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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–2014–0499; Directorate Identifier 2013–SW–061–AD; Amendment 39–18198; AD 2015–13–11]

RIN 2120–AA64

Airworthiness Directives; Bell Helicopter Textron Canada

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for Bell Helicopter Textron Canada (BHTC) Model 430 helicopters to require inspecting the tail rotor control tube assembly (control tube) and either repairing or replacing the control tube. This AD was prompted by two reports of failure of the control tube bonded clevis. The actions of this AD are intended to prevent failure of a control tube bonded clevis, which could lead to failure of the control tube and subsequent loss of helicopter control.

DATES: This AD is effective August 11, 2015.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of August 11, 2015.

ADDRESSES: For service information identified in this AD, contact Bell Helicopter Textron Canada Limited, 12,800 Rue de l'Avenir, Mirabel, Quebec J7J1R4; telephone (450) 437–2862 or (800) 363–8023; fax (450) 433–0272; or at *http://www.bellcustomer.com/files/*. You may review the referenced service information at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137. It is also available on the Internet at *http://www.regulations.gov* in Docket No. FAA–2014–0499.

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov* or in person at the Docket Operations Office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the Transport Canada Civil Aviation (TCCA) AD, any incorporated-by-reference service information, the economic evaluation, any comments received, and other information. The street address for the Docket Operations Office (phone: 800–647–5527) is U.S. Department of Transportation, Docket Operations Office, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: Matt Fuller, Senior Aviation Safety Engineer, Safety Management Group, Rotorcraft Directorate, FAA, 2601 Meacham Blvd., Fort Worth, Texas 76137; telephone (817) 222–5110; email *matthew.fuller@faa.gov.*

SUPPLEMENTARY INFORMATION:

Discussion

On July 30, 2014, at 79 FR 44147, the **Federal Register** published our notice of proposed rulemaking (NPRM), which proposed to amend 14 CFR part 39 by adding an AD that would apply to BHTC Model 430 Helicopters, serial number 49001 through 49121, with control tube part number (P/N) 430–001–007–101 installed. The NPRM proposed to require inspecting the control tube and either repairing or replacing it. The proposed requirements were intended to prevent failure of a control tube bonded clevis, which could lead to failure of the control tube and subsequent loss of helicopter control.

The NPRM was prompted by Canadian AD No. CF–2013–30, dated October 7, 2013, issued by TCCA, which is the aviation authority for Canada, to correct an unsafe condition for BHTC Model 430 helicopters with control tube P/N 430–001–007–101. TCCA advises of two failures of the control tube bonded clevis caused by cracking from control tube oscillation. TCCA states that this situation, if not corrected, could result in the loss of control of the helicopter. TCCA AD No. CF–2013–30 consequently requires a one-time inspection of the control tube for damage and contacting BHTC for evaluation of the control tube if the damage exceeds allowable limits. If the tube is not damaged, the damage is within allowable limits, or BHTC Engineering determines the control tube can be returned to service, TCCA AD No. CF–2013–30 requires modifying the tube according to BHTC's service information. TCCA AD No. CF–2013–30 also requires replacing control tubes, P/N 430–001–007–101, with control tube, P/N 430–001–007–105, no later than 12 months from the effective date of its AD.

Comments

We gave the public the opportunity to participate in developing this AD, but we received no comments on the NPRM (79 FR 44147, July 30, 2014).

FAA's Determination

These helicopters have been approved by the aviation authority of Canada and are approved for operation in the United States. Pursuant to our bilateral agreement with Canada, TCCA, its technical representative, has notified us of the unsafe condition described in the TCCA AD. We are issuing this AD because we evaluated all information provided by TCCA and determined the unsafe condition exists and is likely to exist or develop on other helicopters of these same type designs and that air safety and the public interest require adopting the AD requirements as proposed.

Differences Between This AD and the TCCA AD

The TCCA AD requires submitting sketches of a control tube damaged beyond defined limits to BHTC for evaluation. BHTC then determines if the control tube can be returned to service. We make no such requirement in this AD.

Related Service Information Under 1 CFR Part 51

Bell Helicopter Alert Service Bulletin (ASB) No. 430–13–51, dated September 3, 2013, states that BHTC received two reports of control tube, P/N 430–001–007–101, failing because the clevis failed due to fatigue caused by control tube oscillation. ASB No. 430–13–51 specifies a one-time inspection of control tube assembly, P/N 430–001–007–101, to verify if the tube has chaffing damage and indicated that a

mandatory replacement would follow when sufficient parts became available. This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section of this AD.

Other Related Service Information

We reviewed Bell Helicopter Technical Bulletin 430–04–35, Revision B, dated March 20, 2009, which recommends that control tube, P/N 430–001–007–101, be replaced with control tube, P/N 430–001–007–105, if damage exists. On June 12, 2014, Bell issued Revision A to ASB No. 430–13–51, which set a compliance date of September 30, 2014, to remove control tube, P/N 430–001–007–101.

Costs of Compliance

We estimate that this AD affects 5 helicopters of U.S. Registry and that labor costs average $85 a work hour. Based on these estimates, we expect the following costs:

- The cost of inspecting the control tube is minimal.
- Repairing the control tube requires 2 work-hours for a labor cost of $170.
- Replacing control tube, P/N 430–001–007–101, with control tube, P/N 430–001–007–105, requires 3 work-hours for a labor cost of $255. Parts cost $3,974 for a total cost per helicopter of $4,229.

According to manufacturer's service information, some of the costs of this AD may be covered under warranty, thereby reducing the cost impact on affected individuals. We do not control warranty coverage by the manufacturer. Accordingly, we have included all costs in our cost estimate.

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 helicopters identified in this rulemaking action.

Regulatory Findings

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 that this AD:

(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);

(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.

We prepared an economic evaluation of the estimated costs to comply with this AD and placed it in the AD docket.

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):

2015–13–11 Bell Helicopter Textron Canada: Amendment 39–18198; Docket No. FAA–2014–0499; Directorate Identifier 2013–SW–061–AD.

(a) Applicability

This AD applies to Bell Helicopter Textron Canada (BHTC) Model 430 Helicopters, serial number 49001 through 49121, with control tube assembly (control tube), part number (P/N) 430–001–007–101 installed, certificated in any category.

(b) Unsafe Condition

This AD defines the unsafe condition as fatigue failure of a tail rotor control tube bonded clevis. This condition could result in failure of the tail rotor control tube and subsequent loss of helicopter control.

(c) Effective Date

This AD becomes effective August 11, 2015.

(d) Compliance

You are responsible for performing each action required by this AD within the specified compliance time unless it has already been accomplished prior to that time.

(e) Required Actions

(1) Within 50 hours time-in-service (TIS), visually inspect each control tube for any damage, for any damage to the clevis, and to determine whether the clevis is correctly bonded to the control tube.

(i) If a control tube and clevis have no damage or damage within acceptable limits and the clevis is correctly bonded to the control tube, repair the control tube by applying tape in accordance with the Accomplishment Instructions, Paragraph 5, of Bell Helicopter Alert Service Bulletin 430–13–51, dated September 3, 2013.

(ii) If the control tube or clevis is damaged beyond acceptable limits or if the clevis is not correctly bonded to the control tube, replace control tube, P/N 430–001–007–101, with control tube, P/N 430–001–007–105.

(2) Within 250 hours TIS, replace each control tube, P/N 430–001–007–101, with control tube, P/N 430–001–007–105.

(f) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Safety Management Group, FAA, may approve AMOCs for this AD. Send your proposal to: Matt Fuller, Senior Aviation Safety Engineer, Safety Management Group, Rotorcraft Directorate, FAA, 2601 Meacham Blvd., Fort Worth, Texas 76137; telephone (817) 222–5110; email *matthew.fuller@faa.gov.*

(2) For operations conducted under a 14 CFR part 119 operating certificate or under 14 CFR part 91, subpart K, we suggest that you notify your principal inspector, or lacking a principal inspector, the manager of the local flight standards district office or certificate holding district office, before operating any aircraft complying with this AD through an AMOC.

(g) Additional Information

(1) Bell Helicopter Technical Bulletin 430–04–35, Revision B, dated March 20, 2009, which is not incorporated by reference, contains additional information about the subject of this AD. For service information, contact Bell Helicopter Textron Canada Limited, 12,800 Rue de l'Avenir, Mirabel, Quebec J7J1R4; telephone (450) 437–2862 or (800) 363–8023; fax (450) 433–0272; or at *http://www.bellcustomer.com/files/.* You may view this service information at FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

(2) The subject of this AD is addressed in Transport Canada Civil Aviation (TCCA) AD No. CF–2013–30, dated October 7, 2013. You may view the TCCA AD on the Internet at

http://www.regulations.gov in Docket No. FAA–2014–0499.

(h) Subject

Joint Aircraft Service Component (JASC) Code: 6720, Tail Rotor Control

(i) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless the AD specifies otherwise.

(i) Bell Helicopter Alert Service Bulletin 430–13–51, dated September 3, 2013.

(ii) Reserved.

(3) For Bell Helicopter Textron Canada Limited service information identified in this AD, contact Bell Helicopter Textron Canada Limited, 12,800 Rue de l'Avenir, Mirabel, Quebec J7J1R4; telephone (450) 437–2862 or (800) 363–8023; fax (450) 433–0272; or at *http://www.bellcustomer.com/files/.*

(4) You may view this service information at FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137. For information on the availability of this material at the FAA, call (817) 222–5110.

(5) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call (202) 741–6030, or go to: *http://www.archives.gov/federal-register/cfr/ibr-locations.html.*

Issued in Fort Worth, Texas, on June 24, 2015.

Bruce E. Cain,

Acting Directorate Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 2015–16469 Filed 7–6–15; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2014–0569; Directorate Identifier 2014–NM–047–AD; Amendment 39–18199; AD 2015–14–01]

RIN 2120–AA64

Airworthiness Directives; Bombardier, Inc. Airplanes

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

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for certain Bombardier, Inc. Model DHC–8–400 series airplanes. This AD was prompted by a report of loose bolts that are intended to secure the translating door crank assembly to the outside handle shaft. This AD requires a detailed inspection for loose bolts on the aft translating door crank assembly, and removal and reinstallation of the bolts. We are issuing this AD to prevent loose bolts from falling out. If both bolts become loose or fall out after the door is closed and locked, the door cannot be opened from inside or outside, which could impede evacuation in the event of an emergency.

DATES: This AD becomes effective August 11, 2015.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of August 11, 2015.

ADDRESSES: You may examine the AD docket on the Internet at *http://www.regulations.gov/#!docketDetail;D=FAA-2014-0569;* or in person at the Docket 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.

For service information identified in this AD, contact Bombardier, Inc., Q-Series Technical Help Desk, 123 Garratt Boulevard, Toronto, Ontario M3K 1Y5, Canada; telephone 416–375–4000; fax 416–375–4539; email *thd.qseries@aero.bombardier.com;* Internet *http://www.bombardier.com.* You may view this referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425 227–1221. It is also available on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2014–0569.

FOR FURTHER INFORMATION CONTACT: Cesar Gomez, Aerospace Engineer, Airframe and Mechanical Systems Branch, ANE–171, FAA, New York Aircraft Certification Office, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7318; fax 516–794–5531.

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 certain Bombardier, Inc. Model DHC–8–400 series airplanes. The NPRM published in the **Federal Register** on August 15, 2014 (79 FR 48105). The NPRM was prompted by a report of loose bolts that are intended to secure the translating door crank assembly to the outside handle shaft. The NPRM proposed to require a detailed inspection for loose bolts on the aft translating door crank assembly, and removal and reinstallation of the bolts. We are issuing this AD to prevent loose bolts from falling out. If both bolts become loose or fall out after the door is closed and locked, the door cannot be opened from inside or outside, which could impede evacuation in the event of an emergency.

Transport Canada Civil Aviation (TCCA), which is the aviation authority for Canada, has issued Canadian Airworthiness Directive CF–2014–08, dated February 10, 2014 (referred to after this as the Mandatory Continuing Airworthiness Information, or ''the MCAI''), to correct an unsafe condition for the specified products. The MCAI states:

> There was one in-service report where the bolts securing the translating door crank assembly to the outside handle shaft were found loose. It was also found on another translating door that sealant was missing on these bolts. If both bolts become loose or fall out after the door is closed and locked, the door cannot be opened from inside or outside.
>
> The aft entry translating door and aft service translating door are classified as emergency exits. The inability to open an emergency exit could impede evacuation in the event of an emergency.
>
> This [Canadian] AD mandates the inspection of the translating door crank assemblies for loose bolts, as well as appropriate rectification [removal and reinstallation of the bolts].

You may examine the MCAI in the AD docket on the Internet at *http://www.regulations.gov/#!documentDetail;D=FAA-2014-0569-0002.*

Comments

We gave the public the opportunity to participate in developing this AD. We have considered the comment received. The following presents the comment received on the NPRM (79 FR 48105, August 15, 2014), and the FAA's response to the comment.

Request To Remove Certain Requirements From the NPRM (79 FR 48105, August 15, 2014)

Horizon Air requested that the job set-up and close-out procedures included in Part A–INSPECTION, and Part B–RECTIFICATION, of the Accomplishment Instructions of Bombardier Service Bulletin 84–52–75, Revision A, dated July 11, 2013, be removed as requirements in the NPRM (79 FR 48105, August 15, 2014). The commenter noted that only the procedures included in paragraph B.

Procedure, of Part A and Part B of the Accomplishment Instructions of Bombardier Service Bulletin 84–52–75, Revision A, dated July 11, 2013, provide corrective actions to address the unsafe condition. The commenter stated that the job set-up and close-out procedures do not directly correct the unsafe condition and restrict an operators' ability to perform maintenance in conjunction with the detailed inspection that would be required by the proposed AD.

We partially agree with the commenter's request. We agree to remove the job set-up procedures and most of the steps in the job close-out procedures from this AD because those actions do not directly correct the unsafe condition. We have revised paragraph (g) of this AD to specify that the inspection must be done in accordance with paragraph 3.B., ''Procedure,'' of Part A—INSPECTION, of the Accomplishment Instructions of Bombardier Service Bulletin 84–52–75, Revision A, dated July 11, 2013.

We have also revised paragraphs (g)(1) and (g)(2) of this AD to specify that the corrective actions must be done in accordance with paragraph 3.B., ''Procedure,'' and steps 3.C.(4) and 3.C.(5) of paragraph 3.C., ''Close Out,'' of Part B—RECTIFICATION, of the Accomplishment Instructions of Bombardier Service Bulletin 84–52–75, Revision A, dated July 11, 2013. The intent of this final rule is to ensure that the aft entry translating door and aft service translating door are correctly installed. Therefore, we consider the operational tests in steps 3.C.(4) and 3.C.(5) of paragraph 3.C., ''Close Out,'' of Part B—RECTIFICATION, of the Accomplishment Instructions of Bombardier Service Bulletin 84–52–75, Revision A, dated July 11, 2013, to be required actions to ensure that these doors operate properly. If maintenance is done concurrently with the required detailed inspection, it should not affect an operator's ability to return the aircraft to service. If the required detailed inspection cannot be completed because the airplane is undergoing maintenance, then the actions required by this AD can be accomplished just prior to the airplane being returned to service. Concurrently performing maintenance and doing the actions required by this AD should not cause a delay in an airplane's return to service.

Conclusion

We reviewed the relevant data, considered the comment received, and determined that air safety and the public interest require adopting this AD as proposed except for minor editorial changes. We have determined that these minor changes:

- Are consistent with the intent that was proposed in the NPRM (79 FR 48105, August 15, 2014) for correcting the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the NPRM (79 FR 48105, August 15, 2014).

Related Service Information Under 1 CFR Part 51

We reviewed Bombardier Service Bulletin 84–52–75, Revision A, dated July 11, 2013. This service information describes procedures for a detailed inspection for loose bolts on the aft translating door crank assembly, and removal and reinstallation of the bolts. This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section of this AD.

Costs of Compliance

We estimate that this AD affects 82 airplanes of U.S. registry.

We also estimate that it will take about 7 work-hours per product to comply with the basic requirements of this AD. The average labor rate is $85 per work-hour. Required parts will cost about $0 per product. Based on these figures, we estimate the cost of this AD on U.S. operators to be $48,790, or $595 per product.

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 that 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; 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.

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov/#!docketDetail;D=FAA-2014-0569;* 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 regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone 800–647–5527) is in the **ADDRESSES** section.

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):

2015–14–01 Bombardier, Inc.: Amendment 39–18199. Docket No. FAA–2014–0569; Directorate Identifier 2014–NM–047–AD.

(a) Effective Date

This AD becomes effective August 11, 2015.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Bombardier, Inc. Model DHC–8–400, –401, and –402 airplanes, certificated in any category, serial numbers 4001 through 4411 inclusive.

(d) Subject

Air Transport Association (ATA) of America Code 52, Doors.

(e) Reason

This AD was prompted by a report of loose bolts that are intended to secure the translating door crank assembly to the outside handle shaft. We are issuing this AD to prevent loose bolts from falling out. If both bolts become loose or fall out after the door is closed and locked, the door cannot be opened from inside or outside, which could impede evacuation in the event of an emergency.

(f) Compliance

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

(g) Inspection and Corrective Actions

Within 600 flight hours or 100 days, whichever occurs first after the effective date of this AD: Do a detailed inspection of the aft translating door crank assembly for loose bolts, in accordance with paragraph 3.B., ''Procedure,'' of Part A—INSPECTION, of the Accomplishment Instructions of Bombardier Service Bulletin 84–52–75, Revision A, dated July 11, 2013. Doing the applicable actions specified in paragraph (g)(1) or (g)(2) of this AD terminates the requirements of this paragraph.

(1) If any loose bolt is found: Before further flight, remove and reinstall the translating door crank assembly bolt, in accordance with paragraph 3.B., ''Procedure,'' and steps 3.C.(4) and 3.C.(5) of paragraph 3.C., ''Close Out,'' of Part B—RECTIFICATION, of the Accomplishment Instructions of Bombardier Service Bulletin 84–52–75, Revision A, dated July 11, 2013.

(2) If no loose bolt is found: Within 6,000 flight hours or 36 months, whichever occurs first after the effective date of this AD, remove and reinstall the translating door crank assembly bolts, in accordance with paragraph 3.B., ''Procedure,'' and steps 3.C.(4) and 3.C.(5) of paragraph 3.C., ''Close Out,'' of Part B—RECTIFICATION, of the Accomplishment Instructions of Bombardier Service Bulletin 84–52–75, Revision A, dated July 11, 2013.

(h) Credit for Previous Actions

This paragraph provides credit for actions required by paragraphs (g), (g)(1), and (g)(2) of this AD, if those actions were performed before the effective date of this AD using Bombardier Service Bulletin 84–52–75, dated July 27, 2012, which is not incorporated by reference in this AD.

(i) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, New York Aircraft Certification Office (ACO), ANE–170, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the ACO, send it to ATTN: Program Manager, Continuing Operational Safety, FAA, New York ACO, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7300; fax 516–794–5531. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office. The AMOC approval letter must specifically reference this AD.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain corrective actions from a manufacturer, the action must be accomplished using a method approved by the Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA; or Transport Canada Civil Aviation (TCCA), or Bombardier, Inc.'s TCCA Design Approval Organization (DAO). If approved by the DAO, the approval must include the DAO-authorized signature.

