed Order Designating Safety Information as Protected from Disclosure

SUMMARY: The FAA is proposing that safety information provided to it by Federal Contract Tower employees (hereinafter ''Vendor'') under the SAFER–FCT Program or by Air Traffic Organization Engineers & Architects, Staff Support Specialists, Aviation Technical System Specialists (Series 2186) and Flight Procedures Team (hereinafter ''Region X'') under the ATSAP–X program be designated by an FAA Order as protected from public disclosure in accordance with the provisions of 14 CFR part 193. The designation is intended to encourage persons to voluntarily provide information to the FAA under the SAFER–FCT or the ATSAP–X safety reporting programs, so the FAA can learn about and address aviation safety hazards of which it was unaware or more fully understand and implement corrective measures for events known by it through other means. Under 49 U.S.C. 40123, the FAA is required to protect information from disclosure to the public, including disclosure under the Freedom of Information Act (5 U.S.C. 552) or other laws, following the issuance of such Order.

DATES: Comments must be received on or before May 4, 2015.

ADDRESSES: You may send comments identified by docket number FAA–2014–0142 using any of the following methods: via mail to U.S. Department of Transportation, Docket Operations, M–30, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12–140, Washington DC 20590–0339; telephone (202) 366–9826. You must identify the FAA Docket No. FAA–2014–0142 at the beginning of your comments. You may also submit comments through the Internet at *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Coleen Hawrysko—Group Manager, ATO Safety Programs, Federal Aviation Administration, 490 L'Enfant Plaza, Suite 7200, Washington, DC 20024 or via email at *coleen.hawrysko@faa.gov* or phone at 202–267–8807.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested parties are invited to participate in this proposed designation 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 clearly identify docket number FAA–2014–0142 and be submitted in triplicate to the Docket Management System (see **ADDRESSES** section for address and phone number). Commenters wishing the FAA to acknowledge receipt of their comments on this action must submit with those comments a self-addressed stamped postcard on which the following statement is made: ''Comments to FAA–2014–0142. The postcard will be date/time stamped and returned to the commenter.

All communications received on or before the closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this action may be changed in light of comments received. All comments submitted will be available for examination in the public docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this proposed designation will be filed in the docket.

Availability of This Proposed Designation

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.gov/airports_airtraffic/air_traffic/publications.*

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office (see the **ADDRESSES** section for the 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 Northwest Mountain Regional Office of the Federal Aviation Administration, Air Traffic Organization, Western Service Center, Operations Support Group, 1601 Lind Avenue SW., Renton, WA 98057.

You can get an electronic copy using the Internet by:

1. Searching the Department of Transportation's electronic Docket Management System (DMS) Web page); *http://www.regulations.gov;*
2. Visiting the FAA's Regulations and Polices Web page at *http://www.faa.gov/regulations_policies;* or
3. Accessing the Government Publishing Office's Web page at *http://www.gpo.gov/fdsys/browse/collection.action?collectionCode=FR.*

Privacy Act: Using the search function of our docket Web site, anyone can find and read the comments received into any of our dockets, including the name of the individual sending the comment (or signing the comment 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) or you may visit *http://www.regulations.gov.*

Background

Under Title 49 of the United States Code (49 U.S.C.), section 40123, certain voluntarily provided safety and security information is protected from disclosure in order to encourage persons to provide the information. The FAA must first issue an Order that specifies why the agency finds that the information should be protected in accordance with 49 U.S.C., section 40123. The FAA's rules for implementing that section are in 14 CFR part 193. If the Administrator issues an Order designating information as protected under 49 U.S.C., section 40123, that information will not be disclosed under the Freedom of Information Act (Title 5 of the United States Code (5 U.S.C.), section 552) or other laws, except as provided in 49 U.S.C. 40123, 14 CFR part 193, and the Order designating the information as protected. This Order is issued under part 193, section 193.11, which sets out the notice procedure for designating information as protected.

2. Applicability

This proposed designation is applicable to any FAA office that receives information covered under this designation from the SAFER–FCT Program or the ATSAP–X Program, both of which will be incorporated in FAA Order 7200.20, Voluntary Safety Reporting Programs. The proposed designation would also apply to any other government agency that receives such information from the FAA. For any other government agency to receive SAFER–FCT or ATSAP–X information covered under the proposed designation from the FAA, each such agency must first stipulate, in writing, that it will abide by the provisions of part 193 and the Order designating the SAFER–FCT and ATSAP–X information as protected from public disclosure under 14 CFR part 193.

3. Summary

a. *Qualified Participants.* Region X employees who are covered under the Consolidated Collective Bargaining agreement (CBA) between NATCA and the FAA effective May 22, 2013, or its successor, and other employees identified in FAA Order 7200.22 which will be incorporated in FAA Order 7200.20, are eligible to complete a ATSAP–X report for events that occur while acting in that capacity. Vendor employees Union or Non-Union who are covered under the FAA and the Federal Contract Tower September 2011 contract, or its successor, and other employees identified in FAA Order 7200.20 are eligible to complete a SAFER–FCT report for events that occur while acting in that capacity.

b. Voluntarily-Provided Information Protected From Disclosure Under the Proposed Designation

Except for SAFER–FCT or ATSAP–X reports that involve possible criminal conduct, substance abuse, controlled substances, alcohol, or intentional falsification, the following information would be protected from disclosure:

(1) the content of any report concerning an aviation safety or security matter that is submitted by a qualified participant under the SAFER–FCT or ATSAP–X that is accepted into either program, including the SAFER–FCT or ATSAP–X report, and the name of the submitter of the report. Notwithstanding the foregoing, mandatory information about occurrences that are required to be reported under FAA Orders or ATO guidance is not protected under this designation, unless the same information has also been submitted or reported under other procedures prescribed by the Agency. The exclusion is necessary to assure that the information protected under this designation has been voluntarily submitted. It also permits changes to ATO Orders and guidance without requiring a change to this designation.

(2) Any evidence gathered by the Event Review Committee during its investigation of a safety- or security-

related event reported under SAFER–FCT or ATSAP–X, including the SAFER–FCT or ATSAP–X investigative file.

Note: The type of information or circumstances under which the information listed above would not be protected from disclosure is discussed in paragraph 3.b of this Order.

c. *Ways to Participate.* FAA employees who are qualified participants register for, and submit a report into, the system.

d. *Duration of This Information-Sharing Program.* This program continues as long as it is provided for by Order or a collective bargaining agreement.

4. Findings

The FAA designates information received from a SAFER–FCT or ATSAP–X submission as protected under 49 U.S.C. 40123 and 14 CFR 193.7, based on the following findings:

a. *Summary of why the FAA finds that the information will be provided voluntarily.* The FAA finds that the information will be provided voluntarily. This finding is supported by the significant increase in reports of safety-related matters since the implementation of voluntary safety reporting programs. No FAA or Vendor employee is required to participate in the SAFER–FCT or ATSAP–X.

b. *Description of the type of information that may be voluntarily provided under the program and a summary of why the FAA finds that the information is safety- related.*

(1) The following types of reports are ordinarily submitted under the SAFER–FCT or ATSAP–X:

i. *Noncompliance reports.* Noncompliance reports identify specific instances of a failure to follow FAA directives.

ii. *Aviation safety concern reports.* Aviation safety concerns that do not involve specific noncompliance with FAA directives. These may include, but are not limited to potential safety events or perceived problems with policies, procedures, and equipment.

(2) Region X employees support the design, delivery and efficiency of flight services throughout the National Airspace System (NAS) facilities, systems and equipment. Reports submitted by these employees under ATSAP–X ordinarily involve matters or observations occurring during the performance of their job responsibilities, and therefore the information submitted is inherently safety related. Vendor employees provide and support the provision of air traffic services at Federal Contract Tower facilities throughout the NAS. Reports submitted by these employees under SAFER–FCT ordinarily involve occurrences or problems identified or experienced during the performance of their job responsibilities which directly affect safety.

c. *Summary of why the FAA finds that the disclosure of the information would inhibit persons from voluntarily providing that type of information.*

The FAA finds that disclosure of the information would inhibit the voluntary provision of that type of information. Employees are unwilling to voluntarily provide detailed information about safety events and concerns, including those that might involve their own failures to follow Agency directives and policies, if such information could be released publicly. If information is publicly disclosed, there is a strong likelihood that the information could be misused for purposes other than to address and resolve the reported safety concern. Unless the FAA can provide assurance that safety-related reports will be withheld from public disclosure, employees will not participate in the programs.

d. *Summary of why the receipt of that type of information aids in fulfilling the FAA's safety responsibilities.*

The FAA finds that receipt of information in SAFER–FCT or ATSAP–X reports aids in fulfilling the FAA's safety responsibilities. Because of its capacity to provide early identification of needed safety improvements, this information offers significant potential for addressing hazards that could lead to incidents or accidents. In particular, one of the benefits of both the SAFER–FCT and ATSAP–X is that they encourage the submission of narrative descriptions of occurrences that provide more detailed information than is otherwise available. The SAFER–FCT and ATSAP–X have produced safety-related data that is not available from any other source. Receipt of this previously unavailable information has provided the FAA with an improved basis for modifying procedures, policies, and regulations to improve safety and efficiency.

e. *Consistencies and inconsistencies with FAA safety responsibilities.*

The FAA finds that withholding SAFER–FCT and ATSAP–X information from public release is consistent with the FAA's safety responsibilities, because it encourages individuals to provide important safety information that it otherwise might not receive.

(1) Withholding SAFER–FCT and ATSAP–X information from disclosure, as described in this designation, is consistent with the FAA's safety responsibilities. Without the Agency's ability to assure that the detailed information reported under these programs, which often explains why the event occurred or describes underlying problems, will not be disclosed, the information will not be provided to the FAA. Employees are concerned that public release of the information could result in potential misuses of the information that could affect them negatively. If the FAA does not receive the information, the FAA and the public will be deprived of the opportunity to make the safety improvements that receipt of the information otherwise enables. Corrective action under SAFER–FCT and ATSAP–X can be accomplished without disclosure of protected information. For example, for acceptance under both programs, the reporting employee must comply with Event Review Committee recommendations for corrective action, such as additional training for an employee. If the employee fails to complete corrective action in a manner satisfactory to all members of the Event Review Committee, the event may be referred to an appropriate office within the FAA for any additional investigation, reexamination, and/or action, as appropriate.

(2) The FAA may release SAFER–FCT or ATSAP–X information submitted to the agency, as specified in Part 193 and this Order. For example, to explain the need for changes in FAA policies, procedures, and regulations, the FAA may disclose de-identified, summarized information that has been derived from SAFER–FCT or ATSAP–X reports or extracted from the protected information listed under paragraph 5b. The FAA may disclose de-identified, summarized SAFER–FCT or ATSAP–X information that identifies a systemic problem in the NAS, when a party needs to be advised of the problem in order to take corrective action. Under the current version of FAA Order N JO 7200.20, reported events and possible violations may be subject to investigation, reexamination, and/or action. Although the report itself and the content of the report are not used as evidence, the FAA may use the knowledge of the event or possible violation to generate an investigation, and, in that regard, the information is not protected from disclosure. To withhold information from such limited release would be inconsistent with the FAA's safety responsibilities. In addition, reports that appear to involve possible criminal activity, substance abuse, controlled substances, alcohol, or

intentional falsification will be referred to an appropriate FAA office for further handling. The FAA may use such reports for enforcement purposes, and will refer such reports to law enforcement agencies, if appropriate. To withhold information in these circumstances would be inconsistent with the agency's safety responsibilities because it could prevent, or at least diminish the FAA's ability to effectively address egregious misconduct.

f. *Summary of how the FAA will distinguish information protected under part 193 from information the FAA receives from other sources.*

All employee SAFER–FCT and ATSAP–X reports are clearly labeled as such. Each employee must submit their own report.

5. Designation

The FAA designates the information described in paragraph 5b to be protected from disclosure in accordance with 49 U.S.C., section 40123 and 14 CFR part 193.

Issued in Washington, DC on March 27, 2015.

Michael P. Huerta,

Administrator, Federal Aviation Administration.

[FR Doc. 2015–07743 Filed 4–2–15; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[REG–133489–13]

RIN 1545–BL76

Allocation of Controlled Group Research Credit

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of proposed rulemaking by cross-reference to temporary regulations and notice of public hearing.

SUMMARY: This document contains proposed regulations relating to the allocation of the group credit. The proposed regulations will affect certain taxpayers claiming the credit. In the Rules and Regulations section of this issue of the **Federal Register**, the IRS is issuing temporary regulations providing guidance relating to the allocation of the credit for increasing research activities (research credit) to corporations and trades or businesses under common control (controlled groups). The temporary regulations also contain rules relating to the allocation of the railroad track maintenance credit (RTMC) and the election for a reduced research credit. The text of the temporary regulations also serves as the text of these proposed regulations.

DATES: Comments and requests for a public hearing must be received by July 2, 2015.

ADDRESSES: Send submissions to: CC:PA:LPD:PR (REG–133489–13), Room 5203, Internal Revenue Service, P.O. Box 7604, Ben Franklin Station, Washington, DC 20044. Submissions may be hand delivered Monday through Friday between the hours of 8 a.m. and 4 p.m. to: CC:PA:LPD:PR (REG–133489–13), Courier's Desk, Internal Revenue Service, 1111 Constitution Avenue NW., Washington, DC. Submissions may also be sent electronically via the Federal eRulemaking Portal at *www.regulations.gov* (IRS REG–133489–13). The public hearing will be held in the IRS Auditorium, Internal Revenue Building, 1111 Constitution Avenue NW., Washington, DC.

FOR FURTHER INFORMATION CONTACT: Concerning the regulations, James A. Holmes, (202) 317–4137; concerning submission of comments, the hearing, and/or to be placed on the building access list to attend the hearing, Oluwafunmilayo (Funmi) Taylor at (202) 317–6901 (not toll-free numbers).

SUPPLEMENTARY INFORMATION:

Background

Temporary regulations in the Rules and Regulations section of this issue of the **Federal Register** amend the Income Tax Regulations (26 CFR part 1) relating to section 41. The temporary regulations amend §§ 1.41–6,1.45G–1, and 1.280C–4. The regulations are being prescribed to update the regulations in a manner that is consistent with the amendments made to sections 41(f)(1)(A)(ii) and 41(f)(1)(B)(ii) in Section 301(c) of the Act. The text of the temporary regulations also serves as the text of these proposed regulations. The preamble to those regulations explains the amendments.

Special Analyses

It has been determined that this notice of proposed rulemaking is not a significant regulatory action as defined in Executive Order 12866. Therefore, a regulatory assessment is not required. It also has been determined that section 553(b) of the Administrative Procedure Act (5 U.S.C. chapter 5) does not apply to these regulations, and because the regulations do not impose a collection of information on small entities, the Regulatory Flexibility Act (5 U.S.C. chapter 6) does not apply. Pursuant to section 7805(f) of the Internal Revenue Code, this notice of proposed rulemaking will be submitted to the Chief Counsel for Advocacy of the Small Business Administration for comment on their impact on small business.

Comments and Public Hearing

Before these proposed regulations are adopted as final regulations, consideration will be given to any comments that are submitted timely to the IRS. The Treasury Department and the IRS request comments on all aspects of the proposed rules. All comments will be available at *www.regulations.gov* or upon request.

A public hearing will be scheduled if requested in writing by any person that timely submits written comments. If a public hearing is scheduled, notice of the date, time, and place for the public hearing will be published in the **Federal Register**.

Drafting Information

The principal author of these regulations is James A. Holmes, Office of Associate Chief Counsel (Passthroughs and Special Industries), IRS. However, other personnel from the IRS and Treasury Department participated in their development.

List of Subjects in 26 CFR Part 1

Income taxes, Reporting and recordkeeping requirements.

Proposed Amendments to the Regulations

Accordingly, 26 CFR part 1 is proposed to be amended as follows:

PART 1—INCOME TAXES

■ **Paragraph 1.** The authority citation for part 1 continues to read, in part as follows:

Authority: 26 U.S.C. 7805 * * *

Section 1.41–6 also issued under 26 U.S.C. 41(f)(1) * * *

Section 1.45G–1 also issued under 26 U.S.C. 45G(e)(2) * * *

Section 1.280C–4 also issued under 26 U.S.C. 280C(c)(4) * * *

■ **Par. 2.** Section 1.41–6 is amended to read as follows:

§ 1.41–6. Aggregation of expenditures.

[The text of the amendments to this proposed section is the same as the text of § 1.41–6T published elsewhere in this issue of the **Federal Register**].

■ **Par. 3.** Section 1.45G–1 is amended to read as follows:

§ 1.45G–1. Railroad track maintenance credit.

[The text of the amendments to this proposed section is the same as the text

of § 1.45G–1T published elsewhere in this issue of the **Federal Register**].

■ **Par. 4.** Section 1.280C–4 is amended to read as follows.

§ 1.280C–4. Credit for increasing research activities.

[The text of the amendments to this proposed section is the same as the text of § 1.280C–4T published elsewhere in this issue of the **Federal Register**].

John M. Dalrymple,

Deputy Commissioner for Services and Enforcement.

[FR Doc. 2015–07380 Filed 4–2–15; 8:45 am]

BILLING CODE 4830–01–P

PENSION BENEFIT GUARANTY CORPORATION

29 CFR Parts 4000, 4041A, and 4281

RIN 1212–AB28

Multiemployer Plans; Electronic Filing Requirements

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Proposed rule.

SUMMARY: The Pension Benefit Guaranty Corporation (PBGC) is proposing to amend its regulations to require electronic filing of certain multiemployer notices. These changes would make the provision of information to PBGC more efficient and effective.

DATES: Comments must be submitted on or before June 2, 2015.

ADDRESSES: Comments, identified by Regulation Identifier Number (RIN) 1212–AB28, may be submitted by any of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the Web site instructions for submitting comments.
- *Email: reg.comments@pbgc.gov.*
- *Fax:* 202–326–4112.
- *Mail or Hand Delivery:* Regulatory Affairs Group, Office of the General Counsel, Pension Benefit Guaranty Corporation, 1200 K Street NW., Washington, DC 20005–4026.

All submissions must include the Regulation Identifier Number for this rulemaking (RIN 1212–AB28). Comments received, including personal information provided, will be posted to *www.pbgc.gov.* Copies of comments may also be obtained by writing to Disclosure Division, Office of the General Counsel, Pension Benefit Guaranty Corporation, 1200 K Street NW., Washington DC 20005–4026, or calling 202–326–4040 during normal business hours. (TTY and TDD users may call the Federal relay service toll-free at 1–800–877–8339 and ask to be connected to 202–326–4040.)

FOR FURTHER INFORMATION CONTACT: Catherine B. Klion (*klion.catherine@pbgc.gov*), Assistant General Counsel for Regulatory Affairs, or Donald McCabe (*mccabe.donald@pbgc.gov*), Attorney, Office of the General Counsel, Pension Benefit Guaranty Corporation, 1200 K Street NW., Washington, DC 20005–4026; 202–326–4024. (TTY/TDD users may call the Federal relay service toll-free at 1–800–877–8339 and ask to be connected to 202–326–4024.)

SUPPLEMENTARY INFORMATION:

Executive Summary

Purpose of the Regulatory Action

This proposed rule is part of PBGC's ongoing implementation of the Government Paperwork Elimination Act and is consistent with the Office of Management and Budget's directive to remove regulatory impediments to electronic transactions. The proposal builds in flexibility to allow PBGC to update the electronic filing process as technology advances.

PBGC's legal authority for this regulatory action comes from section 4002(b)(3) of the Employee Retirement Income Security Act of 1974 (ERISA), which authorizes PBGC to issue regulations to carry out the purposes of title IV of ERISA; section 4041A(f)(2), which gives PBGC authority to prescribe reporting requirements for terminated plans; section 4245(e)(4), which authorizes PBGC to issue regulations on notices related to insolvency and resource benefit levels; and section 4281(d), which directs PBGC to prescribe by regulation the notice requirements to plan participants and beneficiaries in the event of a benefit suspension under an insolvent plan.

This proposed rule does *not* involve any conforming amendments reflecting the Multiemployer Pension Reform Act of 2014 (MPRA).[1] PBGC expects to address such changes in a future rulemaking.

Major Provisions of the Regulatory Action

This proposed rule would require the following notices to be filed electronically with PBGC: notices of termination under part 4041A, notices of insolvency and of insolvency benefit level under parts 4245 and 4281, and applications for financial assistance under part 4281.

[1] Division O of the Consolidated and Further Continuing Appropriations Act, 2015, Public Law No. 113–235, enacted December 16, 2014.

Background

The Pension Benefit Guaranty Corporation (PBGC) is a federal corporation created under the Employee Retirement Income Security Act of 1974 (ERISA) to guarantee the payment of pension benefits earned by more than 41 million American workers and retirees in nearly 24,000 private-sector defined benefit pension plans. PBGC administers two insurance programs—one for single-employer defined benefit pension plans and a second for multiemployer defined benefit pension plans.

The multiemployer program protects benefits of approximately 10 million workers and retirees in approximately 1,400 plans. A multiemployer plan is a collectively bargained pension arrangement involving two or more unrelated employers, usually in a common industry such as construction or trucking, where workers move from employer to employer on a regular basis. Under PBGC's multiemployer program, when a plan becomes insolvent, PBGC provides financial assistance directly to the insolvent plan sufficient to pay guaranteed benefits to participants and beneficiaries, and the reasonable and necessary administrative expenses of the insolvent plan.

Multiemployer Plan Notices

ERISA section 4041A provides for two types of multiemployer plan terminations: mass withdrawal and plan amendment. A mass withdrawal termination occurs when all employers withdraw or cease to be obligated to contribute to the plan. A plan amendment termination occurs when the plan adopts an amendment that provides that participants will receive no credit for service with any employer after a specified date, or an amendment that makes it no longer a covered plan. Unlike terminated single-employer plans, terminated multiemployer plans generally continue to pay all vested benefits out of existing plan assets and withdrawal liability payments. PBGC's regulation on Termination of Multiemployer Plans (29 CFR part 4041A) implements these provisions, among other things by requiring the plan sponsor of a terminated multiemployer plan to file with PBGC a notice of termination containing basic information necessary to alert PBGC to possible demands on the multiemployer insurance program.

ERISA section 4245(e) requires two types of notice:

- Notice of insolvency, which states a plan sponsor's determination that the plan is or may become insolvent.

• Notice of insolvency benefit level, which states the level of benefits that will be paid during an insolvency year.

Section 4245(e)(4) provides that these notices are to be given in accordance with rules promulgated by PBGC. PBGC's regulation on Notice of Insolvency, 29 CFR part 4245, establishes the procedure for complying with these notice requirements. The regulation allows a single notice of insolvency to cover more than one plan year, thereby generally permitting plan sponsors to file only a single notice (a notice of insolvency benefit level) for any future year. The regulation also prescribes, among other things, the manner in which the notices must be given. The recipients of these notices include PBGC, in addition to other parties.

PBGC's regulation on Duties of Plan Sponsor Following Mass Withdrawal (29 CFR part 4281) implements the requirements of ERISA section 4281. The regulation prescribes rules under which plan sponsors must:

• Provide notices to PBGC and to participants and beneficiaries that a plan is, or will be, insolvent (§§ 4281.43 and 4281.44).

• Provide notices of insolvency benefit level to PBGC and to participants and beneficiaries who are in pay status or may reasonably be expected to enter pay status during the year (§§ 4281.45 and 4281.46).

• Submit an application to PBGC for financial assistance if a plan is, or will be, unable to pay guaranteed benefits when due (§ 4281.47).

Mandatory Electronic Filing

Section 4000.3 of PBGC's regulation on Filing, Issuance, Computation of Time, and Record Retention (29 CFR part 4000) already requires electronic filing of premium declarations under part 4007 (Payment of Premiums) and information required under part 4010 (Annual Financial and Actuarial Information Reporting).

Proposed Regulatory Changes

PBGC is proposing to require electronic filing of the following multiemployer plan filings:

• Notices of termination under part 4041A.

• Notices of insolvency and of insolvency benefit level under part 4245.

• Notices of insolvency and of insolvency benefit level under part 4281 (following mass withdrawal).

• Applications for financial assistance under part 4281 (following mass withdrawal).

PBGC would grant case-by-case exemptions to the electronic filing requirement in appropriate circumstances for filers that demonstrate good cause for exemption. PBGC believes that requiring electronic filing for these notices would result in benefits for both the public and the government.

Electronic filing would simplify the filing process for the public by building in all required and optional fields and including readily accessible guidance in the application. This is expected to reduce the need to contact PBGC for assistance. PBGC estimates that the amendments in the proposed rule would result in a total savings in administrative burdens for the public of 25 percent (about 22 hours and $99,000 annually).

Electronic filing would also result in greater efficiencies for the government. Currently, documents submitted by filers need to be manually uploaded to electronic depositories. With electronic filing, those documents would be automatically uploaded. Electronic filing would also save the government time by reducing the need to provide assistance to filers. It would also improve the government's recordkeeping, records retrieval, and records archiving process by eliminating the possibility of missing or lost paper files due to human error.

Moreover, the PBGC expects electronic filing will improve the government's ability to protect potential personally identifiable information (PII), or otherwise sensitive information, since only pre-approved personnel will have access to PBGC's electronic records systems, and limited access will be approved for officials of pension plans.

PBGC is not proposing at this time to require electronic filing of notices of benefit reduction and of restoration of benefits under part 4281. PBGC may in the future require that other multiemployer filings also be made electronically.

Applicability

The amendments to all these regulations would be applicable for filings made on or after January 1, 2016.

Compliance With Rulemaking Requirements

Executive Order 12866 ''Regulatory Planning and Review'' and Executive Order 13563 ''Improving Regulation and Regulatory Review''

PBGC has determined in consultation with the Office of Management and Budget that this rule is not a ''significant regulatory action'' under Executive Order 12866. Executive Orders 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility.

Under Section 3(f)(1) of Executive Order 12866, a regulatory action is economically significant if ''it is likely to result in a rule that may . . . [h]ave 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.'' PBGC has determined that this proposed rule does not cross the $100 million threshold for economic significance and is not otherwise economically significant (see discussion above).

Regulatory Flexibility Act

The Regulatory Flexibility Act imposes certain requirements with respect to rules that are subject to the notice and comment requirements of section 553(b) of the Administrative Procedure Act and that are likely to have a significant economic impact on a substantial number of small entities. Unless an agency determines that a proposed rule is not likely to have a significant economic impact on a substantial number of small entities, section 603 of the Regulatory Flexibility Act requires that the agency present an initial regulatory flexibility analysis at the time of the publication of the proposed rule describing the impact of the rule on small entities and seeking public comment on such impact. Small entities include small businesses, organizations and governmental jurisdictions.

For purposes of the Regulatory Flexibility Act requirements with respect to this proposed rule, PBGC considers a small entity to be a plan with fewer than 100 participants. This is the same criterion PBGC uses in other aspects of its regulations involving small plans, and is consistent with certain requirements in Title I of ERISA and the Internal Revenue Code, as well as the definition of a small entity that the Department of Labor (DOL) has used for purposes of the Regulatory Flexibility Act.

Thus, PBGC believes that assessing the impact of the proposal on small plans is an appropriate substitute for evaluating the effect on small entities. The definition of small entity considered appropriate for this purpose differs, however, from a definition of small business based on size standards promulgated by the Small Business Administration (13 § CFR 121.201) pursuant to the Small Business Act. PBGC therefore requests comments on the appropriateness of the size standard used in evaluating the impact on small entities of the proposed amendments to the reportable events regulation.

On the basis of its proposed definition of small entity, PBGC certifies under section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) that the amendments in this rule would not have a significant economic impact on a substantial number of small entities. Very few multiemployer plans are small.[2] And, as discussed above, the amendments would not have a significant economic impact on entities of any size. Accordingly, as provided in section 605 of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), sections 603 and 604 would not apply. PBGC invites public comment on this burden estimate.

Paperwork Reduction Act

PBGC is submitting the information requirements under this proposed rule to the Office of Management and Budget (OMB) for review and approval under the Paperwork Reduction Act. 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 OMB control number.

The collection of information in Part 4041A is approved under control number 1212–0020 (expires June 30, 2017). PBGC estimates that there will be 10 respondents each year and that the total annual burden of the collection of information will be about 17 hours and $3,850.00 (about 2 hours and $385 per respondent).

The collection of information in Part 4245 is approved under control number 1212–0033 (expires June 30, 2017). PBGC estimates that there will be one respondent each year and that the total annual burden of the collection of information will be about $1,550.

The collection of information in Part 4281 is approved under control number 1212–0032 (expires July 31, 2017). PBGC estimates that there will be 324 respondents each year and that the total annual burden of the collection of information will be about 61 hours and $309,000 (about $950 per respondent).

Copies of PBGC's requests will be posted at *http://www.pbgc.gov/res/laws-and-regulations/information-collections-under-omb-review.html* and may also be obtained free of charge by contacting the Disclosure Division of the Office of the General Counsel of PBGC, 1200 K Street NW., Washington, DC 20005, 202–326–4040. PBGC is proposing to make changes for the following information collections: notices of termination; notices of insolvency; notices of insolvency benefit level; and applications for financial assistance.

Comments on the paperwork provisions under this proposed rule should be sent to the Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for Pension Benefit Guaranty Corporation, via electronic mail at *OIRA_DOCKET@omb.eop.gov* or by fax to (202) 395–6974. Although comments may be submitted through June 2, 2015, the Office of Management and Budget requests that comments be received on or before May 4, 2015 to ensure their consideration. Comments may address (among other things)—

- Whether each proposed collection of information is needed for the proper performance of PBGC's functions and will have practical utility;
- The accuracy of PBGC's estimate of the burden of each proposed collection of information, including the validity of the methodology and assumptions used;
- Enhancement of the quality, utility, and clarity of the information to be collected; and
- Minimizing the burden of each 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.

List of Subjects

29 CFR Part 4000

Pension insurance, Pensions, Reporting and recordkeeping requirements.

29 CFR Part 4041A

Employee benefit plans, Pension insurance, Reporting and recordkeeping requirements.

29 CFR Part 4281

Employee benefit plans, Pension insurance, Reporting and recordkeeping requirements.

For the reasons given above, the PBGC is proposing to amend 29 CFR parts 4000, 4041A, and 4281 as follows.

PART 4000—FILING, ISSUANCE, COMPUTATION OF TIME, AND RECORD RETENTION

■ 1. The authority citation for part 4000 continues to read as follows:

Authority: 29 U.S.C. 1082(f), 1302(b)(3).

■ 2. In § 4000.3, add paragraph (b)(3) to read as follows:

§ 4000.3 What methods of filing may I use?

* * * * *

(b) * * *

(3) When making filings to PBGC under parts 4041A, 4245, and 4281 of this chapter (except for notices of benefit reductions and notices of restoration of benefits under part 4281), you must submit the information required under these parts electronically in accordance with the instructions on the PBGC's Web site, except as otherwise provided by the PBGC.

* * * * *

PART 4041A—TERMINATION OF MULTIEMPLOYER PLANS

■ 3. The authority citation for part 4041A continues to read as follows:

Authority: 29 U.S.C. 1302(b)(3), 1341a, 1441.

■ 4. In § 4041A.11, add new paragraph (d) to read as follows:

§ 4041A.11 Requirement of notice.

(d) *How and where to file.* Filings to PBGC under this subpart must be submitted in accordance with the rules in subpart A of part 4000 of this chapter. See § 4000.4 of this chapter for information on where to file.

§ 4041A.25 [Amended]

■ 5. In § 4041A.25, amend paragraph (d) by removing the words ''of the PBGC'' and adding in their place ''to the PBGC''.

PART 4281—DUTIES OF PLAN SPONSOR FOLLOWING MASS WITHDRAWAL

■ 6. The authority citation for part 4281 continues to read as follows:

[2] According to data from 2012 5500 filings, only 32 of 1,407 active plans have fewer than 100 participants. Further, PBGC is not aware of a multiemployer plan that was established and covered by ERISA that was not initially a large plan. Generally it is only after a plan terminates and employers withdraw from the plan that a plan might reduce in size to fewer than 100 participants.

Authority: 29 U.S.C. 1302(b)(3), 1341a, 1399(c)(1)(D) and 1441.

■ 7. In § 4281.3, revise paragraph (b) to read as follows:

§ 4281.3 Filing and issuance rules.

* * * * *

(b) *Method of issuance.* For rules on method of issuance to interested parties, see § 4281.32(c) for notices of benefit reductions, § 4281.43(e) for notices of insolvency, and § 4281.45(c) for notices of insolvency benefit level.

* * * * *

■ 8. In § 4281.43, revise paragraph (a) to read as follows:

§ 4281.43 Notices of insolvency.

(a) *Requirement of notices of insolvency.* A plan sponsor that determines that the plan is, or is expected to be, insolvent for a plan year shall file with the PBGC and issue to plan participants and beneficiaries notices of insolvency. Once notices of insolvency have been filed with the PBGC and issued to plan participants and beneficiaries, no notice of insolvency needs to be issued for subsequent insolvency years. Notices shall be delivered in the manner and within the time prescribed in this section and shall contain the information described in § 4281.44.

* * * * *

■ 9. In § 4281.47, revise paragraph (b) to read as follows:

§ 4281.47 Application for financial assistance.

* * * * *

(b) *When, how, and where to apply.* When the plan sponsor determines a resource benefit level that is less than guaranteed benefits, it shall apply for financial assistance at the same time that it submits its notice of insolvency benefit level pursuant to § 4281.45. When the plan sponsor determines an inability to pay guaranteed benefits for any month, it shall apply for financial assistance within 15 days after making that determination. Application to the PBGC for financial assistance shall be made in accordance with the rules in subpart A of part 4000 of this chapter. See § 4000.4 of this chapter for information on where to apply.

* * * * *

Issued in Washington, DC, this 30th day of March 2015.

Judith R. Starr,

General Counsel, Pension Benefit Guaranty Corporation.

[FR Doc. 2015–07602 Filed 4–2–15; 8:45 am]

BILLING CODE 7709–02–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 110

[Docket Number USCG–2014–0991]

RIN 1625–AA01

Anchorage Grounds; Lower Mississippi River Below Baton Rouge, LA, Including South and Southwest Passes; New Orleans, LA

AGENCY: Coast Guard, DHS.

ACTION: Advance notice of proposed rulemaking.

SUMMARY: The Coast Guard is considering amending the regulations for Cedar Grove Anchorage and establishing two new anchorages, Point Michele Anchorage and Plaquemines Point Anchorage on the Lower Mississippi River (LMR), Above Head of Passes (AHP). These actions are being considered to increase the available anchorage areas in this section of the river necessary to accommodate vessel traffic and improve navigation safety for vessels transiting this area, providing for the overall safe and efficient flow of vessel traffic and commerce. The Coast Guard is seeking comments and information about what form the proposed amendment and new regulations should take and the actual need for them.

DATES: Comments and related material must be received by the Coast Guard on or before June 2, 2015. Requests for a public meeting must be received on or before April 20, 2015.

ADDRESSES: Documents mentioned in this preamble are part of Docket Number USCG–2014–0991. To view documents mentioned in this preamble as being available in the docket, go to *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 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.

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 Commander (LCDR) Christopher Tuckey, Waterways Management, District Eight, U.S. Coast Guard; telephone (504) 671–2112, email *Christopher.B.Tuckey@uscg.mil.* If you have questions on viewing or submitting material to the docket, call Cheryl F. Collins, Program Manager, Docket Operations, telephone (202) 366–9826.

SUPPLEMENTARY INFORMATION:

Table of Acronyms

AHP Above Head of Passes
CFR Code of Federal Regulation
DHS Department of Homeland Security
FR Federal Register
LMR Lower Mississippi River
LWRP Low Water Reference Point
MNSA Maritime Navigation Safety Association
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 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 in the ''SEARCH'' box and click ''SEARCH.'' Click on Open Docket Folder on the line associated with this advance notice of proposed rulemaking. The following Web address should take you directly to the docket: *http://www.regulations.gov/#!docketDetail;D=USCG-2014-0991.* 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**. Requests for a public meeting must be received on or before April 20, 2015. 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

Under title 33 Code of Federal Regulation (CFR) § 109.05, U.S. Coast Guard District Commanders are delegated the authority to establish anchorage grounds by the Commandant of the U.S. Coast Guard. The Coast Guard establishes Anchorage Grounds under authority of the authority in section 7 of the act of March 4, 1915, as amended (38 Stat. 1053; 33 U.S.C. 471) and places these regulations in title 33 CFR part 110, subpart B. [CGFR 67–46, 32 FR 17728, Dec. 12, 1967, as amended by CGD 86–082, 52 FR 33811, Sept. 8, 1987; USCG–1998–3799, 63 FR 5526, June 30, 1998]. The Coast Guard is now considering a proposed rulemaking to amend an existing anchorage ground, Cedar Grove Anchorage, 33 CFR 110.195(a)(12), and to establish two new anchorage grounds: Point Michele Anchorage and Plaquemines Point Anchorage.

C. Basis and Purpose

The legal basis and authorities for this advance notice of proposed rulemaking are found in 33 U.S.C. 471, 1221 through 1236, 2071; 33 CFR 1.05–1, Department of Homeland Security Delegation No. 0170.1, which collectively authorize the Coast Guard to propose, establish, and define regulatory anchorages. The Coast Guard is considering an amendment to increase the size of the existing Cedar Grove Anchorage, established under 33 CFR 110.195(a)(12). The Coast Guard is also considering establishing two new anchorage grounds; Point Michele Anchorage and Plaquemines Point Anchorage.

The Coast Guard received requests from the Crescent River Port Pilot's Association and the New Orleans Baton Rouge River Pilot's Association to consider amending an existing anchorage and establishing two new anchorages. These requests were presented and discussed at a Maritime Navigation Safety Association (MNSA) meeting on August 12, 2014 and at a Port Safety Council Meeting on September 10, 2014. At both meetings, there were no objections or comments received from attendees.

The purpose of this ANPRM is to solicit input and comments on potential proposed rulemakings to: (1) Increase the available anchorage areas in this section of the river necessary to help accommodate increasing vessel traffic; and (2) improve navigation safety for vessels transiting this river section. The objective would be to establish additional anchorage areas intended to increase the safety of life and property on navigable waters, while ensuring that the needs and concerns of all stakeholders are addressed through the rulemaking process. More specifically, the objective is to improve the safety of anchored vessels in Cedar Grove Anchorage and provide for two additional anchorage areas to address the increased waterway congestion improve the overall safe and efficient flow of vessel traffic and commerce.

D. Discussion

The Coast Guard is considering amending the Cedar Grove Anchorage so that the anchorage's overall length would be increased by two (2) tenths of a mile, shifting the lower limit down river four (4) tenths of a mile from mile 69.9 to mile 69.5 and shifting the upper limit down river from mile 71.1 to mile 70.9. With such a change, we would see the need to move and rename the Upper Anchorage Daybeacon Light List Number (LLNR) 13570 and Lower Anchorage Daybeacon LLNR 13555.

You may find a picture with an illustration of the amended anchorage we are considering in our online docket (*http://www.regulations.gov/#!docketDetail;D=USCG-2014-0991*). Look for *Illustration of Contemplated Cedar Grove Anchorage.*

The existing Cedar Grove Anchorage is described in 33 CFR 110.195(a)(12).

The Coast Guard is also considering establishing two new anchorages. One would be at Point Michele and another at Plaquemines Point.

For the Point Michele anchorage we are considering an area 1.2 miles in length along the right descending bank of the river extending from mile 40.8 to mile 42.0 Above Head of Passes that would be approximately 500 feet wide. We are considering making the inner boundary of the anchorage a line parallel to the nearest bank 400 feet from the water's edge into the river as measured from the low water reference plane (LWRP). We are considering making the outer boundary of the anchorage a line parallel to the nearest bank 900 feet from the water's edge into the river as measured from the LWRP.

You can find a drawing of this contemplated anchorage in the docket. Look for *Illustration of Contemplated Point Michele Anchorage.*

For the Plaquemines Point Anchorage we are considering an area 0.5 miles in length along the right descending bank of the river extending from mile 203.9 to mile 204.4 Above Head of Passes

approximately 500 feet wide. We are considering making the inner boundary of the anchorage a line parallel to the nearest bank 500 feet from the water's edge into the river as measured from the LWRP and making the outer boundary of the anchorage a line parallel to the nearest bank 1000 feet from the water's edge into the river as measured from the LWRP. Look for *Illustration of Contemplated Plaquemines Point Anchorage* to find a drawing of this contemplated anchorage in the docket.

E. Information Requested

Public participation is requested to assist in determining the best way forward in developing a rulemaking to amend and establish anchorage areas on the LMR. To aid us in developing a proposed rule, we seek any comments, whether positive or negative, including but not limited to the impacts an increase in anchorage area may have on navigation safety and current vessel traffic in this area of the LMR. Please submit any comments or concerns you may have in accordance with the ''submitting comments'' section above.

This document is issued under authority of 5 U.S.C. 552; 33 CFR 1.05–1, and 1.05–30.

Dated: March 17, 2015.

K.S. Cook,

Rear Admiral, U.S. Coast Guard, Commander, Eighth Coast Guard District.

[FR Doc. 2015–07504 Filed 4–2–15; 8:45 am]

BILLING CODE 9110–04–P

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

36 CFR Parts 1193 and 1194

[Docket No. ATBCB–2015–0002]

RIN 3014–AA37

Information and Communication Technology (ICT) Standards and Guidelines

AGENCY: Architectural and Transportation Barriers Compliance Board.

ACTION: Notice of hearing.

SUMMARY: The Architectural and Transportation Barriers Compliance Board (Access Board) will hold a public hearing on its recent Information and Communication Technology (ICT) Standards and Guidelines Notice of Proposed Rulemaking.

DATES: The hearing will be held on April 29, 2015, from 4:00 p.m. to 5:00 p.m., Salt Lake City, UT. To preregister to testify at the hearing, contact Kathy Johnson at (202) 272–0041 (voice), (202) 272–0082 (TTY), or *johnson@access-board.gov.*

ADDRESSES: The hearing will be held at the Division of Services for the Blind and Visually Impaired, 250 North 1950 West #B, Salt Lake City, UT 84101.

FOR FURTHER INFORMATION CONTACT: Timothy Creagan, Access Board, 1331 F Street NW., Suite 1000, Washington, DC 20004–1111. Telephone: (202) 272–0016 (voice) or (202) 272–0074 (TTY). Email address: *508@access-board.gov.*

SUPPLEMENTARY INFORMATION: On February 27, 2015, the Access Board published a notice of proposed rulemaking in the **Federal Register** to update its guidelines for telecommunications equipment covered by Section 255 of the Communications Act and its standards for electronic and information technology covered by Section 508 of the Rehabilitation Act (80 FR 10880, February 27, 2015). The comment period closes on May 28, 2015.

The Board has already held two public hearings. The first hearing was in San Diego, CA in conjunction with the 30th Annual International Technology and Persons with Disabilities Conference (CSUN Conference); the second hearing was in Washington, DC during the Access Board's March 2015 Board meeting. The Access Board is adding a third hearing in Salt Lake City. Witnesses can only testify in person. All comments from this and prior hearings will be included in the rulemaking docket.

The hearing will be accessible to persons with disabilities. An assistive listening system, communication access real-time translation, and sign language interpreters will be provided. Persons attending the hearing are requested to refrain from using perfume, cologne, and other fragrances for the comfort of other participants (see *http://www.access-board.gov/the-board/policies/fragrance-free-environment* for more information). More information and any updates to the hearings will be posted on the Access Board's Web site at *http://www.access-board.gov/ictrefresh.*

David M. Capozzi,

Executive Director.

[FR Doc. 2015–07609 Filed 4–2–15; 8:45 am]

BILLING CODE 8150–01–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 50, 51, and 93

[EPA–HQ–OAR–2013–0691; FRL–9925–73–OAR]

RIN 2060–AQ48

Fine Particulate Matter National Ambient Air Quality Standards: State Implementation Plan Requirements

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of public hearing and extension of comment period.

SUMMARY: The Environmental Protection Agency (EPA) is announcing a public hearing to be held for the proposed rule titled, ''Fine Particulate Matter National Ambient Air Quality Standards: State Implementation Plan Requirements'' which published in the **Federal Register** on March 23, 2015. The hearing will be held on Wednesday, April 29, 2015, in Washington, DC The EPA is also announcing extension of the comment period for the proposed rule to May 29, 2015, to allow for sufficient time after the public hearing for commenters to submit comments.

DATES: *Public Hearing.* The public hearing will be held on April 29, 2015, in Washington, DC Please refer to **SUPPLEMENTARY INFORMATION** for additional information on the public hearing. *Comments.* Comments must be received on or before May 29, 2015.

ADDRESSES: *Public Hearing.* The April 29, 2015, public hearing will be held at the EPA, William Jefferson Clinton East Building, Room 1117A, 1201 Constitution Avenue NW., Washington, DC 20004. Identification is required. If your driver's license is issued by Alaska, American Samoa, Arizona, Kentucky, Louisiana, Maine, Massachusetts, Minnesota, Montana, New York, Oklahoma, or the state of Washington, you must present an additional form of identification to enter (*see* **SUPPLEMENTARY INFORMATION** for additional information on this location).

Comments. Submit your comments, identified by Docket ID No. EPA–HQ–OAR–2013–0691, by one of the following methods:

- *http://www.regulations.gov.* Follow the on-line instructions for submitting comments.
- *Email: a-and-r-docket@epa.gov.*
- *Mail:* Air and Radiation Docket and Information Center, Attention Docket ID No. EPA–HQ–OAR–2013–0691, Environmental Protection Agency, Mailcode: 28221T, 1200 Pennsylvania Avenue NW., Washington, DC 20460. In

addition, please mail a copy of your comments on the information collection (ICR) provisions to the Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Attn: Desk Officer for EPA, 725 17th Street NW., Washington, DC 20503.

• *Hand Delivery:* Air and Radiation Docket and Information Center, Attention Docket ID No. EPA–HQ–OAR–2013–0691, Environmental Protection Agency in the EPA Headquarters Library, Room No. 3334 in the EPA Docket Center, located at William Jefferson Clinton Building West, 1301 Constitution Avenue NW., Washington, DC 20004. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for delivery of boxed information.

Instructions: Direct your comments to Docket ID No. EPA–HQ–OAR–2013–0691. The EPA's policy is that all comments received will be included in the public docket without change and may be made available online at *http://www.regulations.gov,* including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through *http://www.regulations.gov* or email. The *http://www.regulations.gov* Web site is an ''anonymous access'' system, which means the 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 the EPA without going through *http://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, the 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 the EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, the EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption and be free of any defects or viruses. For additional information about the EPA's public docket visit the EPA Docket Center homepage at *http://www.epa.gov/epahome/dockets.htm.* For additional instructions on submitting comments, go to the **SUPPLEMENTARY INFORMATION** section of this document.

Docket: All documents in the docket are listed in the *http://www.regulations.gov* index. 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, will be publicly available only in hard copy. Publicly available docket materials are available either electronically in *http://www.regulations.gov* or in hard copy at the Air and Radiation Docket and Information Center in the EPA Headquarters Library, Room No. 3334 in the William Jefferson Clinton Building West, located at 1301 Constitution Avenue NW., Washington, DC 20460. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The phone number for the Public Reading Room is (202) 566–1744.

FOR FURTHER INFORMATION CONTACT: If you would like to speak at the public hearing, please contact Ms. Pamela Long, U.S. Environmental Protection Agency, OAQPS, Air Quality Planning Division, (C504–01), Research Triangle Park, NC 27711, telephone (919) 541–0641, fax number (919) 541–5509, email address *long.pam@epa.gov,* no later than April 27, 2015. If you have any questions relating to the public hearing, please contact Ms. Long at the above number.

Questions concerning the March 23, 2015, proposed rule should be addressed to Mr. Rich Damberg, U.S. EPA, Office of Air Quality Planning and Standards, State and Local Programs Group, (C539–04), Research Triangle Park, NC 27711, telephone number (919) 541–5592, email at *damberg.rich@epa.gov*.

SUPPLEMENTARY INFORMATION: The proposal for which the EPA is holding the public hearing was published in the **Federal Register** on March 23, 2015, (80 FR 15340), and is available at: *http://www.epa.gov/airquality/particlepollution/actions.html* and also in docket EPA–HQ–OAR–2013–0691. The public hearing will provide interested parties the opportunity to present data, views, or arguments concerning the proposal. The EPA may ask clarifying questions during the oral presentations, but will not respond to the presentations at that time. Written statements and supporting information that are submitted during the comment period will be considered with the same weight as any oral comments and supporting information presented at the public hearing. Written comments must be postmarked by the last day of the comment period. The proposed rule states that the public comment period will close on May 22, 2015. However, because the public record must remain open at least 30 days beyond the date of the public hearing, the EPA is extending the public comment period to May 29, 2015.

The public hearing will convene at 9:00 a.m. and end at 6:00 p.m. (Eastern Daylight Saving Time). The EPA will make every effort to accommodate all individuals interested in providing oral testimony. A lunch break is scheduled from 12:00 p.m. until 1:00 p.m. Please note that this hearing will be held at a U.S. government facility. Individuals planning to attend the hearing should be prepared to show valid picture identification to the security staff in order to gain access to the meeting room. The REAL ID Act, passed by Congress in 2005, established new requirements for entering federal facilities. These requirements took effect July 21, 2014. If your driver's license is issued by American Samoa, Arizona, Idaho, Louisiana, Maine, Minnesota, New Hampshire or New York, you must present an additional form of identification to enter the federal building where the public hearing will be held. Acceptable alternative forms of identification include: federal employee badges, passports, enhanced driver's licenses and military identification cards. For additional information for the status of your state regarding REAL ID, go to *http://www.dhs.gov/real-id-enforcement-brief*. In addition, you will need to obtain a property pass for any personal belongings you bring with you. Upon leaving the building, you will be required to return this property pass to the security desk. No large signs will be allowed in the building, cameras may only be used outside of the building, and demonstrations will not be allowed on federal property for security reasons.

If you would like to present oral testimony at the hearing, please notify Ms. Pamela Long, U.S. Environmental Protection Agency, OAQPS, Air Quality Planning Division, (C504–01), Research Triangle Park, NC 27711, telephone (919) 541–0641, fax number (919) 541–5509, email address *long.pam@epa.gov,* no later than 4:00 p.m. EDT on April 27, 2015. Ms. Long will arrange a general time slot for you to speak. The EPA will make every effort to follow the schedule as closely as possible on the day of the hearing.

Oral testimony will be limited to 5 minutes for each commenter. The EPA encourages commenters to provide the EPA with a copy of their oral testimony

electronically (via email) or in hard copy form. The EPA will not provide audiovisual equipment for presentations unless we receive special requests in advance. Commenters should notify Ms. Long if they will need specific equipment. Commenters should also notify Ms. Long if they need specific translation services for non-English speaking commenters.

The hearing schedule, including the list of speakers, will be posted on the EPA's Web site *http://www.epa.gov/airquality/particlepollution/actions.html* prior to the hearing. Verbatim transcripts of the hearing and written statements will be included in the docket for the rulemaking.

How can I get copies of this document and other related information?

The EPA has established a docket for the proposed rule ''Fine Particulate Matter National Ambient Air Quality Standards: State Implementation Plan Requirements'' under Docket ID No. EPA–HQ–OAR–2013–0691 (available at *www.regulations.gov*). The EPA has made available information related to the proposed rule at this Web site: *http://www.epa.gov/airquality/particlepollution/actions.html*.

Dated: March 26, 2015.

Stephen D. Page,

Director, Office of Air Quality Planning and Standards.

[FR Doc. 2015–07774 Filed 4–2–15; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R07–OAR–2015–0159; FRL–9925–59–Region 7]

Approval and Promulgation of Implementation Plans; State of Iowa; 2015 Iowa State Implementation Plan; Permit Modifications; Muscatine, Iowa

AGENCY: Environmental Protection Agency.

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 to include modified permits for Muscatine County, Iowa. The SIP revision addresses modifications to construction permits that were included in the 2006 24-hour particulate matter less than 2.5 micrometers ($PM_{2.5}$) National Ambient Air Quality Standards (NAAQS) control strategy proposed on August 11, 2014, and published as a final rule in the **Federal Register** on December 1, 2014, with the effective date of December 31, 2014. The state's submission of modified permits includes a revised air dispersion modeling analysis that demonstrated continued attainment of the 2006 24-hour $PM_{2.5}$ NAAQS. This action will also make an administrative correction to permit numbers.

DATES: Comments on this proposed action must be received in writing by May 4, 2015.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R07–OAR–2015–0159 by mail to: Heather Hamilton, Environmental Protection Agency, Air Planning and Development Branch, 11201 Renner Road, Lenexa, Kansas 66219. Comments may also be submitted electronically or through hand delivery/courier by following the detailed instructions in the **ADDRESSES** section of the direct final rule located in the rules section of this **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Heather Hamilton (913) 551–7039, or by email at *Hamilton.heather@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. The detailed rationale for the approval is set forth in the technical support document that can be found in Docket ID No. EPA–R07–OAR–2015–0159. 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**.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Particulate matter, Reporting and recordkeeping requirements.

Dated: March 20, 2015.

Mark Hague,

Acting Regional Administrator, Region 7.

[FR Doc. 2015–07489 Filed 4–2–15; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 80

[EPA–HQ–OAR–2015–0049; FRL–9924–70–OAR]

RIN 2060–AS48

Regulation of Fuels and Fuel Additives: Cellulosic Waiver Credit Price and Minor Amendments to Renewable Fuel Standard Regulations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to clarify our regulations related to the data sources used to establish the cellulosic waiver credit (CWC) price. We are also proposing to remove references to CWC prices from the renewable fuel standard regulations, and instead intend to post the prices on EPA's Web site. This proposed rule also indicates what the CWC prices for 2014 and 2015 would be using the data sources and methodology contained in the rule; however these prices will not be established until they are posted on our Web site following the effective date of the rule. In addition, we are proposing minor amendments to the renewable fuel standard program regulations to reinsert sections inadvertently overwritten by the Quality Assurance Program final rule published on July 18, 2014. In the ''Rules and Regulations'' section of this **Federal Register**, we are making these same amendments as a direct final rule. If we receive no adverse comment, the direct final rule will go into effect and we will not take further action on this proposed rule.

DATES: A request for a public hearing must be received by April 20, 2015. If a public hearing request is received, EPA will publish a notice in the **Federal Register** indicating the time and place for the hearing. If a public hearing is held, written comments must be received within 30 days after the date of the hearing. If no public hearing is held then comments must be received on or before May 4, 2015.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–HQ–

OAR–2015–0049, by one of the following methods:

- *www.regulations.gov:* Follow the on-line instructions for submitting comments.
- *Email: a-and-r-docket@epa.gov.*
- *Mail:* Air and Radiation Docket and Information Center, Environmental Protection Agency, Mailcode: 28221T, 1200 Pennsylvania Ave. NW., Washington, DC 20460.
- *Hand Delivery:* EPA Docket Center, EPA WJC West Building, Room 3334, 1301 Constitution Ave. NW., Washington, DC 20460. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

Instructions: Direct your comments to Docket ID No. EPA–HQ–OAR–2015–0049. 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.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. For additional information about EPA's public docket visit the EPA Docket Center homepage at *http://www.epa.gov/epahome/dockets.htm.* For additional instructions on submitting comments, go to Section I.B of the **SUPPLEMENTARY INFORMATION** section of this document.

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, *e.g.,* 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. Publicly available docket materials are available either electronically in *www.regulations.gov* or in hard copy at the Air and Radiation Docket and Information Center, EPA/DC, EPA WJC 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: Julia MacAllister, Office of Transportation and Air Quality, Assessment and Standards Division, Environmental Protection Agency, 2000 Traverwood Drive, Ann Arbor, MI 48105; Telephone number: 734–214–4131; Fax number: 734–214–4816; Email address: *macallister.julia@epa.gov,* or the public information line for the Office of Transportation and Air Quality; telephone number (734) 214–4333; Email address: *OTAQ@epa.gov.*

SUPPLEMENTARY INFORMATION:

Why is EPA issuing a proposed rule?

EPA is proposing to take action to clarify our regulations related to the data sources used to establish the price for cellulosic waiver credits (CWC). EPA is also proposing to remove the CWC prices from our regulations so as to allow the prices to be established in a more expeditious manner. The CWC prices would instead be published on EPA's ''Renewable Fuels: Regulations & Standards'' Web site (*http://www.epa.gov/otaq/fuels/renewablefuels/regulations.htm*). EPA is also proposing to reinsert regulatory provisions in the renewable fuel standard (RFS) program regulations that were inadvertently overwritten by the Quality Assurance Program (QAP) final rule (79 FR 42078, July 18, 2014).

Clarifying the data sources used in calculating the CWC price would eliminate uncertainty regarding EPA's process in establishing the CWC prices, would enable stakeholders to better predict the annual CWC price before it is established, and would allow EPA to establish the CWC price in a more timely manner. This action does not change the formula used to establish the CWC price (listed in our regulations at 40 CFR 80.1456(d)).

If we receive no relevant adverse comment or hearing request on the direct final rule, we will not take further action on this proposed rule. If EPA receives relevant adverse comment or a hearing request, we will publish a timely withdrawal in the **Federal Register** of the portions of the direct final rule on which adverse comment was received. We will address all public comments in any subsequent final rule based on this proposed rule. We will not institute a second comment period on this action. Any parties interested in commenting must do so at this time. For further information about commenting on this rule see the **ADDRESSES** section of this document.

The proposed changes to the regulatory text are identical to those presented in the direct final rule published in the ''Rules and Regulations'' section of today's **Federal Register**. For further information, including a detailed explanation and rationale for the proposal and the text of the proposed regulatory revisions, see the direct final rule published in the ''Rules and Regulations'' section of today's **Federal Register**.

Does this action apply to me?

Entities potentially affected by this proposed rule are those involved with the production, distribution, and sale of transportation fuels, including gasoline and diesel fuel or renewable fuels such as ethanol and biodiesel. Potentially regulated categories include:

Category	NAICS [1] codes	SIC [2] codes	Examples of potentially regulated entities
Industry	324110	2911	Petroleum refineries.
Industry	325193	2869	Ethyl alcohol manufacturing.
Industry	325199	2869	Other basic organic chemical manufacturing.
Industry	424690	5169	Chemical and allied products merchant wholesalers.
Industry	424710	5171	Petroleum bulk stations and terminals.
Industry	424720	5172	Petroleum and petroleum products merchant wholesalers.

Category	NAICS [1] codes	SIC [2] codes	Examples of potentially regulated entities
Industry	454319	5989	Other fuel dealers.

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

This table is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be regulated by this proposed action. This table lists the types of entities that EPA is now aware could potentially be regulated by this proposed action. Other types of entities not listed in the table could also be regulated. To determine whether your activities would be regulated by this action, you should carefully examine the applicability criteria in 40 CFR part 80. If you have any questions regarding the applicability of this proposed action to a particular entity, consult the person listed in **FOR FURTHER INFORMATION CONTACT.**

Outline of This Preamble

I. Executive Summary
II. Clarifications Related to CWC Price Calculation
III. CWC Price Calculations for 2014 and 2015
IV. Reinsertion of Inadvertently Overwritten Language
V. What Should I Consider as I Prepare My Comments for EPA?
VI. Statutory and Executive Order Reviews
A. Executive Order 12866: Regulatory Planning and Review and Executive Order 13563: Improving Regulation and Regulatory Review
B. Paperwork Reduction Act
C. Regulatory Flexibility Act
D. Unfunded Mandates Reform Act
E. Executive Order 13132: Federalism
F. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments.
G. Executive Order 13045: Protection of Children From Environmental Health Risks and Safety Risks
H. Executive Order 13211: Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use
I. National Technology Transfer and Advancement Act
J. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations
VII. Statutory Authority

I. Executive Summary

For any calendar year for which the projected volume of cellulosic biofuel production is less than the applicable volume of cellulosic biofuel set forth in CAA 211(o)(2)(B)(III), EPA must reduce the required volume of cellulosic biofuel for that year to the projected volume, and must provide obligated parties the opportunity to purchase cellulosic waiver credits (CWC). The price of these credits is determined using a formula specified in the CAA.[1] The cellulosic waiver credit price is the greater of $0.25 or $3.00 minus the wholesale price of gasoline, where both the $0.25 and $3.00 are adjusted for inflation. In this action we are proposing to clarify the data sources we use to calculate the inflation adjustments used in this formula. This would eliminate potential uncertainty regarding EPA's approach to establishing the CWC prices. We are not making any modifications to the formula used to calculate the CWC price.

Additionally, in order to provide more certainty to the market through timely publication of CWC prices, EPA is also amending the procedure it uses to announce CWC prices. To date, we have established the prices by rulemaking and published them in the Code of Federal Regulations. To allow more expeditious publication of these prices, EPA is proposing to remove references to CWC prices from the CFR. The prices would instead be posted by the Office of Transportation and Air Quality within the Office of Air and Radiation on EPA's ''Renewable Fuels: Regulations & Standards'' Web site (*http://www.epa.gov/otaq/fuels/renewablefuels/regulations.htm*).

We are also proposing minor amendments to the regulations to reinsert language applicable to biofuel producers using *Arundo donax* or *Pennisetum purpureum* as feedstock, which was inadvertently overwritten by the Quality Assurance Program (QAP) final rule (79 FR 42078, July 18, 2014), and to make minor conforming changes to the numbering of other regulatory provisions.

II. Clarifications Related to CWC Price Calculation

EPA is proposing to clarify sections of the regulations related to the CWC price calculation. These proposed changes are consistent with the CWC price formula set forth in the statute, and more specifically, with the statutory direction to adjust certain terms in the formula for inflation. We believe these proposed regulations would more clearly articulate the data sources that EPA uses in calculating the CWC price for each year.

The regulations that outline the process used by EPA to calculate the CWC price are set forth in 40 CFR 80.1456(d). The regulations currently state that ''the wholesale price of gasoline used in the CWC calculation will be calculated by averaging the most recent twelve monthly values for U.S. Total Gasoline Bulk Sales (Price) by Refiners as provided by the Energy Information Administration (EIA) that are available as of September 30 of the year preceding the compliance period.'' [2] In practice, given the publication schedule for the referenced EIA publication, this means that EPA calculates the wholesale price of gasoline using data from the 12 months prior to July of the year preceding the compliance period (*i.e.,* July 2011–June 2012 data for the 2013 CWC price). We are not proposing to make any modifications to this portion of the regulations.

The regulations also currently state that the inflation adjustment used in calculating the CWC price will be calculated at the time EPA sets the cellulosic biofuel standard.[3] In an effort to provide certainty to the market in relation to the CWC price as soon as reasonably practical, EPA believes it would be preferable to announce the CWC price as soon as the relevant data on the wholesale price of gasoline is available. Therefore, we are proposing to calculate the inflation adjustment using data from June of the year preceding the compliance period. We believe this is appropriate as it is the most recent month within the time period over which we calculate the average wholesale price of gasoline. We are also proposing to eliminate the regulatory references to CWC prices. Instead we intend to announce the CWC price in a notice on our ''Renewable Fuels: Regulations & Standards'' Web site by November of the year preceding the compliance period. Consistent with previous CWC calculations, EPA would continue to base the inflation adjustment on the Consumer Price Index for All Urban Consumers (CPI–U): U.S. City Average, Unadjusted Index for

[1] CAA 211(o)(7)(D)(ii).

[2] 40 CFR 80.1456(d)(2).

[3] 40 CFR 80.1456(d)(3).

All Items expenditure category as provided by the Bureau of Labor and Statistics. We are proposing to amend our regulations in this action to clarify that we are using the unadjusted price index, rather than the seasonally adjusted price index, to calculate the inflation adjustment. We believe this is appropriate as the unadjusted index most accurately reflects the prices consumers actually pay and do not change, whereas the seasonally adjusted indexes are subject to revision for up to five years after their release.[4] We are also clarifying that we are using ''US City Average'' data, as opposed to data for geographic subsets of the country. This is appropriate in light of the nation-wide applicability of the RFS program. Both of these changes simply clarify EPA's current practice, and are designed to promote regulatory certainty and understanding by stakeholders.

We are also proposing to amend the section of our regulations where the CWC price for previous years is listed.[5] EPA has included the prices for 2010, 2011, 2012, and 2013 CWCs in our regulations. Promulgating prices in regulations, however, requires EPA to undertake a rulemaking, which we believe may unnecessarily delay the announcement of the CWC price. Furthermore, we believe the CWC price need not be established by rulemaking, for the following reasons. First, the formula and all data sources for the CWC price are specified in our regulations, so the actual price calculation is a procedural action that will not benefit from a notice and comment rulemaking. Second, CWCs are purchased from EPA, and EPA can ensure that the correct price is paid for them. Finally, the publication of the CWC price in the CFR is not necessary for informational purposes as EPA intends to promptly post the CWC prices on our Web site.

Therefore, in this action EPA is proposing to delete the sections of our regulations containing the CWC prices for previous years and is instead including a statement in the regulations indicating that the CWC price for each year will be posted on EPA's ''Renewable Fuels: Regulations & Standards'' Web site (*http://www.epa.gov/otaq/fuels/renewablefuels/regulations.htm*). Adopting this approach would allow EPA to announce the CWC prices at the earliest opportunity. We believe this would benefit both cellulosic biofuel producers and obligated parties. EPA would post the CWC prices for 2013, 2014, and 2015 on our Web site following the effective date of this rule.

[4] For more information on Seasonally Adjusted vs. Unadjusted Indexes see *http://www.bls.gov/cpi/cpisapage.htm*.

[5] 40 CFR 80.1405(d).

III. CWC Price Calculations for 2014 and 2015

To illustrate the derivation of CWC prices pursuant to the statutory formula, and with the data sources specified in this proposed rule, we explain in this section the derivation of CWC prices for 2014 and 2015.[6] EPA determined the average wholesale (refinery gate) price of gasoline using the monthly average prices for the 12 months prior to July of the year preceding each compliance period. In this calculation EPA uses the U.S. Total Gasoline Bulk Sales Price by Refiners (Dollars per Gallon) as reported by the U.S. Energy Information Administration (EIA). The data are shown below in Table 1 and Table 2 for the calculations for 2014 and 2015, respectively, and can be found at: (*http://www.eia.gov/dnav/pet/hist/LeafHandler.ashx?n=PET&s=EMA_EPM0_PBR_NUS_DPG&f=M*).

TABLE 1—WHOLESALE GASOLINE PRICES FOR 2014 CWC CALCULATION

Month	Average price in $
July 2012	2.703
August 2012	2.961
September 2012	3.133
October 2012	2.922
November 2012	2.622
December 2012	2.554
January 2013	2.668
February 2013	2.892
March 2013	2.963
April 2013	2.822
May 2013	2.824
June 2013	2.817

TABLE 2—WHOLESALE GASOLINE PRICES FOR 2015 CWC CALCULATION

Month	Average price in $
July 2013	2.879
August 2013	2.916
September 2013	2.831
October 2013	2.610
November 2013	2.496
December 2013	2.551
January 2014	2.598
February 2014	2.650
March 2014	2.763
April 2014	2.829
May 2014	2.853
June 2014	2.924

The average monthly price in dollars for the calculation of the 2014 CWC price is 2.823. The average monthly price in dollars for the calculation of the 2015 CWC price is 2.742.

The CAA requires that EPA adjust for inflation the comparison values of twenty-five cents ($0.25) and three dollars ($3.00) in the CWC price formula. EPA must compare the inflated twenty-five cent value with the amount the inflated three dollar value exceeds the average wholesale price of gasoline. EPA is required to use the greater of the two values as the price for the cellulosic biofuel waiver credits.

EPA evaluated inflation by using the Unadjusted Index values from the Consumer Price Index for All Urban Consumers (CPI–U): U.S. City Average, for the All Items expenditure category as provided by the Bureau of Labor and Statistics, for the months of January 2009 (the first comparable value after 2008) and June 2013 and June 2014, as discussed in Section II of this preamble. These unadjusted indexes are used to calculate an Inflation Factor for each year, as shown in Table 4 below. Finally, we compare $0.25 (inflation adjusted) to $3.00 (inflation adjusted) minus the wholesale price of gasoline for each year. The greater of these values is the price for the cellulosic waiver credits.

[6] The calculations for the 2013 CWC were explained in a memo to the docket for our rulemaking establishing the 2013 standards (EPA–HQ–OAR–2012–0546–0134). The 2013 CWC price was calculated in accordance with the methodology and data sources described in this rule, with one minor difference. To calculate the Inflation Factor the August 2012 Index (230.037) was used rather than the June 2012 Index (229.815). Using the June 2012 Index in place of the August 2012 Index does not change the CWC waiver credit price for 2013 of $0.42. EPA will therefore confirm the 2013 CWC price in the announcement on our Web site following the effective date of this rule.

TABLE 3—INFLATION ADJUSTMENTS

Month	Unadjusted index	Source
January 2009	211.143	*http://www.bls.gov/cpi/cpid0901.pdf* (Table 1).
June 2013	233.504	*http://www.bls.gov/cpi/cpid1306.pdf* (Table 1).
June 2014	238.343	*http://www.bls.gov/cpi/cpid1406.pdf* (Table 1).

TABLE 4—INFLATION FACTORS

Months	Equation	Inflation factor
Jan. 2009–June 2013	1+(233.504 − 211.143)/211.143	1.106
Jan. 2009–June 2014	1+(238.343 − 211.143)/211.143	1.129

TABLE 5—CELLULOSIC WAIVER CREDIT PRICE CALCULATIONS

Year	$0.25 (Inflation adjusted)	$3—Wholesale price of gasoline (Inflation adjusted)	CWC price (Larger of the two values, rounded to the nearest cent)
2014	$0.25*1.106 = $0.28	($3.00*1.106) − $2.823 = $0.4947	$0.49
2015	$0.25*1.129 = $0.28	($3.00*1.129) − $2.742 = $0.6445	$0.64

As shown in Table 5, using the data sources for the inflation adjustment that are specified in this proposed rule results in a CWC price of $0.49 for 2014 and $0.64 for 2015. These prices, along with the CWC price for 2013 ($0.42) would be posted on EPA's Web site after the effective date of a final rule.

EPA notes that in this action we are not making a determination regarding whether CWCs will actually be offered. As required by statute, CWCs are only made available for sale if EPA lowers the required cellulosic biofuel volume requirement below the applicable volume set forth in the Act. EPA will decide whether or not it will lower the required cellulosic biofuel volumes in future rules establishing the 2014 and 2015 cellulosic biofuel percentage standards. At that time EPA will determine if CWCs will be sold. If so, they will be sold at the prices indicated above. However EPA notes that it has offered CWCs for every year since 2010, the first year for which a separate cellulosic biofuel standard was established. Given the anticipated shortfall in cellulosic biofuel production, as compared to statutory volumes, in these years it is probable that CWCs will be offered.

IV. Reinsertion of Inadvertently Overwritten Language

In the RFS RIN Quality Assurance Program final rule (79 FR 42078, July 18, 2014), we moved the previous 40 CFR 80.1426(f)(12) (regarding process heat produced from biogas) to 40 CFR 80.1426(f)(14) as we had proposed on February 21, 2013 (78 FR 12158). When we moved 40 CFR 80.1426(f)(12) to 40 CFR 80.1426(f)(14), however, we inadvertently overwrote the previous 40 CFR 80.1426(f)(14) (regarding renewable fuel produced from giant reed (*Arundo donax*) or napier grass (*Pennisetum purpureum*)) that had been finalized in a separate final rule which was published on July 11, 2013 (78 FR 41703). The new 40 CFR 80.1426(f)(12) finalized in the RFS RIN Quality Assurance Program final rule dealt with additional requirements for producers and importers when generating RINs. In today's action, we are proposing to amend the regulations to undo our inadvertent elimination of the regulatory provisions related to giant reed and napier grass. Specifically, we are proposing: (1) re-inserting the inadvertently eliminated language as 40 CFR 80.1426(f)(14) (see 78 FR 41714, July 11, 2013); (2) moving the current 40 CFR 80.1426(f)(14) (process heat produced from biogas) back to 40 CFR 80.1426(f)(12), where it existed prior to the RFS RIN Quality Assurance Program final rule (see 75 FR 79977, December 21, 2010); and (3) moving the current 40 CFR 80.1426(f)(12) to a new 40 CFR 80.1426(f)(17).

V. What should I consider as I prepare my comments for EPA?

A. Submitting CBI

Do not submit confidential business information (CBI) to EPA through *www.regulations.gov* or email. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD–ROM that you mail to EPA, mark the outside of the disk or CD–ROM as CBI and then identify electronically within the disk or CD–ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

B. Tips for Preparing Your Comments

When submitting comments, remember to:

- Identify the rulemaking by docket number and other identifying information (subject heading, **Federal Register** date and page number).
- Follow directions—The agency may ask you to respond to specific questions or organize comments by referencing a Code of Federal Regulations (CFR) part or section number.
- Explain why you agree or disagree, suggest alternatives, and substitute language for your requested changes.
- Describe any assumptions and provide any technical information and/or data that you used.
- If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.
- Provide specific examples to illustrate your concerns, and suggest alternatives.
- Explain your views as clearly as possible, avoiding the use of profanity or personal threats.

• Make sure to submit your comments by the comment period deadline identified.

C. Docket Copying Costs

You may be charged a reasonable fee for photocopying docket materials, as provided in 40 CFR part 2.

VI. Statutory and Executive Order Reviews

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

This action is not a significant regulatory action and was therefore not submitted to the Office of Management and Budget (OMB) for review.

B. Paperwork Reduction Act

This action does not impose an information collection burden under the PRA. The changes made to the regulations as a result of this action impose no new or different reporting requirements on regulated parties.

C. Regulatory Flexibility Act

I certify that this action will not have a significant economic impact on a substantial number of small entities under the RFA. In making this determination, the impact of concern is any significant adverse economic impact on small entities. An agency may certify that a rule will not have a significant economic impact on a substantial number of small entities if the rule relieves regulatory burden, has no net burden or otherwise has a positive economic effect on the small entities subject to the rule. This action clarifies the data sources and methodology used by EPA to establish the CWC price, establishes these prices for 2014 and 2015, and reinserts inadvertently overwritten regulatory language. The impacts of the RFS2 program on small entities were already addressed in the RFS2 final rule promulgated on March 26, 2010 (75 FR 14670), and this rule will not impose any additional requirements on small entities beyond those already analyzed. We have therefore concluded that this action will have no net regulatory burden for all directly regulated small entities.

D. Unfunded Mandates Reform Act

This action does not contain any unfunded mandate as described in UMRA, 2 U.S.C. 1531–1538, and does not significantly or uniquely affect small governments. This action implements mandate(s) specifically and explicitly set forth in Clean Air Act section 211(o) without the exercise of any policy discretion by the EPA.

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.

F. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments

This action does not have tribal implications, as specified in Executive Order 13175. This rule will be implemented at the Federal level and potentially impacts gasoline, diesel, and renewable fuel producers, importers, distributors, and marketers. Tribal governments would be affected only to the extent they purchase and use regulated fuels. Thus, Executive Order 13175 does not apply to this action.

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

The EPA interprets EO 13045 as applying only to those regulatory actions that concern environmental health or safety risks that the EPA has reason to believe may disproportionately affect children, per the definition of ''covered regulatory action'' in section 2–202 of the Executive Order. This action is not subject to Executive Order 13045 because it does not establish an environmental standard intended to mitigate health or safety risks and because it implements specific standards established by Congress in statutes (section 211(o) of the Clean Air Act).

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

This action is not subject to Executive Order 13211 because it is not a significant regulatory action under Executive Order 12866.

I. National Technology Transfer and Advancement Act

This rulemaking does not involve technical standards.

J. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations

This proposed rule is a technical correction and does not concern an environmental health or safety risk. Therefore, Executive Order 12898 does not apply.

VII. Statutory Authority

Statutory authority for this proposed action comes from section 211 of the Clean Air Act, 42 U.S.C. 7545.

List of Subjects in 40 CFR Part 80

Environmental protection, Administrative practice and procedure, Air pollution control, Diesel fuel, Fuel additives, Gasoline, Imports, Oil imports, Petroleum, Renewable fuel.

Dated: March 24, 2015.

Gina McCarthy,

Administrator.

[FR Doc. 2015–07478 Filed 4–2–15; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 81

[EPA–R09–OAR–2008–0467; FRL–9925–57–Region 9]

Designation of Areas for Air Quality Planning Purposes; California; San Joaquin Valley, South Coast Air Basin, Coachella Valley, and Sacramento Metro Ozone Nonattainment Areas; Reclassification

AGENCY: Environmental Protection Agency (EPA).

ACTION: Withdrawal of proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is withdrawing a proposed action to reclassify the Indian country pertaining to the Pechanga Band of Luiseño Mission Indians (Pechanga Reservation) from ''Severe-17'' to ''Extreme'' for the 1997 8-hour ozone national ambient air quality standard.

DATES: The proposed rule published on August 27, 2009 (74 FR 43654) is withdrawn with respect to the Pechanga Reservation on April 3, 2015.

FOR FURTHER INFORMATION CONTACT: Ken Israels, Grants and Program Integration Office (AIR–8), U.S. Environmental Protection Agency, Region IX, (415) 947–4102, israels.ken@epa.gov.

SUPPLEMENTARY INFORMATION: On August 27, 2009 (74 FR 43654), the EPA published a proposed rule to grant requests by the State of California to reclassify four nonattainment areas for the 1997 8-hour ozone national ambient air quality standard (''standard'') and to reclassify Indian country in keeping with the classifications of nonattainment areas within which they

are located. On May 5, 2010 (75 FR 24409), the EPA finalized the action as proposed except that EPA deferred reclassification of Indian country pertaining to the Morongo Band of Mission Indians (Morongo Reservation) and the Pechanga Band of Luiseño Mission Indians (Pechanga Reservation) in keeping with the state's request for the South Coast Air Basin. On January 6, 2015 (80 FR 436), the EPA proposed to revise the boundaries of South Coast and San Diego ozone planning areas to designate the Pechanga Reservation as a separate air quality planning area for the 1997 8-hour ozone standard. In the January 6, 2015 proposed rule, the EPA indicated that, if the Agency finalizes the January 6, 2015 proposed rule, as proposed, the EPA would withdraw the August 27, 2009 proposed rule to the extent that the 2009 proposed rule relates to the Pechanga Reservation. See 80 FR 436, at 438 (January 6, 2015). In the Rules and Regulations section of this **Federal Register**, the EPA is finalizing its January 6, 2015 proposed rule, as proposed. In light of final Agency action on the January 6, 2015 proposal, the EPA is withdrawing the August 27, 2009 proposed reclassification of the Pechanga Reservation for the 1997 8-hour ozone standard.

List of Subjects in 40 CFR Part 81

Environmental protection, Air pollution control, Intergovernmental relations, National parks, Ozone, Wilderness areas.

Dated: March 20, 2015.

Jared Blumenfeld,

Regional Administrator, Region IX.

[FR Doc. 2015–07535 Filed 4–2–15; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Chapter I

[GN Docket No. 12–268; FCC 15–38]

Comment Sought on Defining Commencement of Operations in the 600 MHz Band

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: In this document, the Federal Communications Commission (Commission) seeks comment on defining the term ''commence operations'' for 600 MHz Band wireless licensees in the context of the transition rules adopted in the *Incentive Auction Report and Order.*

DATES: Comments are due on or before May 1, 2015; reply comments are due on or before May 18, 2015.