(j) Related Information

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) Canadian Airworthiness Directive CF–2014–08, dated February 10, 2014. This MCAI may be found in the AD docket on the Internet at *http://www.regulations.gov/#!documentDetail;D=FAA-2014-0569-0002.*

(2) Service information identified in this AD that is not incorporated by reference is available at the addresses specified in paragraphs (k)(3) and (k)(4) of this AD.

(k) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless this AD specifies otherwise.

(i) Bombardier Service Bulletin 84–52–75, Revision A, dated July 11, 2013.

(ii) Reserved.

(3) For service information identified in this AD, contact Bombardier, Inc., Q-Series Technical Help Desk, 123 Garratt Boulevard, Toronto, Ontario M3K 1Y5, Canada; telephone 416–375–4000; fax 416–375–4539; email *thd.qseries@aero.bombardier.com;* Internet *http://www.bombardier.com.*

(4) You may view this service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221.

(5) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal-register/cfr/ibr-locations.html.*

Issued in Renton, Washington, on June 25, 2015.

Jeffrey E. Duven,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2015–16463 Filed 7–6–15; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2015–2434; Directorate Identifier 2015–CE–023–AD; Amendment 39–18196; AD 2015–13–09]

RIN 2120–AA64

Airworthiness Directives; Piper Aircraft, Inc. Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; request for comments.

SUMMARY: We are adopting a new airworthiness directive (AD) for certain Piper Aircraft, Inc. Models PA–46–350P and PA–46–500TP airplanes. This AD requires installing cable ties around the cabin altitude encoder and the supporting structure, adding thread-locking compound to the threads of the existing single fastener; and repetitively inspecting the cable ties and the fastener to ensure security and proper condition. This AD was prompted by a report that a cabin altitude encoder came free from its mounting bracket, which interfered with motion of the elevator flight control. We are issuing this AD to correct the unsafe condition on these products.

DATES: This AD is effective July 13, 2015.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of July 13, 2015.

We must receive comments on this AD by August 21, 2015.

ADDRESSES: You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.
- *Hand Delivery:* U.S. Department of Transportation, Docket Operations, M–

30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this AD, contact Piper Aircraft, Inc., 2926 Piper Drive, Vero Beach, Florida 32960; telephone: (877) 879–0275; email: *customer.service@piper.com;* Internet: *www.piper.com.* You may review this referenced service information at the FAA, Small Airplane Directorate, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329–4148. It is also available on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2015–2434.

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–2015–2434; 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 regulatory evaluation, any comments received, and other information. The street address for the Docket Office (phone: 800–647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Gregory ''Keith'' Noles, Aerospace Engineer, FAA, Atlanta Aircraft Certification Office (ACO), 1701 Columbia Avenue, College Park, Georgia 30337; phone: (404) 474–5551; fax: (404) 474–5606; email: *gregory.noles@faa.gov.*

SUPPLEMENTARY INFORMATION:

Discussion

We received a report that a Piper Aircraft, Inc. (Piper) Model PA–46–500TP airplane experienced a pitch control system problem that resulted in a limited ability to control the elevator. The pilot was able to land the aircraft safely with a combination of primary pitch control and pitch trim. Initial speculation was that this was an installation error.

Follow-on investigation revealed that a Garmin avionics box installed behind the instrument panel had fallen down on the elevator control sector adjacent to the column and jammed the primary pitch control. The box is the cabin altitude encoder and is installed upside down above the elevator control sector. This configuration was introduced in December 2014 as part of a type design change to Piper Model PA–46–500TP airplanes. A similar configuration was also introduced on the PA–46–350P through a type design change. The box is installed with one fastener with no locking features. The one fastener uses a knurled nut that is also installed upside down. Vibration and low installation torque could easily cause the nut to come loose. The reported airplane had only 12 hours time in service.

This condition, if not corrected, could result in loss of control. We are issuing this AD to correct the unsafe condition on these products.

Related Service Information Under 1 CFR Part 51

We reviewed Piper Aircraft, Inc. Mandatory Service Bulletin No. 1283, dated June 12, 2015. The service bulletin describes procedures for installing cable ties around the avionics box and the supporting structure; repetitively inspecting the cable ties and the knurled nut to ensure security and proper condition; and applying thread-locking compound to the knurled nut to ensure proper security. This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section of this AD.

FAA's Determination

We are issuing this AD because we evaluated all the relevant information and determined the unsafe condition described previously is likely to exist or develop in other products of the same type design.

AD Requirements

This AD requires accomplishing the actions specified in the service information described previously.

Differences Between the AD and the Service Information

Piper Aircraft, Inc. Mandatory Service Bulletin No. 1283, dated June 12, 2015, includes more airplane serial numbers than we have included in this AD. The cabin altitude encoders on the airplanes for the additional serial numbers affected in the service bulletin use a similar installation, but are located and oriented differently so that they do not create the unsafe condition. Piper is working on a permanent modification to incorporate on all airplanes affected by the service bulletin.

Interim Action

We consider this AD interim action. The design approval holder is currently developing a modification to correct the unsafe condition identified in this AD. Once this modification is developed, approved, and available, we might consider additional rulemaking.

FAA's Justification and Determination of the Effective Date

An unsafe condition exists that requires the immediate adoption of this AD. The FAA has found that the risk to the flying public justifies waiving notice and comment prior to adoption of this rule because if the cabin altitude encoder mouting becomes loose and intereferes with the elevator control system, this could result in loss of control. Therefore, we find that notice and opportunity for prior public comment are impracticable and that good cause exists for making this amendment effective in less than 30 days.

Comments Invited

This AD is a final rule that involves requirements affecting flight safety and was not preceded by notice and an opportunity for public comment. However, we invite you to send any written data, views, or arguments about this AD. Send your comments to an address listed under the **ADDRESSES** section. Include the docket number FAA–2015–2434 and Directorate Identifier 2015–CE–023–AD at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this AD. We will consider all comments received by the closing date and may amend this AD because of those comments.

We will post all comments we receive, without change, to *http://www.regulations.gov,* including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this AD.

Costs of Compliance

We estimate that this AD affects 28 airplanes of U.S. registry.

We estimate the following costs to comply with this AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Modify the encoder mounting installation by installing 2 cable ties and thread-locking compound.	1 work-hour × $85 per hour = $85.	$10	$95	$2,660
Inspect the encoder mounting installation to verify proper condition and security of the cable ties and security of the knurled nut.	1 work-hour × $85 per hour = $85 (per inspection cycle).	Not applicable	85	2,389

We estimate the following costs to do any necessary replacements/repairs that will be required based on the results of the inspection. We have no way of determining the number of aircraft that might need these replacements/repairs:

ON-CONDITION COSTS

Action	Labor cost	Parts cost	Cost per product
Replace cable ties and/or apply thread-locking compound	1 work-hour × $85 per hour = $85	$10	$95

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

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 that this AD:

(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),

(3) Will not affect intrastate aviation in Alaska, and

(4) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

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):

2015–13–09 Piper Aircraft, Inc.: Amendment 39–18196; Docket No. FAA–2015–2434; Directorate Identifier 2015–CE–023–AD.

(a) Effective Date

This AD is effective July 13, 2015.

(b) Affected ADs

None.

(c) Applicability

This AD applies to the following Piper Aircraft, Inc. airplanes, certificated in any category, as identified in table 1 of paragraph (c) of this AD:

TABLE 1 OF PARAGRAPH (c) OF THIS AD—APPLICABILITY

Model	Serial No.
PA–46–350P	4636652 through 4636662.
PA–46–500TP	4697549, 4697569, 4697582 through 4697591, 4697593 through 4697595, 4697597, and 4697598.

(d) Subject

Joint Aircraft System Component (JASC)/Air Transport Association (ATA) of America Code 2130, Cabin Pressure Control System.

(e) Unsafe Condition

This AD was prompted by a report that a cabin altitude encoder came free from its mounting bracket, which interfered with motion of the elevator flight control. This condition, if not prevented, could result in loss of control. We are issuing this AD to correct the unsafe condition on these products.

(f) Compliance

Comply with this AD as specified in paragraphs (g) and (h) of this AD, including all subparagraphs, unless already done.

(g) Modification

Do one of the following in paragraphs (g)(1) or (g)(2) of this AD:

(1) Before further flight after July 13, 2015 (the effective date of this AD), modify the encoder mounting installation by installing two cable ties and adding thread-locking compound to the knurled holddown nut. Do the modification following Part I of Piper Aircraft, Inc. Mandatory Service Bulletin No. 1283, dated June 12, 2015.

(2) Before each flight after July 13, 2015 (the effective date of this AD) do a pre-flight security check by grasping the knurled holddown nut with a bare hand and verifying that the nut is tight and secure. Within the next 10 hours time-in-service after July 13, 2015 (the effective date of this AD), you must do the modification required in paragraph (g)(1) of this AD.

(i) The pre-flight security check required in paragraph (g)(2) of this AD may be performed by the owner/operator holding at least a private pilot certificate as authorized by section 43.7 of the Federal Aviation Regulations (14 CFR 43.7), and must be entered into the aircraft records showing compliance with this AD in accordance with section 43.9 of the Federal Aviation Regulations (14 CFR 43.9).

Note 1 to paragraph (g)(2)(i): Piper Aircraft, Inc. Mandatory Service Bulletin No. 1283, dated June 12, 2015, which is incorporated by reference in this AD, includes pictures for accessing and locating the cabin altitude encoder and can be used as guidance for performing this preflight check. See paragraphs (l)(3) and (l)(4) for the availability of this service information.

(ii) The pre-flight security check required in paragraph (g)(2) of this AD is no longer necessary after the modification required by either paragraph (g)(1) or (g)(2) of this AD.

(h) Inspection

Within 50 hours TIS after doing the modification required in paragraph (g)(1) or (g)(2) of this AD and repetitively thereafter not to exceed 50 hours TIS, inspect the encoder mounting installation to verify the proper condition and security of the cable ties and the security of the knurled holddown nut. Do the inspection following Part II of Piper Aircraft, Inc. Mandatory Service Bulletin No. 1283, dated June 12, 2015.

(1) If the cable ties are found to not be properly secure or are not in proper condition during the inspection required in paragraph (h) of this AD, before further flight, replace with new cable ties following Part I of Piper Aircraft, Inc. Mandatory Service Bulletin No. 1283, dated June 12, 2015.

(2) If the knurled holddown nut is found to not be properly secure during the inspection required in paragraph (h) of this AD, before further flight, apply thread-locking compound following Part I of Piper Aircraft, Inc. Mandatory Service Bulletin No. 1283, dated June 12, 2015.

(i) Special Flight Permit

Special flight permits are permitted with the following limitation: The pre-flight security check required in paragraph (g)(2) of this AD must be done.

(j) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Atlanta Aircraft Certification Office (ACO), FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the ACO, send it to the attention of the person identified in paragraph (k) of this AD.

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/ certificate holding district office.

(k) Related Information

For more information about this AD, contact Gregory ''Keith'' Noles, Aerospace Engineer, FAA, Atlanta ACO, 1701 Columbia Avenue, College Park, Georgia 30337; phone: (404) 474–5551; fax: (404) 474–5606; email: *gregory.noles@faa.gov.*

(l) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless the AD specifies otherwise.

(i) Piper Aircraft, Inc. Mandatory Service Bulletin No. 1283, dated June 12, 2015.

(ii) Reserved.

(3) For Piper Aircraft, Inc. service information identified in this AD, contact Piper Aircraft, Inc., 2926 Piper Drive, Vero Beach, Florida 32960; telephone: (877) 879–0275; email: *customer.service@piper.com;* Internet: *www.piper.com.*

(4) You may view this service information at FAA, FAA, Small Airplane Directorate, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329–4148.

(5) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal-register/cfr/ibr-locations.html.*

Issued in Kansas City, Missouri, on June 24, 2015.

Earl Lawrence,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2015–16181 Filed 7–6–15; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF JUSTICE

Bureau of Prisons

28 CFR Part 527

[BOP–1165–F]

RIN 1120–AB65

Transfer of Offenders to Foreign Countries

AGENCY: Bureau of Prisons, Department of Justice.

ACTION: Final rule.

SUMMARY: In this document, the Bureau of Prisons (Bureau) streamlines regulations on transferring offenders to foreign countries by eliminating language that constitutes agency guidance to staff. Guidance language will be retained in the relevant Bureau policy.

DATES: This rule is effective on August 6, 2015.

FOR FURTHER INFORMATION CONTACT: Sarah Qureshi, Office of General Counsel, Bureau of Prisons, phone (202) 307–2105.

SUPPLEMENTARY INFORMATION: In this document, the Bureau of Prisons (Bureau) streamlines regulations on transferring offenders to or from foreign countries by eliminating language that constitutes agency guidance to staff. Guidance language will be retained in the relevant Bureau policy. We published a proposed rule on this subject on January 2, 2014 (79 FR 78). We received 6 comments on the proposed rule. Five of those comments were generally in support of the rule. One comment raised issues which we respond to below.

First, the commenter suggested that ''the Bureau of Prisons undertake a more substantial revision of the section that addresses notification of inmates, along with rewriting the agency guidance to staff on this issue as it appears in Program Statement 5140.40.'' The commenter refers to § 527.43, Notification of inmates, which indicates that inmates will be notified regarding information on international offender transfers through the institution's admission and orientation program and by the case manager of an inmate who is a citizen or national of a treaty nation. This section indicates that the inmate must be given individual notice of the availability of the transfer program, provided with an opportunity to inquire about transfer to the country of which the inmate is a citizen or national, and informed of the procedures set forth in this part. This section was rewritten for clarity. No substantive language or requirements were changed in this section. We note, however, that per the commenter's request, agency guidance to staff in the corresponding Program Statement on Transfer of Offenders To or From Foreign Countries is concurrently being rewritten to accommodate the revised regulations and to reflect changes in agency guidance to staff.

The commenter also questioned whether translations of the notifications and/or Transfer Inquiry Forms described in § 527.43 (Notification of inmates) and § 527.44 (Request for transfer to country of citizenship or nationality) can be obtained in languages other than English, Spanish, and French. The Transfer Inquiry form has, in fact, been translated into the languages of all of the countries with which the United States have Treaty agreements. The Bureau is in the

process of posting these forms to our public Web site. Unit staff currently provides the translated forms to inmates who have expressed an interest in Treaty Transfer.

The commenter was concerned that the ''process of notifying inmates about the transfer program and forwarding their applications to the Department of Justice is unnecessarily lengthy and has many problems. A few case managers still neglect to offer the information and an opportunity to apply for transfer to inmates at the admission and orientation program. Many miss the 60-day deadline within which transfer applications are supposed to be mailed to Washington. Most seriously, some case managers actively obstruct the program in the way they handle the forms after the inmate expresses an interest in transfer, and they seem to act with total impunity.'' The Bureau agrees that timeliness issues have occurred in the past. Effective December 2013, the Bureau began monitoring the Treaty Transfer Case Management Activity (CMA) Assignments to ensure they are entered within 28 calendar days from initial commitment. The Bureau will now ensure that a Treaty Transfer application packet is received in Central Office within 60 days of the CMA assignment indicating an inmate has expressed an interest in Treaty Transfer.

For the aforementioned reasons, the Bureau now finalizes the proposed rule published on January 2, 2014, without change.

Executive Order 12866

This regulation has been drafted and reviewed in accordance with Executive Order 12866, *Regulatory Planning and Review,* section 1(b), ''Principles of Regulation.'' The Director, Bureau of Prisons, has determined that this rule is not a ''significant regulatory action'' under Executive Order 12866, section 3(f), and accordingly this rule has not been reviewed by the Office of Management and Budget.

Executive Order 13132

This regulation will not have substantial direct effects on the States, on the relationship between the national government and the States, or on distribution of power and responsibilities among the various levels of government. Therefore, under EO 13132, we determine that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Regulatory Flexibility Act

The Director of the Bureau of Prisons, under the Regulatory Flexibility Act (5 U.S.C. 605(b)), reviewed this regulation and, by approving it, certifies that it will not have a significant economic impact upon a substantial number of small entities for the following reasons: This rule pertains to the correctional management of offenders committed to the custody of the Attorney General or the Director of the Bureau of Prisons, and its economic impact is limited to the Bureau's appropriated funds.

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 $100,000,000 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 804 of the Small Business Regulatory Enforcement Fairness Act of 1996. This rule will not result in an annual effect on the economy of $100,000,000 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 companies to compete with foreign-based companies in domestic and export markets.

List of Subjects in 28 CFR Part 527

District of Columbia, Foreign relations, Intergovernmental relations, Prisoners, Women.

Charles E. Samuels, Jr.,
Director, Bureau of Prisons.

Under rulemaking authority vested in the Attorney General in 5 U.S.C. 301 and 28 U.S.C. 509, 510, and delegated to the Director, Bureau of Prisons, in 28 CFR 0.96, we amend 28 CFR part 527 as set forth below.

SUBCHAPTER B—INMATE ADMISSION, CLASSIFICATION, AND TRANSFER

PART 527—TRANSFERS

■ 1. The authority citation for 28 CFR part 527 continues to read as follows:

Authority: 5 U.S.C. 301; 18 U.S.C. 3565, 3569, 3621, 3622, 3624, 4001, 4042, 4081, 4082 (Repealed in part as to offenses committed on or after November 1, 1987), 4100–4115, 4161–4166, (Repealed in part as to offenses committed on or after November 1, 1987), 4201–4218, 5003, 5006–5024 (Repealed October 12, 1984 as to offenses committed after that date), 5039; 28 U.S.C. 509, 510; 28 CFR 0.95–0.99.

■ 2. Revise subpart E to read as follows:

Subpart E—Transfer of Offenders to Foreign Countries

Sec.
527.40 Purpose and scope.
527.41 Definitions.
527.42 Limitations on transfer of offenders to foreign countries.
527.43 Notification of inmates.
527.44 Request for transfer to country of citizenship or nationality.
527.45 Bureau determination on request for transfer.
527.46 Transfer procedures.
527.47 Transfer of state prisoners to other countries.
527.48 Transfer of American national prisoners from foreign countries.

Subpart E—Transfer of Offenders to Foreign Countries

§ 527.40 Purpose and scope.

This subpart describes the Bureau of Prisons (Bureau) procedures regarding its role in the transfer of offenders to foreign countries and the transfer of American offenders back to the United States pursuant to 18 U.S.C. 4100, *et seq.,* and applicable transfer treaties and conventions.

§ 527.41 Definitions.

For the purpose of this subpart, the following definitions apply.

(a) *Treaty nation.* A country with which the United States has a transfer treaty relationship either through a bilateral treaty or a multilateral transfer convention.

(b) *State prisoner.* An inmate serving a sentence imposed in a court in one of the states of the United States, or in a territory or commonwealth of the United States.

(c) *Departure institution.* The Bureau of Prisons institution to which an eligible inmate is finally transferred for return to the country of which the inmate is a citizen or national.

(d) *Admission institution.* The Bureau of Prisons institution where a United States citizen or national-inmate is first received from a treaty nation.

§ 527.42 Limitations on transfer of offenders to foreign countries.

The transfer treaties and conventions, as well as 18 U.S.C. 4100–4115, impose specific requirements that an inmate must satisfy in order to be returned to his or her country of citizenship or nationality.

§ 527.43 Notification of inmates.

Foreign national inmates will be notified about the International Prisoner

Transfer Program and the procedures to follow to apply for transfer as follows:

(a) Through information provided in the institution's admission and orientation program; and

(b) Through individual notice given to an inmate who is a citizen or national of a treaty nation. The notice must:

(1) Reiterate the availability of the transfer program;

(2) Provide the inmate with an opportunity to inquire about transfer to the country of which the inmate is a citizen or national; and

(3) Inform the inmates of the procedures set forth in this part.

§ 527.44 Request for transfer to country of which inmate is a citizen or national.

An inmate who is eligible for and desires to transfer to the country of which the inmate is a citizen or national for service of a sentence imposed in a United States Court must indicate the inmate's interest by completing and signing the appropriate form and giving it to Bureau staff for further processing.

§ 527.45 Bureau determination on request for transfer.

The following is the process by which determinations are made on an inmate's request to be transferred to the country of which the inmate is a citizen or national to serve a sentence imposed in a United States Court.

(a) *Warden's determination.* Upon verifying that the inmate is eligible for transfer, the Warden forwards all relevant information, including a complete application package, to the Assistant Director, Correctional Programs Division, Central Office.

(b) *Central Office and Department of Justice determination.*

(1) The Assistant Director, Correctional Programs Division reviews the submitted material and forwards the application package to the Department of Justice for review.

(2) The Department of Justice notifies the inmate of the determinations made.

§ 527.46 Transfer procedures.

(a) *Treaty nation determination.* If the Department of Justice approves the transfer request, the treaty nation will be asked if it consents to the transfer of its citizen or national. The inmate will be informed of the determination made by the treaty nation.

(b) *Transfer to departure institution.* The Bureau and the Department of Justice will arrange for the inmate to be transferred to an appropriate departure institution.

(c) *Consent verification hearing.* If the treaty nation consents to the transfer, the United States will arrange a consent verification hearing for the prisoner as required by 18 U.S.C. 4107, 4108. This hearing is held before a U.S. Magistrate Judge or other judicial officer as specified in sections 4107 and 4108. The Bureau must ensure that the prisoner is available and present at the consent verification hearing.

(d) *Transfer to departure institution and foreign retrieval of inmate.* If the foreign national prisoner gives consent to transfer at the consent verification hearing, the Department of Justice will notify the treaty transfer nation.

§ 527.47 Transfer of state prisoners to other countries.

The Bureau of Prisons may assume custody of a state prisoner who has been approved for transfer to a treaty nation for the purpose of facilitating the transfer to the treaty nation. Once the state prisoner has consented to the transfer at the consent verification hearing, the Bureau assumes custody of the prisoner. The state is not required to contract for the placement of the prisoner in federal custody, nor to reimburse the United States for the cost of confinement (as would ordinarily be required by 18 U.S.C. 5003).

§ 527.48 Transfer of American national prisoners from foreign countries.

The Bureau of Prisons is responsible for:

(a) Sending escorts to foreign countries to retrieve American national prisoners who have been approved for transfer to the United States and who have had their consent verified at the consent verification hearing specified in 18 U.S.C. 4108; and

(b) Making logistical arrangements for the transfer and coordinating with the United States Parole Commission for proceedings to determine how the sentence will be administered.

[FR Doc. 2015–16610 Filed 7–6–15; 8:45 am]

BILLING CODE 4410–05–P

DEPARTMENT OF JUSTICE

Bureau of Prisons

28 CFR Part 571

[BOP–1154–F]

RIN 1120–AB54

Commutation of Sentence: Technical Change

AGENCY: Bureau of Prisons, Justice.

ACTION: Final rule.

SUMMARY: This document finalizes a minor technical change to the Bureau of Prisons (Bureau) regulations on sentence commutation which clarifies that Bureau staff, other than institution-level staff, will recalculate the inmate's sentence in accordance with the terms of the commutation order if a petition for commutation of sentence is granted.

DATES: This rule is effective on August 6, 2015.

FOR FURTHER INFORMATION CONTACT: Sarah Qureshi, Office of General Counsel, Bureau of Prisons, phone (202) 307–2105.

SUPPLEMENTARY INFORMATION: This document finalizes a minor technical change to the Bureau regulations on sentence commutation which clarifies that Bureau staff other than institution-level staff will recalculate the inmate's sentence in accordance with the terms of the commutation order if a petition for commutation of sentence is granted. That function is currently completed by the Bureau's Designation and Computation Center (DSCC), located in Grand Prairie, Texas. We received no comments on the interim rule that was published on March 23, 2010.

For the aforementioned reasons, the interim rule on this subject on that was published on March 23, 2010 (75 FR 13680) is adopted as final without change.

Executive Order 12866

This regulation has been drafted and reviewed in accordance with Executive Order 12866, ''Regulatory Planning and Review'', section 1(b), Principles of Regulation. The Director of the Bureau of Prisons has determined that this rule is not a ''significant regulatory action'' under Executive Order 12866, section 3(f), and accordingly this rule has not been reviewed by the Office of Management and Budget.

Executive Order 13132

This regulation will not have substantial direct effects on the States, on the relationship between the national government and the States, or on distribution of power and responsibilities among the various levels of government. Therefore, under Executive Order 13132, we determine that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Regulatory Flexibility Act

The Director of the Bureau of Prisons, under the Regulatory Flexibility Act (5 U.S.C. 605(b)), reviewed this regulation and by approving it certifies that it will not have a significant economic impact upon a substantial number of small entities for the following reasons: This rule pertains to the correctional

management of offenders committed to the custody of the Attorney General or the Director of the Bureau of Prisons, and its economic impact is limited to the Bureau's appropriated funds.

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 $100,000,000 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 § 804 of the Small Business Regulatory Enforcement Fairness Act of 1996. This rule will not result in an annual effect on the economy of $100,000,000 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 companies to compete with foreign-based companies in domestic and export markets.

List of Subjects in 28 CFR Part 571

Prisoners.

Accordingly, the interim rule on this subject amending 28 CFR part 571 that was published on March 23, 2010 (75 FR 13680) is adopted as final without change.

L.C. Eichenlaub,

Deputy Director, Bureau of Prisons.

[FR Doc. 2015–16635 Filed 7–6–15; 8:45 am]

BILLING CODE 4410–05–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2015–0422]

RIN 1625–AA00

Safety Zone: Underwater Vessel Testing, San Francisco Bay, San Francisco, CA

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone in the navigable waters of San Francisco Bay in San Francisco, CA near Hunters Point, in support of the Underwater Vessel Testing. This safety zone is established to ensure the safety of the testing participants and mariners transiting the area. Unauthorized persons or vessels are prohibited from entering into, transiting through, or remaining in the safety zone without permission of the Captain of the Port or their designated representative.

DATES: This rule is effective without actual notice from July 7, 2015 until October 31, 2015. For purposes of enforcement, actual notice will be used from July 1, 2015 until July 7, 2015.

ADDRESSES: Documents mentioned in this preamble are part of docket USCG–2015–0422. 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.

FOR FURTHER INFORMATION CONTACT: If you have questions on this temporary rule, call or email Lieutenant Marcia Medina, U.S. Coast Guard Sector San Francisco; telephone (415) 399–7443 or email at *D11-PF-MarineEvents@uscg.mil*. If you have questions on viewing the docket, call Program Manager, Docket Operations, telephone (202)366–9826.

SUPPLEMENTARY INFORMATION:

Table of Acronyms

DHS Department of Homeland Security
FR Federal Register

A. Regulatory History and Information

The Coast Guard is issuing this temporary final rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are ''impracticable, unnecessary, or contrary to the public interest.'' The Coast Guard received the information about the event on May 11, 2015, and the event would occur before the rulemaking process would be completed. Due to the short timeframe for issuing this safety zone, we find that it is impracticable to solicit comments for this temporary final rule.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register** for similar reasons listed above. Due to the time constraints noted, it is impracticable to give 30 days notice before the effective date of this rule.

B. Basis and Purpose

The legal basis for the proposed rule is 33 U.S.C 1231; 50 U.S.C. 191, 33 CFR 1.05–1, 6.04–1, 6.04–6, 160.5; and Department of Homeland Security Delegation No. 0170.1, which collectively authorize the Coast Guard to establish safety zones.

The Office of the Secretary of Defense will host Underwater Vessel Testing periodically between July 1 through October 31, 2015 in the navigable waters of San Francisco Bay in San Francisco, CA near Hunter's Point. The safety zone is needed to establish a temporary restricted area on the waters surrounding the testing. A restricted area is necessary to ensure the safety of mariners transiting the area.

C. Discussion of the Final Rule

The Coast Guard will enforce a safety zone in navigable waters around the testing. The Underwater Vessel Testing Safety Zone establishes a temporary restricted area on the water within an area connecting the following points: 37°43′30″ N., 122°21′6″ W.; 37°43′53″ N., 122°19′17″ W.; 37°41′34″ N., 122°20′30″ W.; 37°41′56″ N., 122°18′42″ W.; thence back to the point of origin (NAD 83). Periods of enforcement will be requested by the Office of the Secretary of Defense with one week notice and approved by the COTP. This safety zone will be enforced for a duration of 6 to up to 72 hours as announced via Broadcast Notice to Mariners periodically between July 1 through October 31, 2015. At the conclusion of the testing evolution the safety zone shall terminate for each evolution.

The effect of the temporary safety zone will be to restrict navigation in the vicinity of the testing. Except for persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in the restricted area. These regulations are needed to keep vessels away from the vicinity of the testing to ensure the safety of mariners transiting the area.

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 and 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 Executive Order 12866 or under section 1 of Executive Order 13563. The Office of Management and Budget has not reviewed it under those Orders.

We expect the economic impact of this rule will not rise to the level of necessitating a full Regulatory Evaluation. The safety zone is limited in duration, and is limited to a narrowly tailored geographic area. In addition, although this rule restricts access to the waters encompassed by the safety zone, the effect of this rule will not be significant because the local waterway users will be notified via public Broadcast Notice to Mariners to ensure the safety zone will result in minimum impact. The entities most likely to be affected are waterfront facilities, commercial vessels, and pleasure craft engaged in recreational activities.

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.

This rule may affect owners and operators of waterfront facilities, commercial vessels, and pleasure craft engaged in recreational activities and sightseeing. This safety zone would not have a significant economic impact on a substantial number of small entities for the following reasons. This safety zone would be activated, and thus subject to enforcement, for a limited duration. When the safety zone is activated, vessel traffic could pass safely around the safety zone. The maritime public will be advised in advance of this safety zone via Broadcast Notice to Mariners.

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 will not call for a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

5. Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. We have analyzed this rule under that Order and determined that this rule does not have implications for federalism.

6. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

7. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of $100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

8. Taking of Private Property

This rule will 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 does not create an environmental risk to health or risk to safety that may 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 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.

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 guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have concluded this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves a safety zone of limited size and duration. This

rule is categorically excluded from further review under paragraph 34(g) of Figure 2–1 of the Commandant Instruction. An environmental analysis checklist supporting this determination and a Categorical Exclusion Determination are available in the docket where indicated under **ADDRESSES**. We seek any comments or information that may lead to the discovery of a significant environmental impact from this rule.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 1. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegation No. 0170.1.

■ 2. Add § 165.T11–681 to read as follows:

§ 165.T11–681 Safety zone; Underwater Vessel Testing, San Francisco Bay, San Francisco, CA.

(a) *Location.* This temporary safety zone will encompass the navigable waters of the South San Francisco Bay within an area connecting the following points: 37°43′30″ N., 122°21′6″ W.; 37°43′53″ N., 122°19′17″ W.; 37°41′34″ N., 122°20′30″ W.; 37°41′56″ N., 122°18′42″ W. (NAD 83); thence back to the point of origin (NAD 83), as depicted in National Oceanic and Atmospheric Administration (NOAA) Chart 18651.

(b) *Enforcement period.* The zone described in paragraph (a) of this section will be enforced for a duration of 6 to up to 72 hours, as announced via Broadcast Notice to Mariners, periodically between on July 1 through October 31, 2015. The Captain of the Port San Francisco (COTP) will notify the maritime community of periods during which this zone will be enforced via Broadcast Notice to Mariners in accordance with § 165.7.

(c) *Definitions.* As used in this section, ''designated representative'' means a Coast Guard Patrol Commander, including a Coast Guard coxswain, petty officer, or other officer on a Coast Guard vessel or a Federal, State, or local officer designated by or assisting the COTP in the enforcement of the safety zone.

(d) *Regulations.* (1) Under the general regulations in subpart C of this part, entry into, transiting or anchoring within this safety zone is prohibited unless authorized by the COTP or a designated representative.

(2) The safety zone is closed to all vessel traffic, except as may be permitted by the COTP or a designated representative.

(3) Vessel operators desiring to enter or operate within the safety zone must contact the COTP or a designated representative to obtain permission to do so. Vessel operators given permission to enter or operate in the safety zone must comply with all directions given to them by the COTP or a designated representative. Persons and vessels may request permission to enter the safety zone on VHF–23A or through the 24-hour Command Center at telephone (415) 399–3547.

Dated: May 18, 2015.

Gregory G. Stump,

Captain, U.S. Coast Guard, Captain of the Port San Francisco.

[FR Doc. 2015–16621 Filed 7–6–15; 8:45 am]

BILLING CODE 4910–15–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R06–OAR–2014–0378; FRL–9929–81–Region 6]

Approval and Promulgation of Implementation Plans; Arkansas; Prevention of Significant Deterioration; Greenhouse Gas Plantwide Applicability Limit Permitting Revisions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving one revision to the Arkansas State Implementation Plan (SIP) submitted by the Arkansas Governor to the EPA on January 7, 2014. This submittal revises the Arkansas Prevention of Significant Deterioration (PSD) Permitting Program to incorporate by reference federal plantwide applicability limit (PAL) permitting provisions to enable the State of Arkansas to issue PSD PALs to sources with greenhouse gas (GHG) emissions. The EPA has determined that the January 7, 2014 revision to the Arkansas SIP is consistent with federal requirements for PSD permitting. The EPA is also approving ministerial changes to the Code of Federal Regulations (CFR) to reflect recent EPA SIP approvals to the Arkansas PSD program and to show that SIP deficiencies identified in prior partial disapprovals have been addressed. We are finalizing this action under section 110 and part C of title I of the Clean Air Act (CAA or the Act).

DATES: This final rule is effective on August 6, 2015.

ADDRESSES: EPA has established a docket for this action under Docket ID No. EPA–R06–OAR–2014–0378. All documents in the docket are listed on the *http://www.regulations.gov* Web site. Although listed in the index, some information is not publicly available, *e.g.,* Confidential Business Information or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically through *http://www.regulations.gov* or in hard copy at EPA Region 6, 1445 Ross Avenue, Suite 700, Dallas, Texas 75202–2733.

FOR FURTHER INFORMATION CONTACT: Adina Wiley, 214–665–2115, *wiley.adina@epa.gov*.

SUPPLEMENTARY INFORMATION: Throughout this document wherever ''we,'' ''us,'' or ''our'' is used, we mean the EPA.

I. Background

The background for this action is discussed in detail in our April 27, 2015 proposal. *See* 80 FR 23245. In that document, we proposed to approve the January 7, 2014, Arkansas SIP revision; a submittal that included PSD permitting provisions adopted on June 28, 2013, at the Arkansas Pollution Control and Ecology Commission's (''Commission'') Regulation Number 19, Regulations of the Arkansas Plan of Implementation for Air Pollution Control (hereinafter Regulation 19 at 19.904(A)(1) and (G)(1)). These revisions to the PSD program provide the Arkansas Department of Environmental Quality (ADEQ) the ability to issue GHG PSD PALs consistent with the ''Prevention of Significant Deterioration and Title V Greenhouse Gas Tailoring Rule Step 3 and GHG Plantwide Applicability Limits Final Rule'' (77 FR 41051) and recent litigation surrounding the permitting of GHGs.[1] The January 7,

[1] As explained more fully in our April 27, 2015, proposed rulemaking; the U.S. Supreme Court

Continued

2014 submittal also included a non-substantive revision to the Regulation 19.904(E)(3) to correct a reference to federal air quality models for PSD permitting. The April 27, 2015, proposal and the accompanying Technical Support Document (TSD) present our rationale for approving these regulations as meeting the minimum federal requirements for the adoption and implementation of the PSD SIP permitting programs. This action was proposed under section 110 and part C of the Act. We did not receive any comments regarding our proposal.

II. Final Action

The EPA is approving the January 7, 2014 submitted revisions to the Arkansas PSD Permitting Program at Regulation 19.904(A)(1), (E)(3), and (G)(1) into the Arkansas SIP. The EPA has determined that the January 7, 2014 revision is approvable because the submitted rules are adopted and submitted in accordance with the CAA and are consistent with the EPA's regulations regarding PSD permitting for emissions of GHGs. Therefore, the EPA approves the following as a revision to the Arkansas PSD SIP:

- Substantive revisions to Regulation 19.904(A)(1) incorporating by reference the federal GHG PSD PAL permitting provisions,
- Revisions to Regulation 19.904(E)(3) to update the reference to federal PSD air quality models at 40 CFR 52.21(l)(2), and
- Substantive revisions to Regulation 19.904(G)(1) establishing the requirements for GHG PSD PAL permits consistent with federal requirements.

The EPA is also finalizing our approval of ministerial changes to 40 CFR 52.170(e) and 40 CFR 52.172(b) which reflect that deficiencies identified in our partial disapproval of the December 17, 2007 and March 28, 2008 Arkansas SIP submittals for the 1997 8-hour ozone NAAQS were addressed by our approval of Arkansas PSD program revisions which provide the authority to regulate and permit emissions of GHGs on April 2, 2013 (78 FR 19596). We are also approving a ministerial change to 40 CFR 52.181(a) to reflect that the EPA approved a revision to the PSD program for the authority to regulate and permit emissions of GHGs on April 2, 2013 (78 FR 19596).

The EPA is approving these actions under section 110 and part C of the Act, and for the reasons stated above.

III. Incorporation by Reference

In this rule, we are finalizing regulatory text that includes incorporation by reference. In accordance with the requirements of 1 CFR 51.5, we are finalizing the incorporation by reference of the revisions to the Arkansas regulations as described in the Final Action section above. We have made, and will continue to make, these documents generally available electronically through *www.regulations.gov* and/or in hard copy at the EPA Region 6 office.