ADDRESSES: You may submit comments, identified by the docket number in this proceeding, GN Docket No. 12–268, by any of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov*. Follow the instructions for submitting comments.
- *Federal Communications Commission's Electronic Comment Filing System (ECFS): http://fcc.gov/ecfs/*. Follow the instructions for submitting comments.
- *Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail):* Federal Communications Commission, 9300 East Hampton Dr., Capitol Heights, MD 20743.
- *U.S. Postal Service (First-class, Express, and Priority):* Federal Communications Commission, 445 12th St. SW., Washington, DC 20554.
- *Hand-delivered/Courier:* Federal Communications Commission, 445 12th St. SW., Room TW–A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.
- *Instructions:* All submissions received must include the agency name and docket number or Regulatory Information Number (RIN) for this document. All comments received will be posted without change to ECFS at *http://fcc.gov/ecfs/*, including any personal information provided.
- *Docket:* This document is in GN Docket No. 12–268. For access to the docket to read background documents or comments received, go to ECFS at *http://fcc.gov/ecfs/*.

For detailed instructions on submitting comments and additional information on the rulemaking process, *see* the ''*Public Participation''* heading of the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Simon Banyai of the Wireless Telecommunications Bureau, Broadband Division, at (202) 418–1443 or email to *simon.banyai@fcc.gov*.

SUPPLEMENTARY INFORMATION: This document was adopted on March 26, 2015 and released on March 26, 2015, and is available electronically at *https://apps.fcc.gov/edocs_public/attachmatch/FCC-15-38A1.pdf.* The complete text of this document as well as any comments, reply comments, and *ex parte* submissions will also be available for public inspection during regular business hours in the FCC Reference Center (CY–A257) at the Federal Communications Commission, 445 12th Street SW., Washington, DC, 20554. These documents will be available electronically in ASCII, Microsoft Word, and/or Adobe Acrobat.

Public Participation

Pursuant to §§ 1.415 and 1.419 of the Commission's rules, 47 CFR 1.415, 1.419, interested parties may file comments and reply comments on or before the dates indicated on the first page of this document. Comments may be filed using the Commission's ECFS. *See Electronic Filing of Documents in Rulemaking Proceedings,* 63 FR 24121 (1998).

- *Paper Filers:* Parties who choose to file by paper must file an original and one copy of each filing. If more than one active docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number. Filings can be sent by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.
- *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 & Governmental Affairs Bureau at 202–418–0530 (voice), or 202–418–0432 (tty).

I. Summary

1. In the *Incentive Auction Report and Order,* the Commission adopted rules to implement the incentive auction through which certain broadcast television spectrum will be repurposed for wireless flexible use to create the 600 MHz Band (*See* Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions, GN Docket No. 12–268, Report and Order, published at 79 FR 48442 (2014) (*Incentive Auction Report and Order*)). These rules include procedures governing the transition of broadcast television services and other operations out of the 600 MHz Band. As described below, the procedures the Commission adopted permit certain operations to continue in the 600 MHz spectrum until a 600 MHz Band wireless licensee ''commences operations'' in its licensed spectrum. The Commission did not define the term ''commence operations,'' but indicated that it would do so in the pre-auction process. By this document, the

Commission seeks comment on defining the term ''commence operations'' in the context of these transition rules.

2. Specifically, the Commission proposes that a 600 MHz Band licensee be deemed to ''commence operations'' in an area when it begins site activation and commissioning tests, using permanent base station equipment and permanent antenna or tower locations (hereinafter ''site commissioning tests''). Site activation and commissioning tests confirm that the site is operational, integrated into the network, and meets key functional requirements and performance metrics. This testing takes place at the start of the site and system optimization processes and prepares the network for launch in the area in which the licensee will provide commercial service. The Commission believes this approach best fulfills its objective in the transition process of promoting ready access to the repurposed spectrum by 600 MHz Band wireless licensees when and where they need it, while at the same time providing for an orderly transition process for secondary and unlicensed users that currently are serving various important consumer needs using this spectrum.

3. As noted, this definition will be one element of the 600 MHz transition rules. Under these rules, all full power and Class A television stations must cease operating in the spectrum repurposed for the 600 MHz Band no later than 39 months from issuance of the Channel Reassignment PN (*i.e.*, by the end of the Post-Auction Transition Period). 600 MHz Band wireless licensees will not have access to the repurposed spectrum in an area during the Post-Auction Transition Period unless full power and Class A television operations have ceased operations in that area.

4. For secondary and unlicensed users that currently are authorized to operate in this band, including low power television (''LPTV'') and TV translator stations, fixed broadcast auxiliary service operations (''BAS''), and unlicensed television white space (''TVWS'') devices, the Commission established a phased transition out of the 600 MHz Band. The transition procedures applicable to these categories of operations vary in certain regards, but all require that these operations cease in areas where the 600 MHz Band wireless licensee commences operations after providing the requisite notice. Except in the guard bands, LPTV and TV translator stations in the 600 MHz Band may continue to operate indefinitely unless they are in an area in which a 600 MHz Band wireless licensee provides advance written notice that it intends to commence operations and that the LPTV or TV translator station is likely to cause harmful interference to the licensee's operations in that area. LPTV or TV translator stations in the 600 MHz guard bands must cease operations no later than the end of the Post-Auction Transition Period. TVWS devices may continue to operate in the 600 MHz Band indefinitely, except in those areas in which a 600 MHz Band wireless licensee commences operations after providing the requisite notice to the TVWS database administrator. BAS licensees must vacate the 600 MHz Band by the end of the Post-Auction Transition Period, or earlier if notified that they are likely to cause harmful interference to a 600 MHz Band wireless licensee in an area in which it intends to commence operations. While several commenters in the Incentive Auction proceeding discussed the transition of secondary and unlicensed users out of the 600 MHz Band, the Commission received limited comment on how best to define when a 600 MHz Band wireless licensee commences operations for the purpose of these transition procedures.

5. Under the Commission's proposed definition, a 600 MHz Band wireless licensee's operations would be deemed to ''commence'' prior to the licensee's launch of commercial services in an area, specifically when the licensee begins site commissioning tests. These site commissioning tests ordinarily take place in the late stages of a deployment, after the wireless licensee has completed construction of physical network infrastructure that will provide commercial service in the area. That is, they are conducted after a cell site has been fully constructed, with all base station equipment, antennas, feed systems, and other hardware installed, and with all power systems and backhaul connectivity installed and operational. This testing encompasses start-up procedures and system checks when the system is first powered up, a series of functionality tests, and over-the-air field tests, such as establishing mobile calls, validating coverage, and confirming handover between sectors. Site commissioning tests are used to confirm that all of the site infrastructure is working properly and is integrated into the licensee's network, and to enable the licensee to verify the site's coverage through direct measurements. To ensure the accuracy of this site commissioning testing, a licensee will require access to its 600 MHz Band spectrum in the area in which it is commencing operations so all of its facilities can be tested under the real world conditions for which they were designed and in an environment that is free from potential interference from others. Alternatively, should any testing by a wireless licensee be deemed the ''commencement'' of operations? Is there a specific stage of testing other than site commissioning tests that would be an appropriate benchmark? Commenters supporting one of these alternatives to the Commission's proposal above should explain how it meets the objectives set forth in the *Incentive Auction Report and Order* regarding an orderly transition process for existing secondary and unlicensed users in the 600 MHz Band.

6. The Commission also proposes that a 600 MHz Band licensee's notification would cover the area served by the licensee's commercial service infrastructure deployment. Under this approach, the area subject to notification might include an entire metropolitan area, in the case of the initial launch for a market, or might be a smaller area, such as a highway corridor, where a licensee is deploying commercial service in phases. The 600 MHz Band licensee would be authorized to conduct site commissioning tests on all cell sites within the identified area, starting on the date provided in the notice. Alternatively, should the area subject to a wireless licensee's notification cover larger areas to encompass the licensee's phased deployment of infrastructure? Commenters proposing such alternatives should explain their reasoning and how their proposals meet the Commission's transition objectives.

7. Under this proposed definition of ''commence operations,'' secondary and unlicensed users would continue to operate as set forth in the *Incentive Auction Report and Order* until the time prescribed by the notice from the 600 MHz Band wireless licensee that triggers their obligation to vacate the affected area(s) of the licensed spectrum. The Commission believes this proposed definition of ''commence operations'' best accomplishes its transition objectives.

8. The Commission seeks comment on this proposed definition of ''commence operations'' for the purpose of the transition rules for the 600 MHz Band, including its proposal for determining the area to be covered by the licensee's notification. Commenters should discuss and quantify the costs and benefits of this proposal, as well as any suggested clarifications or revisions to the definition, and any proposed alternative approaches. In advocating an alternative definition, commenters

should explain why the alternative proposal better serves the public interest and the Commission's policy goals than the definition being proposed.

II. Procedural Matters

A. Ex Parte Rules—Permit-But-Disclose Proceeding

9. Pursuant to § 1.1200(a) of the Commission's rules, this matter shall be treated as a ''permit-but-disclose'' proceeding in accordance with the Commission's *ex parte* rules. Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule § 1.1206(b). In proceedings governed by rule § 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (*e.g.,* .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

B. Paperwork Reduction Analysis

10. This document does not change, or propose to change, the information collection requirements subject to the Paperwork Reduction Act of 1995 (''PRA''), Public Law 104–13., contained in the *Incentive Auction Report and Order.* As a result, no new submission to the Office of Management and Budget is necessary to comply with the PRA requirements. In addition, it does not contain any new or modified ''information collection burden for small business concerns with fewer than 25 employees,'' pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, *see* 44 U.S.C. 3506(c)(4).

C. Regulatory Flexibility Analysis

11. The actions in this document have not changed, or proposed to change, the Final Regulatory Flexibility Analysis (''FRFA''), which was set forth in the *Incentive Auction Report and Order.* Thus, no supplemental FRFA is necessary.

Federal Communications Commission.

Marlene H. Dortch,

Secretary.

[FR Doc. 2015–07486 Filed 4–2–15; 8:45 am]

BILLING CODE 6712–01–P

Notices

Federal Register
Vol. 80, No. 64
Friday, April 3, 2015

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

Office of the Secretary

Meeting Notice of the National Agricultural Research, Extension, Education, and Economics Advisory Board

AGENCY: Research, Education, and Economics, USDA.

ACTION: Notice of meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, 5 U.S.C. App 2, Section 1408 of the *National Agricultural Research, Extension, and Teaching Policy Act of 1977* (7 U.S.C. 3123), and the *Agricultural Act of 2014,* the United States Department of Agriculture (USDA) announces an open meeting of the National Agricultural Research, Extension, Education, and Economics Advisory Board.

DATES: The National Agricultural Research, Extension, Education, and Economics Advisory Board will meet April 27–29, 2015: April 27, 2015, 1:00 p.m.–5:30 p.m. EDT; April 28, 2015, 8:00 a.m.–5:00 p.m. EDT; and April 29, 2015, 8:00 a.m.–12:00 p.m. EDT.

ADDRESSES: The meeting will be held at the American Geophysical Union Conference Center, 2000 Florida Avenue NW., Washington, DC 20009. Written comments from the public may be sent to: The National Agricultural Research, Extension, Education, and Economics Advisory Board Office, Room 332A, Whitten Building, United States Department of Agriculture, STOP 0321, 1400 Independence Avenue SW., Washington, DC 20250–0321.

FOR FURTHER INFORMATION CONTACT: Michele Esch, Designated Federal Officer and Executive Director, or Shirley Morgan-Jordan, Program Support Coordinator, National Agricultural Research, Extension, Education, and Economics Advisory Board; telephone: (202) 720–3684; fax: (202) 720–6199; or email: *michele.esch@usda.gov* or *Shirley.Morgan@ars.usda.gov.*

SUPPLEMENTARY INFORMATION:

Purpose of the Meeting: To provide advice and recommendations on the top priorities and policies for food and agricultural research, education, extension and economics.

Tentative Agenda: The agenda will include the following items:

- Update on the activities of the Research, Education, and Economics mission area.
- Discussion and deliberation on the process for completing the mandatory annual relevancy and adequacy review of the programs and activities of the Research, Education, and Economics mission area.
- Presentation and discussion on a culture of safety in agricultural research.
- Presentation and discussion on an assessment of the food system.
- Updates from the permanent subcommittees and working groups of the NAREEE Advisory Board, including the presentation and deliberation of the *Report and Recommendations of the National Genetics Resources Advisory Council (NGRAC).*

Public Participation: This meeting is open to the public and any interested individuals wishing to attend. Opportunity for public comment will be offered at the end of each day of the meeting. To attend the meeting and/or make oral statements regarding any items on the agenda, you must contact Shirley Morgan-Jordan at 202–720–3684; email: *shirley.morgan@ars.usda.gov at least 5 business* days prior to the meeting. Members of the public will be heard in the order in which they sign up at the beginning of the meeting. The Chair will conduct the meeting to facilitate the orderly conduct of business. Written comments by attendees or other interested stakeholders will be welcomed for the public record before and up to two weeks following the Board meeting (by close of business Wednesday, May 13, 2015). All written statements must be sent to Michele Esch, Designated Federal Officer and Executive Director, The National Agricultural Research, Extension, Education, and Economics Advisory Board, Room 332A, Whitten Building, United States Department of Agriculture, STOP 0321, 1400 Independence Avenue SW., Washington, DC 20250–0321; or email: *nareee@ars.usda.gov.* All statements will become a part of the official record of the National Agricultural Research, Extension, Education, and Economics Advisory Board and will be kept on file for public review in the Research, Education, and Economics Advisory Board Office.

Done at Washington, DC, this 27 day of March 2015.

Ann Bartuska,

Deputy Under Secretary, Research, Education, and Economics.

[FR Doc. 2015–07603 Filed 4–2–15; 8:45 am]

BILLING CODE 3410–03–P

DEPARTMENT OF AGRICULTURE

Forest Service

Newspapers Used for Publication of Legal Notices in the Southwestern Region, Which Includes Arizona, New Mexico, and Parts of Oklahoma and Texas

AGENCY: Forest Service, USDA.

ACTION: Notice.

SUMMARY: This notice lists the newspapers that will be used by all Ranger Districts, Grasslands, Forests, and the Regional Office of the Southwestern Region to publish legal notices required under 36 CFR parts 218 and 219. The intended effect of this action is to inform interested members of the public which newspapers the Forest Service will use to publish notices of proposed actions, notices of decision, and notices of opportunity to file an objection or appeal. This will provide the public with constructive notice of Forest Service proposals and decisions, provide information on the procedures to comment, appeal, or object, and establish the date that the Forest Service will use to determine if comments, appeals, or objections were timely.

DATES: Publication of legal notices in the listed newspapers will begin on the date of this publication and continue until further notice.

ADDRESSES: Margaret Van Gilder, Regional Administrative Review Coordinator, Forest Service, Southwestern Region; 333 Broadway SE., Albuquerque, NM 87102–3498.

FOR FURTHER INFORMATION CONTACT: Margaret Van Gilder, Regional Administrative Review Coordinator; (505) 842–3223.

SUPPLEMENTARY INFORMATION: The administrative procedures at 36 CFR parts 218 and 219 require the Forest Service to publish notices in a newspaper of general circulation. The content of the notices is specified in 36 CFR parts 218 and 219. In general, the notices will identify: The decision or project, by title or subject matter; the name and title of the official making the decision; how to obtain additional information; and where and how to file comments, appeals, or objections. The date the notice is published will be used to establish the official date for the beginning of the comment, appeal, or objection period. Where more than one newspaper is listed for any unit, the first newspaper listed is the primary newspaper of record of which publication date shall be used for calculating the time period to file comment, appeal, or an objection.

Southwestern Regional Office

Regional Forester

Notices of Availability for Comment and Decisions and Objections affecting New Mexico Forests:—''*Albuquerque Journal*'', Albuquerque, New Mexico, for National Forest System Lands in the State of New Mexico for any projects of Region-wide impact, or for any projects affecting more than one National Forest or National Grassland in New Mexico.

Regional Forester Notices of Availability for Comment and Decisions and Objections affecting Arizona Forests:—''*The Arizona Republic*'', Phoenix, Arizona, for National Forest System lands in the State of Arizona for any projects of Region-wide impact, or for any projects affecting more than one National Forest in Arizona.

Regional Forester Notices of Availability for Comment and Decisions and Objections affecting National Grasslands in New Mexico, Oklahoma, and Texas are listed by Grassland and location as follows: Kiowa National Grassland notices published in:—''*Union County Leader*'', Clayton New Mexico. Rita Blanca National Grassland in Cimarron County, Oklahoma notices published in:—''*Boise City News*'', Boise City, Oklahoma. Rita Blanca National Grassland in Dallam County, Texas notices published in:—''*The Dalhart Texan*'', Dalhart, Texas. Black Kettle National Grassland in Roger Mills County, Oklahoma notices published in:—''*Cheyenne Star*'', Cheyenne, Oklahoma. Black Kettle National Grassland in Hemphill County, Texas notices published in:—''*The Canadian Record*'', Canadian, Texas. McClellan Creek National Grassland in Gray County, Texas notices published in:—''*The Pampa News*'', Pampa, Texas.

Regional Forester Notices of Availability for Comment and Decisions and Objections affecting only one National Forest or National Grassland unit will appear in the newspaper of record elected by each National Forest or National Grassland as listed below.

Arizona National Forests

Apache-Sitgreaves National Forests

Notices for Availability for Comments, Decisions and Objections by Forest Supervisor, Alpine Ranger District, Black Mesa Ranger District, Lakeside Ranger District, and Springerville Ranger District are published in:—''*The White Mountain Independent*'', Apache County, Arizona.

Clifton Ranger District Notices are published in:—''*Copper Era*'', Clifton, Arizona.

Coconino National Forest

Notices for Availability for Comments, Decisions and Objections by Forest Supervisor, Mogollon Rim Ranger District, and Flagstaff Ranger District are published in:—''*Arizona Daily Sun*'', Flagstaff, Arizona.

Red Rock Ranger District Notices are published in:—''*Red Rock News*'', Sedona, Arizona.

Coronado National Forest

Notices for Availability for Comments, Decisions and Objections by Forest Supervisor and Santa Catalina Ranger District are published in:—''*The Arizona Daily Star*'', Tucson, Arizona.

Douglas Ranger District Notices are published in:—''*Daily Dispatch*'', Douglas, Arizona.

Nogales Ranger District Notices are published in:—''*Nogales International*'', Nogales, Arizona.

Sierra Vista Ranger District Notices for projects east of Highway 83 are published in:—''*Sierra Vista Herald*'', Sierra Vista, Arizona; notices for projects west of Highway 83 are published in:—''*Nogales International*'', Nogales, Arizona.

Safford Ranger District Notices are published in:—''*Eastern Arizona Courier*'', Safford, Arizona.

Kaibab National Forest

Notices for Availability for Comments, Decisions and Objections by Forest Supervisor, North Kaibab Ranger District, Tusayan Ranger District, and Williams Ranger District Notices are published in:—''*Arizona Daily Sun*'', Flagstaff, Arizona.

Prescott National Forest

Notices for Availability for Comments, Decisions and Objections by Forest Supervisor, Bradshaw Ranger District, Chino Valley Ranger District are published in:—''*Daily Courier*'', Prescott, Arizona. Notices for Availability for Comments, Decisions and Objections by the Verde Ranger District are published in: ''*Verde Independent*'', Cottonwood, Arizona.

Tonto National Forest

Notices for Availability for Comments, Decisions, and Objections by Forest Supervisor, Cave Creek Ranger District, and Mesa Ranger District are published in:—''*Arizona Capitol Times*'', in Phoenix, Arizona.

Globe Ranger District Notices are published in:—''*Arizona Silver Belt*'', Globe, Arizona. Payson Ranger District, Pleasant Valley Ranger District and Tonto Basin Ranger District Notices are published in:—''*Payson Roundup*'', Payson, Arizona.

New Mexico National Forests

Carson National Forest

Notices for Availability for Comments, Decisions and Objections by Forest Supervisor, Camino Real Ranger District, Tres Piedras Ranger District and Questa Ranger District are published in:—''*The Taos News*'', Taos, New Mexico.

Canjilon Ranger District and El Rito Ranger District Notices are published in:—''*Rio Grande Sun*'', Espanola, New Mexico.

Jicarilla Ranger District Notices are published in:—''*Farmington Daily Times*'', Farmington, New Mexico.

Cibola National Forest and National Grasslands

Notices for Availability for Comments, Decisions and Objections by Forest Supervisor affecting lands in New Mexico, except the National Grasslands are published in:—''*Albuquerque Journal*'', Albuquerque, New Mexico.

Forest Supervisor Notices affecting National Grasslands in New Mexico, Oklahoma and Texas are published by grassland and location as follows: Kiowa National Grassland in Colfax, Harding, Mora and Union Counties, New Mexico published in:—''*Union County Leader*'', Clayton, New Mexico. Rita Blanca National Grassland in Cimarron County, Oklahoma published in:—''*Boise City News*'', Boise City, Oklahoma. Rita Blanca National Grassland in Dallam County, Texas published in:—''*The Dalhart Texan*'', Dalhart, Texas. Black Kettle National

Grassland, in Roger Mills County, Oklahoma published in:—''*Cheyenne Star*'', Cheyenne, Oklahoma. Black Kettle National Grassland, in Hemphill County, Texas published in:—''*The Canadian Record*'', Canadian, Texas. McClellan Creek National Grassland published in:—''*The Pampa News*'', Pampa, Texas.

Mt. Taylor Ranger District Notices are published in:—''*Cibola County Beacon*'', Grants, New Mexico.

Magdalena Ranger District Notices are published in:—''*Defensor-Chieftain*'', Socorro, New Mexico.

Mountainair Ranger District Notices are published in:—''*Mountain View Telegraph*'', Moriarity, New Mexico.

Sandia Ranger District Notices are published in:—''*Albuquerque Journal*'', Albuquerque, New Mexico.

Kiowa National Grassland Notices are published in:—''*Union County Leader*'', Clayton, New Mexico.

Rita Blanca National Grassland Notices in Cimarron County, Oklahoma are published in:—''*Boise City News*'', Boise City, Oklahoma while Rita Blanca National Grassland Notices in Dallam County, Texas are published in:—''*Dalhart Texan*'', Dalhart, Texas.

Black Kettle National Grassland Notices in Roger Mills County, Oklahoma are published in:—''*Cheyenne Star*'', Cheyenne, Oklahoma, while Black Kettle National Grassland Notices in Hemphill County, Texas are published in:—''*The Canadian Record*'', Canadian, Texas.

McClellan Creek National Grassland Notices are published in:—''*The Pampa News*'', Pampa, Texas.

Gila National Forest

Notices for Availability for Comments, Decisions and Objections by Forest Supervisor, Quemado Ranger District, Reserve Ranger District, Glenwood Ranger District, Silver City Ranger District and Wilderness Ranger District are published in:—''*Silver City Daily Press*'', Silver City, New Mexico.

Black Range Ranger District Notices are published in:—''*The Herald*'', Truth or Consequences, New Mexico.

Lincoln National Forest

Notices for Availability for Comments, Decisions and Objections by Forest Supervisor and the Sacramento Ranger District are published in:—''*Alamogordo Daily News*'', Alamogordo, New Mexico.

Guadalupe Ranger District Notices are published in:—''*Carlsbad Current Argus*'', Carlsbad, New Mexico.

Smokey Bear Ranger District Notices are published in:—''*Ruidoso News*'', Ruidoso, New Mexico.

Santa Fe National Forest

Notices for Availability for Comments, Decisions and Objections by Forest Supervisor, Coyote Ranger District, Cuba Ranger District, Espanola Ranger District, Jemez Ranger District and Pecos-Las Vegas Ranger District are published in:—''*Albuquerque Journal*'', Albuquerque, New Mexico.

Dated: March 24, 2015.

Danny Montoya,

Acting Deputy Regional Forester, Southwestern Region.

[FR Doc. 2015–07653 Filed 4–2–15; 8:45 am]

BILLING CODE 3410–11–P

COMMISSION ON CIVIL RIGHTS

Agenda and Notice of Public Meeting of the Montana Advisory Committee

Date and Time: Friday, April 24, 2015 at 1:00 p.m. (MDT).

Place: Via Teleconference. Public Dial-in 1–877–446–3914; Listen Line Code: 5374479

TDD: Dial Federal Relay Service 1–800–977–8339 give operator the Public Dial-In and Listen Line Code identified above.

Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act (FACA) that a planning meeting of the Montana Advisory Committee to the Commission will convene via conference call. The purpose of the meeting is to continue discussion of civil rights issues in the state and select issues for further study.

The meeting will be conducted via conference call. Members of the public may listen to the discussion by calling the toll-free number public dial-in number and providing the listen line code identified above. Persons with hearing impairments may also following the proceedings by first calling the Federal Relay Service number listed above and providing the toll-free number public dial-in number and the listen line code identified above. Callers will incur no charges for calls they initiate over land line connections to the toll-free public dial-in number. Callers may incur charges for calls they initiate over wireless lines; the Commission will not refund any incurred charges.

Members of the public are entitled to submit written comments. The comments must be received in the regional office by Monday, May 25, 2015. Comments may be mailed to the Rocky Mountain Regional Office, U.S. Commission on Civil Rights, 1961 Stout Street, Suite 13–201, Denver, CO 80294 or faxed to (303) 866–1040, or emailed to Evelyn Bohor at *ebohor@usccr.gov.* Persons who desire additional information may contact the Rocky Mountain Regional Office at 303–866–1040.

Records generated from this meeting may be inspected and reproduced at the Rocky Mountain Regional Office, as they become available, both before and after the meeting. Persons interested in the work of this advisory committee are advised to go to the Commission's Web site, *www.usccr.gov,* or to contact the Rocky Mountain Regional Office at the above phone number, email or street address.

The meetings will be conducted pursuant to the provisions of the rules and regulations of the Commission and FACA.

Dated: March 30, 2015.

David Mussatt,

Chief, Regional Programs Coordination Unit.

[FR Doc. 2015–07652 Filed 4–2–15; 8:45 am]

BILLING CODE 6335–01–P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meeting of the Tennessee Advisory Committee

AGENCY: U.S. Commission on Civil Rights.

ACTION: Notice of meeting.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act that the Tennessee Advisory Committee (Committee) will hold a meeting on Tuesday, April 14, 2015, at 12:00 p.m. CST for the purpose of discussing and voting on proposal topics to USCCR.

Members of the public can listen to the discussion. This meeting is available to the public through the following toll-free call-in number: 888–428–9480, conference ID: 8778628. Any interested member of the public may call this number and listen to the meeting. The conference call operator will ask callers to identify themselves, the organization they are affiliated with (if any), and an email address prior to placing callers into the conference room. Callers can expect to incur charges for calls they initiate over wireless lines, and the Commission will not refund any incurred charges. Callers will incur no charge for calls they initiate over land-line connections to the toll-free telephone number. Persons with hearing impairments may also follow the proceedings by first calling the Federal

Relay Service at 1–800–977–8339 and providing the Service with the conference call number and conference ID number.

Member of the public are also entitled to submit written comments; the comments must be received in the regional office by May 14, 2015. Written comments may be mailed to the Southern Regional Office, U.S. Commission on Civil Rights, 61 Forsyth St., Suite 16T126, Atlanta, GA 30303. They may also be faxed to the Commission at (4042) 562–7005, or emailed to *jhinton@usccr.gov.* Persons who desire additional information may contact the Southern Regional Office at (404) 562–7000.

Records generated from this meeting may be inspected and reproduced at the Southern Regional Office, as they become available, both before and after the meeting. Records of the meeting will be available via *www.facadatabase.gov* under the Commission on Civil Rights, Tennessee Advisory Committee link. Persons interested in the work of this Committee are directed to the Commission's Web site, *http://www.usccr.gov,* or may contact the Southern Regional Office at the above email or street address.

Agenda

Welcome and Introductions

12:00 p.m. to 12:10 p.m., Diane DiIanni, Chair

Open Discussion

12:15 p.m. to 1:00 p.m.

Adjournment

1:00 p.m.

DATES: The meeting will be held on Tuesday, April 14, 2015, at 12:00 p.m.

Public Call Information: Dial: 888–428–9480, Conference ID: 8778628

Exceptional Circumstance: Pursuant to 41 CFR 102–3.150, the notice for this meeting is given less than 15 calendar days prior to the meeting because of the exceptional circumstances of technical difficulties occurring in the process of having the meeting notice signed and sent to the **Federal Register**.

Dated: March 30, 2015.

David Mussatt,

Chief, Regional Programs Unit.

[FR Doc. 2015–07650 Filed 4–2–15; 8:45 am]

BILLING CODE 6335–01–P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meeting of the Mississippi Advisory Committee To Discuss Agenda for the Public Meeting on Childcare Subsidy Policies in Mississippi

AGENCY: U.S. Commission on Civil Rights.

ACTION: Notice of meeting.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act that the Mississippi Advisory Committee (Committee) will hold a meeting on Tuesday, April 14, 2015, at 3:00 p.m. CST for the purpose of discussing the agenda for the public meeting on childcare subsidy policies in Mississippi. The committee previously approved a project proposal on the topic in February and plan to hold the public meeting and gather testimony on the topic later this spring.

Members of the public can listen to the discussion. This meeting is available to the public through the following toll-free call-in number: 888–438–5453, conference ID: 3072616. Any interested member of the public may call this number and listen to the meeting. The conference call operator will ask callers to identify themselves, the organization they are affiliated with (if any), and an email address prior to placing callers into the conference room. Callers can expect to incur charges for calls they initiate over wireless lines, and the Commission will not refund any incurred charges. Callers will incur no charge for calls they initiate over land-line connections to the toll-free telephone number. Persons with hearing impairments may also follow the proceedings by first calling the Federal Relay Service at 1–800–977–8339 and providing the Service with the conference call number and conference ID number.

Member of the public are also entitled to submit written comments; the comments must be received in the regional office by May 14, 2015. Written comments may be mailed to the Midwestern Regional Office, U.S. Commission on Civil Rights, 55 W. Monroe St., Suite 410, Chicago, IL 60615. They may also be faxed to the Commission at (312) 353–8324, or emailed to Administrative Assistant, Carolyn Allen at *callen@usccr.gov.* Persons who desire additional information may contact the Midwestern Regional Office at (312) 353–8311.

Records generated from this meeting may be inspected and reproduced at the Midwestern Regional Office, as they become available, both before and after the meeting. Records of the meeting will be available via *www.facadatabase.gov* under the Commission on Civil Rights, Mississippi Advisory Committee link. Persons interested in the work of this Committee are directed to the Commission's Web site, *http://www.usccr.gov,* or may contact the Midwestern Regional Office at the above email or street address.

Agenda

Welcome and Introductions

3:00 p.m. to 3:10 p.m.
Susan Glisson, Chair

Discuss and approve agenda for May 13 hearing on childcare subsidies in MS.

3:10 p.m. to 3:40 p.m.

Discuss and approve venue location and other logistics for event.

3:40 p.m. to 3:55 p.m.

Open Comment

3:55 p.m. to 4:00 p.m.

Adjournment

4:00 p.m.

DATES: The meeting will be held on Tuesday, April 14, 2015, at 3:00 p.m. CST.

Public Call Information

Dial: 888–438–5453
Conference ID: 3072616

Exceptional Circumstance: Pursuant to 41 CFR 102–3.150, the notice for this meeting is given less than 15 calendar days prior to the meeting because of the exceptional circumstances of technical difficulties occurring in the process of having the meeting notice signed and sent to the **Federal Register**.

Dated: March 30, 2015.

David Mussatt,

Chief, Regional Programs Unit.

[FR Doc. 2015–07651 Filed 4–2–15; 8:45 am]

BILLING CODE 6335–01–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XD859

Caribbean Fishery Management Council; Public Meeting

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

ACTION: Notice of public meeting.

SUMMARY: The Caribbean Fishery Management Council (Council) will hold its 152nd meeting.

DATES: The meeting will be held on April 21–22, 2015. The Council will convene on Tuesday, April 21, 2014, from 9 a.m. to 6 p.m., and will reconvene on Wednesday, April 22, 2015, from 9 a.m. to 5 p.m.

ADDRESSES: The meeting will be held at the Divi Carina Beach Resort and Casino, 25 Estate Turner Hole, Christiansted, St. Croix, USVI 00820.

FOR FURTHER INFORMATION CONTACT: Caribbean Fishery Management Council, 270 Muñoz Rivera Avenue, Suite 401, San Juan, Puerto Rico 00918; telephone: (787) 766–5926.

SUPPLEMENTARY INFORMATION: The Council will hold its 152nd regular Council Meeting to discuss the items contained in the following agenda:

April 21, 2015, 9 a.m.–5 p.m.

Call to Order
Adoption of Agenda
Consideration of 151st Council Meeting Verbatim Transcriptions
Executive Director's Report
SSC National Workshop Report—Dr. Richard Appeldoorn
SSC Meeting Report—Dr. Richard Appeldoorn
Island-Based Fishery Management-Species Selection Criteria Development
- Outcomes from the March 2015 DAP and SSC Meetings

-input from each of the three DAPs
-input from SSC
- Review Proposed Options, Provide Guidance for Inclusion/Exclusion/Addition
- Discuss Options and Next Steps in Continuing the Development of this Initiative.

Update on Timing of Accountability Measure-based Closures Action
- Outcomes from the March 2015 DAP Meetings—input from each of the three DAPs regarding the options for times to schedule closures for each of the alternatives laid out in the Options paper (islands/island groups and ACL groupings)
- Review Proposed Options, Provide Guidance for Inclusion/Exclusion/Addition
- Discuss Next Steps

Update on Puerto Rico Commercial Landings 2011–13, and Comparison to Annual Catch Limits Permits Scoping Paper
- Report from USVI and Puerto Rico Regarding State Perspectives on Permits
- Review Outcomes from March Scoping Meetings
- Discuss Options and Next Steps in Continuing the Development of this Initiative

Emergency Rule to Prohibit Sea Cucumber and Sea Urchin Harvest from U.S. Caribbean EEZ Waters
- Report on Availability of Pertinent Landings Data
- Status and Next Steps

Modifications to Accountability Measure Guidance in FMPs
- Council Receives Update on Development of Plan Amendments

ABC Control Rule for Data-Poor Stocks
- Report from SSC

Abrir/Bajo/Tourmaline consistency of regulations
- Consider Outcomes from February Public Meetings in Mayaguez and Cabo Rojo, Puerto Rico
- Evaluate and Confirm, or Modify, Alternatives Including Preferred Alternatives.

PUBLIC COMMENT PERIOD (5-minutes presentations)

April 21, 2015, 5:15 p.m.–6 p.m.

Administrative Matters
-Budget Update FY 2014/15
-SOPPs Approval for Submission to NOAA Fisheries
-Closed Session:
-Membership of Island-Based District Advisory Panels (DAPs) and Consideration of Terms of Reference for Winter 2015 DAP Meetings
-SSC/OEAP Memberships

April 22, 2015, 9 a.m.–5 p.m.

Report on Stock Assessment Results and Plan Actions from the SEFSC's Stock Assessment Programmatic Review
Update on Project Entitled: ''Connecting Fishers and Fisheries Data Using a Cooperative Gear Development Project to Improve Catch Reporting''—Anthony Iarocci
Request by Puerto Rico West Coast Fishers on Trammel Net Phase Out
Revision of ACLs for Puerto Rico—Eugenio Piñeiro
Proposed Rule to Revise the National Standard 1, 3, and 7 Guidelines
Continuing Research: Assessing Queen Conch Home Range, Habitat and Movement in the USVI—Jennifer Doerr and Ron Hill
MERP Report
Outreach and Education Report—Dr. Alida Ortíz
Enforcement Issues:
-Puerto Rico-DNER
-U.S. Virgin Islands-DPNR
-U.S. Coast Guard
-NMFS/NOAA
Meetings Attended by Council Members and Staff
PUBLIC COMMENT PERIOD (5-minute presentations)
Other Business
Next Council Meeting

The established times for addressing items on the agenda may be adjusted as necessary to accommodate the timely completion of discussion relevant to the agenda items. To further accommodate discussion and completion of all items on the agenda, the meeting may be extended from, or completed prior to the date established in this notice.

The meeting is open to the public, and will be conducted in English. Fishers and other interested persons are invited to attend and participate with oral or written statements regarding agenda issues.

Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be subjects for formal action during this meeting. Actions 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 that the public has been notified of the Council's intent to take final action to address the emergency.

Special Accommodations

The meeting is physically accessible to people with disabilities. For more information or request for sign language interpretation and/other auxiliary aids, please contact Mr. Miguel A. Rolón, Executive Director, Caribbean Fishery Management Council, 270 Muñoz Rivera Avenue, Suite 401, San Juan, Puerto Rico, 00918, telephone (787) 766–5926, at least 5 days prior to the meeting date.

Dated: March 31, 2015.

Tracey L. Thompson,

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

[FR Doc. 2015–07684 Filed 4–2–15; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XD875

New England Fishery Management Council (NEFMC); Public Meeting

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

ACTION: Notice of a public meeting.

SUMMARY: The New England Fishery Management Council (Council) will hold a three-day meeting on April 21–23, 2015 to consider actions affecting New England fisheries in the exclusive economic zone (EEZ).

DATES: The meeting will be held on Tuesday, April 21 through Thursday, April 23, 2015, starting at 9 a.m. on Tuesday, April 21, and 8 a.m. on Wednesday, April 22 and Thursday, April 23, 2015.

ADDRESSES: The meeting will be held at the Hilton Hotel, 20 Coogan Boulevard, Mystic, CT 06355–1900. The telephone number is (860) 572–0731, and fax is (860) 572–0328. For online information see *www.hiltonmystic.com.*

Council address: New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950; telephone: (978) 465–0492.

FOR FURTHER INFORMATION CONTACT: Thomas A. Nies, Executive Director, New England Fishery Management Council; telephone: (978) 465–0492.

SUPPLEMENTARY INFORMATION:

Tuesday, April 21, 2015

The Council meeting will begin with introductions and a brief closed session during which the NEFMC will approve additional Scientific and Statistical Committee appointments for 2015–17. Brief reports will follow from the NEFMC Chairman and Executive Director, the NOAA Fisheries Regional Administrator, the Northeast Fisheries Science Center and Mid-Atlantic Fishery Management Council liaisons, NOAA General Counsel and NOAA Law Enforcement, and representatives of the Atlantic States Marine Fisheries Commission, U.S Coast Guard and the Northeast Regional Ocean Council.

NOAA General Counsel will then provide a presentation on the Magnuson-Stevens Act provisions on Council member financial disclosure and recusal requirements. During the Observer Committee's Report to follow the NEFMC will review and likely approve committee recommendations for additional industry-funded portside sampling and electronic monitoring options in the Atlantic herring fishery. The options are intended to be part of an omnibus amendment (vs. a framework adjustment) that would address industry-funded monitoring across all federally managed fisheries in the Northeast. A report from the Monkfish Committee report will include an update on the development of Framework Adjustment 9 to the Monkfish Fishery Management Plan (FMP), as well as Monkfish Plan Development Team analyses on use of less than 10-inch mesh stand-up gillnets while on a monkfish day-at-sea, and allowing a vessel to switch from a monkfish day to a monkfish research set-aside day while at sea. Just prior to a lunch break the Council will provide an opportunity for the public to provide brief comments on items that are relevant to Council business but otherwise not listed on the published agenda.

Following the break, there will be a presentation on a Northeast Fisheries Science Center report titled *Performance of the Northeast Multispecies Groundfish Fishery, May 2013–April 2014.* Following receipt of this information, the Council is expected to approve the Draft Environmental Impact Statement associated with Amendment 18 to the Northeast Multispecies Fishery FMP and identify preferred alternatives for the purpose of public review and comment. The amendment measures focus primarily on accumulation limits and the concentration of fishing effort in the inshore Gulf of Maine.

Wednesday, April 22, 2015

The second day of the meeting will begin with a NOAA Fisheries presentation regarding possible changes to National Standards 1, 3, and 7 and Council discussion of these issues. The NEFMC's Scientific and Statistical Committee will review its discussions about the proposals to change the National Standards, as well as NOAA's Draft Climate Science Strategy. Later in the morning, and as part of the Ecosystem Based Fisheries Management (EBFM) Committee's report, the Council will receive an updated status report on Northeast Continental Shelf Marine Ecosystem, review committee recommendations on a process to develop an EBFM policy, and review committee comments on NOAA's Draft Climate Science Strategy. The Habitat Committee will report prior to a lunch break. It seeks approval of final management measures to be included in Omnibus Essential Fish Habitat Amendment 2. Pending NOAA Fisheries approval, measures could affect all New England Council FMPs. This agenda item will be the subject of discussion for the remainder of the working day.

Thursday, April 23, 2015

The Council will continue consideration of the habitat agenda items listed above during this final day of the meeting. The meeting will adjourn after the consideration of any outstanding business.

Although other non-emergency issues not contained in this agenda may come before this Council for discussion, those issues may not be the subjects of formal 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 Act, provided that the public has been notified of the Council's intent to take final action to address the emergency.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Thomas A. Nies (see **ADDRESSES**) at least 5 days prior to the meeting date.

Dated: March 31, 2015.

Tracey L. Thompson,

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

[FR Doc. 2015–07685 Filed 4–2–15; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

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 provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

Agency: National Oceanic and Atmospheric Administration (NOAA).

Title: Data Collection and Verification for the Marine Projected Areas Inventory.

OMB Control Number: 0648–0449.

Form Number(s): None.

Type of Request: Regular (request for revision and extension of a currently approved information collection).

Number of Respondents: 67.

Average Hours per Response: 30 minutes.

Burden Hours: 29.

Needs and Uses: This request is for a revision and extension of an approved data collection effort to provide ocean managers, users and other interested parties with accurate, objective and useful information about the location, purpose, management and human uses of marine protected areas in the coastal

and marine waters of the United States. To this end, NOAA's National Marine Protected Areas Center (MPA Center), part of the Office of National Marine Sanctuaries (ONMS), proposes to continue and augment an ongoing effort to inventory all U.S. MPAs.

The MPA Center was established under Executive Order 13158, which directs NOAA and the Department of the Interior to work collaboratively with state, federal, territorial and tribal partners to enhance ocean conservation and management throughout the nation's system of MPAs. The Marine Protected Areas Inventory—a publicly available, online, spatial database that provides detailed and unique information on MPAs nationwide—is fundamental to this goal. Required by Executive Order 13158, the Inventory provides access to data and summary products on over 1,600 MPA sites across different management programs and all levels of government. The MPA Inventory is accessible via the MPA Center's Web site, *marineprotectedareas.noaa.gov.*

The MPA Inventory data collection continues the periodic and voluntary solicitation of site-specific descriptive data from all MPAs in the U.S. Typically, an individual MPA site would complete an online site data form once, and then update it if necessary to reflect changes in boundaries, regulations, management approaches, etc. The MPA Inventory is frequently used by ocean managers, users, scientists and others to better understand place-based management of U.S. waters.

In addition to continuing to manage and share descriptive information on U.S. MPAs, the MPA Center proposes to contact State and Federal MPA managers to solicit and facilitate their participation in a voluntary survey about conditions and trends in recreational uses of their sites. Data addressing the nature, trends, drivers and implications of recreational uses will be collected from U.S. MPA managers electronically over a period of 6 weeks using an online survey instrument. Individual managers' responses will remain confidential and the results aggregated to illustrate meaningful general trends rather data specific to a single MPA. Important patterns and lessons learned from this data collection will be shared directly with MPA managers around the country to assist in their management of some of the nation's most treasured ocean and coastal areas.

Affected Public: State, local and tribal governments.

Frequency: On occasion and biannually.

Respondent's Obligation: Voluntary.

This information collection request may be viewed at *reginfo.gov*. Follow the instructions to view Department of Commerce collections currently under review by OMB.

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *OIRA_Submission@omb.eop.gov* or fax to (202) 395–5806.

Dated: March 30, 2015.

Sarah Brabson,

NOAA PRA Clearance Officer.

[FR Doc. 2015–07584 Filed 4–2–15; 8:45 am]

BILLING CODE 3510–NK–P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

[13–BIS–002]

In the Matter of: Yavuz Cizmeci, Yesiloy Cad. No. 13, Istanbul 34153, Turkey, Respondent; Order Relating to Yavuz Cizmeci

The Bureau of Industry and Security, U.S. Department of Commerce (''BIS''), has notified Yavuz Cizmeci of Istanbul, Turkey (''Cizmeci''), that it has initiated an administrative proceeding against Cizmeci pursuant to Section 766.3 of the Export Administration Regulations (the ''Regulations''),[1] and Section 13(c) of the Export Administration Act of 1979, as amended (the ''Act''),[2] through the issuance of a Charging Letter to Cizmeci that alleges that Cizmeci committed one violation of the Regulations. Specifically, the charge is:

Charge 1: 15 CFR 764.2(b)—Causing, Aiding, or Abetting Actions Contrary to the Terms of a Temporary Denial Order

Between on or about June 26, 2008, and on or about June 27, 2008, Cizmeci caused, aided, abetted, induced, procured or permitted an act or actions prohibited by a BIS Temporary Denial Order (''the TDO'') issued in accordance with Section 766.24 of the Regulations. Specifically, Cizmeci caused, aided, abetted, induced, procured or permitted the participation by Dunyaya Bais Hava Tasimaciligi A.S., also known as Dunyaya Bakis Air Transportation, Inc., and doing business as Ankair (''Ankair''), of Istanbul, Turkey, in a transaction concerning a U.S.-origin Boeing 747 aircraft (manufacturer's serial number 24134, bearing Turkish tail number TC–AKZ), and actions by Ankair facilitating the acquisition, possession and/or control by Iran Air of the aircraft. The Boeing 747 was an item subject to the Regulations, classified under Export Control Classification Number 9A991.b, controlled for anti-terrorism reasons, and valued at least at approximately $5.3 million.

Cizmeci, who was the CEO and President of Ankair, submitted a letter dated June 26, 2008, to the Turkish Civil Aviation authorities directing that the Boeing 747 aircraft be de-registered in Turkey. Ankair also informed Turkish authorities that the aircraft would be subsequently re-registered in Pakistan. Ankair instead transferred physical possession and control of the aircraft to Iran Air on or about June 27, 2008. The Iran Air crew then ferried the aircraft from Turkey to Iran, where it remained under Iran Air's possession and control. At the time, Ankair's export privileges and those of Iran Air's had been denied under the Regulations by the TDO, which had issued on June 6, 2008.[3] The TDO prohibited Ankair from ''directly or indirectly, participating in any way in any transaction involving the Boeing 747 (manufacturer serial number 24134, and current tail number TC–AKZ), including, but not limited to . . . [c]arrying 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 Boeing 747. . . .'' Moreover, the TDO provided that no person ''may, directly or indirectly, do any of the following . . . [t]ake any action that facilitates the acquisition or attempted acquisition by [Iran Air or] any Denied Person [under the TDO] of the ownership, possession, or control of any item subject to the EAR that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby any Denied Person acquires or attempts to acquire such ownership, possession, or control.'' The TDO as issued was effective for 180 days, until December 3, 2008, and continued in force at all times pertinent hereto.

In so doing, Cizmeci violated Section 764.2(b) of the Regulations.

Whereas, BIS and Cizmeci have entered into a Settlement Agreement pursuant to Section 766.18(b) of the

[1] The Regulations are currently codified in the Code of Federal Regulations at 15 CFR parts 730–774 (2014). The charged violation occurred in 2008. The Regulations governing the violation at issue are found in the 2008 version of the Code of Federal Regulations (15 CFR parts 730–774). The 2014 Regulations set forth the procedures that apply to this matter.

[2] 50 U.S.C. app. §§ 2401–2420 (2000). Since August 21, 2001, the Act 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 (Aug. 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)).

[3] The June 6, 2008 TDO was published in the **Federal Register** on June 17, 2008 (73 FR 34249). Iran Air was subject to a standard denial order which extended to all items subject to the Regulations. Ankair's restrictions were tailored to transactions and activities involving the Boeing 747 aircraft at issue (manufacturer's serial number 24134).

Regulations, whereby they agreed to settle this matter in accordance with the terms and conditions set forth therein; and

Whereas, I have approved of the terms of such Settlement Agreement;

It is therefore ordered:

First, Cizmeci shall be assessed a civil penalty in the amount of $50,000, the payment of which shall be made to the U.S. Department of Commerce within 30 days of the date of this Order.

Second, pursuant to the Debt Collection Act of 1982, as amended (31 U.S.C. 3701–3720E (2000)), the civil penalty owed under this Order accrues interest as more fully described in the attached Notice, and if payment is not made by the due date specified herein, Cizmeci will be assessed, in addition to the full amount of the civil penalty and interest, a penalty charge and an administrative charge, as more fully described in the attached Notice.

Third, that for a period of twenty (20) years from the date of this Order, Yavuz Cizmeci, with a last known address of Yesiloy Cad. No. 13, Istanbul 34153, Turkey, and when acting for or on his behalf, his successors, assigns, employees, agents or representatives (hereinafter collectively referred to as ''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, or in any other activity 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.

Fourth, that 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 controlled by the Denied Person if such service involves the use of any item subject to the Regulations that has been or will be exported from the United States. For purposes of this paragraph, servicing means installation, maintenance, repair, modification or testing.

Fifth, that, after notice and opportunity for comment as provided in Section 766.23 of the Regulations, any person, firm, corporation, or business organization related to the Denied Person by ownership, control, position of responsibility, affiliation, or other connection in the conduct of trade or business may also be made subject to the provisions of this Order.

Sixth, Cizmeci shall not take any action or make or permit to be made any public statement, directly or indirectly, denying the allegations in the Charging Letter or this Order. The foregoing does not affect Cizmeci's testimonial obligations in any proceeding, nor does it affect his right to take legal or factual positions in civil litigation or other civil proceedings in which the U.S. Department of Commerce is not a party.

Seventh, the Charging Letter, the Settlement Agreement, and this Order shall be made available to the public.

Eighth, that this Order shall be served on Cizmeci, and shall be published in the **Federal Register**.

This Order, which constitutes the final agency action in this matter, is effective immediately.

Issued this 23rd day of March, 2015.

David W. Mills,

Assistant Secretary of Commerce for Export Enforcement.

[FR Doc. 2015–07566 Filed 4–2–15; 8:45 am]

BILLING CODE M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XD834

Fisheries of the Gulf of Mexico; Southeast Data, Assessment, and Review (SEDAR); Public Meeting

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

ACTION: Notice of SEDAR 43 Data/ Assessment Workshop for Gulf of Mexico Gray Triggerfish.

SUMMARY: The SEDAR 43 assessment of the Gulf of Mexico Gray Triggerfish will consist of one workshop and a series of webinars. See **SUPPLEMENTARY INFORMATION**.

DATES: The SEDAR Workshop will be held from 9 a.m. on April 21, 2015 until 6 p.m. on April 23, 2015. The established time may be adjusted as necessary to accommodate the timely completion of discussion relevant to the assessment process. Such adjustments may result in the meeting being extended from, or completed prior to the time established by this notice.

ADDRESSES:

Meeting address: The SEDAR 43 Data/ Assessment Workshop will be held at the Courtyard Miami Coconut Grove, 2649 South Bayshore Drive, Miami, FL 33133; telephone: (800) 321–2211.

SEDAR address: 4055 Faber Place Drive, Suite 201, N. Charleston, SC 29405.

FOR FURTHER INFORMATION CONTACT: Julie Neer, SEDAR Coordinator, 4055 Faber Place Drive, Suite 201, North Charleston, SC 29405; telephone: (843) 571–4366; Email: *Julie.neer@safmc.net*

SUPPLEMENTARY INFORMATION: The Gulf of Mexico, South Atlantic, and Caribbean Fishery Management Councils, in conjunction with NOAA Fisheries and the Atlantic and Gulf States Marine Fisheries Commissions have implemented the Southeast Data, Assessment and Review (SEDAR) process, a multi-step method for determining the status of fish stocks in the Southeast Region. SEDAR is a multi-step process including: (1) Data/ Assessment Workshop, and (2) a series

of webinars. The product of the Data/Assessment Workshop is a report which compiles and evaluates potential datasets and recommends which datasets are appropriate for assessment analyses, and describes the fisheries, evaluates the status of the stock, estimates biological benchmarks, projects future population conditions, and recommends research and monitoring needs. Participants for SEDAR Workshops are appointed by the Gulf of Mexico, South Atlantic, and Caribbean Fishery Management Councils and NOAA Fisheries Southeast Regional Office, HMS Management Division, and Southeast Fisheries Science Center. Participants include data collectors and database managers; stock assessment scientists, biologists, and researchers; constituency representatives including fishermen, environmentalists, and NGO's; International experts; and staff of Councils, Commissions, and state and federal agencies.

SEDAR 43 Data/Assessment Workshop Schedule:

April 21–23, 2015; SEDAR 43 Workshop

The items of discussion during the workshop include:

1. An assessment data set and associated documentation will be developed during the Workshop.

2. Participants will evaluate proposed data and select appropriate sources for providing information on life history characteristics, catch statistics, discard estimates, length and age composition, and fishery dependent and fishery independent measures of stock abundance.

3. Using datasets selected, participants will develop population models to evaluate stock status, estimate population benchmarks and management criteria, and project future conditions.

4. Participants will recommend the most appropriate methods and configurations for determining stock status and estimating population parameters.

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 these meetings. 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 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 the Council office (see **ADDRESSES**) at least 10 business days prior to each workshop.

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

Dated: March 31, 2015.

Tracey L. Thompson,

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

[FR Doc. 2015–07699 Filed 4–2–15; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B–17–2015]

Foreign-Trade Zone (FTZ) 127—West Columbia, South Carolina; Notification of Proposed Production Activity; Isola USA Corporation (Dielectric Prepreg and Copper-Clad Laminate); Ridgeway, South Carolina

The Richland-Lexington Airport District, Columbia Metropolitan Airport, grantee of FTZ 127, submitted a notification of proposed production activity to the FTZ Board on behalf of Isola USA Corporation (Isola) located in Ridgeway, South Carolina. The notification conforming to the requirements of the regulations of the FTZ Board (15 CFR 400.22) was received on March 17, 2015.

The Isola facility is located within Site 4 of FTZ 127. The facility is used to produce customized dielectric prepreg and copper-clad laminate sheets used by its customers to fabricate multilayer printed circuit boards. Pursuant to 15 CFR 400.14(b), FTZ activity would be limited to the specific foreign-status materials and 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 Isola from customs duty payments on the foreign-status material used in export production. On its domestic sales, Isola would be able to choose the duty rates during customs entry procedures that apply to customized dielectric prepreg and copper-clad laminate sheets (duty rates—4.2% and 3%, respectively) for foreign-status electrical grade woven fiberglass rolls and bonding prepreg (duty rates—7.3% and 4.2%, respectively). Customs duties also could possibly be deferred or reduced on foreign-status production equipment.

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 May 13, 2015.

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 Diane Finver at *Diane.Finver@trade.gov* or (202) 482–1367.

Dated: March 27, 2015.

Elizabeth Whiteman,

Acting Executive Secretary.

[FR Doc. 2015–07718 Filed 4–2–15; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

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 provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

Agency: National Oceanic and Atmospheric Administration (NOAA).

Title: National Saltwater Angler Registry and State Exemption Program.

OMB Control Number: 0648–0578.

Form Number(s): None.

Type of Request: Regular (revision and extension of a currently approved information collection).

Number of Respondents: 15,122.

Average Hours per Response: 3 minutes.

Burden Hours: 756.

Needs and Uses: This request is for revision and extension of a currently approved collection. The registration fee was changed from $15 to $25.

The National Saltwater Angler Registry Program (Registry Program) was established to implement recommendations included in the review of national saltwater angling data collection programs conducted by the National Research Council (NRC) in

2005/2006, and the provisions of the Magnuson-Stevens Reauthorization Act, codified at Section 401(g) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA), which require the Secretary of Commerce to commence improvements to recreational fisheries surveys, including establishing a national saltwater angler and for-hire vessel registry, by January 1, 2009. A final rule that includes regulatory measures to implement the Registry Program (RIN 0648–AW10) was adopted and codified in 50 CFR 600.1400–600.1417.

The Registry Program collects identification and contact information from those anglers and for-hire vessels who are involved in recreational fishing in the United States Exclusive Economic Zone or for anadromous fish in any waters, unless the anglers or vessels are exempted from the registration requirement. The data that is collected includes: For anglers: Name, address, date of birth, telephone contact information and region(s) of the country in which they fish; for for-hire vessels: owner and operator name, address, date of birth, telephone contact information, vessel name and registration/documentation number and home port or primary operating area. This information is compiled into a national and/or series of regional registries that is being used to support surveys of recreational anglers and for-hire vessels to develop estimates of recreational angling effort.

Affected Public: Individuals or households; business or other for-profit organizations.

Frequency: Annually.

Respondent's Obligation: Mandatory.

This information collection request may be viewed at *reginfo.gov*. Follow the instructions to view Department of Commerce collections currently under review by OMB.

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *OIRA_Submission@omb.eop.gov* or fax to (202) 395–5806.

Dated: March 30, 2015.

Sarah Brabson,

NOAA PRA Clearance Officer.

[FR Doc. 2015–07586 Filed 4–2–15; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[S–12–2015]

Approval of Subzone Status; MAT Industries, LLC; Springfield, Minnesota

On January 29, 2015, the Executive Secretary of the Foreign-Trade Zones (FTZ) Board docketed an application submitted by the Greater Metropolitan Area Foreign Trade Zone Commission, grantee of FTZ 119, requesting subzone status subject to the existing activation limit of FTZ 119 on behalf of MAT Industries, LLC, in Springfield, Minnesota.

The application was processed in accordance with the FTZ Act and Regulations, including notice in the **Federal Register** inviting public comment (80 FR 6040, 2–4–2015). The FTZ staff examiner reviewed the application and determined that it meets the criteria for approval.

Pursuant to the authority delegated to the FTZ Board's Executive Secretary (15 CFR Sec. 400.36(f)), the application to establish Subzone 119J is approved, subject to the FTZ Act and the Board's regulations, including Section 400.13, and further subject to FTZ 119's 2,000-acre activation limit.

Dated: March 25, 2015.

Andrew McGilvray,

Executive Secretary.

[FR Doc. 2015–07724 Filed 4–2–15; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[Application No. 14–00003]

Export Trade Certificate of Review

ACTION: Notice of Issuance of an Export Trade Certificate of Review for Wayne Jones dba Imani Resource Service (''WJIR''), Application no. 14–00003.

SUMMARY: The Office of Trade and Economic Analysis (''OTEA'') of the International Trade Administration, Department of Commerce, issued an Export Trade Certificate of Review to WJIR on March 10, 2015.

FOR FURTHER INFORMATION CONTACT: Joseph Flynn, Director, Office of Trade and Economic Analysis, International Trade Administration, (202) 482–5131 (this is not a toll-free number) or email at *etca@trade.gov*.

SUPPLEMENTARY INFORMATION: Title III of the Export Trading Company Act of 1982 (15 U.S.C. 4001–21) authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. An Export Trade Certificate of Review protects the holder and the members identified in the Certificate from State and Federal government antitrust actions and from private treble damage antitrust actions for the export conduct specified in the Certificate and carried out in compliance with its terms and conditions. Section 302(b)(1) of the Export Trading Company Act of 1982 and 15 CFR 325.6(a) require the Secretary to publish a notice in the **Federal Register** identifying the applicant and summarizing its proposed export conduct.

Description of Certified Conduct

WJIR is certified to engage in the Export Trade Activities and Methods of Operation described below in the following Export Trade and Export Markets.

Export Trade

Products: All Products.

Services: All services related to the export of Products.

Technology Rights: All intellectual property rights associated with Products or Services, including, but not limited to: Patents, trademarks, services marks, trade names, copyrights, neighboring (related) rights, trade secrets, know-how, and confidential databases and computer programs.

Export Trade Facilitation Services (as They Relate to the Export of Products): Export Trade Facilitation Services, including but not limited to: Consulting and trade strategy; arranging and coordinating delivery of Products to the port of export; arranging for inland and/or ocean transportation; allocating Products to vessel; arranging for storage space at port; arranging for warehousing, stevedoring, wharfage, handling, inspection, fumigation, and freight forwarding; insurance and financing; documentation and services related to compliance with customs' requirements; sales and marketing; export brokerage; foreign marketing and analysis; foreign market development; overseas advertising and promotion; Product-related research and design based upon foreign buyer and consumer preferences; inspection and quality control; shipping and export management; export licensing; provisions of overseas sales and distribution facilities and overseas sales staff; legal; accounting and tax assistance; development and application of management information systems; trade show exhibitions; professional services in the area of government relations and assistance with federal

and state export assistance programs; invoicing (billing) foreign buyers; collecting (letters of credit and other financial instruments) payment for Products; and arranging for payment of applicable commissions and fees.

Export Markets

The Export Markets include all parts of the world except the United States (the fifty states of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the Trust Territory of the Pacific Islands).

Export Trade Activities and Methods of Operations

To engage in Export Trade in the Export Markets, WJIR may provide and/or arrange for the provision of Export Trade Facilitation Services.

Definition

''Supplier'' means a person who produces, provides, or sells Products, Services, and/or Technology Rights.

Dated: March 31, 2015.

Joseph Flynn,

Director, Office of Trade and Economic Analysis, International Trade Administration.

[FR Doc. 2015–07717 Filed 4–2–15; 8:45 am]

BILLING CODE 3510–DR–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

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 provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

Agency: National Oceanic and Atmospheric Administration (NOAA).

Title: Alaska Commercial Operator's Annual Report (COAR).

OMB Control Number: 0648–0428.

Form Number(s): None.

Type of Request: Regular (extension of a currently approved information collection).

Number of Respondents: 179.

Average Hours per Response: 8 hours.

Burden Hours: 1,432.

Needs and Uses: This request is for extension of a currently approved information collection.

The Alaska Commercial Operator's Annual Report (COAR) is a report that collects harvest and production information broken out by specific criteria such as gear type, area, delivery and product type, and pounds and value. The COAR is due by April 1 of the year following any buying or processing activity.

Any person or company who received a Fisheries Business License from the Alaska Department of Revenue and an Intent to Operate Permit by Alaska Department of Fish and Game (ADF&G) is required to annually submit the COAR to the State of Alaska, Alaska Department of Fish and Game (ADF&G), under Alaska Administrative Code (AAC), chapter 5 AAC 39.130. In addition, any person or company who receives an Exclusive Economic Zone (EEZ)-only permit from ADF&G annually must submit a COAR to ADF&G. Any owner of a catcher/processor or mothership with a Federal permit operating in the EEZ off Alaska is required to annually submit a COAR to ADF&G under 50 CFR part 679.5(p).

The COAR provides information on ex-vessel and first wholesale values for statewide fish and shellfish products. Containing information from shoreside processors, stationary floating processors, motherships, and catcher/processors, this data collection yields equivalent annual product value information for all respective processing sectors and provides a consistent time series according to which groundfish resources may be managed more efficiently.

Affected Public: Business or other for-profit organizations.

Frequency: Annually.

Respondent's Obligation: Mandatory.

This information collection request may be viewed at *reginfo.gov.* Follow the instructions to view Department of Commerce collections currently under review by OMB.

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *OIRA_Submission@omb.eop.gov* or fax to (202) 395–5806.

Dated: March 30, 2015.

Sarah Brabson,

NOAA PRA Clearance Officer.

[FR Doc. 2015–07585 Filed 4–2–15; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

[Docket No.: 150318278–5278–01]

National Cybersecurity Center of Excellence Access Rights Management Use Case for the Financial Services Sector

AGENCY: National Institute of Standards and Technology, Department of Commerce.

ACTION: Notice.

SUMMARY: The National Institute of Standards and Technology (NIST) invites organizations to provide products and technical expertise to support and demonstrate security platforms for access rights management for the financial services sector. This notice is the initial step for the National Cybersecurity Center of Excellence (NCCoE) in collaborating with technology companies to address cybersecurity challenges identified under the financial services sector program. Participation in the use case is open to all interested organizations.

DATES: Interested parties must contact NIST to request a letter of interest template. Letters of interest will be accepted on a first come, first served basis. Collaborative activities will commence as soon as enough completed and signed letters of interest have been returned to address all the necessary components and capabilities, but no earlier than May 4, 2015. When the use case has been completed, NIST will post a notice on the NCCoE financial services sector program Web site at *http://nccoe.nist.gov/financial-services* announcing the completion of the use case and informing the public that it will no longer accept letters of interest for this use case.

ADDRESSES: The NCCoE is located at 9600 Gudelsky Drive, Rockville, MD 20850. Letters of interest must be submitted to *financial_NCCoE@nist.gov* or via hardcopy to National Institute of Standards and Technology, NCCoE; 9600 Gudelsky Drive; Rockville, MD 20850. Organizations whose letters of interest are accepted in accordance with the Process set forth in the **SUPPLEMENTARY INFORMATION** section of this notice will be asked to sign a Cooperative Research and Development Agreement (CRADA) with NIST. A CRADA template can be found at: *http://nccoe.nist.gov/node/138.*

FOR FURTHER INFORMATION CONTACT: Michael Stone via email at *financial_NCCoE@nist.gov*; or telephone 240–314–

6813; National Institute of Standards and Technology, NCCoE; 9600 Gudelsky Drive; Rockville, MD 20850. Additional details about the Financial Services Sector program are available at *http://nccoe.nist.gov/financial-services.*

SUPPLEMENTARY INFORMATION:

Background: The NCCoE, part of NIST, is a public-private collaboration for accelerating the widespread adoption of integrated cybersecurity tools and technologies. The NCCoE brings together experts from industry, government, and academia under one roof to develop practical, interoperable cybersecurity approaches that address the real-world needs of complex Information Technology (IT) systems. By accelerating dissemination and use of these integrated tools and technologies for protecting IT assets, the NCCoE will enhance trust in U.S. IT communications, data, and storage systems; reduce risk for companies and individuals using IT systems; and encourage development of innovative, job-creating cybersecurity products and services.

Process: NIST is soliciting responses from all sources of relevant security capabilities (see below) to enter into a Cooperative Research and Development Agreement (CRADA) to provide products and technical expertise to support and demonstrate security platforms for the Access Rights Management use case for the Financial Services Sector. The full use case can be viewed at: *http://nccoe.nist.gov/sites/default/files/NCCoE_FS_Use_Case_IDAM_FinalDraft_20140501.pdf.*

Interested parties should contact NIST using the information provided in the **FOR FURTHER INFORMATION CONTACT** section of this notice. NIST will then provide each interested party with a letter of interest template, which the party must complete, certify that it is accurate, and submit to NIST. NIST will contact interested parties if there are questions regarding the responsiveness of the letters of interest to the use case objective or requirements identified below. NIST will select participants who have submitted complete letters of interest on a first come, first served basis within each category of product components or capabilities listed below up to the number of participants in each category necessary to carry out this use case. However, there may be continuing opportunity to participate even after initial activity commences. Selected participants will be required to enter into a consortium CRADA with NIST. NIST published a notice in the **Federal Register** on October 19, 2012 (77 FR 64314) inviting U.S. companies to enter into National Cybersecurity Excellence Partnerships (NCEPs) in furtherance of the NCCoE. For this demonstration project, NCEP partners will not be given priority for participation.

Use Case Objective: The goal of this project is to demonstrate ways to link together the management of existing disparate identity and access mechanisms and systems into a comprehensive identity and access management (IDAM) system. This will enable financial sector entities to centrally issue, validate, and modify or revoke access rights for their entire enterprise based on easy-to-understand business rules. This IDAM system will abstract, unify, and simplify the complex task of dealing with multiple types of access systems, such as Windows Active Directory, Unix/Linux, Resource Access Control Facility (RACF), automatic class selection (ACS2) and myriad legacy and internally developed application-specific mechanisms. This IDAM system will also produce consolidated reports and statistics so that administrators and managers can make accurate risk management decisions. This IDAM system will, at a minimum, automate the monitoring and analysis of identity related activities in a manner that enables administrators and managers to make timely and informed risk management decisions.

Requirements: Each responding organization's letter of interest should identify which security platform components or capabilities it is offering. Components are listed in section six (for reference, please see link in PROCESS section above) of the Access Rights Management for the Financial Services Sector use case and include, but are not limited to:

- Mainframe (may be simulated or remotely accessed) such as RACF
- Representative ''homemade'' financial sector application(s) with internal user access database and logging system

Each responding organization's letter of interest should identify how their products address one or more of the following desired solution characteristics in section two (for reference, please see link in PROCESS section above) of the Access Rights Management for the Financial Services Sector use case:

1. Is a single system that is capable of interacting with multiple existing accesses
2. Has management systems to provide a complete picture of access rights within the organization
3. Complements, and does not replace, existing security infrastructure
4. Utilizes secure communications among all components
5. Automates logging, reporting and alerting of identity and access management events across the enterprise
6. Can be queried for information (ad-hoc reporting) in order to answer management, performance and security questions (*i.e.* show all activity for a given user in a certain time period)
7. Does not introduce new attack vectors into existing systems
8. Supports multiple access levels for the IDAM system (*e.g.* administrator, operator, viewer)
9. Provides fine-grain privilege controls (*e.g.* groups, users, directory, file, and record)
10. Provides the ability to attach expiration dates/time limits on access controls
11. Provides the ability to map user's access requests via ''service'' account access

Responding organizations need to understand and, in their letters of interest, commit to provide:

1. Access for all participants' project teams to component interfaces and the organization's experts necessary to make functional connections among security platform components
2. Support for development and demonstration of the Access Rights Management use case for the Financial Services Sector in NCCoE facilities which will be conducted in a manner consistent with Federal requirements (*e.g.,* FIPS 200, FIPS 201, SP 800–53, and SP 800–63)

Additional details about the Access Rights Management for the Financial Services sector use case are available at: *http://nccoe.nist.gov/sites/default/files/NCCoE_FS_Use_Case_IDAM_FinalDraft_20140501.pdf.*

NIST cannot guarantee that all of the products proposed by respondents will be used in the demonstration. Each prospective participant will be expected to work collaboratively with NIST staff and other project participants under the terms of the consortium agreement in the development of the Access Rights Management for the Financial Services sector capability. Prospective participants' contribution to the collaborative effort will include assistance in establishing the necessary interface functionality, connection and set-up capabilities and procedures, demonstration harnesses, environmental and safety conditions for use, integrated

platform user instructions, and demonstration plans and scripts necessary to demonstrate the desired capabilities. Each prospective participant will train NIST personnel as necessary, to operate its product in capability demonstrations to the financial services community. Following successful demonstrations, NIST will publish a description of the security platform and its performance characteristics sufficient to permit other organizations to develop and deploy security platforms that meet the security objectives of the Access Rights Management for the Financial Services sector use case. These descriptions will be public information. Under the terms of the consortium agreement, NIST will support development of interfaces among participants' products by providing IT infrastructure, laboratory facilities, office facilities, collaboration facilities, and staff support to component composition, security platform documentation, and demonstration activities.

The dates of the demonstration of the Access Rights Management for the Financial Services sector capability will be announced on the NCCoE Web site at least two weeks in advance at *http://nccoe.nist.gov/.* The expected outcome of the demonstration is to improve access rights management across an entire financial services sector enterprise. Participating organizations will gain from the knowledge that their products are interoperable with other participants' offerings.

For additional information on the NCCoE governance, business processes, and NCCoE operational structure, visit the NCCoE Web site *http://nccoe.nist.gov/.*

Richard Cavanagh,

Acting Associate Director for Laboratory Programs.

[FR Doc. 2015–07590 Filed 4–2–15; 8:45 am]

BILLING CODE 3510–13–P

DEPARTMENT OF COMMERCE

Economics and Statistics Administration

Commerce Data Advisory Council Meeting

AGENCY: Economic and Statistics Administration, Department of Commerce.

ACTION: Notice of public meeting.

SUMMARY: The Economic and Statistics Administration (ESA) is giving notice of a meeting of Commerce Data Advisory Council (CDAC). The CDAC will address areas such as data management practices; common, open data standards; policy issues related to privacy, latency, and consistency; effective models for public-private partnership; external uses of Commerce data; and, methods to build new feedback loops between the Department and data users. The CDAC will meet in a plenary session on April 23–24, 2015. Last-minute changes to the schedule are possible, which could prevent giving advance public notice of schedule adjustments.

DATES: April 23–24, 2015. On April 23, the meeting will begin at approximately 12:00 p.m. and end at approximately 5:00 p.m. On April 24, the meeting will begin at approximately 9:00 a.m. and end at approximately 1:00 p.m.

ADDRESSES: The meeting will be held at Google Washington, DC, 25 Massachusetts Avenue NW., Suite 900, Washington, DC 20001.

FOR FURTHER INFORMATION CONTACT: Burton Reist, *BReist@doc.gov* Director of External Communication and DFO, CDAC, Department of Commerce, Economics and Statistics Administration, 1401 Constitution Ave. NW., Washington, DC 20230, telephone (202) 482–3331.

SUPPLEMENTARY INFORMATION: The CDAC comprises as many as 20 members. The Committee provides an organized and continuing channel of communication between recognized experts in the data industry (collection, compilation, analysis, dissemination and privacy protection) and the Department of Commerce. The CDAC provides advice and recommendations, to include process and infrastructure improvements, to the Secretary, DOC and the DOC data-bureau leadership on ways to make Commerce data easier to find, access, use, combine and disseminate. The aim of this advice shall be to maximize the value of Commerce data to all users including governments, businesses, communities, academia, and individuals.

The Committee meeting is in accordance with the Federal Advisory Committee Act (Title 5, United States Code, Appendix 2, Section 10(a)(b)).

All meetings are open to the public. A brief period will be set aside at the meeting for public comment on April 24, 2015. However, individuals with extensive questions or statements must submit them in writing to: *DataAdvisoryCouncil@doc.gov* (subject line ''APRIL 2015 CDAC Meeting Public Comment''), or by letter submission to the Director of External Communication and DFO, CDAC, Department of Commerce, Economics and Statistics Administration, 1401 Constitution Ave. NW., Washington, DC 20230. Such submissions will be included in the record for the meeting if received by Friday, April 17, 2015.

The meeting is physically accessible to persons with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to the Director of External Communication as soon as possible, preferably two weeks prior to the meeting. If you plan to attend the meeting, please register by Monday, April 20, 2015. You may access the online registration from the following link: *https://www.regonline.com/cdac_april_2015_meeting.*

Seating is available to the public on a first-come, first-served basis.

Dated: March 30, 2015.

Austin Durrer,

Chief of Staff for Under Secretary for Economic Affairs, Economics and Statistics Administration.

[FR Doc. 2015–07773 Filed 4–2–15; 8:45 am]

BILLING CODE P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–932]

Steel Threaded Rod From the People's Republic of China: Notice of Court Decision Not in Harmony With the Final Results of Scope Ruling on Antidumping Duty Order and Notice of Amended Final Results of Scope Ruling on Antidumping Duty Order

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: On September 22, 2014, the United States Court of Appeals for the Federal Circuit (CAFC) issued a decision that engineered steel coil rod (coil rod) imported by A.L. Patterson, Inc. (Patterson) was outside the scope of the antidumping duty order on certain steel threaded rod from the People's Republic of China on threaded rod from the PRC.[1] On December 29, 2014, the United States Court of International Trade (CIT or Court) issued an order for the Department to take action on remand in accordance with the CAFC's decision and to find that Patterson's engineered steel coil rod is outside the

[1] *See A.L. Patterson, Inc.,* v. *United States,* 585 Fed. Appx. 778, 785–86 (Fed. Cir. 2014) (*Patterson CAFC 2014*); *see also Certain Steel Threaded Rod from the People's Republic of China: Notice of Antidumping Duty Order,* 74 FR 17154 (April 4, 2009) (*AD Order*).

scope of the *AD Order*.[2] On March 3, 2015, the CIT issued final judgment in *A.L. Patterson, Inc.* v. *United States,* Consol. Court No. 11–00192, affirming the Department of Commerce's (the Department) final results of redetermination pursuant to remand.[3]

Consistent with section 516A of the Tariff Act of 1930, as amended (the Act), the Department is notifying the public that the final judgment in this case is not in harmony with the Department's final results of the scope ruling on the antidumping duty order on certain steel threaded rod from the People's Republic of China, and is amending the final results with respect to coil rod imported by Patterson.

DATES: *Effective Date:* October 2, 2014.

FOR FURTHER INFORMATION CONTACT: Anne Gillman, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–6433.

SUPPLEMENTARY INFORMATION:

Background

In our initial scope ruling, the Department found coil rod imported by Patterson within the scope of the *AD Order* on threaded rod from the PRC.[4] In that scope ruling, the Department stated that the description of the product contained in the petition, the initial investigation, and the determinations by the Department (including prior scope determinations) and the International Trade Commission (ITC) were, in fact, dispositive with respect to Patterson's engineered steel coil rod.[5] Therefore, the Department conducted the scope determination pursuant to 19 CFR 351.225(k)(1). Based on that analysis, as the scope language of the *AD Order* was clear in its requirement that subject merchandise consist of products with solid, circular cross sections, with threading along greater than 25 percent threading of their total length, and Patterson's coil rod met these specific requirements of the scope of *AD Order,* the Department found that Patterson's coil rod was within the scope of the *AD Order*.[6]

Patterson challenged the Department's Final Scope Ruling in the CIT. On August 6, 2012, the CIT remanded the Final Scope Ruling to the Department to reconsider its decision that the engineered steel coil rod imported by Patterson falls within the scope of the *AD Order*.[7] Specifically, the Court held that: (1) The Department's decision that the scope language encompasses Patterson's product is not supported by substantial evidence; (2) if there is no finding of injury or sales at less-than-fair-value (LTFV) for Patterson's product, the Department's determination is not in accordance with law; and (3) the Department failed to adequately explain the reasons for its determination.[8] The CIT instructed the Department on remand ''to reconsider whether the language of the order includes Patterson's coil rod, following the interpretive procedure established in 19 CFR 351.225(k)(1).'' [9]

On remand, the Department re-examined the language of the petition, prior scope determinations, and original investigations of the Department and ITC, and the Department continued to find that Patterson's coil rod is within the scope of the *AD Order*.[10] After reviewing the petition, the ITC reports, and the original investigations, the Department found that Patterson's coil rod matched the physical description of the same class or kind of merchandise previously considered by the Department and the ITC based on carbon content, threading along the rod, and circular cross-section.[11] Accordingly, the Department found that Patterson's coil rod was within the scope of the *AD Order* under an analysis conducted pursuant to 19 CFR 351.225(k)(1).[12]

On May 22, 2013, the CIT sustained the Department's First Remand Redetermination.[13] Patterson appealed the CIT's judgment to the CAFC.

On September 22, 2014, the CAFC reversed the CIT's judgment sustaining the First Remand Redetermination. As detailed below, the CAFC concluded, among other things, that substantial evidence did not support the Department's determination that the coil rod at issue was part of the ITC's domestic industry analysis during its investigation.[14] Specifically, the CAFC found that ''the record before us shows that the investigations that supported the antidumping order was {sic} not on Patterson's coil rod but rather other kinds of steel threaded rods.'' [15] Therefore, the CAFC concluded that ''there is insufficient evidence to conclude that Patterson's coil rod, a distinctly different product than steel threaded rod, was part of the {ITC}'s material injury investigation,'' and as such, found that Patterson's engineered steel coil rod is not subject to the AD order.[16] On December 29, 2014, the CIT issued an order for the Department to take action on remand in accordance with the CAFC's decision in *Patterson CAFC 2014* and to find that Patterson's engineered steel coil rod is outside the scope of the *AD Order*.[17] In the Final Second Remand Redetermination, and in following the express directive of the *CIT Second Remand Order,* which instructed the Department to act in accordance with the CAFC's decision in *Patterson CAFC 2014,* the Department found that the *AD Order* did not cover Patterson's coil rod.[18] The CIT affirmed the Department's Final Second Remand Determination in its entirety on March 3, 2015, and entered judgment.[19]

Statutory Notice

The CAFC's decision in *Patterson CAFC 2014* and the CIT's March 3, 2015, judgment affirming the Final Second Remand Determination constitutes final court decisions that are not in harmony with the Final Scope Ruling. This notice is published in fulfillment of the statutory publication requirements.