IV. Statutory and Executive Order Reviews

Under the Clean Air Act, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. Accordingly, this action merely approves state law as meeting Federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this action:

- Is not a ''significant regulatory action'' subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993) 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 Clean Air Act; and
- Does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, 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 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 September 8, 2015. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality

issued a decision addressing the application of PSD permitting requirements to GHG emissions on June 23, 2014, in *Utility Air Regulatory Group* v. *Environmental Protection Agency. See* 134 S.Ct. 2427 (2014) (the ''UARG'' decision).The UARG decision effectively upheld PSD permitting requirements for GHG emissions under Step 1 of the Tailoring Rule for ''anyway sources'' and invalidated PSD permitting requirements for Step 2 sources. In accordance with the UARG decision, on April 10, 2015, the U.S. Court of Appeals for the District of Columbia Circuit (the D.C. Circuit) issued an amended judgment vacating the regulations that implemented Step 2 of the Tailoring Rule, but not the regulations that implement Step 1 of the Tailoring Rule. See *Coalition for Responsible Regulation* v. *EPA,* D.C. Cir., No. 09–1322, 06/26/20, judgment entered for No. 09–1322 on 04/10/2015. (The ''Coalition'' decision). Neither the UARG decision nor the Coalition judgment directly impacted the ability to issue PALs for GHGs for existing major stationary sources. We anticipate that the EPA will need to revise the PAL provisions in the future to address the specifics of these decisions, but this does not affect today the finalization of the State's PAL provisions that can be used to provide PALs for GHGs consistent with the UARG and Coalition decisions. Therefore we can finalize approval of the AR GHG PAL provisions at this time.

of this action for the purposed 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, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Dated: June 19, 2015.

Samuel Coleman,

Acting Regional Administrator, Region 6.

40 CFR part 52 is amended as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

■ 1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart E—Arkansas

■ 2. Section 52.170 is amended by revising:

■ a. The entry for Section 19.904 in the table titled ''EPA-Approved Regulations in the Arkansas SIP'' in paragraph (c); and

■ b. The entries for ''Infrastructure for the 1997 Ozone NAAQS'' and ''Interstate transport for the 1997 ozone NAAQS (Noninterference with measures required to prevent significant deterioration of air quality in any other State)'' in the third table titled ''EPA-Approved Non-Regulatory Provisions and Quasi-Regulatory Measures in the Arkansas SIP'' in paragraph (e).

The revisions read as follows:

§ 52.170 Identification of plan.

* * * * *

(c) * * *

EPA-APPROVED REGULATIONS IN THE ARKANSAS SIP

State citation	Title/Subject	State submittal/ effective date	EPA Approval date	Explanation
Regulation No. 19: Regulations of the Arkansas Plan of Implementation for Air Pollution Control				
*	*	*	*	*
Chapter 9: Prevention of Significant Deterioration				
*	*	*	*	*
Section 19.904	Adoption of Regulations	12/01/2014	7/7/2015 [Insert FR page number where document begins].	
*	*	*	*	*

* * * * *

(e) * * *

EPA-APPROVED NON-REGULATORY PROVISIONS AND QUASI-REGULATORY MEASURES IN THE ARKANSAS SIP

Name of SIP provision	Applicable geographic or nonattainment area	State submittal/ effective date	EPA Approval date	Explanation
*	*	*	*	*
Infrastructure for the 1997 Ozone NAAQS.	Statewide	12/17/07 3/28/08	8/20/12 (77 FR 50033).	Approval for CAA elements 110(a)(2)(A), (B), (E), (F), (G), (H), (K), (L), and (M). Approval for CAA elements 110(a)(2)(C), (D)(i)(II) (interfere with measures in any other state to prevent significant deterioration of air quality), (D)(ii), and (J) for the 1997 ozone NAAQS, except as it relates to Greenhouse Gas (GHG) emissions. The GHG PSD deficiency was addressed on April 2, 2013 (78 FR 19596).

EPA-APPROVED NON-REGULATORY PROVISIONS AND QUASI-REGULATORY MEASURES IN THE ARKANSAS SIP—Continued

Name of SIP provision	Applicable geographic or nonattainment area	State submittal/ effective date	EPA Approval date	Explanation
*	* *	*	*	* *
Interstate transport for the 1997 ozone NAAQS (Noninterference with measures required to prevent significant deterioration of air quality in any other State).	Statewide	4/5/11	8/20/12 (77 FR 50033).	Approved except as it relates to GHGs. The GHG PSD deficiency was addressed on April 2, 2013 (78 FR 19596).
*	* *	*	*	* *

§ 52.172 [Amended]

■ 3. Section 52.172 is amended by removing paragraph (b) and redesignating paragraphs (c) and (d) as paragraphs (b) and (c), respectively.

■ 4. Section 52.181 is amended by redesignating paragraph (a)(5) as paragraph (a)(7) and adding paragraphs (a)(5) and (6) to read as follows:

§ 52.181 Significant deterioration of air quality.

(a) * * *

(5) November 6, 2012—submittal of Regulation 19, Chapter 9, Prevention of Significant Deterioration which provided the authority to regulate greenhouse gas emissions in the Arkansas PSD program.

(6) January 7, 2014—submittal of Regulation 19, Chapter 9, Prevention of Significant Deterioration which updated the Arkansas PSD program to provide for the issuance of greenhouse gas plantwide applicability limit permits.

* * * * *

[FR Doc. 2015–16388 Filed 7–6–15; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 60

[EPA–HQ–OAR–2013–0696; FRL–9929–25–OAR]

RIN 2060–AR81

Performance Specification 18—Performance Specifications and Test Procedures for Hydrogen Chloride Continuous Emission Monitoring Systems at Stationary Sources

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is finalizing performance specifications and test procedures for hydrogen chloride (HCl) continuous emission monitoring systems (CEMS) to provide sources and regulatory agencies with criteria and test procedures for evaluating the acceptability of HCl CEMS. The final performance specification (Performance Specification 18) includes requirements for initial acceptance, including instrument accuracy and stability assessments. This action also finalizes quality assurance (QA) procedures for HCl CEMS used for compliance determination at stationary sources. The QA procedures (Procedure 6) specify the minimum QA requirements necessary for the control and assessment of the quality of CEMS data submitted to the EPA.

This action establishes consistent requirements for ensuring and assessing the quality of HCl data measured by CEMS. The affected systems are those used for determining compliance with emission standards for HCl on a continuous basis as specified in an applicable permit or regulation. The affected industries and their North American Industry Classification System (NAICS) codes are listed in the **SUPPLEMENTARY INFORMATION** section of this preamble.

DATES: This final rule is effective on July 7, 2015.

ADDRESSES: *Docket:* The EPA has established a docket for this rulemaking under Docket ID No. EPA–HQ–OAR–2013–0696. All documents in the docket are listed on the *www.regulations.gov* Web site. Although listed in the index, some information is not publicly available, *e.g.,* Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically through *www.regulations.gov* or in hard copy at the EPA Docket Center, Room 3334, EPA WJC West Building, 1301 Constitution Ave. NW., Washington, DC 20004. 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 EPA Docket Center is (202) 566–1742.

FOR FURTHER INFORMATION CONTACT: Ms. Candace Sorrell, Office of Air Quality Planning and Standards, Air Quality Assessment Division (AQAD), Measurement Technology Group, U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27709; telephone number: (919) 541–1064; fax number: (919) 541–0516; email address: *sorrell.candace@epa.gov*.

SUPPLEMENTARY INFORMATION: The information in this preamble is organized as follows:

I. General Information
- A. Does this action apply to me?
- B. Where can I get a copy of this document and other related information?
- C. Judicial Review

II. Background

III. Changes Included in the Final Performance Specification 18 and Procedure 6

IV. Summary of Major Comments and Responses
- A. Dynamic Spiking
- B. Duplicate Trains When Performing RATA
- C. Stratification Test Requirements
- D. Calibration Range Above Span
- E. RATA Acceptance Criteria for Low Concentration Sources

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 (PRA)

C. Regulatory Flexibility Act (RFA)
D. Unfunded Mandates Reform Act (UMRA)
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 (NTTAA)
J. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations
K. Congressional Review Act (CRA)

I. General Information

A. Does this action apply to me?

The major entities that would potentially be affected by the final Performance Specification 18 (PS–18) and the QA requirements of Procedure 6 for gaseous HCl CEMS are those entities that are required to install a new HCl CEMS, relocate an existing HCl CEMS, or replace an existing HCl CEMS under any applicable subpart of 40 CFR parts 60, 61, or 63. Table 1 of this preamble lists the current federal rules by subpart and the corresponding source categories to which the PS–18 and Procedure 6 potentially would apply.

TABLE 1—SOURCE CATEGORIES THAT WOULD POTENTIALLY BE SUBJECT TO PS–18 AND PROCEDURE 6

Subpart(s)	Source category
40 CFR part 63	
Subpart LLL	Portland Cement Manufacturing Industry.
Subpart UUUUU	Coal- and Oil-fired Electric Utility Steam Generating Units.

The requirements of PS–18 and Procedure 6 may also apply to stationary sources located in a state, district, reservation, or territory that adopts PS–18 or Procedure 6 in its implementation plan.

We plan to amend 40 CFR part 63 subpart UUUUU, National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-fired Electric Utility Steam Generating Units to offer PS–18 and Procedure 6 as an alternative to Performance Specification 15 (PS–15) for continuous monitoring of HCl. On February 17, 2015 (80 FR 8442), we proposed amendments to appendix B of subpart UUUUU that clarify that PS–18 and Procedure 6 will be allowed and how they are to be implemented under subpart UUUUU. Note, prior to the time that these amendments are finalized, the alternative test method approval process of 40 CFR 63.7(f) is available as a way for affected facilities to request approval to use PS–18/Procedure 6 in lieu of PS–15.

With regard to 40 CFR part 63, subpart LLL, which affects Portland cement manufacturing facilities and includes HCl monitoring requirements, no amendments will be needed as Subpart LLL already allows for use of any promulgated performance specification for HCl CEMS in 40 CFR part 60, appendix B.

Table 2 lists the corresponding NAICS codes for the source categories listed in Table 1 of this preamble.

TABLE 2—NAICS FOR POTENTIALLY REGULATED ENTITIES

Industry	NAICS Codes
Fossil Fuel-Fired Electric Utility Steam Generating Units	[a] 221112 [b] 221122 [c] 921150
Portland Cement Manufacturing Plants	327310

[a] Industry in Indian Country.
[b] Federal, state, local/tribal government owned.
[c] Industry in Indian Country.

Tables 1 and 2 are not intended to be exhaustive, but rather they provide a guide for readers regarding entities potentially affected by this action. If you have any questions regarding the potential applicability of PS–18 and test procedures (Procedure 6) to a particular entity, consult the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

B. Where can I get a copy of this document and other related information?

In addition to being available in the docket, an electronic copy of this action is available on the Internet through the EPA's Technology Transfer Network (TTN) Web site, a forum for information and technology exchange in various areas of air quality management, measurement standards and implementation, etc. Following publication in the **Federal Register**, the EPA will post the **Federal Register** version of the promulgation and key technical documents on the TTN Web site: *http://www.epa.gov/ttn/emc/promulgated.html*.

C. Judicial Review

Under section 307(b)(1) of the Clean Air Act (CAA), judicial review of this final rule is available only by filing a petition for review in the U.S. Court of Appeals for the District of Columbia Circuit by September 8, 2015. Under section 307(d)(7)(B) of the CAA, only an objection to this final rule that was raised with reasonable specificity during the period for public comment can be raised during judicial review. Moreover, under section 307(b)(2) of the CAA, the requirements established by this final rule may not be challenged separately in any civil or criminal proceedings brought by the EPA to enforce these requirements. Section 307(d)(7)(B) also provides a mechanism for us to convene a proceeding for reconsideration, ''[i]f the person raising an objection can demonstrate to the EPA that it was impracticable to raise such objection within [the period for public comment] or if the grounds for such objection arose after the period for public comment (but within the time specified for judicial review) and if such objection is of central relevance to the outcome of the rule.'' Any person seeking to make such a demonstration to us should submit a Petition for Reconsideration to the Office of the Administrator, U.S. EPA, Room 3000, William Jefferson Clinton Building, 1200 Pennsylvania Ave. NW., Washington, DC 20460, with a copy to both the person(s) listed in the preceding **FOR FURTHER INFORMATION CONTACT** section, and the Associate General Counsel for the Air and Radiation Law Office, Office of General Counsel (Mail Code 2344A), U.S. EPA, 1200 Pennsylvania Ave. NW., Washington, DC 20460.

II. Background

The EPA recently promulgated the Portland Cement Maximum Achievable Control Technology (MACT) rule (75 FR 54970, September 9, 2010; 78 FR 10006, February 12, 2013) and the Mercury and Air Toxics Standards (MATS) rule (77 FR 9303, February 16, 2012; 78 FR 24075, April 24, 2013). Both rules specify the use of extractive Fourier transform infrared spectroscopy (FTIR) and PS–15 when affected facilities opt or are required to continuously measure HCl emissions. To facilitate use of alternative technologies to FTIR and to aid in measuring the low levels of HCl specified in those rules, the EPA has developed and is promulgating these new specifications and quality control (QC) procedures (PS–18 and Procedure 6) for HCl CEMS as an alternative to the use of PS–15.

Multiple technologies are available for HCl emissions monitoring. The goals of PS–18 and Procedure 6 are (1) to allow for the use of different HCl CEMS sampling and analytical technologies as long as the required performance criteria set out in the performance specification (PS) are met; and (2) to establish consistent requirements for ensuring and assessing the quality of data measured by a HCl CEMS.

Performance Specification 18 and Procedure 6 were proposed on May 14, 2014 (79 FR 27690). The initial public comment period was extended (from 30 to 60 days; ending July 13, 2014) in response to commenter requests. We reviewed and considered comments on the proposed PS–18 and Procedure 6 and have made several changes to the specifications and QA procedures finalized with this action to address concerns and improve the proposed performance specifications and procedures.

Under section 553(d) of the Administrative Procedures Act (APA), 5 U.S.C. 553(d), the agency may make a rule immediately effective ''for good cause found and published with the rule.'' For the reasons discussed below, the EPA believes there is ''good cause'' to make this amendment effective upon publication in the **Federal Register**. This rule establishes a new measurement option, and not a new underlying requirement. The sooner the new option is available, more flexibility will be provided to regulated parties.

III. Changes Included in the Final Performance Specification 18 and Procedure 6

This rule finalizes PS–18 and Procedure 6, as proposed, except with five revisions in response to public comments. First, we expanded the options for using dynamic spiking (DS) with extractive systems and clarified the spiking procedures for integrated path systems through the use of ''method of standard additions'' in daily QC checks and as a replacement for the quarterly relative accuracy audit (RAA). Next, we eliminated the requirement for paired or duplicate trains when performing relative accuracy test audits (RATAs) using Method 26A. This change was based on data provided by stakeholders and the EPA's Office of Research and Development, which showed that this reference method (RM) generated data acceptable to allay concerns about the data quality at concentrations near the compliance limit. In response to commenters who claimed that stratification testing is overly burdensome and unwarranted, we revised PS–18 to offer three RM traverse point options that can be used without the need for stratification testing and added clarifying language concerning the stratification testing procedures. We removed calibration range above span requirements in both PS–18 and Procedure 6 because we decided, after considering concerns raised by commenters, that above span compliance requirements are best handled on a rule-specific basis within individual subparts regulating differing industries/categories. The procedures for assuring the quality of the data when an applicable regulation requires measurements above span were not removed. Lastly, we added flexibility to both PS–18 and Procedure 6 in the relative accuracy criteria.

IV. Summary of Major Comments and Responses

A comprehensive summary of the comments received on the proposed PS–18 and procedures (Procedure 6) and our responses to those comments can be found in the Summary of Public Comments and Responses document,[1] which is available in the docket for this action (*see* Docket No. EPA–HQ–OAR–2013–0696). Some of the major comments received on the PS and QA procedures and our responses to those comments are summarized by subject in the following paragraphs.

A. Dynamic Spiking

Under the proposed PS–18, we required DS into the CEMS using a National Institute of Standards and Technology (NIST) traceable standard to demonstrate initial performance at sources with emission levels near the detection limit of the CEMS.

1. Expanded Use of Dynamic Spiking as an Optional QC Check

Several comments received on the proposal recommended that the EPA allow for optional use of DS procedures for all certification and QA procedures as alternatives to using external calibration standards. Commenters opined that a choice between performing DS or daily zero and upscale checks should be available to the manufacturer and CEMS user for all CEMS technologies, and that the regulation should not mandate the use of either technique to exclude particular technologies.

After consideration of comments, we have revised the final PS and QA procedures to allow for optional use of DS procedures for the following:

(1) The upscale (mid-level) portion of the 7-day calibration drift test,

(2) The daily mid-level CD check, and

(3) The quarterly data accuracy assessments.

In addition, if the source meets the criteria of section 5.5 in Procedure 6, we are allowing for a dynamic spiking audit (DSA) as a replacement for the RATA once every 2 years.

A DS procedure does not provide sufficient information to replace the 7-day or daily zero CD check, the initial measurement error (ME) test, or completely replace the relative accuracy (RA) comparison with a RM. The 7-day and daily zero CD checks using exclusively zero gas provide an absolute check of the instrument zero. Should hysteresis be a concern, humidified zero gas may be used.

After consideration, we decided that DS was not a suitable replacement for the 7-day or daily zero CD check. We added an additional procedure for use of a DS as an option for the 7-day and daily mid-level CD checks to section 11.8 of PS–18 and section 4.1 of Procedure 6 in the final rule. The acceptance criteria for use of a DS as a mid-level CD check is the same as that for the classic CD check procedure, ±5 percent of span for a single spike; an equation has been added to appendix A of PS–18 for calculating this value. It is important to note that under the final rule, the 7-day and daily upscale CD checks (whether done using the classic procedure and pure calibration gases or done using a DS procedure) are limited to the use of a mid-level gas. The reason for this limitation is to (1) ensure that the upscale calibration is closer to the measured values, (2) mitigate hysteresis effects, and (3) ensure that the CD values determined using either the classic procedure or a DS procedure are on a consistent basis.

We have retained the requirement for use of pure calibration gases as the only option for the ME test. We retained this requirement because we want (at least) an initial direct assessment of the linearity of the system; we do not believe that the nominal costs associated with hysteresis or gas use are critical concerns for this requirement for a one time test.

Use of a DSA as an option for quarterly data accuracy assessment was included in the proposal for Procedure 6; and section 5.2.3 of Procedure 6 has been revised to include clarifying information on spike levels, number of spikes, and audit calculations.

[1] U.S. Environmental Protection Agency. *Response to Comments on Proposed Rule: Performance Specification 18—Specifications and Test Procedures for Gaseous HCl Continuous Emission Monitoring Systems at Stationary Sources.* Office of Air Quality Planning and Standards (OAQPS), Air Quality Assessment Division (AQAD), Research Triangle Park, NC; May 2015.

The final rule requires yearly conduct of a RATA involving comparison against a RM unless the optional criteria are met to reduce this requirement to every other year. The RATA provides quantitative assessment of the CEMS as well as confirmation of the continued representativeness of the CEMS sampling location. The DS option confirms the quantitative output of the CEMS comparison but lacks the traversing necessary to evaluate representativeness of the CEMS sampling point.

2. Removal of the Dynamic Spiking Requirement for Low Emission Sources

We received several comments on the proposed specifications requiring a DS verification test whenever the HCl measurements are less than or equal to 20 percent of the applicable standard (in section 11.9.4.3) arguing that the provisions are unnecessary. One commenter asserted that there is no purpose or precedent for requiring alternative or additional QA testing, in addition to a RATA, because a unit is operating well below the applicable standard or the RM quantification limit and that having such a requirement does not appreciably provide any more assurances that the HCl CEMS is operating properly than demonstrated by meeting the RA requirements. One commenter asserted that kilns with very low or no HCl emissions should not be required to conduct extra tests and that DS procedures equivalent to those used in PS–15 DS should be allowed as an alternative to the RA test and not in addition to the RA test to validate installed CEMS.