Amended Final Results

Because there is now a final court decision, the Department is amending the Final Scope Ruling with respect to Patterson's coil rod as redetermined in the Final Second Remand Redetermination and finds engineered steel coil rod imported by imported by A.L. Patterson, Inc. to be outside the scope of the *AD Order.*

Cash Deposit Requirements

Because we now find that the scope of the *AD Order* does not cover Patterson's coil rod, no cash deposits for

[2] *See A.L. Patterson, Inc.* v. *United States,* Court No. 11–00192 (CIT December 29, 2014) (*CIT Second Remand Order*).

[3] *See* Results of Redetermination Pursuant to Remand, *A.L. Patterson* v. *United States,* Consol. Court No. 11–00192 (Jan. 26, 2015), available at: *http://enforcement.trade.gov/remands/* (Final Second Remand Redetermination).

[4] *See Certain Steel Threaded Rod from the People's Republic of China: A.L. Patterson Final Scope Ruling,* A–570–932 (May 24, 2011) (Final Scope Ruling); *see also AD Order.*

[5] *See* Final Scope Ruling at 5.

[6] *Id.,* at 5–6.

[7] *See A.L. Patterson, Inc.* v. *United States,* 34 Int'l Trade Rep. (BNA) 1894 (CIT 2012) (*CIT First Remand Order).*

[8] *See CIT First Remand Order* at 9–17.

[9] *Id.,* at 18.

[10] *See* Final Results of Redetermination Pursuant to Remand (December 4, 2012) at 14 (First Remand Redetermination).

[11] *Id.,* at 14 and 16–19.

[12] *Id.,* at 14.

[13] *See A.L. Patterson, Inc.* v. *United States,* Court No. 11–00192 (CIT May 22, 2013).

[14] *See A.L. Patterson, Inc.,* v. *United States,* 585 Fed. Appx. 778, 785–86 (Fed. Cir. 2014) (*Patterson CAFC 2014*).

[15] *Id.; Cf. Sango Int'l, L.P.* v. *United States,* 484 F. 3d 1371, 1380–1 (CAFC 2007).

[16] *See Patterson CAFC 2014* at 15.

[17] *See CIT Second Remand Order.*

[18] Final Second Remand Determination.

[19] *See A.L. Patterson, Inc.* v. *United States,* Court No. 11–00192 (CIT March 3, 2015).

estimated antidumping duties on future entries of Patterson's coil rod merchandise will be required.

Notification to Interested Parties

This notice is issued and published in accordance with sections 516A(e)(1) and 777(i)(1) of the Act.

Dated: March 27, 2015.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2015–07771 Filed 4–2–15; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

Initiation of Antidumping and Countervailing Duty Administrative Reviews

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The Department of Commerce (''the Department'') has received requests to conduct administrative reviews of various antidumping and countervailing duty orders and findings with February anniversary dates. In accordance with the Department's regulations, we are initiating those administrative reviews.

DATES: *Effective Dates:* April 3, 2015.

FOR FURTHER INFORMATION CONTACT: Brenda E. Waters, Office of AD/CVD Operations, Customs Liaison Unit, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230, telephone: (202) 482–4735.

SUPPLEMENTARY INFORMATION:

Background

The Department has received timely requests, in accordance with 19 CFR 351.213(b), for administrative reviews of various antidumping and countervailing duty orders and findings with February anniversary dates. With respect to the antidumping duty orders of Certain Frozen Warmwater Shrimp from India and Thailand, the initiation of the antidumping duty administrative review for these cases will be published in a separate initiation notice.

All deadlines for the submission of various types of information, certifications, or comments or actions by the Department discussed below refer to the number of calendar days from the applicable starting time.

Notice of No Sales

If a producer or exporter named in this notice of initiation had no exports, sales, or entries during the period of review (''POR''), it must notify the Department within 30 days of publication of this notice in the **Federal Register**. All submissions must be filed electronically at *http://access.trade.gov* in accordance with 19 CFR 351.303.[1] Such submissions are subject to verification in accordance with section 782(i) of the Tariff Act of 1930, as amended (''the Act''). Further, in accordance with 19 CFR 351.303(f)(1)(i), a copy must be served on every party on the Department's service list.

Respondent Selection

In the event the Department limits the number of respondents for individual examination for administrative reviews, the Department intends to select respondents based on U.S. Customs and Border Protection (''CBP'') data for U.S. imports during the POR. We intend to release the CBP data under Administrative Protective Order (''APO'') to all parties having an APO within seven days of publication of this initiation notice and to make our decision regarding respondent selection within 21 days of publication of this **Federal Register** notice. The Department invites comments regarding the CBP data and respondent selection within five days of placement of the CBP data on the record of the applicable review. Rebuttal comments will be due five days after submission of initial comments.

In the event the Department decides it is necessary to limit individual examination of respondents and conduct respondent selection under section 777A(c)(2) of the Act:

In general, the Department has found that determinations concerning whether particular companies should be ''collapsed'' (*i.e.,* treated as a single entity for purposes of calculating antidumping duty rates) require a substantial amount of detailed information and analysis, which often require follow-up questions and analysis. Accordingly, the Department will not conduct collapsing analyses at the respondent selection phase of this review and will not collapse companies at the respondent selection phase unless there has been a determination to collapse certain companies in a previous segment of this antidumping proceeding (*i.e.,* investigation, administrative review, new shipper review or changed circumstances review). For any company subject to this review, if the Department determined, or continued to treat, that company as collapsed with others, the Department will assume that such companies continue to operate in the same manner and will collapse them for respondent selection purposes. Otherwise, the Department will not collapse companies for purposes of respondent selection. Parties are requested to (a) identify which companies subject to review previously were collapsed, and (b) provide a citation to the proceeding in which they were collapsed. Further, if companies are requested to complete the Quantity and Value (''Q&V'') Questionnaire for purposes of respondent selection, in general each company must report volume and value data separately for itself. Parties should not include data for any other party, even if they believe they should be treated as a single entity with that other party. If a company was collapsed with another company or companies in the most recently completed segment of this proceeding where the Department considered collapsing that entity, complete Q&V data for that collapsed entity must be submitted.

Deadline for Withdrawal of Request for Administrative Review

Pursuant to 19 CFR 351.213(d)(1), a party that has requested a review may withdraw that request within 90 days of the date of publication of the notice of initiation of the requested review. The regulation provides that the Department may extend this time if it is reasonable to do so. In order to provide parties additional certainty with respect to when the Department will exercise its discretion to extend this 90-day deadline, interested parties are advised that the Department does not intend to extend the 90-day deadline unless the requestor demonstrates that an extraordinary circumstance has prevented it from submitting a timely withdrawal request. Determinations by the Department to extend the 90-day deadline will be made on a case-by-case basis.

Separate Rates

In proceedings involving non-market economy (''NME'') countries, the Department begins with a rebuttable presumption that all companies within the country are subject to government control and, thus, should be assigned a single antidumping duty deposit rate. It is the Department's policy to assign all exporters of merchandise subject to an administrative review in an NME

[1] *See Antidumping and Countervailing Duty Proceedings: Electronic Filing Procedures; Administrative Protective Order Procedures,* 76 FR 39263 (July 6, 2011).

country this single rate unless an exporter can demonstrate that it is sufficiently independent so as to be entitled to a separate rate.

To establish whether a firm is sufficiently independent from government control of its export activities to be entitled to a separate rate, the Department analyzes each entity exporting the subject merchandise under a test arising from the *Final Determination of Sales at Less Than Fair Value: Sparklers from the People's Republic of China,* 56 FR 20588 (May 6, 1991), as amplified by *Final Determination of Sales at Less Than Fair Value: Silicon Carbide from the People's Republic of China,* 59 FR 22585 (May 2, 1994). In accordance with the separate rates criteria, the Department assigns separate rates to companies in NME cases only if respondents can demonstrate the absence of both *de jure* and *de facto* government control over export activities.

All firms listed below that wish to qualify for separate rate status in the administrative reviews involving NME countries must complete, as appropriate, either a separate rate application or certification, as described below. For these administrative reviews, in order to demonstrate separate rate eligibility, the Department requires entities for whom a review was requested, that were assigned a separate rate in the most recent segment of this proceeding in which they participated, to certify that they continue to meet the criteria for obtaining a separate rate. The Separate Rate Certification form will be available on the Department's Web site at *http://enforcement.trade.gov/nme/nme-sep-rate.html* on the date of publication of this **Federal Register** notice. In responding to the certification, please follow the ''Instructions for Filing the Certification'' in the Separate Rate Certification. Separate Rate Certifications are due to the Department no later than 30 calendar days after publication of this **Federal Register** notice. The deadline and requirement for submitting a Certification applies equally to NME-owned firms, wholly foreign-owned firms, and foreign sellers who purchase and export subject merchandise to the United States.

Entities that currently do not have a separate rate from a completed segment of the proceeding [2] should timely file a Separate Rate Application to demonstrate eligibility for a separate rate in this proceeding. In addition, companies that received a separate rate in a completed segment of the proceeding that have subsequently made changes, including, but not limited to, changes to corporate structure, acquisitions of new companies or facilities, or changes to their official company name [3], should timely file a Separate Rate Application to demonstrate eligibility for a separate rate in this proceeding. The Separate Rate Status Application will be available on the Department's Web site at *http://enforcement.trade.gov/nme/nme-sep-rate.html* on the date of publication of this **Federal Register** notice. In responding to the Separate Rate Status Application, refer to the instructions contained in the application. Separate Rate Status Applications are due to the Department no later than 30 calendar days of publication of this **Federal Register** notice. The deadline and requirement for submitting a Separate Rate Status Application applies equally to NME-owned firms, wholly foreign-owned firms, and foreign sellers that purchase and export subject merchandise to the United States.

For exporters and producers who submit a separate-rate status application or certification and subsequently are selected as mandatory respondents, these exporters and producers will no longer be eligible for separate rate status unless they respond to all parts of the questionnaire as mandatory respondents.

Initiation of Reviews

In accordance with 19 CFR 351.221(c)(1)(i), we are initiating administrative reviews of the following antidumping and countervailing duty orders and findings. We intend to issue the final results of these reviews not later than February 29, 2016.

	Period to be reviewed
Antidumping Duty Proceedings	
Brazil:	
Stainless Steel Bar, A–351–825	2/1/14–1/31/15
Villares Metals S.A	
India:	
Certain Preserved Mushrooms, A–533–813	2/1/14–1/31/15
Agro Dutch Foods Limited (Agro Dutch Industries Limited)	
Himalya International Ltd.	
Hindustan Lever Ltd. (formerly Ponds India, Ltd.)	
Transchem, Ltd.	
Weikfield Foods Pvt. Ltd.	
India:	
Stainless Steel Bar, A–533–810	2/1/14–1/31/15
Ambica Steels Limited	
Bhansali Bright Bars Pvt. Ltd.	
Bhansali Bright Bars Private Limited	
Italy:	
Stainless Steel Butt-Weld Pipe Fittings, A–475–828	2/1/14–1/31/15
Filmag Italia Spa	
Mexico:	
Large Residential Washers, A–201–842	2/1/14–1/31/15
Electrolux Home Products Corp. NV	
Electrolux Home Products de Mexico, S.A. de C.V.	
Samsung Electronics Mexico S.A. de C.V.	

[2] Such entities include entities that have not participated in the proceeding, entities that were preliminarily granted a separate rate in any currently incomplete segment of the proceeding (*e.g.,* an ongoing administrative review, new shipper review, *etc.*) and entities that lost their separate rate in the most recently completed segment of the proceeding in which they participated.

[3] Only changes to the official company name, rather than trade names, need to be addressed via a Separate Rate Application. Information regarding new trade names may be submitted via a Separate Rate Certification.

	Period to be reviewed
Republic of Korea:	
Certain Cut-to-Length Carbon-Quality Steel Plate, A–580–836	2/1/14–1/31/15
BDP International	
Daewoo International Corp.	
Dongkuk Steel Mill Co., Ltd.	
GS Global Corp.	
Hyundai Glovis	
Hyundai Steel Co.	
Iljin Steel	
Samsung C&T Corporation	
Samsung C&T Engineering & Construction Group	
Samsung C&T Trading and Investment Group	
Samsung Heavy Industries	
Steel N People Ltd.	
Republic of Korea:	
Large Residential Washers, A–580–868	2/1/14–1/31/15
Daewoo Electronics Corporation	
LG Electronics, Inc.	
Samsung Electronics Co., Ltd.	
Socialist Republic of Vietnam:	
Frozen Warmwater Shrimp, A–552–802	2/1/14–1/31/15
Amanda Foods (Vietnam) Ltd. Ngoc Tri Seafood Company (Amanda's affiliate)	
Amanda Seafood Co., Ltd.	
An Giang Coffee JSC	
Anvifish Joint Stock Co.	
Asia Food Stuffs Import Export Co., Ltd.	
Bac Lieu Fisheries Joint Stock Company (''Bac Lieu'')	
Bac Lieu Fisheries Joint Stock Company	
Bentre Aquaproduct Import & Export Joint Stock Company	
Ben Tre Forestry and Aquaproduct Import Export Joint Stock Company (''Faquimex'')	
Bien Dong Seafood Co., Ltd.	
BIM Seafood Joint Stock Company	
Binh An Seafood Joint Stock Company	
B.O.P. Limited Co.	
C.P. Vietnam Corporation	
C.P. Vietnam Corporation (''C.P. Vietnam'')	
C.P. Vietnam Livestock Company Limited	
C.P. Vietnam Livestock Corporation	
Cai Doi Vam Seafood Import-Export Co. (''CADOVIMEX'') and/or CADOVIMEX Seafood Import-Export and Processing Joint Stock Company	
Cadovimex Seafood Import-Export and Processing Joint-Stock Company (''Cadovimex'')	
Cadovimex Seafood Import-Export and Processing Joint Stock Company (''CADOVIMEX–VIETNAM'')	
Cai Doi Vam Seafood Import-Export Company	
Caidoivam Seafood Company (Cadovimex)	
Cafatex	
Cafatex Corporation	
Cafatex Fishery Joint Stock Corporation	
Cafatex Vietnam	
Cafatex Fishery Joint Stock Corporation (''Cafatex Corp.'')	
Ca Mau Seafood Joint Stock Company (''Seaprimexco Vietnam'')	
Ca Mau Seafood Joint Stock Company (''Seaprimexco'')	
Ca Mau Seafood Joint Stock Company (''SEAPRIMEXCO'')	
Cam Ranh Seafoods	
Cam Ranh Seafoods Processing Enterprise Company	
Cam Ranh Seafoods Processing Enterprise Processing Pte.	
Ca Mau Frozen Seafood Processing Import Export Corporation (''CAMIMEX'')	
Camau Frozen Seafood Processing Import Export Corporation (''Camimex'')	
Camau Frozen Seafood Processing Import Export Corp. (CAMIMEX–FAC 25)	
Camau Frozen Seafood Processing Import Export Corporation (''Camimex'')	
Camau Frozen Seafood Processing Import-Export Corporation (''CAMIMEX'')	
Camau Seafood Processing and Service Joint-Stock Company (''CASES'')	
Camau Seafood Processing and Service Jointstock Corporation (''CASES'')	
Camau Seafood and Service Joint Stock Company (''CASES'')	
Camau Seafood Factory No. 4	
Camau Seafood Factory No. 5	
Can Tho Import Export Fishery Limited Company (''CAFISH'')	
Can Tho Agricultural and Animal Product Import Export Company (''CATACO'')	
Can Tho Agricultural and Animal Products Import Export Company (''CATACO'')	
Can Tho Agricultural and Animal Products Imex Company	
Can Tho Agricultural Products	
Can Tho Import Export Seafood Joint Stock Company (CASEAMEX)	
Cau Tre Enterprise (C.T.E.)	
Cautre Export Goods Processing Joint Stock Company	

	Period to be reviewed
CL Fish Co., Ltd. (Cuu Long Fish Company)	
Coastal Fisheries Development Corporation (''COFIDEC'') Cong Ty Tnhh Thong Thuan (Thong Thuan)	
Cuu Long Seaproducts Company (''Cuu Long Seapro'')	
Cuulong Seaproducts Company (''Cuu Long Seapro'')	
Cuulong Seaproducts Company (''Cuulong Seapro'')	
D & N Foods Processing (Danang Company Ltd.)	
Danang Seaproducts Import Export Corporation (''Seaprodex Danang'')	
Danang Seaproducts Import-Export Corporation (''Seaprodex Danang'') (and its affiliates)	
Danang Seaproducts Import-Export Corporation (and its affiliate, Tho Quang Seafood Processing and Export Company) (collectively, ''Seaprodex Danang'')	
Duy Dai Corporation	
Fimex VN	
Fine Foods Company (FFC) (Ca Mau Foods & Fishery Export Joint Stock Company)	
Frozen Seafoods Factory No. 32	
Frozen Seafoods Factory No. 32 (Tho Quang Seafood Processing and Export Company)	
Gallant Dachan Seafood Co., Ltd.	
Gallant Ocean (Vietnam) Co., Ltd.	
Gallant Ocean (Quang Ngai) Co., Ltd.	
Gn Foods	
Green Farms Seafood Joint Stock Company	
Hai Thanh Food Company Ltd.	
Hai Viet Corporation (''HAVICO'')	
Hai Viet Corporation (HAVICO)	
Hai Vuong Co., Ltd.	
Han An Trading Service Co., Ltd.	
Hoang Hai Company Ltd.	
Hoang Phuong Seafood Factory	
Hua Heong Food Industries Vietnam Co. Ltd.	
Huynh Huong Seafood Processing (Huynh Houng Trading and Import Export Joint Stock Company)	
Incomfish	
Incomfish Corp.	
Interfood Shareholding Co.	
Investment Commerce Fisheries	
Investment Commerce Fisheries Corporation (''Incomfish'')	
Investment Commerce Fisheries Corporation (INCOMFISH)	
Khanh Loi Seafood Factory	
Kien Long Seafoods Co. Ltd.	
Kim Anh Company Limited	
Kim Anh Company Limited (''Kim Anh'')	
Long Toan Frozen Aquatic Products Joint Stock Company	
Luan Vo Fishery Co., Ltd.	
Minh Chau Imp. Exp. Seafood Processing Co., Ltd.	
Minh Cuong Seafood Import Export Frozen Processing Joint Stock Company (''Minh Cuong Seafood'')	
Minh Hai Export Frozen Seafood Processing Joint-Stock Company (''Minh Hai Jostoco'')	
Minh Hai Joint-Stock Seafoods Processing Company (''Seaprodex Minh Hai'')	
Minh Hai Joint-Stock Seafoods Processing Company (Seaprodex Minh Hai) (Sea Minh Hai)	
Minh Hai Sea Products Import Export Company (''Seaprimex Co'')	
Minh Phat Seafood	
Minh Phat Seafood Co., Ltd.	
Minh Phu Seafood Corp.	
Minh Phu Seafood Pte	
Minh Phu Seafood Corporation (and its affiliates Minh Qui Seafood Co. Ltd., Minh Phat Seafood Co. Ltd., Minh Phu Hau Giang, collectively ''Minh Phu Group'')	
Minh Phu Hau Giang Seafood Corp.	
Minh Qui Seafood	
Minh Qui Seafood Co., Ltd.	
Mp Consol Co., Ltd.	
My Son Seafoods Factory	
Nam Hai Foodstuff and Export Company Ltd	
Ngo Bros Seaproducts Import-Export One Member Company Limited	
Ngo Bros Seaproducts Import-Export One Member Company Limited (Ngo Bros. Co., Ltd.)	
Ngoc Chau Co., Ltd. and/or Ngoc Chau Seafood Processing Company	
Ngoc Sinh	
Ngoc Sinh Fisheries	
Ngoc Sinh Private Enterprises	
Ngoc Sinh Seafood Processing Company	
Ngoc Sinh Seafood Trading & Processing Enterprise	
Ngoc Sinh Seafoods	
Ngoc Tri Seafood Joint Stock Company	
Nha Trang Fisheries Joint Stock Company (''Nha Trang Fisco'')	
Nha Trang Seaproduct Company (''Nha Trang Seafoods'')	
Nha Trang Seaproduct Company (and its affiliates NT Seafoods Corporation, Nha Trang Seafoods—F.89 Joint Stock Company, NTSF Seafoods Joint Stock Company (collectively ''Nha Trang Seafoods Group'')	

	Period to be reviewed
NTSF Seafoods Joint Stock Company (“NTSF Seafoods”) (Nha Trang Seafoods F89 Joint Stock Company) (Nha Trang Seaproduct Company) (NT Seafoods Corporation)	
Nhat Duc Co., Ltd. (“Nhat Duc”)	
Nhat Duc Co., Ltd.	
Nhat Duc Co. Ltd.	
Phu Cuong Jostoco Corp.	
Phu Cuong Jostoco Seafood Corporation	
Phuong Nam Co., Ltd. (“Phuong Nam”)	
Phuong Nam Co., Ltd. (Phuong Nam Foodstuff Corp.)	
Phuong Nam Foodstuff Corp. (“Phuong Nam”)	
Phuong Nam Foodstuff Corp.	
Quang Minh Seafood Co LTD (“Quang Minh”)	
Quang Minh Seafood Co., Ltd.	
Quang Ninh Export Aquatic Products Processing Factory	
Quang Ninh Seaproducts Factory	
Quoc Ai Seafood Processing Import Export Co., Ltd.	
Quoc Viet Seaproducts Processing Trading and Import—Export Co., Ltd.	
S.R.V. Freight Services Co., Ltd.	
Sao Ta Foods Joint Stock Company (“FIMEX VN”) (and its factory “Sao Ta Seafoods Factory”)	
Sao Ta Foods Joint Stock Company (“Fimex VN”)	
Sao Ta Foods Joint Stock Company (Sao Ta Seafood Factory) (FIMEX VN)	
Sao Ta Seafood Factory	
Sea Minh Hai	
Seafoods and Foodstuff Factory	
Seaprimexco	
Seaprimexco Vietnam	
Seaprodex Danang	
Seaprodex Minh Hai	
Seaprodex Minh Hai (Minh Hai Joint Stock Seafoods Processing Co.)	
Seavina Joint Stock Company	
Soc Trang Aquatic Products and General Import Export Company (“Stapimex”)	
Soc Trang Seafood Joint Stock Company (“Stapimex”)	
Soc Trang Seafood Joint Stock Company (“STAPIMEX”)	
Sustainable Seafood	
Tacvan Frozen Seafood Processing Export Company	
Tacvan Frozen Seafood Processing Export Company (“Tac Van Seafoods Co”)	
Tai Kim Anh Seafood Joint Stock Corporation	
Tan Phong Phu Seafood Co., Ltd.	
Tan Thanh Loi Frozen Food Co., Ltd.	
Taydo Seafood Enterprise	
Thanh Doan Seaproducts Import & Export Processing Joint-Stock Company (THADIMEXCO)	
Thanh Hung Frozen Seafood Processing Import Export Co., Ltd.	
Thanh Tri Seafood Processing Co. Ltd.	
Thinh Hung Co., Ltd.Tho Quang Co.	
Tho Quang Seafood Processing and Export Company	
Thong Thuan Company	
Thong Thuan Company Limited	
Thong Thuan Seafood Company Limited	
Thong Thuan—Cam Ranh Seafood Joint Stock Company	
Thuan Phuoc Seafoods and Trading Corporation (“Thuan Phuoc Corp”)	
Thuan Phuoc Seafoods and Trading Corporation and its separate factories Frozen Seafoods Factory No. 32, Seafoods and Foodstuff Factory, and My Son Seafoods Factory (collectively, “Thuan Phuoc Corp.”)	
Thuan Phuoc Seafoods and Trading Corporation	
Tien Tien Garment Joint Stock Company	
Tithi Co., Ltd.	
Trang Khan Seafood Co., Ltd.	
Trong Nhan Seafood Company Limited	
UTXI Aquatic Products Processing Corporation (“UTXICO”) (and its branch Hoang Phuong Seafood Factory)	
UTXI Aquatic Products Processing Company	
Viet Cuong Seafood Processing Import Export Joint-Stock Company	
Viet Foods Co., Ltd. (“Viet Foods”)	
Viet Foods Co., Ltd.	
Viet Hai Seafood Co., Ltd.	
Viet I-Mei Frozen Foods Co., Ltd.	
Vietnam Clean Seafood Corporation (“Vina Cleanfood”)	
Vietnam Clean Seafood Corporation	
Vietnam Clean Seafood Corporation (VINA Cleanfood)	
Vietnam Fish One Co., Ltd.	
Vietnam Fish-One Co., Ltd. (“Fish One”) (Viet Hai Seafood Co., Ltd.)	
Vietnam Northern Viking Technologies Co. Ltd.	
Vinatex Danang	
Vinh Hoan Corp.	
Vinh Loi Import Export Company (“VIMEX”)	

	Period to be reviewed
Vinh Loi Import Export Company (''Vimexco'')	
Xi Nghiep Che Bien Thuy Suc San Xuat Kau Cantho	
Socialist Republic of Vietnam:	
Steel Wire Garment Hangers, A–552–812	2/1/14–1/31/15
Acton Co, Ltd.	
Angang Clothes Rack Manufacture Co.	
Asmara Home Vietnam	
B2B Co., Ltd.	
Capco Wai Shing Viet Nam Co. Ltd.	
CTN Limited Company (a/k/a C.T.N. International Ltd. and CTN Co. Ltd)	
Cty Tnhn Mtv Xnk My Phuoc (a/k/a Cty Thnh San Xuat My Phuoc Long An Factory)	
Dai Nam Investment JSC (part of Dai Nam Group)	
Diep Son Hangers One Member Co. Ltd. (a/k/a Diep Son Hangers Co. Ltd.)	
Dong Nam A Co. Ltd. (a/k/a Dong Nam A Hamico)	
Dong Nam A Trading Co.	
Est Glory Industrial Ltd.	
Focus Shipping Corp.	
Godoxa Viet Nam Ltd. (a/k/a Godoxa Vietnam Co. Ltd.)	
HCMC General Import and Export Investment Joint Stock Company (Imexco)	
Hongxiang Business and Product Co., Ltd.	
Huqhu Co., Ltd.	
Infinite Industrial Hanger Limited (a/k/a Infinite Industrial Hanger Co. Ltd.)	
Ju Fu Co. Ltd. (a/k/a Jufu Company, Ltd.)	
Linh Sa Hamico Company, Ltd.	
Long Phung Co. Ltd.	
Lucky Cloud (Vietnam) Hanger Co. Ltd.	
Minh Quang Steel Joint Stock Company (a/k/a Minh Quang Hanger) (Part of the Dai Nam Group)	
Moc Viet Manufacture Co., Ltd.	
Nam A Hamico Export Joint Stock Co. (a/k/a Dong Nam Hamico Joint Stock Company)	
N-Tech Vina Co. Ltd.	
NV Hanger Co., Ltd. (a/k/a Nguyen Haong Vu Co. Ltd.)	
Quoc Ha Production Trading Services Co. Ltd.	
Quyky Group/Quyky Co., Ltd./Quyky-Yangle International Co., Ltd.	
S.I.I.C.	
South East Asia Hamico Exports JSC	
T.J. CO. Ltd.	
Tan Dinh Enterprise (a/k/a Tan Dihn Enterprise)	
Tan Minh Textile Sewing Trading Co., Ltd.	
Thanh Hieu Manufacturing Trading Co. Ltd.	
The Xuong Co. Ltd.	
Thien Ngon Printing Co, Ltd.	
Top Sharp International Trading Limited	
Triloan Hangers, Inc.	
Tri-State Trading (a/k/a Nghia Phuong Nam Production Trading)	
Trung Viet My Joint Stock Company	
Truong Hong Lao—Viet Joint Stock	
Uac Co. Ltd.	
Viet Anh Imp-Exp Joint Stock Co.	
Viet Hanger Investment, LLC (a/k/a Viet Hanger)	
Vietnam Hangers Joint Stock Company (a/k/a Cong Ty Co Phan Moc AO)	
Vietnam Sourcing (a/k/a VNS and VN Sourcing)	
Winwell Industrial Ltd. (Hong Kong)	
Yen Trang Co., Ltd.	
Zownzi Hardware Hanger Factory Ltd.	
Socialist Republic of Vietnam:	
Utility Scale Wind Towers, A–552–814	2/1/14–1/31/15
CS Wind Corporation	
Vina Halla Heavy Industries Ltd.	
UBI Tower Sole Member Company Ltd.	
The People's Republic of China:	
Certain Cased Pencils,[4] A–570–827	12/1/13–11/30/14
Orient International Holding Shanghai Foreign Trade Co., Ltd. (SFTC)	
The People's Republic of China:	
Certain Preserved Mushrooms, A–570–851	2/1/14–1/31/15
Agrogentra & Co., Ltd.	
Ayecue (Liaocheng) Foodstuff Co., Ltd.	
Blue Field (Sichuan) Food Industrial Co., Ltd.	
Casia Global Logistics Co., Ltd.	
Changzhou Chen Rong-Da Carpet Co., Ltd.	
China National Cereals, Oils & Foodstuffs Import & Export Corp.	
China Processed Food Import & Export Co.	
Dezhou Kaihang Agricultural Science Technology Co., Ltd.	
DHL ISC (Hong Kong) Limited	

	Period to be reviewed
Dujiangyan Xingda Foodstuff Co., Ltd.	
Fujian Blue Lake Foods Co., Ltd.	
Fujian Golden Banyan Foodstuffs Industrial Co., Ltd.	
Fujian Haishan Foods Co., Ltd.	
Fujian Pinghe Baofeng Canned Foods	
Fujian Tongfa Foods Group Co., Ltd.	
Fujian Yuxing Fruits and Vegetables Foodstuffs Development Co., Ltd.	
Fujian Zishan Group Co., Ltd.	
Guangxi Eastwing Trading Co., Ltd.	
Guangxi Hengyang Industrial & Commercial Dev., Ltd.	
Guangxi Hengyong Industrial & Commerical Dev. Ltd.	
Guangxi Jisheng Foods, Inc.	
Inter-Foods (Dongshan) Co., Ltd.	
Jiangxi Cereals Oils Foodstuffs	
Joy Foods (Zhangzhou) Co., Ltd.	
Linyi City Kangfa Foodstuff Drinkable Co., Ltd.	
Longhai Guangfa Food Co., Ltd.	
Mikado Food China Co., Ltd.	
Primera Harvest (Xiangfan) Co., Ltd.	
Shandong Fengyu Edible Fungus Corporation Ltd.	
Shandong Jiufa Edible Fungus Corporation, Ltd.	
Shandong Xinfa Agricultural Science Corporation Ltd.	
Shandong Yinfeng Rare Fungus Corporation, Ltd.	
Shenzhen Syntrans International Logistics Co. Ltd.	
Sun Wave Trading Co., Ltd.	
Sunrise Food Industry & Commerce	
Shouguang Sunrise Industry & Commerce Co., Ltd.	
Thuy Duong Transport And Trading Service JSC	
Tianjin Fulida Supply Co., Ltd.	
Xiamen Aukking Imp. & Emp. Co., Ltd.	
Xiamen Carre Food Co., Ltd.	
Xiamen Choice Harvest Imp.	
Xiamen Greenland Import & Export Co., Ltd.	
Xiamen Gulong Import & Export Co., Ltd.	
Xiamen Huamin Imp. & Exp. Co., Ltd.	
Xiamen Hua Min Import & Export Co., Ltd.	
Xiamen International Trade & Industrial Co., Ltd.	
Xiamen Jiahua Import & Export Trading Co., Ltd.	
Xiamen Longhuai Import & Export Co., Ltd.	
Xiamen Longhuai Imp. & Exp. Co. Ltd.	
Xiamen Longstar Lighting Co., Ltd.	
Xiamen Sungiven Import & Export Co., Ltd.	
Zhangzhou Gangchang Canned Foods Co., Ltd. (a/k/a Zhangzhou Gangchang Canned Foods Co., Ltd., Fujian)	
Zhangzhou Golden Banyan Foodstuffs Industrial Co., Ltd.	
Zhangzhou Hongda Import & Export Trading Co., Ltd.	
Zhangzhou Long Mountain Foods Co., Ltd.	
Zhangzhou Longhai Minhui Industry & Trade Co. Ltd.	
Zhangzhou Tan Co., Ltd.	
Zhangzhou Tan Co. Ltd., Fujian, China	
Zhangzhou Tongfa Foods Industry Co., Ltd.	
Zhangzhou Yuxing Imp. & Exp. Trading Co., Ltd.	
Zhangzhou Yuxing Import & Export Trading Co. Ltd.	
Zhejiang Iceman Food Co., Ltd.	
Zhejiang Iceman Group Co., Ltd.	
The People's Republic of China:	
Frozen Warmwater Shrimp, A–570–893	2/1/14–1/31/15
Allied Pacific Food (Dalian) Co., Ltd.	
Asian Seafoods (Zhanjiang) Co., Ltd.	
Beihai Angbang Seafood Co., Ltd.	
Beihai Boston Frozen Food Co., Ltd.	
Beihai Tianwei Aquatic Food Co. Ltd.	
Dalian Haiqing Food Co., Ltd.	
Dalian Shanhai Seafood Co., Ltd.	
Dalian Taiyang Aquatic Products Co., Ltd.	
Fujian Chaohui Group	
Fujian Chaohui Aquatic Food Co., Ltd.	
Fujian Chaohui International Trading	
Fujian Dongshan County Shunfa Aquatic Product Co., Ltd.	
Fujian Dongya Aquatic Products Co., Ltd.	
Fujian Haohui Import & Export Co., Ltd.	
Fujian Rongjiang Import and Export Co., Ltd.	
Fujian Tea Import & Export Co., Ltd.	
Fujian Zhaoan Haili Aquatic Co., Ltd.	

	Period to be reviewed
Fuqing Dongwei Aquatic Products Ind.	
Fuqing Minhua Trade Co., Ltd.	
Fuqing Yihua Aquatic Food Co., Ltd.	
Guangdong Foodstuffs Import & Export (Group) Corporation	
Guangdong Gourmet Aquatic Products Co., Ltd.	
Guangdong Jinhang Food Co., Ltd.	
Guangdong Wanshida Holding Corp.	
Guangdong Wanya Foods Fty. Co., Ltd.	
HaiLi Aquatic Product Co., Ltd. Zhaoan Fujian	
Hainan Brich Aquatic Products Co., Ltd.	
Hainan Golden Spring Foods Co., Ltd.	
Huazhou Xinhai Aquatic Products Co. Ltd.	
Longhai Gelin Foods Co., Ltd.	
Maoming Xinzhou Seafood Co., Ltd.	
New Continent Foods Co., Ltd.	
Maoming Xinzhou Seafood Co., Ltd.	
North Seafood Group Co.	
Red Garden Food Processing Co., Ltd.	
Rizhao Smart Foods Company Limited	
Rongcheng Yinhai Aquatic Product Co., Ltd.	
Savvy Seafood Inc.	
Shantou Freezing Aquatic Product Foodstuffs Co.	
Shantou Jiazhou Food Industrial Co., Ltd.	
Shantou Jintai Aquatic Product Industrial Co., Ltd.	
Shantou Longsheng Aquatic Product Foodstuff Co., Ltd.	
Shantou Red Garden Food Processing Co., Ltd.	
Shantou Red Garden Foodstuff Co., Ltd.	
Shantou Yelin Frozen Seafood Co., Ltd.	
Shantou Yuexing Enterprise Co.	
Thai Royal Frozen Food Zhanjiang Co., Ltd.	
Xiamen Granda Import and Export Co. Ltd.	
Yelin Enterprise Co. Hong Kong	
Zhangzhou Donghao Seafoods Co., Ltd.	
Zhangzhou Xinwanya Aquatic Product Co., Ltd.	
Zhangzhou Yanfeng Aquatic Product & Foodstuff Co., Ltd.	
Zhanjiang Evergreen Aquatic Product Science and Technology Co., Ltd.	
Zhanjiang Guolian Aquatic Products Co., Ltd.	
Zhanjiang Jinguo Marine Foods Co., Ltd.	
Zhanjiang Longwei Aquatic Products Industry Co., Ltd.	
Zhanjiang Regal Integrated Marine Resources Co., Ltd.	
Zhanjiang Newpro Foods Co., Ltd.	
Zhanjiang Universal Seafood Corp.	
Zhaoan Yangli Aquatic Co., Ltd.	
Zhejiang Xinwang Foodstuffs Co., Ltd.	
Zhoushan Genho Food Co., Ltd.	
The People's Republic of China:	
Small Diameter Graphite Electrodes, A–570–929	2/1/14–1/31/15
5-Continent Imp. & Exp. Co., Ltd.	
Acclcarbon Co., Ltd.	
Allied Carbon (China) Co., Limited	
Anssen Metallurgy Group Co., Ltd.	
AMGL	
Apex Maritime (Dalian) Co., Ltd.	
Asahi Fine Carbon (Dalian) Co., Ltd.	
Beijing Fangda Carbon Tech Co., Ltd.	
Beijing International Trade Co., Ltd.	
Beijing Kang Jie Kong Cargo Agent Expeditors (Tianjin Branch)	
Beijing Xinchengze Inc.	
Beijing Xincheng Sci-Tech. Development Inc.	
Brilliant Charter Limited	
Carbon International	
Chang Cheng Chang Electrode Co., Ltd.	
Chengde Longhe Carbon Factory	
Chengdelh Carbonaceous Elements Factory	
Chengdu Jia Tang Corp.	
Chengdu Rongguang Carbon Co., Ltd.	
China Carbon Graphtie Group Inc.	
China Industrial Mineral & Metals Group	
China Shaanxi Richbond Imp. & Exp. Industrial Corp. Ltd.	
China Xingyong Carbon Co., Ltd.	
CIMM Group Co., Ltd.	
Dalian Carbon & Graphite Corporation	
Dalian Hongrui Carbon Co., Ltd.	

	Period to be reviewed
Dalian Honest International Trade Co., Ltd. Dalian Horton International Trading Co., Ltd. Dalian LST Metallurgy Co., Ltd. Dalian Oracle Carbon Co., Ltd. Dalian Shuangji Co., Ltd. Dalian Thrive Metallurgy Imp. & Exp. Co., Ltd. Datong Carbon Datong Carbon Plant Datong Xincheng Carbon Co., Ltd. Datong Xincheng New Material Co., Ltd. Dechang Shida Carbon Co., Ltd De Well Container Shipping Corp. Dewell Group Dignity Success Investment Trading Co., Ltd. Double Dragon Metals and Mineral Tools Co., Ltd. Fangda Carbon New Material Co., Ltd. Fangda Carbon New Material and Technology Co., Ltd. Fangda Lanzhou Carbon Joint Stock Company Co. Ltd. Foset Co., Ltd. Fushun Carbon Co., Ltd. Fushun Carbon Plant Fushun Jinly Petrochemical Carbon Co., Ltd., a.k.a. Fushun Jinli Petrochemical Carbon Co., Ltd. Fushun Oriental Carbon Co., Ltd. GES (China) Co., Ltd. Grameter Shipping Co., Ltd. (Qingdao Branch) Guangdong Highsun Yongye (Group) Co., Ltd. Guanghan Shida Carbon Co., Ltd. Haimen Shuguang Carbon Industry Co., Ltd. Handan Hanbo Material Co., Ltd. Hanhong Precision Machinery Co., Ltd. Hebei Long Great Wall Electrode Co., Ltd. Hefei Carbon Co., Ltd. Heico Universal (Shanghai) Distribution Co., Ltd. Heilongjiang Xinyuan Carbon Co. Ltd. Heilongjiang Xinyuan Carbon Products Co., Ltd. Henan Sanli Carbon Products Co., Ltd. Henan Sihai Import and Export Co., Ltd. Hopes (Beijing) International Co., Ltd. Huanan Carbon Factory Hunan Mec Machinery and Electronics Imp. & Exp. Corp. Hunan Yinguang Carbon Factory Co., Ltd. Inner Mongolia QingShan Special Graphite and Carbon Co., Ltd. Inner Mongolia Xinghe County Hongyuan Electrical Carbon Factory Jiangsu Yafei Carbon Co., Ltd. Jiaozuo Zhongzhou Carbon Products Co., Ltd. Jichun International Trade Co., Ltd. of Jilin Province Jiexiu Juyuan Carbon Co., Ltd. Jiexiu Ju-Yuan & Coaly Co., Ltd. Jilin Carbon Graphite Material Co., Ltd. Jilin Carbon Import and Export Company Jilin Songjiang Carbon Co Ltd. Jinneng Group Jinneng Group Co., Ltd. Jinyu Thermo-Electric Material Co., Ltd. JL Group Kaifeng Carbon Company Ltd. KASY Logistics (Tianjin) Co., Ltd. Kimwan New Carbon Technology and Development Co., Ltd. Kingstone Industrial Group Ltd. L & T Group Co., Ltd. Laishui Long Great Wall Electrode Co. Ltd. Lanzhou Carbon Co., Ltd. Lanzhou Carbon Import & Export Corp. Lanzhou Hailong New Material Co. Lanzhou Hailong Technology Lanzhou Ruixin Industrial Material Co., Ltd. Lianxing Carbon Qinghai Co., Ltd. Lianxing Carbon Science Institute Lianxing Carbon (Shandong) Co., Ltd. Lianyungang Jinli Carbon Co., Ltd. Lianyungang Jianglida Mineral Co., Ltd. Liaoning Fangda Group Industrial Co., Ltd. Liaoyang Carbon Co. Ltd.	

	Period to be reviewed
Linghai Hongfeng Carbon Products Co., Ltd.	
Linyi County Lubei Carbon Co., Ltd.	
Maoming Yongye (Group) Co., Ltd.	
MBI Beijing International Trade Co., Ltd.	
Nantong Dongjin New Energy Co., Ltd.	
Nantong Falter New Energy Co., Ltd.	
Nantong River-East Carbon Co., Ltd.	
Nantong River-East Carbon Joint Stock Co., Ltd.	
Nantong Yangtze Carbon Corp. Ltd.	
Nantong Yanzi Carbon Co. Ltd.	
Oracle Carbon Co., Ltd.	
Orient (Dalian) Carbon Resources Developing Co., Ltd.	
Orient Star Transport International, Ltd.	
Peixian Longxiang Foreign Trade Co. Ltd.	
Pingdingshan Coal Group	
Pudong Trans USA, Inc. (Dalian Office)	
Qingdao Grand Graphite Products Co., Ltd.	
Qingdao Haosheng Metals Imp. & Exp. Co., Ltd.	
Quingdao Haosheng Metals & Minerals Imp. & Exp. Co., Ltd.	
Qingdao Liyikun Carbon Development Co., Ltd.	
Qingdao Likun Graphite Co., Ltd.	
Qingdao Ruizhen Carbon Co., Ltd.	
Qingdao Yijia E.T.I. I/E Co., Ltd.	
Qingdao Youyuan Metallurgy Material Limited Company (China)	
Ray Group Ltd.	
Rex International Forwarding Co., Ltd.	
Rt Carbon Co., Ltd.	
Ruitong Carbon Co., Ltd.	
Sea Trade International, Inc.	
Seamaster Global Forwarding (China)	
Shandong Basan Carbon Plant	
Shandong Zibo Continent Carbon Factory	
Shanghai Carbon International Trade Co., Ltd.	
Shanghai GC Co., Ltd.	
Shanghai Jinneng International Trade Co., Ltd.	
Shanghai P.W. International Ltd.	
Shanghai Shen-Tech Graphite Material Co., Ltd.	
Shanghai Topstate International Trading Co., Ltd.	
Shanxi Cimm Donghai Advanced Carbon Co., Ltd.	
Shanxi Datong Energy Development Co., Ltd.	
Shanxi Foset Carbon Co. Ltd.	
Shanxi Jiexiu Import and Export Co., Ltd.	
Shanxi Jinneng Group Co., Ltd.	
Shanxi Yunheng Graphite Electrode Co., Ltd.	
Shenyang Jinli Metals & Minerals Imp. & Exp. Co., Ltd.	
Shida Carbon Group	
Shijaizhuang Carbon Co., Ltd.	
Shijiazhuang Huanan Carbon Factory	
Sichuan 5-Continent Imp & Exp Co., Ltd.	
Sichuan Dechang Shida Carbon Co., Ltd.	
Sichuan GMT International Inc.	
Sichuan Guanghan Shida Carbon Co., Ltd	
Sichuan Shida Carbon Co., Ltd.	
Sichuan Shida Trading Co., Ltd.	
Sinicway International Logistics Ltd.	
Sinosteel Anhui Co., Ltd.	
Sinosteel Corp.	
Sinosteel Jilin Carbon Co., Ltd.	
Sinosteel Jilin Carbon Imp. & Exp. Co., Ltd.	
Sinosteel Jilin Carbon Plant	
Sinosteel Sichuan Co., Ltd.	
SK Carbon	
SMMC Group Co., Ltd.	
Sure Mega (Hong Kong) Ltd.	
Tangshan Kimwan Special Carbon & Graphite Co., Ltd.	
Tengchong Carbon Co., Ltd.	
T.H.I. Global Holdings Corp.	
T.H.I. Group (Shanghai), Ltd.	
Tianjin (Teda) Iron & Steel Trade Co., Ltd.	
Tianjin Kimwan Carbon Technology and Development Co., Ltd.	
Tianjin Yue Yang Industrial & Trading Co., Ltd.	
Tianzhen Jintian Graphite Electrodes Co., Ltd.	
Tielong (Chengdu) Carbon Co., Ltd.	

	Period to be reviewed
UK Carbon & Graphite	
United Carbon Ltd.	
United Trade Resources, Inc.	
Weifang Lianxing Carbon Co., Ltd.	
World Trade Metals & Minerals Co., Ltd.	
XC Carbon Group	
Xinghe County Muzi Carbon Co., Ltd., a.k.a. Xinghe County Muzi Carbon Plant	
Xinghe Xingyong Carbon Co., Ltd.	
Xinghe Xinyuan Carbon Products Co., Ltd.	
Xinyuan Carbon Co., Ltd.	
Xuanhua Hongli Refractory and Mineral Company	
Xuchang Minmetals & Industry Co., Ltd.	
Xuzhou Carbon Co., Ltd.	
Xuzhou Electrode Factory	
Xuzhou Jianglong Carbon Manufacture Co., Ltd.	
Xuzhou Jianglong Carbon Products Co., Ltd.	
Yangzhou Qionghua Carbon Trading Ltd.	
Yixing Huaxin Imp & Exp Co. Ltd.	
Youth Industry Co., Ltd.	
Zhengzhou Jinyu Thermo-Electric Material Co., Ltd.	
Zibo Continent Carbon Factory	
Zibo DuoCheng Trading Co., Ltd.	
Zibo Lianxing Carbon Co., Ltd.	
Zibo Wuzhou Tanshun Carbon Co., Ltd	
The People's Republic of China:	
Uncovered Innerspring Units, A–570–928	2/1/14–1/31/15
East Grace Corporation	
Macao Commerical	
Industrial Spring Mattress Manufacturer	
The People's Republic of China:	
Utility Scale Wind Towers, A–570–981	2/1/14–1/31/15
Alstom Sizhou Electric Power Equipment Co., Ltd.	
AVIC International Renewable Energy Co., Ltd.	
AUSKY (Shandong) Machinery Manufacturing Co., Ltd.	
Baotou Titan Wind Power Equipment Co., Ltd.	
CATIC International Trade & Economic Development Ltd.	
Chengde Tianbao Machinery Co., Ltd.	
Chengxi Shipyard Co., Ltd.	
China WindPower Group	
CleanTech Innovations Inc.	
CNR Wind Turbine Co., Ltd.	
CS Wind China Co., Ltd.	
CS Wind Corporation	
CS Wind Tech (Shanghai) Co., Ltd.	
Dajin Heavy Industry Corporation	
Greenergy Technology Co., Ltd.	
Guangdong No.2 Hydropower Engineering Co., Ltd.	
Guodian United Power Technology Baoding Co., Ltd.	
Harbin Hongguang Boiler Group Co., Ltd.	
Hebei Ningqiang Group	
Hebei Qiangsheng Wind Equipment Co., Ltd.	
Jiangsu Baolong Electromechanical Mfg. Co., Ltd.	
Jiangsu Baolong Tower Tube Manufacture Co., Ltd.	
Jiangsu Taihu Boiler Co., Ltd.	
Jilin Miracle Equipment Manufacturing Engineering Co., Ltd.	
Jilin Tianhe Wind Power Equipment Co., Ltd. (f/k/a Jilin Mingmen Wind Power Equipment Co., Ltd.)	
Jinan Railway Vehicles Equipment Co., Ltd.	
Nanjing Jiangbiao Group Co., Ltd.	
Nantong Dontai New Energy Equipment Co., Ltd.	
Nantong Hongbo Windpower Equipment Co., Ltd.	
Ningxia Electric Power Group	
Ningxia Yinxing Energy Co.	
Ningxia Yinyi Wind Power Generation Co., Ltd.	
Qingdao GeLinTe Environmental Protection Equipment Co., Ltd.	
Qingdao Ocean Group	
Qingdao Pingcheng Steel Structure Co., Ltd.	
Qingdao Tianneng Electric Power Engineering Machinery Co., Ltd.	
Qingdao Wuxiao Group Co., Ltd.	
Renewable Energy Asia Group Ltd.	
Shandong Endless Wind Turbine Techincal Equpiment Co., Ltd.	
Shandong Zhongkai Wind Power Equipment Manufacturers, Ltd.	
Shanghai Aerotech Trading International	
Shanghai GE Guangdian Co., Ltd.	

	Period to be reviewed
Shanghai Taisheng Wind Power Equipment Co., Ltd.	
Shenyang Titan Metal Co., Ltd.	
Sinovel Wind Group Co., Ltd.	
Suihua Wuxiao Electric Power Equipment Co., Ltd.	
Titan (Lianyungang) Metal Product Co., Ltd.	
Titan Wind Energy Suzhou Co., Ltd.	
Wuxiao Steel Tower Co., Ltd.	
Xinjiang Huitong (Group) Co., Ltd.	
Countervailing Duty Proceedings	
Republic of Korea:	
Certain Cut-to-Length Carbon-Quality Steel Plate, C–580–837	1/1/14–12/31/14
BDP International	
Daewoo International Corp.	
Dongkuk Steel Mill Co., Ltd.	
GS Global Corp.	
Hyundai Glovis	
Hyundai Steel Co.	
Iljin Steel	
Samsung C&T Corporation	
Samsung C&T Engineering & Construction Group	
Samsung C&T Trading and Investment Group	
Samsung Heavy Industries	
Steel N People Ltd.	
Republic of Korea:	
Large Residential Washers, C–580–869	1/1/14–12/31/14
Daewoo Electronics Corporation	
Samsung Electrics Co., Ltd.	
Socialist Republic of Vietnam:	
Steel Wire Garment Hangers, C–552–813	1/1/14–12/31/14
Acton Co, Ltd.	
Angang Clothes Rack Manufacture Co.	
Asmara Home Vietnam	
B2B Co., Ltd.	
Capco Wai Shing Viet Nam Co. Ltd.	
CTN Limited Company (a/k/a C.T.N. International Ltd. and CTN Co. Ltd)	
City Tnhn Mtv Xnk My Phuoc (a/k/a City Thnh San Xuat My Phuoc Long An Factory)	
Dai Nam Investment JSC (part of Dai Nam Group)	
Diep Son Hangers One Member Co. Ltd. (a/k/a Diep Son Hangers Co. Ltd.)	
Dong Nam A Co. Ltd. (a/k/a Dong Nam A Hamico)	
Dong Nam A Trading Co.	
Est Glory Industrial Ltd.	
Focus Shipping Corp.	
Godoxa Viet Nam Ltd. (a/k/a Godoxa Vietnam Co. Ltd.)	
HCMC General Import and Export Investment Joint Stock Company (Imexco)	
Huqhu Co., Ltd.	
Hongxiang Business and Product Co., Ltd.	
Infinite Industrial Hanger Limited (a/k/a Infinite Industrial Hanger Co. Ltd.)	
Ju Fu Co. Ltd. (a/k/a Jufu Company, Ltd.)	
Linh Sa Hamico Company, Ltd.	
Long Phung Co. Ltd.	
Lucky Cloud (Vietnam) Hanger Co. Ltd.	
Minh Quang Steel Joint Stock Company (a/k/a Minh Quang Hanger) (Part of the Dai Nam Group)	
Moc Viet Manufacture Co., Ltd.	
Nam A Hamico Export Joint Stock Co. (a/k/a Dong Nam Hamico Joint Stock Company)	
N-Tech Vina Co. Ltd.	
NV Hanger Co., Ltd. (a/k/a Nguyen Haong Vu Co. Ltd.)	
Quoc Ha Production Trading Services Co. Ltd.	
Quyky Group/Quyky Co., Ltd./Quyky-Yangle International Co., Ltd.	
S.I.I.C.	
South East Asia Hamico Exports JSC	
T.J. Co. Ltd.	
Tan Dinh Enterprise (a/k/a Tan Dihn Enterprise)	
Tan Minh Textile Sewing Trading Co., Ltd.	
Thanh Hieu Manufacturing Trading Co. Ltd.	
The Xuong Co. Ltd.	
Thien Ngon Printing Co, Ltd.	
Top Sharp International Trading Limited	
Triloan Hangers, Inc.	
Tri-State Trading (a/k/a Nghia Phuong Nam Production Trading)	
Trung Viet My Joint Stock Company	
Truong Hong Lao—Viet Joint Stock	
Uac Co. Ltd.	
Viet Anh Imp-Exp Joint Stock Co.	

	Period to be reviewed
Viet Hanger Investment, LLC (a/k/a Viet Hanger)	
Vietnam Hangers Joint Stock Company (a/k/a Cong Ty Co Phan Moc AO)	
Vietnam Sourcing (a/k/a VNS and VN Sourcing)	
Winwell Industrial Ltd. (Hong Kong)	
Yen Trang Co., Ltd.	
Zownzi Hardware Hanger Factory Ltd.	
The People's Republic of China:	
Utility Scale Wind Towers, C–570–982	1/1/14–12/31/14
Alstom Sizhou Electric Power Equipment Co., Ltd.	
AVIC International Renewable Energy Co., Ltd.	
AUSKY (Shandong) Machinery Manufacturing Co., Ltd.	
Baotou Titan Wind Power Equipment Co., Ltd.	
CATIC International Trade & Economic Development Ltd.	
Chengde Tianbao Machinery Co., Ltd.	
Chengxi Shipyard Co., Ltd.	
China WindPower Group	
CleanTech Innovations Inc.	
CNR Wind Turbine Co., Ltd.	
CS Wind China Co., Ltd.	
CS Wind Corporation	
CS Wind Tech (Shanghai) Co., Ltd.	
Dajin Heavy Industry Corporation	
Greenergy Technology Co., Ltd.	
Guangdong No. 2 Hydropower Engineering Co., Ltd.	
Guodian United Power Technology Baoding Co., Ltd.	
Harbin Hongguang Boiler Group Co., Ltd.	
Hebei Ningqiang Group	
Hebei Qiangsheng Wind Equipment Co., Ltd.	
Jiangsu Baolong Electromechanical Mfg. Co., Ltd.	
Jiangsu Baolong Tower Tube Manufacture Co., Ltd.	
Jiangsu Taihu Boiler Co., Ltd.	
Jilin Miracle Equipment Manufacturing Engineering Co., Ltd.	
Jilin Tianhe Wind Power Equipment Co., Ltd. (f/k/a Jilin Mingmen Wind Power Equipment Co., Ltd.)	
Jinan Railway Vehicles Equipment Co., Ltd.	
Nanjing Jiangbiao Group Co., Ltd.	
Nantong Dontai New Energy Equipment Co., Ltd.	
Nantong Hongbo Windpower Equipment Co., Ltd.	
Ningxia Electric Power Group	
Ningxia Yinxing Energy Co.	
Ningzxia Yinyi Wind Power Generation Co., Ltd.	
Qingdao GeLinTe Environmental Protection Equipment Co., Ltd.	
Qingdao Ocean Group	
Qingdao Pingcheng Steel Structure Co., Ltd.	
Qingdao Tianneng Electric Power Engineering Machinery Co., Ltd.	
Qingdao Wuxiao Group Co., Ltd.	
Renewable Energy Asia Group Ltd.	
Shandong Endless Wind Turbine Techincal Equpiment Co., Ltd.	
Shandong Zhongkai Wind Power Equipment Manufacturers, Ltd.	
Shanghai Aerotech Trading International	
Shanghai GE Guangdian Co., Ltd.	
Shanghai Tiasheng Wind Power Equipment Co., Ltd.	
Shenyang Titan Metal Co., Ltd.	
Sinovel Wind Group Co., Ltd.	
Suihua Wuxiao Electric Power Equipment Co., Ltd.	
Titan (Lianyungang) Metal Product Co., Ltd.	
Titan Wind Energy Suzhou Co., Ltd.	
Wuxiao Steel Tower Co., Ltd.	
Xinjiang Huitong (Group) Co., Ltd.	

Suspension Agreements

None.

[4] In the initiation notice covering cases with December anniversary dates, the Department inadvertently omitted the requested review of the antidumping duty order on Certain Cased Pencils from the PRC. Specifically, the timely review request for Orient International Holding Shanghai Foreign Trade Co., Ltd. (SFTC) was not included in the February 4, 2015, initiation notice. *See Initiation of Antidumping and Countervailing Duty Administrative Reviews* 80 FR 6041 (February 4, 2015). This company is included herein as a correction to the February 4, 2015, initiation notice.

Duty Absorption Reviews

During any administrative review covering all or part of a period falling between the first and second or third and fourth anniversary of the publication of an antidumping duty order under 19 CFR 351.211 or a determination under 19 CFR 351.218(f)(4) to continue an order or suspended investigation (after sunset review), the Secretary, if requested by a domestic interested party within 30 days of the date of publication of the notice of initiation of the review, will determine, consistent with *FAG Italia* v. *United States,* 291 F.3d 806 (Fed. Cir. 2002), as appropriate, whether

antidumping duties have been absorbed by an exporter or producer subject to the review if the subject merchandise is sold in the United States through an importer that is affiliated with such exporter or producer. The request must include the name(s) of the exporter or producer for which the inquiry is requested.

Gap Period Liquidation

For the first administrative review of any order, there will be no assessment of antidumping or countervailing duties on entries of subject merchandise entered, or withdrawn from warehouse, for consumption during the relevant provisional-measures ''gap'' period, of the order, if such a gap period is applicable to the POR.

Administrative Protective Orders and Letters of Appearance

Interested parties must submit applications for disclosure under administrative protective orders in accordance with 19 CFR 351.305. On January 22, 2008, the Department published *Antidumping and Countervailing Duty Proceedings: Documents Submission Procedures; APO Procedures,* 73 FR 3634 (January 22, 2008). Those procedures apply to administrative reviews included in this notice of initiation. Parties wishing to participate in any of these administrative reviews should ensure that they meet the requirements of these procedures (*e.g.,* the filing of separate letters of appearance as discussed at 19 CFR 351.103(d)).

Revised Factual Information Requirements

On April 10, 2013, the Department published *Definition of Factual Information and Time Limits for Submission of Factual Information: Final Rule,* 78 FR 21246 (April 10, 2013), which modified two regulations related to antidumping and countervailing duty proceedings: The definition of factual information (19 CFR 351.102(b)(21)), and the time limits for the submission of factual information (19 CFR 351.301). The final rule identifies five categories of factual information in 19 CFR 351.102(b)(21), which are summarized as follows: (i) Evidence submitted in response to questionnaires; (ii) evidence submitted in support of allegations; (iii) publicly available information to value factors under 19 CFR 351.408(c) or to measure the adequacy of remuneration under 19 CFR 351.511(a)(2); (iv) evidence placed on the record by the Department; and (v) evidence other than factual information described in (i)–(iv). The final rule requires any party, when submitting factual information, to specify under which subsection of 19 CFR 351.102(b)(21) the information is being submitted and, if the information is submitted to rebut, clarify, or correct factual information already on the record, to provide an explanation identifying the information already on the record that the factual information seeks to rebut, clarify, or correct. The final rule also modified 19 CFR 351.301 so that, rather than providing general time limits, there are specific time limits based on the type of factual information being submitted. These modifications are effective for all segments initiated on or after May 10, 2013. Please review the final rule, available at *http://enforcement.trade.gov/frn/2013/1304frn/2013-08227.txt,* prior to submitting factual information in this segment.

Any party submitting factual information in an antidumping duty or countervailing duty proceeding must certify to the accuracy and completeness of that information.[5] Parties are hereby reminded that revised certification requirements are in effect for company/government officials as well as their representatives. All segments of any antidumping duty or countervailing duty proceedings initiated on or after August 16, 2013, should use the formats for the revised certifications provided at the end of the *Final Rule*.[6] The Department intends to reject factual submissions in any proceeding segments if the submitting party does not comply with applicable revised certification requirements.

Revised Extension of Time Limits Regulation

On September 20, 2013, the Department modified its regulation concerning the extension of time limits for submissions in antidumping and countervailing duty proceedings: *Final Rule,* 78 FR 57790 (September 20, 2013). The modification clarifies that parties may request an extension of time limits before a time limit established under Part 351 expires, or as otherwise specified by the Secretary. In general, an extension request will be considered untimely if it is filed after the time limit established under Part 351 expires. For submissions which are due from multiple parties simultaneously, an extension request will be considered untimely if it is filed after 10:00 a.m. on the due date. Examples include, but are not limited to: (1) Case and rebuttal briefs, filed pursuant to 19 CFR 351.309; (2) factual information to value factors under 19 CFR 351.408(c), or to measure the adequacy of remuneration under 19 CFR 351.511(a)(2), filed pursuant to 19 CFR 351.301(c)(3) and rebuttal, clarification and correction filed pursuant to 19 CFR 351.301(c)(3)(iv); (3) comments concerning the selection of a surrogate country and surrogate values and rebuttal; (4) comments concerning U.S. Customs and Border Protection data; and (5) quantity and value questionnaires. Under certain circumstances, the Department may elect to specify a different time limit by which extension requests will be considered untimely for submissions which are due from multiple parties simultaneously. In such a case, the Department will inform parties in the letter or memorandum setting forth the deadline (including a specified time) by which extension requests must be filed to be considered timely. This modification also requires that an extension request must be made in a separate, stand-alone submission, and clarifies the circumstances under which the Department will grant untimely-filed requests for the extension of time limits. These modifications are effective for all segments initiated on or after October 21, 2013. Please review the final rule, available at *http://www.gpo.gov/fdsys/pkg/FR-2013-09-20/html/2013-22853.htm,* prior to submitting factual information in these segments.

These initiations and this notice are in accordance with section 751(a) of the Act (19 U.S.C. 1675(a)) and 19 CFR 351.221(c)(1)(i).

Dated: March 30, 2015.

Gary Taverman,

Associate Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2015–07712 Filed 4–2–15; 8:45 am]

BILLING CODE 3510–DS–P

[5] *See* section 782(b) of the Act.

[6] *See Certification of Factual Information To Import Administration During Antidumping and Countervailing Duty Proceedings,* 78 FR 42678 (July 17, 2013) (''*Final Rule*''); *see also* the frequently asked questions regarding the *Final Rule,* available at *http://enforcement.trade.gov/tlei/notices/factual_info_final_rule_FAQ_07172013.pdf.*

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List; Addition and Deletions

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Addition to and Deletions from the Procurement List.

SUMMARY: This action adds a product to the Procurement List that will be furnished by nonprofit agency employing persons who are blind or have other severe disabilities, and deletes products and a service from the Procurement List previously furnished by such agencies.

DATES: Effective May 4, 2015.

ADDRESSES: Committee for Purchase From People Who Are Blind or Severely Disabled, 1401 S. Clark Street, Suite 715, Arlington, Virginia 22202–4149.

FOR FURTHER INFORMATION CONTACT: Barry S. Lineback, Telephone: (703) 603–7740, Fax: (703) 603–0655, or email *CMTEFedReg@AbilityOne.gov.*

SUPPLEMENTARY INFORMATION:

Addition

On 1/16/2015 (80 FR 2400–2401), the Committee for Purchase From People Who Are Blind or Severely Disabled published notice of proposed addition to the Procurement List.

After consideration of the material presented to it concerning capability of qualified nonprofit agency to furnish the product and impact of the addition on the current or most recent contractors, the Committee has determined that the product listed below is suitable for procurement by the Federal Government under 41 U.S.C. 8501–8506 and 41 CFR 51–2.4.

Regulatory Flexibility Act Certification

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. The action will not result in any additional reporting, recordkeeping or other compliance requirements for small entities other than the small organization that will furnish the product to the Government.

2. The action will result in authorizing small entities to furnish the product to the Government.

3. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 8501–8506) in connection with the product proposed for addition to the Procurement List.

End of Certification

Accordingly, the following product is added to the Procurement List:

Product

PRODUCT NAME/NSN: Small Web Door Assembly/3915–04–000–4368.
MANDATORY FOR PURCHASE BY: U.S. Postal Service.
MANDATORY SOURCE OF SUPPLY: Four Rivers Resource Services, Inc., Linton, IN.
CONTRACTING ACTIVITY: U.S. Postal Service, Topeka, KS.
DISTRIBUTION: C-List.

Deletions

On 2/27/2015 (80 FR 10668), the Committee for Purchase From People Who Are Blind or Severely Disabled published notice of proposed deletions from the Procurement List.

After consideration of the relevant matter presented, the Committee has determined that the products and service listed below are no longer suitable for procurement by the Federal Government under 41 U.S.C. 8501–8506 and 41 CFR 51–2.4.

Regulatory Flexibility Act Certification

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. The action will not result in additional reporting, recordkeeping or other compliance requirements for small entities.

2. The action may result in authorizing small entities to furnish the products and service to the Government.

3. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 8501–8506) in connection with the products and service deleted from the Procurement List.

End of Certification

Accordingly, the following products and service are deleted from the Procurement List:

Products

PRODUCT NAME/NSNS: Case, Flag, Hardwood.
8345–00–NSH–0013
8345–00–NSH–0014
WAS MANADATORY FOR: U.S. Fleet Forces Command, Norfolk, VA.
PRODUCT NAME/NSNS: Envelope, Inter-Departmental.
7530–01–463–3908—5-column
7530–01–463–3909—3-column
7530–01–463–3910—5-column, 100% recycle
7530–01–498–1086—Blue Kraft
7530–01–498–1088—Yellow Kraft
7530–01–498–1089—Red Kraft
PREVIOUS MANADATORY SOURCE: Gateway Community Industries, Inc., Kingston, NY.
WAS MANADATORY FOR: General Services Administration, New York, NY.
PRODUCT NAMES/NSNS: HP C4092A compatible/7510–01–558–6166.
Skilcraft Toner Cartridge/7510–00–NIB–0641.
PREVIOUS MANADATORY SOURCE: Alabama Industries for the Blind, Talladega, AL.
WAS MANADATORY FOR: General Services Administration, New York, NY.
PRODUCT NAME/NSN: Card Set, Guide, File, Pressboard, Alphabetical, 1/5 Cut, Light Green, 8 ½″ x 11″/7530–00–989–0698.
PREVIOUS MANADATORY SOURCE: Georgia Industries for the Blind, Bainbridge, GA.
WAS MANADATORY FOR: General Services Administration, New York, NY.

Service

SERVICE TYPE: Grounds Maintenance.
Oakland Army Base and Naval Supply Center, Oakland, CA.
PREVIOUS MANADATORY SOURCE: Rubicon Programs, Inc., Richmond, CA.
WAS MANADATORY FOR: Dept of the Navy, U.S. Fleet Forces Command, Norfolk, VA.

Barry S. Lineback,

Director, Business Operations.

[FR Doc. 2015–07687 Filed 4–2–15; 8:45 am]

BILLING CODE 6353–01–P

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List; Proposed Additions

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Proposed additions to the procurement list.

SUMMARY: The Committee is proposing to add products to the Procurement List that will be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities.

DATES: *Comments must be received on or before:* May 4, 2015.

ADDRESSES: Committee for Purchase From People Who Are Blind or Severely Disabled, 1401 S. Clark Street, Suite 715, Arlington, Virginia 22202–4149.

FOR FURTHER INFORMATION 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 actions.

Additions

If the Committee approves the proposed additions, the entities of the Federal Government identified in this notice will be required to procure the products listed below from nonprofit agencies employing persons who are blind or have other severe disabilities.

The following products are proposed for addition to the Procurement List for production by the nonprofit agencies listed:

Products

PRODUCT NAMEs/NSNs:

Hearing Protection, Over-the-Head Earmuff, NRR 30dB/4240–00–SAM–0025
Hearing Protection, Behind-the-Head Earmuff, NRR 30dB/4240–00–SAM–0026
Hearing Protection, Behind-the-Head Earmuff, NRR 30dB/4240–00–NSH–0019
Hearing Protection, Over-The-Head Earmuff, NRR 30dB/4240–01–534–3386
MANDATORY FOR PURCHASE BY: Total Government Requirement
MANDATORY SOURCE OF SUPPLY: Access: Supports for Living Inc., Middletown, NY
CONTRACTING ACTIVITY: Defense Logistics Agency Troop Support, Philadelphia, PA
DISTRIBUTION: B-List
PRODUCT NAME/NSN: Apron, Father's Day/MR 1162
MANDATORY FOR PURCHASE BY: Military commissaries and exchanges in accordance with the Code of Federal Regulations, Chapter 51, 51–6.4
MANDATORY SOURCE OF SUPPLY: Alphapointe, Kansas City, MO
CONTRACTING ACTIVITY: Defense Commissary Agency, Fort Lee, VA
DISTRIBUTION: C-List
PRODUCT NAMEs/NSNs: Bowl, Cereal and Sipping, Sesame Street/MR 10664
Holder, Juice Box, Sesame Street/MR 10665
MANDATORY FOR PURCHASE BY: Military commissaries and exchanges in accordance with the Code of Federal Regulations, Chapter 51, 51–6.4
MANDATORY SOURCE OF SUPPLY: Winston-Salem Industries for the Blind, Inc., Winston-Salem, NC
CONTRACTING ACTIVITY: Defense Commissary Agency, Fort Lee, VA
DISTRIBUTION: C-List

Barry S. Lineback,

Director, Business Operations.

[FR Doc. 2015–07686 Filed 4–2–15; 8:45 am]

BILLING CODE 6353–01–P

BUREAU OF CONSUMER FINANCIAL PROTECTION

[Docket No: CFPB 2015–0010]

Agency Information Collection Activities: Comment Request

AGENCY: Bureau of Consumer Financial Protection.

ACTION: Notice and request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (PRA), the Consumer Financial Protection Bureau (Bureau) is requesting to renew the approval for an existing information collection titled, ''Interstate Land Sales Full Disclosure Act (Regulations J, K & L) 12 CFR 1010, 1011, 1012.''

DATES: Written comments are encouraged and must be received on or before June 2, 2015 to be assured of consideration.

ADDRESSES: You may submit comments, identified by the title of the information collection, OMB Control Number (see below), and docket number (see above), by any of the following methods:

- *Electronic: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Mail:* Consumer Financial Protection Bureau (Attention: PRA Office), 1700 G Street NW., Washington, DC 20552.
- *Hand Delivery/Courier:* Consumer Financial Protection Bureau (Attention: PRA Office), 1275 First Street NE., Washington, DC 20002.

Please note that comments submitted after the comment period will not be accepted. In general, all comments received will become public records, including any personal information provided. Sensitive personal information, such as account numbers or social security numbers, should not be included.

FOR FURTHER INFORMATION CONTACT: Documentation prepared in support of this information collection request is available at *www.regulations.gov.* Requests for additional information should be directed to the Consumer Financial Protection Bureau, (Attention: PRA Office), 1700 G Street NW., Washington, DC 20552, (202) 435–9575, or email: *PRA@cfpb.gov. Please do not submit comments to this mailbox.*

SUPPLEMENTARY INFORMATION:

Title of Collection: Interstate Land Sales Full Disclosure Act (Regulations J, K & L) 12 CFR 1010, 1011, 1012.

OMB Control Number: 3170–0012.

Type of Review: Extension with change of a previously approved collection.

Affected Public: Business or other for-profit.

Estimated Number of Respondents: 197.

Estimated Total Annual Burden Hours: 6,724.

Abstract: The Interstate Land Sales Full Disclosure Act (ILSA) requires land developers to register non-exempt subdivisions with the Bureau before selling any lots, and to provide each lot purchaser with a disclosure document designated as a property report, 15 U.S.C. 1703–1704. ILSA was enacted in response to a nation-wide proliferation of developers of unimproved subdivisions who made elaborate, and often fraudulent, claims about their land to unsuspecting lot purchasers. Information is submitted to the Bureau to assure compliance with ILSA and the implementing regulations. The Bureau also investigates developers who are not in compliance with the regulations.

Request For Comments: Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the Bureau, including whether the information will have practical utility; (b) The accuracy of the Bureau's estimate of the burden of the collection of information, including the validity of the methods and the assumptions used; (c) Ways to enhance the quality, utility, and clarity of the information to be collected; and (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. Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget (OMB) approval. All comments will become a matter of public record.

Dated: March 18, 2015.

Ashwin Vasan,

Chief Information Officer, Bureau of Consumer Financial Protection.

[FR Doc. 2015–07716 Filed 4–2–15; 8:45 am]

BILLING CODE 4810–AM–P

CONSUMER PRODUCT SAFETY COMMISSION

[Docket No. CPSC–2006–0011]

Regulatory Flexibility Act Section 610 Review of the Standard for the Flammability (Open Flame) of Mattress Sets

AGENCY: Consumer Product Safety Commission.

ACTION: Notice of section 610 review and request for comments.

SUMMARY: The Consumer Product Safety Commission (CPSC) is conducting a review of the Standard for the Flammability (Open Flame) of Mattress Sets (Mattress Standard) as set forth at 16 CFR part 1633, pursuant to Section 610 of the Regulatory Flexibility Act. The purpose of this review is to determine, while protecting consumer safety, whether this standard should be maintained without change, rescinded, or modified to minimize any significant impact of the rule on a substantial number of small entities and whether the rule should be changed to reduce regulatory burden or improve its effectiveness. The CPSC seeks comment on these issues.

DATES: Written comments should be submitted by June 2, 2015.

ADDRESSES: You may submit comments, identified by Docket No. CPSC–2006–0011, by any of the following methods:

Electronic Submissions: Submit electronic comments to the Federal eRulemaking Portal at: *http://www.regulations.gov.* Follow the instructions for submitting comments. The Commission does not accept comments submitted by electronic mail (email), except through *www.regulations.gov.* The Commission encourages you to submit electronic comments by using the Federal eRulemaking Portal, as described above.

Written Submissions: Submit written submissions by mail/hand delivery/courier to: Office of the Secretary, Consumer Product Safety Commission, Room 820, 4330 East West Highway, Bethesda, MD 20814; telephone (301) 504–7923.

Instructions: All submissions received must include the agency name and docket number for this notice. All comments received may be posted without change, including any personal identifiers, contact information, or other personal information provided, to: *http://www.regulations.gov.* Do not submit confidential business information, trade secret information, or other sensitive or protected information that you do not want to be available to the public. If furnished at all, such information should be submitted in writing.

Docket: For access to the docket to read background documents or comments received, go to: *http://www.regulations.gov*, and insert the docket number CPSC–2006–0011, into the ''Search'' box, and follow the prompts.

FOR FURTHER INFORMATION CONTACT: Lisa L. Scott, Fire Protection Engineer, Laboratory Sciences, Consumer Product Safety Commission 5 Research Place, Rockville, MD 20850, Telephone: (301) 987–2064; email: *lscott@cpsc.gov.*

SUPPLEMENTARY INFORMATION: In 2006, the CPSC issued a standard for the flammability (open flame) of mattress sets under the Flammable Fabrics Act. (71 FR 13472, March 15, 2006). The Mattress Standard sets forth performance requirements that all mattress sets must meet before being introduced into commerce. The Mattress Standard establishes flammability requirements to reduce deaths and injuries associated with mattress fires by limiting the size of the fire generated by a mattress set during a 30-minute test. The Mattress Standard establishes two test criteria, which the mattress set must meet to comply with the standard: (1) The peak rate of heat release for the mattress set must not exceed 200 kW at any time during the 30 minute test; and (2) the total heat release must not exceed 15 MJ for the first 10 minutes of the test. These requirements are set forth at 16 CFR part 1633.

The CPSC has selected the Mattress Standard for review in accordance with the regulatory review provisions of Section 610 of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) The purpose of a review under Section 610 of the Regulatory Flexibility Act is to determine whether such rule should be continued without change, or should be rescinded, or amended, consistent with the stated objectives of applicable statutes to minimize any significant impact of the rules on a substantial number of small entities. The Agency must consider the following factors:

(1) The continued need for the rule;

(2) The nature of complaints or comments received concerning the rule from the public;

(3) The complexity of the rule;

(4) The extent to which the rule overlaps, duplicates or conflicts with other Federal rules, and, to the extent feasible, with State and local governmental rules; and

(5) The length of time since the rule has been evaluated or the degree to which technology, economic conditions, or other factors have changed in the area affected by the rule. 5 U.S.C. 610(b).

An important step in the review process involves gathering and analyzing information from affected persons about their experience with the rule and any material changes in circumstances since issuance of the rule. This document requests written comments on the continuing need for the rule, its adequacy or inadequacy, its small business impacts, and other relevant issues. Comments concerning the subjects below would assist the CPSC's review. The purpose of these questions is to assist commenters in their responses and not to limit the format or substance of their comments. Comments are requested on all issues raised by Section 610 of the Regulatory Flexibility Act.

Safety and Effectiveness

1. Do you believe that mattresses that comply with the Mattress Standard provide adequate safety from fires that may involve a mattress? Are there additional requirements or protections that could reduce the number of deaths and injuries resulting from mattress fires?

2. Do any aspects of the Mattress Standard need to be updated to improve effectiveness as a result of technological developments since the standard went into effect?

Costs and Impacts

3. Are there any requirements of the Mattress Standard that are especially or unnecessarily costly and/or burdensome? Which ones? How might the Mattress Standard requirements be modified to reduce the costs or burdens on the industry without reducing the fire safety provided by the Mattress Standard? Please explain your response and provide supporting data.

4. Do you believe that any of the requirements in the Mattress Standard lead to a disproportionate burden on small entities? If so, which requirements lead to a disproportionate burden, and how? How might CPSC modify the Mattress Standard requirements to reduce the burden on small businesses or the industry without reducing the fire safety provided by the Mattress Standard?

5. What percent of the time and cost of mattress construction, including testing, does complying with the Mattress Standard represent? Do these percentages vary significantly depending on the type of mattress, geographical location, size of firm, or other factors? Which requirements in the Mattress Standard have the greatest impact on cost of production? The

lowest impact on cost of production? Explain your response and provide supporting data, if possible.

6. Do manufacturers rely on information from suppliers or conduct their own testing when selecting and/or substituting: (1) Ticking materials; (2) component materials; (3) fire resistant materials; and (4) fire-blocking barrier materials? How does this impact decisions regarding prototyping (qualified or subordinate prototypes) of mattresses? How does material supply variability affect a manufacturer's ability to consistently comply with the technical and recordkeeping requirements of the Mattress Standard?

7. Are the labeling and recordkeeping requirements in the Mattress Standard adequate, inadequate, or overly burdensome to meet the requirements of the standard?

8. Please explain what materials are used by firms to meet the requirements of the standard and how do the various materials, or combinations of materials, compare in terms of cost?

Clarity and Duplication

9. Is there any aspect of the Mattress Standard that is unclear, needlessly complex, or duplicative? Do any portions of the standard overlap, duplicate, or conflict with other federal, state or local government rules? Most notably, do any portions of this standard overlap, duplicate, or conflict with CPSC's ''Standard for the Flammability of Mattresses and Mattress Pads,'' as set forth at 16 CFR part 1632? What benefits, if any, would CPSC, the regulated community, or other stakeholders gain from reviewing the interactions between that standard and the Mattress Standard along with the Mattress Standard's independent operation?

10. Do other government entities, including other countries, have alternative fire safety standards? If so, how do they differ from CPSC's approach? Are these alternative approaches more effective? Please provide a copy of the alternative fire safety standard(s) or a citation to the standard(s).

11. Can any of the technical aspects of the Mattress Standard be expanded or clarified without reducing the fire safety provided by the standard? For example, should the measurement requirements in the standard be defined more clearly, such as uncertainty values associated with dimensions, flow, temperature/humidity, energy value, or other values?

Outreach and Advocacy

12. Are CPSC's requirements in the Mattress Standard known to firms that manufacture new mattresses or renovate mattresses for sale, or import mattresses into the United States, including small firms and firms that build mattresses or import mattresses infrequently or in small lots? How could the requirements of the standard be more effectively communicated to such firms?

13. If mattresses fail to comply with the Mattress Standard, is noncompliance more commonly the result of: (1) The manufacturer's lack of information (*e.g.,* about the scope of the standard or the safety requirements); (2) manufacturing processes and techniques; (3) methods of assembly; (4) component selection and availability; (5) cost considerations; or (6) other factors? What can CPSC do to assist manufacturers with meeting the requirements of the standard? Please explain.

Alberta E. Mills,

Acting Secretary, Consumer Product Safety Commission.

[FR Doc. 2015–07659 Filed 4–2–15; 8:45 am]

BILLING CODE 6355–01–P

DEPARTMENT OF DEFENSE

Office of the Secretary

Office of Economic Adjustment; Announcement of Federal Funding Opportunity (FFO)

AGENCY: Office of Economic Adjustment (OEA), Department of Defense (DoD).

ACTION: Federal funding opportunity announcement.

SUMMARY: This notice announces an opportunity to request funding from the Office of Economic Adjustment (OEA), a Department of Defense (DoD) field activity, for community planning assistance to help prevent the siting of energy projects from adversely affecting DoD's test, training, and military operations. Commercial development of energy projects may affect unique DoD activities and military readiness, especially when located near installations, ranges, or on lands beneath designated military training routes or special use airspace. State, tribal, and local governments can support effective collaboration, early engagement and dialogue between DoD and energy developers to ensure proposed energy projects may proceed without compromising the DoD missions. This notice includes proposal submission requirements and instructions, eligibility requirements, and selection criteria that will be used to evaluate proposals from eligible respondents. OEA grants to a state or local government may result from any proposal submitted under this notice, subject to the availability of appropriations.

SUPPLEMENTARY INFORMATION:

a. *Federal Awarding Agency:* Office of Economic Adjustment, Department of Defense.

b. *Funding Opportunity Title:* Community Adjustment Planning Assistance in Response to Siting of Energy Projects to Support Department of Defense Mission Interests.

c. *Announcement Type:* Initial Federal Funding Opportunity.

d. *Catalog Of Federal Domestic Assistance (CFDA) Number & Title:* 12.610, Community Economic Adjustment Assistance for Compatible Use and Joint Land Use Studies.

e. *Key Dates:* Proposals will be considered on a continuing basis. OEA will evaluate all proposal documents and requests, and provide a response to the respondent within 30 business days of OEA's receipt of a final and complete proposal.

I. Period of Funding Opportunity

Proposals will be considered on a continuing basis, subject to the availability of appropriated funds, commencing on the date of publication of this notice.

II. Funding Opportunity

a. Program Description

OEA is a DoD Field Activity authorized under 10 U.S.C 2391 to provide assistance to state or local governments, and instrumentalities of state and local governments, including regional governmental organizations, to plan and carry out community adjustments required by the encroachment of a civilian community on a military installation if the Secretary determines that the encroachment of the civilian community is likely to impair the continued operational utility of the installation, including test and training ranges and associated military airspace.

OEA's Compatible Use and Joint Land Use Studies Program provides technical and financial assistance to state and local governments to plan and carry out community adjustments required to mitigate or prevent incompatible civilian development and activities that are likely to impair the continued operational utility of a DoD installation. The objectives of OEA's Compatible Use and Joint Land Use Studies Program are to assist states and local governments to plan and carry out community adjustments to promote compatible civilian development and activities in support of continued operational utility

of the installation; preserve and protect the public health, safety, and general welfare; protect and preserve military readiness and defense capability while supporting continued economic development; and enhance civilian and military communications and collaboration.

OEA is accepting proposals for grant assistance to support communities, regions, and states to assist in the siting of energy project investments so they do not impair the continued operational utility of a DoD installation. Proposals will be evaluated against the eligibility criteria in section II.c. and the selection criteria in section II.e. of this notice by OEA staff in coordination with representatives from the DoD Siting Clearinghouse, Military Departments, Federal Aviation Administration, and Department of Energy, as well as other Federal agencies as invited by OEA. OEA will notify the respondent within thirty (30) days of receipt of a proposal whether their proposal was successful. The successful respondent will then be invited to submit an application through OEA's eGrants system. Additional details about the review and selection process are provided in section II.e. of the FFO.

The final amount of each award will be determined by OEA based upon a review of a final grant application, and will be subject to the availability of appropriated funds.

b. Federal Award Information

Awards under this FFO will be issued in the form of a grant agreement. In accordance with 31 U.S.C. 6304 a grant is defined as the legal instrument reflecting a relationship between the United States Government and a State, a local government, or other recipient when:

(1) The principal purpose of the relationship is to transfer a thing of value to the State or local government or other recipient to carry out a public purpose of support or stimulation authorized by a law of the United States instead of acquiring (by purchase, lease, or barter) property or services for the direct benefit or use of the United States Government; and

(2) Substantial involvement is not expected between the executive agency and the State, local government, or other recipient when carrying out the activity contemplated in the agreement.

c. Eligibility Information

Awards resulting from this FFO are based on eligibility and the responsiveness of proposals to the need to support effective collaboration, early engagement and dialogue between DoD and energy developers to ensure proposed energy projects may proceed without compromising DoD's military test, training, and military operations.

i. Eligible Respondents

Eligible respondents are states, counties, municipalities, other political subdivisions of a state; special purpose units of a state or local government; other instrumentalities of a state or local government; and tribal nations. If multiple proposals are received for the same affected region, or installation, OEA will ask respondents to coordinate and submit only one proposal.

Respondents are encouraged to propose locations where siting of energy projects, including electrical transmission lines, could adversely impact DoD test, training, and military operations.

A proposal must respond to the need to ensure proposed energy projects may proceed without compromising DoD's test, training, and military operations, to include radar interference from wind turbines; low-level flight obstructions associated with tall structures such as solar power towers and wind turbine projects; electromagnetic interference from high voltage electrical transmission lines; and glint and glare impacts to flight operations associated with solar photovoltaic arrays or power tower projects near military airfields.

Respondents are urged to review the Program Information stated for CFDA Number 12.610, Community Economic Adjustment Assistance for Compatible Use and Joint Land Use Studies on *http://www.cfda.gov,* prior to preparing and/or submitting a proposal.

ii. Cost Sharing or Matching

Cost sharing is required. A minimum of ten percent (10%) of the project's total proposed funding is to be comprised of non-Federal sources.

iii. Other Eligibility Information

Funding will be awarded to only one governmental entity on behalf of a region, therefore applications on the behalf of a multi-jurisdictional region should demonstrate a significant level of cooperation in their proposal.

Respondents are encouraged to identify state, tribal, county or local planning and permitting processes that could facilitate siting of projects to prevent adverse impacts.

Respondents are encouraged to submit proposals that demonstrate appropriate leverage of all public and private resources and programs.

d. Proposal and Submission Information

i. Submission of a Proposal

Proposals should be submitted electronically at *oea.ncr.OEA.mbx.ffo-submit@mail.mil* with a courtesy copy to *cyrena.c.eitler.civ@mail.mil.* Include ''Community Adjustment Planning Assistance in Response to Siting of Energy Projects'' on the subject line of the message and request delivery/read confirmation to ensure receipt.

Proposals may also be mailed or hand-delivered to: Director, Office of Economic Adjustment, 2231 Crystal Drive, Suite 520, Arlington, VA 22202–3711.

ii. Content and Form of Proposal Submission

A proposal from a state on behalf of itself must demonstrate how the proposed grant would support local community adjustment planning and initiatives, and stimulate cooperation between statewide and local adjustment planning efforts. A proposal from a state responding on behalf of a local jurisdiction or jurisdictions must include evidence of support from local officials.

Eligible proposals from respondents may include: (1) Analysis and dissemination of information; (2) timely consultation and cooperation among DoD, energy developers, and state and local governments; (3) coordinated interagency and intergovernmental assistance; (4) cost-effective strategies and action plans; (5) effective cooperation and involvement of the public and private sector; (6) a clearinghouse to exchange information among Federal, state and local efforts; (7) resolution of regulatory issues impeding siting of compatible energy projects; and (8) support innovative approaches.

Eligible activities may include (but are not limited to): staffing, operating, and administrative costs for an organization; outreach to industry and other interests; geospatial information system mapping; model ordinances; and siting or permitting processes or procedures that could include DoD Siting Clearinghouse mitigation agreements as stipulations for local siting approvals or certificates of necessity and convenience.

Proposals will be accepted as received on a continuing basis commencing on the date of this publication and processed when deemed to be a final, complete proposal. Each proposal shall consist of no more than ten (10) single-sided pages exclusive of cover sheet and/or transmittal letter, typed in a minimum 11-point common typeface,

with no less than 1'' margins, exclusive of appendices, attachments, and cover sheet and/or transmittal letter, and must include the following information:

(a) Point of Contact: Name, Title, phone number, email address, and organization address of the respondent's primary point of contact;

(b) Potential Energy Development: A description of the potential energy project development within the area of DoD's test, training and military operations;

(c) Project Description: A description of the proposed project, specifically

(i) How the project can promote compatible siting of energy projects, including how the project could prevent adverse impacts to DoD's test, training and military operations from radar interference from utility-scale wind turbines; low level flight obstructions associated with tall structures such as solar power tower and wind turbine projects; electromagnetic interference from high voltage electrical transmission lines; and glint and glare impacts to flight operations associated with solar photovoltaic arrays or power tower projects near military airfields;

(ii) How the study area and DoD's test, training, and military operations are defined;

(iii) How the project will capitalize on existing strengths (*e.g.,* infrastructure, institutions, capital, etc.) within the affected area; and

(iv) How the project would be integrated with existing/ongoing efforts to site, permit and construct energy projects.

(d) Project Parties: A description of the partner jurisdictions, agencies, organizations, energy industry representatives, and their roles and responsibilities to carry out the proposed project. Letters of support may be included as attachment and will not count against the ten-page limit;

(e) Local Military Involvement: A description of the role of the installation(s) in the study;

(f) Grant Funds and Other Sources of Funds: A summary of local needs, including need for Federal funding; an overview of all State and local funding sources, including the funds requested under this notice; financial commitments for other Federal and non-Federal funds needed to undertake the project, to include acknowledgment of the requirement to provide a minimum of ten percent (10%) of the funding from non-Federal sources; a description of any other Federal funding for which the respondent has applied, or intends to apply to support this effort; and a statement detailing how the proposal is not duplicative of other available Federal funding;

(g) Project Schedule: A sufficiently detailed project schedule, including milestones;

(h) Performance Milestones: A description of milestones to be tracked and evaluated over the course of the project to gauge performance of the project;

(i) Grants Management: Evidence of the respondent's ability and authority to manage Federal grant funds;

(j) Submitting Official: Documentation that the Submitting Official is authorized by the respondent to submit a proposal and subsequently apply for assistance.

The proposal should be emailed to the account identified in section II.d, and in Microsoft Word or Adobe Acrobat PDF format. OEA reserves the right to ask any respondent to supplement the information in its proposal, but expects the proposal to be complete upon submission. To the extent practicable, OEA encourages respondents to provide data and evidence of all project merits in a form that is publicly available and verifiable.

iii. Unique Entity Identifier and System for Award Management (SAM)

Each respondent is required to: (a) Provide a valid Dun and Bradstreet Universal Numbering System (DUNS) number; (b) be registered in the System for Award Management (SAM) before submitting its application; and (c) continue to maintain an active SAM registration with current information at all times during which it has an active Federal award or an application or plan under consideration by a Federal awarding agency. OEA may not make a Federal award to a respondent until the respondent has complied with all applicable unique entity identifier and SAM requirements.

iv. Submission Dates and Times

Proposals will be considered on a continuing basis, subject to available appropriations, commencing on the date of publication of this notice. The end date for this program has not yet been determined. OEA will evaluate all proposals and provide a response to each respondent via email within 30 business days of OEA's receipt of a final, complete grant proposal.

v. Funding Restrictions

The following are unallowable activities under this grant program:

- Construction;
- Proposed activities for grants under this program should not duplicate nor replicate activities otherwise eligible for or funded through other Federal programs; and
- International travel.

OEA reserves the right to decline to fund pre-Federal award costs. Final awards may include pre-Federal award costs at the discretion of OEA; however, this must be specifically requested in the grantee's final application.

vi. Other Submission Requirements

All respondents will submit all proposal materials electronically as an emailed attachment in Microsoft Word or Adobe Acrobat PDF format.

e. Application Review Information

i. Selection Criteria

Upon validating respondent eligibility and the potential for siting of energy projects that may impair the operational utility of the installation, including test and training ranges and associated military airspace, OEA will consider each of the following equally-balanced factors as a basis to invite formal grant applications:

(a) An appropriate and clear project design to address the need, problem, or issue identified;

(b) Evidence of an effective approach to ensure compatible siting of energy projects to support the continued operational utility of DoD's test, training, and military operations;

(c) The innovative quality of the proposed approach; and

(d) A reasonable proposed budget with a non-Federal match commitment and schedule for completion of the work program specified.

ii. Review and Selection Process

All proposals will be reviewed on their individual merit by a panel of OEA and DoD Siting Clearinghouse staff, all of whom are Federal employees. OEA will also seek the input of other Federal agencies with relevant expertise (*e.g.,* Federal Aviation Administration and Department of Energy) in the evaluation of proposals as necessary. OEA will notify the respondent within thirty (30) days of receipt of a proposal whether their proposal was successful. The successful respondent will then be instructed to submit an application through OEA's grants management system, eGrants. OEA will assign a Project Manager to advise and assist successful respondents in the preparation of the application. Grant applications will be reviewed for their completeness and accuracy and a grant award notification will be issued, to the extent possible, within seven (7) business days from its receipt.

Unsuccessful respondents will be notified that their proposal was not

selected for further action and funding, and may request a debriefing on their submitted proposal. When applicable, OEA may include information about other applicable federal grant programs in this communication. Requests for debriefing must be submitted in writing within 3 calendar days of notification of an unsuccessful proposal.

OEA is committed to conducting a transparent financial assistance award process and publicizing information about funding decisions. Respondents are advised that their respective applications and information related to their review and evaluation may be shared publicly. Any proprietary information must be identified as such in the proposal and application. In the event of a grant award, information about project progress and related results may also be made publicly available.

f. Federal Award Adminstration Information

i. Federal Award Notices

In the event a grant is ultimately awarded, the successful respondent (Grantee) will receive a notice of award in the form of a Grant Agreement, signed by the Director, OEA (Grantor), on behalf of DoD. The Grant Agreement will be transmitted electronically or, if necessary, by U.S. Mail.

ii. Administrative and National Policy Requirements

Any grant awarded under this program will be governed by the provisions of the OMB circulars applicable to financial assistance and DoD's implementing regulations in place at the time of the award. A Grantee receiving funds under this opportunity and any consultant or pass-thru entity operating under the terms of a grant shall comply with all Federal, State, and local laws applicable to its activities. Federal regulations that will apply to an OEA grant include administrative requirements and provisions governing allowable costs as stated in:

- 2 CFR part 200, ''Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards'';
- 2 CFR part 1103, ''Interim Grants and Cooperative Agreements Implementation of Guidance in 2 CFR part 200, ''Uniform Administrative Requirements, Cost Principles, And Audit Requirements for Federal Awards'';
- 2 CFR part 25, ''Universal Identifier and System for Award Management'';
- 2 CFR part 170, ''Reporting Subaward and Executive Compensation Information'';
- 2 CFR part 180, OMB Guidelines to Agencies on Government-wide Debarment and Suspension (Nonprocurement), as implemented by DoD in 2 CFR part 1125, Department of Defense Nonprocurement Debarment and Suspension; and
- 32 CFR part 28, ''New Restrictions on Lobbying''.

iii. Reporting

OEA requires periodic performance reports, an interim financial report for each 12 months a grant is active, and one final performance report for any grant. The performance reports will contain information on the following:

(a) A comparison of actual accomplishments to the objectives established for the period;

(b) reasons for slippage if established objectives were not met;

(c) additional pertinent information when appropriate;

(d) a comparison of actual and projected quarterly expenditures in the grant; and,

(e) the amount of Federal cash on hand at the beginning and end of the reporting period.

The final performance report must contain a summary of activities for the entire grant period. All required deliverables should be submitted with the final performance report.

The final SF 425, ''Federal Financial Report,'' must be submitted to OEA within 90 days after the end of the grant.

Any grant funds actually advanced and not needed for grant purposes shall be returned immediately to OEA. Upon award, OEA will provide include a schedule for reporting periods and report due dates in the Grant Agreement.

III. Federal Awarding Agency Contacts

For further information, to answer questions, or for help with problems, contact: Ms. Cyrena Chiles Eitler, Compatible Use Program Director, Office of Economic Adjustment, 2231 Crystal Drive, Suite 520, Arlington, VA 22202–3711. Office: (703) 697–2078. Email: *cyrena.c.eitler.civ@mail.mil.*

The OEA homepage address is: *http://www.oea.gov.*

IV. Other Information

a. Grant Award Determination

Selection of an organization under this FFO does not constitute approval of a grant for the proposed project as submitted. Before any funds are awarded, OEA may enter into negotiations about such items as program components, staffing and funding levels, and administrative systems in place to support implementation of the award. The amount of available funding may require the final award amount to be less than that originally requested by the respondent. If the negotiations do not result in a mutually acceptable submission, OEA reserves the right to terminate the negotiations and decline to fund an application. OEA further reserves the right not to fund any proposal received under this FFO.

In the event OEA approves an amount that is less than the amount requested, the respondent will be required to modify its grant application to conform to the reduced amount before execution of the grant agreement. OEA reserves the right to reduce or withdraw the award if acceptable modifications are not submitted by the respondent within 15 working days from the date the request for modification is made. Any modifications must be within the scope of the original application and approved by both the Grantee and OEA. OEA reserves the right to cancel any award for non-performance.

b. No Obligation for Future Funding

Amendment or renewal of an award to increase funding or to extend the period of performance is at the discretion of OEA. If a respondent is awarded funding under this FFO, no other federal agencies are under any obligation to provide any additional future funding in connection with that award or to make any future award(s).

c. Intellectual Property Rights

In the event of a grant award, the Grantee may copyright any work that is subject to copyright and was developed, or for which ownership was purchased, under an award. The Federal awarding agencies reserve a royalty-free, nonexclusive and irrevocable right to reproduce, publish, or otherwise use the work for Federal purposes, and to authorize others to do so. Such uses include, but are not limited to, the right to modify and distribute such products worldwide by any means, electronically or otherwise. The Grantee may not use Federal funds to pay any royalty or license fee for use of a copyrighted work, or the cost of acquiring by purchase a copyright in a work, where the Department has a license or rights of free use in such work. If revenues are generated through selling products developed with grant funds, including intellectual property, these revenues are program income and shall be added to

the grant and must be expended for allowable grant activities.

Dated: March 31, 2015.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2015–07707 Filed 4–2–15; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DoD–2015–OS–0028]

Proposed Collection; Comment Request

AGENCY: Office of the Under Secretary of Defense for Personnel and Readiness, DoD.

ACTION: Notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995,* the Office of the Under Secretary of Defense for Personnel and Readiness announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on: (a) Whether the proposed 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 proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by June 2, 2015.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

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

• *Mail:* Department of Defense, Office of the Deputy Chief Management Officer, Directorate of Oversight and Compliance, Regulatory and Audit Matters Office, 9010 Defense Pentagon, Washington, DC 20301–9010.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

Any associated forms for this collection may be located within this same electronic docket and downloaded for review/testing. Follow the instructions at *http://www.regulations.gov* for submitting comments. Please submit comments on any given form identified by docket number, form number, and title.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to the Office of the Joint Personnel Adjudication System, ATTN: JPAS PM 400 Gigling Road, Seaside, CA 93955.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Personnel Security System Access Request (PSSAR) Form; DD Form 2962.

Needs and Uses: JPAS requires personal data collection to facilitate the initiation, investigation and adjudication of information relevant to DoD security clearances and employment suitability determinations for active duty military, civilian employees and contractors requiring such credentials. As a Personnel Security System it is the authoritative source for clearance information resulting in accesses determinations to sensitive/classified information and facilities. Specific uses include: Facilitation for DoD Adjudicators and Security Managers to obtain accurate up-to-date eligibility and access information on all personnel (military, civilian and contractor personnel) adjudicated by the DoD. The DoD Adjudicators and Security Managers are also able to update eligibility and access levels of military, civilian and contractor personnel nominated for access to sensitive DoD information. Security Managers working in private companies that contract with DoD and who need access to the JPAS system to update security-related information about their company's employees must complete DD Form 2962 to access the system. Completion of the form assures JPAS users have the required need-to-know, security clearance, and requires applicants accept the responsibility to abide by relevant DoD regulations, laws and account management policies necessary to access the system.

DD Form 2962: To Grant Security Manager Applicants Access To JPAS System

Affected Public: Business or other for profit.

Annual Burden Hours: 7,333.

Number of Respondents: 44,000.

Responses per Respondent: 1.

Annual Responses: 44,000.

Average Burden per Response: 10 minutes.

Frequency: On occasion.

The Joint Personnel Adjudication System (JPAS) is a DoD personnel security system and is the authoritative source for clearance information resulting in access determinations to sensitive/classified information and facilities. Collection and maintenance of personal data in JPAS is required to facilitate the initiation, investigation and adjudication of information relevant to DoD security clearances and employment suitability determinations for active duty military, civilian employees, and contractors requiring such credentials. Security Managers working in private companies that contract with DoD and who need access to the JPAS system to update security-related information about their company's employees must complete DD Form 2962 to access the system. Once granted access, the Security Managers maintain employee personal information, submit requests for investigations, and submit other relevant personnel security information into JPAS on over 500,000 contract employees annually.

Dated: March 31, 2015.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2015–07702 Filed 4–2–15; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Department of the Army, U.S. Army Corps of Engineers

Notice To Prepare an Environmental Assessment and Conduct a Public Meeting for Preparation of a Dredged Material Management Plan for Noyo Harbor, Fort Bragg, Mendocino County, CA

AGENCY: Department of the Army, U.S. Army Corps of Engineers, DOD.

ACTION: Public notice.

SUMMARY: The purpose of this notice is to initiate the scoping process for an evaluation of whether there is adequate capacity for placement/disposal of projected maintenance dredged material

from Noyo Harbor. This evaluation will be conducted in a two-step process: first a preliminary assessment (PA) will make projections of the volume of dredged material, estimate the existing capacity for placement/disposal of the material, and verify that continued maintenance dredging is economically justified. If it is concluded that continued maintenance dredging is justified and that the existing placement/disposal capacity is not adequate, then a Dredged Material Management Plan (DMMP) will be prepared to identify placement/disposal sites with adequate capacity for the next 20 years or more of federal and non-federal maintenance dredging.

DATES: A public meeting will be held on April 16, 2015 at 2:00 p.m. (PDT). Submit comments concerning this notice on or before May 4, 2015.

ADDRESSES: The scoping meeting location is the Town Hall, 363 North Main Street, Fort Bragg, California 95437. Mail written comments concerning this notice to: U.S. Army Corps of Engineers, San Francisco District, Engineering and Technical Services Division, ATTN: Mark Wiechmann, 1455 Market Street, San Francisco, CA 94103–1398. Comment letters should include the commenter's physical mailing address and the project title in the subject line.

FOR FURTHER INFORMATION CONTACT: Mark Wiechmann, U.S. Army Corps of Engineers, San Francisco District, Environmental Section B, 1455 Market Street, San Francisco, CA 94103–1398, (415) 503–6846, *mark.j.wiechmann@usace.army.mil.*

SUPPLEMENTARY INFORMATION: In accordance with the National Environmental Policy Act (NEPA), the Corps intends to prepare an Environmental Assessment. The primary Federal actions under consideration are dredging, dredged material placement/disposal, and transport of dredged material for the purpose of ocean disposal and/or upland beneficial reuse. The Noyo Harbor District is the Non-Federal Sponsor (NFS). The Environmental Assessment is intended to be sufficient in scope to address the Federal, state and local requirements and environmental issues concerning the proposed activities and permit approvals.

Project Site And Background Information: Noyo Harbor is on the Northern California coast about 170 miles North of San Francisco and 130 miles south of Eureka, California. It is located in unincorporated Noyo Township, in forested lands immediately south of Fort Bragg, Mendocino County. Noyo Harbor is a shallow draft navigation project that supports a U.S. Coast Guard search and rescue station, commercial and sport fishing, and recreational boating.

The federal navigation project at Noyo Harbor consists of two jetties and a navigation channel leading to an 8½ acre mooring basin. The north jetty is a 345 foot long concrete mass structure with an armor stone cover and the south jetty is a 240 foot long concrete wall founded on rock. The harbor's opening faces west. The navigation channel is authorized to a project depth of 10 feet mean lower low water (MLLW). It begins in Noyo Cove, located at the mouth of the Noyo River and continues approximately 3,000 feet upriver to the Noyo mooring basin.

Proposed Action(s): The San Francisco District, US Army Corps of Engineers, is evaluating whether there is sufficient placement/disposal capacity and economic justification to support continued maintenance dredging at Noyo Harbor over the next 20 years or more of federal and non-federal maintenance dredging. This evaluation will be conducted in a two-step process. First, a preliminary assessment (PA) will make projections of the volume and physical and chemical characteristics of the dredged material, estimate existing placement/disposal capacity, and verify that continued maintenance dredging is economically justified. Second, if it is determined that continued maintenance dredging is justified, but that the existing placement/disposal capacity is not adequate, then a Dredged Material Management Plan (DMMP) will be prepared to identify future placement/disposal sites for the next 20 years of dredging.

The existing historic disposal site is the North Jetty Upland Disposal Site located just north of the Noyo Harbor entrance channel and one mile east of the Highway 1 Bridge. It is a 2½ acre low-lying area bounded to the north and east by bluffs and to the south and west by the harbor and river, respectively. The site has to be emptied periodically to accommodate additional material.

Issues: Potentially significant issues associated with the project may include: aesthetics/visual impacts, air quality emissions, biological resource impacts, environmental justice, geologic impacts related to seismicity, hazards and hazardous materials, hydrology and water quality, noise, traffic and transportation, and cumulative impacts from past, present and reasonably foreseeable future projects.

Scoping Process: The U.S. Army Corps of Engineers is seeking participation and input of all interested federal, state, and local agencies, Native American groups, and other concerned private organizations or individuals through this public notice. The purpose of the public meeting is to solicit comments regarding the potential impacts and environmental issues associated with the proposed action to be considered. A meeting will be held on April 16, 2015 at 2:00 p.m. (PDT). The final draft PA is expected to be available for public review and comment in the summer of 2015.

Adam J. Czekanski,

Major, U.S. Army, Deputy District Engineer.

[FR Doc. 2015–07559 Filed 4–2–15; 8:45 am]

BILLING CODE 3720–58–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #2

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER15–1065–000.
Applicants: Balko Wind, LLC.
Description: Supplement to February 18, 2015 Balko Wind, LLC tariff filing.
Filed Date: 3/27/15.
Accession Number: 20150327–5238.
Comments Due: 5 p.m. ET 4/10/15.

Docket Numbers: ER15–1394–000.
Applicants: Midcontinent Independent System Operator, Inc.
Description: Section 205(d) rate filing per 35.13(a)(2)(iii): 2015–03–27_Add ALP Utilities to Sch 7,8,9 to be effective 6/1/2015.
Filed Date: 3/27/15.
Accession Number: 20150327–5250.
Comments Due: 5 p.m. ET 4/17/15.

Docket Numbers: ER15–1395–000.
Applicants: Midcontinent Independent System Operator, Inc.
Description: Section 205(d) rate filing per 35.13(a)(2)(iii): 2015–03–27_SA 6509 White Pine 2 SSR Termination to be effective 4/15/2015.
Filed Date: 3/27/15.
Accession Number: 20150327–5291.
Comments Due: 5 p.m. ET 4/17/15.

Docket Numbers: ER15–1396–000.
Applicants: Midcontinent Independent System Operator, Inc.
Description: Section 205(d) rate filing per 35.13(a)(2)(iii): 2015–03–27_Cancel Schedule 43I White Pine 2 SSR to be effective 4/15/2015.
Filed Date: 3/27/15.
Accession Number: 20150327–5293.
Comments Due: 5 p.m. ET 4/17/15.

Docket Numbers: ER15–1397–000.

Applicants: Aspen Merchant Energy, LP.

Description: Tariff Withdrawal per 35.15: Aspen Merchant Energy, LP Notification of Cancellation to be effective 3/27/2015.

Filed Date: 3/27/15.

Accession Number: 20150327–5298.

Comments Due: 5 p.m. ET 4/17/15.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: March 27, 2015.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2015–07689 Filed 4–2–15; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER14–2574–004.

Applicants: California Independent System Operator Corporation.

Description: Compliance filing per 35: 2015–03–26_FRAC_MOO_Compliance to be effective 11/1/2014.

Filed Date: 3/26/15.

Accession Number: 20150326–5225.

Comments Due: 5 p.m. ET 4/16/15.

Docket Numbers: ER14–2864–004.

Applicants: PJM Interconnection, L.L.C.

Description: Tariff Amendment per 35.17(b): Errata to Compliance Filing in ER14–2864 to Correct Effective Date to be effective 11/12/2014.

Filed Date: 3/26/15.

Accession Number: 20150326–5263.

Comments Due: 5 p.m. ET 4/16/15.

Docket Numbers: ER15–1066–001.

Applicants: Red Horse Wind 2, LLC.

Description: Tariff Amendment per 35.17(b): Red Horse 2, LLC—Amended MBR Tariff to be effective 3/27/2015.

Filed Date: 3/27/15.

Accession Number: 20150327–5202.

Comments Due: 5 p.m. ET 4/17/15.

Docket Numbers: ER15–1344–001.

Applicants: PJM Interconnection, L.L.C.

Description: Tariff Amendment per 35.17(b): Errata to Filing in ER15–1344–000 to Correct Proposed Effective Date to be effective 6/18/2015.

Filed Date: 3/27/15.

Accession Number: 20150327–5089.

Comments Due: 5 p.m. ET 4/20/15.

Docket Numbers: ER15–1387–000.

Applicants: PJM Interconnection, L.L.C., Potomac Electric Power Company.

Description: Section 205(d) rate filing per 35.13(a)(2)(iii): PJM TOs submit revisions to OATT Schedule 12 re Allocation of Costs Local TOs to be effective 5/25/2015.

Filed Date: 3/26/15.

Accession Number: 20150326–5236.

Comments Due: 5 p.m. ET 4/16/15.

Docket Numbers: ER15–1388–000.

Applicants: Southern California Edison Company.

Description: Section 205(d) rate filing per 35.13(a)(2)(iii): Notices of Cancellation SGIA and Distribution Service Agmt Adelanto Greenworks A to be effective 11/18/2014.

Filed Date: 3/27/15.

Accession Number: 20150327–5001.

Comments Due: 5 p.m. ET 4/17/15.

Docket Numbers: ER15–1389–000.

Applicants: Idaho Power Company.

Description: Section 205(d) rate filing per 35.13(a)(2)(iii): Communications Replacement Agreement w/PacifiCorp—Borah-Populus Telemetry to be effective 3/24/2015.

Filed Date: 3/27/15.

Accession Number: 20150327–5002.

Comments Due: 5 p.m. ET 4/17/15.

Docket Numbers: ER15–1390–000.

Applicants: Midcontinent Independent System Operator, Inc., Ameren Illinois Company.

Description: Section 205(d) rate filing per 35.13(a)(2)(iii): 2015–03–27_SA 2760 Ameren-ComEd Tazewell CA to be effective 3/3/2015.

Filed Date: 3/27/15.

Accession Number: 20150327–5075.

Comments Due: 5 p.m. ET 4/17/15.

Docket Numbers: ER15–1391–000.

Applicants: New York Independent System Operator, Inc.

Description: Section 205(d) rate filing per 35.13(a)(2)(iii): 205 OATT Attchmnts K & L rvsns periodicity of ETA updates to Table 1A to be effective 5/26/2015.

Filed Date: 3/27/15.

Accession Number: 20150327–5132.

Comments Due: 5 p.m. ET 4/17/15.

Docket Numbers: ER15–1392–000.

Applicants: Midcontinent Independent System Operator, Inc.

Description: Section 205(d) rate filing per 35.13(a)(2)(iii): 2015–03–27_Montezuma-Tipton Attachment O Revisions to be effective 6/1/2015.

Filed Date: 3/27/15.

Accession Number: 20150327–5151.

Comments Due: 5 p.m. ET 4/17/15.

Docket Numbers: ER15–1393–000.

Applicants: Spring Energy RRH, LLC.

Description: Section 205(d) rate filing per 35.13(a)(2)(iii): Notice of Succession to be effective 3/6/2015.

Filed Date: 3/27/15.

Accession Number: 20150327–5171.

Comments Due: 5 p.m. ET 4/17/15.

Take notice that the Commission received the following PURPA 210(m)(3) filings:

Docket Numbers: QM14–3–000.

Applicants: Entergy Arkansas, Inc., Entergy Gulf States Louisiana, L.L.C., Entergy Louisiana, LLC, Entergy Mississippi, Inc., Entergy New Orleans, Inc., Entergy Services, Inc., Entergy Texas, Inc.

Description: Response to Second Deficiency Letter of Entergy Services, Inc., et. al.

Filed Date: 3/27/15.

Accession Number: 20150327–5221.

Comments Due: 5 p.m. ET 4/24/15.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: March 27, 2015.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2015–07688 Filed 4–2–15; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following electric corporate filings:

Docket Numbers: EC15–104–000.

Applicants: Tilton Energy, LLC, Rocky Road Power, LLC.

Description: Application for Approval Pursuant to Section 203 of the FPA of Tilton Energy LLC and Rocky Road Power, LLC.

Filed Date: 3/27/15.

Accession Number: 20150327–5356.

Comments Due: 5 p.m. ET 4/17/15.

Docket Numbers: EC15–105–000.

Applicants: Plainfield Renewable Energy, LLC.

Description: Application of Plainfield Renewable Energy, LLC for Authorization Under FPA Sec. 203 for Disposition of Jurisdictional Facilities, Requests for Expedited Consideration, Shortened Comment Period, Waivers of Filing Requirements & Confidential Treatment.

Filed Date: 3/27/15.

Accession Number: 20150327–5358.

Comments Due: 5 p.m. ET 4/17/15.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER10–1511–005; ER10–2231–004; ER10–2011–005; ER10–1714–005.

Applicants: Kentucky Utilities Company, LG&E Energy Marketing Inc., PPL EnergyPlus LLC, Louisville Gas and Electric Company.

Description: Third Supplement to June 30, 2014 Triennial Market Power Update of the PPL Southeast Companies.

Filed Date: 3/26/15.

Accession Number: 20150326–5286.

Comments Due: 5 p.m. ET 4/16/15.

Docket Numbers: ER13–136–003; ER13–142–003; ER13–141–003; ER13–138–003; ER13–137–003; ER13–135–003.

Applicants: Georgia-Pacific Brewton LLC, Brunswick Cellulose, Inc., Georgia-Pacific Cedar Springs LLC, Georgia-Pacific Consumer Operations LLC, Palatka, Georgia-Pacific Consumer Products LP, Naheola, Georgia-Pacific Consumer Products LP, Savannah.

Description: Errata to December 30, 2014 Updated Market Power Analysis in Southeast Region of the Georgia-Pacific Entities.

Filed Date: 3/27/15.

Accession Number: 20150327–5214.

Comments Due: 5 p.m. ET 4/17/15.

Docket Numbers: ER15–828–002.

Applicants: Louisville Gas and Electric Company.

Description: Tariff Amendment per 35.17(b): Modifications to Attachment O Formula Rate to be effective 2/1/2015.

Filed Date: 3/30/15.

Accession Number: 20150330–5296.

Comments Due: 5 p.m. ET 4/20/15.

Docket Numbers: ER15–1026–000; ER15–1026–001.

Applicants: Utah Red Hills Renewable Park, LLC.

Description: Second Amendment to February 11, 2015 and March 13, 2015 Utah Red Hills Renewable Park, LLC tariff filings.

Filed Date: 3/27/15.

Accession Number: 20150327–5360.

Comments Due: 5 p.m. ET 4/10/15.

Docket Numbers: ER15–1398–000.

Applicants: PJM Interconnection, L.L.C.

Description: Section 205(d) rate filing per 35.13(a)(2)(iii): Revised Deadlines for Inschedule and Other Clarifying Revisions to be effective 6/1/2015.

Filed Date: 3/30/15.

Accession Number: 20150330–5280.

Comments Due: 5 p.m. ET 4/20/15.

Docket Numbers: ER15–1399–000.

Applicants: Southern California Edison Company.

Description: Section 205(d) rate filing per 35.13(a)(1): 2015 TACBAA Update to be effective 6/1/2015.

Filed Date: 3/30/15.

Accession Number: 20150330–5394.

Comments Due: 5 p.m. ET 4/20/15.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: March 30, 2015.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2015–07690 Filed 4–2–15; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[ER–FRL–9020–3]

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 03/23/2015 Through 03/27/2015 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. 20150083, Final EIS, USFS, AK, Resurrection Creek Phase II: Stream and Riparian Restoration Project and Hope Mining Company Proposed Mining Plan of Operations, *Review Period Ends:* 05/04/2015, *Contact:* Karen Kromrey 907–288–7745.

EIS No. 20150084, Final EIS, NPS, CA, Sequoia and Kings Canyon National Parks Wilderness Stewardship Plan, *Review Period Ends:* 05/04/2015, *Contact:* Nancy Hendricks 559–565–3102.

EIS No. 20150085, Final EIS, FTA, WA, Lynnwood Link Extension, *Review Period Ends:* 05/04/2015, *Contact:* Daniel Drais 206–220–4465

EIS No. 20150086, Final EIS, USN, CA, Naval Base Coronado Coastal Campus, *Review Period Ends:* 05/04/2015, *Contact:* Teresa Bresler 619–556–7315.

EIS No. 20150087, Draft EIS, USFS, ID, Johnson Bar Fire Salvage, *Comment Period Ends:* 05/18/2015, *Contact:* Mike Ward 208–926–6413.

EIS No. 20150088, Draft EIS, USMC, 00, Commonwealth of the Northern Mariana Islands (CJMT) Joint Military Training, *Comment Period Ends:* 06/02/2015, *Contact:* Lori Robertson 808–472–1409.

EIS No. 20150089, Draft EIS, NIH, MD, NIH Chilled Water System Improvements, *Comment Period Ends:* 06/05/2015, *Contact:* Mark Radtke 301–451–6467.

EIS No. 20150090, Draft EIS, FTA, VA, Potomac Yard Metrorail Station, *Comment Period Ends:* 05/18/2015, *Contact:* Melissa Barlow. 202–219–3565.

EIS No. 20150091, Final EIS, CALTRANS, CA, San Diego Freeway

(I–405) Improvement Project, *Review Period Ends:* 05/04/2015, *Contact:* Smita Deshpande 949–724–2000.

Amended Notices

EIS No. 20150062, Draft EIS, USFS, CA, Westside Fire Recovery Project, *Comment Period Ends:* 04/27/2015, *Contact:* Wendy Coats 530–841–4470.

Dated: March 31, 2015.

Cliff Rader,

Director, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. 2015–07787 Filed 4–2–15; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–RCRA–2014–0845; FRL–9924–12–OEI]

Information Collection Request Submitted to OMB for Review and Approval; Comment Request; Final Authorization for Hazardous Waste Management Programs (Renewal)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency has submitted an information collection request (ICR), ''Final Authorization for Hazardous Waste Management Programs (Renewal)'' (EPA ICR No. 0969.10, OMB Control No. 2050–0041) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*). This is a proposed extension of the ICR, which is currently approved through April 30, 2015. Public comments were previously requested via the **Federal Register** (79 FR 73575) on December 11, 2014 during a 60-day comment period. This notice allows for an additional 30 days for public comments. A fuller description of the ICR is given below, including its estimated burden and cost to the public. 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 OMB control number.

DATES: Additional comments may be submitted on or before May 4, 2015.

ADDRESSES: Submit your comments, referencing Docket ID Number EPA–HQ–RCRA–2014–0845, to (1) EPA online using *www.regulations.gov* (our preferred method), by email to *rcra-docket@epa.gov,* or by mail to: EPA Docket Center, Environmental Protection Agency, Mail Code 28221T, 1200 Pennsylvania Ave. NW., Washington, DC 20460, and (2) OMB via email to *oira_submission@omb.eop.gov.* Address comments to OMB Desk Officer for EPA.

EPA's policy is that all comments received will be included in the public docket without change including any personal information provided, unless the comment includes profanity, threats, information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

FOR FURTHER INFORMATION CONTACT: Wayne Roepe, mail code 5303P, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460; telephone number: 703–308–8630; fax number: 703–308–8638; email address: *Roepe.Wayne@epa.gov.*

SUPPLEMENTARY INFORMATION: Supporting documents which explain in detail the information that the EPA will be collecting are available in the public docket for this ICR. The docket can be viewed online at *www.regulations.gov* or in person at the EPA Docket Center, WJC West, Room 3334, 1301 Constitution Ave. NW., Washington, DC. The telephone number for the Docket Center is 202–566–1744. For additional information about EPA's public docket, visit *http://www.epa.gov/dockets.*

Abstract: In order for a State to obtain final authorization for a State hazardous waste program or to revise its previously authorized program, it must submit an official application to the EPA Regional office for approval. The purpose of the application is to enable the EPA to properly determine whether the State's program meets the requirements of the Resource Conservation and Recovery Act (RCRA) § 3006. A State with an approved program may voluntarily transfer program responsibilities to EPA by notifying the EPA of the proposed transfer, as required by section 40 CFR 271.23. Further, the EPA may withdraw a State's authorized program under section 271.23.

The State shall inform the EPA of any proposed modifications to its basic statutory or regulatory authority in accordance with section 271.21. If a State is proposing to transfer all or any part of a program from the approved State agency to any other agency, it must notify the EPA in accordance with section 271.21 and submit revised organizational charts as required under section 271.6. These paperwork requirements are mandatory under RCRA § 3006(a). The EPA will use the information submitted by the State in order to determine whether the State's program meets the statutory and regulatory requirements for authorization.

Form Numbers: None.

Respondents/affected entities: State governments.

Respondent's obligation to respond: Mandatory (RCRA § 3006(a)).

Estimated number of respondents: 50 (total).

Frequency of response: Annual.

Total estimated burden: 13,860 hours (per year). Burden is defined at 5 CFR 1320.03(b)

Total estimated cost: $499,001 (per year), includes $0 annualized capital or operation & maintenance costs.

Changes in the Estimates: There is a decrease of 6,108 hours in the total estimated respondent burden compared with the ICR currently approved by OMB. This change is due to a decrease of 8 respondents submitting a program change to EPA.

Courtney Kerwin,

Acting Director, Collection Strategies Division.

[FR Doc. 2015–07581 Filed 4–2–15; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPPT–2015–0181; FRL–9925–39]

Certain New Chemicals; Receipt and Status Information

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA is required under the Toxic Substances Control Act (TSCA) to publish in the **Federal Register** a notice of receipt of a premanufacture notice (PMN); an application for a test marketing exemption (TME), both pending and/or expired; and a periodic status report on any new chemicals under EPA review and the receipt of notices of commencement (NOC) to manufacture those chemicals. This document covers the period from February 2, 2015 to February 27, 2015.

DATES: Comments identified by the specific PMN number or TME number, must be received on or before May 4, 2015.

ADDRESSES: Submit your comments, identified by docket identification (ID) number EPA–HQ–OPPT–2015–0181, and the specific PMN number or TME number for the chemical related to your comment, by one of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the online

instructions for submitting comments. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

• *Mail:* Document Control Office (7407M), Office of Pollution Prevention and Toxics (OPPT), Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460–0001.

• *Hand Delivery:* To make special arrangements for hand delivery or delivery of boxed information, please follow the instructions at *http://www.epa.gov/dockets/contacts.html.* Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at *http://www.epa.gov/dockets.*

FOR FURTHER INFORMATION CONTACT: *For technical information contact:* Jim Rahai, Information Management Division (7407M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460–0001; telephone number: (202) 564–8593; email address: *Rahai.jim@epa.gov.*

For general information contact: The TSCA-Hotline, ABVI-Goodwill, 422 South Clinton Ave., Rochester, NY 14620; telephone number: (202) 554–1404; email address: *TSCA-Hotline@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

This action is directed to the public in general. As such, the Agency has not attempted to describe the specific entities that this action may apply to. Although others may be affected, this action applies directly to the submitter of the PMNs addressed in this action.

B. What should I consider as I prepare my comments for EPA?

1. *Submitting CBI.* Do not submit this information to EPA through regulations.gov or email. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD–ROM that you mail to EPA, mark the outside of the disk or CD–ROM as CBI and then identify electronically within the disk or CD–ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for preparing your comments.* When preparing and submitting your comments, see the commenting tips at *http://www.epa.gov/dockets/comments.html.*

II. What action is the Agency taking?

This document provides receipt and status reports, which cover the period from February 2, 2015 to February 27, 2015, and consists of the PMNs and TMEs both pending and/or expired, and the NOCs to manufacture a new chemical that the Agency has received under TSCA section 5 during this time period.

III. What is the Agency's authority for taking this action?

Section 5 of TSCA requires that EPA periodical publish in the **Federal Register** receipt and status reports, which cover the following EPA activities required by provisions of TSCA section 5.

EPA classifies a chemical substance as either an ''existing'' chemical or a ''new'' chemical. Any chemical substance that is not on EPA's TSCA Inventory is classified as a ''new chemical,'' while those that are on the TSCA Inventory are classified as an ''existing chemical.'' For more information about the TSCA Inventory go to: *http://www.epa.gov/opptintr/newchems/pubs/inventory.htm.* Anyone who plans to manufacture or import a new chemical substance for a non-exempt commercial purpose is required by TSCA section 5 to provide EPA with a PMN, before initiating the activity. Section 5(h)(1) of TSCA authorizes EPA to allow persons, upon application, to manufacture (includes import) or process a new chemical substance, or a chemical substance subject to a significant new use rule (SNUR) issued under TSCA section 5(a), for ''test marketing'' purposes, which is referred to as a test marketing exemption, or TME. For more information about the requirements applicable to a new chemical go to: *http://www.epa.gov/oppt/newchems.*

Under TSCA sections 5(d)(2) and 5(d)(3), EPA is required to publish in the **Federal Register** a notice of receipt of a PMN or an application for a TME and to publish in the **Federal Register** periodic status reports on the new chemicals under review and the receipt of NOCs to manufacture those chemicals.

IV. Receipt and Status Reports

In Table I. of this unit, EPA provides the following information (to the extent that such information is not claimed as CBI) on the PMNs received by EPA during this period: The EPA case number assigned to the PMN, the date the PMN was received by EPA, the projected end date for EPA's review of the PMN, the submitting manufacturer/importer, the potential uses identified by the manufacturer/importer in the PMN, and the chemical identity.

TABLE I—50 PMNS RECEIVED FROM 02/02/2015 TO 02/27/2015

Case No.	Received date	Projected notice end date	Manufacturer/ Importer	Use	Chemical
P–15–0264	2/2/2015	5/3/2015	CBI	(G) Printing additive	(G) Carbomonocyclic dicarboxylic acid, polymer with alkanedioic acids, alkanediol, substituted heteropolycycle, alkanedioic acid, alkanediol, substituted carbomonocycle, alkyl alkenoate, alkanediols and alkenoic acid, alkyl ester, alkanoate, alkyl peroxide-initiated.
P–15–0265	2/2/2015	5/3/2015	CBI	(G) Printing additive	(G) Carbomonocyclic dicarboxylic acid, polymer with alkanedioic acids, alkanediol, substituted heteropolycycle, alkanedioic acid, alkanediol, substituted carbomonocycle, alkyl alkanoate, alkanedioic acid, alkanediols and alkanoic acid, alkyl ester, alkanoate, alkyl peroxide-initiated.

TABLE I—50 PMNS RECEIVED FROM 02/02/2015 TO 02/27/2015—Continued

Case No.	Received date	Projected notice end date	Manufacturer/ Importer	Use	Chemical
P–15–0266	2/2/2015	5/3/2015	CBI	(S) Oligomer in pigment paste to be used in ultra-violet (uv)-curable printing inks.	(G) Propoxylated triol triacrylate, polymer with alkanolamine.
P–15–0267	2/2/2015	5/3/2015	CBI	(G) Pesticide additive	(G) Substituted quinoline derivative.
P–15–0268	2/2/2015	5/3/2015	CBI	(G) Additive used in inks.	(G) Alkyl alkenoic acid, polymer with substituted alkyl alkenoate and alkyl alkenoate, reaction products with polyalkylene glycol substituted alkyl ether.
P–15–0269	2/2/2015	5/3/2015	CBI	(G) Component of ink	(G) Substituted carbomonocycle, (alkylidene)bis-, polymer with haloalkyl heteromonocycle and alkylidene)bis(substituted carbomonocycle)]-bis[heteromonocycle], reaction products with carbon dioxide.
P–15–0271	2/3/2015	5/4/2015	CBI	(G) Adhesive	(G) Urethane resin.
P–15–0272	2/3/2015	5/4/2015	Huntsman	(G) Resin	(G) Formaldehyde, reaction products with aniline and aromatic mono- and di-phenol mixture.
P–15–0273	2/3/2015	5/4/2015	CBI	(G) Component of cleaning agent.	(G) Disaccharide containing glycolipids.
P–15–0274	2/4/2015	5/5/2015	CBI	(G) Binder resin Open non-dispersive use.	(G) Vinyl polymer.
P–15–0276	2/5/2015	5/6/2015	CBI	(S) Thin film for electronic device applications.	(G) Functionalized Carbon Nanotubes.
P–15–0277	2/5/2015	5/6/2015	KURARAY America, Inc..	(G) A solvent used in air fresheners.	(S) 1,3-Butanediol, 3-methyl-, acetate.
P–15–0278	2/6/2015	5/7/2015	CBI	(G) Crosslinker	(G) Encapsulated IPDI.
P–15–0279	2/6/2015	5/7/2015	CBI	(S) Raw material for highly heat resistant plastic.	(S) 1-Octanamine, 7 (or 8)-(aminomethyl)-*
P–15–0280	2/11/2015	5/12/2015	Industrial Speciality Chemicals.	(G) This material will be used in conjunction with current chemistries for wastewater treatment..	(G) Cationized starch; alkyl quat; bolaform.
P–15–0281	2/11/2015	5/12/2015	Allnex USA Inc.	(S) Backbone resin to provide film building characteristics.	(G) Alkyl substituted alkanoic acid, polymer with substituted carbomonocycle, alkyl substituted alkenoate, alkanediol mono-alkyl substituted alkenoate and alkenoic acid, substituted alkyl ester, alkylperoxoate-initiated, compds. with alkylamino alkanol.
P–15–0282	2/13/2015	5/14/2015	CBI	(G) To be used as an end cap on a polyurethane prepolymer.	(G) Silane end capper.
P–15–0283	2/13/2015	5/14/2015	CBI	(G) Component of printing ink.	(G) Carbamic acid, *N*-octadecyl-,alkyl ester.
P–15–0284	2/16/2015	5/17/2015	Ascend Performance Materials LLC.	(G) Reactant	(G) Amine salt of organic acid.
P–15–0290	2/17/2015	5/18/2015	CBI	(G) Pigment dispersant	(G) 2-Oxepanone, polymer with 2, diisocyanato and alkyl ester imidazole-alkyamine-blocked.
P–15–0291	2/17/2015	5/18/2015	CBI	(S) Polyol resin blend with additives for polyurethane bside blends; reactant in the manufacture of polyurethane and polyisocyanurate rigid foams.	(G) Aromatic polyester polyol.
P–15–0293	2/19/2015	5/20/2015	CBI	(G) Polymer used in compounding, extrusion and injection.	(G) Polyether block amides.
P–15–0294	2/19/2015	5/20/2015	CBI	(G) Intermediate	(G) Hydrocarbon ester acrylate.
P–15–0295	2/19/2015	5/20/2015	CBI	(G) Intermediate	(G) Hydrocarbon ester acrylate modified particle.

TABLE I—50 PMNS RECEIVED FROM 02/02/2015 TO 02/27/2015—Continued

Case No.	Received date	Projected notice end date	Manufacturer/ Importer	Use	Chemical
P–15–0296	2/19/2015	5/20/2015	CBI	(G) Polymer	(G) Aminoheterocycle polymer with diisocyanatoalkane and alkylenebisisocyanatocycloalkane.
P–15–0298	2/20/2015	5/21/2015	CBI	(G) Dispersant	(G) Polyitaconic acid.
P–15–0298	2/20/2015	5/21/2015	CBI	(G) Home care	(G) Polyitaconic acid.
P–15–0298	2/20/2015	5/21/2015	CBI	(G) Industrial	(G) Polyitaconic acid.
P–15–0298	2/20/2015	5/21/2015	CBI	(G) Agricultural	(G) Polyitaconic acid.
P–15–0299	2/20/2015	5/21/2015	CBI	(G) Agricultural	(G) Polyitaconic acid, potassium salt.
P–15–0300	2/20/2015	5/21/2015	CBI	(G) Agricultural	(G) Polyitaconic acid, ammonium salt.
P–15–0301	2/20/2015	5/21/2015	CBI	(G) Home care	(G) Polyitaconic acid, sodium zinc salt.
P–15–0302	2/20/2015	5/21/2015	CBI	(G) Dispersant	(G) Polyitaconic acid, partially decarboxylated.
P–15–0303	2/19/2015	5/20/2015	Firmenich Incorporated.	(G) Polymer microscapsule used as a fragrance releaser in consumer products.	(S) Cellulose, carboxymethyl ether, sodium salt, polymer with bis(isocyanatomethyl)benzene, 2,2-dimethoxyacetaldehyde, ethanedial, 2-ethyl-2-(hydroxymethyl)-1,3-propanediol, 2-oxoacetic acid, 1*H*-1,2,4-triazole-3,5-diamine and 1,3,5-triazine-2,4,6-triamine*
P–15–0305	2/20/2015	5/21/2015	CBI	(G) Drilling chemical	(G) Aliphatic polyester.
P–15–0306	2/20/2015	5/21/2015	CBI	(G) The product is a process intermediate used in the production of a final product. It is consumed during the reaction process of the final product at a single site.	(G) Phenol, 1, 1-dimethylalkyl derivatives.
P–15–0307	2/20/2015	5/21/2015	CBI	(G) Polymer additive	(G) Substituted bis[phenol] polymer with substituted benzene.
P–15–0308	2/23/2015	5/24/2015	CBI	(G) Component in base coat paint formulation.	(G) Dicarboxylic acid, cycloaliphatic anhydride polymer with alkyldiol, hydroxy-[(oxoalkyl)oxy]alkyl ester.
P–15–0309	2/23/2015	5/24/2015	Cardolite Corporation.	(G) Cashew nutshell liquid based, solvent free, 100% Solids epoxy hardener for Higher solids epoxy formulations.	(G) Cashew Nutshell liquid polymer with formaldehyde and amines.
P–15–0310	2/23/2015	5/24/2015	Sasol Chemicals (USA) LLC.	(S) Lubricant in special chain oils for conveyor belts.	(S) 1,2,4-Benzenetricarboxylic acid, mixed decyl and octyl triesters*
P–15–0312	2/23/2015	5/24/2015	CBI	(G) Intermediate	(G) Lignocellulosic pyrolysis oil polyol ester.
P–15–0313	2/23/2015	5/24/2015	CBI	(G) Chemical Intermediate.	(G) Alkoxylated lignocellulosic pyrolysis oil polyol ester.
P–15–0314	2/24/2015	5/25/2015	CBI	(S) Polymer for use in automotive applications.	(G) Methacrylate copolymer.
P–15–0315	2/23/2015	5/24/2015	CBI	(S) Fuel	(G) Oil from waste solids.
P–15–0315	2/23/2015	5/24/2015	CBI	(S) Chemical intermediate.	(G) Oil from waste solids.
P–15–0316	2/24/2015	5/25/2015	CBI	(G) Cashew nut shell liquid based high solids epoxy hardener of High Solids epoxy coating formulation.	(G) Fatty acids, polymers with cashew nutshell liq and amines.
P–15–0317	2/24/2015	5/25/2015	CBI	(G) Reactive polymer for industrial UV coatings & ink applications.	(G) Alkane diacid polymer with ethoxy alkyl alcohol, aromatic diglycidyl resin and alkenoic acid.
P–15–0318	2/24/2015	5/25/2015	Milliken Chemical—Dewey Plan.	(S) Compatibilizing agent for polyolefins added via neat powder; compatibilizing agent for polyolefins added via masterbatch.	(S) Benzene, 1,1′-(2,4-cyclopentadien-1-ylidenemethylene)bis-
P–15–0319	2/26/2015	5/27/2015	CBI	(G) Intermediate for production of lubricant additive.	(G) Butanedioic acid, 2-methylene-, dialkyl ester.

TABLE I—50 PMNS RECEIVED FROM 02/02/2015 TO 02/27/2015—Continued

Case No.	Received date	Projected notice end date	Manufacturer/ Importer	Use	Chemical
P–15–0320	2/27/2015	5/28/2015	CBI	(S) Dielectric medium	(S) Propanenitrile, 2,3,3,3-tetrafluoro-2-(trifluoromethyl)-*
P–15–0321	2/27/2015	5/28/2015	CBI	(G) Polyester intermediate.	(G) Polyester polyol intermediate.

In Table II. of this unit, EPA provides the following information (to the extent that such information is not claimed as CBI) on the NOCs received by EPA during this period: The EPA case number assigned to the NOC, the date the NOC was received by EPA, the projected end date for EPA's review of the NOC, and chemical identity.

TABLE II—33 NOCS RECEIVED FROM 02/02/2015 TO 02/27/2015

Case No.	Received date	Commencement notice end date	Chemical
P–15–0015	2/13/2015	1/14/2015	(G) Substituted heteropolycycle-, polymer with a-hydro-*W*-hydroxypoly(oxy-1,4-butanediyl), compound with substituted aminoalkane.
P–14–0454	2/16/2015	1/19/2015	(G) Polyurethane prepolymer.
P–14–0572	2/3/2015	1/26/2015	(G) Acrylic acid, hydroxyalkyl esters polymer with diisocyanatoalkane.
P–15–0014	2/12/2015	1/26/2015	(G) Copolymer of a substituted aromatic olefin and substituted acrylates.
P–13–0708	2/20/2015	1/27/2015	(S) Zinc, bis(carbamodithioato-*S,S'*)-, tetracoco alkyl derivs.*
P–14–0781	2/20/2015	1/30/2015	(S) Methanaminium, *N*-[4-[[4-(dimethylamino)phenyl] phenylmethylene]- 2,5-cyclohexadien-1-ylidene]- *N*-methyl-, ethanedioate, ethanedioate (2:2:1)*
P–14–0011	2/27/2015	1/30/2015	(G) Aliphatic polycarbonate diol.
P–14–0682	2/24/2015	1/31/2015	(S) 1,2-Propanediol, 3-(2-propen-1-yloxy)-, polymer with .alpha.- hydro-.omega.-hydroxypoly(oxy-1,4-butanediyl) and 1,1'-methylenebis [4-isocyanatobenzene]*
P–15–0069	2/27/2015	1/31/2015	(S) 2-Propenoic acid, 2-methyl-, polymer with butyl 2-methyl-2-propenoate and phenylmethyl 2-methyl-2-propenoate*
P–14–0835	2/20/2015	2/2/2015	(G) Alkyl carboxylic acid lithium salt.
P–14–0807	2/9/2015	2/6/2015	(G) Aromatic diacid polymer with alkyl diacid, cycloalkyl dimethanol, alkyl diisocyanate, hydroxyalkyl acrylate blocked alkyl diisocyanate homopolymer, dihydroxyalkanoic acid, alkanediol, alkali metal salt, dialkanolamine-and-hydroxyalkyl acrylate-and-polyalkyl glycol monoalkyl ether blocked.
P–15–0032	2/9/2015	2/6/2015	(G) Substituted propanoic acid, (2s)-, compds. with hydrolyzed (2-oxiranylmethyl)-(2-oxiranylmethoxy)poly(oxy-1,4-butanediyl)-polypropylene glycol diamine polymer-2-[[(trisubstituted silyl)propoxy]methyl]oxirane reaction products.
P–14–0661	2/24/2015	2/6/2015	(G) Water dispersible polyester and polycarbonate polyol based polyurethane urea resin.
P–13–0290	2/10/2015	2/8/2015	(G) Copolymer of alkyl methacrylate and substituted amino alkyl methacrylate.
P–12–0108	1/27/2015	2/9/2015	(S) 9-Octadecanoic acid (9z)-, sulfonated, oxidized*
P–12–0109	1/27/2015	2/9/2015	(S) 9-Octadecanoic acid (9z)-, sulfonated, oxidized, potassium salts*
P–12–0110	1/27/2015	2/9/2015	(S) 9-Octadecanoic acid (9z)-, sulfonated, oxidized, sodium salts*
P–14–0476	2/25/2015	2/9/2015	(S) Tricyclo[3.3.1.13,7]decan-1-amine, *N,N*-dimethyl-*
P–14–0718	3/3/2015	2/9/2015	(G) Polyol.
P–13–0834	2/11/2014	2/10/2014	(G) Polyalkoxylated polycyclic aromatic amine colorant.
P–13–0092	2/14/2014	2/10/2014	(S) 2-Propenoic acid, 2-methyl-, polymers with 2-ethylhexyl acrylate, me methacrylate and polyethylene glycol hydrogen sulfate 1-[(C_{11}-rich C_{10-14}-branched alkyloxy)methyl]-2-(2-propen-1-yloxy)ethyl ethers ammonium salts*
P–14–0756	2/11/2015	2/10/2015	(G) Substituted carboxamide.
P–13–0327	2/18/2014	2/11/2014	(S) Castor oil, dehydrated, polymer with adipic acid, ethylenediamine, 1,6-hexanediol, 3-hydroxy-2-(hydroxymethyl)-2-methylpropanoic acid, and 1,1'-methylenebis[4-isocyanatocyclohexane], neopentyl glycol and polyethylene glycol 2,2-bi(hydroxymethyl)butyl me ether, compd. with triethylamine*
P–13–0138	2/24/2014	2/11/2014	(S) Butanedioic acid, 2-(2-octen-1-yl)-, Potassium salt (1:2)*
P–13–0854	2/28/2014	2/11/2014	(G) Zinc carboxylate salt.
P–13–0385	2/22/2015	2/11/2015	(G) Vegitable oil modified aminopolyester
P–14–0870	2/13/2015	2/12/2015	(G) Hexanedioic acid, polymer with alkyldiol, 1.6-hexanediol, dicarboxylic acid anhydride, 1,1'-methylenebis[4-isocyanatobenzene], alkylene oxides and .alpha., .alpha.', .alpha.''-1,2,3-propanetriyltris[.omega,-hydroxypoly[oxy(methyl-1,2-ethanediyl)]].
P–15–0082	2/23/2015	2/12/2015	(G) Siloxanes and silicones, alkyl group-terminated, polymers with carboxylic acid and substituted carbopolycyclic ester.
P–15–0083	2/23/2015	2/12/2015	(G) Siloxanes and silicones, dialkyl, substituted alkyl group-terminated, polymers with alkanediol, alkyldiisocyanate, dialkyl carbonate, substituted heteromonocycle, alkanediol, diamine, substituted alkylpropanoic acid, substituted trialkyl carbomonocycle, alkylene bis [substituted carbomonocycle] and substituted alkanediol, compounds, with trialkylamine.
P–07–0616	2/17/2015	2/13/2015	(G) Fatty acid polymer with aliphatic diol and aromatic diacid.

TABLE II—33 NOCS RECEIVED FROM 02/02/2015 TO 02/27/2015—Continued

Case No.	Received date	Commencement notice end date	Chemical
P–14–0573	2/23/2015	2/17/2015	(G) Polyurethane.
P–15–0066	2/27/2015	2/24/2015	(G) Sulfonium, tris[4-[(alkylketophenyl)thio]phenyl]-(halophenyl)borate (1-) (1:1).
P–14–0587	2/4/2015	12/19/2014	(G) Aminated acrylic polymer,

If you are interested in information that is not included in these tables, you may contact EPA as described in Unit III. to access additional non-CBI information that may be available.

Authority: 15 U.S.C. 2601 *et seq.*

Dated: March 26, 2015.

Chandler Sirmons,

Acting Director, Information Management Division, Office of Pollution Prevention and Toxics.

[FR Doc. 2015–07495 Filed 4–2–15; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPP–2014–0686; FRL–9924–14]

Spatial Aquatic Model Development; Notice of Public Meeting

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: A Spatial Aquatic Model (SAM) workshop will be held on April 29, 2015. This Notice announces the location and time for the meeting and provides a tentative list of topics to be covered in the meeting. With the development of SAM, EPA will be able to estimate the magnitude, frequency, and duration of exposure to a chemical as well as where the exposure may occur.

DATES: The meeting will be held on April 29, 2015 from 9 a.m. to 4:00 p.m. Requests to participate in the meeting must be received on or before April 13, 2015. To request accommodation of a disability, please contact the person listed under **FOR FURTHER INFORMATON CONTACT**, preferably at least 10 days prior to the meeting, to give EPA as much time as possible to process your request.

ADDRESSES: The meeting will be held at the Environmental Protection Agency, Office of Pesticide Programs (OPP), One Potomac Yard (South Building), Fourth Floor Conference Center (S4370/80), 2777 S. Crystal Drive, Arlington, VA 22202.

FOR FURTHER INFORMATION CONTACT: Nelson Thurman, Environmental Fate and Effects Division, Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460–0001; telephone numbers: (703) 308–0465; fax number: (703) 347–8011; email address: *thurman.nelson@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

You may be potentially affected by this action if you are required to conduct testing of chemical substances under the Toxic Substances Control Act (TSCA), the Federal Food, Drug, and Cosmetic Act (FFDCA), or the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). Since other entities may also be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action. The following list of North American Industrial Classification System (NAICS) codes is not intended to be exhaustive, but rather provides a guide to help readers determine whether this document applies to them. Potentially affected entities may include:

- Agriculture, Forestry, Fishing and Hunting (NAICS code 11).
- Utilities (NAICS code 22).
- Professional, Scientific and Technical (NAICS code 54).

B. How can I get copies of this document and other related information?

The docket for this action, identified by docket identification (ID) number EPA–HQ–OPP–2014–0686, is available at *http://www.regulations.gov* or at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), West William Jefferson Clinton Bldg., Rm. 3334, 1301 Constitution Ave. NW., Washington, DC 20460–0001. 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 OPP Docket is (703) 305–5805. Please review the visitor instructions and additional information about the docket available at *http://www.epa.gov/dockets.*

II. Background

EPA is developing the SAM to provide more spatial and temporal context for pesticide aquatic exposure assessments. The model addresses the likelihood of pesticide exposure by estimating how often, how long, and where aquatic exposures occur. Following the SAM workshop in October 2014, a second SAM workshop is being held for discussion of the model and planned updates.

III. How can I request to participate in this meeting?

You may submit a request to participate in this meeting to the person listed under **FOR FURTHER INFORMATION CONTACT**. Do not submit any information in your request that is considered CBI. Requests to participate in the meeting, identified by docket ID number EPA–HQ–OPP–2014–0686, must be received on or before April 13, 2015.

IV. Tentative Topics for the Meeting

The workshop will provide updates for SAM since the October 2014 workshop, including data inputs and public interface. The workshop will also include feedback and discussion from the pilot testing and planned improvements to the model, including identifying pesticide application windows and accounting for time of travel.

Authority: 7 U.S.C. 136 *et seq.*

Dated: March 19, 2015.

Donald J. Brady,

Director, Environmental Fate and Effects Division, Office of Pesticide Programs.

[FR Doc. 2015–07645 Filed 4–2–15; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPP–2009–0879; FRL–9924–13]

Exposure Modeling Public Meeting; Notice of Public Meeting

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: An Exposure Modeling Public Meeting (EMPM) will be held on April

28, 2015. This Notice announces the location and time for the meeting and provides a tentative list of topics to be covered in the meeting. The EMPM provides a public forum for EPA and its stakeholders to discuss current issues related to modeling pesticide fate, transport, and exposure for pesticide risk assessments in a regulatory context.

DATES: The meeting will be held on April 28, 2015 from 9 a.m. to 4:15 p.m. Requests to participate in the meeting must be received on or before April 13, 2015. To request accommodation of a disability, please contact the person listed under **FOR FURTHER INFORMATON CONTACT**, preferably at least 10 days prior to the meeting, to give EPA as much time as possible to process your request.

ADDRESSES: The meeting will be held at the Environmental Protection Agency, Office of Pesticide Programs (OPP), One Potomac Yard (South Building), First Floor Conference Center (S–1200), 2777 S. Crystal Drive, Arlington, VA 22202.

FOR FURTHER INFORMATION CONTACT: Meridith Fry or R. David Jones, Environmental Fate and Effects Division, Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460–0001; telephone numbers: (703) 347–0128 and (703) 305–6725; fax number: (703) 347–8011; email address: *fry.meridith@epa.gov* and *jones.rdavid@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

You may be potentially affected by this action if you are required to conduct testing of chemical substances under the Toxic Substances Control Act (TSCA), the Federal Food, Drug, and Cosmetic Act (FFDCA), or the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). Since other entities may also be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action. The following list of North American Industrial Classification System (NAICS) codes is not intended to be exhaustive, but rather provides a guide to help readers determine whether this document applies to them. Potentially affected entities may include:

- Agriculture, Forestry, Fishing and Hunting (NAICS code 11).
- Utilities (NAICS code 22).
- Professional, Scientific and Technical (NAICS code 54).

B. How can I get copies of this document and other related information?

The docket for this action, identified by docket identification (ID) number EPA–HQ–OPP–2009–0879, is available at *http://www.regulations.gov* or at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), West William Jefferson Clinton Bldg., Rm. 3334, 1301 Constitution Ave. NW., Washington, DC 20460–0001. 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 OPP Docket is (703) 305–5805. Please review the visitor instructions and additional information about the docket available at *http://www.epa.gov/dockets.*

II. Background

On a biannual interval, an EMPM is held for presentation and discussion of current issues related to modeling pesticide fate, transport, and exposure for risk assessment in a regulatory context. Meeting dates and abstract requests are announced through the ''empmlist'' forum on the LYRIS list server at *https://lists.epa.gov/read/all_forums/.*

III. How can I request to participate in this meeting?

You may submit a request to participate in this meeting to the person listed under **FOR FURTHER INFORMATION CONTACT**. Do not submit any information in your request that is considered CBI. Requests to participate in the meeting, identified by docket ID number EPA–HQ–OPP–2009–0879, must be received on or before April 13, 2015.

IV. Tentative Topics for the Meeting

- PRZM volatilization algorithm for soil pesticide applications.
- Updated AGRO model for aquatic and benthic pesticide concentrations.
- Weather data in aquatic exposure modeling.
- Nonlinear sorption, nonequilibrium, and sorbed-phase degradation with PRZM5.
- Drift reduction technologies in the United States.
- Aquatic exposure modeling for threatened and endangered species.
- Probabilistic aquatic exposure modeling for endangered species assessments.
- Probabilistic approach for spatial extent of use and co-occurrence with listed species.
- Degradation kinetics standard operating procedure update.
- Statistical methods for selecting kinetics models.

Authority: 7 U.S.C. 136 *et seq.*

Dated: March 19, 2015.

Donald J. Brady,

Director, Environmental Fate and Effects Division, Office of Pesticide Programs.

[FR Doc. 2015–07596 Filed 4–2–15; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–9925–74–OECA]

National Environmental Justice Advisory Council; Notification of Public Teleconference Meeting and Public Comment

AGENCY: Environmental Protection Agency.

ACTION: Notification of public teleconference meeting and public comment.

SUMMARY: Pursuant to the Federal Advisory Committee Act (FACA), Public Law 92–463, the U.S. Environmental Protection Agency (EPA) hereby provides notice that the National Environmental Justice Advisory Council (NEJAC) will host a public teleconference meeting on Wednesday, April 22, 2015, from 2:00 p.m. to 4:00 p.m. Eastern Time. The primary discussion will focus on letters regarding the following topics: (1) Refinery Rule; (2) Clean Power Rule and (3) Title VI.

There will be a public comment period from 3:30 p.m. to 4:00 p.m. Eastern Time. Members of the public are encouraged to provide comments relevant to the topics of the meeting.

For additional information about registering to attend the meeting or to provide public comment, please see the ''REGISTRATION'' and **SUPPLEMENTARY INFORMATION** sections below. Due to a limited number of telephone lines, attendance will be on a first-come, first served basis. Pre-registration is required. Registration for the teleconference meeting closes at Noon, Eastern Time on Monday, April 20, 2015. The deadline to sign up to speak during the public comment period, or to submit written public comments, is also Noon, Monday, April 20, 2015.

DATES: The NEJAC teleconference meeting on Wednesday, April 22, 2015, will begin promptly at 2:00 p.m. Eastern Time.

Teleconference Registration: Registrations will be processed at <*http://nejac-teleconference-april2015.eventbrite.com*> When

registering for the teleconference, please provide your name, organization, city and state, email address, and telephone number for follow up.

Public Comment Registration: If you would like to provide public comment you must register by stating that you wish to provide comment during the call. Any written comments should be submitted before the Monday, April 20, 2015, noon deadline. Non-English speaking attendees wishing to arrange for a foreign language interpreter may also make appropriate arrangements using the email address or telephone/fax number.

FOR FURTHER INFORMATION CONTACT: Questions or correspondence concerning the teleconference meeting should be directed to Jasmin Muriel, U.S. Environmental Protection Agency, by mail at 1200 Pennsylvania Avenue NW. (MC2201A), Washington, DC 20460; by telephone at 202–564–4287; via email at *Muriel.Jasmin@epa.gov;* or by fax at 202–564–1624. Additional information about the NEJAC is available at: *www.epa.gov/environmentaljustice/nejac.*

SUPPLEMENTARY INFORMATION: The Charter of the NEJAC states that the advisory committee shall provide independent advice to the Administrator on areas that may include, among other things, ''advice about broad, cross-cutting issues related to environmental justice, including environment-related strategic, scientific, technological, regulatory, and economic issues related to environmental justice.''

A. *Public Comment:* Members of the public who wish to provide public comment during the Thursday, April 22, 2015, public teleconference meeting must pre-register by Noon, Eastern Time on Monday, April 20, 2015. Individuals or groups making remarks during the public comment period will be limited to seven (7) minutes. To accommodate the number of people who want to address the NEJAC, only one representative of a particular community, organization, or group will be allowed to speak. Written comments can also be submitted for the record. The suggested format for individuals providing public comments is as follows: Name of speaker; name of organization/community; city and state; and email address; brief description of the concern, and what you want the NEJAC to advise EPA to do. Written comments received by Noon, Eastern Time on Monday, April 20, 2015, will be included in the materials distributed to the NEJAC prior to the teleconference. Written comments received after that time will be provided to the NEJAC as time allows. All written comments should be sent to Jasmin Muriel, EPA, via email at *Muriel.jasmin@epa.gov.*

B. *Information about Services for Individuals with Disabilities:* For information about access or services for individuals with disabilities, please contact Jasmin Muriel, at (202) 564–4287 or via email at *Muriel.Jasmin@EPA.gov.* To request special accommodations for a disability, please contact Ms. Muriel at least four working days prior to the meeting, to give EPA sufficient time to process your request. All requests should be sent to the address, email, or phone/fax number listed in the **FOR FURTHER INFORMATION CONTACT** section above.

Dated: March 26, 2015.

Sherri P. White,

Designated Federal Officer, Office of Environmental Justice, U.S. EPA.

[FR Doc. 2015–07776 Filed 4–2–15; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

Sunshine Act Notice

March 2015.

TIME AND DATE: 10 a.m., Thursday, April 16, 2015.

PLACE: The Richard V. Backley Hearing Room, Room 511N, 1331 Pennsylvania Avenue NW., Washington, DC 20004 (enter from F Street entrance).

STATUS: Open.

MATTERS TO BE CONSIDERED: The Commission will consider and act upon the following in open session: *Brody Mining, LLC* v. *Secretary of Labor,* Docket Nos. WEVA 2014–82–R *et al.* (Issues include whether the Administrative Law Judge had jurisdiction to adjudicate the validity of a Pattern of Violations notice and whether he erred in dismissing the notice.)

Any person attending this meeting who requires special accessibility features and/or auxiliary aids, such as sign language interpreters, must inform the Commission in advance of those needs. Subject to 29 CFR 2706.150(a)(3) and 2706.160(d).

CONTACT PERSON FOR MORE INFO: Emogene Johnson (202) 434–9935/(202) 708–9300 for TDD Relay/1–800–877–8339 for toll free.

Sarah L. Stewart,

Deputy General Counsel.

[FR Doc. 2015–07755 Filed 4–1–15; 11:15 am]

BILLING CODE 6735–01–P

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

Sunshine Act Notice

March 2015

TIME AND DATE: 10 a.m., Tuesday, April 14, 2015.

PLACE: The Richard V. Backley Hearing Room, Room 511N, 1331 Pennsylvania Avenue NW., Washington, DC 20004 (enter from F Street entrance).

STATUS: Open.

MATTERS TO BE CONSIDERED: The Commission will hear oral argument in the matter *Brody Mining, LLC* v. *Secretary of Labor,* Docket Nos. WEVA 2014–82–R *et al.* (Issues include whether the Administrative Law Judge had jurisdiction to adjudicate the validity of a Pattern of Violations notice and whether he erred in dismissing the notice.)

Any person attending this oral argument who requires special accessibility features and/or auxiliary aids, such as sign language interpreters, must inform the Commission in advance of those needs. Subject to 29 CFR 2706.150(a)(3) and 2706.160(d).

CONTACT PERSON FOR MORE INFO: Emogene Johnson (202) 434–9935/(202) 708–9300 for TDD Relay/1–800–877–8339 for toll free.