Upon review of these comments, we have decided that requiring a DS, merely because emissions are low, may present a disincentive to maintaining low emissions without appreciably assuring better operation of HCl CEMS. Therefore, we have revised PS–18 to remove this requirement for low HCl emission sources.

B. Duplicate Trains When Performing RATA

The proposed PS–18 required (1) paired or duplicate trains when performing RATAs using Method 26A as the RM and (2) invalidation of data pairs not meeting specified relative difference criteria (sections 11.9.4.4 and 11.9.4.6).

Several commenters requested that the requirement for paired trains be removed when Method 26A is used as the RM when conducting a RATA. Commenters argued that dual trains will add unnecessary time, more expense, and will complicate the testing process. These commenters generally opined that the additional burdens associated with requiring dual trains will not increase accuracy and will make it more unlikely that facilities will choose to implement HCl CEMS.

Commenters generally expressed that both Method 26 and 26A have been widely used for a number of years to develop data both to set standards and to show compliance, and that Method 26A is very durable, well-designed, and provides accurate/high quality data. One commenter acknowledged that variability is higher as measurements get closer to the detection limit; however, the commenter asserted that this is true for any analytical method, not just Method 26A. Another commenter noted that Method 26A has a known negative bias below 20 ppmv (parts per million by volume); however, this bias would show up in both trains (if a dual train was used) and would not have any impact on determining accuracy.

One commenter reported that PS–12A is the only known PS that requires the use of paired RM sampling trains (*see* PS–12A, section 8.4.2), and requires dual trains when using Method 29. The commenter further reported that paired trains are recommended but not required in PS–11 (*see* section 8.6(1)(i)). The commenter suggested that the EPA adopt an alternative standard in which the EPA would recommend the use of paired trains, but not require them, similar to the requirements of PS–11.

One commenter stated that random uncontrolled events can occur that can affect the results of a RM test, and if such an event occurs during a RATA, the sample may not meet the relative difference (RD) performance criteria and would count as one of a maximum of three exclusions/rejections allowed in the proposed PS–18. This commenter contended that if dual trains are employed, there is twice the probability of a random event occurring that could result in a rejection. One commenter stated that requiring dual trains could result in the discarding of otherwise valid RM runs.

Commenters asserted that if the RM data is of poor quality or there is a large enough error in the reference point, either that data point will have to be discarded (if allowed) or the instrument will not pass the RATA. One commenter opined that facilities should have the choice to use single trains and risk failing the RATA due to suspect RM data.

We acknowledge that requiring duplicate Method 26A trains during RATA tests adds some complexity and cost to initial and ongoing quality demonstration of CEMS performance. Our primary concern is the confidence in RM data at low concentrations. We also acknowledge that the PS–18 proposal only requires duplicate sampling for Method 26A and does not address duplicate Method 320/Method 321 as a requirement during RATA testing. Furthermore, from the data provided by stakeholders and by the EPA's Office of Research and Development (evaluating the use of paired Method 26A trains), we are convinced that Method 26A performs as a prescriptive method to generate data acceptable to allay concerns about the quality of this RM at concentrations at the compliance limits of current MACT rules. We have revised PS–18 to remove the requirement for paired reference Method 26A sampling trains during RATA tests.

C. Stratification Test Requirements

Several commenters opined that stratification testing is overly burdensome and unwarranted.

One commenter opined that the stratification test would be overly burdensome for sources using Method 26A because test results would not be readily available onsite, which would force sources to use instrumental methods (*e.g.,* Method 320) that yield real time HCl data. Another commenter stated that the requirements for a stratification test for HCl are unwarranted because extractive CEM or cross-stack tunable diode laser (TDL) instruments are only effective in measuring HCl in the vapor phase, and stratification only occurs with non-vapor droplets and higher-mass aerosols. The commenter asserted that gas phase measurements have always been associated with a homogeneous mixture of molecules across a stack or duct under turbulent flow conditions, which is always the case at plants with HCl emission streams. The commenter asserted that other reasons why a stratification test is not warranted include (1) the fact that other extractive HCl RMs, including Methods 320, 321, and ASTM D6348–12, do not require a stratification test, and (2) if stratification exists and is statistically significant, the error would be revealed by the RA test.

One commenter asserted that there may be units that would be subject to PS–18 under subpart UUUUU and other rules (*e.g.,* 40 CFR part 75) that have already performed stratification testing at their RM sampling location. The commenter suggested that to avoid unnecessary repetitive stratification testing, the EPA include an exemption from the stratification testing

requirement for RM locations that have been previously evaluated.

Another commenter stated that the proposed stratification test procedures and acceptance criteria specified in section 11.9.3 of the proposal (1) are unnecessary for most sources and do not need to be performed, (2) contain confusing references to the CEMS and RM sampling points, (3) provide inappropriate acceptance criteria, and (4) are not supported by any data.

One commenter suggested that the stratification test sections be revised to (1) eliminate the test when the monitor and RA test locations are downstream of induced draft (ID) fan or other well mixed location, (2) eliminate the test for sources that have no measurable HCl during mill on operation, (3) explicitly state stratification tests should not be done during transient conditions including mill off operation, (4) specify that only an oxygen (O_2) traverse is necessary if the only potential source of stratification is air in-leakage, (5) specify a stratification test, when necessary, be done at the RA test location and not the CEMS location, if different, and (6) specify that level of detection (LOD) criteria for allowing the alternative sulfur dioxide (SO_2), carbon dioxide (CO_2), and carbon monoxide (CO) tests are based on the RM LOD and not the CEMS LOD.

One commenter also suggested that, unless the EPA can demonstrate that HCl stratification is an actual issue, the EPA should revise PS–18 to incorporate the identical requirements in PS–2, section 8.13.2, that requires sampling three points on a line, and require stratification tests only where there is a reason to expect stratification actually exists. The commenter also asserted that there is no need to acquire and use a series of EPA Protocol SO_2 calibration gases and comprehensive series of procedures intended for test runs.

We disagree with the commenters that stratification testing is unnecessary and overly burdensome. Contrary to the assertions of some commenters that stratification testing is not necessary, gaseous pollutants can be stratified. While turbulent flow and other conditions may eliminate stratification under certain conditions, the EPA does not agree that those conditions can be easily defined nor that if stratification exists, it would always be revealed by the RA test. It is the EPA's position that to ensure collection of representative RM samples, it is necessary to confirm the absence of stratification before allowing single point or 3-point sampling that does not include the centroid of the duct.

However, we do recognize that there is a need to provide one or more options for RM sample point selection that do not require stratification testing and we also understand that the proposed language of section 11.9.3 may have caused some confusion. Therefore, we have revised PS–18 to offer three RM traverse point options that can be used without the need for stratification testing. These options are a 3-point traverse (commonly known as the a ''3-point long line'') that includes the centroid of the duct, a 6-point traverse as allowed under 40 CFR part 75, or a 12-point traverse, as was requested by one commenter. Testers desiring to test at a single point or at three points within two meters of a single port (commonly known as a ''3-point short line'') will need to conduct stratification testing to demonstrate the absence of stratification or only minimal stratification, respectively.

Additionally, after consideration of comments received on stratification testing, we have also revised the final PS–18 to:

(1) Clarify that the purpose of stratification testing is only for selection of RM sampling points;

(2) Simplify the use of SO_2 as a surrogate for stratification testing without restriction to offer a simpler option when using Method 26A as the RM;

(3) Clarify (as commenters have recommended) that stratification testing must be conducted at the same location as the RM testing; and

(4) Clarify that stratification testing should not be conducted during transient conditions.

D. Calibration Range Above Span

Commenters expressed concern over the proposed requirements related to calibration range above span or CRAS (defined as the upper limit of the measurement range based on a conservatively high estimate of the range of HCl measurements expected from the source category). Specifically, commenters expressed concern that the proposed CRAS requirements:

(1) Conflict with the definition of ''span'' in both 40 CFR part 60, subpart UUUUU (subpart UUUUU), appendix A, and in 40 CFR part 75 (section 72.2).

(2) Conflict with the recently promulgated 40 CFR part 63, subpart LLL (subpart LLL) requirements.

(3) Would likely create one hour of unnecessary CEMS data loss each time it is performed in view of the time required for the CEMS to achieve and stabilize at the high concentration level and subsequently recover to the normal operating level.

(4) Require that the HCl CEMS be adjusted when the calibration drift exceeds 0.5 ppm (parts per million) at the zero or at 15–20 ppm levels. Commenters stated that upscale or CRAS levels would impose arbitrary adjustments simply chasing noise and that it should be changed to a requirement to inspect the CEMS and determine the proper corrective action.

Commenters stated that the span and range of a CEMS depend on the type of technology used and that the EPA references the mercury CEMS as the precedent for the above span requirement. Commenters asserted that this can be problematic because, whereas mercury CEMSs have a linear response, other technologies may not have a linear response.

After considering concerns raised by commenters, we decided that above span calibration requirements are best handled on a rule-specific basis within individual subparts regulating differing industries/categories. Therefore, we revised PS–18 and Procedure 6 to remove calibration range above span requirements and made them an option in Procedure 6. Subpart LLL-specific above span calibration technical revisions have been made under that rulemaking (*see* 79 FR 68821; November 19, 2014).

E. RATA Acceptance Criteria for Low Concentration Sources

The proposed PS–18 section 5.3.5 referenced an alternative criterion for RA that would apply in instances where the emission level for the test is less than 50 percent of the applicable standard. The proposed alternative criterion was for when the RM result is less than 50 percent of the emission standard and the emission standard is used in the denominator of the equation for calculating RA to be less than or equal to 15 percent. We received comments that asserted that this requirement is inconsistent with other alternative RA options used in other performance specifications. Some commenters supported the use of an absolute value; *i.e.,* plus or minus 1 ppm if the RM is less than 3 ppm, which they reported would be similar to the requirements for mercury CEMS under subpart UUUUU.

We recognize that calibration standards and measurement technology exist to demonstrate the quality of HCl emission measurements at or above 1 ppm and that existing CEMS measurement technology can meet PS–18 RA requirements (*see* Docket Nos. EPA–HQ–OAR–2013–0696–0030 and 0031). For HCl emission limits equal to or less than 1 ppm, RA is measured

nearer the quantitation limit of current instrument technology, and an alternative RA acceptance criterion similar to that in PS–2 of 40 CFR part 60, appendix B may be applicable. Therefore, we have revised the alternative criterion for RA in section 13.4 of PS–18 to allow, where the average RM level during the test is less than 75 percent of the applicable emission limit, substitution of the equivalent emission limit in parts per million by volume wet (ppmvw) in the denominator of the equation for calculating RA. Note that this revision applies to both PS–18 and section 6 of Procedure 6.

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 (PRA)

This action does not impose an information collection burden under the PRA. This action provides performance criteria and QA test procedures for assessing the acceptability of HCl CEMS performance and data quality. These criteria and QA test procedures do not add information collection requirements beyond those currently required under the applicable regulation.

C. Regulatory Flexibility Act (RFA)

I certify that this action will not have a significant economic impact on a substantial number of small entities under the RFA. This action will not impose any requirements on small entities. This action provides facilities with an alternative to PS–15 and FTIRs for measuring HCl which is currently required in several rules.

D. Unfunded Mandates Reform Act (UMRA)

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. The action imposes no enforceable duty on any state, local or tribal governments or the private sector.

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 action finalizes performance specifications that can be used as an additional option to PS–15 for HCl continuous emissions monitoring. 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 Executive Order 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 concern an environmental health risk or safety risk.

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 (NTTAA)

This rulemaking does not involve technical standards.

J. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations

The EPA believes that this action will not have disproportionately high and adverse human health or environmental effects on minority or low-income populations because it does not affect the level of protection provided to human health or the environment. This action will help to ensure that emission control devices are operated properly and maintained as needed, thereby helping to ensure compliance with emission standards, which would benefit all affected populations.

K. Congressional Review Act (CRA)

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).

List of Subjects in 40 CFR Part 60

Environmental protection, Administrative practice and procedure, Air pollution control, Continuous emission monitoring systems, Hydrogen chloride, Performance specifications, Test methods and procedures.

Dated: June 25, 2015.

Gina McCarthy,

Administrator.

Part 60, chapter I, title 40 of the Code of Federal Regulations is amended as follows:

PART 60—STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES

■ 1. The authority citation for part 60 continues to read as follows:

Authority: 42 U.S.C. 7401–7601.

■ 2. Appendix B to part 60 is amended by adding Performance Specification 18 to read as follows:

Appendix B to Part 60—Performance Specifications

* * * * *

Performance Specification 18—Performance Specifications and Test Procedures for Gaseous Hydrogen Chloride (HCl) Continuous Emission Monitoring Systems at Stationary Sources

1.0 Scope and Application

1.1 Analyte. This performance specification (PS) is applicable for measuring gaseous concentrations of hydrogen chloride (HCl), CAS: 7647–01–0, on a continuous basis in the units of the applicable standard or in units that can be converted to units of the applicable standard(s).

1.2 Applicability.

1.2.1 This specification is used to evaluate the acceptability of HCl continuous emission monitoring systems (CEMS) at the time of installation or soon after and whenever specified in the regulations. The specification includes requirements for initial acceptance including instrument accuracy and stability assessments and use of audit samples if they are available.

1.2.2 The Administrator may require the operator, under section 114 of the Clean Air Act, to conduct CEMS performance evaluations at other times besides the initial test to evaluate the CEMS performance. See 40 CFR part 60, §§ 60.13(c) and 63.8(e)(1).

1.2.3 A source that demonstrates their CEMS meets the criteria of this PS may use the system to continuously monitor gaseous HCl under any regulation or permit that requires compliance with this PS. If your CEMS is capable of reporting the HCl concentration in the units of the applicable standard, no additional CEMS components are necessary. If your CEMS does not report concentrations in the units of the existing standard, then other CEMS components (*e.g.,*

oxygen (O_2), temperature, stack gas flow, moisture and pressure) may be necessary to convert the units reported by your CEMS to the units of the standard.

1.2.4 These specification test results are intended to be valid for the life of the system. As a result, the HCl measurement system must be tested and operated in a configuration consistent with the configuration that will be used for ongoing continuous emissions monitoring.

1.2.5 Substantive changes to the system configuration require retesting according to this PS. Examples of such conditions include, but are not limited to: major changes in dilution ratio (for dilution based systems); changes in sample conditioning and transport, if used, such as filtering device design or materials; changes in probe design or configuration and changes in materials of construction. Changes consistent with instrument manufacturer upgrade that fall under manufacturer's certification do not require additional field verification. Manufacturer's upgrades require recertification by the manufacturer for those requirements allowed by this PS, including interference, level of detection (LOD), and light intensity qualification.

1.2.6 This specification is not designed to evaluate the ongoing CEMS performance nor does it identify specific calibration techniques and auxiliary procedures to assess CEMS performance over an extended period of time. The requirements in appendix F, Procedure 6 are designed to provide a way to assess CEMS performance over an extended period of time. The source owner or operator is responsible to calibrate, maintain, and operate the CEMS properly.

2.0 Summary of Performance Specification

2.1 This specification covers the procedures that each CEMS must meet during the performance evaluation test. Installation and measurement location specifications, data reduction procedures, and performance criteria are included.

2.2 The technology used to measure gaseous HCl must provide a distinct response and address any appropriate interference correction(s). It must accurately measure gaseous HCl in a representative sample (path or point sampling) of stack effluent.

2.3 The relative accuracy (RA) must be established against a reference method (RM) (*i.e.,* Method 26A, Method 320, ASTM International (ASTM) D6348–12, including mandatory annexes, or Method 321, as appropriate for the source concentration and category). Method 26 may be approved as a RM by the Administrator on a case-by-case basis if not otherwise allowed or denied in an applicable subpart of the regulations.

2.4 A standard addition (SA) procedure using a reference standard is included in appendix A to this performance specification for use in verifying LOD. For extractive CEMS, where the SA is done by dynamic spiking (DS), the appendix A procedure is allowed as an option for assessing calibration drift and is also referenced by Procedure 6 of appendix F to this part for ongoing quality control tests.

3.0 Definitions

3.1 *Calibration Cell* means a gas containment cell used with cross stack or integrated path (IP) CEMS for calibration and to perform many of the test procedures required by this performance specification. The cell may be a removable sealed cell or an evacuated and/or purged cell capable of exchanging reference and other calibration gases as well as zero gas standards. When charged, it contains a known concentration of HCl and/or interference gases. The calibration cell is filled with zero gas or removed from the optical path during stack gas measurement.

3.2 *Calibration Drift* (CD) means the absolute value of the difference between the CEMS output response and an upscale reference gas or a zero-level gas, expressed as a percentage of the span value, when the CEMS is challenged after a stated period of operation during which no unscheduled adjustments, maintenance or repairs took place.

3.3 *Centroidal Area* means a central area that is geometrically similar to the stack or duct cross section and is no greater than 10 percent of the stack or duct cross-sectional area.

3.4 *Continuous Emission Monitoring System* (CEMS) means the total equipment required to measure the pollutant concentration or emission rate continuously. The system generally consists of the following three major subsystems:

3.4.1 Sample Interface means that portion of the CEMS used for one or more of the following: sample acquisition, sample transport, sample conditioning, defining the optical measurement path, and protection of the monitor from the effects of the stack effluent.

3.4.2 HCl Analyzer means that portion of the HCl CEMS that measures the total vapor phase HCl concentration and generates a proportional output.

3.4.3 Data Recorder means that portion of the CEMS that provides a permanent electronic record of the analyzer output. The data recorder may record other pertinent data such as effluent flow rates, various instrument temperatures or abnormal CEMS operation. The data recorder may also include automatic data reduction capabilities and CEMS control capabilities.

3.5 *Diluent Gas* means a major gaseous constituent in a gaseous pollutant mixture. For combustion sources, either carbon dioxide (CO2) or oxygen (O2) or a combination of these two gases are the major gaseous diluents of interest.

3.6 *Dynamic Spiking* (DS) means the procedure where a known concentration of HCl gas is injected into the probe sample gas stream for extractive CEMS at a known flow rate to assess the performance of the measurement system in the presence of potential interference from the flue gas sample matrix.

3.7 *Independent Measurement(s)* means the series of CEMS data values taken during sample gas analysis separated by two times the procedure specific response time (RT) of the CEMS.

3.8 *Integrated Path CEMS* (IP–CEMS) means an in-situ CEMS that measures the gas concentration along an optical path in the stack or duct cross section.

3.9 *Interference* means a compound or material in the sample matrix other than HCl whose characteristics may bias the CEMS measurement (positively or negatively). The interference may not prevent the sample measurement, but could increase the analytical uncertainty in the measured HCl concentration through reaction with HCl or by changing the electronic signal generated during HCl measurement.

3.10 *Interference Test* means the test to detect CEMS responses to interferences that are not adequately accounted for in the calibration procedure and may cause measurement bias.

3.11 *Level of Detection* (LOD) means the lowest level of pollutant that the CEMS can detect in the presence of the source gas matrix interferents with 99 percent confidence.