Sarah L. Stewart,

Deputy General Counsel.

[FR Doc. 2015–07748 Filed 4–1–15; 11:15 am]

BILLING CODE 6735–01–P

FEDERAL RESERVE SYSTEM

Federal Open Market Committee; Domestic Policy Directive of January 27–28, 2015

In accordance with Section 271.3 of its rules regarding availability of information (12 CFR part 271), there is set forth below the domestic policy directive issued by the Federal Open Market Committee at its meeting held on January 27–28, 2015.[1]

Consistent with its statutory mandate, the Federal Open Market Committee seeks monetary and financial conditions that will foster maximum employment and price stability. In particular, the Committee seeks conditions in reserve markets consistent with federal funds

[1] Copies of the Minutes of the Federal Open Market Committee at its meeting held on January 27–28, 2015, which includes the domestic policy directive issued at the meeting, are available upon request to the Board of Governors of the Federal Reserve System, Washington, DC 20551. The minutes are published in the Federal Reserve Bulletin and in the Board's Annual Report.

trading in a range from 0 to ¼ percent. The Committee directs the Desk to undertake open market operations as necessary to maintain such conditions. The Committee directs the Desk to maintain its policy of rolling over maturing Treasury securities into new issues and its policy of reinvesting principal payments on all agency debt and agency mortgage-backed securities in agency mortgage-backed securities. The Committee also directs the Desk to engage in dollar roll and coupon swap transactions as necessary to facilitate settlement of the Federal Reserve's agency mortgage-backed securities transactions. The System Open Market Account manager and the secretary will keep the Committee informed of ongoing developments regarding the System's balance sheet that could affect the attainment over time of the Committee's objectives of maximum employment and price stability.

By order of the Federal Open Market Committee, March 24, 2015.

Thomas Laubach,

Secretary, Federal Open Market Committee.

[FR Doc. 2015–07708 Filed 4–2–15; 8:45 am]

BILLING CODE 6210–01–P

FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The applications will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act (12 U.S.C. 1843). Unless otherwise noted, nonbanking activities will be conducted throughout the United States.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than April 30, 2015.

A. Federal Reserve Bank of Chicago (Colette A. Fried, Assistant Vice President) 230 South LaSalle Street, Chicago, Illinois 60690–1414:

1. *Foresight Financial Group, Inc.,* Rockford, Illinois; to acquire 100 percent of the voting shares of State Bank of Herscher, Herscher, Illinois.

Board of Governors of the Federal Reserve System, March 31, 2015.

Michael J. Lewandowski,

Associate Secretary of the Board.

[FR Doc. 2015–07663 Filed 4–2–15; 8:45 am]

BILLING CODE 6210–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2011–F–0172]

Agency Information Collection Activities; Announcement of Office of Management and Budget Approval; Food Labeling; Nutrition Labeling of Standard Menu Items in Restaurants and Similar Retail Food Establishments

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing that a collection of information entitled, ''Food Labeling; Nutrition Labeling of Standard Menu Items in Restaurants and Similar Retail Food Establishments,'' has been approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995.

FOR FURTHER INFORMATION CONTACT: FDA PRA Staff, Office of Operations, Food and Drug Administration, 8455 Colesville Rd., COLE–14526, Silver Spring, MD 20993–0002, *PRAStaff@fda.hhs.gov*.

SUPPLEMENTARY INFORMATION: On February 5, 2015, the Agency submitted a proposed collection of information entitled ''Food Labeling; Nutrition Labeling of Standard Menu Items in Restaurants and Similar Retail Food Establishments'' to OMB for review and clearance under 44 U.S.C. 3507. 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 OMB control number. OMB has now approved the information collection and has assigned OMB control number 0910–0783. The approval expires on March 31, 2018. A copy of the supporting statement for this information collection is available on the Internet at *http://www.reginfo.gov/public/do/PRAMain*.

Dated: March 30, 2015.

Leslie Kux,

Associate Commissioner for Policy.

[FR Doc. 2015–07655 Filed 4–2–15; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2015–N–0001]

Request for Nominations for Individuals and Consumer Organizations for Advisory Committees

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is requesting that any consumer organizations interested in participating in the selection of voting and/or nonvoting consumer representatives to serve on its advisory committees or panels notify FDA in writing. FDA is also requesting nominations for voting and/or nonvoting consumer representatives to serve on advisory committees and/or panels for which vacancies currently exist or are expected to occur in the near future. Nominees recommended to serve as a voting or nonvoting consumer representative may be self-nominated or may be nominated by a consumer organization. Nominations will be accepted for current vacancies and for those that will or may occur through September 30, 2015.

DATES: Any consumer organization interested in participating in the selection of an appropriate voting or nonvoting member to represent consumer interests on an FDA advisory committee or panel may send a letter or email stating that interest to the FDA (see **ADDRESSES**) by May 4, 2015, for vacancies listed in this notice. Concurrently, nomination materials for prospective candidates should be sent to FDA (see **ADDRESSES**) by May 4, 2015.

ADDRESSES: All statements of interest from consumer organizations interested in participating in the selection process and consumer representative nominations should submit your information electronically to

kimberly.hamilton@fda.hhs.gov or by mail to Advisory Committee Oversight and Management Staff, 10903 New Hampshire Ave., Bldg. 32, Rm. 5103, Silver Spring, MD 20993–0002, or FAX: 301–847–8640.

Consumer Representative nominations should be submitted electronically by logging into the FDA advisory Committee Membership Nomination Portal: *https://www.accessdata.fda.gov/scripts/FACTRSPortal/FACTRS/index.cfm* or by mail to Advisory Committee Oversight and Management Staff, 10903 New Hampshire Ave., Bldg. 32, Rm. 5103, Silver Spring, MD 20993–0002, or FAX: 301–847–8640. Additional information about becoming a member on an FDA advisory committee can also be obtained by visiting FDA's Web site at *http://www.fda.gov/AdvisoryCommittees/default.htm*.

FOR FURTHER INFORMATION CONTACT: Kimberly Hamilton, Advisory Committee Oversight and Management Staff, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 32, Rm. 5117, Silver Spring, MD 20993–0002;. 301–796–8224, email: *kimberly.hamilton@fda.hhs.gov*.

For questions relating to specific advisory committees or panels, contact the following persons listed in table 1 of this document:

TABLE 1—ADVISORY COMMITTEE CONTACTS

Contact person	Committee/Panel
Janie Kim, Center for Biologics Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 71, Rm. 6129, Silver Spring, MD 20993; 301–796–9016, email: *Janie.Kim@fda.hhs.gov*.	Allergenic Products Advisory Committee.
Stephanie Begansky, Center for Drug Evaluation and Research, Division of Advisory Committee and Consultant Management, Office of Executive Programs, 10903 New Hampshire Ave., Bldg. 31, Rm. 2426, Silver Spring, MD 20993–0002; 301–796–3693, FAX: 301–847–8533, email: *Stephanie.Begansky@fda.hhs.gov*.	Arthritis Advisory Committee.
Jamie Waterhouse, Center for Devices and Radiological Health, Office of Device Evaluation, 10903 New Hampshire Ave., Bldg. 66, Rm. 1544, Silver Spring, MD 20993–0002; 301–796–3063, FAX: 301–847–8122, email: *Jamie.Waterhouse@fda.hhs.gov*.	Circulatory System Devices Panel, Molecular and Clinical Genetics Panel.
Yvette Waples, Center for Drug Evaluation & Research, Division of Advisory Committee and Consultant Management, Office of Executive Programs, 10993 New Hampshire Ave., Bldg. 31, Rm. 2510, Silver Spring, MD 20993–0002; 301–796–9034 FAX: 301–847–8533 email: *Yvette.Waples@fda.hhs.gov*.	Dermatologic and Ophthalmic Drugs Advisory Committee.
Patricio Garcia, Center for Devices and Radiological Health, Office of Device Evaluation, 10903 New Hampshire Ave., Bldg. 66, Rm. RMG 465 HFZ–410, Silver Spring, MD 20903–0002, 301–796–6875, FAX: 301–847–8120, email: *Patricio.Garcia@fda.hhs.gov*.	General and Plastic Surgery Devices Panel.
Sara J. Anderson, Center for Devices and Radiological Health, Office of Device Evaluation, 10903 New Hampshire Ave., Bldg. 66, Rm. 1544, Silver Spring, MD 20903–0002; 301–796–7047, FAX: 301–847–8122, email: *Sara.Anderson@fda.hhs.gov*.	Hematology & Pathology Devices Panel, Orthopaedic and Rehabilitation Devices Panel, and National Mammography and Quality Assurance Advisory Committee.
Shanika Craig, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66 Rm. 1613, Silver Spring, MD 20993–0002; 301–796–6639, FAX: 301–847–8120, email: *Shanika.Craig@fda.hhs.gov*.	Obstetrics and Gynecology Devices Panel.
Lauren Tesh, Center for Drug Evaluation and Research, 10903 New Hampshire Ave., Bldg. 31, Rm. 2426, Silver Spring, MD 20993–0002; 301–796–2721, email: *Lauren.Tesh@fda.hhs.gov*.	Oncologic Drugs Advisory Committee.
Donna Mendrick, National Center for Toxicological Research, Bldg. 32, Rm. 2208, 10903 New Hampshire Ave., Silver Spring, MD 20993–0002, 301–796–8892, FAX: 301–847–8600, email: *Donna.Mendrick@fda.hhs.gov*.	Science Advisory Board to National Center for Toxicological Research (NCTR).
Sujata Vijh, Center for Biologics Evaluation and Research, Division of Scientific Advisors and Consultants, 10903 New Hampshire Ave., Silver Spring, MD 20993–0002; 240–402–7107, FAX: 301–595–1307, email: *Sujata.Vijh@fda.hhs.gov*.	Vaccines and Related Biological Products Advisory Committee.

SUPPLEMENTARY INFORMATION: FDA is requesting nominations for voting and/or nonvoting consumer representatives for the vacancies listed in Table 2:

TABLE 2—COMMITTEE DESCRIPTIONS, TYPE OF CONSUMER VACANCY, AND APPROXIMATE DATE NEEDED

Committee/Panel/Areas of expertise needed	Current and upcoming vacancies	Approximate date needed
Allergenic Products Advisory Committee: Knowledgeable in the fields of allergy, immunology, pediatrics, internal medicine, biochemistry, and related specialties.	One Voting	June 30, 2015.
Arthritis Drugs Advisory Committee: Knowledgeable in the fields of arthritis, rheumatology, orthopedics, epidemiology or statistics, analgesics, and related specialties.	One Voting	September 30, 2015.
Circulatory System Devices Panel of the Medical Devices Advisory Committee: Knowledgeable in the safety and effectiveness of marked and investigational devices for use in the circulatory and vascular systems.	One Non-Voting	Immediately.
Dermatologic & Ophthalmic Drugs Advisory Committee: Knowledgeable in the fields of dermatology, ophthalmology, internal medicine, pathology, immunology, epidemiology or statistics, and other related professions.	One Voting	August 31, 2015.
General and Plastic Surgery Devices Panel of the Medical Devices Advisory Committee: Knowledgeable in the fields of general, plastic, reconstructive, pediatric, thoracic, abdominal, pelvic and endoscopic surgery; biomaterials, lasers, wound healing, and quality of life issues.	One Non-Voting	Immediately.

TABLE 2—COMMITTEE DESCRIPTIONS, TYPE OF CONSUMER VACANCY, AND APPROXIMATE DATE NEEDED—Continued

Committee/Panel/Areas of expertise needed	Current and upcoming vacancies	Approximate date needed
Hematology and Pathology Devices Panel of the Medical Devices Advisory Committee: Knowledgeable in the fields of hematology, hematopathology, coagulation and homeostasis, hematological oncology, gynecological oncology.	One Non-Voting	Immediately.
Molecular & Clinical Genetics Panel of the Medical Devices Advisory Committee: Experts in human genetics and in the clinical management of patients with genetic disorders, e.g., pediatricians, obstetricians, neonatologists. The Agency is also interested in considering candidates with training in inborn errors of metabolism, biochemical and/or molecular genetics, population genetics, epidemiology and related statistical training. Additionally, individuals with experience in genetic counseling, medical ethics as well as ancillary fields of study will be considered.	One Non-Voting	May 31, 2015.
Obstetrics and Gynecology Devices Panel of the Medical Devices Advisory Committee: Knowledgeable in the fields of perinatology, embryology, reproductive endocrinology, pediatric gynecology, gynecological oncology, operative hysteroscopy, pelviscopy, electrosurgery, laser surgery, assisted reproductive technologies, contraception, postoperative adhesions, and cervical cancer and colposcopy; obstetrics/gynecology devices; gynecology in the older patient; midwifery; labor and delivery nursing.	One Non-Voting	Immediately.
Oncologic Drugs Advisory Committee: Knowledgeable in the fields of general oncology, pediatric oncology, hematologic oncology, immunologic oncology, biostatistics, and other related professions.	One Voting	Immediately.
National Mammography Quality Assurance Advisory Committee: Knowledgeable in clinical practice, research specialization, or professional work that has a significant focus on mammography.	Two Voting	Immediately.
Orthopaedic and Rehabilitation Devices Panel of the Medical Devices Advisory Committee: Knowledgeable in data concerning the safety and effectiveness of marketed and investigational orthopaedic and rehabilitation devices.	Two Non-Voting	Immediately.
Science Advisory Board to the NCTR: Knowledgeable in the fields related to toxicological research.	One Voting	June 30, 2015.
Vaccines and Related Biological Products Advisory Committee Knowledgeable in the fields of immunology, molecular biology, rDNA, virology, bacteriology, epidemiology or biostatistics, allergy, preventive medicine, infectious diseases, pediatrics, microbiology, and biochemistry.	One Voting	Immediately.

I. Functions

A. *Allergenic Products Advisory Committee:* Reviews and evaluates available data concerning the safety, effectiveness, and adequacy of labeling of marketed and investigational allergenic biological products or materials that are administered to humans for the diagnosis, prevention, or treatment of allergies and allergic disease as well as the affirmation or revocation of biological product licenses, on the safety, effectiveness, and labeling of the products, on clinical and laboratory studies of such products, on amendments or revisions to regulations governing the manufacture, testing and licensing of allergenic biological products, and on the quality and relevance of FDA's research programs.

B. *Arthritis Drugs Advisory Committee:* Reviews and evaluates data concerning the safety and effectiveness of marketed and investigational human drug products for use in the treatment of arthritis, rheumatism, and related diseases.

C. *Certain Panels of the Medical Devices Advisory Committee:* The committee reviews and evaluates data on the safety and effectiveness of marketed and investigational devices and makes recommendations for their regulation. The panels engage in a number of activities to fulfill the functions the Federal Food, Drug, and Cosmetic Act (the FD&C Act) envisions for device advisory panels. With the exception of the Medical Devices Dispute Resolution Panel, each panel, according to its specialty area, advises the Commissioner of Food and Drugs (the Commissioner) regarding recommended classification or reclassification of devices into one of three regulatory categories, advises on any possible risks to health associated with the use of devices, advises on formulation of product development protocols, reviews premarket approval applications for medical devices, reviews guidelines and guidance documents, recommends exemption of certain devices from the application of portions of the FD&C Act, advises on the necessity to ban a device, and responds to requests from the Agency to review and make recommendations on specific issues or problems concerning the safety and effectiveness of devices. With the exception of the Medical Devices Dispute Resolution Panel, each panel, according to its specialty area, may also make appropriate recommendations to the commissioner on issues relating to the design of clinical studies regarding the safety and effectiveness of marketed and investigational devices.

D. *Dermatologic and Ophthalmic Drugs Advisory Committee:* Reviews and evaluates available data concerning the safety and effectiveness of marketed and investigational human drug products for use in the treatment of dermatologic and ophthalmic disorders.

E. *National Mammography and Quality Assurance Advisory Committee:* The committee reviews and evaluates (1) Developing appropriate quality standards and regulations for mammography facilities; (2) developing appropriate standards and regulations for bodies accrediting mammography facilities under this program; (3) developing regulations with respect to sanctions; (4) developing procedures for monitoring compliance with standards; (5) establishing a mechanism to investigate consumer complaints; (6) reporting new developments concerning breast imaging which should be considered in the oversight of mammography facilities; (7) determining whether there exists a shortage of mammography facilities in rural and health professional shortage areas and determining the effects of personnel on access to the services of such facilities in such areas; (8) determining whether there will exist a sufficient number of medical physicists after October 1, 1999; and (9) determining the costs and benefits of compliance with these requirements.

F. *Oncologic Drugs Advisory Committee:* Reviews and evaluates data concerning the safety and effectiveness

of marketed and investigational human drug products for use in the treatment of cancer.

G. *Science Advisory Board to the National Center for Toxicological Research:* Reviews and advises the Agency on the establishment, implementation and evaluation of the research programs and regulatory responsibilities as it relates to NCTR. The Board will also provide an extra-Agency review in ensuring that the research programs at NCTR are scientifically sound and pertinent.

H. *Vaccines and Related Biological Products Advisory Committee:* Reviews and evaluates data concerning the safety, effectiveness, and appropriate use of vaccines and related biological products which are intended for use in the prevention, treatment, or diagnosis of human diseases, as well as considers the quality and relevance of FDA's research program which provides scientific support for the regulation of these products.

II. Criteria for Members

Persons nominated for membership as consumer representatives on committees or panels should meet the following criteria: (1) Demonstrate ties to consumer and community-based organizations, (2) be able to analyze technical data, (3) understand research design, (4) discuss benefits and risks, and (5) evaluate the safety and efficacy of products under review. The consumer representative should be able to represent the consumer perspective on issues and actions before the advisory committee; serve as a liaison between the committee and interested consumers, associations, coalitions, and consumer organizations; and facilitate dialogue with the advisory committees on scientific issues that affect consumers.

III. Selection Procedures

Selection of members representing consumer interests is conducted through procedures that include the use of organizations representing the public interest and public advocacy groups. These organizations recommend nominees for the Agency's selection. Representatives from the consumer health branches of Federal, State, and local governments also may participate in the selection process. Any consumer organization interested in participating in the selection of an appropriate voting or nonvoting member to represent consumer interests should send a letter stating that interest to FDA (see **ADDRESSES**) within 30 days of publication of this document.

Within the subsequent 30 days, FDA will compile a list of consumer organizations that will participate in the selection process and will forward to each such organization a ballot listing at least two qualified nominees selected by the Agency based on the nominations received, together with each nominee's current curriculum vitae or resume. Ballots are to be filled out and returned to FDA within 30 days. The nominee receiving the highest number of votes ordinarily will be selected to serve as the member representing consumer interests for that particular advisory committee or panel.

IV. Nomination Procedures

Any interested person or organization may nominate one or more qualified persons to represent consumer interests on the Agency's advisory committees or panels. Self-nominations are also accepted. Nominations should include a cover letter and a current curriculum vitae or resume for each nominee, including a current business and/or home address, telephone number, and email address if available, and a list of consumer or community-based organizations for which the candidate can demonstrate active participation. FDA seeks to include the views of women and men, members of all racial and ethnic groups, and individuals with and without disabilities on its advisory committees and therefore, encourages nominations of appropriately qualified candidates from these groups.

Nominations should also specify the advisory committee(s) or panel(s) for which the nominee is recommended. In addition, nominations should include confirmation that the nominee is aware of the nomination, unless self-nominated. FDA will ask potential candidates to provide detailed information concerning such matters as financial holdings, employment, and research grants and/or contracts to permit evaluation of possible sources of conflicts of interest. Members will be invited to serve for terms up to 4 years.

FDA will review all nominations received within the specified timeframes and prepare a ballot containing the names of qualified nominees. Names not selected will remain on a list of eligible nominees and be reviewed periodically by FDA to determine continued interest. Upon selecting qualified nominees for the ballot, FDA will provide those consumer organizations that are participating in the selection process with the opportunity to vote on the listed nominees. Only organizations vote in the selection process. Persons who nominate themselves to serve as voting or nonvoting consumer representatives will not participate in the selection process.

Dated: March 30, 2015.

Leslie Kux,

Associate Commissioner for Policy.

[FR Doc. 2015–07605 Filed 4–2–15; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[30Day–15–0929]

Agency Forms Undergoing Paperwork Reduction Act Review

The Centers for Disease Control and Prevention (CDC) has submitted 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 notice for the proposed information collection is published to obtain comments from the public and affected agencies.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address any of the following: (a) 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; (b) 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; (c) Enhance the quality, utility, and clarity of the information to be collected; (d) 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; and (e) Assess information collection costs.

To request additional information on the proposed project or to obtain a copy of the information collection plan and instruments, call (404) 639–7570 or send an email to *omb@cdc.gov.* Written comments and/or suggestions regarding the items contained in this notice should be directed to the Attention: CDC Desk Officer, Office of Management and Budget, Washington, DC 20503 or by fax to (202) 395–5806. Written

comments should be received within 30 days of this notice.

Proposed Project

World Trade Center Health Program Petition for the Addition of a New WTC-Related Health Condition for Coverage under the World Trade Center (WTC) Health Program (OMB No. 0920–0929, expiration 04/30/2015)—Revision—Centers for Disease Control and Prevention (CDC), National Institutes for Occupational Safety and Health (NIOSH).

Background and Brief Description

Title I of the James Zadroga 9/11 Health and Compensation Act of 2010 (Pub. L. 111–347), amended the Public Health Service Act (PHS Act) to add Title XXXIII establishing the WTC Health Program within the Department of Health and Human Services (HHS). The WTC Health Program provides medical monitoring and treatment benefits to eligible firefighters and related personnel, law enforcement officers, and rescue, recovery, and cleanup workers who responded to the September 11, 2001, terrorist attacks in New York City, at the Pentagon, and in Shanksville, Pennsylvania (responders), and to eligible persons who were present in the dust or dust cloud on September 11, 2001 or who worked, resided, or attended school, childcare, or adult daycare in the New York City disaster area (survivors).

PHS Act § 3312(a)(3) identifies a list of health conditions for which individuals who are enrolled in the WTC Health Program may be monitored or treated. PHS Act § 3312(a)(6)(B) specifies that interested parties may petition the Administrator of the WTC Health Program to request that a new health condition be added to the List of WTC-Related Health Conditions in 42 CFR 88.1. To aid the petitioner, the WTC Health Program provides a petition form to be completed and then sent to the Administrator for review. However, the petitioner is not required to use the form, and may submit a petition in a different format, provided it contains all of the data elements requested on the form.

Data elements include the interested party's name, contact information, signature, and a statement about the medical basis for the relationship/association between the 9/11 exposure and the proposed health condition, which the Administrator of the WTC Health Program will use to determine whether to propose a rule to add the condition, to not to add the condition, or to seek a recommendation from the Scientific/Technical Advisory Committee (STAC).

The petition form is amended slightly to reflect a WTC Health Program policy change. The current form asks respondents to offer reference to ''a peer-reviewed, published, epidemiologic study.'' The revised form will ask respondents to reference ''peer-reviewed, published, epidemiologic and/or direct observational studies.''

The submission of a petition is purely voluntary, and is not required or otherwise compelled by NIOSH or the WTC Health Program.

NIOSH expects to receive no more than 20 submissions annually. Petitioners include prospective and enrolled WTC responders, screening-eligible survivors, certified-eligible survivors, or members of groups who advocate on behalf of responders or survivors, such as physicians. It is estimated that an individual spends an average of 40 hours gathering information to substantiate a request to add a health condition and assembling the petition. The total estimated annualized burden hours are 800.

ESTIMATED ANNUALIZED BURDEN HOURS

Type of respondent	Form name	Number of respondents	Number of responses per respondent	Average burden per response (hours)
Responder/Survivor/Advocate (physician)	Petition for the addition of health conditions	20	1	40

Leroy A. Richardson,

Chief, Information Collection Review Office, Office of Scientific Integrity, Office of the Associate Director for Science, Office of the Director, Centers for Disease Control and Prevention.

[FR Doc. 2015–07670 Filed 4–2–15; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2010–D–0566]

Residual Solvents in Animal Drug Products; Questions and Answers; Guidance for Industry; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing the availability of a guidance for industry #211 entitled ''Residual Solvents in Animal Drug Products; Questions and Answers.'' The questions and answers guidance addresses the United States Pharmacopeia (USP) General Chapter <467> Residual Solvents that applies to both human and veterinary drugs and to compendial and non-compendial drug products. This document answers questions regarding the Center for Veterinary Medicine's (CVM) implementation of USP <467> Residual Solvents.

DATES: Submit either electronic or written comments on Agency guidances at any time.

ADDRESSES: Submit written requests for single copies of the guidance to the Communications Staff (HFV–12), Center for Veterinary Medicine, Food and Drug Administration, 7519 Standish Pl., Rockville, MD 20855. Send one self-addressed adhesive label to assist that office in processing your request. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the guidance document.

Submit electronic comments on the 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: Heather Longstaff, Center for Veterinary Medicine (HFV–145), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 240–402–0651, email: *heather.longstaff@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

In the **Federal Register** of December 3, 2010 (75 FR 75482), FDA published the notice of availability for a draft guidance entitled ''Residual Solvents in Animal Drug Products; Questions and Answers'' giving interested persons until February

1, 2011, to comment on the draft guidance. FDA received one comment on the draft guidance and that comment was considered as the guidance was finalized. Two of the questions and answers were revised, in addition to a few editorial changes made to improve clarity. The guidance announced in this notice finalizes the draft guidance dated December 2, 2010.

On July 1, 2008, the USP implemented a requirement for the control of residual solvents in drug products marketed in the United States. Once implemented, the requirement, USP General Chapter <467> Residual Solvents, became a statutory requirement under section 501(b) of the Federal Food, Drug, and Cosmetic Act (the FD&C Act) (21 U.S.C. 351(b)). This document answers questions regarding CVM's implementation of USP <467> Residual Solvents.

II. Significance of Guidance

This level 1 guidance is being issued consistent with FDA's good guidance practices regulation (21 CFR 10.115). The guidance represents the current thinking of FDA on ''Residual Solvents in Animal Drug Products; Questions and Answers.'' It does not establish any rights for any person and is not binding on FDA or the public. You can use an alternative approach if it satisfies the requirements of the applicable statutes and regulations.

III. Paperwork Reduction Act of 1995

This guidance refers to previously approved collections of information found in FDA regulations. These collections of information are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520). The collections of information in 21 CFR part 514 have been approved under OMB control number 0910–0032; the collections of information in section 512(n)(1) of the FD&C Act (21 U.S.C. 360k) have been approved under OMB control number 0910–0669.

IV. 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.*

V. Electronic Access

Persons with access to the Internet may obtain the guidance at either *http://www.fda.gov/AnimalVeterinary/GuidanceComplianceEnforcement/GuidanceforIndustry/default.htm* or *http://www.regulations.gov.*

Dated: March 30, 2015.

Leslie Kux,

Associate Commissioner for Policy.

[FR Doc. 2015–07632 Filed 4–2–15; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Agency Information Collection Activities: Proposed Collection: Public Comment Request

AGENCY: Health Resources and Services Administration, HHS.

ACTION: Notice.

SUMMARY: In compliance with the requirement for opportunity for public comment on proposed data collection projects (Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995), the Health Resources and Services Administration (HRSA) announces plans to submit an Information Collection Request (ICR), described below, to the Office of Management and Budget (OMB). Prior to submitting the ICR to OMB, HRSA seeks comments from the public regarding the burden estimate, below, or any other aspect of the ICR.

DATES: Comments on this Information Collection Request must be received no later than June 8, 2015.

ADDRESSES: Submit your comments to *paperwork@hrsa.gov* or mail the HRSA Information Collection Clearance Officer, Room 10C–03, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: To request more information on the proposed project or to obtain a copy of the data collection plans and draft instruments, email *paperwork@hrsa.gov* or call the HRSA Information Collection Clearance Officer at (301) 443–1984.

SUPPLEMENTARY INFORMATION: When submitting comments or requesting information, please include the information request collection title for reference.

Information Collection Request Title: Shortage Designation Management System OMB No. 0906–xxxx–New.

Abstract: HRSA's Bureau of Health Workforce (BHW) is committed to improving the health of the nation's underserved communities and vulnerable populations by developing, implementing, evaluating, and refining programs that strengthen the nation's health workforce. The Department of Health and Human Services relies on two federal shortage designations to identify and dedicate resources to areas and populations in greatest need of providers: Health Professional Shortage Area (HPSA) designations and Medically Underserved Area/Medically Underserved Population (MUA/P) designations. HPSA designations are geographic areas, population groups, and facilities that are experiencing a shortage of health professionals. MUA/P designations are areas, or populations within areas, that are experiencing a shortage of health care services. MUAs are designated for the entire population of a particular geographic area. MUP designations are limited to particular groups of underserved people within an area. These designations are currently used in a number of departmental programs that provide both federal and state government grant/program benefits for communities, health care facilities, and providers. BHW has the responsibility for designating and de-designating HPSAs and MUA/Ps on behalf of the Secretary.

HPSA designations are required to be reviewed and updated regularly to reflect current data. Individual states—through their Primary Care Office (PCO)—have primary responsibility for initiating an application for a new or updated HPSA designation, or withdrawing HPSAs that no longer meet the designation criteria. HRSA reviews the application and makes the final determination on the HPSA designation. Requests come from the PCOs who have access to the online application and review system, Shortage Designation Management System (SDMS). Requests that come from other sources are referred to the PCOs for their review and concurrence. In addition, interested parties, including the Governor, the State Primary Care Association, and state professional associations are notified of each request submitted for their comments and recommendations.

In order to obtain a federal shortage designation for an area, population, or facility, PCOs must submit a shortage designation application through SDMS for review and approval by BHW. Both the HPSA and MUA/P application request local, state, and national data on the population that is experiencing a shortage of health professionals and the number of health professionals relative

to the population covered by the proposed designation. The information collected on the applications is used to determine which areas, populations, and facilities have shortages.

The lists of designated HPSAs are annually published in the **Federal Register**. In addition, lists of HPSAs are updated on the HRSA Web site, *http://www.hrsa.gov/shortage/,* so that interested parties can access the information.

Need and Proposed Use of the Information: The need and purpose of this information collection is to obtain information to designate HPSAs and MUA/Ps. The information obtained from the SDMS Application is used to determine which areas, populations, and facilities have critical shortages of health professionals. The SDMS HPSA application and SDMS MUA/P Application are used for these designation determinations. Applicants must submit a SDMS application to BHW to obtain a federal shortage designation. The application asks for local, state, and national data required to determine the applicant's eligibility to obtain a federal shortage designation. In addition, applicants must enter in detailed information explaining how the area, population, or facility faces a critical shortage of health professionals.

Likely Respondents: State Primary Care Offices interested in obtaining a primary care, dental, or mental HPSA designation or a MUA/P in their state.

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 Information Collection Request are summarized in the table below.

Total Estimated Annualized burden hours:

Form name	Number of respondents	Number of responses per respondent	Total responses	Average burden per response (in hours)	Total burden hours
Designation Planning and Preparation	54	1	54	4.25	229.50
SDMS Application	54	23	1,242	1.75	2,173.50
Total	54	—	1,296	—	2,403.00

HRSA specifically requests comments on (1) the necessity and utility of the proposed information collection for the proper performance of the agency's functions, (2) the accuracy of the estimated burden, (3) ways to enhance the quality, utility, and clarity of the information to be collected, and (4) the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

Jackie Painter,

Director, Division of the Executive Secretariat.

[FR Doc. 2015–07673 Filed 4–2–15; 8:45 am]

BILLING CODE 4165–15–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 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 Neurological Disorders and Stroke Special Emphasis Panel; UDALL Center Review.

Date: April 22–23, 2015.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Lorien Hotel & Spa, 1600 King Street, Alexandria, VA 22314.

Contact Person: Birgit Neuhuber, Ph.D., Scientific Review Officer, Scientific Review Branch, Division of Extramural Research, INDS/NIH/DHHS/Neuroscience Center, 6001 Executive Boulevard, Suite 3208, MSC 9529, Bethesda, MD 20892–9529, 301–496–3562, *neuhuber@ninds.nih.gov.*

(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 30 2015.

Carolyn Baum,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2015–07627 Filed 4–2–15; 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, Small Business: HIV/AIDS Innovative Research Applications.

Date: April 7, 2015.

Time: 11:00 a.m. to 3:00 p.m..

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Virtual Meeting).

Contact Person: Mark P Rubert, Ph.D., Scientific Review Officer, Center for

Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5218, MSC 7852, Bethesda, MD 20892, 301–435–1775, *rubertm@csr.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, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: March 30, 2015.

Melanie J. Gray,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2015–07628 Filed 4–2–15; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[60 Day–15–0576; Docket No. CDC–2015–0013]

Proposed Data Collection Submitted for Public Comment and Recommendations

AGENCY: Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

ACTION: Notice with comment period.

SUMMARY: The Centers for Disease Control and Prevention (CDC), as part of its continuing efforts to reduce public burden and maximize the utility of government information, 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. This notice invites comment on a proposed revision of the information collection entitled *Possession, Use, and Transfer of Select Agents and Toxins* (OMB Control No. 0920–0576). CDC is requesting Office of Management and Budget (OMB) approval to continue to collect information under the select agent regulations through the use of five forms: (1) Application for Registration for Possession. Use, and Transfer of Select Agents and Toxins (APHIS/CDC Form 1); (2) Request to Transfer Select Agents or Toxins (APHIS/CDC Form 2); (3) Incident Form to Report Potential Theft, Loss, Release, or Occupational Exposure (APHIS/CDC Form 3); (4) Report of Identification of Select Agent or Toxin from Clinical/Diagnostic Specimen, Proficiency Testing, or Seizure by Federal Law Enforcement (APHIS/CDC Form 4); and (5) Request for Exemption of Select Agents and Toxins for an Investigational Product (APHIS/CDC Form 5).

DATES: Written comments must be received on or before June 2, 2015.

ADDRESSES: You may submit comments, identified by Docket No. CDC–2015–0013 by any of the following methods:

- *Federal eRulemaking Portal: Regulation.gov.* Follow the instructions for submitting comments.
- *Mail:* Leroy A. Richardson, Information Collection Review Office, Centers for Disease Control and Prevention, 1600 Clifton Road NE., MS–D74, Atlanta, Georgia 30329.

Instructions: All submissions received must include the agency name and Docket Number. All relevant comments received will be posted without change to *Regulations.gov*, including any personal information provided. For access to the docket to read background documents or comments received, go to *Regulations.gov*.

Please note: All public comment should be submitted through the Federal eRulemaking portal (Regulations.gov) or by U.S. mail to the address listed above.

FOR FURTHER INFORMATION CONTACT: To request more information on the proposed project or to obtain a copy of the information collection plan and instruments, contact the Information Collection Review Office, Centers for Disease Control and Prevention, 1600 Clifton Road NE., MS–D74, Atlanta, Georgia 30329; phone: 404–639–7570; Email: *omb@cdc.gov.*

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3520), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. In addition, the PRA also requires Federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each new proposed collection, each proposed extension of existing collection of information, and each reinstatement of previously approved information collection before submitting the collection to OMB for approval. To comply with this requirement, we are publishing this notice of a proposed data collection as described below.

Comments are invited on: (a) Whether the proposed 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 proposed 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. Burden means the total time, effort, or 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 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.

Proposed Project

Possession, Use, and Transfer of Select Agents and Toxins (OMB Control No. 0920–0576, Expiration—11/30/2015)—Revision—Office of Public Health Preparedness and Response (OPHPR), Centers for Disease Control and Prevention (CDC).

Background and Brief Description

Subtitle A of the *Public Health Security and Bioterrorism Preparedness and Response Act of 2002, (42 U.S.C. 262a),* requires the United States Department of Health and Human Services (HHS) to regulate the possession, use, and transfer of biological agents or toxins that have the potential to pose a severe threat to public health and safety (select agents and toxins). Subtitle B of the Public Health Security and Bioterrorism Preparedness and Response Act of 2002 (which may be cited as the *Agricultural Bioterrorism Protection Act of 2002), (7 U.S.C. 8401),* requires the United States Department of Agriculture (USDA) to regulate the possession, use, and transfer of biological agents or toxins that have the potential to pose a severe threat to animal or plant health, or animal or plant products (select agents and toxins). Accordingly, HHS and USDA have promulgated regulations requiring individuals or entities that possess, use, or transfer select agents and toxins to register with the CDC or

the Animal and Plant Health Inspection Service (APHIS). See 42 CFR part 73, 7 CFR part 331, and 9 CFR part 121 (the select agent regulations). The Federal Select Agent Program (FSAP) is the collaboration of the CDC, Division of Select Agents and Toxins (DSAT) and the APHIS Agriculture Select Agent Services (AgSAS) to administer the select agent regulations in a manner to minimize the administrative burden on persons subject to the select agent regulations. The FSAP administers the select agent regulations in close coordination with the Federal Bureau of Investigation's Criminal Justice Information Services (CJIS). Accordingly, CDC and APHIS have adopted an identical system to collect information for the possession, use, and transfer of select agents and toxins.

CDC is requesting OMB approval to continue to collect information under the select agent regulations through the use of five forms: (1) Application for Registration for Possession. Use, and Transfer of Select Agents and Toxins (APHIS/CDC Form 1); (2) Request to Transfer Select Agents or Toxins (APHIS/CDC Form 2); (3) Incident Form to Report Potential Theft, Loss, Release, or Occupational Exposure (APHIS/CDC Form 3); (4) Report of Identification of Select Agent or Toxin from Clinical/Diagnostic Specimen, Proficiency Testing, or Seizure by Federal Law Enforcement (APHIS/CDC Form 4); and (5) Request for Exemption of Select Agents and Toxins for an Investigational Product (APHIS/CDC Form 5).

An entity may amend its registration (42 CFR 73.7(h)(1)) if any changes occur to the information previously submitted to CDC. When applying for an amendment to a certificate of registration, an entity would complete the relevant portion of the application package (APHIS/CDC Form 1).

Besides the forms listed above, there is no standard form for the following information:

1. An individual or entity may request an exclusion from the requirements of the select agent regulations of an attenuated strain of a select agent or a select toxin modified to be less potent or toxic. (42 CFR 73.3(e) and 73.4(e)).

2. Annual inspections that are conducted by the entity must be documented. (42 CFR 73.9(a)(6)).

3. An individual's security risk assessment may be expedited upon written request by a Responsible Official and a showing of good cause. (42 CFR 73.10(f)).

4. An individual or entity may request approval to perform a ''restricted experiment'' (42 CFR 73.13).

5. An individual or entity must develop and implement a written security plan, biosafety plan, and incident response plan (42 CFR 73.11(a), 42 CFR 73.12(a), and 42 CFR 73.14(a)).

6. The Responsible Official at the must ensure a record of the training for each individual with access to select agents and toxins and each escorted individual is maintained (42 CFR 73.15(d)).

7. An individual or entity may appeal a denial, revocation, or suspension of registration. (42 CFR 73.20(a)).

8. An individual may appeal a denial, limitation, or revocation of access approval. (42 CFR 73.20(b)).

The total estimated annualized burden for all data collection was calculated using data obtained from the FSAP database and is estimated as 8,528 hours. Information will be collected via fax, email and hard copy mail from respondents. Upon OMB approval, CDC will begin use of the revised forms in November 2015 through November 2018. There is no cost to the respondents.

ESTIMATED ANNUALIZED BURDEN HOURS

Section	Form name	Number of respondents	Number of responses per respondent	Average burden per response (in hours)	Total burden hours
73.3 & 73.4	Request for Exclusions	3	1	1	3
73.5 & 6	Report of Identification of a Select Agent or Toxin	303	3	1	909
73.5 & 73.6	Request of Exemption	1	1	1	1
73.7	Application for Registration	5	1	5	25
73.7	Amendment to a Certificate of Registration	277	7	1	1,939
73.9	Documentation of self-inspection	277	1	1	277
73.10	Request for Expedited Review	1	1	30/60	1
73.11	Security Plan	277	1	5	1,385
73.12	Biosafety Plan	277	1	5	1,385
73.13	Request Regarding a Restricted Experiment	20	2	1	40
73.14	Incident Response Plan	277	1	5	1,385
73.15	Training	277	1	1	277
73.16	Request to Transfer Select Agents and Toxins	156	2	1	312
73.17	Records	277	1	30/60	139
73.19	Notification of Theft, Loss, or Release	215	2	1	430
73.20	Administrative Review	5	4	1	20
Total					8,528

Leroy A. Richardson,

Chief, Information Collection Review Office, Office of Scientific Integrity, Office of the Associate Director for Science, Office of the Director, Centers for Disease Control and Prevention.

[FR Doc. 2015–07606 Filed 4–2–15; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2014–N–2187]

Identifying Potential Biomarkers for Qualification and Describing Contexts of Use To Address Areas Important to Drug Development; Extension of Comment Period

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice; extension of comment period.

SUMMARY: The Food and Drug Administration (FDA) is extending the comment period for the notice entitled ''Identifying Potential Biomarkers for Qualification and Describing Contexts of Use to Address Areas Important to Drug Development; Request for Comments'' that appeared in the **Federal Register** of February 13, 2015 (80 FR 8089). In the notice, FDA requested comments on identifying potential biomarkers for qualification and describing contexts of use to address areas important to drug development. The Agency is taking this action for an extension to allow interested persons additional time to submit comments.

DATES: Submit either electronic or written comments by May 15, 2015

ADDRESSES: Submit electronic comments 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: Marianne Noone, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 21, Rm. 4528, Silver Spring, MD 20993–0002, 301–796–7495.

SUPPLEMENTARY INFORMATION:

I. Background

In the **Federal Register** of February 13, 2015 (80 FR 8089), FDA published a notice with a 60-day comment period to request comments on identifying potential biomarkers for qualification and describing contexts of use to address areas important to drug development. FDA is encouraging interested groups and individuals to submit information on specific medical and biological areas where novel biomarkers can be identified that would meaningfully advance drug development.

The current 60-day comment period does not allow sufficient time to obtain the broad public response that will inform FDA's Biomarker Qualification Program going forward. FDA is extending the comment period for an additional 30 days, thus extending the comment period to May 15, 2015. The Agency believes that a 30-day extension allows adequate time for interested persons to submit comments without significantly delaying progress on these important issues.

II. Request for 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*.

Dated: March 30, 2015.

Leslie Kux,

Associate Commissioner for Policy.

[FR Doc. 2015–07631 Filed 4–2–15; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

Clinical Laboratory Improvement Advisory Committee

Correction: This notice was published in the **Federal Register** on March 24, 2015, Volume 80, Number 56, Pages 15621–15622. The times and dates should read as follows:

Times and Dates: 12:30 p.m.—5:00 p.m., April 15, 2015; 8:30 a.m.—12:00 p.m., April 16, 2015.

CONTACT PERSON FOR ADDITIONAL INFORMATION: Nancy Anderson, Chief, Laboratory Practice Standards Branch, Division of Laboratory Programs, Standards, and Services, Center for Surveillance, Epidemiology and Laboratory Services, Office of Public Health Scientific Services, CDC, 1600 Clifton Road NE., Mailstop F–11, Atlanta, Georgia 30329–4018; telephone (404) 498–2741; or via email at *NAnderson@cdc.gov*

The Director, Management Analysis and Services Office, has been delegated the authority to sign **Federal Register** notices pertaining to announcements of meetings and other committee management activities for both the Centers for Disease Control and Prevention and the Agency for Toxic Substances and Disease Registry.

Catherine Ramadei,

Acting Director, Management Analysis and Services Office, Centers for Disease Control and Prevention.

[FR Doc. 2015–07639 Filed 4–2–15; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HOMELAND SECURITY

United States Immigration and Customs Enforcement

Agency Information Collection Activities: Extension, With Change, of an Existing Information Collection; Comment Request

ACTION: 60-Day Notice of Information collection for review; I–312/I–312A; Designation of Attorney in Fact/ Revocation of Attorney In Fact; OMB Control No. 1653–0041.

The Department of Homeland Security, U.S. Immigration and Customs Enforcement (ICE), is submitting the following information collection request for review and clearance in accordance with the Paperwork Reduction Act of 1995. The information collection is published in the **Federal Register** to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted for sixty days until June 2, 2015.

Written comments and suggestions regarding items contained in this notice and especially with regard to the estimated public burden and associated response time should be directed to the Department of Homeland Security (DHS), Scott Elmore, Forms Management Office, U.S. Immigration and Customs Enforcement, 801 I Street NW., Mailstop 5800, Washington, DC 20536–5800.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information 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 agencies 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:* Extension, with change, of an existing information collection.

(2) *Title of the Form/Collection:* Designation of Attorney in Fact/ Revocation of Attorney in Fact.

(3) *Agency form number, if any, and the applicable component of the Department of Homeland Security sponsoring the collection:* (I–312/I–312A); U.S. Immigration and Customs Enforcement.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: State, Local, or Tribal Government. Section § 103.6, the Immigration and Nationality Act (INA), provides for the posting of surety or cash bonds. All bonds posted in immigration cases shall be executed on Form I–352, Immigration Bond, and secured with some form of collateral by an Obligor. In the case of a cash bond, the Obligor will deposit with U.S. Immigration and Customs Enforcement (ICE) the face value of the bond. The Obligor can designate a third party as an Attorney in Fact to accept on their behalf the return of the collateral security deposited to secure the surety bond upon cancellation of the bond or performance of the Obligor. The Form I–312, Designation of Attorney in Fact, is the instrument used by the Obligor to officially designate their Attorney In Fact. Upon receipt of a properly executed Form I–312, ICE Financial Operations will remit to the Attorney in Fact the principal and interest on the security deposit in the event of a bond cancellation, or the interest on the security deposit in the event of a bond breach. Immigration bonds might remain in place for years, and Obligors might choose to appoint a new Attorney In Fact as circumstances change. To ensure that ICE Financial Operations properly executes its fiduciary duties to the Obligor under the Form I–352 bond contract, and exercises due diligence in ensuring that remittances are made to the proper person, ICE proposes to use Form I–312A as the document by which the Obligor could expressly indicate that a previously valid Form I–312 Attorney In Fact designation had been revoked.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 12,500 responses at 30 minutes (.50 hours) per response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* 6,250 annual burden hours.

Dated: March 30, 2015.

Scott Elmore,

Program Manager, Forms Management Office, Office of the Chief Information Officer, U.S. Immigration and Customs Enforcement, Department of Homeland Security.

[FR Doc. 2015–07578 Filed 4–2–15; 8:45 am]

BILLING CODE 9111–28–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG–2015–0156]

Great Lakes Pilotage Advisory Committee; Vacancies

AGENCY: Coast Guard, Department of Homeland Security.

ACTION: Request for applications.

SUMMARY: The Coast Guard seeks applications for membership on the Great Lakes Pilotage Advisory Committee. The Great Lakes Pilotage Advisory Committee provides advice and makes recommendations to the Secretary of Homeland Security through the Coast Guard Commandant on matters relating to Great Lakes pilotage, including review of proposed Great Lakes pilotage regulations and policies.

DATES: Completed applications should reach the Coast Guard on or before June 2, 2015.

ADDRESSES: Applicants should send a cover letter expressing interest in an appointment to the Great Lakes Pilotage Advisory Committee that also identifies which membership category the applicant is applying under, along with a resume detailing the applicant's experience via one of the following methods:

- *By Email: Michelle.R.Birchfield@uscg.mil.*
- *By Fax:* (202) 372–8387 ATTN: Ms. Michelle Birchfield, Great Lakes Pilotage Advisory Committee Alternate Designated Federal Officer.
- *By Mail:* Commandant (CG–WWM–2), U.S. Coast Guard, Attention: Ms. Michelle Birchfield, Great Lakes Pilotage Advisory Committee Alternate Designated Federal Officer, 2703 Martin Luther King Jr Ave SE., Stop 7509, Washington, DC 20593–7509.

FOR FURTHER INFORMATION CONTACT: Commandant (CG–WWM–2), U.S. Coast Guard, ATTN: Ms. Michelle Birchfield, Great Lakes Pilotage Advisory Committee Alternate Designated Federal Officer, 2703 Martin Luther King Jr Ave SE., Stop 7509, Washington, DC 20593–7509; telephone 202–372–1537, fax 202–372–8387, or email at *Michelle.R.Birchfield@uscg.mil.*

SUPPLEMENTARY INFORMATION: The Great Lakes Pilotage Advisory Committee is a federal advisory committee established in accordance with the provisions of the Federal Advisory Committee Act (5 U.S.C., Appendix). The Great Lakes Pilotage Advisory Committee operates under the authority of 46 U.S.C. 9307, and makes recommendations to the Secretary and the Coast Guard on matters relating to the Great Lakes.

Meetings of the Great Lakes Pilotage Advisory Committee will be held with the approval of the Designated Federal Officer. The Committee is required to meet at least once per year. Additional meetings may be held at the request of the majority of the Committee or at the discretion of the Designated Federal Officer. Further information about the Great Lakes Pilotage Advisory Committee is available by going to the Web site: *https://www.facadatabase.gov.* Click on the search tab and type ''Great Lakes'' into the search form. Then select ''Great Lakes Pilotage Advisory Committee'' from the list.

We will consider applicants for two positions that expire or become vacant on September 30, 2015.

- One member representing the interests of Great Lakes vessel operators that contract for Great Lakes Pilotage services;
- One member with a background in finance or accounting, who—

a. Must have been recommended to the Secretary by a unanimous vote of the other members of the Committee, and

b. May be appointed without regard to the requirement that each member have five years of practical experience in maritime operations.

To be eligible, applicants should have particular expertise, knowledge, and experience regarding the regulations and policies on the pilotage of vessels on the Great Lakes, and at least five

years of practical experience in maritime operations.

The category for a member with a background in finance and accounting would be someone appointed in their individual capacity and would be designated as a Special Government Employee as defined in 202(a) of Title 18, U.S.C. As a candidate for appointment as a Special Government Employee, applicants are required to complete Confidential Financial Disclosure Reports (OGE Form 450). Coast Guard may not release the reports or the information in them to the public except under an order issued by a Federal court or as otherwise provided under the Privacy Act (5 U.S.C. 552a). Applicants can obtain this form by going to the Web site of the Office of Government Ethics (*www.oge.gov*), or by contacting the individual listed above in **FOR FURTHER INFORMATION CONTACT**. Applications which are not accompanied by a completed OGE Form 450 will not be considered.

Individuals shall serve terms of office of three years and may be reappointed to one additional term, serving not more than six consecutive years. All members serve at their own expense but may receive reimbursement for travel and per diem from the Federal Government.

Registered lobbyists are not eligible to serve on federal advisory committees in an individual capacity. See ''Revised Guidance on Appointment of Lobbyist to Federal Advisory Committees, Boards and Commissions'' (79 FR 47482, August 13, 2014). Registered lobbyists are lobbyists required to comply with provisions contained in the Lobbying Disclosure Act of 1995 (Pub. L. 104–65; as amended by Title II of Pub. L. 110–81).

The Department of Homeland Security does not discriminate in selection of Committee members on the basis of race, color, religion, sex, national origin, political affiliation, sexual orientation, gender identity, marital status, disability and genetic information, age, membership in an employee organization, or other non-merit factor. The Department of Homeland Security strives to achieve a widely diverse candidate pool for all of its recruitment actions.

If you are interested in applying to become a member of the Committee, send your cover letter and resume to, Ms. Michelle Birchfield, Alternate Designated Federal Officer of the Great Lakes Pilotage Advisory Committee by email or mail according to instructions in the **ADDRESSES** section by the deadline in the **DATES** section of this notice.

Note, that during the vetting process, applicants may be asked by the White House Liaison Office through the Coast Guard to provide their date of birth and social security number. All email submittals will receive email receipt confirmation.

To visit our online docket, go to *http://www.regulations.gov,* enter the docket number for this notice (USCG–2015–0156) in the Search box, and click ''Search''. Please do not post your resume on this site.

Dated: March 31, 2015.

Gary C. Rasicot,

Director, Marine Transportation Systems, U.S. Coast Guard.

[FR Doc. 2015–07654 Filed 4–2–15; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–5828–N–14]

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 use to assist the homeless.

FOR FURTHER INFORMATION CONTACT: Juanita Perry, Department of Housing and Urban Development, 451 Seventh Street SW., Room 7266, 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 24 CFR part 581 and section 501 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11411), as amended, HUD is publishing this Notice to identify Federal buildings and other real property that HUD has reviewed for suitability for use to assist the homeless. The properties were reviewed using information provided to HUD by Federal landholding agencies regarding unutilized and underutilized buildings and real property controlled by such agencies or by GSA regarding its inventory of excess or surplus Federal property. This Notice is also published in order to comply with the December 12, 1988 Court Order in *National Coalition for the Homeless* v. *Veterans Administration*, No. 88–2503–OG (D.D.C.).

Properties reviewed are listed in this Notice according to the following categories: Suitable/available, suitable/unavailable, and suitable/to be excess, and unsuitable. The properties listed in the three suitable categories have been reviewed by the landholding agencies, and each agency has transmitted to HUD: (1) Its intention to make the property available for use to assist the homeless, (2) its intention to declare the property excess to the agency's needs, or (3) a statement of the reasons that the property cannot be declared excess or made available for use as facilities to assist the homeless.

Properties listed as suitable/available will be available exclusively for homeless use for a period of 60 days from the date of this Notice. Where property is described as for ''off-site use only'' recipients of the property will be required to relocate the building to their own site at their own expense. Homeless assistance providers interested in any such property should send a written expression of interest to HHS, addressed to: Ms. Theresa M. Ritta, Chief Real Property Branch, the Department of Health and Human Services, Room 5B–17, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857, (301) 443–2265 (This is not a toll-free number.) HHS will mail to the interested provider an application packet, which will include instructions for completing the application. In order to maximize the opportunity to utilize a suitable property, providers should submit their written expressions of interest as soon as possible. For complete details concerning the processing of applications, the reader is encouraged to refer to the interim rule governing this program, 24 CFR part 581.

For properties listed as suitable/to be excess, that property may, if subsequently accepted as excess by GSA, be made available for use by the homeless in accordance with applicable law, subject to screening for other Federal use. At the appropriate time, HUD will publish the property in a Notice showing it as either suitable/available or suitable/unavailable.

For properties listed as suitable/unavailable, the landholding agency has decided that the property cannot be declared excess or made available for use to assist the homeless, and the property will not be available.

Properties listed as unsuitable will not be made available for any other purpose for 20 days from the date of this Notice. Homeless assistance providers interested in a review by HUD of the

determination of unsuitability should call the toll free information line at 1–800–927–7588 for detailed instructions or write a letter to Ann Marie Oliva at the address listed at the beginning of this Notice. Included in the request for review should be the property address (including zip code), the date of publication in the **Federal Register**, the landholding agency, and the property number.

For more information regarding particular properties identified in this Notice (*i.e.,* acreage, floor plan, existing sanitary facilities, exact street address), providers should contact the appropriate landholding agencies at the following addresses: AGRICULTURE: Ms. Debra Kerr, Department of Agriculture, Reporters Building, 300 7th Street SW., Room 300, Washington, DC 20024, (202) 720–8873; COAST GUARD: Commandant, United States Coast Guard, Attn: Jennifer Stomber, 2703 Martin Luther King Jr. Avenue SE., Stop 7741, Washington, DC 20593–7714; (202) 475–5609; ENERGY: Mr. David Steinau, Department of Energy, Office of Property Management, OECM MA–50, 4B122, 1000 Independence Ave. SW., Washington, DC 20585 (202) 287–1503; INTERIOR: Mr. Michael Wright, Acquisition & Property Management, Department of the Interior, 3960 N. 56th Ave. #104, Hollywood, FL. 33021; (443) 223–4639; NASA: Mr. Frank T. Bellinger, Facilities Engineering Division, National Aeronautics & Space Administration, Code JX, Washington, DC 20546, (202) 358–1124; NAVY: Mr. Steve Matteo, Department of the Navy, Asset Management Division, Naval Facilities Engineering Command, Washington Navy Yard, 1330 Patterson Ave. SW., Suite 1000, Washington, DC 20374; (202) 685–9426; (These are not toll-free numbers).

Dated: March 26, 2015.

Brian P. Fitzmaurice

Director, Division of Community Assistance, Office of Special Needs Assistance Programs.

Title V, Federal Surplus Property Program, Federal Register Report For 04/03/2015

Suitable/Available Properties

Building

California

Fredrick Pump Tower
Fallen Leaf Lake Rd.
South Lake Tahoe CA 96150
Landholding Agency: Agriculture
Property Number: 15201510017
Status: Excess
Directions: 051974043
Comments: off-site removal only; 75+ yrs.-old; water tower; vacant 60+ months; poor conditions; prior approval to access is required; contact Agriculture for more information.

Kansas

Storage Bldg. WEL 051/RPUD 03.55396
(KSU) AG Farm Kimball Ave.
Manhattan KS 66502
Landholding Agency: Agriculture
Property Number: 15201510021
Status: Excess
Directions: 543000B051
Comments: 49+ yrs. old; 4,000 sq. ft. storage; sheet metal; 4+ mons. vacant; windows boarded up; contact Agric. for more information.

Louisiana

Storage Building; 643500B022
RPUID: 03.778
07345—Southern Regional Research Center
New Orleans LA 70124
Landholding Agency: Agriculture
Property Number: 15201510018
Status: Excess
Directions: 1100 Robert E. Lee Blvd.
Comments: off-site removal only; 240 sq. ft.; 2+ months vacant; termite damage & leaking roof; contact Agriculture for more information.

Southern Regional Research Ctr
1100 Robert E. Lee Blvd.
New Orleans LA 70124
Landholding Agency: Agriculture
Property Number: 15201510019
Status: Excess
Directions: 643500B021-RPUID: 03.776 (240 sq. ft.); 643500B023-RPUID: 03.774 (120 sq. ft.)
Comments: off-site removal only; 15+ yrs.-old; storage; severe termite damage & structural damage; contact Agriculture for more information.

Trailer; 643500B029
RPUID: 10485054320
07345-Southern Regional Research Center
New Orleans LA 70124
Landholding Agency: Agriculture
Property Number: 15201510020
Status: Excess
Directions: 1100 Robert E. Lee Blvd.
Comments: off-site removal only; 720 sq. ft.; storage; 2+ months vacant; termite & structural damage; contact Agriculture for more information.

Massachusetts

Beatteay House & Garage
1133 Lexington Rd.
Concord MA 02742
Landholding Agency: Interior
Property Number: 61201510003
Status: Excess
Directions: House (1,400 sq. ft.); Garage (800 sq. ft.)
Comments: off- site removal only; removal may be extremely difficult due to size/type/condition; residential; poor conditions; asbestos present; contact Interior for more information.

Oregon

27 Buildings
Rager Ranger Station
Paulina OR 97751
Landholding Agency: Agriculture
Property Number: 15201510013
Status: Unutilized
Directions: 1021(RPUID 1238.004991), 1023(1239.004991), 1024(1240.004991), 1052(1241.004991), 1054(1242.004991), 1055(1243.004991), 1058(1244.004991), 1059(1245.004991), 1060(1246.004991), 1062(1247.004991), 1063(1248.004991), 1064(1249.004991), 1065(1250.004991), 1066(1251.004991), 1068(1253.004991), 1069(1254.004991), 1070(1255.004991), 2003(1091.004991), 2102(1270.004991), 2203(1271.004991), 2308(1274.004991), 2321(1275.004991),
CORRECTION: Building Numbers 2322(1276.004991), 2505(1280.004991), 5001(1604.004991), 5002(1606.004991), 5003(1608.004991) were missing from the Friday March 13, 2015 **Federal Register**.
Comments: off-site removal only; no future agency need; sq. ft. varies; poor conditions; significant repairs needed; contamination; contact Agriculture for more details on a specific property listed above.

Virginia

Usher/U.S. Park Police Trailer
1551 Trap Rd.
Vienna VA 22182
Landholding Agency: Interior
Property Number: 61201510004
Status: Excess
Comments: off-site removal only; 840 sq. ft.; residential; deteriorating; repair a must; water damage; mold; no water or sanitary facility; contact Interior for more information.

Unsuitable Properties

Building

California

4 Buildings
4800 Oak Grove Drive
Pasadena CA 91109
Landholding Agency: NASA
Property Number: 71201510019
Status: Excess
Directions: Trailer 1722; 1723; 1724; 1725
Comments: public access denied & no alternative method to gain access w/out compromising national security.
Reasons: Secured Area

Florida

6 Buildings
Cape Canaveral Air Force Station
Cape Canaveral FL 32925
Landholding Agency: NASA
Property Number: 71201510017
Status: Unutilized
Directions: 21; 24; 27; 18; 77; 127
Comments: public access denied and no alternative method to gain access without compromising national security.
Reasons: Secured Area

OLF Holley
NAS Whiting Field
7801 East Bay Blvd.
Navarre FL 32566
Landholding Agency: Navy
Property Number: 77201510016
Status: Excess
Comments: public access denied and no alternative method to gain access without compromising national security.
Reasons: Secured Area

Georgia

REPO

(Joint use with GA Power Co.)
Kings Bay GA 31547
Landholding Agency: Navy
Property Number: 77201510015
Status: Unutilized
Comments: property located in floodway—not corrected or contained; public access denied and no alternative method to gain access without compromising national security.
Reasons: Floodway; Secured Area

Massachusetts

2 Buildings
4700 Greenway Rd.
Forestdale MA 02542
Landholding Agency: Coast Guard
Property Number: 88201510007
Status: Excess
Directions: 15084; 15085
Comments: public access denied and no alternative method to gain access without compromising national security.
Reasons: Secured Area

Nevada

14 Buildings
Mercury Hwy. on the Nevada National Security Site
Mercury NV 89093
Landholding Agency: Energy
Property Number: 41201510003
Status: Excess
Directions: ID #997008; 997007; 993291; 993292; 993293; 997003; 997006; 997009; 997010; 997011; 997012; 997013; 997014; 997015;
Comments: highly classified secured area; Public access denied & no alternative method to gain access w/out compromising national security.
Reasons: Secured Area

Tennessee

3 Buildings
Y–12 National Security Complex
Oak Ridge TN 37831
Landholding Agency: Energy
Property Number: 41201510004
Status: Unutilized
Directions: Building 9949.BC; 9949.BG; 9949.69
Comments: public access denied & no alternative method to gain access w/out compromising national security.
Reasons: Secured Area

Virginia

3 Buildings
NASA Langley Research Ctr.
Hampton VA 23681–0001
Landholding Agency: NASA
Property Number: 71201510020
Status: Excess
Directions: #1222; 1275; 1283
Comments: public access denied & no alternative method to gain access w/out compromising national security.
Reasons: Secured Area

2 Buildings
7323 Telegraph Rd.
Alexandria VA 20598
Landholding Agency: Coast Guard
Property Number: 88201510005
Status: Excess
Directions: Tower Hut (T03) 49478; Mars Building (L08) 25743
Comments: public access denied and no alternative to gain access without compromising national security.
Reasons: Secured Area

Washington

B–6409 General Warehouse
Naval Base Kitsap Bangor (BA)
Kitsap WA 98337
Landholding Agency: Navy
Property Number: 77201510014
Status: Unutilized
Comments: public access denied and no alternative method to gain access without compromising national security.
Reasons: Secured Area

Land

Colorado

1.5 Acres
Navajo Unit of the Colorado River Project
Archuleta Co. CO
Landholding Agency: Interior
Property Number: 61201510005
Status: Excess
Comments: located between private property; no established right of entry to access.
Reasons: Not accessible by road

[FR Doc. 2015–07327 Filed 4–2–15; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–5859–N–01]

Advance Notice of Digital Opportunity Demonstration

AGENCY: Office of the Secretary, HUD.

ACTION: Notice.

SUMMARY: Through this notice, HUD solicits advance comment on a demonstration designed to test the effectiveness of collaborative efforts by government, industry, and nonprofit organizations to accelerate broadband adoption and use in HUD-assisted homes. Approximately 20 HUD-assisted communities, selected from across the country, are anticipated to participate in the demonstration. The purpose of the demonstration is to provide students—and their families—the ability to benefit from life-changing opportunities that technology affords. Specifically, the demonstration will focus on providing students housed with HUD assistance the opportunity to improve their educational and economic outcomes through a range of efforts to narrow the digital divide.

DATES: *Comment Due Date:* May 1, 2015.

ADDRESSES: Interested persons are invited to submit comments responsive to this notice to the Office of General Counsel, Regulations Division, Department of Housing and Urban Development, 451 7th Street SW., Room 10276, Washington, DC 20410–0001. All submissions should refer to the above docket number and title. Submission of public comments may be carried out by hard copy or electronic submission.

Submission of Hard Copy Comments. Comments may be submitted by mail or hand delivery. Each commenter submitting hard copy comments, by mail or hand delivery, should submit comments to the address above, addressed to the attention of the Regulations Division. Due to security measures at all federal agencies, submission of comments by mail often results in delayed delivery. To ensure timely receipt of comments, HUD recommends that any comments submitted by mail be submitted at least 2 weeks in advance of the public comment deadline. All hard copy comments received by mail or hand delivery are a part of the public record and will be posted to *http://www.regulations.gov* without change.

Electronic Submission of Comments. Interested persons may submit comments electronically through the Federal eRulemaking Portal at *http://www.regulations.gov.* HUD strongly encourages commenters to submit comments electronically. Electronic submission of comments allows the commenter maximum time to prepare and submit a comment, ensures timely receipt by HUD, and enables HUD to make comments immediately available to the public. Comments submitted electronically through the *http://www.regulations.gov* Web site can be viewed by other commenters and interested members of the public. Commenters should follow instructions provided on that site to submit comments electronically.

No Facsimile Comments. Facsimile (fax) comments are not acceptable.

Public Inspection of Comments. All comments submitted to HUD regarding this notice will be available, without charge, for public inspection and copying between 8 a.m. and 5 p.m., Eastern Time, weekdays at the above address. Due to security measures at the HUD Headquarters building, an advance appointment to review the public comments must be scheduled by calling the Regulations Division at 202–708–3055 (this is not a toll-free number). Individuals with speech or hearing impairments may access this number through TTY by calling the Federal Relay Service at 800–877–8339 (this is a toll-free number). Copies of all comments submitted are available for inspection and downloading at *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Camille E. Acevedo, Associate General Counsel for Legislation and Regulations, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street SW., Room 10282, Washington, DC 20410–7000, telephone number 202–402–5132 (this is not a toll-free number). Persons with hearing or speech impairments may access this number through TTY by calling the Federal Relay Service at 800–877–8339 (this is a toll-free number).

SUPPLEMENTARY INFORMATION:

I. Background

Knowledge is a pillar to achieving the American Dream—a catalyst for upward mobility as well as an investment that ensures each generation is as successful as the last. Nations and local communities that cultivate access to global knowledge will thrive in an increasingly complex and technologically oriented world, while those that do not will struggle to keep pace. The adoption, associated programming, and use of broadband technology are powerful tools to increase access to knowledge. In the summer of 2013, President Barack Obama unveiled ''ConnectED,'' a bold plan to transform teaching and learning in American public schools through technology—built atop a challenge to ensure that 99 percent of students have access to high-speed broadband in their classrooms by 2018.[1] Many low-income Americans do not have broadband Internet at home, contributing to the estimated 66 million Americans who are without the most basic digital literacy skills.[2] Without broadband and the skills to use technology at home, children will miss out on the high-value educational, economic, and social impact that high-speed Internet provides.

Making this issue even more acute is the fact that the jobs of tomorrow will require robust technology skills. For example, over 80 percent of Fortune 500 companies require job seekers to respond to online postings with a working email address.[3] The digital divide in broadband access and use disproportionately affects certain Americans: Those who earn less than $25,000 annually; individuals who did not finish high school; and African Americans and Hispanics.[4] HUD serves these populations. Eighty-four percent of households with HUD assistance make less than $20,000 per year, and 63 percent are African American or Hispanic (46 percent and 17 percent, respectively).[5]

Research conducted by the National Telecommunications and Information Administration of the Department of Commerce has highlighted several significant barriers that deter the adoption of broadband technology by the communities HUD serves.[6] These barriers include:

- *Cost:* The high cost of broadband installation and the on-going provision of service.
- *Perception:* Unease about the Internet due to safety and privacy concerns.
- *Relevance:* The inability to see how the Internet relates to home or work life.
- *Skills:* The absence of digital literacy skills needed to use online tools and services effectively.

II. Demonstration

Every student living in public or assisted housing should have access to the opportunities broadband Internet connectivity can provide. This demonstration is designed to encourage and create the platform for communities to collaborate with their Internet service providers, other businesses, foundations, nonprofit organizations, educational leaders, digital literacy organizations, and others to narrow the digital divide in their communities and to test the effectiveness of a collaborative set of actions that address the barriers described above.

1. Making Broadband More Adoptable

Through the demonstration, HUD will build upon existing work with private industry, public housing agencies (PHAs), local governments, philanthropic foundations, and nonprofit service providers. The demonstration will continue this collaborative work to improve the lives of students housed with HUD assistance by providing the forum by which cross-sector organizations can come together to design and implement local interventions to narrow the digital divide.

2. Criteria for Participation

The number of communities served at the outset of this demonstration will depend on the number of communities that commit to narrowing the digital divide and that meet the criteria described below.

HUD's goal is to identify a sample of communities from urban and rural locations that possess both small and large populations and have the capacity to effectively and expediently implement the demonstration for students housed with HUD assistance. HUD seeks participation by communities where local leadership has already taken steps to support the goals of the demonstration, as measured by both the community's participation in other complementary Federal initiatives enhancing Internet access in communities, as well as local broadband plans and strategies for implementation. Participation in the demonstration by these communities will build upon existing efforts already underway to expand Internet access, thereby building the comprehensive community-school-home synergy that is a primary goal of the demonstration.

HUD will use the following criteria to assess communities that have expressed an interest in participating in the demonstration:

- The mayor or equivalent executive elected official of the community, and the PHA executive leader, must formally announce a commitment to narrow the broadband digital divide and in so doing demonstrate the connectivity gap that exists in their community among distinct neighborhoods and demographics.
- Communities should develop a plan to promote and expand broadband access, adoption, and use.
- To ensure presence of local support and leverageable HUD infrastructure for implementation of this demonstration, communities should be currently participating in two or more Federal place-based initiatives, such as: The Choice Neighborhoods program; the Promise Zones program; the Promise Neighborhoods program; the Byrne Criminal Justice Innovation program; the Strong Cities, Strong Communities program; the STEM, Energy and Economic Development program; or the Building Neighborhood Capacity program.
- Communities should be broadly committed to realizing the ''ConnectED'' vision in their public schools, including having clear plans to reach school connectivity goals by 2018—with substantial progress already underway.
- Communities should have more than one Internet service provider, in

[1] *https://www.whitehouse.gov/issues/education/k-12/connected.*

[2] *http://www.connectednation.org/sites/default/files/mn_digital_literacy_final.pdf.*

[3] *http://www.fcc.gov/blog/fcc-chairman-announces-jobs-focused-digital-literacy-partnership-between-connect2compete-and-28.*

[4] *http://www.pewinternet.org/fact-sheets/broadband-technology-fact-sheet/.*

[5] Using data extracted from HUD's Inventory Management System (IMS)/Public and Indian Housing Information Center (PIC) and Tenant Rental Assistance Certification System (TRACS), HUD computed estimates of residents' race/ethnicity and household income.

[6] *http://www.ntia.doc.gov/files/ntia/publications/esa_ntia_us_broadband_adoption_report_11082010_1.pdf.*

order to ensure a competitive marketplace in the provision of Internet services that leads to more affordable and higher quality services for households.

The criteria are meant to create optimal conditions to accelerate the adoption and use of broadband technology. However, the criteria may be applied with reasonable flexibility to ensure that a diverse set of communities are considered for participation in this demonstration. As the demonstration proceeds, HUD will assess expressions of interest from communities and the availability of HUD staffing resources to support participation by more than the communities identified at the start of the demonstration. Additionally, as the demonstration proceeds, HUD will assess the effectiveness of the selection criteria on an ongoing basis. As a result of these assessments, HUD may expand the number of participating communities, revise the selection criteria, or both to reflect HUD's experience in implementing the demonstration.

3. Stakeholder Meetings

In advance of commencement of the demonstration, HUD will sponsor or co-sponsor one or more meetings of communities, cross-sector entities, and other stakeholders to facilitate the sharing of information and identifying communities interested in participation in the demonstration. HUD will reach out to communities that have formally declared a commitment to close the digital divide and otherwise meet the criteria described above to participate in those meetings. HUD therefore encourages interested communities to take the necessary steps to meet the criteria as quickly as possible in order to be best positioned to realize the benefits of these discussions.

HUD may partner with an existing entity that has a national organizational presence sufficient to provide a strong coordinating function across communities, government, and the private and nonprofit sectors. The entity should have significant expertise in next-generation wireline and wireless networks. It should possess strong existing relationships with industry, foundations, universities, and nonprofit and non-governmental agencies. And, finally, it should have community project experience, including educational and outreach activities in underserved populations.

III. Evaluating the Demonstration

HUD intends to build on the outcomes of the demonstration, with the goal of extending the demonstration on a nationwide basis. HUD will work with entities across the government and the broader research community to rigorously measure outcomes associated with work to narrow the broadband digital divide. The participating communities and cross-sector entities are expected to participate in any efforts designed to identify and share best practices from the demonstration with other HUD-assisted communities. In addition, participating communities and entities will be required to collaboratively develop and subsequently measure and report outputs and outcomes.

IV. Solicitation of Public Comment

In accordance with section 470 of the Housing and Urban-Rural Recovery Act of 1983 (42 U.S.C. 3542), HUD is seeking comment on the demonstration. Section 470 provides that HUD may not begin a demonstration program not expressly authorized by statute until a description of the demonstration program is published in the **Federal Register** and a 60-day period expires following the date of publication, during which time HUD solicits public comment and considers the comments submitted. The public comment period provided allows HUD the opportunity to consider those comments during the 60-day period, and be in a position to commence implementation of the demonstration following the conclusion of the 60-day period.

Dated: March 30, 2015.

Julián Castro,

Secretary.

[FR Doc. 2015–07719 Filed 4–2–15; 8:45 am]

BILLING CODE P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[14X LLIDI02000.13300000.EO0000 241A; 4500070627]

DEPARTMENT OF AGRICULTURE

Forest Service

Notice of Intent To Prepare an Environmental Impact Statement for the Proposed East Smoky Panel Mine Project at Smoky Canyon Mine, Caribou County, ID

AGENCY: Bureau of Land Management, Interior; United States Forest Service, USDA.

ACTION: Notice of intent.

SUMMARY: In compliance with the National Environmental Policy Act (NEPA) of 1969, the Federal Land Policy and Management Act (FLPMA) of 1976, the Mineral Leasing Act of 1920, as amended, and the National Forest Management Act of 1976, notice is hereby given that the Department of the Interior, Bureau of Land Management (BLM), Pocatello Field Office, Pocatello, Idaho, and the U.S. Department of Agriculture, Forest Service (USFS), Caribou-Targhee National Forest (CTNF), Idaho Falls, Idaho, will jointly prepare an environmental impact statement (EIS). The purpose of this EIS is to analyze the potential effects of approving a proposed lease modification and phosphate mine and reclamation plan (M&RP) (the Proposed Action) on Federal mineral leases held by the J.R. Simplot Company (Simplot), in southeastern Idaho; and to amend the CTNF Revised Forest Plan (2003) in conjunction with the project. In connection with its review of the Proposed Action, the EIS will also consider potential amendments to the CTNF Revised Forest Plan (2003). The BLM, as the Federal lease administrator, will serve as the lead agency and the USFS as the co-lead agency. The Idaho Department of Environmental Quality and the Idaho Department of Lands are cooperating agencies. This notice is announcing the beginning of the scoping process to solicit public comments and identify issues for analysis.

DATES: To ensure that comments will be considered, the BLM must receive written comments on the scope of the analysis described in this notice by May 4, 2015. The BLM will announce meetings and any other public involvement activities at least 15 days in advance through public notices, media news releases, and/or mailings. All comments must be received prior to the close of the 30-day scoping period or 15 days after the last public meeting, whichever is later, to be considered in the draft EIS. We will provide additional opportunities for public participation upon publication of the draft EIS.

ADDRESSES: You may submit written comments to: East Smoky Panel Mine EIS, C/O Stantec, formerly JBR Environmental Consultants, Inc., 8160 South Highland Drive, Sandy, Utah 84093, or via email at: *blm_id_espm_eis@blm.gov.* Please reference ''East Smoky Panel Mine EIS'' on all correspondence.

FOR FURTHER INFORMATION CONTACT: Steve Opp, Bureau of Land Management, Pocatello Field Office, 4350 Cliffs Drive, Pocatello, ID 83204, phone 208–478–6382. Scoping

information will also be available at the BLM's website at: *http://www.blm.gov/id/st/en/get_involved/nepa.html,* or the USFS Web site at: *http://www.fs.fed.us/nepa/nepa_project_exp.php?project=44748.* 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 Mr. Opp. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: Simplot has submitted a proposed lease modification and M&RP for agency review for the East Smoky Panel leases (IDI–015259, IDI–026843, and IDI–012890) at the Smoky Canyon phosphate mine in Caribou County, Idaho. The Smoky Canyon mine, which Simplot operates, is located approximately 10 miles southwest of Afton, Wyoming, and approximately 5 miles west of the Idaho/Wyoming border. The proposed lease modification and M&RP for the East Smoky Panel of the Smoky Canyon mine would affect Federal phosphate leases administered by the BLM situated on National Forest System (NFS) lands, on unleased parcels of NFS lands (where a Special Use Authorization would be required), and on split estate land, where the surface estate is in private ownership and the subsurface estate (including rights to develop the mineral resources) is held by the Federal government under BLM management. The NFS lands involved lie within the Soda Springs Ranger District of the CTNF. The existing leases grant Simplot exclusive rights to mine and otherwise dispose of the federally owned phosphate deposit at the site. The M&RP submitted for approval details the manner in which Simplot proposes to exercise its mine development rights and constitutes the Proposed Action for purposes of the EIS.

The Proposed Action includes: (1) Development and reclamation of an open pit phosphate mine; (2) development and reclamation of mine infrastructure such as transmission lines, access roads, and other miscellaneous disturbances; (3) project-related lease modifications, such as the proposed modification of Lease IDI–015259 by adding 120 acres along the southwest side of the existing lease for mining-related disturbance; and (4) amendment of the CTNF Revised Forest Plan (2003) to address changes in the surface land management within the CTNF. In the proposed EIS, the BLM and the USFS will analyze the environmental impacts of approving potential lease modifications, the M&RP, and the Forest Plan Amendment. The EIS will also analyze the environmental impacts of reasonable alternatives to the Proposed Action. Additionally, the EIS will consider regional mitigation strategies for addressing the effects to wildlife habitat from phosphate mining. The Pocatello Field Office is currently developing these strategies.

Agency Decisions: The BLM Idaho State Director or delegated official will approve, approve with modifications, or deny the proposed lease modification and M&RP. The Director will base his decision on the EIS and any recommendations the USFS may have regarding surface management of leased NFS lands.

The USFS CTNF Supervisor will decide whether to amend the CTNF Revised Forest Plan. In addition, the CTNF Supervisor will make decisions on mine-related activities occurring off-lease within the CTNF. Special Use Authorizations from the USFS would be necessary for any off-lease structures located within the CTNF (*e.g.,* relocated transmission lines, mine access roads, and miscellaneous disturbances). The USFS CTNF Supervisor will also make recommendations to the BLM concerning surface management and mitigation on leased lands within the CTNF.

The Army Corps of Engineers may also make decisions related to permits under Section 404 of the Clean Water Act.

Background: The BLM and the USFS authorized existing Smoky Canyon mining and milling operations in 1982, when the BLM issued a mine plan approval and the USFS issued Special Use Authorizations for off-lease activities. The agencies supported these decisions in the Smoky Canyon Mine Final EIS and Record of Decision (ROD). Mining operations began in Panel A in 1984 and have continued ever since with the mining of Panels A through G. Simplot submitted a proposed lease modification and M&RP for the East Smoky Panel in November 2013. The proposed East Smoky Project Area is located approximately one-half mile directly east of Panel A and, in the northern portion, adjacent to Panel B. A supplemental EIS for mining of Panels B and C, which addressed selenium issues and additional endangered species, was prepared in 2002; a subsequent ROD approved mining of Panels B and C. The BLM and USFS approved the mining of Panels F and G in 2008 and are in the process of publishing a Final EIS for the Panels F and G Lease and Mine Plan Modification Project.

The proposed M&RP provides for mining to occur over 12 years, with concurrent reclamation on both USFS and split estate lands to be completed in 2 to 3 years after cessation of mining. Development of the East Smoky Panel would consist of a single north-south linear open pit that would be mined sequentially in six distinguishable phases, beginning at the north end and ending at the south end of the pit on split estate land where Simplot owns the surface estate.

During mining in the northern portion of the East Smoky pit, overburden would be placed directly on the existing reclaimed Panel B pit, elevating contours to be closer to pre-mining topography than the currently approved final pit contours for Panel B. Overburden from the middle and southern portions of the East Smoky pit would be backfilled in the pit for concurrent reclamation. The East Smoky in-pit backfill would be maximized and there would be no external overburden placement, with the exception of some low-seleniferous overburden, which would be used in haul road and ramp construction. The proposal includes construction of an external haul road, which would run along the length of the ultimate East Smoky Panel. Chert and limestone from pit overburden operations would be used for coarse and durable armor in haul roads, water control ditches, culverts, and pond designs. All seleniferous overburden would receive a geologic store-and-release cover system consisting of chert, overlain by Dinwoody and/or Salt Lake Formation, and a topsoil layer.

Under the proposed M&RP, approximately 37 acres of the proposed pit would be constructed on presently unleased NFS land and backfilled with selenium-bearing waste rock. This would require modification (expansion) of Lease IDI–015259 by 120 acres. In addition to the pit and haul roads, new disturbance associated with development of the East Smoky Panel would include creation of topsoil stockpiles, reclamation material borrow areas, storm water ponds and ditches, and a possible dewatering pipeline. Two existing transmission lines that cross the proposed East Smoky Panel Project Area would have to be rerouted around the proposed open pit area. The 25-kilovolt (kV) transmission line crossing the northern portion of the Project Area would be relocated to the eastern edge of the existing Panel B disturbance. The 115-kV transmission line crosses the southern portion of the Project Area in

an existing utility corridor, as required by the CTNF Revised Forest Plan, and would be relocated around the southern end of the proposed open pit. Relocating the utility corridor associated with the transmission line would require amending the CTNF Revised Forest Plan. Mining-related developments on unleased NFS land would require USFS Special Use Authorizations.

Total disturbance associated with the East Smoky Panel development would be approximately 847 acres, of which approximately 837 acres (nearly 99 percent) would be reclaimed, consistent with applicable Federal, State and local laws. Approximately 10 acres of pit disturbance on split estate land where Simplot owns the surface estate would not be reclaimed. The total new disturbance would be 699.9 acres, and 147.1 acres would be re-disturbance of the Smoky Canyon Mine at Panel B. On-lease disturbance of NFS land would be 438.7 acres with an additional 91.9 acres of NFS land disturbed off lease, which would require Special Use Authorizations from the USFS. Disturbance on split estate land on lease would be 217 acres and split estate land off-lease disturbance would be 99.4 acres. Total disturbance from external pit roads would be approximately 74 acres.

Simplot proposes reclamation activities that include backfilling mine pits, placing a store- and-release cover over waste rock, grading to return disturbed areas to more natural contours, re-establishing drainage patterns, and revegetation. Rocky pit walls comprise the unreclaimed two percent of the disturbance. The EIS will assess Simplot's proposed reclamation activities for compliance with the mandates and objectives in applicable Federal land use plans, including the CTNF Revised Forest Plan and the BLM Pocatello Resource Management Plan.

Ore from the new East Smoky Panel would be trucked to the existing Smoky Canyon mill facilities over new and existing haul roads to be concentrated. The existing slurry pipeline system would transport ore concentrate from the mill to the Simplot fertilizer plant in Pocatello, Idaho. Mill tailings would continue to be deposited in the currently approved and permitted tailings disposal facilities located on Simplot property east of the mine. The existing Smoky Canyon Mine facilities are adequate for use in the East Smoky Panel operations. These facilities include the main office, security building, septic system and parking; ore stockpile; mill and shop complex; tailings pond, slurry pipeline; culinary and production wells; water storage tanks, substation, and blasting supply storage.

The BLM and USFS will use NEPA public participation requirements to assist the agency in satisfying public involvement under the National Historic Preservation Act (NHPA) (54 U.S.C. 306108) pursuant to 36 CFR 800.2(d)(3). The information about historic and cultural resources within the area potentially affected by the Proposed Action will assist in identifying and evaluating impacts to such resources in the context of both NEPA and the NHPA.

The BLM and the USFS will consult with Indian tribes on a government-to-government basis in accordance with Executive Order 13175 and other policies. Tribal concerns, including impacts to treaty rights and potential impacts to cultural resources, will be given due consideration. Federal, State, and local agencies, along with tribes and other stakeholders that may be interested in or affected by the Proposed Action are invited to participate in the scoping process and, if eligible, may request or be requested by the BLM or the USFS to participate in the development of the environmental analysis as a cooperating agency.

Alternatives and Schedule: At a minimum, the EIS will analyze the Proposed Action and the No Action Alternative. Under the No Action Alternative, the proposed M&RP for development of the East Smoky Panel and Special Use Authorizations would not be approved, existing Federal mineral leases would not be modified, the CTNF Revised Forest Plan would not be amended. Mining pursuant to existing authorizations at other panels of the Smoky Canyon Mine would continue as currently authorized. In this case, Simplot would retain and be eligible to invoke the mining rights granted in their existing Federal leases at another time, with a revised M&RP that meets all regulatory and other established requirements. Other alternatives may be considered that could provide mitigation of potential impacts.

The tentative EIS project schedule is as follows:

- Begin public scoping period and meetings: Spring 2015.
- Release draft EIS and associated comment period: Summer 2016.
- Final EIS publication: Spring 2017.
- Record of Decision: Spring/Summer 2017.

Scoping Procedure: The scoping procedure for this EIS will involve notification in the **Federal Register**; a mailing to interested and potentially affected individuals, groups, and Federal, State, and local government entities requesting input; news releases or legal notices; and public scoping meetings.

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. Comments will be available for public review at the BLM office listed above during regular business hours (8:00 a.m. to 4:30 p.m.), Monday through Friday, except Federal holidays.

The BLM and the USFS are seeking information and written comments concerning the Proposed Action from Federal, State, Tribal, and local agencies, individuals, and organizations interested in, or affected by, the Proposed Action or the No Action Alternative. To assist the BLM and the USFS in identifying issues and concerns related to the Proposed Action, scoping comments should be as specific as possible. The portion of the proposed project related to USFS special use authorizations for off-lease activities is subject to the objection process pursuant to 36 CFR part 218 Subparts A and B. Only those who submit specific written comments on the Proposed Action, either during scoping or other designated opportunity for public comment, will be eligible as objectors (36 CFR 218.5). BLM appeal procedures found in 43 CFR part 4 apply to the portion of the project related to the development of Federal mineral estate including the Federal lease(s).

At least three ''open-house'' style public scoping meetings will be held during which the public may view displays explaining the project and ask questions and comment on the project. Meetings are planned to be held in Pocatello and Fort Hall, Idaho, and Afton, Wyoming. The dates, times, and locations of the public scoping meetings will be announced in mailings, public notices and news releases issued by the BLM and on the BLM Web site.

Authority: 16 U.S.C. 1600 *et seq.;* 42 U.S.C. 4321 *et seq.;* 40 CFR 1500–1508; 43 CFR 46;

30 U.S.C. 181 *et seq.;* 43 U.S.C. 1701 *et seq.;* AND 43 CFR 3590.

Karen Rice,

Acting District Manager, Idaho Falls District, Bureau of Land Management.

Garth Smelser,

Forest Supervisor, Caribou-Targhee National Forest.

[FR Doc. 2015–07587 Filed 4–2–15; 8:45 am]

BILLING CODE 4310–GG–P

DEPARTMENT OF THE INTERIOR

Geological Survey

[GX15LC00BM3FD00]

Agency Information Collection Activities: Request for Comments

AGENCY: U.S. Geological Survey (USGS), Department of the Interior.

ACTION: Notice of a revision of a currently approved information collection (1028–0079).

SUMMARY: We (the U.S. Geological Survey) will ask the Office of Management and Budget (OMB) to approve the information collection (IC) described below. As required by the Paperwork Reduction Act (PRA) 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 collection is scheduled to expire on September 30, 2015.

DATES: To ensure that your comments are considered, we must receive them on or before June 2, 2015.

ADDRESSES: You may submit comments on this information collection to the Information Collection Clearance Officer, U.S. Geological Survey, 12201 Sunrise Valley Drive MS 807, Reston, VA 20192 (mail); (703) 648–7197 (fax); or *gs-info_collections@usgs.gov* (email). Please reference 'Information Collection 1028–0079, North American Breeding Bird Survey' in all correspondence.

FOR FURTHER INFORMATION CONTACT: Keith Pardieck, USGS Patuxent Wildlife Research Center, 12100 Beech Forest Road, Laurel, MD 20708–4038 (mail); 301–497–5843 (phone); or *kpardieck@usgs.gov* (email). You may also find information about this ICR at *www.reginfo.gov.*

SUPPLEMENTARY INFORMATION:

I. Abstract

Respondents supply the U.S. Geological Survey with avian population data for more than 600 North American bird species. The raw survey data, resulting population trend estimates, and relative abundance estimates will be made available via the Internet and through special publications, for use by Government agencies, industry, education programs, and the general public. We will protect information from respondents considered proprietary under the Freedom of Information Act (5 U.S.C. 552) and its implementing regulations (43 CFR part 2), and under regulations at 30 CFR 250.197, ''Data and information to be made available to the public or for limited inspection.'' Responses are voluntary. No questions of a ''sensitive'' nature are asked.

II. Data

OMB Control Number: 1028–0079.

Form Number: NA.

Title: North American Breeding Bird Survey.

Type of Request: Extension of a currently approved collection.

Affected Public: General public skilled in bird identification.

Respondent's Obligation: None. Participation is voluntary.

Frequency of Collection: Annually.

Estimated Total Number of Annual Responses: 2,600.

Estimated Time per Response: 11 hours.

Estimated Annual Burden Hours: 28,600.

Estimated Reporting and Recordkeeping ''Non-Hour Cost'' Burden: Mileage costs are on average $57.50 per response. This includes an approximate 100-mile round trip for data collection.

Public Disclosure Statement: The PRA (44 U.S.C. 3501, *et seq.*) provides that an agency may not conduct or sponsor and you are not required to respond to a collection of information unless it displays a currently valid OMB control number and current expiration date.

III. Request for Comments

We are soliciting comments as to: (a) Whether the proposed collection of information is necessary for the agency to perform its duties, including whether the information is useful; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, usefulness, and clarity of the information to be collected; and (d) how to minimize the burden on the respondents, including the use of automated collection techniques or other forms of information technology.

Please note that the comments submitted in response to this notice are a matter of public record. Before including your personal mailing address, phone number, email address, or other personally identifiable information in your comment, you should be aware that your entire comment, including your personally identifiable information, may be made publicly available at any time. While you can ask us in your comment to withhold your personally identifiable information from public view, we cannot guarantee that we will be able to do so.

Mark Wimer,

Patuxent Wildlife Research Center Director (Acting).

[FR Doc. 2015–07704 Filed 4–2–15; 8:45 am]

BILLING CODE 4311–AM–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLCAD01000 L12100000.MD0000 15XL1109AF]

Meeting of the California Desert District Advisory Council

SUMMARY: Notice is hereby given, in accordance with Public Law 92–463 and 94–579, that the California Desert District Advisory Council (DAC) to the Bureau of Land Management (BLM), U.S. Department of the Interior, will participate in a field tour of BLM-administered public lands on Friday, April 10, 2015, from 8:00 a.m. to 4:30 p.m. and will meet in formal session on Saturday, April 11, 2015, from 8:00 a.m. to 4:30 p.m. in Ridgecrest, CA. Exact meeting location is yet to be determined. Agenda for the Saturday meeting will include updates by council members, the BLM California Desert District Manager, five Field Managers, and council subgroups. The focus topic for the meeting will be the BLM's ongoing planning efforts in the West Mojave planning area. Final agenda items for the field trip, public meeting, and the meeting location will be posted on the DAC Web page at *http://www.blm.gov/ca/st/en/info/rac/dac.html* when finalized.

SUPPLEMENTARY INFORMATION: All DAC meetings are open to the public. Public comment for items not on the agenda will be scheduled at the beginning of the meeting Saturday morning. Time for public comment is made available by the council chairman during the presentation of various agenda items, and is scheduled at the end of the meeting for topics not on the agenda.

While the Saturday meeting is tentatively scheduled from 8:00 a.m. to 4:30 p.m., the meeting could conclude

prior to 4:30 p.m. should the council conclude its presentations and discussions. Therefore, members of the public interested in a particular agenda item or discussion should schedule their arrival accordingly.

Written comments may be filed in advance of the meeting for the California Desert District Advisory Council, c/o Bureau of Land Management, External Affairs, 22835 Calle San Juan de Los Lagos, Moreno Valley, CA 92553. Written comments also are accepted at the time of the meeting and, if copies are provided to the recorder, will be incorporated into the minutes.

FOR FURTHER INFORMATION CONTACT: Stephen Razo, BLM California Desert District External Affairs, (951) 697–5217. 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 individuals. You will receive a reply during normal hours.

Dated: March 19, 2015.

Teresa A. Raml,

California Desert District Manager.

[FR Doc. 2015–07424 Filed 4–2–15; 8:45 am]

BILLING CODE 4310–40–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 731–TA–1013 (Second Review)]

Saccharin From China; Notice of Commission Determination To Conduct a Portion of the Hearing in Camera

AGENCY: U.S. International Trade Commission.

ACTION: Closure of a portion of a Commission hearing.

SUMMARY: The Commission has determined that it will conduct a portion of its hearing in the captioned review scheduled for March 31, 2015 *in camera*.

FOR FURTHER INFORMATION CONTACT: David Goldfine, Attorney-Advisor, Office of the General Counsel, U.S. International Trade Commission, telephone (202) 708–5452. Hearing-impaired individuals are advised that information on this matter may be obtained by contacting the Commission's TDD terminal on (202) 205–3105.

SUPPLEMENTARY INFORMATION: The Commission will conduct a public hearing in the above-referenced review. Since no respondents have participated in this second five-year review, the public hearing will include only counsel and industry witnesses appearing on behalf of those interested parties supporting continuation of the order. The hearing will include the usual public presentations by those supporting continuation of the order, followed by public questions from the Commission.

Following the public questions, the Commission will conduct an *in camera* session to pose questions concerning matters that involve business proprietary information (BPI). *See* 19 CFR 201.13(m)(2). During this session, appropriate members of the panel supporting continuation of the order will have the opportunity to respond to the Commission's questions but will not be allowed to make any further presentation. Following the *in camera* session, the hearing will be reopened to the public to permit those supporting continuation of the order to provide closing remarks.

During the *in camera* session the room will be cleared of all persons except those who have been granted access to BPI under a Commission administrative protective order (APO) and are included on the Commission's APO service list In this investigation. See 19 CFR 201.35(b). All persons planning to attend the *in camera* portion of the hearing should be prepared to present proper identification. The Commission has determined that publication of an earlier announcement of a closure of a portion of the hearing was not practicable. See 19 CFR 201.35(c)(1).

Authority: The Acting General Counsel has certified, pursuant to Commission Rule 201.13(m)(2) (19 CFR 201.13(m)(2)) that, in his opinion, a portion of the Commission's hearing in *Saccharin from China,* Inv. No. 731–TA–1013 (Second Review), may be closed to the public to prevent the disclosure of BPI.

Issued: March 30, 2015.

By order of the Commission.

Lisa R. Barton,

Secretary to the Commission.

[FR Doc. 2015–07633 Filed 4–2–15; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–952]

Certain Electronic Devices, Including Wireless Communication Devices, Computers, Tablet Computers, Digital Media Players, and Cameras; Institution of Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on February 26, 2015, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, on behalf of Ericsson Inc. of Plano, Texas and Telefonaktiebolaget LM Ericsson of Sweden. Supplements to the complaint were filed on March 18, 2015, March 19, 2015, and March 24, 2015. The complaint alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain electronic devices, including wireless communication devices, computers, tablet computers, digital media players, and cameras by reason of infringement of certain claims of U.S. Patent Nos. 6,633,550 (''the '550 patent''); 6,157,620 (''the '620 patent''); 6,029,052 (''the '052 patent''); 8,812,059 (''the '059 patent''); 6,291,966 (''the '966 patent''); and 6,122,263 (''the '263 patent''). The complaint further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337.

The complainants request that the Commission institute an investigation and, after the investigation, issue a limited exclusion order and a cease and desist order.

ADDRESSES: The complaint, except for any confidential information contained therein, is 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., Room 112, Washington, DC 20436, telephone (202) 205–2000. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (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.*

FOR FURTHER INFORMATION CONTACT: The Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205–2560.

Authority: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 CFR 210.10 (2014).

Scope of Investigation: Having considered the complaint, the U.S. International Trade Commission, on March 30, 2015, *ordered that*—

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain electronic devices, including wireless communication devices, computers, tablet computers, digital media players, and cameras by reason of infringement of one or more of claims 1, 3, 4, 6–10, 12, 14, 16, and 17 of the '550 patent; claims 1, 2, 33, and 36 of the '620 patent, claims 1–4, 6, 8–16, and 18 of the '052 patent; claims 1–9 and 11–20 of the '059 patent; claims 1–17 of the '966 patent; and claims 39 and 40 of the '263 patent and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) Pursuant to Commission Rule 210.50(b)(l), 19 CFR 210.50(b)(l), the presiding administrative law judge shall take evidence or other information and hear arguments from the parties and other interested persons with respect to the public interest in this investigation, as appropriate, and provide the Commission with findings of fact and a recommended determination on this issue, which shall be limited to the statutory public interest factors set forth in 19 U.S.C. 1337(d)(l), (f)(1), (g)(l);

(3) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainants are: Ericsson Inc., 6300 Legacy Drive, Plano, TX 75024.

Telefonaktiebolaget LM Ericsson, Torshamnsgatan 21, Kista, Stockholm, Sweden.

(b) The respondent is the following entity alleged to be in violation of section 337, and is the party upon which the complaint is to be served:

Apple Inc., a/k/a Apple Computer, Inc., 1 Infinite Loop, Cupertino, CA 95014.

(c) The Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street SW., Suite 401, Washington, DC 20436; and

(4) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondent in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 CFR 210.13. Pursuant to 19 CFR 201.16(e) and 210.13(a), such responses will be considered by the Commission if received not later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of the respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

Issued: March 30, 2015.

By order of the Commission.

Lisa R. Barton,

Secretary to the Commission.

[FR Doc. 2015–07646 Filed 4–2–15; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–953]

Certain Wireless Standard Compliant Electronic Devices, Including Communication Devices and Tablet Computers; Institution of Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on February 26, 2015, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, on behalf of Ericsson Inc. of Plano, Texas and Telefonaktiebolaget LM Ericsson of Sweden. A supplement to the complaint was filed on March 18, 2015. The complaint alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain wireless standard compliant electronic devices, including communication devices and tablet computers, by reason of infringement of certain claims of U.S. Patent No. 8,717,996 (''the '996 patent''); U.S. Patent No. 8,660,270 (''the '270 patent''); U.S. Patent No. 6,058,359 (''the '359 patent''); U.S. Patent No. 6,301,556 (''the '556 patent''); U.S. Patent No. 8,102,805 (''the '805 patent''); U.S. Patent No. 8,607,130 (''the '130 patent''); U.S. Patent No. 8,837,381 (''the '381 patent''); and U.S. Patent No. 8,331,476 (''the '476 patent''). The complaint further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337.

The complainants request that the Commission institute an investigation and, after the investigation, issue a limited exclusion order and a cease and desist order.

ADDRESSES: The complaint, except for any confidential information contained therein, is 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., Room 112, Washington, DC 20436, telephone (202) 205–2000. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (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.*

FOR FURTHER INFORMATION CONTACT: The Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205–2560.

Authority: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, and

in section 210.10 of the Commission's Rules of Practice and Procedure, 19 CFR 210.10 (2014).

Scope of Investigation: Having considered the complaint, the U.S. International Trade Commission, on March 30, 2015, *ordered that*—

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain wireless standard compliant electronic devices, including communication devices and tablet computers, by reason of infringement of one or more of claims 1, 2, 4, 6, 7, 9, 11–13, 15–19, 21, and 22 of the '996 patent; claims 7–12 and 18–23 of the '270 patent; claims 28–54 of the '359 patent; claims 1, 8–10, 12, 23, 24, 26, 27, 29–31, 38–40, 42, 49, 50, 52, 53, 57, 58, 64–66, and 68 of the '556 patent; claims 19, 20, 22–27, and 29–32 of the '805 patent; claims 1, 3, 5–8, 10, and 12–15 of the '130 patent; claims 1, 2, 4, 5, 7, 11, and 13–15 of the '381 patent; and claims 1, 3, 4, 6, 8, 9, 11, 12, 14, 16, 25, and 26 of the '476 patent; and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) Pursuant to Commission Rule 210.50(b)(1), 19 CFR 210.50(b)(1), the presiding administrative law judge shall take evidence or other information and hear arguments from the parties and other interested persons with respect to the public interest in this investigation, as appropriate, and provide the Commission with findings of fact and a recommended determination on this issue, which shall be limited to the statutory public interest factors set forth in 19 U.S.C. 1337(d)(1), (f)(1), (g)(1).

(3) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainants are: Ericsson Inc., 6300 Legacy Drive, Plano, TX 75024.

Telefonaktiebolaget LM Ericsson, Torshamnsgatan 21, Kista, Stockholm, Sweden.

(b) The respondent is the following entity alleged to be in violation of section 337, and is the party upon which the complaint is to be served: Apple Inc., a/k/a Apple Computer, Inc., 1 Infinite Loop, Cupertino, CA 95014.

(c) The Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street SW., Suite 401, Washington, DC 20436; and

(4) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

A response to the complaint and the notice of investigation must be submitted by the named respondent in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 CFR 210.13. Pursuant to 19 CFR 201.16(e) and 210.13(a), such a response will be considered by the Commission if received not later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting a response to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of the respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.

Issued: March 30, 2015.

Lisa R. Barton,

Secretary to the Commission.

[FR Doc. 2015–07647 Filed 4–2–15; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

[OMB Number 1117–0024]

Agency Information Collection Activities; Proposed eCollection, eComments Requested; Extension Without Change of a Previously Approved Collection; Reports of Regulated Transactions Involving Extraordinary Quantities, Uncommon Methods of Payment, and Unusual/Excessive Loss or Disappearance, and Regulated Transactions in Tableting/Encapsulating Machines

AGENCY: Drug Enforcement Administration, Department of Justice.

ACTION: 30-day notice.

SUMMARY: The Department of Justice (DOJ), Drug Enforcement Administration (DEA), 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. This proposed information collection was previously published in the **Federal Register** at 80 FR 6766, February 06, 2015, allowing for a 60 day comment period.

DATES: Comments are encouraged and will be accepted for an additional 30 days until May 4, 2015.

SUPPLEMENTARY INFORMATION: 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 agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

—Evaluate whether and if so how the quality, utility, and clarity of the information proposed to be collected can be enhanced; 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 forms of information technology, *e.g.,* permitting electronic submission of responses.

Overview of This Information Collection

1. *Type of Information Collection:* Extension of a currently approved collection.

2. *Title of the Form/Collection:* Reports of Regulated Transactions Involving Extraordinary Quantities, Uncommon Methods of Payment, and Unusual/Excessive Loss or Disappearance, and Regulated Transactions in Tableting/Encapsulating Machines.

3. *The agency form number, if any, and the applicable component of the Department sponsoring the collection:* Notification of extraordinary quantities, uncommon methods of payment, and unusual/excessive loss or disappearance of listed chemicals and regulated transactions in tableting/encapsulating

machines is provided in writing on an as needed basis and does not require use of a form. The applicable component within the Department of Justice is the Drug Enforcement Administration, Office of Diversion Control.

4. *Affected public who will be asked or required to respond, as well as a brief abstract:* Affected public (Primary): Business or other for-profit.

Affected public (Other): Not-for-profit institutions; Federal, State, local, and tribal governments.

Abstract: Each regulated person is required to report any regulated transaction involving an extraordinary quantity of a listed chemical, an uncommon method of payment or delivery, any unusual or excessive loss or disappearance of a listed chemical, and any regulated transaction in a tableting or encapsulating machine, to include any domestic regulated transaction in a tableting or encapsulating machine and any import or export of a tableting or encapsulating machine. 21 U.S.C. 830 (b)(1)(A), (C) and (D); 21 CFR 1310.05(a)(1), (3) and (4); 21 CFR 1310.05(c).

Regulated persons include manufacturers, distributors, importers, and exporters of listed chemicals, tableting machines, or encapsulating machines, or persons who serve as brokers or traders for international transactions involving a listed chemical, tableting machine, or encapsulating machine. 21 CFR 1300.02(b).

5. *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* The DEA estimates that 63 persons respond as needed to this collection. Responses take 20 minutes.

6. *An estimate of the total public burden (in hours) associated with the proposed collection:* The DEA estimates that this collection takes 21 annual burden hours.

If additional information is required please contact: Jerri Murray, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE., Suite 3E.405B, Washington, DC 20530.

Jerri Murray,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2015–07666 Filed 4–2–15; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF JUSTICE

[OMB Number 1117–0012]

Agency Information Collection Activities; Proposed eCollection, eComments Requested; Extension Without Change of a Previously Approved Collection Application for Registration, Application for Registration Renewal, Affidavit for Chain Renewal (DEA Forms 225, 225a and 225b)

AGENCY: Drug Enforcement Administration, Department of Justice.

ACTION: 30-day notice.

SUMMARY: The Department of Justice (DOJ), Drug Enforcement Administration (DEA), 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. This proposed information collection was previously published in the **Federal Register** at 80 FR, page 5137, on January 30, 2015, allowing for a 60 day comment period.

DATES: Comments are encouraged and will be accepted for an additional 30 days until May 4, 2015.

SUPPLEMENTARY INFORMATION: 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 agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

—Evaluate whether and if so how the quality, utility, and clarity of the information proposed to be collected can be enhanced; 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 forms of information technology, *e.g.,* permitting electronic submission of responses.

Overview of This Information Collection

1. *Type of Information Collection:* Extension of a currently approved collection.

2. *Title of the Form/Collection:* Application for Registration, Application for Registration Renewal, Affidavit for Chain Renewal.

3. *The agency form number, if any, and the applicable component of the Department sponsoring the collection:* The form numbers are DEA Forms 225, 225a, and 225b. The applicable component within the Department of Justice is the Drug Enforcement Administration, Office of Diversion Control.

4. *Affected public who will be asked or required to respond, as well as a brief abstract:*

Affected public (Primary): Business or other for-profit.

A*ffected public (Other):* Not-for-profit institutions, Federal, State, local, and tribal governments.

Abstract: The Controlled Substances Act requires all businesses and individuals who manufacture, distribute, import, export, and conduct research and laboratory analysis with controlled substances to register with the DEA. 21 U.S.C. 822, 21 CFR 1301.11 and 1301.13. Registration is a necessary control measure that prevents diversion by ensuring the closed system of distribution of controlled substances can be monitored by the DEA and that the businesses and individuals handling controlled substances are qualified to do so and are accountable.

5. *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* DEA Form 225 is only for registration of controlled substance manufacturers, distributors, reverse distributors, importers, exporters, researchers, canine handlers, and analytical laboratories, as well as list 1 chemical manufacturers and importers. DEA Form 225 is submitted on an as-needed basis by persons seeking to become registered. DEA Form 225a is submitted annually thereafter to renew existing registrations. DEA Form 225b is submitted annually for renewals of chain registrants. Chain registrants are those corporations and laboratories that maintain separate registrations at multiple locations (*e.g.,* distributors) and may renew all their registrations using a single DEA Form 225b.

	Number of annual respondents	Average time per response **	Total annual hours
DEA–225 (paper)	334	0.33 hours (20 minutes)	111
DEA–225 (online)	2,157	0.17 hours (10 minutes)	360
DEA–225a (paper)	737	0.25 hours (15 minutes)	184
DEA–225a (online)	11,554	0.12 hours (7 minutes)	1,348
DEA–225b (chain renewal) * (paper)	5	1 hour	5
Total	14,787		2,008

* In total, 5 chains represent 138 specific registered locations.
** Figures are rounded.

6. *An estimate of the total public burden (in hours) associated with the collection:* The DEA estimates that there are 2,008 annual burden hours associated with this proposed collection.

If additional information is required please contact: Jerri Murray, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE., Suite 3E.405B, Washington, DC 20530.

Dated: March 31, 2015.

Jerri Murray,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2015–07664 Filed 4–2–15; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF JUSTICE

[OMB Number 1117–0015]

Agency Information Collection Activities; Proposed eCollection, eComments Requested; Extension Without Change of a Previously Approved Collection Application for Registration and Application for Registration Renewal (DEA Forms 363 and 363a)

AGENCY: Drug Enforcement Administration, Department of Justice.

ACTION: 30-day notice.

SUMMARY: The Department of Justice (DOJ), Drug Enforcement Administration (DEA), 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. This proposed information collection was previously published in the **Federal Register** at 80 FR 5138, on January 30, 2015, allowing for a 60 day comment period.

DATES: Comments are encouraged and will be accepted for an additional 30 days until May 4, 2015.

SUPPLEMENTARY INFORMATION: 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 agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

—Evaluate whether and if so how the quality, utility, and clarity of the information proposed to be collected can be enhanced; 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 forms of information technology, *e.g.,* permitting electronic submission of responses.

Overview of This Information Collection

1. *Type of Information Collection:* Extension of a currently approved collection.

2. *Title of the Form/Collection:* Application for Registration and Application for Registration Renewal.

3. *The agency form number, if any, and the applicable component of the Department sponsoring the collection:* The form numbers are DEA Forms 363 and 363a. The applicable component within the Department of Justice is the Drug Enforcement Administration, Office of Diversion Control.

4. *Affected public who will be asked or required to respond, as well as a brief abstract:*

Affected public (Primary): Business or other for-profit.

Affected public (Other): Not-for-profit institutions, Federal, State, local, and tribal governments.

Abstract: The Controlled Substances Act requires practitioners conducting narcotic treatment to register annually with DEA.[1] 21 U.S.C. 822, 823(g)(1); 21 CFR 1301.11, 1301.13. Registration is a necessary control measure that prevents diversion by ensuring the closed system of distribution of controlled substances can be monitored by DEA and that the businesses and individuals handling controlled substances are qualified to do so and are accountable.

5. *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* DEA Form 363 is only for registration of certain practitioners who dispense narcotic drugs to individuals for maintenance or detoxification treatment (or both). DEA Form 363 is submitted on an as needed basis by persons seeking to become registered; DEA Form 363a is submitted on an annual basis thereafter to renew existing registrations.

	Number of annual respondents	Average time per response *	Total annual hours
DEA–363 (paper)	17	0.33 hours (20 minutes)	6
DEA–363 (online)	135	0.13 hours (8 minutes)	18

[1] Pursuant to 21 U.S.C. 823(g)(2) this registration requirement is waived for certain practitioners under specified circumstances.

	Number of annual respondents	Average time per response *	Total annual hours
DEA–363a (paper)	141	0.25 hours (15 minutes)	35
DEA–363a (online)	1,141	0.10 hours (6 minutes)	114
Total	1,434		173

* Figures are rounded.

6. *An estimate of the total public burden (in hours) associated with the collection:* The DEA estimates that there are 173 annual burden hours associated with this proposed collection.

If additional information is required please contact: Jerri Murray, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE., Suite 3E.405B, Washington, DC 20530.

Dated: March 31, 2015.

Jerri Murray,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2015–07665 Filed 4–2–15; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF LABOR

Office of the Secretary

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Bureau of Labor Statistics Occupational Safety and Health Statistics Cooperative Agreement Application Package

ACTION: Notice.

SUMMARY: The Department of Labor (DOL) is submitting the Bureau of Labor Statistics (BLS) sponsored information collection request (ICR) revision titled, ''Bureau of Labor Statistics Occupational Safety and Health Statistics Cooperative Agreement Application Package,'' to the Office of Management and Budget (OMB) for review and approval for use in accordance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501 *et seq.*). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that agency receives on or before May 4, 2015.

ADDRESSES: A copy of this ICR with applicable supporting documentation; including a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained free of charge from the RegInfo.gov Web site at *http://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=201502-1220-007* (this link will only become active on the day following publication of this notice) or by contacting Michel Smyth by telephone at 202–693–4129, TTY 202–693–8064, (these are not toll-free numbers) or sending an email to *DOL_PRA_PUBLIC@dol.gov.*

Submit comments about this request by mail or courier to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for DOL–BLS, Office of Management and Budget, Room 10235, 725 17th Street NW., Washington, DC 20503; by Fax: 202–395–6881 (this is not a toll-free number); or by email: *OIRA_submission@omb.eop.gov.* Commenters are encouraged, but not required, to send a courtesy copy of any comments by mail or courier to the U.S. Department of Labor-OASAM, Office of the Chief Information Officer, Attn: Departmental Information Compliance Management Program, Room N1301, 200 Constitution Avenue NW., Washington, DC 20210; or by email: *DOL_PRA_PUBLIC@dol.gov.*

FOR FURTHER INFORMATION: Contact Michel Smyth by telephone at 202–693–4129, TTY 202–693–8064, (these are not toll-free numbers) or sending an email to *DOL_PRA_PUBLIC@dol.gov.*

SUPPLEMENTARY INFORMATION: This ICR seeks approval under the PRA for revisions to the Bureau of Labor Statistics Occupational Safety and Health Statistics Cooperative Agreement Application Package. The BLS signs cooperative agreements with States and their political subdivisions to assist them in developing and administering programs dealing with occupational safety and health statistics and to arrange through these agreements for research to further Occupational Safety and Health Act of 1970 (OSH Act) objectives. The BLS awards funds to a State through a Cooperative Agreement. The Cooperative Agreement package includes application instructions and materials as well as financial reporting, closeout, and other administrative requirements. This information collection has been classified as a revision, because of updates to the Fiscal Year 2015 agreement. BLS Authorizing Statute sections 1 and 2, OSH Act section 20, and Federal Grant and Cooperative Agreement Act of 1977 section 6 authorize this information collection. *See* 29 U.S.C. 1, 2, 669; 31 U.S.C. 6305.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless it is approved by the OMB under the PRA and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. *See* 5 CFR 1320.5(a) and 1320.6. The DOL obtains OMB approval for this information collection under Control Number 1220–0149. The current approval is scheduled to expire on May 31, 2015; however, the DOL notes that existing information collection requirements submitted to the OMB receive a month-to-month extension while they undergo review. New requirements would only take effect upon OMB approval. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on November 12, 2014 (79 FR 67194).

Interested parties are encouraged to send comments to the OMB, Office of Information and Regulatory Affairs at the address shown in the **ADDRESSES** section within thirty (30) days of publication of this notice in the **Federal Register**. In order to help ensure appropriate consideration, comments should mention OMB Control Number 1220–0149. The OMB is particularly interested in comments that:

- 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 agency's 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.

Agency: DOL–BLS.

Title of Collection: Bureau of Labor Statistics Occupational Safety and Health Statistics Cooperative Agreement Application Package.

OMB Control Number: 1220–0149.

Affected Public: State, Local, and Tribal Governments.

Total Estimated Number of Respondents: 54.

Total Estimated Number of Responses: 406.

Total Estimated Annual Time Burden: 367 hours.

Total Estimated Annual Other Costs Burden: $0.

Authority: 44 U.S.C. 3507(a)(1)(D).

Dated: March 31, 2015.

Michel Smyth,

Departmental Clearance Officer.

[FR Doc. 2015–07781 Filed 4–2–15; 8:45 am]

BILLING CODE 4510–26–P

DEPARTMENT OF LABOR

Office of the Secretary

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Labor Standards for the Registration of Apprenticeship Programs

ACTION: Notice.

SUMMARY: The Department of Labor (DOL) is submitting the Employment and Training Administration (ETA) sponsored information collection request (ICR) revision titled, ''Labor Standards for the Registration of Apprenticeship Programs,'' to the Office of Management and Budget (OMB) for review and approval for use in accordance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501 *et seq.*). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that agency receives on or before May 4, 2015.

ADDRESSES: A copy of this ICR with applicable supporting documentation; including a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained free of charge from the RegInfo.gov Web site at *http://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=201501-1205-001* (this link will only become active on the day following publication of this notice) or by contacting Michel Smyth by telephone at 202–693–4129, TTY 202–693–8064, (these are not toll-free numbers) or sending an email to *DOL_PRA_PUBLIC@dol.gov*.

Submit comments about this request by mail or courier to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for DOL–ETA, Office of Management and Budget, Room 10235, 725 17th Street NW., Washington, DC 20503; by Fax: 202–395–5806 (this is not a toll-free number); or by email: *OIRA_submission@omb.eop.gov*. Commenters are encouraged, but not required, to send a courtesy copy of any comments by mail or courier to the U.S. Department of Labor-OASAM, Office of the Chief Information Officer, Attn: Departmental Information Compliance Management Program, Room N1301, 200 Constitution Avenue NW., Washington, DC 20210; or by email: *DOL_PRA_PUBLIC@dol.gov*.

FOR FURTHER INFORMATION CONTACT: Michel Smyth by telephone at 202–693–4129, TTY 202–693–8064, (these are not toll-free numbers) or sending an email to *DOL_PRA_PUBLIC@dol.gov*.

Authority: 44 U.S.C. 3507(a)(1)(D).

SUPPLEMENTARY INFORMATION: This ICR seeks approval under the PRA for revisions to the Labor Standards for the Registration of Apprenticeship Programs information collection. Regulations 29 CFR part 29 sets forth labor standards to safeguard the welfare of apprentices and to extend the application of such standards by prescribing policies and procedures concerning registration of apprenticeship. This information collection, Program Registration and Apprenticeship Agreement (Form ETA–671), has two sections. The first records the sponsor's information and the second is for the apprentice's information. The sponsor completes both parts based on employment records. The relevant State agency/Office of Apprenticeship then reviews and signs the document. This information collection has been classified as a revision, because the YouthBuild Apprenticeship Trainee Registration (Form ETA–671A) is being discontinued since the program ended. In addition, changes are being to the form and accompanying instructions. The National Apprenticeship Act as Amended authorizes this collection. *See* 29 U.S.C. 50.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless it is approved by the OMB under the PRA and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. *See* 5 CFR 1320.5(a) and 1320.6. The DOL obtains OMB approval for this information collection under Control Number 1205–0223. The current approval is scheduled to expire on April 30, 2015; however, the DOL notes that existing information collection requirements submitted to the OMB receive a month-to-month extension while they undergo review. New requirements would only take effect upon OMB approval. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on November 26, 2014 (79 FR 70567).

Interested parties are encouraged to send comments to the OMB, Office of Information and Regulatory Affairs at the address shown in the **ADDRESSES** section within thirty (30) days of publication of this notice in the **Federal Register**. In order to help ensure appropriate consideration, comments should mention OMB Control Number 1205–0223. The OMB is particularly interested in comments that:

• 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 agency's 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.

Agency: DOL–ETA.

Title of Collection: Labor Standards for the Registration of Apprenticeship Programs.

OMB Control Number: 1205–0223.

Affected Public: Private Sector—businesses or other for-profits; Individuals and Households; State, Local, and Tribal Governments.

Total Estimated Number of Respondents: 141,129.

Total Estimated Number of Responses: 141,779.

Total Estimated Annual Time Burden: 14,775 hours.

Total Estimated Annual Other Costs Burden: $0.

Dated: March 30, 2015.

Michel Smyth,

Departmental Clearance Officer.

[FR Doc. 2015–07681 Filed 4–2–15; 8:45 am]

BILLING CODE 4510–FR–P

NUCLEAR REGULATORY COMMISSION

[NRC–2013–0161]

Missiles Generated by Extreme Winds

AGENCY: Nuclear Regulatory Commission.

ACTION: Standard review plan- section revision; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is issuing a final revision to the following section in Chapter 3 of NUREG–0800, ''Standard Review Plan (SRP) for the Review of Safety Analysis Reports for Nuclear Power Plants: LWR Edition,'' Section 3.5.1.4, ''Missiles Generated by Extreme Winds.''

DATES: The effective date of this Standard Review Plan revision is May 4, 2015.

ADDRESSES: Please refer to Docket ID NRC–2013–0161 when contacting the NRC about the availability of information regarding this document. You may obtain publicly-available information related to this document using any of the following methods:

- *Federal Rulemaking Web site:* Go to *http://www.regulations.gov* and search for Docket ID NRC–2013–0161. Address questions about NRC dockets to Carol Gallagher; telephone: 301–415–3463; email: *Carol.Gallagher@nrc.gov.* For technical questions, contact the individual(s) listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection 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 (if it available in ADAMS) is provided the first time that a document is referenced. The final revision for SRP Section 3.5.1.4, ''Missiles Generated by Extreme Winds,'' is available in ADAMS under Accession No. ML14190A180. The previously issued draft revision for public comment is available in ADAMS under Accession No. ML13043A004.
- The NRC posts its issued staff guidance on the NRC's external Web page: *http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr0800/.*

FOR FURTHER INFORMATION CONTACT: Jonathan DeGange, telephone: 301–415–6992; email: *Jonathan.DeGange@nrc.gov, or* Nishka Devaser, telephone: 301–415–5196; email: *Nishka.Devaser@nrc.gov,* both are staff of the Office of New Reactors, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

SUPPLEMENTARY INFORMATION:

I. Background

On August 8, 2013 (78 FR 48503), the NRC staff published for public comment the proposed revision to SRP Section 3.5.1.4, ''Missiles Generated by Extreme Winds.'' The staff received no comments on the proposed revision. The staff is issuing the guidance in final form for use. There have been no changes made to the guidance since it was issued in proposed form for public comment. Details of specific changes between current SRP guidance and the revised guidance issued here are included at the end of each of the revised sections themselves, under the ''Description of Changes,'' subsections.

II. Backfitting and Issue Finality

This SRP section revision provides guidance to the NRC staff for reviewing applications for a construction permit and an operating license under part 50 of Title 10 of the *Code of Federal Regulations* (10 CFR), with respect to the impacts of external missiles generated by tornadoes and extreme winds. The SRP also provides guidance for reviewing an application for a standard design approval; a standard design certification; a combined license; and a manufacturing license under 10 CFR part 52 with respect to those same subject matters.

Issuance of this final SRP section revision does not constitute backfitting as defined in 10 CFR 50.109 (the Backfit Rule) nor is it inconsistent with the issue finality provisions in 10 CFR part 52. The NRC's position is based upon the following considerations.

1. *The SRP positions would not constitute backfitting, inasmuch as the SRP is internal guidance to the NRC staff.*

The SRP provides internal guidance to the NRC staff on how to review an application for NRC regulatory approval in the form of licensing. Changes in internal staff guidance are not matters for which either nuclear power plant applicants or licensees are protected under either the Backfit Rule or the issue finality provisions of 10 CFR part 52.

2. *The NRC staff has no intention to impose the SRP positions on existing licensees and regulatory approvals either now or in the future.*

The NRC staff does not intend to impose or apply the positions described in the SRP to existing licenses and regulatory approvals. Hence, the issuance of this SRP—even if considered guidance within the purview of the issue finality provisions in 10 CFR part 52—does not need to be evaluated as if it were a backfit or as being inconsistent with issue finality provisions. If, in the future, the NRC staff seeks to impose a position in the SRP on holders of already-issued licenses in a manner that does not provide issue finality as described in the applicable issue finality provision, then the staff must make the showing as set forth in the Backfit Rule or address the criteria for avoiding issue finality as described in the applicable issue finality provision.

3. *Backfitting and issue finality do not—with limited exceptions not applicable here—protect current or future applicants.*

Applicants and potential applicants are not, with certain exceptions, protected by either the Backfit Rule or any issue finality provisions under 10 CFR part 52. Neither the Backfit Rule nor the issue finality provisions under 10 CFR part 52—with certain exclusions—were intended to apply to every NRC action that substantially changes the expectations of current and future applicants.

The exceptions to the general principle are applicable whenever an applicant references a 10 CFR part 52 license (*e.g.,* an early site permit) or NRC regulatory approval (*e.g.,* a design certification rule) with specified issue

finality provisions. The staff does not, at this time, intend to impose the positions represented in the SRP in a manner that is inconsistent with any issue finality provisions. If, in the future, the staff seeks to impose a position in the SRP section in a manner that does not provide issue finality as described in the applicable issue finality provision, then the staff must address the criteria for avoiding issue finality as described in the applicable issue finality provision.

III. Congressional Review Act

This action is a rule as defined in the Congressional Review Act (5 U.S.C. 801–808). However, the Office of Management and Budget has not found it to be a major rule as defined in the Congressional Review Act.

Dated at Rockville, Maryland, this 24th day of March, 2015. For the Nuclear Regulatory Commission.

Joseph Colaccino,

Chief, New Reactor Rulemaking and Guidance Branch, Division of Advanced Reactors and Rulemaking, Office of New Reactors.

[FR Doc. 2015–07709 Filed 4–2–15; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2008–0252; Docket Nos. 52–025 & 52–026; Combined License Nos. NPF–91 & NPF–92]

In the Matter of Municipal Electric Authority of Georgia (Vogtle Electric Generating Plant, Units 3 & 4); Order Extending the Date by Which the Direct Transfer of Licenses Is To Be Completed

I

Georgia Power Company, Oglethorpe Power Corporation, Municipal Electric Authority of Georgia (MEAG Power), the City of Dalton, Georgia, an incorporated municipality in the State of Georgia citing by and through its Board of Water, Light and Sinking Fund Commissioners (City of Dalton), and Southern Nuclear Operating Co., Inc. (SNC) (collectively, the owners) are holders of combined license (COL) Nos. NPF–91 and NPF–92. These COLs authorize SNC to construct, possess, use, and operate Vogtle Electric Generating Plant (VEGP), Units 3 and 4, and the owners to possess but not operate VEGP, Units 3 and 4. The facility, which is currently under construction, is adjacent to existing VEGP, Units 1 and 2, on a 3,169-acre coastal plain bluff on the southwest side of the Savannah River in eastern Burke County, GA. The facility is approximately 15 miles east-northeast of Waynesboro, GA, and 26 miles southeast of Augusta, GA.

II

The U.S. Nuclear Regulatory Commission's (NRC's) order, dated April 29, 2014, approved three direct transfers of portions of MEAG Power's 22.7 percent undivided ownership interest in VEGP, Units 3 and 4. Each of these three transfers may occur independently of, or in conjunction with, the others, as follows:

(1) Transfer of a 7.6886571 percent undivided interest in VEGP, Units 3 and 4, from MEAG Power to MEAG Power SPVM, LLC (Project M);

(2) transfer of a 9.3466423 percent undivided interest in VEGP, Units 3 and 4, from MEAG Power to MEAG Power SPVJ, LLC (Project J); and

(3) transfer of a 5.6647006 percent undivided interest in VEGP, Units 3 and 4, from MEAG Power to MEAG Power SPVP, LCC (Project P).

The application for the transfers was in connection with the finalization of three loans from the U.S. Federal Finance Bank (U.S. FFB) or one or more third-party lenders to be guaranteed by the U.S. Department of Energy (DOE) through its loan guarantee program for the development of advanced nuclear energy facilities. By its terms, the April 29, 2014, order stated that, ''Should the transfer of the license not be completed within one year of this Order's date of issue, this Order shall become null and void, provided, however, that upon written application and for good cause shown, such date may be extended by order.''

III

By letter dated February 12, 2015, SNC on behalf of MEAG Power requested that the April 29, 2014, order be extended by 6 months, to October 29, 2015. SNC, in its February 12, 2015, letter states that:

> Diligent efforts have been made to negotiate the definitive financing agreements with the DOE. Those negotiations have, for the most part, concluded. However, certain provisions in those agreements necessitated amendments to preexisting long term ''cost passthrough [sic]'' contracts between MEAG Power and the counterparties (offtakers) to those contracts. While those negotiations took much longer than MEAG Power anticipated when the license transfer application was submitted in December 2013, those negotiations have concluded, and amended contracts, dated December 31, 2014, were executed by MEAG Power and each of the offtakers. In addition, on December 23, 2014, MEAG Power's board approved, in substantially final form, the definitive financing agreements among MEAG Power, the Project Companies, and DOE. All that remains at this juncture is the receipt of certain promissory notes and other financing documents from the U.S. FFB. At that point, MEAG Power will be in a position to cause judicial proceedings to be instituted in State court to validate the DOE-guaranteed loans (including the definitive agreements) and the new offtake arrangements with the project companies and to re-validate the existing arrangements (including the bond resolutions and the amended offtake arrangements with the offtakers), all of which include a validation of the enforceability of all of these arrangements in connection with the planned DOE-guaranteed loans. In addition to the validation proceedings, DOE must also conclude its internal agency review of the definitive agreements, which includes input from the U.S. Office of Management and Budget (OMB). While MEAG Power is optimistic that the judicial proceedings will result in validation of the agreements and amended bond resolutions, which is a condition of the financial closing of the DOE-guaranteed loans from the U.S. FFB, and that DOE and OMB will favorably review the definitive loan agreements, it is difficult to be certain that the final Federal review will be concluded and the required State court order will be issued in time to support a closing of the transactions by April 29, 2015.

SNC further states that there have been no changes in the information and technical and financial qualifications presented in its December 2, 2013, request to transfer the licenses. Moreover, the basis for granting that request has not changed and remains valid. The NRC staff notes that its basis for approving the transfers of MEAG Power's licenses for VEGP, Units 3 and 4, is documented in its safety evaluation supporting the April 29, 2014, order. Based on the foregoing representations of SNC, the NRC staff concludes that the basis for approval has not changed since the issuance of the April 29, 2014, order.

The NRC staff has considered the submittal of February 12, 2015, and has determined that good cause has been shown to extend by 6 months, until October 29, 2015, the date by which the license transfers must be completed.

IV

Accordingly, under Sections 161b, 161i, and 184 of the Act, 42 U.S.C. Sections 2201(b), 2201(i), and 2234; and under Title 10, ''Energy,'' of the *Code of Federal Regulations* Part 50.80, ''Transfers of Licenses—Creditors' Rights—Surrender of Licenses,'' *It Is Hereby Ordered* that the order granting the direct license transfer, ''Order Approving Transfer of License and Conforming Amendment,'' dated April 29, 2014, be extended by 6 months, to October 29, 2015. If the proposed direct transfer of licenses is not completed by October 29, 2015, this order and the

April 29, 2014, order shall become null and void. However, upon written application and for good cause shown, the October 29, 2015, date may be extended by further order.

This order is effective upon issuance. The order of April 29, 2014, as modified by this order, remains in full force and effect.

For further details with respect to this order, see the submittal dated February 12, 2015, which is available for public inspection at the Commission's Public Document Room (PDR), at One White Flint North, 11555 Rockville Pike, Room O–1 F21 (First Floor), Rockville, Maryland and accessible electronically from the Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, *http://www.nrc.gov/reading-rm/adams.html.* Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS should contact the NRC PDR Reference staff by telephone at 1–800–397–4209, 301–415–4737, or by email to *pdr@nrc.gov.*

Dated at Rockville, Maryland, this 27th day of March 2015.

For The Nuclear Regulatory Commission.

Glenn M. Tracy,

Director, Office of New Reactors.

[FR Doc. 2015–07710 Filed 4–2–15; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISISON

[NRC–2015–0076]

Privacy Act of 1974; Republication of Systems of Records Notices; Correction

AGENCY: Nuclear Regulatory Commission.

ACTION: Republication of systems of records notices; request for comment; correction.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is correcting a notice that was published in the **Federal Register** (FR) on March 30, 2015, regarding republication of systems of records notices. This action is necessary to correct the Docket ID.

DATES: The correction is effective April 3, 2015.

ADDRESSES: Please refer to Docket ID NRC–2015–0076 when contacting the NRC about the availability of information regarding this document. You may obtain publicly-available information related to this document using any of the following methods:

- *Federal Rulemaking Web site:* Go to *http://www.regulations.gov* and search for Docket ID NRC–2015–0076. Address questions about NRC dockets to Carol Gallagher; telephone: 301–415–3463; 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 obtain publicly available documents online in the ADAMS Public Documents collection 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.
- *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: Sally Hardy, Office of Information Services, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, telephone: 301–415–5607; email: *Sally.Hardy@nrc.gov.*

SUPPLEMENTARY INFORMATION: In the FR of March 30, 2015, in FR Doc. 2015–07186, on page 16924, in the heading and in the second, sixth, and seventh paragraphs of the second column, and in the second paragraph of the third column, ''NRC–2015–0072'' is corrected to read ''NRC–2015–0076.''

Dated at Rockville, Maryland, this 30th day of March, 2015.

For the Nuclear Regulatory Commission.

Cindy Bladey,

Chief, Rules, Announcements, and Directives Branch, Division of Administrative Services, Office of Administration.

[FR Doc. 2015–07703 Filed 4–2–15; 8:45 am]

BILLING CODE 7590–01–P

OFFICE OF PERSONNEL MANAGEMENT

Civil Service Retirement System; Present Value Factors

AGENCY: Office of Personnel Management.

ACTION: Notice.

SUMMARY: The Office of Personnel Management (OPM) is providing notice of adjusted present value factors applicable to retirees under the Civil Service Retirement System (CSRS) who elect to provide survivor annuity benefits to a spouse based on post-retirement marriage; to retiring employees who elect the alternative form of annuity, owe certain redeposits based on refunds of contributions for service ending before March 1, 1991, or elect to credit certain service with nonappropriated fund instrumentalities; or, for individuals with certain types of retirement coverage errors who can elect to receive credit for service by taking an actuarial reduction under the provisions of the Federal Erroneous Retirement Coverage Correction Act. This notice is necessary to conform the present value factors to changes in the economic and demographic assumptions adopted by the Board of Actuaries of the Civil Service Retirement System.

DATES: The revised present value factors apply to survivor reductions or employee annuities that commence on or after October 1, 2015.

ADDRESSES: Send requests for actuarial assumptions and data to the Board of Actuaries, care of Gregory Kissel, Senior Actuary, Office of Planning and Policy Analysis, Office of Personnel Management, Room 4307, 1900 E Street NW., Washington, DC 20415.

FOR FURTHER INFORMATION CONTACT: Karla Yeakle, (202) 606–0299.

SUPPLEMENTARY INFORMATION: Several provisions of CSRS require reduction of annuities on an actuarial basis. Under each of these provisions, OPM is required to issue regulations on the method of determining the reduction to ensure that the present value of the reduced annuity plus a lump-sum equals, to the extent practicable, the present value of the unreduced benefit. The regulations for each of these benefits provide that OPM will publish a notice in the **Federal Register** whenever it changes the factors used to compute the present values of these benefits.

Section 831.2205(a) of title 5, Code of Federal Regulations, prescribes the method for computing the reduction in the beginning rate of annuity payable to a retiree who elects an alternative form of annuity under 5 U.S.C. 8343a. That reduction is required to produce an annuity that is the actuarial equivalent of the annuity of a retiree who does not elect an alternative form of annuity. The present value factors listed below are used to compute the annuity reduction under section 831.2205(a) of title 5, Code of Federal Regulations.

Section 831.303(c) of title 5, Code of Federal Regulations, prescribes the use of these factors for computing the reduction to complete payment of certain redeposits of refunded deductions based on periods of service that ended before March 1, 1991, under section 8334(d)(2) of title 5, United States Code; section 1902 of the National Defense Authorization Act for Fiscal Year 2010, Public Law 111–84.

Section 831.663 of Title 5, Code of Federal Regulations, prescribes the use of similar factors for computing the reduction required for certain elections to provide survivor annuity benefits based on a post-retirement marriage under section 8339(j)(5)(C) or (k)(2) of title 5, United States Code. Under section 11004 of the Omnibus Budget Reconciliation Act of 1993, Public Law 103–66, effective October 1, 1993, OPM ceased collection of these survivor election deposits by means of either a lump-sum payment or installments. Instead, OPM is required to establish a permanent actuarial reduction in the annuity of the retiree. This means that OPM must take the amount of the deposit computed under the old law and translate it into a lifetime reduction in the retiree's benefit.

Subpart F of part 847 of title 5, Code of Federal Regulations, prescribes the use of similar factors for computing the deficiency the retiree must pay to receive credit for certain service with nonappropriated fund instrumentalities made creditable by an election under section 1043 of Public Law 104–106. Subpart I of part 847 of title 5, Code of Federal Regulations, prescribes the use of present value factors for employees that elect to credit nonappropriated fund instrumentality service to qualify for immediate retirement under section 1132 of Public Law 107–107.

Sections 839.1114–1121 of title 5, Code of Federal Regulations, prescribes the use of these factors for computing the reduction required for certain service credit deposits, Government Thrift Savings Plan contributions, or for previous payment of the FERS Basic Employee Death Benefit in annuities subject to the Federal Erroneous Retirement Coverage Corrections Act (FERCCA) under the provisions of Public Law 106–265. Retirees and survivors who owe a larger deposit because of a retirement coverage error can choose to pay the additional deposit amount or their annuity will be actuarially reduced to account for the deposit amount that remains unpaid. Additionally, retirees and survivors of deceased employees who received Government contributions to their Thrift Savings Plan account after being corrected to FERS and who later elect CSRS Offset under FERCCA keep the Government contributions and associated earnings in their Thrift Savings Plan account. Instead of adjusting the Thrift Savings Plan account, FERCCA requires that the CSRS-Offset annuity be actuarially reduced. Also, survivors that received the FERS Basic Employee Death Benefit and elect CSRS Offset under FERCCA do not have to pay back the Basic Employee Death Benefit. Instead, OPM actuarially reduces the survivor annuity payable. These reductions under FERCCA allow the annuity to be actuarially reduced in a way that, on average, allows the Fund to recover the amount of the missing lump sum over the recipient's lifetime.

The present value factors currently in effect were published by OPM (79 FR 29225) on May 21, 2014. On April 3, 2015, OPM published a notice to revise the normal cost percentage under the Federal Employees' Retirement System (FERS) Act of 1986, Public Law 99–335, based on changed demographic assumptions adopted by the Board of Actuaries of the CSRS. Those changes require corresponding changes in CSRS normal costs and present value factors used to produce actuarially equivalent benefits when required by the Civil Service Retirement Act. The revised factors will become effective on October 1, 2015, to correspond with the changes in CSRS normal cost percentages. For alternative forms of annuity and redeposits of employee contributions, the new factors will apply to annuities that commence on or after October 1, 2015. See 5 CFR 831.2205 and 831.303(c). For survivor election deposits, the new factors will apply to survivor reductions that commence on or after October 1, 2015. See 5 CFR 831.663(c) and (d). For obtaining credit for service with certain nonappropriated fund instrumentalities, the new factors will apply to cases in which the date of computation under sections 847.603 or 847.809 of title 5, Code of Federal Regulations, is on or after October 1, 2015. See 5 CFR § 847.602(c), 847.603, and 847.809. For retirement coverage corrections under FERCCA, the new factors will apply to annuities that commence on or after October 1, 2015, or in the case of previous payment of the Basic Employee Death Benefit, the new factors will apply to deaths occurring on or after October 1, 2015. See 5 CFR 839.1114–1121 and 5 CFR 831.303(d).

OPM is, therefore, revising the tables of present value factors to read as follows:

CSRS PRESENT VALUE FACTORS APPLICABLE TO ANNUITY PAYABLE FOLLOWING AN ELECTION UNDER SECTION 8339(J) OR (K) OR SECTION 8343A OF TITLE 5, UNITED STATES CODE, OR UNDER SECTION 1043 OF PUBLIC LAW 104–106 OR UNDER SECTION 1132 OF PUBLIC LAW 107–107 OR UNDER FERCCA OR FOLLOWING A REDEPOSIT UNDER SECTION 8334(D)(2) OF TITLE 5, UNITED STATES CODE

Age	Present value factor
40	329.9
41	325.9
42	321.8
43	317.5
44	313.1
45	308.5
46	303.8
47	299.0
48	294.2
49	289.4
50	284.5
51	279.6
52	274.5
53	269.2
54	263.7
55	258.0
56	252.1
57	246.2
58	240.1
59	233.8
60	227.5
61	221.1
62	214.6
63	208.0
64	201.3
65	194.6
66	187.9
67	181.1
68	174.3
69	167.5
70	160.6
71	153.8
72	147.0
73	140.2
74	133.5
75	126.9
76	120.5
77	114.2
78	108.0
79	102.0
80	96.2
81	90.5
82	85.1
83	79.8
84	74.8
85	69.9
86	65.3
87	60.8
88	56.6
89	52.6
90	48.8
91	45.4
92	42.2
93	39.2
94	36.5
95	34.2
96	32.1
97	30.2

CSRS PRESENT VALUE FACTORS APPLICABLE TO ANNUITY PAYABLE FOLLOWING AN ELECTION UNDER SECTION 8339(J) OR (K) OR SECTION 8343A OF TITLE 5, UNITED STATES CODE, OR UNDER SECTION 1043 OF PUBLIC LAW 104–106 OR UNDER SECTION 1132 OF PUBLIC LAW 107–107 OR UNDER FERCCA OR FOLLOWING A REDEPOSIT UNDER SECTION 8334(D)(2) OF TITLE 5, UNITED STATES CODE—Continued

Age	Present value factor
98	28.4
99	26.7
100	25.1
101	23.9
102	22.6
103	21.3
104	20.3
105	19.5
106	18.5
107	16.5
108	12.9
109	6.4

CSRS PRESENT VALUE FACTORS APPLICABLE TO ANNUITY PAYABLE FOLLOWING AN ELECTION UNDER SECTION 1043 OF PUBLIC LAW 104–106 OR UNDER SECTION 1132 OF PUBLIC LAW 107–107 OR UNDER FERCCA

[For ages at calculation below 40]

Age at calculation	Present value of a monthly annuity
17	402.6
18	400.1
19	397.6
20	395.0
21	392.3
22	389.6
23	386.8
24	384.0
25	381.1
26	378.2
27	375.2
28	372.1
29	369.0
30	365.8
31	362.5
32	359.2
33	355.8
34	352.4
35	348.8
36	345.2
37	341.5
38	337.7
39	333.9

U.S. Office of Personnel Management.

Katherine Archuleta,

Director.

[FR Doc. 2015–07677 Filed 4–2–15; 8:45 am]

BILLING CODE 6325–38–P

OFFICE OF PERSONNEL MANAGEMENT

Federal Employees' Retirement System; Present Value Factors

AGENCY: Office of Personnel Management.

ACTION: Notice.

SUMMARY: The Office of Personnel Management (OPM) is providing notice of adjusted present value factors applicable to retirees who elect to provide survivor annuity benefits to a spouse based on post-retirement marriage, and to retiring employees who elect the alternative form of annuity or elect to credit certain service with nonappropriated fund instrumentalities. This notice is necessary to conform the present value factors to changes in the economic and demographic assumptions adopted by the Board of Actuaries of the Civil Service Retirement System.

DATES: The revised present value factors apply to survivor reductions or employee annuities that commence on or after October 1, 2015.

ADDRESSES: Send requests for actuarial assumptions and data to the Board of Actuaries, care of Gregory Kissel, Senior Actuary, Office of Planning and Policy Analysis, Office of Personnel Management, Room 4307, 1900 E Street NW., Washington, DC 20415.

FOR FURTHER INFORMATION CONTACT: Karla Yeakle, (202) 606–0299.

SUPPLEMENTARY INFORMATION: Several provisions of the Federal Employees' Retirement System (FERS) require reduction of annuities on an actuarial basis. Under each of these provisions, OPM is required to issue regulations on the method of determining the reduction to ensure that the present value of the reduced annuity plus a lump-sum equals, to the extent practicable, the present value of the unreduced benefit. The regulations for each of these benefits provide that OPM will publish a notice in the **Federal Register** whenever it changes the factors used to compute the present values of these benefits.

Section 842.706(a) of title 5, Code of Federal Regulations, prescribes the method for computing the reduction in the beginning rate of annuity payable to a retiree who elects an alternative form of annuity under 5 U.S.C. 8420a. That reduction is required to produce an annuity that is the actuarial equivalent of the annuity of a retiree who does not elect an alternative form of annuity. The present value factors listed below are used to compute the annuity reduction under 5 CFR 842.706(a).

Section 842.615 of title 5, Code of Federal Regulations, prescribes the use of these factors for computing the reduction required for certain elections to provide survivor annuity benefits based on a post-retirement marriage or divorce under 5 U.S.C. 8416(b), 8416(c), or section 8417(b). Under section 11004 of the Omnibus Budget Reconciliation Act of 1993, Public Law 103–66, effective October 1, 1993, OPM ceased collection of these survivor election deposits by means of either a lump-sum payment or installments. Instead, OPM is required to establish a permanent actuarial reduction in the annuity of the retiree. This means that OPM must take the amount of the deposit computed under the old law and translate it into a lifetime reduction in the retiree's benefit.

Subpart F of part 847 of title 5, Code of Federal Regulations, prescribes the use of present value factors for computing the deficiency the retiree must pay to receive credit for certain service with nonappropriated fund instrumentalities made creditable by an election under section 1043 of Public Law 104–106. Subpart I of part 847 of title 5, Code of Federal Regulations, prescribes the use of present value factors for employees that elect to credit nonappropriated fund instrumentality service to qualify for immediate retirement under section 1132 of Public Law 107–107.

OPM published the present value factors currently in effect on May 21, 2014, at 79 FR 29222 and on April 3, 2015, OPM published a notice to revise the normal cost percentage under the Federal Employees' Retirement System (FERS) Act of 1986, Public Law 99–335, based on changed demographic assumptions adopted by the Board of Actuaries of the Civil Service Retirement System. Under 5 U.S.C. 8461(i), those changes require corresponding changes in the present value factors used to produce actuarially equivalent benefits when required by the FERS Act. The revised factors will become effective on October 1, 2015, to correspond with the changes in FERS normal cost percentages. For alternative forms of annuity, the new factors will apply to annuities that commence on or after October 1, 2015. See 5 CFR 842.706. For survivor election deposits, the new factors will apply to survivor

reductions that commence on or after October 1, 2015. See 5 CFR 842.615(b). For obtaining credit for service with certain nonappropriated fund instrumentalities, the new factors will apply to cases in which the date of computation under 5 CFR 847.603 or 847.809 is on or after October 1, 2015. See 5 CFR 847.602(c), 847.603, and 847.809.

OPM is, therefore, revising the tables of present value factors to read as follows:

TABLE I—FERS PRESENT VALUE FACTORS FOR AGES 62 AND OLDER

[Applicable to annuity payable following an election under 5 U.S.C. 8416(b), 8416(c), 8417(b), 8420a, under section 1043 of Public Law 104–106, or under section 1132 of Public Law 107–107]

Age	Present value factor
62	200.8
63	195.0
64	189.1
65	183.2
66	177.2
67	171.2
68	165.1
69	158.9
70	152.8
71	146.6
72	140.4
73	134.2
74	128.0
75	121.9
76	116.0
77	110.1
78	104.3
79	98.7
80	93.2
81	87.9
82	82.7
83	77.8
84	72.9
85	68.3
86	63.9
87	59.6
88	55.5
89	51.6
90	48.0
91	44.7
92	41.6
93	38.7
94	36.1
95	33.8
96	31.7
97	29.9
98	28.1
99	26.4
100	24.9
101	23.7
102	22.5
103	21.2
104	20.2
105	19.4
106	18.4
107	16.5
108	12.9
109	6.4

TABLE II.A—FERS PRESENT VALUE FACTORS FOR AGES 40 THROUGH 61

[Applicable to annuity payable when annuity is not increased by cost-of-living adjustments before age 62 following an election under 5 U.S.C. 8416(b), 8416(c), 8417(b), 8420a, under section 1043 of Public Law 104–106, or under section 1132 of Public Law 107–107]

Age	Present value factor
40	216.8
41	216.5
42	216.1
43	215.6
44	215.1
45	214.6
46	214.0
47	213.4
48	212.8
49	212.2
50	211.7
51	211.1
52	210.5
53	209.8
54	209.0
55	208.2
56	207.2
57	206.2
58	205.1
59	204.1
60	203.0
61	201.9

TABLE II.B—FERS PRESENT VALUE FACTORS FOR AGES 40 THROUGH 61

[Applicable to annuity payable when annuity is increased by cost-of-living adjustments before age 62 following an election under 5 U.S.C. 8416(b), 8416(c), 8417(b), or 8420a, under section 1043 of Public Law 104–106, or under section 1132 of Public Law 107–107]

Age	Present value factor
40	295.8
41	292.7
42	289.5
43	286.2
44	282.7
45	279.1
46	275.4
47	271.6
48	267.7
49	263.8
50	259.9
51	255.8
52	251.7
53	247.3
54	242.8
55	238.0
56	233.0
57	228.0
58	222.8
59	217.4
60	212.0
61	206.4

TABLE III—FERS PRESENT VALUE FACTORS FOR AGES AT CALCULATION BELOW 40

[Applicable to annuity payable following an election under section 1043 of Public Law 104–106 or under section 1132 of Public Law 107–107]

Age at calculation	Present value of a monthly annuity
17	348.5
18	346.8
19	345.1
20	343.3
21	341.4
22	339.5
23	337.6
24	335.6
25	333.6
26	331.5
27	329.4
28	327.2
29	324.9
30	322.6
31	320.2
32	317.8
33	315.3
34	312.7
35	310.1
36	307.4
37	304.6
38	301.7
39	298.8

U.S. Office of Personnel Management.

Katherine Archuleta,

Director.

[FR Doc. 2015–07694 Filed 4–2–15; 8:45 am]

BILLING CODE 6325–38–P

OFFICE OF PERSONNEL MANAGEMENT

Submission for Review: Report of Withholdings and Contributions for Health Benefits, Life Insurance and Retirement (Standard Form 2812); Report of Withholdings and Contributions for Health Benefits By Enrollment Code (Standard Form 2812–A); Supplemental Semiannual Headcount Report (OPM Form 1523), 3206–0262

AGENCY: Office of Personnel Management.

ACTION: 30-day notice and request for comments.

SUMMARY: Trust Funds Group of the Office of Chief Financial Officer, Office of Personnel Management (OPM) offers the general public and other Federal agencies the opportunity to comment on changes to the existing information collection request (ICR) 3206–0262, Standard Form 2812, Standard Form 2812–A, and OPM Form 1523. As

required by the Paperwork Reduction Act of 1995, (Pub. L. 104–13, 44 U.S.C. chapter 35) as amended by the Clinger-Cohen Act (Pub. L. 104–106), OPM is soliciting comments for this collection. The information collection was previously published in the **Federal Register** on December 8, 2014 at Volume 79 FR 72710 allowing for a 60-day public comment period. No comments were received for this information collection. The purpose of this notice is to allow an additional 30 days for public comments.

DATES: Comments are encouraged and will be accepted until May 4, 2015. This process is conducted in accordance with 5 CFR 1320.1.

ADDRESSES: Interested persons are invited to submit written comments on the proposed information collection to the Office of Information and Regulatory Affairs, Office of Management Budget, 725 17th Street NW., Washington, DC 20503, Attention: Desk Officer for the Office of Personnel Management or sent via electronic mail to *oira_submission@omb.eop.gov* or faxed to (202) 395–6974.

FOR FURTHER INFORMATION CONTACT: A copy of this ICR, with applicable supporting documentation, may be obtained by contacting the Office of Information and Regulatory Affairs, Office of Management Budget, 725 17th Street NW., Washington, DC 20503, Attention: Desk Officer for the Office of Personnel Management or sent via electronic mail to *oira_submission@omb.eop.gov* or faxed to (202) 395–6974.

SUPPLEMENTARY INFORMATION: The Office of Management and Budget is particularly interested in comments that:

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 submissions of responses.

Section 401 of the ''Bipartisan Budget Act of 2013,'' signed into law by the President on December 26, 2013, makes another change to the Federal Employees' Retirement System (FERS). Beginning January 1, 2014, new employees (as designated in the statute) will have to pay higher employee contributions, an increase of 1.3 percent of salary above the percentage set for the FERS Revised Annuity Employees (RAE). Section 8401 of Title 5, United States Code, has been amended to add a new definition of FERS Further Revised Annuity Employees (FRAE). With one exception, there is no difference in the FERS basic benefit paid to FERS, FERS–RAE, and FERS–FRAE employees. (The FERS basic benefit for congressional employees and Members of Congress under FERS–RAE and FERS–FRAE is different than the basic benefit paid to those groups under FERS.)

Analysis

Agency: Trust Funds Group of the Office of Chief Financial Officer, Office of Personnel Management.

Title: (1) Report of Withholdings and Contributions for Health Benefits, Life Insurance and Retirement (Standard Form 2812); (2) Report of Withholdings and Contributions for Health Benefits By Enrollment Code (Standard Form 2812–A); (3) Supplemental Semiannual Headcount Report (OPM Form 1523).

OMB Number: 3206–0262.

Affected Public: Public Entities with Federal Employees and Retirees.

Number of Respondents: 100.

Estimated Time per Respondent: 30 minutes.

Total Burden Hours: 2,700.

U.S. Office of Personnel Management.

Katherine Archuleta,

Director.

[FR Doc. 2015–07658 Filed 4–2–15; 8:45 am]

BILLING CODE 6325–23–P

POSTAL REGULATORY COMMISSION

[Docket Nos. CP2014–1; Order No. 2417]

New Postal Product

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is noticing a recent Postal Service filing concerning an Amendment to the existing Parcel Select and Parcel Return Service Contract 5 negotiated service agreement. This notice informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* April 6, 2015.

ADDRESSES: Submit comments electronically via the Commission's Filing Online system at *http://www.prc.gov.* Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

FOR FURTHER INFORMATION CONTACT: David A. Trissell, General Counsel, at 202–789–6820.

SUPPLEMENTARY INFORMATION:

Table of Contents

I. Introduction
II. Notice of Filings
III. Ordering Paragraphs

I. Introduction

On March 27, 2015, the Postal Service filed notice that it has agreed to an Amendment to the existing Parcel Select & Parcel Return Service Contract 5 negotiated service agreement approved in this docket.[1] In support of its Notice, the Postal Service includes a redacted copy of the Amendment.

The Postal Service also filed the unredacted Amendment under seal. The Postal Service seeks to incorporate by reference the Application for Non-Public Treatment originally filed in this docket for the protection of information that it has filed under seal. Notice at 1.

The Amendment adds a new section, Section I.M., to the contract. *Id.* Attachment A at 1. The Postal Service intends for the Amendment to become effective one business day after the date that the Commission issues all necessary regulatory approval. *Id.* The Postal Service asserts that the Amendment will not materially affect the cost coverage of the contract and represents that the supporting financial documentation and financial certification initially provided for Parcel Select & Parcel Return Service Contract 5 remain applicable. Notice at 1.

II. Notice of Filings

The Commission invites comments on whether the changes presented in the Postal Service's Notice are consistent with the policies of 39 U.S.C. 3632, 3633, or 3642, 39 CFR 3015.5, and 39 CFR part 3020, subpart B. Comments are due no later than April 6, 2015. The public portions of these filings can be accessed via the Commission's Web site (*http://www.prc.gov*).

The Commission appoints Cassie D'Souza to represent the interests of the

[1] Notice of United States Postal Service of Amendment to Parcel Select and Parcel Return Service Contract 5, with Portions Filed Under Seal, March 27, 2015 (Notice).

general public (Public Representative) in this docket.

III. Ordering Paragraphs

It is ordered:

1. The Commission reopens Docket No. CP2014–1 for consideration of matters raised by the Postal Service's Notice.

2. Pursuant to 39 U.S.C. 505, the Commission appoints Cassie D'Souza to serve as an officer of the Commission (Public Representative) to represent the interests of the general public in this proceeding.

3. Comments are due no later than April 6, 2015.

4. The Secretary shall arrange for publication of this order in the **Federal Register**.

By the Commission.

Shoshana M. Grove,

Secretary.

[FR Doc. 2015–07615 Filed 4–2–15; 8:45 am]

BILLING CODE 7710–FW–P

POSTAL REGULATORY COMMISSION

[Docket Nos. MC2015–44 and CP2015–55; Order No. 2419]

New Postal Product

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is noticing a recent Postal Service filing concerning an addition of Parcel Select Contract 9 to the competitive product list. This notice informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* April 7, 2015.

ADDRESSES: Submit comments electronically via the Commission's Filing Online system at *http://www.prc.gov.* Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

FOR FURTHER INFORMATION CONTACT: David A. Trissell, General Counsel, at 202–789–6820.

SUPPLEMENTARY INFORMATION:

Table of Contents

I. Introduction
II. Notice of Commission Action
III. Ordering Paragraphs

I. Introduction

In accordance with 39 U.S.C. 3642 and 39 CFR 3020.30 *et seq.,* the Postal Service filed a formal request and associated supporting information to add Parcel Select Contract 9 to the competitive product list.[1]

The Postal Service contemporaneously filed a redacted contract related to the proposed new product under 39 U.S.C. 3632(b)(3) and 39 CFR 3015.5. *Id.* Attachment B.

To support its Request, the Postal Service filed a copy of the contract, a copy of the Governors' Decision authorizing the product, proposed changes to the Mail Classification Schedule, a Statement of Supporting Justification, a certification of compliance with 39 U.S.C. 3633(a), and an application for non-public treatment of certain materials. It also filed supporting financial workpapers.

II. Notice of Commission Action

The Commission establishes Docket Nos. MC2015–44 and CP2015–55 to consider the Request pertaining to the proposed Parcel Select Contract 9 product and the related contract, respectively.

The Commission invites comments on whether the Postal Service's filings in the captioned dockets are consistent with the policies of 39 U.S.C. 3632, 3633, or 3642, 39 CFR part 3015, and 39 CFR part 3020, subpart B. Comments are due no later than April 7, 2015. The public portions of these filings can be accessed via the Commission's Web site (*http://www.prc.gov*).

The Commission appoints Kenneth R. Moeller to serve as Public Representative in these dockets.

III. Ordering Paragraphs

It is ordered:

1. The Commission establishes Docket Nos. MC2015–44 and CP2015–55 to consider the matters raised in each docket.

2. Pursuant to 39 U.S.C. 505, Kenneth R. Moeller is appointed to serve as an officer of the Commission to represent the interests of the general public in these proceedings (Public Representative).

3. Comments are due no later than April 7, 2015.

4. The Secretary shall arrange for publication of this order in the **Federal Register**.

By the Commission.

Shoshana M. Grove,

Secretary.

[FR Doc. 2015–07678 Filed 4–2–15; 8:45 am]

BILLING CODE 7710–FW–P

[1] Request of the United States Postal Service to Add Parcel Select Contract 9 to Competitive Product List and Notice of Filing (Under Seal) of Unredacted Governors' Decision, Contract, and Supporting Data, March 27, 2015 (Request).