3.12 *Liquid Evaporative Standard* means a reference gas produced by vaporizing National Institute of Standards and Technology (NIST) traceable liquid standards of known HCl concentration and quantitatively diluting the resultant vapor with a carrier gas.

3.13 *Measurement Error* (ME) is the mean difference between the concentration measured by the CEMS and the known concentration of a reference gas standard, divided by the span, when the entire CEMS, including the sampling interface, is challenged.

3.14 *Optical Path* means the route light travels from the light source to the receiver used to make sample measurements.

3.15 *Path Length* means, for an extractive optical CEMS, the distance in meters of the optical path within a gas measurement cell. For an IP–CEMS, path length means the distance in meters of the optical path that passes through the source gas in the stack or duct.

3.16 *Point CEMS* means a CEMS that measures the source gas concentration, either at a single point at the sampling probe tip or over a path length for IP–CEMS less than 10 percent of the equivalent diameter of the stack or duct cross section.

3.17 *Stack Pressure Measurement Device* means a NIST-traceable gauge or monitor that measures absolute pressure and conforms to the design requirements of ASME B40.100–2010, ''Pressure Gauges and Gauge Attachments'' (incorporated by reference—see § 60.17).

3.18 *Reference Gas Standard* means a NIST-traceable gas standard containing a known concentration of HCl certified in accordance with an EPA traceability protocol in section 7.1 of this PS.

3.19 *Relative Accuracy* (RA) means the absolute mean difference between the gas concentration or the emission rate determined by the CEMS and the value determined by the RM, plus the confidence coefficient of a series of nine test runs, divided by the average of the RM or the applicable emission standard.

3.20 *Response Time* (RT) means the time it takes for the measurement system, while operating normally at its target sample flow rate, dilution ratio, or data collection rate to

respond to a known step change in gas concentration, either from a low- or zero-level to a high-level gas concentration or from a high-level to a low or zero-level gas concentration, and to read 95 percent of the change to the stable instrument response. There may be several response times (RTs) for an instrument related to different functions or procedures (*e.g.,* DS, LOD, and ME).

3.21 *Span Value* means an HCl concentration approximately equal to two times the concentration equivalent to the emission standard unless otherwise specified in the applicable regulation, permit or other requirement. Unless otherwise specified, the span may be rounded up to the nearest multiple of 5.

3.22 *Standard Addition* means the addition of known amounts of HCl gas (either statically or dynamically) to the actual measurement path or measured sample gas stream.

3.23 *Zero gas* means a gas or liquid with an HCl concentration that is below the LOD of the measurement system.

4.0 Interferences

Sample gas interferences will vary depending on the instrument or technology used to make the measurement. Interferences must be evaluated through the interference test in this PS. Several compounds including carbon dioxide (CO_2), carbon monoxide (CO), formaldehyde (CH_2O), methane (CH_4), and water (H_2O) are potential optical interferences with certain types of HCl monitoring technology. Ammonia is a potential chemical interference with HCl.

5.0 Safety

The procedures required under this PS may involve hazardous materials, operations, and equipment. This PS may not address all of the safety issues associated with these procedures. It is the responsibility of the user to establish appropriate safety and health practices and determine the applicable regulatory limitations prior to performing these procedures. The CEMS user's manual and materials recommended by the RM should be consulted for specific precautions to be taken.

6.0 Equipment and Supplies

Equipment and supplies for CEMS will vary depending on the measurement technology and equipment vendors. This section provides a description of the equipment and supplies typically found in one or more types of CEMS.

6.1 Sample Extraction System. The portion of an extractive CEMS that collects and transports the sample to the pressure regulation and sample conditioning module. The extraction system must deliver a representative sample to the measurement instrument. The sample extraction system typically consists of a sample probe and a heated umbilical line.

6.2 Sample Conditioning Module. The portion of an extractive CEMS that removes particulate matter and moisture from the gas stream and provides a sample gas stream to the CEMS analysis module or analyzer. You must keep the particle-free gas sample above the dew point temperature of its components.

6.3 HClAnalyzer. The portion of the CEMS that detects, quantifies and generates an output proportional to the sample gas HCl concentration.

6.4 System Controller. The portion of the CEMS that provides control of the analyzer and other sub-systems (*e.g.,* sample extraction, sample conditioning, reference gas) as necessary for continuous operation and periodic maintenance/QC activities.

6.5 Data Recorder. The portion of the CEMS that provides a record of analyzer output. The data recorder may record other pertinent data such as effluent flow rates, various instrument temperatures or abnormal CEMS operation. The data recorder output range must include the full range of expected HCl concentration values in the gas stream to be sampled including zero and span value.

6.6 Reference Gas System(s). Gas handling system(s) needed to introduce reference and other gases into the measurement system. For extractive CEMS, the system must be able to introduce gas flow sufficient to flood the sampling probe and prevent entry of gas from the effluent stream. For IP–CEMS, the system must be able to introduce a known concentration of HCl, at known cell length, pressure and temperature, into the optical path used to measure HCl gas concentration.

6.7 Moisture Measurement System. If correction of the measured HCl emissions for moisture is required, you must install, operate, maintain, and quality assure a continuous moisture monitoring system for measuring and recording the moisture content of the flue gases. The following continuous moisture monitoring systems are acceptable: An FTIR system validated according to Method 301 or section 13.0 of Method 320 in appendix A to part 63 of this chapter; a continuous moisture sensor; an oxygen analyzer (or analyzers) capable of measuring O_2 both on a wet basis and on a dry basis; a stack temperature sensor and a moisture look-up table, *i.e.,* a psychrometric chart (for saturated gas streams following wet scrubbers or other demonstrably saturated gas streams, only); or other continuous moisture measurement methods approved by the Administrator. Alternatively, for any type of fuel, you may determine an appropriate site-specific default moisture value (or values), using measurements made with Method 4—Determination of Moisture Content In Stack Gases, in appendix A–3 to of this part. If this option is selected, the site-specific moisture default value(s) must represent the fuel(s) or fuel blends that are combusted in the unit during normal, stable operation, and must account for any distinct difference(s) in the stack gas moisture content associated with different process operating conditions. At least nine Method 4 runs are required for determining each site-specific default moisture percentage. Calculate each site-specific default moisture value by taking the arithmetic average of the Method 4 runs. Each site-specific moisture default value shall be updated whenever the current value is non-representative, due to changes in unit or process operation, but in any event no less frequently than annually.

7.0 Reagents and Standards

7.1 Reference Gases. Reference gases (*e.g.,* cylinder gases or liquid evaporative standards) used to meet the requirements of this PS must be NIST certified or NIST-traceable and vendor certified to ±5.0 percent accuracy. HCl cylinder gases must be certified according to Reference 5 in section 16 of this PS through a documented unbroken chain of comparisons each contributing to the reported uncertainty. Liquid evaporative standards must be certified using the gravimetrically-based procedures of the latest version of the EPA Traceability Protocol for Qualification and Certification of Evaporative HCl Gas Standards and Humidification of HCl Gas Standards from Cylinders (*see* EPA–HQ–OAR–2013–0696–0026.pdf).

7.2 Cylinder gas and/or liquid evaporative standards must be used within their certification periods.

7.3 High concentration cylinder gas or liquid evaporative HCl standards may be diluted for use in this specification. You must document the quantitative introduction of HCl standards into the system using Method 205, found in 40 CFR part 51, appendix M, or other procedure approved by the Administrator.

8.0 CEMS Measurement Location Specifications and Pretest Preparation

8.1 Prior to the start of your initial PS tests, you must ensure that the CEMS is installed according to the manufacturer's specifications and the requirements in this section. You may use either point or IP sampling technology.

8.2 CEMS Installation. Install the CEMS at an accessible location where the pollutant concentration or emission rate measurements are directly representative of the HCl emissions or can be corrected so as to be representative of the total emissions from the affected facility. The CEMS need not be installed at the same location as the relative accuracy test location. If you fail the RA requirements in this specification due to the CEMS measurement location and a satisfactory correction technique cannot be established, the Administrator may require the CEMS to be relocated.

8.2.1 Single point sample gas extraction should be (1) no less than 1.0 m (3.3 ft.) from the stack or duct wall or (2) within the centroidal area of the stack or duct cross section.

8.2.2 IP–CEMS measurements should (1) be conducted totally within the inner area bounded by a line 1.0 m (3.3 ft.) from the stack or duct wall, (2) have at least 70 percent of the path within the inner 50 percent of the stack or duct cross-sectional area, or (3) be located over any part of the centroidal area.

8.2.2.1 You must measure the IP–CEMS path length from the inner flange of the sampling ports or the inner end of the instrument insertion into the stack cavity using a laser tape measure, mechanical measurement tape, or similar device accurate to ±1.5 mm (0.059 in).

8.2.2.2 You must ensure that any purge flow used to protect IP–CEMS instrument windows from stack gas does not alter the measurement path length. Purge flow of less

than or equal to 10 percent of the gas velocity in the duct meets this requirement.

8.2.3 CEMS and Data Recorder Scale Check. After CEMS installation, record and document the measurement range of the HCl CEMS. The CEMS operating range and the range of the data recording device must encompass all potential and expected HCl concentrations, including the concentration equivalent to the applicable emission limit and the span value.

9.0 Quality Control [Reserved]

10.0 Calibration and Standardization [Reserved]

11.0 Performance Specification Test Procedure

After completing the CEMS installation, setup and calibration, you must complete the PS test procedures in this section. You must perform the following procedures and meet the performance requirements for the initial demonstration of your CEMS:

a. Interference Test;
b. Beam Intensity Test (IP–CEMS only);
c. Temperature Verification Procedure (IP–CEMS only);
d. Pressure Verification Procedure (IP–CEMS only);
e. Level of Detection Determination;
f. Response Time Test;
g. Measurement Error Test;
h. Calibration Drift Test; and
i. Relative Accuracy Test.

11.1 Interference Test

11.1.1 Prior to its initial use in the field, you must demonstrate that your monitoring system meets the performance requirements of the interference test in section 13.5 to verify that the candidate system measures HCl accurately in the presence of common interferences in emission matrices.

11.1.2 Your interference test must be conducted in a controlled environment. The equipment you test for interference must include the combination of the analyzer, related analysis software, and any sample conditioning equipment (*e.g.,* dilution module, moisture removal equipment or other interferent scrubber) used to control interferents.

11.1.3 If you own multiple measurement systems with components of the same make and model numbers, you need only perform this interference test on one analyzer and associated interference conditioning equipment combination. You may also rely on an interference test conducted by the manufacturer or a continuous measurement system integrator on a system having components of the same make and model(s) of the system that you use.

11.1.4 Perform the interference check using an HCl reference gas concentration of approximately five times the LOD.

11.1.5 Introduce the interference test gases listed in Table 1 in section 17.0 of this PS to the analyzer/conditioning system separately or in any combination. The interference test gases need not be of reference gas quality.

11.1.5.1 For extractive CEMS, the interference test gases may be introduced directly into the inlet to the analyzer/conditioning system after the probe extension coupling.

11.1.5.2 For IP–CEMS, the interference test gases may be added with the HCl in a calibration cell or separately in a temperature-controlled cell. The effective concentration of the gas in the cell must meet the requirements in Table 1 corrected for absolute pressure, temperature and the nominal stack sampling path length of the CEMS.

11.1.6 The interference test must be performed by combining an HCl reference gas with each interference test gas (or gas mixture). You must measure the baseline HCl response, followed by the response after adding the interference test gas(es) while maintaining a constant HCl concentration. You must perform each interference gas injection and evaluation in triplicate.

Note: The baseline HCl gas may include interference gases at concentrations typical of ambient air (*e.g.,* 21 percent O_2, 400 parts per million (ppm) CO_2, 2 percent H_2O), but these concentrations must be brought to the concentrations listed in Table 1 when their interference effects are being evaluated.

11.1.7 You should document the gas volume/rate, temperature, and pressure used to conduct the interference test. A gas blending system or manifold may be used.

11.1.8 Ensure the duration of each interference test is sufficient to condition the HCl measurement system surfaces before a stable measurement is obtained.

11.1.9 Measure the HCl response of the analyzer/sample conditioning system combination to the test gases in ppmv. Record the responses and determine the overall interference response using Table 2 in section 17.0.

11.1.10 For each interference gas (or mixture), calculate the mean difference (ΔMC_{avg}) between the measurement system responses with and without the interference test gas(es) using Equation 1 in section 12.2. Summarize the results following the format contained in Table 2 in section 17.

11.1.11 Calculate the percent interference (I) for the gas runs using Equation 2 in section 12.2.

11.1.12 The total interference response (*i.e.,* the sum of the interference responses of all tested gaseous components) must not exceed the criteria set forth in section 13.5 of this PS.

11.2 Beam Intensity Test for IP–CEMS

11.2.1 For IP–CEMS, you must establish the tolerance of your system to beam intensity attenuation.

11.2.1.1 Your beam intensity test may be conducted in either a controlled environment or on-site during initial setup and demonstration of your CEMS.

11.2.1.2 If you have multiple measurement systems with components of the same make and model numbers, you need only perform this attenuation check on one system and you may also rely on an attenuation test conducted by the manufacturer on a system having components of the same make and model(s) of the system that you use.

11.2.2 Insert one or more neutral density filter(s) or otherwise attenuate the beam intensity by a known percentage (*e.g.,* 90 percent of the beam intensity).

11.2.3 Perform a high-level HCl reference gas measurement.

11.2.4 Record and report the attenuated beam intensity, the measured HCl calibration gas concentration at full beam intensity, the measured HCl gas concentration with attenuated beam intensity, and the percent difference between the two HCl measurements with and without attenuation of the beam intensity. The percent difference must not exceed the criteria set forth in section 13.6 of this PS.

11.2.5 In the future, you may not operate your IP–CEMS at a beam intensity lower than that established based on the attenuation used during this test. However, you may repeat the test to establish a lower beam intensity limit or level.

11.3 Temperature Measurement Verification Procedure for IP–CEMS

11.3.1 Any measurement instrument or device that is used as a reference in verification of temperature measurement must have an accuracy that is traceable to NIST.

11.3.2 You must verify the temperature sensor used in IP–CEMS measurements on-site as part of the initial installation and verification procedures.

11.3.3 Comparison to Calibrated Temperature Measurement Device.

11.3.3.1 Place the sensor of a calibrated temperature reference device adjacent to the sensor used to measure stack temperature for your IP–CEMS. The calibrated temperature reference device must satisfy the accuracy requirements specified in Table 3 of this PS. The calibrated temperature reference device must also have a range equal to or greater than the range of your IP–CEMS temperature sensor.

11.3.3.2 Allow sufficient time for the response of the calibrated temperature reference device to reach equilibrium. With the process and control device operating under normal conditions, concurrently record the temperatures measured by your IP–CEMS system (M_t) and the calibrated temperature reference device (V_t). You must meet the accuracy requirements specified in section 13.7 of this PS.

11.3.3.3 If your IP–CEMS temperature sensor does not satisfy the accuracy requirement of this PS, check all system components and take any corrective action that is necessary to achieve the required minimum accuracy. Repeat this verification procedure until the accuracy requirement of this specification is satisfied.

11.4 Pressure Measurement Verification Procedure for IP–CEMS

11.4.1 For stack pressure measurement verification, you must select a NIST-traceable gauge or monitor that conforms to the design requirements of ASME B40.100–2010, ''Pressure Gauges and Gauge Attachments,'' (incorporated by reference—see § 60.17) as a reference device.

11.4.2 As an alternative for a calibrated pressure reference device with NIST-traceable accuracy, you may use a water-in-glass U-tube manometer to verify your IP–

CEMS pressure measurement equipment, provided there is also an accurate measurement of absolute atmospheric pressure at the manometer location.

11.4.3 Allow sufficient time for the response of the reference pressure measurement device to reach equilibrium. With the process and control device operating under normal conditions, concurrently record the pressures measured by your IP–CEMS system (M_P) and the pressure reference device (V_p). You must meet the accuracy requirements specified in section 13.8 of this PS.

11.4.4 If your IP–CEMS pressure sensor does not satisfy the accuracy requirement of this PS, check all system components and take any corrective action that is necessary to achieve the required minimum accuracy. Repeat this verification procedure until the accuracy requirement of this specification is satisfied.

11.5 Level of Detection Determination

11.5.1 You must determine the minimum amount of HCl that can be detected above the background in a representative gas matrix.

11.5.2 You must perform the LOD determination in a controlled environment such as a laboratory or manufacturer's facility.

11.5.3 You must add interference gases listed in Table 1 of this PS to a constant concentration of HCl reference gas.

11.5.3.1 You may not use an effective reference HCl gas concentration greater than five times the estimated instrument LOD.

11.5.3.2 For extractive CEMS, inject the HCl and interferents described in section 11.1.5 directly into the inlet to the analyzer.

11.5.3.3 For IP–CEMS, the HCl and interference test gases may be added to a calibration cell or separately in a temperature-controlled cell that is part of the measurement path. The effective concentration of the gas in the cell must meet the requirements in Table 1 corrected for absolute pressure, temperature and the nominal stack sampling path length of the CEMS.

11.5.4 Collect seven or more consecutive measurements separated by twice the RT (described in section 11.6) to determine the LOD.

11.5.5 Calculate the standard deviation of the measured values and define the LOD as three times the standard deviation of these measurements.

11.5.5.1 The LOD for extractive units must be determined and reported in ppmv.

11.5.5.2 The LOD for IP units must be determined and reported on a ppm-meter basis and the site- or installation-specific LOD must be calculated based on the actual measurement path length and gas density of the emissions at the specific site installation in ppmv.

11.5.6 You must verify the controlled environment LOD of section 11.5.2 of this PS for your CEMS during initial setup and field certification testing. You must use the SA procedure in appendix A of this PS with the following exceptions:

11.5.6.1 For the LOD verification in the field, you must make three independent SA measurements spiking the native source concentration by no more than three times the controlled environment LOD concentration determined in section 11.5.5.

11.5.6.2 For extractive CEMS, you must perform the SA as a dynamic spike by passing the spiked source gas sample through all filters, scrubbers, conditioners and other monitoring system components used during normal sampling, and as much of the sampling probe as practical. For IP–CEMS, you must perform the SA procedure by adding or passing a known concentration reference gas into a calibration cell in the optical path of the CEMS; you must also include the source measurement optical path while performing the SA measurement.

11.5.6.3 The amount detected, or standard addition response (SAR), is based on the average difference of the native HCl concentration in the stack or duct relative to the native stack concentration plus the SA. You must be able to detect the effective spike addition (ESA) above the native HCl present in the stack gas matrix. For extractive CEMS, the ESA is calculated using Equation A7 in appendix A of this PS. For IP–CEMS, the ESA is calculated as $C_{i,eff}$ using Equation 4 of this PS.

11.5.6.4 For extractive CEMS, calculate the SAR using Equation A4 in appendix A of this PS. For IP–CEMS, calculate the SAR using Equation A8.

11.5.6.5 If your system LOD field verification does not demonstrate a SAR greater than or equal to your initial controlled environment LOD, you must increase the SA concentration incrementally and repeat the field verification procedure until the SAR is equal to or greater than LOD. The site-specific standard addition detection level (SADL) is equal to the standard addition needed to achieve the acceptable SAR, and SADL replaces the controlled environment LOD. For extractive CEMS, the SADL is calculated as the ESA using Equation A7 in appendix A of this PS. For IP–CEMS, the SADL is the SA calculated using Equation A8 in appendix A of this PS. As described in section 13.1 of this PS, the SADL must be less than 20 percent of the applicable emission limit.

11.6 Response Time Determination. You must determine ME-, LOD- and SA–RT

11.6.1 For ME- or LOD–RT, start the upscale RT determination by injecting zero gas into the measurement system as required by the procedures in section 11.7 or 11.5, respectively. You may use humidified zero gas. For standard addition RT, start the upscale RT determination by measuring the native stack gas concentration of HCl.

11.6.1.1 For extractive CEMS measuring ME- or LOD–RT, the output has stabilized when there is no change greater than 1.0 percent of full scale for 30 seconds.

11.6.1.2 For standard addition RT that includes the stack gas matrix the final stable response may continue to vary by more than 1 percent, but may be considered stable if the variability is random and not continuously rising or falling.

11.6.2 When the CEMS output has stabilized, record the response in ppmv and introduce an upscale (high level) or spike reference gas as required by the relevant procedure.

11.6.3 Record the time (upscale RT) required to reach 95 percent of the change to the final stable value.

11.6.4 Next, for ME or LOD RT, reintroduce the zero gas and record the time required to reach 95 percent of the change to the stable instrument response at the zero gas reading. For SA RT, introduce zero gas to the IP–CEMS cell or stop the spike gas flow to the extractive CEMS as required by the specified procedure and record the time required to reach 95 percent of the change to the stable instrument response of the native gas reading. This time is the downscale RT.

(**Note:** For CEMS that perform a series of operations (purge, blow back, sample integration, analyze, etc.), you must start adding reference or zero gas immediately after these procedures are complete.)

11.6.5 Repeat the entire procedure until you have three sets of data, then determine the mean upscale and mean downscale RTs for each relevant procedure. Report the greater of the average upscale or average downscale RTs as the RT for the system.

11.7 Measurement Error (ME) Test

11.7.1 On the same day and as close in time as practicable to when the ME test is conducted, perform and meet requirements for a calibration drift (CD) test using a zero gas as used in the Seven-Day Drift Test (see section 11.8) and document and report the results. To meet this requirement, the ME test may be conducted during the Seven-Day CD Test.

11.7.2 Extractive CEMS ME Test.

11.7.2.1 Introduce reference gases to the CEMS probe, prior to the sample conditioning and filtration system.

11.7.2.2 Measure three upscale HCl reference gas concentrations in the range shown in Table 4 of this PS.

11.7.2.3 Introduce the gases into the sampling probe with sufficient flow rate to replace the entire source gas sample.

11.7.2.4 Continue to add the reference gas until the response is stable as evidenced when the difference between two consecutive measurements is less than the LOD or within five percent of each other.

11.7.2.5 Make triplicate measurements for each reference gas for a total of nine measurements. Introduce different reference gas concentrations in any order but do not introduce the same gas concentration twice in succession.

11.7.2.6 At each reference gas concentration, determine the average of the three CEMS responses ($\overline{MC}_l$). Calculate the ME using Equation 3A in section 12.3.

11.7.2.7 If you desire to determine the system RT during this test, you must inject zero gas immediately before and after each injection of the high-level gas standard.

11.7.2.8 For non-dilution systems, you may adjust the system to maintain the correct flow rate at the analyzer during the test, but you may not make adjustments for any other purpose. For dilution systems, you must operate the measurement system at the appropriate dilution ratio during all system ME checks, and you may make only the adjustments necessary to maintain the proper ratio.

11.7.3 IP–CEMS ME Test.

11.7.3.1 Conduct a 3-level system ME test by individually adding the known concentrations of HCl reference gases into a calibration cell of known volume, temperature, pressure and path length.

Note: The optical path used for IP–CEMS ME checks must include the native HCl measurement path. You must also collect native stack concentration HCl measurements before and after each HCl standard measurement. Bracketing HCl reference gas measurements with native stack HCl measurements must be used in the calculations in Equation 5 in section 12.4.2 to correct the upscale measurements for stack gas HCl concentration changes.

11.7.3.2 Introduce HCl reference gas into your calibration cell in a range of concentrations that produce responses equivalent to the source concentrations shown in Table 4 of this PS for your path length.

11.7.3.3 Make triplicate measurements for each reference gas standard for a total of nine measurements. Introduce different calibration concentrations in any order but do not introduce the same reference gas concentration twice in succession.

11.7.3.4 You must calculate the effective concentration ($C_{i,eff}$) of the HCl reference gas equivalent to the stack concentration by correcting for calibration cell temperature, pressure, path length, line strength factor (LSF) and, if necessary, the native stack gas HCl concentration using Equation 4 in section 12.0.

11.7.3.5 You may use the LSF provided by your instrument manufacturer or determine an instrument-specific LSF as a function of temperature using a heated gas cell and equivalent concentrations ($C_{i,eff}$) between 50 and 150 percent of the emission limit.

11.7.3.6 At each reference gas concentration, average the three independent CEMS measurement responses corrected for native HCl stack concentration. Calculate the ME using Equation 6A in section 12.4.3.

11.7.4 You may use Figure 1 in section 17.0 to record and report your ME test results.

11.7.5 If the ME specification in section 13.3 is not met for all three reference gas concentrations, take corrective action and repeat the test until an acceptable 3-level ME test is achieved.

11.8 Seven-Day Calibration Drift (CD) Test

11.8.1 The CD Test Period. Prior to the start of the RA tests, you must perform a seven-day CD test. The purpose of the seven-day CD test is to verify the ability of the CEMS to maintain calibration for each of seven consecutive unit operating days as specified in section 11.8.5 of this PS.

11.8.2 The CD tests must be performed using the zero gas and mid-level reference gas standards as defined in Table 4 of this PS.

11.8.3 Conduct the CD test on each day during continuous operation of the CEMS and normal facility operations following the procedures in section 11.7 of this PS, except that the zero gas and mid-level gas need only be introduced to the measurement system once each.

11.8.4 If periodic automatic or manual adjustments are made to the CEMS zero and upscale response factor settings, conduct the CD test immediately before these adjustments.

Note: Automatic signal or mathematical processing of all measurement data to determine emission results may be performed throughout the entire CD process.

11.8.5 Determine the magnitude of the CD at approximately 24-hour intervals, for 7 consecutive unit operating days. The 7 consecutive unit operating days need not be 7 consecutive calendar days.

11.8.6 Record the CEMS response for single measurements of zero gas and mid-level reference gas. You may use Figure 2 in section 17 of this PS to record and report the results of your 7-day CD test.

11.8.6.1 For extractive CEMS, calculate the CD using Equation 3B in section 12.3. Report the absolute value of the differences as a percentage of the span value.

11.8.6.2 For IP–CEMS, you must include the source measurement optical path while performing the upscale CD measurement; you must exclude the source measurement optical path when determining the zero gas concentration. Calculate the CD for IP CEMS using Equations 4, 5, 6B, and 7 in section 12.4.

11.8.7 The zero-level and mid-level CD for each day must be less than 5.0 percent of the span value as specified in section 13.2 of this PS. You must meet this criterion for 7 consecutive operating days past the 7-day CD test.

11.8.8 Dynamic Spiking Option for Seven-Day CD Test. For extractive CEMS, you have the option to conduct a mid-level dynamic spiking procedure for each of the 7 days in lieu of the mid-level reference gas injection described in sections 11.8.2 and 11.8.3. If this option is selected, the daily zero CD check is still required.

11.8.8.1 To conduct each of the seven daily mid-level dynamic spikes, you must use the DS procedure described in appendix A of this PS using a single spike of the mid-level reference gas (*see* Table 4).

11.8.8.2 You must perform the dynamic spike procedure by passing the spiked source gas sample through all filters, scrubbers, conditioners and other monitoring system components used during normal sampling, and as much of the sampling probe as practical.

11.8.8.3 Calculate the mid-level CD as a percent of span using Equation A6 of appendix A to this PS and calculate the zero drift using Equation 3B in section 12.3. Record and report the results as described in sections 11.8.6 and 11.8.7.

11.9 Relative Accuracy Test

11.9.1 Unless otherwise specified in an applicable regulation, use Method 26A in 40 CFR part 60, appendix A–8, Method 320 or Method 321, both found in 40 CFR part 63, appendix A, or ASTM D6348–12 including all annexes, as applicable, as the RMs for HCl measurement. Obtain and analyze RM audit samples, if they are available, concurrently with RM test samples according to the same procedure specified for performance tests in the general provisions of the applicable part. If Method 26 is not specified in an applicable subpart of the regulations, you may request approval to use Method 26 in appendix A–8 to this part as the RM on a site-specific basis under §§ 63.7(f) or 60.8(b). Other RMs for moisture, O_2, etc., may be necessary. Conduct the RM tests in such a way that they will yield results representative of the emissions from the source and can be compared to the CEMS data.

11.9.1.1 When Method 26A is used as the RM, you must sample sufficient gas to reach three times your method detection limit for Method 26A in 40 CFR part 60, appendix A–8, or for a minimum of one hour, whichever is greater.

11.9.1.2 When Method 320 or Method 321, both found in 40 CFR part 63, appendix A, or ASTM D6348–12, are used as the RM, you must collect gas samples that are at stack conditions (hot and wet) and you must traverse as required in section 11.9.3.

11.9.2 Conduct the diluent (if applicable), moisture (if needed), and pollutant measurements simultaneously. However, diluent and moisture measurements that are taken within an hour of the pollutant measurements may be used to calculate dry pollutant concentration and emission rates.

11.9.3 Reference Method Measurement Location and Traverse Point(s) Selection.

11.9.3.1 Measurement Location. Select, as appropriate, an accessible RM measurement location at least two equivalent diameters downstream from the nearest control device, point of pollutant generation, or other point at which a change in the pollutant concentration or emission rate may occur, and at least one half equivalent diameter upstream from the effluent exhaust or a control device. When pollutant concentration changes are due solely to diluent leakage (*e.g.,* air heater leakages) and pollutants and diluents are simultaneously measured at the same location, a half diameter may be used in lieu of two equivalent diameters. The equivalent duct diameter is calculated according to Method 1 in appendix A–1 to this part. The CEMS and RM sampling locations need not be the same.

11.9.3.2 Traverse Point Selection. Select traverse points that assure acquisition of representative RM samples over the stack or duct cross section according to one of the following options: (a) sample at twelve traverse points located according to section 11.3 of Method 1 in appendix A–1 to this part, (b) sample at 6 Method 1 traverse points according to section 6.5.6(b)(1) of appendix A to part 75 of this chapter, or (c) sample at three points on a measurement line (''3-point long line'') that passes through the centroidal area of the duct in the direction of any potential stratification. If this line interferes with the CEMS measurements, you may displace the line up to 20 cm (12 in.) or 5.0 percent of the equivalent diameter of the cross section, whichever is less, from the centroidal area. Locate the three traverse points at 16.7, 50.0, and 83.3 percent of the measurement line. Alternatively, you may conduct a stratification test following the procedures in sections 11.9.3.2.1 through 11.9.3.2.4 to justify sampling at a single point or three points located on the measurement line at 0.4, 1.2, and 2.0 m from the stack wall (''3-point short line''). Stratification testing must be conducted at the sampling location

to be used for the RM measurements during the RA test and must be made during normal facility operating conditions. You must evaluate the stratification by measuring the gas on the same moisture basis as the HCl CEMS (wet or dry). Stratification testing must be repeated for each RA test program to justify single point or ''3-point short line'' sampling.

11.9.3.2.1 Use a probe of appropriate length to measure the HCl concentration or an alternative analyte, as described in this section, using 12 traverse points located according to section 11.3 of Method 1 in appendix A–1 to 40 CFR part 60 for a circular stack or nine points at the centroids of similarly-shaped, equal area divisions of the cross section of a rectangular stack.

11.9.3.2.2 You may substitute a stratification test for SO_2 for the HCl stratification test. If you select this option, you must follow the test procedures in Method 6C of appendix A–4 to 40 CFR part 60 or Method 320 of appendix A of 40 CFR part 63.

11.9.3.2.3 Calculate the mean measured concentration for all sampling points (MN_{avg}).

11.9.3.2.4 Calculate the percent stratification (S_t) of each traverse point using Equation 8 in section 12.5.

11.9.3.2.5 The gas stream is considered to be unstratified and you may perform the RA testing at a single point that most closely matches the mean if the concentration at each traverse point differs from the mean concentration for all traverse points by: (a) No more than 5.0 percent of the mean concentration; or (b) 0.2 ppm (for HCl) or 3 ppm (for SO_2) absolute, whichever is less restrictive.

11.9.3.2.6 If the criterion for single point sampling (5.0 percent, 0.2 ppm for HCl or 3 ppm for SO_2 are not met, but the concentration at each traverse point differs from the mean concentration for all traverse points by no more than 10.0 percent of the mean, the gas stream is considered to be minimally stratified, and you may take RA samples using the ''3-point short line''. Alternatively, you may use the 3-point short line if each traverse point differs from the mean value by no more than 0.4 ppm (for HCl) or 5 ppm (for SO_2).

11.9.3.2.7 If the concentration at any traverse point differs from the mean concentration by more than 10 percent, the gas stream is considered stratified and you must sample using one of the options in section 11.9.3.2 above.

11.9.3.3 Conduct all necessary RM tests within 3 cm (1.2 in.) of the traverse points, but no closer than 3 cm (1.2 in.) to the stack or duct wall.

11.9.4 In order to correlate the CEMS and RM data properly, record the beginning and end of each RM run (including the time of day in hours, minutes, and seconds) using a clock synchronized with the CEM clock used to create a permanent time record with the CEMS output.

11.9.5 You must conduct the RATA during representative process and control operating conditions or as specified in an applicable regulation, permit or subpart.

11.9.6 Conduct a minimum of nine RM test runs. *NOTE:* More than nine RM test runs may be performed. If this option is chosen, up to three test run results may be excluded so long as the total number of test run results used to determine the CEMS RA is greater than or equal to nine. However, all data must be reported including the excluded test runs.

11.9.7 Analyze the results from the RM test runs using Equations 9–14 in section 12.6. Calculate the RA between the CEMS results and the RM.

11.10 Record Keeping and Reporting

11.10.1 For systems that use a liquid evaporative standard generator to deliver HCl reference gas standards, record supporting data for these devices, including liquid feed calibrations, liquid standard concentration(s) and NIST-traceability, feed rate and gas flow calibrations for all diluent and HCl gas flows. All calibrations must include a stated uncertainty, and the combined uncertainty of the delivered HCl reference gas concentration must be calculated and reported.

11.10.2 Record the results of the CD test, the RT test, the ME test, the RA test, and for IP–CEMS, the results of the beam intensity, temperature and pressure verification procedures. Also keep records of the RM and CEMS field data, calculations, and reference gas certifications necessary to confirm that the performance of the CEMS met the performance specifications.

11.10.3 For systems that use Method 205 to prepare HCl reference gas standards, record results of Method 205 performance test field evaluation, reference gas certifications, and gas dilution system calibration.

11.10.4 Record the LOD for the CEMS. For extractive CEMS, record the LOD in ppmv. For IP–CEMS, record the LOD on a ppm-meter basis along with a calculation of the installation specific LOD in ppmv. For both CEMS types, you must also record the field verified SADL.

11.10.5 Record the results of the interference test.

11.10.6 Report the results of all certification tests to the appropriate regulatory agency (or agencies), in hardcopy and/or electronic format, as required by the applicable regulation or permit.

12.0 Calculations and Data Analysis

12.1 Nomenclature

C_i = Zero HCl reference gas concentration used for test i (ppmv);

$C_{i,eff}$ = Equivalent concentration of the reference gas value, C_i, at the specified conditions (ppmv);

CC = Confidence coefficient (ppmv);

$CD_{extractive}$ = Calibration drift for extractive CEMS (percent);

CD_{IP} = Calibration drift for IP–CEMS (percent);

CD_0 = Calibration drift at zero HCl concentrations for an IP–CEMS (percent);

d_{avg} = Mean difference between CEMS response and the reference gas (ppmv);

d_i = Difference of CEMS response and the RM value (ppmv);

I = Total interference from major matrix stack gases, (percent);

LSF = Line strength factor for IP–CEMS instrument specific correction for temperature and gas matrix effects derived from the HITRAN and/or manufacturer specific database (unitless);

ΔMC_{avg} = Average of the 3 absolute values of the difference between the measured HCl reference gas concentrations with and without interference from selected stack gases (ppmv);

MC_i = Measured zero or HCl reference gas concentration i (ppmv);

$\overline{MC}_l$ = Average of the measured zero or HCl reference gas concentration i (ppmv);

MC_{int} = Measured HCl concentration of the HCl reference gas plus the individual or combined interference gases (ppmv);

$ME_{extractive}$ = Measurement error for extractive CEMS (percent);

ME_{IP} = Measurement error for IP–CEMS (percent);

MN_{avg} = Average concentration at all sampling points (ppmv);

MN_{bi} = Measured native concentration bracketing each calibration check measurement (ppmv);

MN_i = Measured native concentration for test or run i (ppmv);

n = Number of measurements in an average value;

PL_{Cell} = Path length of IP–CEMS calibration cell (m);

PL_{Stack} = Path length of IP–CEMS stack optical path (m);

RA = Relative accuracy of CEMS compared to a RM (percent);

RM_i = RM concentration for test run i (ppmv);

RM_{avg} = Mean measured RM value (ppmv);

S = Span of the instrument (ppmv);

S_d = Standard deviation of the differences (ppmv);

S_{ti} = Stratification at traverse point i (percent);

SADL = Standard addition detection level (ppmv);

$t_{0.975}$ = One-sided t-value at the 97.5th percentile obtained from Table 5 in section 17.0 for n–1 measurements;

$T_{reference}$ = Temperature of the calibration cell for IP–CEMS (degrees Kelvin);

T_{stack} = Temperature of the stack at the monitoring location for IP–CEM (degrees Kelvin).