POSTAL SERVICE

Product Change—Priority Mail Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Effective date* April 3, 2015.

FOR FURTHER INFORMATION CONTACT: Elizabeth A. Reed, 202–268–3179.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on March 27, 2015, it filed with the Postal Regulatory Commission a *Request of the United States Postal Service to Add Priority Mail Contract 121 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2015–43, CP2015–54.

Stanley F. Mires,

Attorney, Federal Requirements.

[FR Doc. 2015–07671 Filed 4–2–15; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Parcel Select Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Effective date:* April 3, 2015.

FOR FURTHER INFORMATION CONTACT: Elizabeth A. Reed, 202–268–3179.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on March 27, 2015, it filed with the Postal Regulatory Commission a *Request of the United States Postal Service to Add Parcel Select Contract 9 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2015–44, CP2015–55.

Stanley F. Mires,

Attorney, Federal Requirements.

[FR Doc. 2015–07667 Filed 4–2–15; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail Express, Priority Mail, & First-Class Package Service Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Effective date:* April 3, 2015.

FOR FURTHER INFORMATION CONTACT: Elizabeth A. Reed, 202–268–3179.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on June 13, 2014, it filed with the Postal Regulatory Commission a *Request of the United States Postal Service to Add Priority Mail Express, Priority Mail, & First-Class Package Service Contract 3 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2014–27, CP2014–53.

Stanley F. Mires,

Attorney, Legal Policy & Legislative Advice.

[FR Doc. 2015–07660 Filed 4–2–15; 8:45 am]

BILLING CODE 7710–12–P

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

Impact of the Select Agent and Toxin Regulations; Correction

AGENCY: Office of Science and Technology Policy.

ACTION: Notice; correction.

SUMMARY: The Office of Science and Technology Policy published a document in the **Federal Register** Notice, 2015–05906, on March 16, 2015, pages 13639–13641, concerning a Request for Public Comment on the Impact of the Select Agent Regulations. The document contains incorrect dates as we wish to extend the comment period to April 10, 2015, 5 p.m. ET.

FOR FURTHER INFORMATION CONTACT: May Chu at (202)–456–6029.

Corrections

In the **Federal Register** of March 16, 2015, in the FR Doc. 2015–05906,

(1) On page 13640 in the **SUMMARY** section (which starts on page 13639) in the first column, first line, correct the date to read:

5 p.m. ET on April 10, 2015 to be considered.

(2) On page 13640, first column, correct the **DATES** caption to read:

DATES: Documents must be received by 5:00 p.m. ET on April 10, 2015 to be considered.

Dated: March 30, 2015.

Ted Wackler,

Deputy Chief of Staff and Assistant Director.

[FR Doc. 2015–07649 Filed 4–2–15; 8:45 am]

BILLING CODE 3170–F5–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–74605; File No. SR–NYSEArca–2015–21]

Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Amending the NYSE Arca Equities Schedule of Fees and Charges for Exchange Services To Change the ETP Fee

March 30, 2015.

Pursuant to section 19(b)(1) [1] of the Securities Exchange Act of 1934 (the ''Act'') [2] and Rule 19b–4 thereunder,[3] notice is hereby given that, on March 19, 2015, NYSE Arca, Inc. (the ''Exchange'' or ''NYSE Arca'') filed with the Securities and Exchange Commission (the ''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 the NYSE Arca Equities Schedule of Fees and Charges for Exchange Services to change the ETP Fee. 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.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend the Fee Schedule to change the name of the ''Monthly ETP Fee'' to ''ETP Fee'' and to cease to waive the ETP Fee by adding an ETP Fee of $15,000 per year. The Exchange proposes to implement the fee change on April 1, 2015.

The Fee Schedule currently includes a Monthly ETP Fee charged to ETP Holders that the Exchange has waived since 2002.[4]

Beginning April 1, 2015, the Exchange proposes to change the name of the ''Monthly ETP Fee'' to the ''ETP Fee,'' and to set the ETP Fee at $15,000 per year per ETP Holder.[5] The Fee Schedule would specify that each ETP Holder would be assessed the ETP Fee on a monthly basis for each month during which the ETP is held for any portion of the month. Billing would commence with the month of April 2015.

The Exchange believes it appropriate to charge the ETP Fee to fund the administrative and operating costs of the activity of the Exchange. The Exchange notes that the ETP Fee would be comparable to the analogous membership fees assessed by other markets. For example, The Nasdaq Stock Market, LLC (''Nasdaq'') assesses a membership fee of $3,000 per year, a trading rights fee of $1,000 per month and a fee of $500 per month per market participant identifier and market participant identifiers issued to a member.[6] The Exchange's affiliate, the New York Stock Exchange (''NYSE'') assesses an annual fee of $50,000 for the first license held by a member

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

[4] *See* Securities Exchange Act Release No. 45680 (April 2, 2002), 67 FR 17094 (April 9, 2002) (SR–PCX–2002–16) (the ''2002 Filing''). NYSE Arca Equities Rule 1.1(m) defines ''ETP'' as an Equity Trading Permit issued by the Exchange for effecting approved securities transactions on the Exchange.

[5] Pursuant to NYSE Arca Equities Rule 1.1(n), the term ''ETP Holder'' refers to a sole proprietorship, partnership, corporation, limited liability company or other organization in good standing that has been issued an ETP. An ETP Holder must be a registered broker or dealer pursuant to section 15 of the Act.

[6] *See* Nasdaq Rule 7001.

organization, and $15,000 for each additional license.[7]

The proposed change is not otherwise intended to address any other issues, and the Exchange is not aware of any problems that ETP Holders 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,[8] in general, and furthers the objectives of sections 6(b)(4) and 6(b)(5) of the Act,[9] in particular, because it provides for the equitable allocation of reasonable dues, fees, and other charges among its members, issuers and other persons using its facilities and does not unfairly discriminate between customers, issuers, brokers or dealers. The Exchange believes that charging the ETP Fee is a reasonable and equitable method of ensuring that Exchange fees fund the administrative and operating costs of the activity of the Exchange. The Exchange because further believes that the proposal to charge an ETP Fee is equitable and not unfairly discriminatory because all similarly situated ETP Holders would be subject to the same ETP Fee and because access to the Exchange's market would continue to be offered on fair and nondiscriminatory terms.

For these reasons, the Exchange believes that the proposal is consistent with the Act.

B. Self-Regulatory Organization's Statement on Burden on Competition

In accordance with section 6(b)(8) of the Act,[10] 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.

As discussed above, the Exchange's membership fees are comparable to the analogous membership fees of Nasdaq and the NYSE. In addition, membership fees are subject to competition from other exchanges. The Exchange notes that it operates in a highly competitive market in which market participants can readily favor competing venues if they deem fee levels at a particular venue to be excessive. In such an environment, the Exchange must continually adjust its fees to remain competitive with other exchanges and with alternative trading systems that have been exempted from compliance with the statutory standards applicable to exchanges. Because competitors are free to modify their own fees in response, and because market participants may readily adjust their order routing practices, the Exchange believes that the degree to which fee 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 changes will impair the ability of ETP Holders 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

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

The foregoing rule change is effective upon filing pursuant to section 19(b)(3)(A) [11] of the Act and subparagraph (f)(2) of Rule 19b–4 [12] thereunder, because it establishes a due, fee, or other charge imposed by the Exchange.

At any time within 60 days of the filing of such 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 under section 19(b)(2)(B) [13] of the Act to determine whether the proposed rule change 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–NYSEArca–2015–21 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–NYSEArca–2015–21. 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 Section, 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 will also 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–NYSEArca–2015–21 and should be submitted on or before April 24, 2015.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[14]

Brent J. Fields,

Secretary.

[FR Doc. 2015–07620 Filed 4–2–15; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–74604; File No. SR–NYSEArca–2015–20]

Self-Regulatory Organizations; Proposed Rule Chanages; NYSE Arca, Inc.

March 30, 2015.

Pursuant to section 19(b)(1) [1] of the Securities Exchange Act of 1934 (the

[7] *See https://www.nyse.com/publicdocs/nyse/markets/nyse/NYSE_Price_List.pdf.*

[8] 15 U.S.C. 78f(b).

[9] 15 U.S.C. 78f(b)(4) and (5).

[10] 15 U.S.C. 78f(b)(8).

[11] 15 U.S.C. 78s(b)(3)(A).

[12] 17 CFR 240.19b–4(f)(2).

[13] 15 U.S.C. 78s(b)(2)(B).

[14] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C.78s(b)(1).

''Act'') [2] and Rule 19b–4 thereunder,[3] notice is hereby given that, on March 18, 2015, NYSE Arca, Inc. (the ''Exchange'' or ''NYSE Arca'') 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 Substance of the Proposed Rule Change

The Exchange proposes to amend its Schedule of Fees and Charges for Exchange Services (''Fee Schedule'') to specify that affiliated Exchange ETP Holders (or ''members'') may request that the Exchange aggregate its eligible activity with activity of the ETP Holder's affiliates for purposes of charges or credits based on volume. 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.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend its Fee Schedule to specify that affiliated ETP Holders may request that the Exchange aggregate their eligible activity with activity of its ETP Holder affiliates for purposes of charges or credits based on volume. The proposed rule change is based on NASDAQ Stock Market LLC (''NASDAQ'') Rule 7027, NASDAQ Options Market LLC (''NOM'') Rules at chapter XV, and the NASDAQ OMX PHLX LLC (''PHLX'') Pricing Schedule.[4]

As proposed, for purposes of applying any provision of the Exchange's Price List where the charge assessed, or credit provided, by the Exchange depends on the volume of a member organization's activity, an ETP Holder may request that the Exchange aggregate its eligible activity with activity of such ETP Holder's affiliates.[5] The Exchange further proposes that an ETP Holder requesting aggregation of eligible affiliate activity would be required to (1) certify to the Exchange the affiliate status of ETP Holders whose activity it seeks to aggregate prior to receiving approval for aggregation, and (2) inform the Exchange immediately of any event that causes an entity to cease being an affiliate. The Exchange would review available information regarding the entities and reserves the right to request additional information to verify the affiliate status of an entity. As further proposed, the Exchange would approve a request, unless it determines that the certificate is not accurate.[6]

The Exchange also proposes that if two or more ETP Holders become affiliated on or prior to the sixteenth day of a month, and submit the required request for aggregation on or prior to the twenty-second day of the month, an approval of the request would be deemed to be effective as of the first day of that month. If two or more ETP Holders become affiliated after the sixteenth day of a month, or submit a request for aggregation after the twenty-second day of the month, an approval of the request would be deemed to be effective as of the first day of the next calendar month.[7] The Exchange believes that this requirement, which is also similar to requirements of other exchanges,[8] would be a fair and objective way to apply the aggregation rule to fees and streamline the billing process.

The Exchange further proposes to provide that for purposes of applying any provision of the Price List where the charge assessed, or credit provided, by the Exchange depends upon the volume of a ETP Holder's activity, references to an entity would be deemed to include the entity and its affiliates that have been approved for aggregation.[9] In addition, the Exchange proposes to provide that ETP Holders may not aggregate volume where the Price List specifies that aggregation is not permitted.[10]

Finally, the Exchange proposes that for purposes of the Fee Schedule, the term ''affiliate'' would mean any member organization under 75% common ownership or control of that member organization.[11]

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with section 6(b) of the Act,[12] in general, and furthers the objectives of sections 6(b)(4) and 6(b)(5) of the Act,[13] in particular, because it provides for the equitable allocation of reasonable dues, fees, and other charges among ETP Holders and issuers and other persons using any facility or system with the Exchange operates or controls and because it is designed to prevent fraudulent and manipulative acts and practices, promote just and equitable principles of trade, remove impediments to and perfect the mechanism of a free and open market and a national market system, and protect investors and the public interest.

The Exchange further believes that the proposed rule change is reasonable because it establishes a manner for the Exchange to treat affiliated ETP Holders for purposes of assessing charges or credits that are based on volume. The provision is equitable because all ETP Holders seeking to aggregate their activity are subject to the same parameters, in accordance with a standard that recognizes an affiliation as of the month's beginning or close in time to when the affiliation occurs, provided the member organization submits a timely request. Moreover, the proposed billing aggregation language, which would lower the Exchange's administrative burden, is substantially

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

[4] Effective December 1, 2014, NASDAQ amended Rule 7027 to harmonize the treatment of aggregation of affiliate activity of affiliated members to be consistent with the rules governing NOM and PHLX. *See* Securities Exchange Act Release No. 72966 (Sept. 3, 2014), 79 FR 53473 (Sept. 9, 2014) (SR–NASDAQ–2014–083). NOM and PHLX also amended their respective rules to harmonize the process by which it collects information from its members for purposes of aggregating member activity between its equity and options markets. *See* Securities Exchange Act Release Nos. 72967 (Sept. 2, 2014), 79 FR 53471 (Sept. 9, 2014) (SR–NASDAQ–2014–082) and 72969 (Sept. 3, 2014), 79 FR 53485 (Sept. 9, 2014) (SR–PHLX–2014–56).

[5] *See* Exhibit 5 for proposed language to be added to the Fee Schedule. The Exchange notes that this language is similar to that found in NASDAQ Rule 7027.

[6] *See* NASDAQ Rule 7027(a)(1).

[7] *See* NASDAQ Rule 7027(a)(2).

[8] *See supra* note 7.

[9] *See supra* note 5.

[10] For example, the Price List specifies whether quoting and trading activity relating to Supplemental Liquidity Provider activity may be aggregated.

[11] *See supra* note 5.

[12] 15 U.S.C. 78f(b).

[13] 15 U.S.C. 78f(b)(4) and (5).

similar to aggregation language adopted by other exchanges.[14]

The Exchange further notes that the proposal would serve to reduce disparity of treatment between ETP Holders with regard to the pricing of different services and reduce any potential for confusion on how activity can be aggregated. The Exchange believes that the proposed rule change avoids disparate treatment of ETP Holders that have divided their various business activities between separate corporate entities as compared to ETP Holders that operate those business activities within a single corporate entity. The Exchange further notes that the proposed rule change is reasonable and is designed to remove impediments to and perfect the mechanism of a free and open market by harmonizing the manner by which the Exchanges permits ETP Holders to aggregate volume with other exchanges. In particular, the Exchange notes that NASDAQ, PHLX and BX all have the same standard that the Exchange is proposing to adopt.

B. Self-Regulatory Organization's Statement on Burden on Competition

In accordance with section 6(b)(8) of the Act,[15] the Exchange does not believe that the proposed rule change will impose any burden on intermarket or intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act. As stated above, the proposed rule change, which applies equally to all ETP Holders, is intended to reduce the Exchange's administrative burden in applying volume price discounts for firms which have requested aggregation with that of an affiliate ETP Holder, and is substantially similar to rules adopted by other exchanges. Because the market for order execution and routing is extremely competitive, ETP Holders may readily opt to disfavor the Exchange if they believe that alternatives offer them better value. The Exchange does not believe the proposed changes will impair the ability of ETP Holders 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

No written comments were solicited or received with respect to the proposed rule change.

[14] *See supr*a note 4.

[15] 15 U.S.C. 78f(b)(8).

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to section 19(b)(3)(A)(iii) of the Act [16] and Rule 19b–4(f)(6) thereunder.[17] Because the proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative prior to 30 days from the date on which it was filed, or such shorter time as the Commission may designate, if consistent with the protection of investors and the public interest, the proposed rule change has become effective pursuant to section 19(b)(3)(A) of the Act and Rule 19b–4(f)(6)(iii) thereunder.[18]

At any time within 60 days of the filing of such 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 change 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–NYSEArca–2015–20 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.

[16] 15 U.S.C. 78s(b)(3)(A)(iii).

[17] 17 CFR 240.19b–4(f)(6).

[18] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

All submissions should refer to File Number SR–NYSEArca-2015–20. 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 will also 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–NYSEArca–2015–20 and should be submitted on or before April 24, 2015.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[19]

Brent J. Fields,

Secretary.

[FR Doc. 2015–07619 Filed 4–2–15; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–74609; File No. SR–NYSEARCA–2013–107]

Self-Regulatory Organizations; NYSE Arca, Inc.; Order Granting an Extension to Limited Exemption From Rule 612(c) of Regulation NMS In Connection With the Exchange's Retail Liquidity Program Until September 30, 2015

March 30, 2015.

On December 23, 2013, the Securities and Exchange Commission (''Commission'') issued an order pursuant to its authority under Rule

[19] 17 CFR 200.30–3(a)(12).

612(c) of Regulation NMS (''Sub-Penny Rule'') [1] that granted NYSE Arca, Inc. (the ''Exchange'' or ''NYSEArca'') a limited exemption from the Sub-Penny Rule in connection with the operation of the Exchange's Retail Liquidity Program (the ''Program'').[2] The limited exemption was granted concurrently with the Commission's approval of the Exchange's proposal to adopt the Program for a one-year pilot term.[3] The exemption was granted coterminous with the effectiveness of the pilot Program; both the pilot Program and exemption are scheduled to expire on April 14, 2015.

The Exchange now seeks to extend the exemption until September 30, 2015.[4] The Exchange's request was made in conjunction with an immediately effective filing that extends the operation of the Program through the same date.[5] In its request to extend the exemption, the Exchange notes that the participation in the Program has increased more recently. Accordingly, the Exchange has asked for additional time to allow itself and the Commission to analyze more robust data concerning the Program, which the Exchange committed to provide to the Commission.[6] For this reason and the reasons stated in the Order originally granting the limited exemption, the Commission finds that extending the exemption, pursuant to its authority under Rule 612(c) of Regulation NMS, is appropriate in the public interest and consistent with the protection of investors.

Therefore, it is hereby ordered that, pursuant to Rule 612(c) of Regulation NMS, the Exchange is granted a limited exemption from Rule 612 of Regulation NMS that allows it to accept and rank orders priced equal to or greater than $1.00 per share in increments of $0.001, in connection with the operation of its Retail Liquidity Program, until September 30, 2015.

The limited and temporary exemption extended by this Order is subject to modification or revocation if at any time, the Commission determines that such action is necessary or appropriate in furtherance of the purposes of the Securities Exchange Act of 1934. Responsibility for compliance with any applicable provisions of the Federal securities laws must rest with the persons relying on the exemption that is the subject of this Order.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[7]

Brent J. Fields,

Secretary.

[FR Doc. 2015–07696 Filed 4–2–15; 8:45 am]

BILLING CODE 8011–01–P

[1] 17 CFR 242.612(c).

[2] *See* Securities Exchange Act Release No. 71176 (December 23, 2013), 78 FR 79524 (December 30, 2013) (SR–NYSEARCA–2013–107) (''RLP Approval Order'').

[3] *See id.*

[4] *See* Letter from Martha Redding, Senior Counsel and Assistant Secretary, NYSE, to Brent J. Fields, Secretary, Securities and Exchange Commission, dated March 19, 2015.

[5] *See* Securities Exchange Act Release No. 74572 (March 24, 2015), 80 FR 16705 (March 30, 2015) (SR–NYSEARCA–2015–22).

[6] *See* RLP Approval Order, *supra* note 2, 78 FR at 79529.

[7] 17 CFR 200.30–3(a)(83).

SECURITIES AND EXCHANGE COMMISSION

[Release No. IC–31538]

Notice of Applications for Deregistration Under Section 8(f) of the Investment Company Act of 1940

March 27, 2015.

The following is a notice of applications for deregistration under section 8(f) of the Investment Company Act of 1940 for the month of March 2015. A copy of each application may be obtained via the Commission's Web site by searching for the file number, or for an applicant using the Company name box, at *http://www.sec.gov/search/search.htm* or by calling (202) 551–8090. An order granting each application will be issued unless the SEC orders a hearing. Interested persons may request a hearing on any application by writing to the SEC's Secretary at the address below and serving the relevant applicant with a copy of the request, personally or by mail. Hearing requests should be received by the SEC by 5:30 p.m. on April 21, 2015, and should be accompanied by proof of service on applicants, in the form of an affidavit or, for lawyers, a certificate of service. Pursuant to Rule 0–5 under the Act, hearing requests should state the nature of the writer's interest, any facts bearing upon the desirability of a hearing on the matter, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by writing to the Commission's Secretary.

ADDRESSES: The Commission: Brent J. Fields, Secretary, U.S. Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090.

FOR FURTHER INFORMATION CONTACT: Diane L. Titus at (202) 551–6810, SEC, Division of Investment Management, Chief Counsel's Office, 100 F Street NE., Washington, DC 20549–8010.

Birmiwal Investment Trust [File No. 811–21289]

Summary: Applicant seeks an order declaring that it has ceased to be an investment company. On January 30, 2015, applicant made a liquidating distribution to its shareholders, based on net asset value. Expenses of $2,923 incurred in connection with the liquidation were paid by applicant's investment adviser.

Filing Dates: The application was filed on February 19, 2015.

Applicant's Address: 24140 E. Greystone Lane, Woodway, Washington 98020.

eUNITs(TM) 2 Year International Equity Market Participation Trust: Enhanced Upside to Cap/Buffered Downside [File No.—811–22347]

eUnits(TM) 2 Year U.S. Market Participation Trust 3: Upside to Cap/Buffered Downside [File No.—811–22664]

eUnits(TM) 2 Year U.S. Market Participation Trust 4: Upside to Cap/Buffered Downside [File No.—811–22665]

eUnits(TM) 2 Year U.S. Market Participation Trust 5: Upside to Cap/Buffered Downside [File No.—811–22666]

eUnits(TM) 2 Year U.S. Market Participation Trust 6: Upside to Cap/Buffered Downside [File No.—811–22667]

Summary: Each applicant, a closed-end investment company, seeks an order declaring that it has ceased to be an investment company. Applicants never commenced operations or had shareholders and do not intend to engage in any business activities other than those necessary for winding up.

Filing Dates: The applications were filed on February 20, 2015.

Applicants' Address: Two International Place, Boston, MA 02110.

SBL Fund [File No. 811–22962]

Summary: Applicant seeks an order declaring that it has ceased to be an investment company. Applicant transferred its assets to a corresponding shell series of Guggenheim Variable Funds Trust, and on April 29, 2014, and September 23, 2014, made distributions to its shareholders based on net asset value. Expenses of $260,653 incurred in connection with the reorganization were paid by applicant and Security Investors, LLC, applicant's investment adviser.

Filing Dates: The application was filed on February 19, 2015.

Applicant's Address: 805 King Farm Blvd., Ste. 600, Rockville, MD 20850.

Eaton Vance Preferred Dividend Income Trust [File No. 811–22529]

Eaton Vance Diversified Emerging Markets Local Income Fund, Inc. [File No. 811–22502]

Summary: Each applicant, a closed-end investment company, seeks an order declaring that it has ceased to be an investment company. Applicants never commenced operations or had shareholders and do not intend to engage in any business activities other than those necessary for winding up.

Filing Dates: The applications were filed on February 23, 2015.

Applicants' Address: Two International Place, Boston, MA 02110.

Eaton Vance Multi-Sector Income Trust [File No. 811–22772]

Eaton Vance Risk-Managed Equity Income Opportunities Fund [File No. 811–22104]

Summary: Each applicant, a closed-end investment company, seeks an order declaring that it has ceased to be an investment company. Applicants never commenced operations or had shareholders and do not intend to engage in any business activities other than those necessary for winding up.

Filing Dates: The applications were filed on February 20, 2015.

Applicants' Address: Two International Place, Boston, MA 02110.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

Brent J. Fields,

Secretary.

[FR Doc. 2015–07697 Filed 4–2–15; 8:45 am]

BILLING CODE 8011–01–P

DEPARTMENT OF STATE

[Public Notice: 9077]

Culturally Significant Objects Imported for Exhibition Determinations: ''1700s Beadwork of Southeastern Tribes'' Exhibition

SUMMARY: Notice is hereby given of the following determinations: Pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.;* 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236–3 of August 28, 2000 (and, as appropriate, Delegation of Authority No. 257 of April 15, 2003), I hereby determine that the objects to be included in the exhibition ''1700s Beadwork of Southeastern Tribes,'' imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to a loan agreement with the foreign owner or custodian. I also determine that the exhibition or display of the exhibit objects at the Chickasaw Cultural Center, Sulphur, Oklahoma, from on or about May 23, 2015, until on or about November 29, 2015, and at possible additional exhibitions or venues yet to be determined, is in the national interest. I have ordered that Public Notice of these Determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: For further information, including the list of the exhibit objects, contact the Office of Public Diplomacy and Public Affairs in the Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6471; email: *section2459@state.gov*). The mailing address is U.S. Department of State, L/PD, SA–5, Suite 5H03, Washington, DC 20522–0505.

Dated: March 26, 2015.

Kelly Keiderling,

Principal Deputy Assistant Secretary, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2015–07692 Filed 4–2–15; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF STATE

[Public Notice: 9075]

60-Day Notice of Proposed Information Collection: Department of State Acquisition Regulation (DOSAR)

ACTION: Notice of request for public comment.

SUMMARY: The Department of State is seeking Office of Management and Budget (OMB) approval for the information collection described below. 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 60 days for public comment preceding submission of the collection to OMB.

DATES: The Department will accept comments from the public up to June 2, 2015.

ADDRESSES: You may submit comments by any of the following methods:

- *Web:* Persons with access to the Internet may comment on this notice by going to *www.Regulations.gov.* You can search for the document by entering ''Docket Number: DOS–2015–0013'' in the Search field. Then click the ''Comment Now'' button and complete the comment form.
- *Email: Ramirezim2@state.gov.*
- *Regular Mail:* Send written comments to: Ismaela M. Ramirez, U.S. Department of State, Office of the Procurement Executive, 2201 C Street NW., Washington, DC 20520.

You must include the DS form number (if applicable), information collection title, and the OMB control number in any correspondence.

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 Ismaela M. Ramirez, U.S. Department of State, Office of the Procurement Executive, 2201 C Street NW., Washington, DC 20520; who may be reached on 703–516–1693 or at *Ramirezim2@state.gov.*

SUPPLEMENTARY INFORMATION:

- *Title of Information Collection:* Department of State Acquisition Regulation (DOSAR).
- *OMB Control Number:* 1405–0050.
- *Type of Request:* Revision of a Currently Approved Collection.
- *Originating Office:* Bureau of Administration, Office of the Procurement Executive (A/OPE).
- *Form Number:* No Form.
- *Respondents:* Any business, other for-profit, individual, not-for-profit, or household.
- *Estimated Number of Respondents:* 267.
- *Estimated Number of Responses:* 831.
- *Average Time per Response:* Approximately 4 hours (4.176).
- *Total Estimated Burden Time:* 3,470 hours.
- *Frequency:* On occasion.
- *Obligation to Respond:* Required.

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

This information collection covers pre-award and post-award requirements of the DOSAR. During the pre-award phase, information is collected to determine which proposals offer the best value to the U.S. Government. Post-award actions include monitoring the contractor's performance; issuing modifications to the contract; dealing with unsatisfactory performance; and closing out the contract upon its completion. This program collects information pursuant to the Foreign Service Buildings Act of 1926, as amended (22 U.S.C. 302), the Omnibus Diplomatic Security and Antiterrorism Act (22 U.S.C. 4852), and the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (22 U.S.C. 4864).

Methodology

Information is collected from prospective offerors to evaluate their proposals. The responses provided by the public are part of the offeror's proposals in response to Department solicitations. This information may be submitted electronically (through fax or email), or may require a paper submission, depending upon complexity. After contract award, contractors are required to submit information, on an as-needed basis, and relate to the occurrence of specific circumstances.

Dated: March 16, 2015.

Corey M. Rindner,

Procurement Executive, Bureau of Administration, Department of State.

[FR Doc. 2015–07698 Filed 4–2–15; 8:45 am]

BILLING CODE 4710–24–P

DEPARTMENT OF STATE

[Public Notice: 9076]

Culturally Significant Objects Imported for Exhibition Determinations: ''Byzantium to Russia, the Origins and Development of Russian Icons 1200 to 1900'' Exhibition

SUMMARY: Notice is hereby given of the following determinations: Pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.;* 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236–3 of August 28, 2000 (and, as appropriate, Delegation of Authority No. 257 of April 15, 2003), I hereby determine that the objects to be included in the exhibition ''Byzantium to Russia, the origins and development of Russian Icons 1200 to 1900,'' imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to loan agreements with the foreign owner or custodian. I also determine that the exhibition or display of the exhibit objects at the Museum of Russian Icons, Clinton, Massachusetts, from on or about May 2, 2015, until on or about August 22, 2015, at the Chrysler Museum of Art, Norfolk, Virginia, from on or about September 5, 2015, until on or about January 31, 2016, and at possible additional exhibitions or venues yet to be determined, is in the national interest. I have ordered that Public Notice of these Determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: For further information, including the list of the exhibit objects, contact the Office of Public Diplomacy and Public Affairs in the Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6471; email: *section2459@state.gov*). The mailing address is U.S. Department of State, L/PD, SA–5, Suite 5H03, Washington, DC 20522–0505.

Dated: March 27, 2015.

Kelly Keiderling,

Principal Deputy Assistant Secretary, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2015–07693 Filed 4–2–15; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF STATE

[Public Notice: 9079]

60-Day Notice of Proposed Information Collection; Electronic Choice of Address and Agent

ACTION: Notice of request for public comment.

SUMMARY: The Department of State is seeking Office of Management and Budget (OMB) approval for the information collection described below. 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 60 days for public comment preceding submission of the collection to OMB.

DATES: The Department will accept comments from the public up to *June 2, 2015.*

ADDRESSES: You may submit comments by any of the following methods:

- *Web:* Persons with access to the Internet may comment on this notice by going to *www.Regulations.gov.* You can search for the document by entering ''Docket Number: DOS–2015–0014'' in the Search field. Then click the ''Comment Now'' button and complete the comment form.
- *Email: PRA_BurdenComments@state.gov.*

You must include the DS form number (if applicable), information collection title, and the OMB control number in any correspondence.

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 at *PRA_BurdenComments@state.gov.*

SUPPLEMENTARY INFORMATION:

- *Title of Information Collection:* Electronic Choice of Address and Agent.
- *OMB Control Number:* 1405–0186.
- *Type of Request:* Extension of a Currently Approved Collection.
- *Originating Office:* CA/VO/L/R.
- *Form Number:* DS–261.
- *Respondents:* Immigrant Visa Applicants.
- *Estimated Number of Respondents:* 580,000.
- *Estimated Number of Responses:* 580,000.
- Average Time Per Response: 10 minutes.
- Total Estimated Burden Time: 96,666 hours.
- *Frequency:* Once Per Respondent.
- *Obligation to Respond:* Required to Obtain 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 DS–261 allows the beneficiary of an approved immigrant visa petition to provide the Department with his or her current address, which will be used for communications with the beneficiary. The DS–261 also allows the beneficiary to appoint an agent to receive communications relevant to the beneficiary's visa application from the National Visa Center (NVC) and assist in the filing of various application forms and/or paying the required fees. The beneficiary is not required to use an agent. The NVC can contact them directly. If the beneficiary chooses to serve as their own agent and have the NVC contact them directly, they will need to provide the NVC with their current contact information. All cases will be held at NVC until the DS–261 is electronically submitted to the Department.

Methodology

Applicants will submit the DS–261 electronically to the Department via the internet. Applicants who submit the electronic form will no longer submit paper-based applications to the Department.

Dated: March 26, 2015.

Karin King,

Managing Director, Bureau of Consular Affairs, Department of State.

[FR Doc. 2015–07695 Filed 4–2–15; 8:45 am]

BILLING CODE 4710–06–P

SUSQUEHANNA RIVER BASIN COMMISSION

Public Hearing

AGENCY: Susquehanna River Basin Commission.

ACTION: Notice.

SUMMARY: The Susquehanna River Basin Commission will hold a public hearing on April 30, 2015, in Grantville, Pennsylvania. At this public hearing, the Commission will hear testimony on the projects listed in the Supplementary Information section of this notice. Such projects are intended to be scheduled for Commission action at its next business meeting, tentatively scheduled for June 4, 2015, which will be noticed separately. The Commission will also hear testimony on amending its Regulatory Program Fee Schedule. The public should take note that this public hearing will be the only opportunity to offer oral comment to the Commission for the listed projects. The deadline for the submission of written comments is May 11, 2015.

DATES: The public hearing will convene on April 30, 2015, at 7:00 p.m. The public hearing will end at 9:00 p.m. or at the conclusion of public testimony, whichever is sooner. The deadline for the submission of written comments is May 11, 2015.

ADDRESSES: The public hearing will be conducted at the Holiday Inn Harrisburg-Hershey, Grande 1 Room, 604 Station Road (Exit 80 off I–81), Grantville, Pa.

FOR FURTHER INFORMATION CONTACT: Jason Oyler, Regulatory Counsel, telephone: (717) 238–0423, ext. 1312; fax: (717) 238–2436.

Information concerning the applications for these projects is available at the SRBC Water Resource Portal at *www.srbc.net/wrp.* Additional supporting documents are available to inspect and copy in accordance with the Commission's Access to Records Policy at *www.srbc.net/pubinfo/docs/2009-02_Access_to_Records_Policy_20140115.pdf.*

SUPPLEMENTARY INFORMATION: The public hearing will cover amendments to its Regulatory Program Fee Schedule, as posted on the SRBC Public Participation Center Web page at *www.srbc.net/pubinfo/publicparticipation.htm.* The public hearing will cover the following projects:

Projects Scheduled for Action

1. Project Sponsor and Facility: Anadarko E&P Onshore LLC (Pine Creek), McHenry Township, Lycoming County, Pa. Application for renewal of surface water withdrawal of up to 1.500 mgd (peak day) (Docket No. 20110601).

2. Project Sponsor and Facility: Carrizo (Marcellus), LLC (Meshoppen Creek), Washington Township, Wyoming County, Pa. Application for renewal of surface water withdrawal of up to 2.160 mgd (peak day) (Docket No. 20110603).

3. Project Sponsor and Facility: Carrizo (Marcellus), LLC (Unnamed Tributary to Middle Branch Wyalusing Creek), Forest Lake Township, Susquehanna County, Pa. Application for renewal of surface water withdrawal of up to 0.648 mgd (peak day) (Docket No. 20110605).

4. Project Sponsor and Facility: Chetremon Golf Course, LLC, Burnside Township, Clearfield County, Pa. Application for consumptive water use of up to 0.200 mgd (peak day).

5. Project Sponsor and Facility: Chetremon Golf Course, LLC (Irrigation Storage Pond), Burnside Township, Clearfield County, Pa. Application for surface water withdrawal of up to 0.200 mgd (peak day).

6. Project Sponsor and Facility: Chief Oil & Gas LLC (Loyalsock Creek), Forksville Borough, Sullivan County, Pa. Application for surface water withdrawal of up to 2.000 mgd (peak day).

7. Project Sponsor and Facility: Constitution Pipeline Company, LLC (Charlotte Creek), Town of Davenport, Delaware County, N.Y. Application for surface water withdrawal of up to 2.160 mgd (peak day).

8. Project Sponsor and Facility: Constitution Pipeline Company, LLC (Ouleout Creek), Town of Sidney, Delaware County, N.Y. Application for surface water withdrawal of up to 1.928 mgd (peak day).

9. Project Sponsor and Facility: Constitution Pipeline Company, LLC (Starrucca Creek), Harmony Township, Susquehanna County, Pa. Application for surface water withdrawal of up to 2.052 mgd (peak day).

10. Project Sponsor and Facility: Furman Foods, Inc., Point Township, Northumberland County, Pa. Modification to add a source to the consumptive water use approval (no increase requested in current consumptive water use quantity) (Docket No. 20130608).

11. Project Sponsor and Facility: Furman Foods, Inc., Point Township, Northumberland County, Pa. Application for groundwater withdrawal of up to 0.504 mgd (30-day average) from Well 10.

12. Project Sponsor and Facility: Hydro Recovery, LP, Blossburg Borough, Tioga County, Pa. Application for renewal of groundwater withdrawal of up to 0.216 mgd (30-day average) from Well HR–1 (Docket No. 20110612).

13. Project Sponsor and Facility: Hydro Recovery, LP, Blossburg Borough, Tioga County, Pa. Application for renewal of consumptive water use of up to 0.316 mgd (peak day) (Docket No. 20110612).

14. Project Sponsor and Facility: Keister Miller Investments, LLC (West Branch Susquehanna River), Mahaffey Borough, Clearfield County, Pa. Application for surface water withdrawal of up to 2.000 mgd (peak day).

15. Project Sponsor and Facility: Keystone Clearwater Solutions, LLC (Driftwood Branch Sinnemahoning Creek), Emporium Borough, Cameron County, Pa. Application for renewal of surface water withdrawal of up to 0.999 mgd (peak day) (Docket No. 20110614).

16. Project Sponsor and Facility: Keystone Clearwater Solutions, LLC (Lycoming Creek), Lewis Township, Lycoming County, Pa. Application for renewal of surface water withdrawal of up to 1.250 mgd (peak day) (Docket No. 20110616).

17. Project Sponsor and Facility: Millersville University of Pennsylvania, Millersville Borough, Lancaster County, Pa. Application for consumptive water use of up to 0.080 mgd (peak day).

18. Project Sponsor and Facility: Millersville University of Pennsylvania, Millersville Borough, Lancaster County, Pa. Application for groundwater withdrawal of up to 0.320 mgd (30-day average) from Well 1.

19. Project Sponsor and Facility: Nature's Way Purewater Systems, Inc., Dupont Borough, Luzerne County, Pa. Modification to increase consumptive water use by an additional 0.092 mgd (peak day), for a total of up to 0.349 mgd (peak day) (Docket No. 20110618).

20. Project Sponsor: Pennsylvania Department of Environmental Protection—South-central Regional Office, City of Harrisburg, Dauphin County, Pa. Facility Location: Leacock Township, Lancaster County, Pa. Application for groundwater withdrawal of up to 0.590 mgd (30-day average) from Stoltzfus Well.

21. Project Sponsor: Pennsylvania Department of Environmental Protection—South-central Regional Office, City of Harrisburg, Dauphin County, Pa. Facility Location: Leacock Township, Lancaster County, Pa. Application for groundwater withdrawal of up to 0.432 mgd (30-day average) from Township Well.

22. Project Sponsor and Facility: Shrewsbury Borough, York County, Pa. Application for renewal and modification to increase groundwater withdrawal by an additional 0.024 mgd (30-day average), for a total of up to 0.089 mgd (30-day average) from the Blouse Well (Docket No. 19820103).

23. Project Sponsor and Facility: Shrewsbury Borough, York County, Pa. Application for renewal of groundwater withdrawal of up to 0.099 mgd (30-day average) from the Smith Well (Docket No. 19811203).

24. Project Sponsor and Facility: Talisman Energy USA Inc. (Wappasening Creek), Windham Township, Bradford County, Pa. Application for renewal of surface water withdrawal of up to 1.000 mgd (peak day) (Docket No. 20110621).

25. Project Sponsor: UGI Development Company. Project Facility: Hunlock Creek Energy Center, Hunlock Township, Luzerne County, Pa. Modification to increase consumptive water use by an additional 1.526 mgd (peak day), for a total of up to 2.396 mgd (peak day) (Docket No. 20090916).

Request for Waiver of Application and Approval of Transfer

1. Augusta Water, Inc. request for waiver of application required by 18 CFR 806.6(d)(1) and transfer of Docket No. 20021014.

Opportunity To Appear and Comment

Interested parties may appear at the hearing to offer comments to the Commission on the amended fee schedule or any project listed above. The presiding officer reserves the right to limit oral statements in the interest of time and to otherwise control the course of the hearing. Ground rules will be posted on the Commission's Web site, *www.srbc.net,* prior to the hearing for review. The presiding officer reserves the right to modify or supplement such rules at the hearing. Written comments on any project listed above may also be mailed to Mr. Jason Oyler, Regulatory Counsel, Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, Pa. 17110–1788, or submitted electronically through *www.srbc.net/pubinfo/publicparticipation.htm.* Comments mailed or electronically submitted must be received by the Commission on or before May 11, 2015, to be considered.

Authority: Pub. L. 91–575, 84 Stat. 1509 *et seq.,* 18 CFR parts 806, 807, and 808.

Dated: March 27, 2015.

Stephanie L. Richardson,

Secretary to the Commission.

[FR Doc. 2015–07668 Filed 4–2–15; 8:45 am]

BILLING CODE 7040–01– P

TENNESSEE VALLEY AUTHORITY

Meeting of the Regional Energy Resource Council and Public Session With the TVA Board

AGENCY: Tennessee Valley Authority (TVA).

ACTION: Notice of meeting and public session.

SUMMARY: The TVA Regional Energy Resource Council (RERC) will hold a meeting on Monday, April 20 and Tuesday April 21, 2015, regarding regional energy related issues in the Tennessee Valley. In conjunction with the meeting, the RERC will join the TVA Board in a public session on April 20 to hear viewpoints from stakeholders regarding TVA's recently released Draft 2015 Integrated Resource Plan (IRP) and associated Supplemental Environmental Impact Statement (SEIS).

The RERC was established to advise TVA on its energy resource activities and the priorities among competing objectives and values. Notice of this meeting is given under the Federal Advisory Committee Act (FACA), 5 U.S.C. App. 2, and TVA's procedures implementing the National Environmental Policy Act, 42 U.S.C. 4321 to 4370h.

The meeting agenda includes the following:

1. Welcome and Introductions
2. Recap of February 2015 meeting
3. Presentations and discussion regarding TVA's Draft IRP and Draft SEIS, public comments and feedback, and TVA's response strategy
4. Panel discussions related to energy efficiency, renewables, and IRP implementation
5. Public Comments
6. Council discussion

After panel presentations and discussions on April 20, members of the public will have the opportunity to comment on the Draft IRP and associated SEIS to the RERC and TVA Board. The public comment period will be approximately one hour and is scheduled to start at 3:15 and terminate at 4:15 (CDT), Monday, April 20, 2015.

Participation in the public comment period of the meeting will be available on a first-come, first-served basis. Speakers will be limited to three (3) minutes in order to allow as many people as possible to participate. You can register to speak on TVA's Board Web site until noon (CDT) on Friday April 19. In addition, you can register at the door on April 20 before 2:15 (CDT). Comments also can be submitted by mail to the Regional Energy Resource Council, Tennessee Valley Authority, 400 West Summit Hill Drive, WT–9D, Knoxville, Tennessee 37902; to Charles P. Nicholson, NEPA Project Manager, Tennessee Valley Authority, 400 West Summit Hill Dr., WT–11D, Knoxville, TN 37902; by email to *IRP@tva.gov;* or online via *http://www.tva.gov/irp.*

All comments, oral and written, including names and addresses, will become part of the administrative record associated with TVA's IRP and SEIS review and will be available for public inspection. Comments must be received no later than April 27, 2015, to be considered.

DATES: The RERC meeting will be held on Monday, April 20, 2015, from 9:00 a.m. to 4:45 p.m. and Tuesday, April 21, 2015, from 8:30 a.m. to noon CDT.

ADDRESSES: The meeting will be held at the Loews Vanderbilt Hotel, 2100 West End Avenue, Nashville, TN 37402, and will be open to the public. Anyone needing special access or accommodations should let the contact below know at least a week in advance.

FOR FURTHER INFORMATION CONTACT: Beth Keel, 400 West Summit Hill Drive, WT–9 D, Knoxville, Tennessee 37902, (865) 632–6113.

Dated: March 30, 2015.

Joseph J. Hoagland,

Vice President, Stakeholder Relations, Tennessee Valley Authority.

[FR Doc. 2015–07661 Filed 4–2–15; 8:45 am]

BILLING CODE 8120–08–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2015–0083]

Agency Information Collection Activities; Revision of a Currently-Approved Information Collection: Licensing Applications for Motor Carrier Operating Authority

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), DOT.

ACTION: Notice and request for information.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, FMCSA announces its plan to submit the Information Collection Request (ICR) described below to the Office of Management and Budget (OMB) for its review and approval. The FMCSA seeks approval to revise an ICR titled, ''Licensing Applications for Motor Carrier Operating Authority,'' that is used by for-hire motor carriers of regulated commodities, motor passenger carriers, freight forwarders, property brokers, and certain Mexico-domiciled motor carriers to register their operations with the FMCSA. The agency invites public comment on the ICR.

DATES: We must receive your comments on or before *June 2, 2015.*

ADDRESSES: You may submit comments identified by Federal Docket Management System (FDMS) Docket Number FMCSA–2015–0083 using any of the following methods:

- *Federal eRulemaking Portal: 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, 1200 New Jersey Avenue SE., West Building, Ground Floor, Room W12–140, 20590–0001.
- *Hand Delivery or Courier:* West Building, Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m. e.t., Monday through Friday, except Federal holidays.

Instructions: All submissions must include the Agency name and docket number. For detailed instructions on submitting comments and additional information on the exemption process, see the Public Participation heading below. 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.

Docket: For access to the docket to read background documents or comments received, go to *http://www.regulations.gov,* and follow the online instructions for accessing the dockets, or go to the street address listed above.

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 for the Federal Docket Management System published in the **Federal Register** on January 17, 2008 (73 FR 3316), or you may visit *http://edocket.access.gpo.gov/2008/pdfE8-794.pdf.*

Public Participation: The Federal eRulemaking Portal is available 24 hours each day, 365 days each year. You can obtain electronic submission and retrieval help and guidelines under the ''help'' section of the Federal eRulemaking Portal Web site. If you want us to notify you that we received your comments, please include a self-addressed, stamped envelope or postcard, or print the acknowledgement page that appears after submitting comments online. Comments received after the comment closing date will be included in the docket and will be considered to the extent practicable.

FOR FURTHER INFORMATION CONTACT: Ms. Vivian Oliver, Transportation Specialist, Office of Information Technology, Information Technology Operations Division, Department of Transportation, Federal Motor Carrier Safety Administration, 6th Floor, West Building, 1200 New Jersey Ave. SE., Washington DC 20590, Telephone Number (202) 366–2974; Email Address *vivian.oliver@dot.gov.* Office hours are from 9:00 a.m. to 5:00 p.m., Monday through Friday, except Federal Holidays.

SUPPLEMENTARY INFORMATION:

Background: The FMCSA is authorized to register certain for-hire Mexico-domiciled long-haul motor carriers of regulated commodities under the provisions of 49 U.S.C. 13902 and the North American Free Trade Agreement (NAFTA) motor carrier access provision. The Form OP–1(MX) is used by FMCSA to register those Mexico-domiciled motor carriers. It requests information on the applicant's identity, location, familiarity with safety requirements, and type of proposed operations. This ICR is being revised due to a Final Rule titled, ''the Unified Registration System,'' (78 FR 52608), dated August 23, 2013, that will incorporate all registration form requirements included in this ICR, except the Form OP–1(MX), into the Form MCSA–1 in the OMB Control Number 2126–0051, ''FMCSA Registration/Updates,'' ICR effective October 23, 2015. The Form OP–1(MX) was excluded from the Form MCSA–1 because its information collection requirements are beyond the scope of the Unified Registration System Final Rule.

Title: Licensing Applications for Motor Carrier Operating Authority.

OMB Control Number: 2126–0016.

Type of Request: Revision of a currently-approved information collection.

Respondents: Certain Mexico-domiciled motor carriers.

Estimated Number of Respondents: 12.

Estimated Time per Response: 4 hours to complete Form OP–1 (MX).

Expiration Date: October 31, 2015.

Frequency of Response: Other (as needed).

Estimated Total Annual Burden: 48 hours [12 annual Form OP-(MX) responses x 4 hours to complete each response = 48].

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 performance of FMCSA's functions; (2) the accuracy of the estimated burden; (3) ways for the FMCSA to enhance the quality, usefulness, and clarity of the collected information; and (4) ways that the burden could be minimized without reducing the quality of the information

collected. The Agency will summarize or include your comments in the request for OMB's clearance of this ICR.

Issued under the authority of 49 CFR 1.87 on: March 26, 2015.

G. Kelly Regal,

Associate Administrator for Office of Research and Information Technology and Chief Information Officer.

[FR Doc. 2015–07675 Filed 4–2–15; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2012–0004, Notice 2]

Decision That Nonconforming 2012 McLaren MP4–12C Passenger Cars Are Eligible for Importation

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Grant of petition.

SUMMARY: This document announces a decision by the National Highway Traffic Safety Administration that certain 2012 McLaren MP4–12C passenger cars (PCs) that were not originally manufactured to comply with all applicable Federal Motor Vehicle Safety Standards (FMVSS) are eligible for importation into the United States because they are substantially similar to vehicles originally manufactured for importation into and sale in the United States that were certified by their manufacturer as complying with the safety standards (the U.S. certified version of the 2012 McLaren MP4–12C PC), and they are capable of being readily altered to conform to the standards.

DATES: This decision became effective on March 26, 2015.

ADDRESSES: For further information contact George Stevens, Office of Vehicle Safety Compliance, NHTSA (202–366–5308).

SUPPLEMENTARY INFORMATION:

Background

Under 49 U.S.C 30141(a)(1)(A), a motor vehicle that was not originally manufactured to conform to all applicable FMVSS shall be refused admission into the United States unless NHTSA has decided that the motor vehicle is substantially similar to a motor vehicle originally manufactured for importation into and sale in the United States, certified as required under 49 U.S.C. 30115, and of the same model year as the model of the motor vehicle to be compared, and is capable of being readily altered to conform to all applicable FMVSS.

Petitions for eligibility decisions may be submitted by either manufacturers or importers who have registered with NHTSA pursuant to 49 CFR part 592. As specified in 49 CFR 593.7, NHTSA publishes notice in the **Federal Register** of each petition that it receives, and affords interested persons an opportunity to comment on the petition. At the close of the comment period, NHTSA decides, on the basis of the petition and any comments that it has received, whether the vehicle is eligible for importation. The agency then publishes this decision in the **Federal Register**.

J.K. Technologies, LLC, of Baltimore, Maryland (''JK'') (Registered Importer# RI–90–006), petitioned NHTSA to decide whether 2012 McLaren MP4–12C PCs are eligible for importation into the United States. NHTSA published a notice of the petition on March 3, 2014 (79 FR 11869) to afford an opportunity for public comment. The reader is referred to that notice for a thorough description of the petition.

Comments

On March 27, 2014, NHTSA received a request from McLaren Automotive Inc. (McLaren), the vehicle's original manufacturer, to extend the comment period by two weeks. NHTSA approved this request to allow McLaren additional time to respond to the issues presented in the petition.

McLaren submitted its comments on April 15, 2014. In its comments, McLaren stated that while it agreed that the U.S. and the non-U.S. versions of the vehicle are ''substantially similar'' within the meaning of section 30141(a)(1)(A)(i), it strongly disputed JK's assertions that the non-U.S. version could be readily altered to comply with all applicable FMVSS. McLaren elaborated by presenting detailed reasons for its assertions with respect to specific FMVSS.

On May 21, 2014, NHTSA forwarded McLaren's comments to JK and asked that it respond by June, 4, 2014. By letter dated June 10, 2014, JK requested a 45 day extension in order to gather engineering data to adequately address the concerns raised by McLaren. NHTSA approved JK's request for this extension and JK responded on July 29, 2014.

A summary of McLaren's comments, JK's responses, and the conclusions that NHTSA has reached with regard to the issues raised by the parties is set forth below.

Comments and Conclusions

NHTSA has reviewed the petition, McLaren's comments and JK's responses to those comments, and has concluded that the vehicles covered by the petition are capable of being readily altered to comply with all applicable FMVSS. However, NHTSA has also decided that an RI who imports or modifies one of these vehicles must include in the statement of conformity and associated documents (referred to as a ''conformity package'') it submits to NHTSA under 49 CFR 592.6(d) specific proof to confirm that the vehicle was manufactured to conform to, or was successfully altered to conform to, each of the following standards:

FMVSS No. 101, Controls and displays; McLaren commented that the necessary reprogramming to achieve conformity to the standard can only be performed with a tool available only to authorized McLaren dealers that can only be operated by an authorized McLaren entity using a recognized username and password. McLaren claimed that the tool is not offered for sale to non-McLaren affiliated entities.

JK responded that the reprogramming equipment it used to modify the vehicle to the standard is available in Europe and that it validated the programs and encryption codes on a U.S. version of the vehicle.

NHTSA has decided that a description of how the programming changes were completed and how compliance with the standard was verified must be included in each conformity package. Photographs, printouts, and/or screenshots, as practicable, must also be submitted as proof that the reprogramming was carried out.

FMVSS No. 108, Lamps, reflective devices, and associated equipment; McLaren commented that in addition to the modifications described in the petition, ''a completely new US vehicle [wiring] harness would be required.'' Moreover, as it contended with regard to FMVSS No. 101, McLaren asserted that reprogramming ''can only be performed using an approved McLaren tool'' which the manufacturer claimed is ''only available to authorized McLaren dealers'' and ''can only be used by an authorized McLaren entity with the use of a username and password.''

JK responded that it has ''a USA version vehicle for these programs and encryption codes,'' and that it will replace or add wiring harnesses as necessary.

NHTSA has decided that a description of how the programming changes were completed and how

compliance was verified must accompany each conformity package. Photographs, printouts, and/or screenshots, as practicable, must also be submitted as proof that the reprogramming was carried out.

FMVSS No. 111, Rearview mirrors; McLaren commented that in addition to the modifications noted in the petition, the driver's outside rearview mirror would need to be replaced with a compliant mirror.

NHTSA has decided that proof, including photographs, must be submitted with each conformity package to show that the vehicle was either originally equipped with, or was altered through the addition of, a driver's side rearview mirror that allows the vehicle to meet the applicable requirements of FMVSS No. 111.

FMVSS No. 114 Theft protection and rollaway prevention; As was the case with FMVSS Nos. 101 and 108, McLaren contended that reprogramming ''can only be performed using an approved McLaren tool'' which is ''only available to authorized McLaren dealers'' and ''can only be used by an authorized McLaren entity with the use of a username and password.''

JK responded that it has ''a USA version vehicle for these programs and encryption codes.''

NHTSA has decided that a description of how the programming changes were completed and how compliance was verified must accompany each conformity package. Additionally, photographs, printouts, and/or screenshots, as practicable, must be submitted as proof that the reprogramming was carried out.

FMVSS No. 138, Tire pressure monitoring systems; McLaren contended that tire pressure monitoring systems (TPMS) are not standard equipment on all European 12C vehicles and that substantial work would be required to bring vehicles into compliance with the standard. McLaren asserted that because of the extent and complexity of the required changes, vehicles not originally equipped with TPMS cannot be ''readily altered'' in order to bring them into compliance with the standard. According to McLaren, even if the vehicle is already equipped with the TPMS hardware, ''a reconfiguration using an approved McLaren dealership tool would be required to bring the TPMS functionality into compliance with FMVSS No. 138.'' Mclaren reiterated that this tool is ''only available to authorized McLaren dealers'' and ''can only be used by an authorized McLaren entity with the use of a username and password''.

JK responded that it has ''a USA version vehicle for these programs and encryption codes.''

NHTSA has decided that a description of how any applicable programming changes were completed and how compliance was verified must accompany each conformity package. Additionally, photographs, printouts, and/or screenshots, as practicable, must be submitted as proof that the reprogramming was carried out.

FMVSS No. 205, Glazing materials; McLaren commented that contrary to the claim in the petition, non-U.S. vehicles do not comply with this standard because they are ''fitted with AS3 glass in the rear of the vehicle (behind the B-Pillar). Such AS3 glass does not comply with the light transmittance requirements of FMVSS No. 205. It would be difficult to replace that AS3 glass with the AS2 glass required by FMVSS No. 205; in some cases the entire engine would have to be removed to make the modification.''

JK responded that each vehicle will be inspected and that any non-compliant glass will be replaced. JK contended that the non-U.S. certified vehicle it inspected was already equipped with compliant glass.

NHTSA has decided that photographic evidence of the required markings to demonstrate that the glazing complies with the standard must be submitted with each conformity package.

FMVSS No. 208, Occupant Protection; McLaren challenged the petition's assertion that the non-U.S. certified vehicles are originally manufactured to meet all requirements of this standard, noting in particular that European model vehicles are not equipped with ''advanced air bags,'' as that term is used in the United States. McLaren contended that the occupant restraint software system used in U.S. vehicles is specific to those vehicles and that only vehicles with a designated U.S. vehicle identification number (VIN) can be programmed with that software. For that reason, McLaren claimed the necessary reconfiguration of the system would be impossible, since a European 12C vehicle's VIN would not be recognized, and the software upload would be prevented.

JK responded that it ''will change and/or add all the US model systems to the European vehicles modified under this petition.'' JK noted that these parts include knee airbags, wiring harnesses, and sensors, and claimed that ''the programming of the ECU is a modification that JK is very familiar with.'' JK also stated that it has ''the necessary equipment to load the correct US McLaren MP4–12C advanced airbag programs into the European MP4–12C and retain the European VIN.''

NHTSA has decided that each conformity package must include a detailed description of the occupant protection system in place on the vehicle at the time was delivered to the RI, and a similarly detailed description of the occupant protection system in place after the vehicle is altered, including photographs of all required labeling. The description must also include parts assembly diagrams and associated part numbers for all components that were removed from or installed on the vehicle, a description of how the programming changes were completed, and a description of how compliance was verified. Additionally, photographs (*e.g.,* monitor print screen captures) or report printouts, as practicable, must be submitted as proof that the reprogramming was carried out.

FMVSS No. 225, Child restraint anchorage systems; McLaren disputed the petition's claim that U.S. and non-U.S.-certified vehicles are identical with regard to this standard. The manufacturer contended that European vehicles lack a top tether anchor plate and further observed that installation of the anchor plate requires drilling into the fuel cell bulkhead.

JK responded that the upper anchorages will be added in the exact position designated by McLaren and that it has all of the engineering drawings for the U.S. model MP4–12C for these tethers.

NHTSA has decided that a detailed description of the alterations made to achieve conformity with the standard must be included in each conformity package. The description must include sufficient information to validate how the alterations allowed the vehicle to meet the requirements of the standard. This information must include photographic evidence that the modification was carried out, as well as testing and/or engineering analysis reports documenting how the RI has verified that the alterations will allow the vehicle to meet all applicable requirements of the standard.

FMVSS No. 401 Interior trunk release; McLaren commented that reprogramming can only be performed using an approved McLaren tool that is only available to authorized McLaren dealers and can only be used by an authorized McLaren entity with the use of a username and password.

JK responded that it has the necessary equipment to load the correct US McLaren programs.

NHTSA has decided that each conformity package must include a

description of how the programming changes were completed and how compliance was verified. Additionally, photographs, printouts, and/or screenshots, as practicable, must be submitted as proof that the reprogramming was carried out.

49 CFR part 581, Bumper Standard; McLaren commented that in addition to the modifications set out in the petition, the bumper foam would need to be replaced and a different rear bumper skin would need to be installed in the license plate area.

JK responded that it is aware of all the parts necessary to bring these vehicles into compliance with this standard and it will change all parts of the system to U.S. parts to make the vehicle compliant.

NHTSA has decided that each conformity package must include a detailed description of all modifications made to achieve conformity with the standard. This description must include part numbers for each part replaced and be supported with photographic evidence of the modifications made to achieve conformity.

In addition to the information specified above, each conformity package must include evidence showing how the RI verified that the changes it made in loading or reprograming vehicle software to achieve conformity with each separate FMVSS, did not also cause the vehicle to fall out of compliance with any other applicable FMVSS.

Decision

Accordingly, on the basis of the foregoing, NHTSA hereby decides that MY 2012 McLaren MP4–12C passenger cars that were not originally manufactured to comply with all applicable FMVSS, are substantially similar to 2012 McLaren MP4–12C PCs manufactured for importation into and/or sale in the United States, and certified under 49 U.S.C. 30115, and are capable of being readily altered to conform to all applicable Federal Motor Vehicle Safety Standards.

Vehicle Eligibility Number for Subject Vehicles

The importer of a vehicle admissible under any final decision must indicate on the form HS–7 accompanying entry the appropriate vehicle eligibility number indicating that the vehicle is eligible for entry. VSP–569 is the vehicle eligibility number assigned to vehicles admissible under this notice of final decision.

Authority: 49 U.S.C. 30118, 30120: delegations of authority at 49 CFR 1.95 and 501.8.

Jeffrey M. Giuseppe,

Director, Office of Vehicle Safety Compliance.

[FR Doc. 2015–07607 Filed 4–2–15; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

Notice and Request for Comments

AGENCY: Surface Transportation Board, DOT.

ACTION: 30-day notice and request for comments: Application to Open a Billing Account.

SUMMARY: As part of its continuing effort to streamline the process to seek feedback from the public on agency service delivery, and as required by the Paperwork Reduction Act of 1995, 44 U.S.C. 3501–3519 (PRA), the Surface Transportation Board (STB or Board) gives notice that it is requesting from the Office of Management and Budget (OMB) approval of the collection, Application to Open a Billing Account.

The Board previously published a notice about this collection in the **Federal Register** on January 28, 2015, at 80 FR 4634. That notice allowed for a 60-day public review and comment period. No comments were received.

Comments may now be submitted to OMB concerning: (1) The accuracy of the Board's burden estimates; (2) ways to enhance the quality, utility, and clarity of the information collected; (3) 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, when appropriate; and (4) whether this collection of information is necessary for the proper performance of the functions of the Board, including whether the collection has practical utility.

Description of Collection

Title: Application to Open a Billing Account.

OMB Control Number: 2140–0006.

STB Form Number: STB Form 1032.

Type of Review: Extension of a currently approved collection.

Respondents: Rail carriers, shippers, and others doing business before the STB.

Number of Respondents: 5.

Estimated Time per Response: Less than .08 hours, based on actual survey of respondents.

Frequency: One time per respondent.

Total Burden Hours (annually including all respondents): Less than 0.4 hours.

Total ''Non-hour Burden'' Cost: No ''non-hour cost'' burdens associated with this collection have been identified.

Needs and Uses: The Board is, by statute, responsible for the economic regulation of freight rail carriers and certain other carriers operating in interstate commerce. The Application to Open a Billing Account is a form used by persons doing business before the Board who wish to open an account with the Board to facilitate their payment of filing fees; fees for the search, review, copying, and certification of records; and fees for other services rendered by the Board. An account holder is billed on a monthly basis for payment of accumulated fees. Data provided is also used for debt collection activities. The application form requests information as required by OMB and U.S. Department of Treasury regulations for the collection of fees. This information is not duplicated by any other agency. In accordance with the Privacy Act, 5 U.S.C. 552a, all taxpayer identification and social security numbers are secured and used only for credit management and debt collection activities.

Retention Period: The STB retains this information until respondent asks to close account and outstanding debts, if any, are paid in full.

DATES: Written comments are due on June 1, 2015.

ADDRESSES: Written comments should be identified as ''Paperwork Reduction Act Comments, Application to Open an Account for Billing Purposes, OMB Number 2140–0006.'' These comments should be directed to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention: Chandana Achanta, Surface Transportation Board Desk Officer, by email at *OIRA_SUBMISSION@OMB.EOP.GOV;* by fax at (202) 395–6974; or by mail to Room 10235, 725 17th Street NW., Washington, DC 20503.

For Further Information or To Obtain a Copy of the STB Form, Contact: Marcin Skomial, (202) 245–0346. [Federal Information Relay Service (FIRS) for the hearing impaired: (800) 877–8339.]

SUPPLEMENTARY INFORMATION: Under the PRA, a Federal agency conducting or sponsoring a collection of information must display a currently valid OMB control number. A collection of information, which is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c),

includes agency requirements that persons submit reports, keep records, or provide information to the agency, third parties, or the public. Section 3507(b) of the PRA requires, concurrent with an agency's submitting a collection to OMB for approval, a 30-day notice and comment period through publication in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information.

Dated: March 31, 2015.

Jeffrey Herzig,

Clearance Clerk.

[FR Doc. 2015–07657 Filed 4–2–15; 8:45 am]

BILLING CODE 4915–01–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA–2015–0025]

Notice of Application for Approval of Discontinuance or Modification of a Railroad Signal System

In accordance with Part 235 of Title 49 Code of Federal Regulations (CFR) and 49 U.S.C. 20502(a), this document provides the public notice that by a document dated February 20, 2015, the Ann Arbor Railroad (AAR) has petitioned the Federal Railroad Administration (FRA) seeking approval for the discontinuance or modification of a signal system. FRA assigned the petition Docket Number FRA–2015–0025.

Applicant: Ann Arbor Railroad, Mr. Ronald L. Chadwick, General Manager, 4058 Chrysler Drive, Toledo, OH 43608.

AAR seeks approval of the proposed discontinuance of an automatic interlocking at the junction of the AAR Main Line with the AAR Saline Industrial Track, Milepost (MP) 40.5, on the Ann Arbor Subdivision, at Pittsfield, near Ann Arbor, MI.

The reason given for the proposed discontinuance is that the Saline Industrial Track has no active customers along it and serves only as a storage track. The main track has only an average of two trains per day. The automatic interlocking will be discontinued and replaced with manually operated gates with stop indications.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at *www.regulations.gov* and in person at the U.S. Department of Transportation's (DOT) Docket Operations Facility, 1200 New Jersey Avenue SE., W12–140, Washington, DC 20590. The Docket Operations Facility is open from 9 a.m. to 5 p.m., Monday through Friday, except Federal Holidays.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted by any of the following methods:

- *Web site: http://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., W12–140, Washington, DC 20590.
- *Hand Delivery:* 1200 New Jersey Avenue SE., Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

Communications received by May 18, 2015 will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable.

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 comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its processes. DOT posts these comments, without edit, including any personal information the commenter provides, to *www.regulations.gov,* as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at *www.dot.gov/privacy.* See also *http://www.regulations.gov/#!privacyNotice* for the privacy notice of regulations.gov.

Issued in Washington, DC on March 27, 2015.

Ron Hynes,

Director, Office of Technical Oversight.

[FR Doc. 2015–07618 Filed 4–2–15; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA–2015–0019]

Petition for Waiver of Compliance

In accordance with part 211 of Title 49 Code of Federal Regulations (CFR), this provides the public notice that by a document dated February 27, 2015, Norfolk Southern Corporation (NS) has petitioned the Federal Railroad Administration (FRA) for a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR part 213. FRA assigned the petition Docket Number FRA–2015–0019.

Pursuant to 49 CFR 213.113(a), NS requests a waiver from the accepted practice of stop/start rail testing to start a pilot test process for nonstop continuous testing. The projected starting date for implementing the test process would be May 1, 2015, for a period of 3 years. The test process will commence initially on the main tracks of the Dearborn Division Chicago Line (Cleveland, OH, to Chicago, IL, Milepost (MP) CD 181.2–523.3). Once this district has been completed, NS will expand to the following locations: (1) Dearborn Division Cleveland Line (Ravenna to Drawbridge, MP RD 85.9–123.2), Chicago District (Chicago, IL, to Hobart, IN, MP B 518.7–486.5), Lake Erie District (Euclid to Bay Village B 172.0–197.3); (2) Lake Division Chicago, Fostoria, & Cleveland Districts (Hobart, IN, to Bay Village, OH, MP B 486.5–197.3); (3) Pittsburgh Division Fort Wayne Line (Pittsburgh, PA, to Crestline, OH, MP PC 0.0–188.7), Pittsburgh Line (Pittsburgh, PA, to CP Cannon, MP PT 353.5–119.1), Conemaugh Line (CP Conpit to CP Penn, MP LC 0.0–77.9), Lake Erie District (Euclid to Ashtabula, B 172.0–129.2), Cleveland Line (Ravenna to Alliance, MP RD 85.9–67.2); and (4) Harrisburg Division Pittsburgh Line (Harris to CP Cannon, MP PT 104.9–119.1), Harrisburg Line (Falls to Harrisburg, PA, MP HP 5.2–112.9), Port Road Branch (Port to Banks, MP EP 33.7–76.1 & Perryville to Port, MP PD 0.3–39.7).

The nonstop continuous rail test vehicle will be a self-propelled ultrasonic/induction rail flaw detection vehicle operating at test speeds up to 30 mph. Upon completion of each daily run, data will be analyzed offline by technical experts experienced with the process on other Class I railroads. The analysis will categorize and prioritize suspect locations for post-test field verification and hand tests. Field verification will be conducted by

qualified and certified rail test professionals with recordable field validation equipment based on GPS location and known track features identified within the flaw detection electronic record. Remedial actions will be applied based on the findings per 49 CFR 213.113 for confirmed rail defect locations.

NS plans to test the Dearborn Division Chicago Line approximately every 30 to 45 days and the extended territories within a similar timeframe. The NS Engineering Department will also provide the FRA Rail Integrity Office with rail test reports for review as required. NS believes nonstop continuous rail testing will provide the capability to test track more quickly and frequently, and minimize the risk of rail service failures.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at *www.regulations.gov* and in person at the U.S. Department of Transportation's (DOT) Docket Operations Facility, 1200 New Jersey Avenue SE., W12–140, Washington, DC 20590. The Docket Operations Facility is open from 9 a.m. to 5 p.m., Monday through Friday, except Federal Holidays.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number (*e.g.,* Waiver Petition Docket Number FRA–2015–0019) and may be submitted by any of the following methods:

- Web site: *http://www.regulations.gov*. Follow the online instructions for submitting comments.
- Fax: 202–493–2251.
- Mail: Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., W12–140, Washington, DC 20590.
- Hand Delivery: 1200 New Jersey Avenue SE., Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Communications received by May 18, 2015 will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable.

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 comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its processes. DOT posts these comments, without edit, including any personal information the commenter provides, to *www.regulations.gov,* as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at *www.dot.gov/privacy*. See also *http://www.regulations.gov/#!privacyNotice* for the privacy notice of regulations.gov.

Issued in Washington, DC, on March 27, 2015.

Ron Hynes,

Director, Office of Technical Oversight.

[FR Doc. 2015–07617 Filed 4–2–15; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

[FTA Docket No. FTA–2015–0004]

Special Notice; Correction

AGENCY: Federal Transit Administration, DOT.

ACTION: Notice of Correction.

SUMMARY: The Federal Transit Administration (FTA) published a 30-Day Notice of Request for Comments in the **Federal Register** on March 17, 2015 Vol. 80 No. 51 entitled; ''49 U.S.C. 5335(a) and (b) National Transit Database Program.'' The notice contained an incorrect estimated total annual burden on respondents. This document corrects that error.

FOR FURTHER INFORMATION CONTACT: Tia Swain, Office of Administration, Office of Management Planning, (202) 366–0354.

Correction

Estimated Total Annual Burden: 302,400 hours.

Matthew M. Crouch,

Associate Administrator for Administration.

[FR Doc. 2015–07604 Filed 4–2–15; 8:45 am]

BILLING CODE P

DEPARTMENT OF TRANSPORTATION

Office of the Secretary of Transportation

Notice of Funding Availability for the Department of Transportation's National Infrastructure Investments Under the Consolidated and Further Continuing Appropriations Act, 2015

AGENCY: Office of the Secretary of Transportation, DOT.

ACTION: Notice of funding availability.

SUMMARY: The Consolidated and Further Continuing Appropriations Act, 2015 (Pub. L. 113–235, December 16, 2014) (''FY 2015 Appropriations Act'' or the ''Act'') appropriated $500 million to be awarded by the Department of Transportation (''DOT'' or the ''Department'') for National Infrastructure Investments. This appropriation is similar, but not identical, to the program funded and implemented pursuant to the American Recovery and Reinvestment Act of 2009 (the ''Recovery Act'') known as the Transportation Investment Generating Economic Recovery, or ''TIGER Discretionary Grants,'' program. Because of the similarity in program structure, DOT will continue to refer to the program as ''TIGER Discretionary Grants.'' Funds for the FY 2015 TIGER program (''TIGER FY 2015'') are to be awarded on a competitive basis for projects that will have a significant impact on the Nation, a metropolitan area, or a region. The purpose of this final notice is to solicit applications for TIGER Discretionary Grants.

DATES: Pre-applications must be submitted by 11:59 p.m. E.D.T. on May 4, 2015. Final applications must be submitted by 11:59 p.m. E.D.T. on June 5, 2015.

ADDRESSES: Pre-applications must be submitted electronically through *www.dot.gov/TIGER.* Final applications must be submitted through Grants.gov. Only applicants who comply with all submission requirements described in this notice and electronically submit both valid pre-applications to DOT and final applications through Grants.gov will be eligible for award.

FOR FURTHER INFORMATION CONTACT: For further information concerning this notice, please contact the TIGER Discretionary Grant program staff via email at *TIGERGrants@dot.gov,* or call Howard Hill at 202–366–0301. A TDD is available for individuals who are deaf or hard of hearing at 202–366–3993. In addition, DOT will regularly post answers to questions and requests for

clarifications on DOT's Web site at *www.dot.gov/TIGER*

SUPPLEMENTARY INFORMATION: This notice is substantially similar to the final notice published for the TIGER Discretionary Grant program in the **Federal Register** on March 3, 2014. However, the FY 2015 Appropriations Act does not provide dedicated funding for the planning, preparation, or design of capital projects (''TIGER Planning Grants''); these activities may be eligible to the extent that they are part of an overall construction project that receives TIGER Discretionary Grant funding. Additionally, unlike the past two rounds of TIGER Discretionary Grants, a pre-application must be submitted for an application to be considered. The pre-application helps DOT allocate staff resources for the evaluation process, allows applicants to provide identifying information about their project, and assists DOT in clarifying eligibility questions before the final application is submitted. In addition to the differences above, and minor edits for clarification and those made to conform the notice to the statutory circumstances of this round of TIGER Discretionary Grant funding, this notice's format has changed to conform to Appendix I to 2 CFR part 200. Each section of this notice contains information and instructions relevant to the application process for these TIGER Discretionary Grants, and you should read this notice in its entirety so that you have the information you need to submit eligible and competitive applications.

Table of Contents

A. Program Description
B. Federal Award Information
C. Eligibility Information
D. Application and Submission Information
E. Application Review
F. Federal Award Administration
G. Federal Awarding Agency Contacts
H. Other Information

A. Program Description

Since the TIGER Discretionary Grants program was first created, $4.1 billion has been awarded for capital investments in surface transportation infrastructure over six rounds of competitive grants. The TIGER Discretionary Grant program seeks to award projects that advance DOT's long-term priorities for the nation's transportation system found in DOT's Strategic Plan for FY 2014–FY 2018 (*http://www.dot.gov/sites/dot.gov/files/docs/2014-2018-strategic-plan_0.pdf*). *Section E, Application Review,* of this notice describes the TIGER Discretionary Grant selection criteria based on these priorities. Please see DOT's Web site at *www.dot.gov/TIGER* for background on previous rounds of TIGER Discretionary Grants.

Throughout the TIGER program, TIGER Discretionary Grant awards have supported innovative projects, including multimodal and multijurisdictional projects which are difficult to fund through traditional Federal programs. Successful TIGER projects leverage resources, encourage partnership, catalyze investment and growth, fill a critical void in the transportation system or provide a substantial benefit to the nation, region or metropolitan area in which the project is located. The FY 2015 TIGER program will continue to make transformative surface transportation investments that dramatically improve the status quo by providing significant and measurable improvements over existing conditions. Transformative improvements anchor broad and long-lasting, positive changes in economic development, safety, quality of life, environmental sustainability, or state of good repair. Because each TIGER project is unique, applicants are encouraged to present, in measurable terms, how TIGER investment will lead to transformative change(s) in their community.

The FY 2015 TIGER program will fund transformative projects of all eligible types, including projects that promote Ladders of Opportunity, to the extent permitted by law. The FY 2014 TIGER program gave consideration to projects that sought to improve access to reliable, safe, and affordable transportation for disconnected communities in urban, suburban, and rural areas. This included, but was not limited to, capital projects that better connected people to jobs, removed physical barriers to access, and strengthened communities through neighborhood redevelopment. The FY 2015 TIGER program clearly identifies this concept as Ladders of Opportunity. Ladders of Opportunity projects may increase connectivity to employment, education, services and other opportunities, support workforce development, or contribute to community revitalization, particularly for disadvantaged groups: low income groups, persons with visible and hidden disabilities, elderly individuals, and minority persons and populations.

B. Federal Award Information

The FY 2015 Appropriations Act appropriated $500 million to be awarded by DOT for the TIGER Discretionary Grants program. The FY 2015 TIGER Discretionary Grants are for capital investments in surface transportation infrastructure and are to be awarded on a competitive basis for projects that will have a significant impact on the Nation, a metropolitan area, or a region. The Act also allows DOT to use a small portion of the $500 million for oversight and administration of grants. If this solicitation does not result in the award and obligation of all available funds, DOT may publish additional solicitations.

The FY 2015 Appropriations Act specifies that TIGER Discretionary Grants may not be less than $10 million and not greater than $200 million, except that for projects located in rural areas (as defined in *Section C.3*) the minimum TIGER Discretionary Grant size is $1 million.

Pursuant to the FY 2015 Appropriations Act, no more than 25 percent of the funds made available for TIGER Discretionary Grants (or $125 million) may be awarded to projects in a single State. The FY 2015 Appropriations Act directs that not less than 20 percent of the funds provided for TIGER Discretionary Grants (or $100 million) shall be used for projects located in rural areas. Further, pursuant to the FY 2015 Appropriations Act, DOT must take measures to ensure an equitable geographic distribution of grant funds, an appropriate balance in addressing the needs of urban and rural areas, and investment in a variety of transportation modes.

The FY 2015 Appropriations Act requires that FY 2015 TIGER funds are only available for obligation through September 30, 2017. No FY 2015 TIGER funds may be expended after September 30, 2022. As part of the review and selection process described in *Section E.2.*, DOT will consider whether a project is ready to proceed with an obligation of grant funds from DOT within the statutory time provided. Under the FY 2015 Appropriations Act, no waiver is possible for these deadlines.

The FY 2015 Appropriations Act allows for up to 20 percent of available funds (or $100 million) to be used by the Department to pay the subsidy and administrative costs for a project receiving credit assistance under the Transportation Infrastructure Finance and Innovation Act of 1998 (''TIFIA'') program, if it would further the purposes of the TIGER Discretionary Grant program.

Recipients of prior TIGER Discretionary Grants may apply for funding to support additional phases of a project awarded funds in earlier rounds of this program. However, to be competitive, the applicant should

demonstrate the extent to which the previously funded project phase has been able to meet estimated project schedules and budget, as well as the ability to realize the benefits expected for the project.

DOT expects that each TIGER Discretionary Grant will be administered by one of the relevant modal administrations, pursuant to a grant agreement between the TIGER Discretionary Grant recipient and the relevant modal administration.

C. Eligibility Information

To be selected for a TIGER Discretionary Grant, an applicant must be an Eligible Applicant and the project must be an Eligible Project.

1. Eligible Applicants

Eligible Applicants for TIGER Discretionary Grants are State, local, and tribal governments, including U.S. territories, transit agencies, port authorities, metropolitan planning organizations (MPOs), and other political subdivisions of State or local governments.

Multiple States or jurisdictions may submit a joint application and must identify a lead applicant as the primary point of contact. Each applicant in a joint application must be an Eligible Applicant. Joint applications must include a description of the roles and responsibilities of each applicant and must be signed by each applicant.

2. Cost Sharing or Matching

TIGER Discretionary Grants may be used for up to 80 percent of the costs of a project. [1] DOT may increase the Federal share above 80 percent only for projects located in rural areas, in which case DOT may fund up to 100 percent of the costs of a project.

DOT will consider non-Federal funds, as well as funds from the Tribal Transportation Program (23 U.S.C. 202), as a local match for purposes of this program. DOT cannot consider any funds already expended (or otherwise encumbered) towards the matching requirement. Please note that matching funds provided by an applicant will not be considered as matching funds if the source of those funds is ultimately a Federal program, nor can Federal funds be used as match for other Federal funds, unless authorized in statute. Matching funds are subject to the same Federal requirements described in *Section F.2.* as awarded funds.

[1] To meet match requirements, the minimum total project cost for a project located in an urban area must be $12.5 million.

3. Other

i. Eligible Projects—Eligible projects for TIGER Discretionary Grants are capital projects that include, but are not limited to: (1) Highway or bridge projects eligible under title 23, United States Code (including bicycle and pedestrian related projects); (2) public transportation projects eligible under chapter 53 of title 49, United States Code; (3) passenger and freight rail transportation projects; (4) port infrastructure investments (including inland port infrastructure); and (5) intermodal projects. This description of eligible projects is identical to the description of eligible projects under earlier rounds of the TIGER Discretionary Grant program.[2] Research, demonstration, or pilot projects are eligible only if they result in long-term, permanent surface transportation infrastructure that has independent utility as defined in Section C.3.iii.

ii. Rural/Urban Definition—For purposes of this notice, DOT defines ''rural area'' as any area not in an Urbanized Area, as such term is defined by the Census Bureau,[3] and will consider a project to be in a rural area if all or the majority of a project (determined by geographic location(s) where the majority of project money is to be spent) is located in a rural area. In this notice ''urban'' means not rural. This definition affects three aspects of the program. First, the FY 2015 Appropriations Act directs that not less than $100 million of the funds provided for TIGER Discretionary Grants are to be used for projects in rural areas. Second, for a project in a rural area the minimum award is $1 million instead of $10 million. Third, up to 100 percent of the costs of a project in a rural area may be paid for with Federal funds.

To the extent more than a *de minimis* portion of a project is located in an Urbanized Area, applicants should identify the estimated percentage of project costs that will be spent in Urbanized Areas and the estimated percentage that will be spent in rural areas.

iii. Project Components—An application may describe a project that contains more than one component. DOT may award funds for a component, instead of the larger project, if that component (1) meets minimum award amounts described in *Section B* and all eligibility requirements described in Section C; (2) has independent utility; and (3) independently aligns well with the selection criteria specified in Section E.1 (*Selection Criteria*). Independent utility means that the component provides transportation benefits in and of itself and will be ready for intended use upon completion of the component's construction. All project components that are presented in a single application must demonstrate a strong relationship or connection between them (please see Section E.1.iii.d. for Required Approvals.)

DOT strongly encourages applicants to identify in their applications the project components that have independent utility and separately detail the costs and requested TIGER funding for those components. If the application identifies an independent project component, the application must clearly identify the benefits that the component would produce on its own, in addition to describing the benefits from the full proposal.

iv. Limit on Number of Applications—Each lead applicant may submit no more than three applications. Unrelated project components should not be bundled in an application for the purpose of avoiding the three applications per lead applicant limit. Please note that the three-application limit applies only to applications where the applicant is the lead applicant. There is no limit on applications for which an applicant can be listed as a partnering agency. If a lead applicant submits more than three applications as the lead applicant, only the first three received will be considered.

D. Application and Submission Information

1. Address

Pre-application instructions and information will be available at *www.dot.gov/TIGER,* and will include details for submitting the pre-application electronically to DOT. Final applications must be submitted to Grants.gov. Instructions for submitting pre-applications and final applications through Grants.gov can be found at *www.dot.gov/TIGER.*

[2] Please note that the Department may use a TIGER Discretionary Grant to pay for the surface transportation components of a broader project that has non-surface transportation components, and applicants are encouraged to apply for TIGER Discretionary Grants to pay for the surface transportation components of these projects.

[3] For Census 2010, the Census Bureau defined an Urbanized Area (UA) as an area that consists of densely settled territory that contains 50,000 or more people. Updated lists of UAs are available on the Census Bureau Web site at *http://www2.census.gov/geo/maps/dc10map/UAUC_RefMap/ua/.* Urban Clusters (UCs) are rural areas for purposes of the TIGER Discretionary Grant program. Please note that while individual jurisdictions might have a population of fewer than 50,000, if they are included as part of an UA, they will be classified as urban for purposes of the TIGER program.

2. Content and Form of Application Submission

i. Pre-Application: The pre-application requires applicants to submit identifying information about their project and qualifies applicants to submit a final application. If an applicant does not submit a pre-application, the final application will not be considered. Pre-applications will not be reviewed until after the pre-application deadline.

Applicants must complete the pre-application form and send it to DOT electronically on or prior to the pre-application deadline, in accordance with the instructions specified at *www.dot.gov/TIGER*.

ii. Final Application: Final applications will not be considered unless a pre-application is submitted by the applicant. Any changes from the pre-application should be clearly identified in the final application. DOT may ask any applicant to supplement data in its application, but expects applications to be complete upon submission. To the extent practicable, applicants should provide data and evidence of project merits in a form that is verifiable or publicly available. The final application must include the Standard Form 424 (Application for Federal Assistance) and the Project Narrative. Additional clarifying guidance and FAQs to assist applicants in completing the SF–424 will be available at *www.dot.gov/TIGER* by May 5, 2015, when the ''Apply'' function within Grants.gov opens to accept applications under this notice.

The Project Narrative (attachment to SF–424) must respond to the application requirements outlined below. The application must include information required for DOT to assess each of the criteria specified in Section E.1 (Selection Criteria). Applicants must demonstrate the responsiveness of a project to any pertinent selection criteria with the most relevant information that you can provide, regardless of whether such information has been specifically requested, or identified, in this notice. An application should provide evidence of the feasibility of achieving project milestones, and of financial capacity and commitment in order to support project readiness.

An application should also include a description of how the project addresses the needs of the area, creates economic opportunity, and sparks community revitalization, particularly for disadvantaged groups.

DOT recommends that the project narrative adhere to the following basic outline and, in addition to a detailed statement of work, detailed project schedule, and detailed project budget, should include a table of contents, maps, and graphics as appropriate that make the information easier to review:

a. Project Description (including a description of what TIGER funds will support, information on the expected users of the project, a description of the transportation challenges that the project aims to address, how the project will address these challenges, and if, and how, the project promotes Ladders of Opportunity. The description should include relevant data, such as passenger or freight volumes, congestion levels, infrastructure condition, and safety experience.);

b. Project Location (a detailed description of the proposed project and geospatial data for the project, including a map of the project's location and its connections to existing transportation infrastructure, as well as a description of the national, regional, or metropolitan area in which the project is located, including economic information such as population size, median income for transportation facility users, or major industries affected, and project map);

c. Project Parties (information about the grant recipient and other project parties);

d. Grant Funds and Sources/Uses of Project Funds (information about the amount of grant funding requested, availability/commitment of fund sources and uses of all project funds, total project costs, percentage of project costs that would be paid with TIGER Discretionary Grant funds, and the identity of all parties providing funds for the project and their percentage shares.) Include any other pending or past Federal funding requests for the project as well as Federal funds already provided under other programs and the size, nature/source of the required match for those funds, to clarify that these are not the same funds counted under the matching requirement for this grant request;

e. Selection Criteria (information about how the project aligns with each of the primary and secondary selection criteria):

(i) Primary Selection Criteria
  (a) State of Good Repair
  (b) Economic Competitiveness
  (c) Quality of Life
  (d) Environmental Sustainability
  (e) Safety
(ii) Secondary Selection Criteria
  (a) Innovation
  (b) Partnership

f. Results of Benefit-Cost Analysis;

g. Project Readiness, including planning approvals, NEPA and other environmental reviews/approvals, (including information about permitting, legislative approvals, State and local planning, and project partnership and implementation agreements); and

h. Federal Wage Rate Certification (an application must include a certification, signed by the applicant(s), stating that it will comply with the requirements of subchapter IV of chapter 31 of title 40, United States Code [Federal wage rate requirements], as required by the FY 2015 Appropriations Act).

The purpose of this recommended format is to ensure that applications clearly address the program requirements and make critical information readily apparent.

DOT recommends that the project narrative be prepared with standard formatting preferences (*i.e.,* a single-spaced document, using a standard 12-point font, such as Times New Roman, with 1-inch margins). The project narrative may not exceed 30 pages in length. Documentation supporting the assertions made in the narrative portion may also be provided, but should be limited to relevant information. Cover pages, tables of contents, and the federal wage rate certification do not count towards the 30-page limit for the narrative portion of the application. Otherwise, the only substantive portions of the application that may exceed the 30-page limit are any supporting documents (including a more detailed discussion of the benefit-cost analysis) provided to support assertions or conclusions made in the 30-page narrative section. If possible, Web site links to supporting documentation (including a more detailed discussion of the benefit-cost analysis) should be provided rather than copies of these materials. Otherwise, supporting documents should be included as appendices to the application. It is helpful if applicants' references to supporting documentation clearly identify the relevant portion of that document. At the applicant's discretion, relevant materials provided previously to a relevant modal administration in support of a different DOT discretionary financial assistance program (for example, New Starts or TIFIA) may be referenced and described as unchanged. This information need not be resubmitted for the TIGER Discretionary Grant application but may be referenced as described above; Web site links to the materials are highly recommended. DOT recommends using appropriately descriptive file names (*e.g.,* ''Project Narrative,'' ''Maps,'' ''Memoranda of Understanding and Letters of Support,'' etc.) for all attachments.

3. Unique Entity Identifier and System for Award Management (SAM)

DOT may not make a TIGER Discretionary Grant award to an applicant until the applicant has complied with all applicable DUNS and SAM requirements. If an applicant has not fully complied with the requirements by the submission deadline, the application will not be considered. To submit an application through Grants.gov, applicants must:

i. Obtain a Data Universal Numbering System (DUNS) number;

ii. Register with the System for Award Management (SAM) at *www.SAM.gov;*

iii. Create a Grants.gov username and password; and

iv. The E-Business Point of Contact (POC) at your organization must respond to the registration email from Grants.gov and login at Grants.gov to authorize you as an Authorized Organization Representative (AOR). Please note that there can be more than one AOR for an organization.

For information and instructions on each of these processes, please see instructions at *http://www.grants.gov/web/grants/applicants/applicant-faqs.html*.

If an applicant is selected for an award, the applicant will be required to maintain an active SAM registration with current information throughout the period of the award.

4. Submission Dates and Times

i. Deadline: Pre-applications must be submitted by 11:59 p.m. E.D.T. on May 4, 2015. Final applications must be submitted by 11:59 p.m. E.D.T. on June 5, 2015. The Grants.gov ''Apply'' function will open on May 5, 2015.

The Department has determined that a pre-application deadline fewer than 60 days after this notice is appropriate because (1) this notice is substantially similar to notices used for previous rounds of TIGER Discretionary Grants, (2) minimal work is required to submit the pre-application, and (3) the accelerated timeframe helps the Department ensure that it can timely obligate the available funds.

ii. Only applicants who comply with all submission deadlines described in this notice and electronically submit valid pre-applications to DOT and final applications through Grants.gov will be eligible for award.

Applicants are strongly encouraged to make submissions in advance of the deadline. Please be aware that you must complete the Grants.gov registration process before submitting the final application, and that this process usually takes 2–4 weeks to complete. If interested parties experience difficulties at any point during the registration or application process, please call the Grants.gov Customer Support Hotline at 1–800–518–4726, Monday-Friday from 7:00 a.m. to 9:00 p.m. EDT.

iii. Late Applications: Applications received after the deadline will not be considered except in the case of unforeseen technical difficulties outlined in Section 4.iv. Late applications that are the result of failure to register or comply with Grants.gov applicant requirements in a timely manner will not be considered.

iv. a. Pre-Application

Applicants experiencing technical issues due to the pre-application submission site that are beyond the applicant's control must contact *TIGERGrants@dot.gov* or Howard Hill at 202–366–0301 prior to the pre-application deadline with the user name of the registrant and details of the technical issue experienced.

DOT will consider late pre-applications on a case-by-case basis. DOT encourages applicants to submit additional information documenting the reason for the late submissions.

b. Final Application

Applicants experiencing technical issues with Grants.gov that are beyond the applicant's control must contact *TIGERGrants@dot.gov* or Howard Hill at 202–366–0301 prior to the corresponding deadline with the user name of the registrant and details of the technical issue experienced. The applicant must provide:

(i) Details of the technical issue experienced.

(ii) Screen capture(s) of the technical issue experienced along corresponding ''Grant tracking number'' (Grants.Gov).

(iii) The ''Legal Business Name'' for the applicant that was provided in the SF–424 or pre-application.

(iv) The AOR name submitted in the SF–424 (Grants.gov).

(v) The DUNS number associated with the pre-application/application.

(vi) The Grants.gov or Pre-Application Help Desk Tracking Number.

To ensure a fair competition for limited discretionary funds, the following conditions are not valid reasons to permit late submissions: (1) Failure to complete the registration process before the deadline date; (2) failure to follow Grants.gov instructions on how to register and apply as posted on its Web site; (3) failure to follow all of the instructions in this notice of funding availability; and (4) technical issues experienced with the applicant's computer or information technology (IT) environment. After DOT staff review all of the information submitted and contacted the Grants.gov Help Desk to validate the technical issues you reported, DOT staff will contact you to either approve or deny your request to submit a late application through Grants.gov. If the technical issues you reported cannot be validated, your application will be rejected as untimely.

5. Funding Restrictions

There is no specific set aside funding solely for pre-construction activities [4] in the FY 2015 TIGER Discretionary Grant program. However, these activities may be eligible to the extent that they are part of an overall construction project that receives TIGER Discretionary Grant funding. For TIGER funds to be considered for pre-construction activities, the applicant must clearly state, in the application, the pre-construction activity and amount of TIGER funds that will be expended on the activity.

E. Application Review

1. Selection Criteria

This section specifies the criteria that DOT will use to evaluate and award applications for TIGER Discretionary Grants. The criteria incorporate the statutory eligibility requirements for this program, which are specified in this notice as relevant. There are two categories of selection criterion, ''Primary Selection Criteria'' and ''Secondary Selection Criteria.'' Within each relevant selection criteria, applicants are encouraged to present in measurable terms how TIGER investment will lead to transformative change(s) in their community. Projects will also be evaluated for demonstrated project readiness, benefits and costs, and cost share.

i. Primary Selection Criteria

Applications that do not demonstrate a likelihood of significant long-term benefits based on these criteria will not proceed in the evaluation process. DOT does not consider any primary selection criterion more important than the others. The primary selection criteria, which will receive equal consideration, are:

a. Safety. Improving the safety of U.S. transportation facilities and systems for all modes of transportation and users. DOT will assess the project's ability to

[4] Pre-Construction activities are activities related to the planning, preparation, or design of surface transportation projects. These activities include but are not limited to environmental analysis, feasibility studies, design, and engineering of surface transportation projects as described in Section C.3.

reduce the number, rate, and consequences of surface transportation-related accidents, serious injuries, and fatalities among transportation users, the project's contribution to the elimination of highway/rail grade crossings, and the project's contribution to preventing unintended releases of hazardous materials. DOT will consider the project's ability to foster a safe, connected, accessible transportation system for the multimodal movement of goods and people.

b. State of Good Repair. Improving the condition and resilience of existing transportation facilities and systems. DOT will assess whether and to what extent: (1) The project is consistent with relevant plans to maintain transportation facilities or systems in a state of good repair and address current and projected vulnerabilities; (2) if left unimproved, the poor condition of the asset will threaten future transportation network efficiency, mobility of goods or accessibility and mobility of people, or economic growth; (3) the project is appropriately capitalized up front and uses asset management approaches that optimize its long-term cost structure; (4) a sustainable source of revenue is available for operations and maintenance of the project; and (5) the project improves the transportation asset's ability to withstand probable occurrence or recurrence of an emergency or major disaster or other impacts of climate change. Additional consideration will be given to a project's contribution to improve the overall reliability of a multimodal transportation system that serves all users, and to projects that offer significant transformational improvements to the condition of existing transportation systems and facilities.

c. Economic Competitiveness. Contributing to the economic competitiveness of the United States over the medium- to long-term, revitalizing communities, and creating and preserving jobs. DOT will assess whether the project will (1) Decrease transportation costs and improve access for Americans with transportation disadvantages through reliable and timely access to employment centers, education and training opportunities, and other basic needs of workers; (2) improve long-term efficiency, reliability or costs in the movement of workers or goods; (3) increase the economic productivity of land, capital, or labor at specific locations, and through community revitalization efforts; (4) result in long-term job creation and other economic opportunities; or (5) help the United States compete in a global economy by facilitating efficient and reliable freight movement, including border infrastructure and projects that have a significant effect on reducing the costs of transporting export cargoes. DOT will prioritize projects that exhibit strong leadership and vision, and are part of a larger strategy to significantly revitalize communities and increase economic opportunities.

d. Quality of Life. Increasing transportation choices and access to essential services for people in communities across the United States, particularly for disadvantaged groups. DOT will assess whether the project furthers the six ''Livability Principles'' developed by DOT with the Department of Housing and Urban Development (HUD) and the Environmental Protection Agency (EPA) as part of the Partnership for Sustainable Communities.[5] DOT will focus on the first principle, the creation of affordable and convenient transportation choices.[6] Further, DOT will prioritize projects developed in coordination with land-use planning and economic development decisions, including through programs like TIGER Planning Grants, the Department of Housing and Urban Development's Regional Planning Grants, the Environmental Protection Agency's Brownfield Area-Wide Planning Pilot Program, and technical assistance programs focused on quality of life or economic development planning. DOT will assess the extent to which the project will anchor transformative, positive and long-lasting quality of life changes at the national, regional or metropolitan level.

e. Environmental Sustainability. Improving energy efficiency, reducing dependence on oil, reducing greenhouse gas emissions, improving water quality, avoiding and mitigating environmental impacts and otherwise benefitting the environment. DOT will assess the project's ability to: (i) Reduce energy use and air or water pollution; (ii) avoid adverse environmental impacts to air or water quality, wetlands, and endangered species; or (iii) provide environmental benefits, such as brownfield redevelopment, ground water recharge in areas of water scarcity, wetlands creation or improved habitat connectivity, and stormwater mitigation, including green infrastructure. Applicants are encouraged to provide quantitative information, including baseline information that demonstrates how the project will reduce energy consumption, stormwater runoff, or achieve other benefits for the environment.

ii. Secondary Selection Criteria

a. Innovation. Use of innovative strategies to pursue the long-term outcomes outlined above. DOT will also assess the extent to which the project uses innovative technology to pursue one or more of the long-term outcomes outlined above or to significantly enhance the operational performance of the transportation system. DOT will also assess the extent to which the project incorporates innovations in transportation funding and finance and leverages both existing and new sources of funding through both traditional and innovative means. Further, DOT will consider the extent to which the project utilizes innovative practices in contracting, congestion management, safety management, asset management, or long-term operations and maintenance. DOT is interested in projects that apply innovative strategies to improve the efficiency of project development or to improve project delivery.

b. Partnership. Demonstrating strong collaboration among a broad range of stakeholders, and the product of a robust, inclusive planning process.

(i) Jurisdictional and Stakeholder Collaboration. DOT will consider the extent to which projects involve multiple partners in project development and funding, such as State and local governments, other public entities, and/or private or nonprofit entities. DOT will also assess the extent to which the project application demonstrates collaboration among neighboring or regional jurisdictions to achieve national, regional, or metropolitan benefits. In the context of public-private partnerships, DOT will assess the extent to which partners are encouraged to ensure long-term asset performance, such as through pay-for-success approaches.

(ii) Disciplinary Integration. DOT will consider the extent to which projects include partnerships that bring together diverse transportation agencies and/or are supported, financially or otherwise, by non-transportation public agencies that are pursuing similar objectives. For example, DOT will give priority to transportation projects that are coordinated with economic development, housing, water infrastructure, and land use plans and policies or other public service efforts.

[5] *http://www.sustainablecommunities.gov/index.html.*

[6] In full, this principle reads: ''Provide more transportation choices. Develop safe, reliable and economical transportation choices to decrease household transportation costs, reduce our nations' dependence on foreign oil, improve air quality, reduce greenhouse gas emissions and promote public health.''

Similarly, DOT will give priority to transportation projects that are coordinated with housing, social services, or education agencies. Projects that grow out of a robust planning process—such as those conducted with DOT's various planning programs and initiatives, the Department of Housing and Urban Development's Regional Planning Grants and Choice Neighborhood Planning Grants, or the Environmental Protection Agency's Brownfield Area-Wide Planning Pilot Program, as well as technical assistance programs focused on livability or economic development planning—will also be given priority.

iii. Demonstrated Project Readiness

Projects that receive funding in this round of TIGER must obligate funds by September 30, 2017, or the funding will expire. Therefore, DOT will assess every application to determine whether the project is likely to proceed to obligation by the statutory deadline (see *Additional Information on Project Readiness Guidelines* located at *www.dot.gov/TIGER* for further details), as evidenced by:

a. Technical Feasibility. The technical feasibility of the project should be demonstrated by engineering and design studies and activities; the development of design criteria and/or a basis of design; the basis for the cost estimate presented in the TIGER application, including the identification of contingency levels appropriate to its level of design; and any scope, schedule, and budget risk-mitigation measures. Applicants must include a detailed statement of work that focuses on the technical and engineering aspects of the project and describes in detail the project to be constructed;

b. Financial Feasibility. The viability and completeness of the project's financing package (assuming the availability of the requested TIGER Discretionary Grant funds) should be demonstrated including evidence of stable and reliable capital and (as appropriate) operating fund commitments sufficient to cover estimated costs; the availability of contingency reserves should planned capital or operating revenue sources not materialize; evidence of the financial condition of the project sponsor; and evidence of the grant recipient's ability to manage grants. The applicant must include a detailed project budget in this section of the application containing a breakdown of how the funds will be spent. That budget must estimate—both dollar amount and percentage of cost—the cost of work for each project component and provide examples. If the project will be completed in individual segments or phases, a budget for each individual segment or phase must be included. Budget spending categories must be broken down between TIGER, other Federal, and non-Federal sources [7], and identify how each funding source will share in each activity.

c. Project Schedule. The applicant must include a detailed project schedule that includes all major project milestones—such as start and completion of environmental reviews and approvals; design; right of way acquisition; approval of plan, specification and estimate (PS&E); procurement; and construction— with sufficiently detailed information to demonstrate that:

(i) all necessary pre-construction activities will be complete to allow grant funds to be obligated no later than June 30, 2017, to give DOT reasonable assurance that the TIGER Discretionary Grant funds will be obligated sufficiently in advance of the September 30, 2017, statutory deadline, and that any unexpected delays will not put the funds at risk of expiring before they are obligated;

(ii) the project can begin construction quickly upon receipt of a TIGER Discretionary Grant, and that the grant funds will be spent steadily and expeditiously once construction starts; and

(iii) any applicant that is applying for a TIGER Discretionary Grant and does not own all of the property or right-of-way required to complete the project should provide evidence that the property and/or right-of-way acquisition can and will be completed expeditiously.

DOT may revoke any award of TIGER Discretionary Grant funds and award those funds to another project if the funds cannot be timely expended or construction does not begin in accordance with the project schedule established in the grant agreement.

d. Required Approvals

(i) Environmental Permits and Reviews. An application for a TIGER Discretionary Grant must detail whether the project will significantly impact the natural, social and/or economic environment. The application should demonstrate receipt (or reasonably anticipated receipt) of all environmental approvals and permits necessary for the project to proceed to construction on the timeline specified in the project schedule and necessary to meet the statutory obligation deadline, including satisfaction of all Federal, State and local requirements and completion of the National Environmental Policy Act (''NEPA'') process. Although Section C.3.iii (Project Components) of this notice encourages applicants to identify independent project components, those components may not be separable for the NEPA process. In such cases, the NEPA review for the independent project component may have to include evaluation of all project components as connected, similar, or cumulative actions, as detailed at 40 CFR 1508.25. The applicant should submit the information listed below with your application:

(1) Information about the NEPA status of the project. If the NEPA process is completed, an applicant must indicate the date of, and provide a Web site link or other reference to the final Categorical Exclusion, Finding of No Significant Impact or Record of Decision. If the NEPA process is underway but not complete, the application must detail the type of NEPA review underway, where the project is in the process, and indicate the anticipated date of completion. You must provide a Web site link or other reference to copies of any NEPA documents prepared.

(2) Information on reviews by other agencies. An application for a TIGER Discretionary Grant must indicate whether the proposed project requires reviews or approval actions by other agencies,[8] indicate the status of such actions, and provide detailed information about the status of those reviews or approvals and/or demonstrate compliance with any other applicable Federal, State, or local requirements.

(3) Environmental studies or other documents—preferably through a Web site link—that describe in detail known project impacts, and possible mitigation for those impacts.

(4) A description of discussions with the appropriate DOT modal administration field or headquarters office regarding compliance with NEPA and other applicable environmental reviews and approvals.

(ii) Legislative Approvals. The applicant should demonstrate receipt of state and local approvals on which the project depends. Additional support

[7] Non-Federal sources include State funds originating from State revenue funded programs, local funds originating from State or local revenue funded programs, private funds or other funding sources of non-Federal origins.

[8] Projects that may impact protected resources such as wetlands, species habitat, cultural or historic resources require review and approval by Federal and State agencies with jurisdiction over those resources. Examples of these reviews and approvals can be found at *www.dot.gov/TIGER.*

from relevant State and local officials is not required; however, an applicant should demonstrate that the project is broadly supported.

(iii) State and Local Planning. The planning requirements of the modal administration administering the TIGER project will apply.[9] You should demonstrate that a project that is required to be included in the relevant State, metropolitan, and local planning documents has been or will be included. If the project is not included in the relevant planning documents at the time the application is submitted, you should submit a certification from the appropriate planning agency that actions are underway to include the project in the relevant planning document. Because projects have different schedules, the construction start date for each TIGER Discretionary Grant will be specified in the project-specific grant agreements signed by relevant modal administration and the grant recipients and will be based on critical path items identified by applicants in response to items (i)(1) through (4) above.

e. Assessment of Project Risks and Mitigation Strategies. The applicant should identify the material risks to the project and the strategies that the lead applicant and any project partners have undertaken or will undertake in order to mitigate those risks. In past rounds of TIGER Discretionary Grants, certain projects have been affected by procurement delays, environmental uncertainties, and increases in real estate acquisition costs. The applicant must assess the greatest risks to the projects and identify how the project parties will mitigate those risks. DOT will consider projects that contain risks so long as the applicant clearly and directly describe achievable mitigation strategies.

The applicant, to the extent they are unfamiliar with the Federal program, should contact DOT modal field or headquarters offices for information on what steps are pre-requisite to the obligation of Federal funds in order to ensure that their project schedule is reasonable and that there are no risks of delays in satisfying federal requirements.

Contacts for the Federal Highway Administration Division offices—which are located in all 50 States, Washington, DC, and Puerto Rico—can be found at *http://www.fhwa.dot.gov/about/field.cfm.* Contacts for the ten Federal Transit Administration regional offices can be found at *http://www.fta.dot.gov/12926.html.* Contacts for the nine Maritime Administration Gateway Offices can be found at *http://www.marad.dot.gov/about_us_landing_page/gateway_offices/Gateway_Presence.htm.* For Federal Railroad Administration Contacts, please contact TIGER program staff via email at *TIGERGrants@dot.gov,* or call Howard Hill at 202–366–0301.

iv. Project Costs and Benefits

An applicant for TIGER Discretionary Grants is generally required to identify, quantify, and compare expected benefits and costs, subject to the following qualifications: [10]

An applicant should prepare and submit an analysis of benefits and costs; however, DOT understands that the appropriate level of detail of analysis (for items such as surveys, travel demand forecasts, market forecasts, and statistical analyses) is less for smaller projects than for larger projects. The level of sophistication of the benefit-cost analysis (BCA) should be reasonably related to the size of the overall project and the amount of grant funds requested in the application. Any subjective estimates of benefits and costs should be quantified, and the applicant should provide appropriate evidence to lend credence to their subjective estimates. Estimates of benefits should be presented in monetary terms whenever possible; if a monetary estimate is not possible, then at least one non-monetary quantitative estimate (in physical, non-monetary terms, such as crash rates, ridership estimates, emissions levels, or energy efficiency improvements) should be provided.

Based on feedback over previous rounds of TIGER, DOT recognizes that the benefit-cost analysis can be particularly burdensome on Tribal governments. Therefore, the Department is providing additional flexibility to Tribal governments for the purposes of this notice. At their discretion, Tribal applicants may elect to provide raw data to support the need for a project (such as crash rates, ridership estimates, and the number of people who will benefit from the project), without additional analysis. This data will then be used to allow DOT economists to make the best estimates they can develop (given the data provided) of benefits and costs. Examples of BCAs by successful Tribal applicants are also available online at *http://www.dot.gov/policy-initiatives/tiger/tribal-tiger-bca-examples.*

The lack of a useful analysis of expected project benefits and costs may be the basis for not selecting a project for award of a TIGER Discretionary Grant. If it is clear to DOT that the total benefits of a project are not reasonably likely to justify the project's costs, DOT will not award a TIGER Discretionary Grant to the project.

Detailed guidance for the preparation of benefit-cost analyses is provided in the *2015 Benefit-Cost Analyses Guidance for TIGER Grant Applicants* and in the *BCA Resource Guide* (available at *www.dot.gov/TIGER*). A recording of the *Benefit-Cost Analysis Practitioner's Workshop (2010)* and two BCA-related webinars are also available for viewing at *www.dot.gov/TIGER,* along with examples of benefit-cost analyses that have been submitted in previous rounds of TIGER.

Spreadsheets supporting the benefit-cost analysis should be original Excel spreadsheets, not PDFs of those spreadsheets. Benefits should be presented, whenever possible, in a tabular form showing benefits and costs in each year for the useful life of the project. The application should include projections for both the build and no-build scenarios for the project for each year between the completion of the project and a point in time at least 20 years beyond the project's completion date or the lifespan of the project, whichever is closer to the present.

[9] All projects requiring an action by the Federal Highway Administration (FHWA) or the Federal Transit Administration (FTA) in accordance with 23 CFR part 450, must be in the metropolitan transportation plan, transportation improvement program (TIP) and statewide transportation improvement program (STIP). Further, in air quality non-attainment and maintenance areas, all regionally significant projects, regardless of the funding source, must be included in the conforming metropolitan transportation plan and TIP. To the extent a project is required to be on a metropolitan transportation plan, TIP, and/or STIP, it will not receive a TIGER Discretionary Grant until it is included in such plans. Projects not currently included in these plans can be amended by the State and metropolitan planning organization (MPO). Projects that are not required to be in long range transportation plans, STIPs, and TIPs will not need to be included in such plans in order to receive a TIGER Discretionary Grant. Port, freight and passenger rail projects are not required to be on the State Rail Plans called for in the Passenger Rail Investment and Improvement Act of 2008. This is consistent with the exemption for high-speed and intercity passenger rail projects under the Recovery Act. However, applicants seeking funding for freight and passenger rail projects are encouraged to demonstrate that they have done sufficient planning to ensure that projects fit into a prioritized list of capital needs and are consistent with long-range goals. To the extent possible, freight projects should be included in a state freight plan and supported by a state freight advisory committee (see MAP–21 §§ 1117–1118). Further information and guidance information on transportation planning and is available from the following FHWA and FTA sites respectively—*http://www.fhwa.dot.gov/planning* and *http://www.fta.dot.gov/about/12347.html.* Port planning guidelines are available at StrongPorts.gov.

[10] DOT has a responsibility under Executive Order 12893, Principles for Federal Infrastructure Investments, 59 FR 4233, to base infrastructure investments on systematic analysis of expected benefits and costs, including both quantitative and qualitative measures.

Benefits and costs should both be discounted to the year 2015, and calculations should be presented for discounted values of both the stream of benefits and the stream of costs. If the project has multiple components, each of which has independent utility, the benefits and costs of each component should be estimated and presented separately. The results of the benefit-cost analysis should be summarized in the Project Narrative section of the application itself, but the details should be presented in an attachment to the application if the full analysis cannot be included within the page limit for the project narrative.

v. Cost Share

The FY 2015 Appropriations Act directs DOT to prioritize projects that require a contribution of Federal funds to complete an overall financing package, and all projects can increase their competitiveness for purposes of the TIGER program by demonstrating significant non-Federal financial contributions. The applicant should clearly demonstrate the extent to which the project cannot be readily and efficiently completed without a TIGER Discretionary Grant, and the extent to which other sources of funds, including Federal, State, or local funding, may or may not be readily available for the project. DOT recognizes that applicants have varying abilities and resources to contribute non-Federal contributions, especially those communities that are not routinely receiving and matching Federal funds. DOT recognizes certain communities with fewer financial resources may struggle to provide cost-share that exceeds the minimum requirements and will, therefore, consider an applicant's broader fiscal constraints when evaluating non-Federal contributions. In the first six rounds, on average, projects attracted more than 3.5 matching dollars for every TIGER grant dollar.

2. Review and Selection Process

DOT reviews all eligible applications received before the deadline. The TIGER review and selection process consists of three phases: Technical Review, Tier 2 Analysis consisting of project readiness and economic analysis, and Senior Review.

In the Technical Evaluation phase, teams comprising staff from the Office of the Secretary (OST) and modal administrations review all eligible applications and rate projects as Highly Recommended, Recommended, Acceptable, or Not Recommended based on how well the projects align with the selection criteria.

Tier 2 Analysis consists of (1) an Economic Analysis and (2) a Project Readiness Analysis. The Economic Analysis Team, comprising OST and modal administration economic staff, assess whether total benefits of the proposed projects are likely to outweigh costs. The Project Readiness Team, comprising Office of the Secretary Office of Policy (OST–P) and modal administration staff, evaluates the proposed project's technical and financial feasibility, potential risks and mitigation strategies, and project schedule, including the status of environmental approvals and readiness to proceed.

In the third review phase, the Senior Review Team, which includes senior leadership from OST and the modal administrations, consider all projects that were rated Acceptable, Recommended, or Highly Recommended and determine which projects to advance to the Secretary as Highly Rated. The Secretary selects from the Highly Rated projects for final award.

F. Federal Award Administration

1. Federal Award Notice

Following the evaluation outlined in *Section E,* the Secretary will announce awarded projects by posting a list of selected projects at *www.dot.gov/TIGER.* Following the announcement, the relevant modal administration will contact the point of contact listed in the SF 424 to initiate negotiation of the grant agreement.

2. Administrative and National Policy Requirements

All awards will be administered pursuant to the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards found in 2 CFR part 200, as adopted by DOT at 2 CFR part. 1201. Additionally, applicable Federal laws, rules and regulations of the relevant modal administration administering the project will apply to the projects that receive TIGER Discretionary Grant awards, including planning requirements, Service Outcome Agreements, Stakeholder Agreements, Buy America compliance, and other requirements under DOT's other highway, transit, rail, and port grant programs.

For projects administered by the Federal Highway Administration (FHWA), applicable Federal laws, rules, and regulations set forth in Title 23 U.S.C. and Title 23 CFR apply. For an illustrative list of the applicable laws, rules, regulations, executive orders, polices, guidelines, and requirements as they relate to a TIGER project administered by the FHWA, please see [*http://www.ops.fhwa.dot.gov/freight/infrastructure/tiger/fy2014_gr_exhbt_c/index.htm*]. For TIGER projects administered by the Federal Transit Administration and partially funded with Federal transit assistance, all relevant requirements under chapter 53 of title 49 U.S.C. apply. For transit projects funded exclusively with TIGER discretionary funds, some requirements of chapter 53 of title 49 U.S.C. and chapter VI of title 49 CFR apply. For projects administered by the Federal Railroad Administration, FRA requirements described in 49 U.S.C. Subtitle V, Part C apply.

Federal wage rate requirements included in subchapter IV of chapter 31 of title 40, United States Code, apply to all projects receiving funds under this program, and apply to all parts of the project, whether funded with TIGER Discretionary Grant funds, other Federal funds, or non-Federal funds.

3. Reporting

i. Performance Reporting—Each applicant selected for TIGER Discretionary Grant funding must collect information and report on the project's performance with respect to the relevant long-term outcomes that are expected to be achieved through construction of the project. Performance indicators will not include formal goals or targets, but will include baseline measures as well as post-project outcomes for an agreed-upon timeline, and will be used to evaluate and compare projects and monitor the results that grant funds achieve to ensure that grant funds achieve the intended long-term outcomes of the TIGER Discretionary Grant program.

ii. Progress Reporting —Each applicant selected for TIGER Discretionary Grant funding must submit quarterly progress reports and Federal Financial Report (SF–425) on the financial condition of the project and the project's progress, as well as an Annual Budget Review and Program Plan to monitor the use of Federal funds and ensure accountability and financial transparency in the TIGER program.

G. Federal Awarding Agency Contacts

For further information concerning this notice please contact the TIGER Discretionary Grant program staff via email at *TIGERGrants@dot.gov,* or call Howard Hill at 202–366–0301. A TDD is available for individuals who are deaf or hard of hearing at 202–366–3993. In addition, DOT will post answers to questions and requests for clarifications on DOT's Web site at *www.dot.gov/*

TIGER. To ensure applicants receive accurate information about eligibility or the program, the applicant is encouraged to contact DOT directly, rather than through intermediaries or third parties, with questions. DOT staff may also conduct briefings on the TIGER Discretionary Grants selection and award process upon request.

H. Other Information

1. Protection of Confidential Business Information

All information submitted as part of or in support of any application shall use publicly available data or data that can be made public and methodologies that are accepted by industry practice and standards, to the extent possible. If the application includes information you consider to be a trade secret or confidential commercial or financial information, the applicant should do the following: (1) Note on the front cover that the submission ''Contains Confidential Business Information (CBI)''; (2) mark each affected page ''CBI''; and (3) highlight or otherwise denote the CBI portions. DOT protects such information from disclosure to the extent allowed under applicable law. In the event DOT receives a Freedom of Information Act (FOIA) request for the information, DOT will follow the procedures described in its FOIA regulations at 49 CFR 7.17. Only information that is ultimately determined to be confidential under that procedure will be exempt from disclosure under FOIA.

Issued On: March 30, 2015.

Anthony R. Foxx,

Secretary.

[FR Doc. 2015–07711 Filed 4–2–15; 8:45 am]

BILLING CODE 4910–9X–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA–2006–24812]

Petition for Waiver of Compliance and Notice of Public Hearing

In accordance with part 211 of Title 49 Code of Federal Regulations (CFR), this document provides the public notice that by a document dated February 6, 2015, BNSF Railway (BNSF), has petitioned the Federal Railroad Administration (FRA) for an extension of and modification to its waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR part 232, Brake System Safety Standards for Freight and Other Non-Passenger Trains and Equipment. Specifically, BNSF requests to extend the mileage limits specified for certain designated extended haul trains (*see* 49 CFR 232.213, *Extended haul trains*). FRA assigned the petition Docket Number FRA–2006–24812.

In its petition, BNSF states that it has a history of successfully running trains under the existing waiver in Docket Number FRA–2006–24812, and under the conditions of the temporary waiver granted in Docket Number FRA–2014–0070. BNSF states that it safely conducted thousands of loadings and millions of ton-miles with a defect ratio nearly identical to that of traditional operations since the first waiver was implemented in 2006. Based on the important benefits to safety and network fluidity associated with the successful implementation of the temporary 1,800-mile inspection waiver (Docket Number FRA–2014–0070) and BNSF's extensive history running extended haul trains under both waivers, BNSF would like to continue and modestly extend the current BNSF waiver in Docket Number FRA–2006–24812 to 1,702 miles, from the current mileage of 1,603. BNSF states that this modest 99-mile increase in distance to 1,702 miles would afford a substantial portion of the benefits identified at the 1,800-mile distance. The incremental increase of 99 miles would allow for 68.2 percent of the coal and grain trains currently operating under the waiver in FRA–2014–0070 to be added to BNSF's waiver in FRA–2006–24812.

BNSF believes that the current waiver petition is consistent with meeting FRA's safety focus and is appropriate for National commerce concerns. This petition would be for current grain and coal trains operating within BNSF's network currently running at less than 1,702 miles between designated extended haul inspection points. The BNSF trains included in this request operate the very same type of equipment as the existing waiver trains. BNSF states it is very confident that slightly increasing the length of the extended haul inspection points on these trains listed will have no adverse impact on safe operations.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at *www.regulations.gov* and in person at the U.S. Department of Transportation's (DOT) Docket Operations Facility, 1200 New Jersey Avenue SE., W12–140, Washington, DC 20590. The Docket Operations Facility is open from 9 a.m. to 5 p.m., Monday through Friday, except Federal Holidays.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. In addition, FRA has determined that the facts of this proceeding warrant a public hearing. Accordingly, a hearing is hereby scheduled to begin at 10:00 a.m. on May 21, 2015, at the Alliance Public Library, 1750 Sweetwater Avenue, Alliance, NE 69301. Interested parties are invited to present oral statements at this hearing. For information on facilities or services for persons with disabilities, or to request special assistance at the hearing, contact Mr. Steven Zuiderveen, FRA Railroad Safety Specialist, by telephone, email, or in writing, at least 5 business days before the date of the hearing. Mr. Zuiderveen's contact information is as follows: FRA, Office of Railroad Safety, Mail Stop 25, 1200 New Jersey Avenue SE., Washington, DC 20590; (202) 493–6337; *Steven.Zuiderveen@dot.gov.* The informal hearing will be conducted by a representative designated by FRA in accordance with FRA's Rules of Practice (*see* specifically 49 CFR 211.25). FRA's representative will make an opening statement outlining the scope of the hearing, as well as any additional procedures for the conduct of the hearing. The hearing will be a nonadversarial proceeding in which all interested parties will be given the opportunity to express their views regarding the waiver petition without cross examination. After all initial statements have been completed, those individuals wishing to make brief rebuttal statements will be given an opportunity to do so.

In addition, FRA is extending the comment period for this waiver petition to June 21, 2015, to allow adequate time for any additional comments to be submitted following the public hearing on May 17, 2015.

Communications received by that date will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable. All communications concerning these proceedings should identify the appropriate docket number and may be submitted by any of the following methods:

- *Web site: http://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., W12–140, Washington, DC 20590.
- *Hand Delivery:* 1200 New Jersey Avenue SE., Room W12–140, Washington, DC 20590, between 9 a.m.

and 5 p.m., Monday through Friday, except Federal Holidays.

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 comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its processes. DOT posts these comments, without edit, including any personal information the commenter provides, to *www.regulations.gov,* as described in the system of records notice (DOT/ALL—14 FDMS), which can be reviewed at *www.dot.gov/privacy.* See also *http://www.regulations.gov/#!privacyNotice* for the privacy notice of regulations.gov.

Issued in Washington, DC, on March 31, 2015.

Ron Hynes,

Director, Office of Technical Oversight.

[FR Doc. 2015–07656 Filed 4–2–15; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2015–0081]

Agency Information Collection Activities; Extension of a Currently-Approved Information Collection Request: Application for Certificate of Registration for Foreign Motor Carriers and Foreign Motor Private Carriers

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), DOT.

ACTION: Notice and request for information.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, FMCSA announces its plan to submit the Information Collection Request (ICR) described below to the Office of Management and Budget (OMB) for its review and approval. The FMCSA requests approval to extend an ICR titled, ''Application for Certificate of Registration for Foreign Motor Carriers and Foreign Motor Private Carriers,'' that requires foreign (Mexico-based) for-hire and private motor carriers to file an application Form OP–2 if they wish to register to transport property only within municipalities in the United States on the U.S.-Mexico international borders or within the commercial zones of such municipalities. FMCSA invites public comment on the ICR.

DATES: We must receive your comments on or before *June 2, 2015.*

ADDRESSES: You may submit comments identified by Federal Docket Management System (FDMS) Docket Number FMCSA–2015–0081 using any of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Fax:* 1–202–493–2251.
- *Mail:* Docket Operations; U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building, Ground Floor, Room W12–140, 20590–0001.
- *Hand Delivery or Courier:* West Building, Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m. e.t., Monday through Friday, except Federal holidays.

Instructions: All submissions must include the Agency name and docket number. For detailed instructions on submitting comments and additional information on the exemption process, see the Public Participation heading below. 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.

Docket: For access to the docket to read background documents or comments received, go to *http://www.regulations.gov,* and follow the online instructions for accessing the dockets, or go to the street address listed above.

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 for the Federal Docket Management System published in the **Federal Register** on January 17, 2008 (73 FR 3316), or you may visit *http://edocket.access.gpo.gov/2008/pdfE8-794.pdf.*

Public Participation: The Federal eRulemaking Portal is available 24 hours each day, 365 days each year. You can obtain electronic submission and retrieval help and guidelines under the ''help'' section of the Federal eRulemaking Portal Web site. If you want us to notify you that we received your comments, please include a self-addressed, stamped envelope or postcard, or print the acknowledgement page that appears after submitting comments online. Comments received after the comment closing date will be included in the docket and will be considered to the extent practicable.

FOR FURTHER INFORMATION CONTACT: Ms. Fiorella Herrera, Transportation Specialist, Office of Information Technology, IT Operations Division, Department of Transportation, Federal Motor Carrier Safety Administration, 6th Floor, West Building, 1200 New Jersey Ave. SE., Washington DC 20590. Telephone Number: (202) 366–0376; Email Address: *fiorella.herrera@dot.gov.* Office hours are from 9:00 a.m. to 5:00 p.m., Monday through Friday, except Federal Holidays.

SUPPLEMENTARY INFORMATION:

Background: Title 49 U.S.C. 13902(c) contains basic licensing procedures for registering foreign (Mexico-based) motor carriers to operate across the U.S.-Mexico international border into the United States. Part 368 of title 49, CFR, contains the regulations that require foreign (Mexico-based) motor carriers to apply to the FMCSA for a Certificate of Registration to provide interstate transportation in municipalities in the United States on the U.S.-Mexico international border or within the commercial zones of such municipalities as defined in 49 U.S.C. 13902(c)(4)(A). The FMCSA carries out this registration program under authority delegated by the Secretary of Transportation.

Foreign (Mexico-based) motor carriers use Form OP–2 to apply for Certificate of Registration authority at the FMCSA. The form requests information on the foreign motor carrier's name, address, U.S. DOT Number, form of business (*e.g.,* corporation, sole proprietorship, partnership), locations where the applicant plans to operate, types of registration requested (*e.g.,* for-hire motor carrier, motor private carrier), insurance, safety certifications, household goods arbitration certifications, and compliance certifications.

Title: Application for Certificate of Registration for Foreign Motor Carriers and Foreign Motor Private Carriers.

OMB Control Number: 2126–0019.

Type of Request: Extension of a currently-approved information collection.

Respondents: Foreign motor carriers and commercial motor vehicle drivers.

Estimated Number of Respondents: 380.

Estimated Time per Response: 4 hours to complete Form OP–2.

Expiration Date: September 30, 2015.

Frequency of Response: Other (Once).

Estimated Total Annual Burden: 1,520 hours [380 responses x 4 hours to complete Form OP–2 = 1,520].

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 performance of FMCSA's functions; (2) the accuracy of the estimated burden; (3) ways for the FMCSA to enhance the quality, usefulness, and clarity of the collected information; and (4) ways that the burden could be minimized without reducing the quality of the information collected. The Agency will summarize or include your comments in the request for OMB's clearance of this ICR.

Issued under the authority of 49 CFR 1.87 on: March 26, 2015.

G. Kelly Regal,

Associate Administrator for Office of Research and Information Technology and Chief Information Officer.

[FR Doc. 2015–07676 Filed 4–2–15; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2014–0118; Notice 1]

BMW of North America, LLC, Receipt of Petition for Decision of Inconsequential Noncompliance

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Receipt of petition.

SUMMARY: BMW of North America, LLC, (BMW) a subsidiary of BMW AG in Munich, Germany, has determined that certain Model year (MY) 2015 BMW model X5 xDrive35i and model X5 xDrive35d multipurpose passenger vehicles (MPV) do not fully comply with paragraph S4.3.3 of Federal Motor Vehicle Safety Standard (FMVSS) No. 110, *Tire Selection and Rims and Motor Home/Recreation Vehicle Trailer Load Carrying Capacity Information for Motor Vehicles with a GVWR of 4,536 kilograms (10,000 pounds) or less.* BMW has filed an appropriate report dated October 22, 2014, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports.*

DATES: The closing date for comments on the petition is May 4, 2015.

ADDRESSES: Interested persons are invited to submit written data, views, and arguments on this petition. Comments must refer to the docket and notice number cited at the beginning of this notice and submitted by any of the following methods:

- *Mail:* Send comments by mail addressed to: 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 Deliver:* Deliver comments by hand to: U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. The Docket Section is open on weekdays from 10 a.m. to 5 p.m. except Federal Holidays.
- *Electronically:* Submit comments electronically by: Logging onto the Federal Docket Management System (FDMS) Web site at *http://www.regulations.gov/.* Follow the online instructions for submitting comments. Comments may also be faxed to (202) 493–2251.

Comments must be written in the English language, and be no greater than 15 pages in length, although there is no limit to the length of necessary attachments to the comments. If comments are submitted in hard copy form, please ensure that two copies are provided. If you wish to receive confirmation that your comments were received, please enclose a stamped, self-addressed postcard with the comments. Note that all comments received will be posted without change to *http://www.regulations.gov,* including any personal information provided.

Documents submitted to a docket may be viewed by anyone at the address and times given above. The documents may also be viewed on the Internet at *http://www.regulations.gov* by following the online instructions for accessing the dockets. DOT's complete Privacy Act Statement is available for review in the **Federal Register** published on April 11, 2000, (65 FR 19477–78).

The petition, supporting materials, and all comments received before the close of business on the closing date indicated below will be filed and will be considered. All comments and supporting materials received after the closing date will also be filed and will be considered to the extent possible. When the petition is granted or denied, notice of the decision will be published in the **Federal Register** pursuant to the authority indicated below.

SUPPLEMENTARY INFORMATION:

I. BMW's Petition: Pursuant to 49 U.S.C. 30118(d) and 30120(h) (see implementing rule at 49 CFR part 556), BMW submitted a petition for an exemption from the notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that this noncompliance is inconsequential to motor vehicle safety.

This notice of receipt of BMW's petition is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or other exercise of judgment concerning the merits of the petition.

II. Vehicles Involved: Affected are approximately 68 MY 2015 BMW model X5 xDrive35i and model X5 xDrive35d MPVs manufactured between October 3, 2014 through October 7, 2014.

III. Noncompliance: BMW explains that the vehicle certification labels required by 49 CFR part 567, and some of the tire information labels required by FMVSS No. 110, affixed to the subject vehicles show that vehicles were originally equipped with 18-inch tires and rims. The vehicles were actually originally quipped with 19-inch tires and rims. BMW believes that the noncompliance is that the certification label required by 49 CFR part 567, and in some cases the tire information labels required by FMVSS No. 110, do not list rim information for the tires installed on the vehicles as original equipment as required by paragraph S4.3.3 of FMVSS No. 110.

Rule Text: Paragraph S4.3.3 of FMVSS No. 110 requires in pertinent part:

> S4.3.3 *Additional labeling information for vehicles other than passenger cars.* Each vehicle shall show the size designation and, if applicable, the type designation of rims (not necessarily those on the vehicle) appropriate for the tire appropriate for use on that vehicle, including the tire installed as original equipment on the vehicle by the vehicle manufacturer, after each GAWR listed on the certification label required by § 567.4 or § 567.5 of this chapter . . .

V. Summary of BMW's Analyses: BMW stated its belief that the subject noncompliance is inconsequential to motor vehicle safety for the following reasons:

In the case of the subject vehicles with an incorrect Part 567 certification label but a correct FMVSS No. 110 tire information label, BMW states that when a person checks or adjusts the inflation of a tire and uses this (correct) FMVSS No. 110 tire information label, the person will have the correct inflation pressure available from that label. If, however, the person only looks at the certification label, or both the certification and tire information labels, BMW states that the person may then become unsure of what tires have been installed on the vehicle. Should this occur, BMW states that a number of information sources and services are available which can be used to determine the correct tire size and recommended cold inflation pressure. BMW states that these information sources include the tires installed on the vehicle which have the tire size information contained on their

sidewalls, the vehicle's Owner's Manual which contains information pertaining to the various tire sizes and tire pressure for use on the affected vehicles, and BMW's Roadside Assistance™ program which is available 24 hours/day and provides representatives who have information on all available tire sizes and specifications for a given model and model year of BMW. BMW states its belief that all of the above listed sources would lead the driver to obtaining the correct recommended cold inflation pressure when attempting to inflate the tires mounted on their vehicle.

For the subject vehicles containing both incorrect 49 CFR part 567 certification labels and incorrect FMVSS No. 110 tire information labels BMW states that the driver can use the labeling on the sidewall of the installed tires, the vehicle's owner's manual, and BMW Roadside Assistance™ to determine the recommended cold inflation pressure for the tires installed on their vehicle.

BMW also maintains that if a driver were to use the cold inflation pressure shown on the incorrect labels for the for 18-inch tires when inflating the 19-inch tires, that pressure would be sufficient to support vehicle loading. Their calculations using the MY 2015 X5 xDrive35i for example show that the determined load rating for two 19-inch tires inflated to the pressure meant for 18-inch tires is 1,572 kg. Because the front gross axle weight rating (GAWR) is 1,279 kg, BMW concludes that the 19-inch tires would be adequately inflated. BMW also included calculations to demonstrate that the information on the certification labels is correct for the 18-inch tires mounted on the subject vehicles.

BMW states that BMW Customer Relations have not received any contact from vehicle owners regarding this issue and, therefore, are unaware that any vehicle owner has encountered this issue in the field. They state that they are also unaware of any accident or injuries that have occurred as a result of this noncompliance.

BMW has additionally informed NHTSA that it has corrected the subject noncompliance.

In summation, BMW believes that the described noncompliance of the subject vehicles is inconsequential to motor vehicle safety, and that its petition, to exempt BMW from providing recall notification of noncompliance as required by 49 U.S.C. 30118 and remedying the recall noncompliance as required by 49 U.S.C. 30120 should be granted.

NHTSA notes that the statutory provisions (49 U.S.C. 30118(d) and 30120(h)) that permit manufacturers to file petitions for a determination of inconsequentiality allow NHTSA to exempt manufacturers only from the duties found in sections 30118 and 30120, respectively, to notify owners, purchasers, and dealers of a defect or noncompliance and to remedy the defect or noncompliance. Therefore, any decision on this petition only applies to the subject vehicles that BMW no longer controlled at the time it determined that the noncompliance existed. However, any decision on this petition does not relieve vehicle distributors and dealers of the prohibitions on the sale, offer for sale, or introduction or delivery for introduction into interstate commerce of the noncompliant vehicles under their control after BMW notified them that the subject noncompliance existed.

Authority: 49 U.S.C. 30118, 30120: delegations of authority at 49 CFR 1.95 and 501.8.

Jeffrey M. Giuseppe,

Director, Office of Vehicle Safety Compliance.

[FR Doc. 2015–07608 Filed 4–2–15; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2014–0377]

Agency Information Collection Activities; New Information Collection Request: Electronic Logging Device (ELD) Registration

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), DOT.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, FMCSA announces its plan to submit the Information Collection Request (ICR) described below to the Office of Management and Budget (OMB) for its review and approval and invites public comment on the approval of a new (ICR) entitled, Electronic Logging Device Registration. This ICR will be used to enable providers to register their ELDs with FMCSA.

DATES: Please send your comments by May 4, 2015. OMB must receive your comments by this date in order to act on the ICR.

ADDRESSES: All comments should reference Federal Docket Management System (FDMS) Docket Number FMCSA–2014–0377. Interested persons are invited to submit written comments on the proposed information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget. Comments should be addressed to the attention of the Desk Officer, Department of Transportation/Federal Motor Carrier Safety Administration, and sent via electronic mail to *oira_submission@omb.eop.gov,* or faxed to (202) 395–6974, or mailed to the Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW., Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: Mr. Brian Routhier, Transportation Specialist, Technology Division, Office of Analysis, Research and Technology, Federal Motor Carrier Safety Administration, Department of Transportation, West Building 6th Floor, 1200 New Jersey Avenue SE., Washington, DC 20590. Telephone: 202–366–1225; email *brian.routhier@dot.gov.* Office hours are from 9:00 a.m. to 5 p.m., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Title: Electronic Logging Device (ELD) Registration.

OMB Control Number: 2126–00XX.

Type of Request: New Collection.

Respondents: ELD providers.

Estimated Number of Respondents: 22. FMCSA estimates that there will be 22 respondents, 20 U.S. and 2 foreign ELD providers, and that each provider will register an average of 4 devices. The total of 88 devices (4 devices × 22 providers) exceeds the number of devices that FMCSA is currently aware of, but the Agency has opted to use a conservatively high count in order to avoid under-estimating the burden for this ICR.

Estimated Time per Response: 15 minutes first year and 7.5 minutes in subsequent years. Each provider will take an estimated 15 minutes of preparation time plus 15 minutes per device to complete the initial registration, for a total of 75 minutes per provider in the first year (15 minutes of preparation time + (4 devices per provider × 15 minutes per device) = 75 minutes). In subsequent years, it is estimated that registration updates will take half the initial time, for a total of 37.5 minutes per provider (7.5 minutes of preparation time + (4 devices per provider x 7.5 minutes per device) = 37.5 minutes).

Expiration Date: N/A. This is a new ICR.

Frequency of Response: On occasion.

Estimated Total Annual Burden: 18 hours [((22 respondents × 75 minutes in year 1) + (22 respondents × 37.5 minutes

in year 2) + (22 respondents × 37.5 minutes in year 3)) = 3,300 minutes ÷ 60 minutes per hour = 55 ÷ 3 year approval period = 18.33 hours, rounded to 18 hours].

Background

On March 28, 2014, FMCSA published a supplemental notice of proposed rulemaking (SNPRM) entitled, ''Electronic Logging Devices and Hours of Service Supporting Documents,'' (79 FR 17656). Specifically, the SNPRM proposed: (1) New technical specifications for ELDs that address statutory requirements; and (2) to require the use of ELDs by those within the motor carrier industry who are currently subject to Records of Duty Status (RODS) preparation requirements. To ensure consistency among manufacturers and devices, functional specifications were published with the SNPRM. The SNPRM would require providers to certify their compliance with these functional specifications. Providers would also be required to register their compliant devices with FMCSA.

The ELD providers will be asked to certify and register their devices with FMCSA online via an application Form MCSA–5893, ''Electronic Logging Device (ELD) Registration and Certification.'' FMCSA expects 100 percent of respondents to submit their information electronically. Once the registration is completed, FMCSA will issue the provider a unique identification number that the provider will embed in its device(s).

The FMCSA will maintain a list on its Web site of the current ELD providers and devices that have been certified (by the providers) to meet the technical specifications. The information will be necessary for fleets and drivers to easily find a compliant ELD to use in meeting the FMCSA regulation requiring the use of ELDs.

Comments From the Public

General Summary

FMCSA published a notice in the **Federal Register** with a 60-day public comment period to announce this proposed ICR on October 28, 2014 (79 FR 64248). The Agency requested comments concerning the necessity of the proposed information collection, the accuracy of the estimated burden, how the quality of collected information could be enhanced and ways in which the burden could be minimized without reducing the quality of the collected information. The Agency received 19 comments. Of these comments, nine were outside the scope of this notice. Some of these comments actually responded to elements of the ELD SNPRM, rather than the registration process.

Guidance on Registration Process

Several commenters stated that there was a need for additional guidance for ELD registration. Garmin also wanted guidance on registration when an ELD sub-function may be implemented across multiple software and hardware components provided by one or more providers.

Two commenters asked who is responsible for registration and supplying the certification of conformity to the ELD functional requirements. Verigo suggested that FMCSA clarify what supporting documentation would be necessary to complete the software certification. One commenter wrote that, according to the SNPRM, only device manufacturers can register.

FMCSA Response

Registration of ELDs is the responsibility of the ELD provider. An ELD provider is the entity who manufactures the ELD, manufactures or assembles the ELD technology, certifies that the ELD complies with the functional specifications for ELDs set forth in the proposed subpart B of part 395 (including the proposed Appendix to subpart B of Part 395), and registers it on the FMCSA Web site.

Definition of Device and Other Systems With ELD Functionality

A commenter wanted clarification of what FMCSA means by device. A commenter suggested that FMCSA allow the certification and registration of individual devices or subsystems (*e.g.,* Bluetooth device, mobile smartphone or tablet, etc.) as meeting a subset of the technical specifications. These components could be combined into compliant ELD systems.

A commenter asked how a software-based Transportation Management System would be registered.

FMCSA Response

Electronic Logging Device (ELD) means a device or technology that meets the requirements of proposed subpart B of part 395 including the proposed Appendix to subpart B of part 395—Functional Specifications for All Electronic Logging Devices (ELDs). In proposed § 395.2 it is defined as a device or technology that automatically records a driver's driving time and facilitates the accurate recording of the driver's hours of service, and that meets the requirements of subpart B of this part. Where the combination of sub-components is needed to meet this definition, the provider must register all of the components together as the ELD device.

Software Version Control

Commenters asked how software version updates would be accommodated. Vnomics recommended that the software version that is displayed be the current base or main version. Vnomics also asked FMCSA to verify that the software version required by proposed section 5.2.1(3) refers to the ELD software version that is part of a larger telematics solution.

FMCSA Response

The ELD registration process will allow providers to update and maintain their device information to accommodate software version revisions. Providers will be able to update device information and software revisions on the registration site when they deem it necessary to do so, and will continue to certify that the updated device(s) continue to meet the regulation's requirements. See SNPRM Section 5.1.2:

5.1.2. Keeping Information Current

The ELD provider must keep the information in section 5.1.1 (b) and 5.2.1 current through FMCSA's Web site.

Time To Register/Registration Information

Saucon reminded the Agency that the content of the form would affect the estimates of the time registration would take annually. Saucon could not concur with the time estimate to complete the registration process. The commenter wrote that the time estimate depends on several undefined factors, including the level of detail in Form MCSA–5893. Saucon suggested that a simple checklist of key technical points that must be met by the provider might be sufficient for the form. Saucon also asked FMCSA to clarify that certification is required at the product level, and not the individual device level.

Until all the technical specification issues in the SNPRM have been resolved and Form MCSA–5893 has been created to require the provision of substantive information demonstrating compliance, OOIDA believed that the ICR proceeding is premature. OOIDA believed the certification, with such specific information, should be updated as the rule evolves, otherwise a provider could remain on the approved list without additional verification of continued compliance.

A commenter asked how devices can be registered as compliant before the details of compliancy are published. Saucon noted that the form was not available for comment.

While the registration process itself did not impose an undue burden, Verigo was concerned that there was no estimate of the time required to complete the software certification or what would be required to be submitted to substantiate that certification. Verigo commented that the certification process is a significant undertaking and volunteered to provide its estimate to FMCSA.

FMCSA Response

As proposed in the SNPRM, the registration of ELDs requires 15 pieces of information from the providers outlined in section 5.1.1, Registering Online, and section 5.1.2, Online Certification. FMCSA conducted time trials to determine the average amount of time required to complete a simulated form with the 15 items required to register an ELD.

5.1.1 Registering Online

(a) An ELD provider developing an ELD technology must register online at a secure FMCSA Web site where the ELD provider can securely certify that its ELD is compliant with this appendix.

(b) Provider's registration must include the following information:

(1) Company name of the technology provider/manufacturer.

(2) Name of an individual authorized by the provider to verify that the ELD is compliant with this appendix and to certify it under section 5.2 of this appendix.

(3) Address of the registrant.

(4) Email address of the registrant.

(5) Telephone number of the registrant.

5.2.1. Online Certification

(a) An ELD provider registered online as described in section 5.1.1 must disclose the information in paragraph (b) of this section about each ELD model and version and certify that the particular ELD is compliant with the requirements of this appendix.

(b) The online process will only allow a provider to complete certification if the provider successfully discloses all of the following required information:

(1) Name of the product.

(2) Model number of the product.

(3) Software version of the product.

(4) An ELD identifier, uniquely identifying the certified model and version of the ELD, assigned by the ELD provider in accordance with 7.1.15.

(5) Picture and/or screen shot of the product.

(6) User's manual describing how to operate the ELD.

(7) Description of the supported and certified data transfer mechanisms and step-by-step instructions for a driver to produce and transfer the ELD records to an authorized safety official.

(8) Summary description of ELD malfunctions.

(9) Procedure to validate an ELD authentication value as described in section 7.1.14.

(10) Certifying statement describing how the product was tested to comply with FMCSA regulations.

Registration will be at the model level of the ELD, not at the individual device level. See 5.2.1(b)(2) above.

FMCSA will include procedures for provider registration of an ELD on the registration Web site. FMCSA will also provide guidance on the Web site to the provider that will contain the tools the provider will need to ensure that its ELD meets the technical specifications in part 395. This guidance will contain all requirements and procedures related to RODS data compliance. However, it will be the responsibility of each provider to ensure that its products comply with the RODS file data definitions that FMCSA provides. If the regulation evolves, the changes to the technical specification and the certification process will be updated through the notice and comment process.

In response to Verigo comments regarding the time necessary to determine whether the software meets the certification requirements, we note that the certification process is outside the scope of the current ICR, which is limited to the time required to fill out the certification information in 5.1.1 and 5.2.1 of the Appendix to 395.

ID/Authentication

Under proposed section 5.1.3, FMCSA will provide a unique ELD registration ID number that the provider will embed on the device. Saucon asked FMCSA to provide an example of the ID number, and to clarify its purpose, including when the ID number needs to be provided and displayed. It asked if the ID number could be used as evidence during inspections that a device is ELD-certified and if Saucon would receive a certificate that it could present at inspections.

FMCSA Response

The unique ELD registration ID format is outside the scope of this ICR. But, in section 7.17 of the Appendix to Subpart B of Part 395—Functional Specifications for All Electronic Logging Devices (ELDs), FMCSA defined the ELD Registration ID and proposed that the registration ID be available on the ELD during inspections. The Agency does not plan to issue certificates for certified ELDs.

Updating Existing Devices

Saucon asked how that ID number could be added to register existing, already installed AOBRDs that, through software updates, may become compliant ELDs. These AOBRDs are not easily accessible to either the manufacturer or the motor carrier.

FMCSA Response

Software updates, although outside the scope of this ICR, would most likely be provided through the connectivity of AOBRDs via their cellular connection or available online to AOBRD owners. These software updates can include the Registration ID for the newly compliant devices. Existing device providers will be able to notify owners of existing AOBRDs if their devices are capable of being updated to meet ELD requirement through software updates. These devices in turn will be able to be registered and certified by the providers on the FMCSA ELD registration Web site.

FMCSA Certified ELD List

Saucon provided a list of information that it suggested be included on any Web site storing information on ELD-certified providers. The list included the company name and contact information, a link to the provider's Web site, a descriptor noting in which industry the provider mainly works (*i.e.,* motorcoach, trucking, etc.), and a section for comments on what the provider provides. Saucon also suggested that the provider have a username and password to access and edit the information on the Web site.

During roadside inspections and Safety Audits and Compliance Reviews, CVSA wrote that it would be critical for inspectors to accurately and quickly verify compliance. Therefore, the Agency must consider what documentation needs to be maintained as evidence of certification.

FMCSA Response

The FMCSA list of registered devices will include only the minimal information on the certified devices. The Agency outlined this in the SNPRM in Section 5.3:

5.3. Publicly Available Information

Except for the information listed under section 5.1.1 (b)(2), (4), and (5) and section 5.2.1 (b)(9), FMCSA will make the information in sections 5.1.1 and 5.2.1 for each certified ELD publicly

available on a Web site to allow motor carriers to determine which products have been properly registered and certified as ELDs compliant with this appendix.

FMCSA will not provide or require ''certification documents'' that would be carried with the device. The ELD Registration ID will be verified through eRODS only.

De-Registration

Verigo was concerned with the ELD de-registration process and requested more information.

FMCSA Response

FMCSA will provide information regarding the de-registration process in the Final Rule.

Self-Certification

OOIDA commented that the information required of ELD manufacturers who wish to be on FMCSA's approved list of providers must be more substantive than a general self-certification of compliance with the technical specifications of the rule.

FMCSA Response

The registration of ELDs requires 15 pieces of information from the providers, as outlined in proposed section 5, ELD Registration and Certification, Section 5.1.1, Registering Online, and section 5.1.2, Online Certification. Specifically, proposed section 5.2.1(b)(10) would require a ''Certifying statement describing how the product was tested to comply with FMCSA regulations.'' The Agency requires this self-certification just as NHTSA requires self-certification of vehicle and parts manufacturers.

Public Comments Invited: You are asked to comment on any of the following aspects of this information collection: (1) Whether the proposed collection is necessary for the FMCSA to perform its functions; (2) the accuracy of the estimated burden; (3) ways for the FMCSA to enhance the quality, usefulness, and clarity of the collected information; and (4) ways that the burden could be minimized without reducing the quality of the collected information.

Issued under the authority of 49 CFR 1.87 on: March 26, 2015.

G. Kelly Regal,

Associate Administrator, Office of Research and Information Technology and Chief Information Officer.

[FR Doc. 2015–07669 Filed 4–2–15; 8:45 am]

BILLING CODE 4910–EX–P

FEDERAL REGISTER

Vol. 80 Friday,
No. 64 April 3, 2015

Part II

The President

Proclamation 9245—National Child Abuse Prevention Month, 2015
Proclamation 9246—National Financial Capability Month, 2015

Federal Register
Vol. 80, No. 64
Friday, April 3, 2015

Presidential Documents

Title 3—

The President

Proclamation 9245 of March 31, 2015

National Child Abuse Prevention Month, 2015

By the President of the United States of America

A Proclamation

Every child is born into a world filled with limitless possibilities, and as a Nation, we must ensure all our young people have the support they need to realize their enormous potential. Regardless of who they are or the circumstances of their birth, each child deserves to be cared for, cherished, and kept safe from harm. Tragically, abuse and neglect erode this promise for hundreds of thousands of America's daughters and sons each year. This is an injustice. It is contrary to the values of good caretaking and the principles of our Nation, and it must not be tolerated. This month, we celebrate the love and courage it takes to raise a child; we reaffirm the fundamental human rights of all children to live free from violence and abuse; and we rededicate ourselves to ending the cycle of harm too many girls and boys face.

A strong, stable family is the best foundation for a promising childhood, and when parents and caregivers have support—from loved ones, friends, and their community—they are more likely to provide safe and healthy environments for children. It is important for all people to recognize the signs of child neglect and physical, sexual, and emotional abuse, including sudden changes in behavior or school performance and untreated physical or medical issues. Reporting any concerns could protect a child and connect a family with the help they need. To learn more about how to prevent and report child abuse, visit *www.ChildWelfare.gov/Preventing.*

My Administration is committed to strengthening our Nation's families and doing everything we can to make it easier for mothers and fathers to care and provide for their children. We are also investing in evidence-based State and local programs that promote positive parenting and caregiving to help prevent child abuse and neglect. These efforts can help decrease the number of children entering the foster care system and provide better outcomes for those in it. We will continue to work with the faith community and the private sector to bolster all those who support our Nation's young people, and I encourage leaders across all levels of government to invest in services for victims and provide the resources and protections our kids need.

The work of raising our children is the most important job in our country, and it is also the most challenging. At times, it can be difficult to live up to the enormous responsibilities that come with being a parent, especially when families face hardship. But parenthood does not demand perfection. If we do our best for our children—to nurture their healthy development, seek assistance when needed, and meet our obligations to them—we can demonstrate to our daughters and sons that they are always our first priority.

As a Nation and as individuals, our attitudes toward our children set a powerful example that shapes their character and influences the kind of people they will become. During National Child Abuse Prevention Month, we renew our commitment to protect the safety and well-being of every child, and we resolve to continue the hard work of raising a generation that can dream bigger and reach higher than ever before.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 2015 as National Child Abuse Prevention Month. I call upon all Americans to observe this month with programs and activities that help prevent child abuse and provide for children's physical, emotional, and developmental needs.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of March, in the year of our Lord two thousand fifteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

[FR Doc. 2015–07876
Filed 4–2–15; 11:15 am]
Billing code 3295–F5

Presidential Documents

Proclamation 9246 of March 31, 2015

National Financial Capability Month, 2015

By the President of the United States of America

A Proclamation

Our Nation is built on the idea that we do best when everyone gets a fair shot. Six years after a devastating recession shook many Americans' faith in our financial system, our economy is steadily growing and creating new jobs—but we must do more to restore the link between hard work and growing opportunity for every person. We believe responsibility should be rewarded, and that begins by empowering all people with the tools and knowledge they need to share in America's prosperity. During National Financial Capability Month, we renew our efforts to support the informed financial decisions that will open doors into the middle class and help ensure economic security for all.

Critical decisions—from financing higher education to saving for retirement—can have lasting consequences for individuals and for our country's economy. Financial literacy enables people of all ages to make smart choices and set goals to protect their hard-earned income. And increasing individuals' understanding of debt, including mortgages and credit cards, helps guarantee every person receives equal treatment and is able to secure lasting opportunity. By strengthening the financial capability of all Americans, we are investing in the fundamental promise of a brighter future and building a more prosperous Nation.

My Administration continues to take action to provide all Americans with the resources they need to get ahead. We launched the ''Know Before You Owe'' campaign so students and families have a straightforward tool to compare financial aid offers from different colleges, and we simplified mortgage forms so homeowners are better able to comprehend their terms. We started the myRA program, a new type of savings account to help Americans take control over their future, and we are proposing new rules to require financial advisors to put their clients' interests before their own—ensuring all who responsibly prepare for retirement receive the best information possible. To focus on increasing financial capability in our schools, workplaces, and communities, I created the President's Advisory Council on Financial Capability for Young Americans, and last year, I signed legislation to support programs that teach young people personal finance skills.

Increasing financial capability across our Nation is an essential component of middle-class economics. This month, let us all take time to increase our knowledge of our finances and encourage our friends and family to do the same. To start, all Americans can take advantage of the free, reliable financial resources at *www.MyMoney.gov, www.ConsumerFinance.gov,* and 1–800–FED–INFO.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 2015 as National Financial Capability Month. I call upon all Americans to observe this month with programs and activities to improve their understanding of financial principles and practices.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of March, in the year of our Lord two thousand fifteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

[FR Doc. 2015–07877
Filed 4–2–15; 11:15 am]
Billing code 3295–F5

Reader Aids

Federal Register

Vol. 80, No. 64

Friday, April 3, 2015

CUSTOMER SERVICE AND INFORMATION

Federal Register/Code of Federal Regulations	
General Information, indexes and other finding aids	**202–741–6000**
Laws	**741–6000**
Presidential Documents	
Executive orders and proclamations	**741–6000**
The United States Government Manual	**741–6000**
Other Services	
Electronic and on-line services (voice)	**741–6020**
Privacy Act Compilation	**741–6064**
Public Laws Update Service (numbers, dates, etc.)	**741–6043**
TTY for the deaf-and-hard-of-hearing	**741–6086**

ELECTRONIC RESEARCH

World Wide Web

Full text of the daily Federal Register, CFR and other publications is located at: **www.fdsys.gov.**

Federal Register information and research tools, including Public Inspection List, indexes, and Code of Federal Regulations are located at: **www.ofr.gov.**

E-mail

FEDREGTOC-L (Federal Register Table of Contents LISTSERV) is an open e-mail service that provides subscribers with a digital form of the Federal Register Table of Contents. The digital form of the Federal Register Table of Contents includes HTML and PDF links to the full text of each document.

To join or leave, go to **http://listserv.access.gpo.gov** and select *Online mailing list archives, FEDREGTOC-L, Join or leave the list (or change settings);* then follow the instructions.

PENS (Public Law Electronic Notification Service) is an e-mail service that notifies subscribers of recently enacted laws.

To subscribe, go to **http://listserv.gsa.gov/archives/publaws-l.html** and select *Join or leave the list (or change settings);* then follow the instructions.

FEDREGTOC-L and **PENS** are mailing lists only. We cannot respond to specific inquiries.

Reference questions. Send questions and comments about the Federal Register system to: **fedreg.info@nara.gov**

The Federal Register staff cannot interpret specific documents or regulations.

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/.**

FEDERAL REGISTER PAGES AND DATE, APRIL

17307–17682 1
17683–18082 2
18083–18304 3

CFR PARTS AFFECTED DURING APRIL

At the end of each month the Office of the Federal Register publishes separately a List of CFR Sections Affected (LSA), which lists parts and sections affected by documents published since the revision date of each title.

3 CFR

Proclamations:
9243 18073
9244 18075
9245 18301
9246 18303

Executive Orders:
13694 18077

Administrative Orders:
Notices:
Notice of March 31, 2015 18081

5 CFR

532 17307

Proposed Rules:
843 18159
2600 18160
2601 18160
2604 18160

7 CFR

953 17307

10 CFR

Proposed Rules:
429 ..... 17586, 17826
430 ..... 17355, 17359, 18167
431 ..... 17363, 17586, 17826

13 CFR

Proposed Rules:
130 17708

14 CFR

23 ..... 17310, 17312
39 18083
95 18084

Proposed Rules:
39 ..... 17366, 17368
193 18168

17 CFR

Proposed Rules:
240 18036

18 CFR

35 17654

21 CFR

1 18087
26 18087
99 18087
201 18087
203 18087
206 18087
207 18087
310 18087
312 18087
314 18087
600 18087
601 18087
606 18087
607 18087
610 18087
660 18087
680 18087
801 18087
807 18087
812 18087
814 18087
822 18087
1271 18087

23 CFR

Proposed Rules:
515 17371

24 CFR

200 18095
235 18095

Proposed Rules:
5 17548
92 17548
135 17372
200 17548
574 17548
576 17548
578 17548
880 17548
882 17548
883 17548
884 17548
886 17548
891 17548
960 17548
966 17548
982 17548
983 17548

26 CFR

1 ..... 17314, 18171
602 17314

Proposed Rules:
1 18096

28 CFR

16 18099

29 CFR

Proposed Rules:
4000 18172
4041A 18172
4281 18172

33 CFR

117 ..... 17324, 18114
161 17326
164 17326
165 ..... 17683, 17685, 17687

Proposed Rules:
101 17372
104 17372

105.....17372
110.....18175
120.....17372
128.....17372

36 CFR

Proposed Rules:
1193.....18177
1194.....18177

37 CFR

1.....17918
3.....17918
5.....17918
11.....17918
41.....17918

38 CFR

3.....18116

39 CFR

3020.....18117

40 CFR

49.....18120
52 .....17327, 17331, 17333, 17689, 17692, 18133
80.....18136
81.....18120
180.....17697, 18141
300.....17703, 18144

Proposed Rules:
50.....18177
51.....18177
52.....17712, 18179
80.....18179
81.....18184
93.....18177

41 CFR

60–20.....17373

45 CFR

Proposed Rules:
1355.....17713

47 CFR

74.....17343
90.....18144

Proposed Rules:
Ch. I.....18185

49 CFR

173.....17706
383.....18146
385.....18146
386.....18146
387.....18146

50 CFR

17.....17974
300.....17344
660.....17352

Proposed Rules:
13.....17374
21.....17374
622.....17380

LIST OF PUBLIC LAWS

Note: No public bills which have become law were received by the Office of the Federal Register for inclusion in today's **List of Public Laws**.

Last List March 23, 2015

Public Laws Electronic Notification Service (PENS)

PENS is a free electronic mail notification service of newly enacted public laws. To subscribe, go to *http://listserv.gsa.gov/archives/publaws-l.html*

Note: This service is strictly for E-mail notification of new laws. The text of laws is not available through this service. **PENS** cannot respond to specific inquiries sent to this address.