12.2 Calculate the Difference Between the Measured HCl Concentration With and Without Interferents for Each Interference Gas (Or Mixture) for Your CEMS as:

$$\Delta MC_{avg} = \frac{\sum_{i=1}^{3} |MC_i - MC_{int}|}{3} \qquad \text{Eq. 1}$$

Calculate the total percent interference as:

$$I = \sum_{i=1}^{n} \frac{\Delta MC_{avg}}{MC_i} * 100 \qquad \text{Eq. 2}$$

12.3 Calculate the ME or CD at Concentration i for an Extractive CEMS as:

$$ME_{extractive} = \frac{|C_i - \overline{MC_i}|}{S} * 100 \qquad \text{Eq. 3A}$$

$$CD_{extractive} = \frac{|C_i - MC_i|}{S} * 100 \qquad \text{Eq. 3B}$$

12.4 Calculate the ME or CD at Concentration i for IP–CEMS That Use a Calibration Cell as Follows:

12.4.1 Calculate the equivalent concentration $C_{i,eff}$ using Equation 4:

$$C_{i,eff} = \left[C_i \times \frac{PL_{cell}}{PL_{Stack}} \times \frac{T_{stack}}{T_{reference}} \times LSF \right] \qquad \text{Eq. 4}$$

12.4.2 Calculate the average native concentration before and after each calibration check measurement as:

$$MN_{bi} = \frac{MN_i + MN_{i+1}}{2} \qquad \text{Eq. 5}$$

12.4.3 Calculate the ME or CD at concentration i for an IP–CEM as:

$$ME_{IP} = \frac{\sum_1^3 |(MC_i - MN_{bi}) - C_{ieff}|}{3S} * 100 \qquad \text{Eq. 6A}$$

$$CD_{IP} = \frac{|MC_i - MN_{bi} - C_{i,eff}|}{S} * 100 \qquad \text{Eq. 6B}$$

12.4.4 Calculate the zero CD as a percent of span for an IP–CEMS as:

$$CD_0 = \frac{|MC_i - MC_{i+1}|}{S} * 100 \qquad \text{Eq. 7}$$

12.5 Calculate the Percent Stratification at Each Traverse Point as:

$$S_{ti} = \frac{|MN_i - \mathrm{MN_{avg}}|}{MN_{avg}} * 100 \qquad \text{Eq. 8}$$

12.6 Calculate the RA Using RM and CEMS Data

12.6.1 Determine the CEMS final integrated minute average pollutant concentration or emission rate for each RM test period. Consider system RT, if important, and confirm that the results have been corrected to the same moisture, temperature and diluent concentration basis.

12.6.2 When Method 26A (or if approved for use, Method 26), found in 40 CFR part 60,

appendix A–8 of this part, is used as the RM, compare each CEMS integrated average value against the corresponding RM value for identical test periods. Make these comparisons on the same basis (*e.g.,* wet, dry, ppmv, or units of the standard). To convert results generate by Method 26A or 26 in mg/DSCM to ppmv, use the conversion factor 0.662 ppm/(mg/DSCM).

12.6.3 If the RM is Method 320 or Method 321, found in 40 CFR part 63, appendix A, or ASTM D6348–12, make a direct comparison of the average RM results and CEMS average value for identical test periods.

12.6.4 For each test run, calculate the arithmetic difference of the RM and CEMS results using Equation 9.

$$d_i = RM_i - MN_i \qquad \text{Eq. 9}$$

12.6.5 Calculate the standard deviation of the differences (S_d) of the CEMS measured and RM results using Equation 10.

$$S_d = \sqrt{\frac{\sum_i^n \left(d_i - \left(\frac{\sum_{i=1}^n d_i}{n}\right)\right)^2}{n-1}} \qquad \text{Eq. 10}$$

12.6.6 Calculate the confidence coefficient (CC) for the RATA using Equation 11.

$$CC = t_{0.975} * \left(\frac{S_d}{(n^{1/2})}\right) \qquad \text{Eq. 11}$$

12.6.7 Calculate the mean difference (d_{avg}) between the RM and CEMS values in the units of ppmv or the emission standard using Equation 12.

$$d_{avg} = \frac{1}{n}\sum_{i=1}^n d_i \qquad \text{Eq. 12}$$

12.6.8 Calculate the average RM value using Equation 13.

$$RM_{avg} = \frac{1}{n}\sum_{i=1}^n RM_i \qquad \text{Eq. 13}$$

12.6.9 Calculate RA of the CEMS using Equation 14.

$$RA = \left[\left(\left|d_{avg}\right| + CC\right)/RM_{avg}\right] * 100 \qquad \text{Eq. 14}$$

13.0 Method Performance

13.1 Level of Detection. You may not use a CEMS whose LOD or SADL is greater than 20 percent of the applicable regulatory limit or other action level for the intended use of the data.

13.2 Calibration Drift. The zero- and mid-level calibration drift for the CEMS must not exceed 5.0 percent of the span value for 7 consecutive operating days.

13.3 Measurement Error. The ME must be less than or equal to 5.0 percent of the span value at the low-, mid-, and high-level reference gas concentrations.

13.4 Relative Accuracy. Unless otherwise specified in an applicable regulation or permit, the RA of the CEMS, whether calculated in units of HCl concentration or in units of the emission standard, must be less than or equal to 20.0 percent of the RM when RM_{avg} is used in the denominator of Equation 14.

13.4.1 In cases where the RA is calculated on a concentration (ppmv) basis, if the average RM emission level for the test is less than 75 percent of the HCl concentration equivalent to the emission standard, you may substitute the HCl concentration equivalent to the standard in the denominator of Equation 14 in place of RM_{avg}.

13.4.2 Similarly, if the RA is calculated in units of the emission standard and the HCl emission level measured by the RMs is less than 75 percent of the emission standard, you may substitute the emission standard in the denominator of Equation 14 in place of RM_{avg}.

13.4.3 The alternative calculated RA in paragraph 13.4.1 or 13.4.2 must be less than or equal to 15.0 percent.

13.5 Interference Test.

13.5.1 The sum of the interference response(s) from Equation 2 must not be greater than 2.5 percent of the calibration span or ±3.0 percent of the equivalent HCl concentration used for the interference test, whichever is less restrictive. The results are also acceptable if the sum of the interference response(s) does not exceed six times the LOD or 0.5 ppmv for a calibration span of 5 to 10 ppm, or 0.2 ppmv for a calibration span of less than 5 ppmv.

13.6 IP–CEMS Beam Intensity Test. For IP–CEMS, the percent difference between the measured concentration with and without attenuation of the light source must not exceed ±3.0 percent.

13.7 IP–CEMS Temperature Measurement Verification. Your temperature sensor satisfies the accuracy required if the absolute relative difference between measured value of stack temperature (M_t) and the temperature

value from the calibrated temperature reference device (V_t) is ≤1.0 percent or if the absolute difference between M_t and V_t is ≤2.8° C (5.0 °F), whichever is less restrictive.

13.8 IP–CEMS Pressure Sensor Measurement Verification. Your pressure sensor satisfies the accuracy required if the absolute relative difference between the measured value of stack pressure (M_P) and the pressure value from the calibrated pressure reference device (V_P) is ≤5.0 percent or if the absolute difference between M_p and V_P is ≤0.12 kilopascals (0.5 inches of water column), whichever is less restrictive.

14.0 Pollution Prevention [Reserved]

15.0 Waste Management [Reserved]

16.0 Bibliography

1. Method 318—Extractive FTIR Method for the Measurement of Emissions From the Mineral Wool and Wool Fiberglass Industries, 40 CFR, part 63, subpart HHHHHHH, appendix A.

2. ''EPA Protocol for the Use of Extractive Fourier Transform Infrared (FTIR) Spectrometry in Analyses of Gaseous Emissions from Stationary Industrial Sources,'' February, 1995.

3. ''Measurement of Gaseous Organic and Inorganic Emissions by Extractive FTIR Spectroscopy,'' EPA Contract No. 68–D2–0165, Work Assignment 3–08.

4. ''Method 301—Field Validation of Pollutant Measurement Methods from Various Waste Media,'' 40 CFR part 63, appendix A.

5. EPA Traceability Protocol for Assay and Certification of Gaseous Calibration Standards, U.S. Environmental Protection Agency office of Research and Development, EPA/600/R–12/531, May 2012.

17.0 Tables, Diagrams, Flowcharts, and Validation Data

TABLE 1—INTERFERENCE TEST GAS CONCENTRATIONS

Potential interferent gas [1]	Approximate concentration (balance N_2)
CO_2	15% ± 1% CO_2.[2]
CO	100 ± 20 ppm.
CH_2O	20 ± 5 ppm.
CH_4	100 ± 20 ppm.
NH_3	10 ± 5 ppm (extractive CEMS only).
NO_2	250 ± 50 ppm.
SO_2	200 ± 20 ppm.
O_2	3% ± 1% O_2.[2]
H_2O	10% ± 1% H_2O.[2]
N_2	Balance.[2]

[1] Any of these specific gases can be tested at a lower level if the manufacturer has provided reliable means for limiting or scrubbing that gas to a specified level in CEMS field installations.

[2] Gases for short path IP cell interference tests cannot be added above 100 percent stack equivalent concentration. Add these gases at the indicated percentages to make up the remaining cell volume.

BILLING CODE P

Table 2. Example Interference Test Data Sheet

Date of Test: _____
Analyzer Type: _____
Model No.: _____
Serial No.: _____
Span: _____
Test Organization: _____
Test Personnel: _____

Interference Gas or Gas Combination	HCl Concentration (ppmv)	HCl Concentration (ppmv) w/Interference	Absolute Difference (ppmv)	Average Absolute Difference (ppmv)

TABLE 3—DESIGN STANDARDS FOR TEMPERATURE SENSORS

If the sensor is a . . .	You can use the following design standards as guidance in selecting a sensor for your IP–CEMS
1. Thermocouple	a. ASTM E235–88 (1996), ''Specification for Thermocouples, Sheathed, Type K, for Nuclear or Other High-Reliability Applications.'' b. ASTM E585/E585M–04, ''Specification for Compacted Mineral-Insulated, Metal-Sheathed, Base Metal Thermocouple Cable.'' c. ASTM E608/E608M–06, ''Specification for Mineral-Insulated, Metal-Sheathed Base Metal Thermocouples.'' d. ASTM E696–07, ''Specification for Tungsten-Rhenium Alloy Thermocouple Wire.'' e. ASTM E1129/E1129M–98 (2002), ''Standard Specification for Thermocouple Connectors.'' f. ASTM E1159–98 (2003), ''Specification for Thermocouple Materials, Platinum-Rhodium Alloys, and Platinum.'' g. ISA–MC96.1–1982, ''Temperature Measurement Thermocouples.''
2. Resistance temperature detector.	ASTM E1137/E1137M–04, ''Standard Specification for Industrial Platinum Resistance Thermometers.''

TABLE 4—PERFORMANCE SPECIFICATION TEST ZERO AND REFERENCE GAS RANGES

Test	Units	HCl Zero and Reference Gas Concentrations in Terms of Percent of Span [a]				Section
		Zero	Low Level	Mid Level	High Level	
Calibration Drift	% of Span	<LOD	NA	50–60 [b]	NA	11.8
Measurement Error	% of Span	NA	20–30	50–60	80–100	11.7

[a] Reference gas concentration must be NIST traceable. (see section 7.1)
[b] Mid-level is required. For DS calibration drift option, choose a concentration that yields a value in this range at the analyzer.

TABLE 5—STUDENT'S T-VALUES

n-1 [a]	t-value	n-1 [a]	t-value	n-1 [a]	t-value
1	12.71	11	2.201	21	2.080
2	4.303	12	2.179	22	2.074
3	3.182	13	2.160	23	2.069
4	2.776	14	2.145	24	2.064
5	2.571	15	2.131	25	2.060
6	2.447	16	2.120	26	2.056
7	2.365	17	2.110	27	2.052
8	2.306	18	2.101	28	2.048
9	2.262	19	2.093	29	2.045
10	2.228	20	2.086	30	2.042

[a] The value n is the number of independent pairs of measurements. Either discrete (independent) measurements in a single run, or run averages can be used.

SOURCE:			DATE:		
CEMS:			LOCATION:		
SERIAL NUMBER:			SPAN:		
RUN NUMBER	REFERENCE GAS VALUE	CEMS RESPONSE	DIFFERENCE		
			Low	Mid	High
1					
2					
3					
4					
5					
6					
7					
8					
9					
		Mean Difference =			
		Measurement Error =	%	%	%

Figure 1. Measurement Error Determination

SOURCE:					DATE:		
CEMS:					LOCATION:		
SERIAL NUMBER:					SPAN:		
LEVEL	DAY	DATE	TIME	REFERENCE GAS VALUE	CEMS RESPONSE	DIFFERENCE	PERCENT OF SPAN
ZERO GAS	1						
	2						
	3						
	4						
	5						
	6						
	7						
MID-LEVEL GAS	1						
	2						
	3						
	4						
	5						
	6						
	7						

Figure 2. Calibration Drift Determination

PS–18 Appendix A Standard Addition Procedures

1.0 Scope and Application

1.1 This appendix to Performance Specification (PS) 18 describes the procedure and performance requirements for standard addition (SA) as a quality check for hydrogen chloride (HCl) continuous emission monitoring systems (CEMS).

1.2 This appendix is applicable to quality checks of both extractive and integrated path (IP) technologies used to measure HCl emissions.

1.3 For extractive CEMS, this procedure must be used, as a level of detection (LOD) verification of all field-installed CEMS. Additionally, it is allowed by Procedure 6 in appendix F to this part as an alternative to upscale calibration drift (CD) tests, cylinder gas audits and relative accuracy audits (RAAs), and may be used for quality assurance purposes under other applicable regulations or permits that require HCl monitoring.

1.4 For IP–CEMS, this procedure must be used as a LOD verification of all field-installed CEMS.

2.0 Summary of the Appendix for Standard Addition

As used here, SA is a gas phase method of standard additions (either static or dynamic) used to verify the accuracy of CEMS measurements in the presence of the sample matrix. For extractive CEMS, it consists of spiking a known quantity of HCl dynamically into the measurement system as an addition to the native HCl and the native source gas matrix. For IP–CEMS, this procedure consists of introducing a known quantity of HCl into the optical path that also includes the native source gas.

3.0 Definitions. (See PS–18 and Procedure 6 of Appendix F to Part 60 for the Definitions Used in This Appendix.)

4.0 Interferences. Interferences are discussed in PS–18, section 4.0

5.0 *Safety.* The procedures required under this appendix may involve hazardous materials, operations and equipment. This procedure may not address all of the safety problems associated with these procedures. You as the facility or operator must establish appropriate safety and health practices and determine the applicable regulatory limitations prior to performing these procedures. As the CEMS user, you should consult instrument operation manuals, material safety data sheets, compressed gas safety requirements, and other Occupational Safety and Health Administration regulations for specific precautions to be taken.

6.0 *Equipment and Supplies.* An example of equipment and supplies is described in section 6 of PS–18.

7.0 *Reagents and Standards.* SA materials must meet the requirements defined for reference gases in section 7 of PS–18 to perform this procedure with the following exception. You may use gases certified by the gas vendor to +5 percent to perform the daily calibration drift assessment in section 4.1 of Procedure 6 in appendix F of this part.

Note: For extractive CEMS the concentrations of reference gases required for SA are likely to be significantly higher than the concentration of reference gases associated with PS–18 requirements.

8.0 *Standard Addition and Dynamic Spiking Procedure.* The standard addition procedure consists of measuring the native source gas concentration, addition of reference gas, and measurement of the resulting SA elevated source gas concentration. For extractive CEMS, HCl is spiked dynamically and thus, one must account for the dilution of sample gas from the addition of the HCl reference gas. For IP–CEMS, standard addition of an HCl reference gas is made by either adding an HCl reference gas to a flow through cell or inserting a sealed reference gas cell into the measurement path of the CEMS. The enclosed cell or a fixed cell must contain an HCl concentration that accounts for the difference in path length of the cell used for SA relative to the measurement path.

8.1 SA Concentration and Measurement Replicates.

8.1.1 You must inject HCl gas to create a measured concentration based on the requirements of the particular performance test (*e.g.,* LOD verification, CD, DSA).

8.1.2 Each dynamic spike (DS) or standard addition (SA) replicate consists of a measurement of the source emissions concentration of HCl (native stack concentration) with and without the addition of HCl. With a single CEMS, you must alternate the measurement of the native and SA-elevated source gas so that each measurement of SA-elevated source gas is immediately preceded and followed by a measurement of native stack gas. Introduce the SA gases in such a manner that the entire CEMS is challenged. Alternatively, you may use an independent continuous HCl monitor to measure the native source concentration before and after each standard addition as described in section 8.1.4.

8.1.3 Unless specified otherwise by an applicable rule, your SA-elevated concentration may not exceed 100 percent of span when the SA and native HCl concentration are combined.

8.1.4 As an alternative to making background measurements pre- and post-SA, you may use an independent continuous HCl monitor as a temporary unit to measure native stack HCl concentration while simultaneously using the CEMS to measure the SA-elevated source concentration. If you use an independent continuous HCl monitor you must make one concurrent background or native HCl measurement using both the installed CEMS and the independent continuous HCl monitor, immediately before the SA procedure in section 8.2 or 8.3 begins, to confirm that the independent monitoring system measures the same background concentration as the CEMS being qualified with this PS.

8.2 SA Procedure for Extractive CEMS (Dynamic Spiking)

8.2.1 Your HCl spike addition must not alter the total volumetric sample system flow rate or basic dilution ratio of your CEMS (if applicable).

8.2.2 Your spike gas flow rate must not contribute more than 10 percent of the total volumetric flow rate through the CEMS.

8.2.3 You must determine a dilution factor (DF) or relative concentration of HCl for each dynamic spike. Calibrated, NIST-traceable flow meters accurate to within 2.0 percent or highly accurate tracer gas measurements are required to make the necessary DF determinations at the accuracy required for this PS. Calibrated, NIST-traceable flow meters (*e.g.,* venturi, orifice) accurate to within 2.0 percent should be recertified against an NIST-traceable flow meter annually. **Note:** Since the spiking mass balance calculation is directly dependent on the accuracy of the DF determination, the accuracy of measurements required to determine the total volumetric gas flow rate, spike gas flow rate, or tracer gas standard addition concentration is critical to your ability to accurately perform the DS procedure and calculate the results.

8.2.4 You must monitor and record the total sampling system flow rate and sample dilution factor (DF) for the spiking and stack gas sampling systems to ensure they are known and do not change during the spiking procedure. Record all data on a data sheet similar to Table A1 in section 13 of this appendix.

8.2.4.1 You may either measure the spike gas flow and the total flow with calibrated flow meters capable of NIST traceable accuracy to ± 2.0 percent or calculate the flow using a stable tracer gas included in your spike gas standard.

8.2.4.2 If you use flow measurements to determine the spike dilution, then use Equation A1 in section 11.2.1 of this appendix to calculate the DF. Determination of the spike dilution requires measurement of HCl spike flow (Q_{spike}) and total flow through the CEM sampling system (Q_{probe}).

8.2.4.3 If your CEMS is capable of measuring an independent stable tracer gas, you may use a spike gas that includes the tracer to determine the DF using Equation A2 or A3 (sections 11.2.2 and 11.2.3 of this appendix) depending on whether the tracer gas is also present in the native source emissions.

8.2.4.4 For extractive CEMS, you must correct the background measurements of HCl for the dilution caused by the addition of the spike gas standard. For spiking systems that alternate between addition of HCl and zero gas at a constant DF, the background measurements between spikes will not be equal to the native source concentration.

8.2.5 Begin by collecting unspiked sample measurements of HCl. You must use the average of two unspiked sample measurements as your pre-spike background.

Note: Measurements should agree within 5.0 percent or three times the level of detection to avoid biasing the spike results.

8.2.5.1 Introduce the HCl gas spike into the permanent CEMS probe, upstream of the particulate filter or sample conditioning system and as close to the sampling inlet as practical.

8.2.5.2 Maintain the HCl gas spike for at least twice the DS response time of your CEMS or until the consecutive measurements agree within 5.0 percent. Collect two

independent measurements of the native plus spiked HCl concentration.

8.2.5.3 Stop the flow of spike gas for at least twice the DS response time of your CEMS or until the consecutive measurements agree within 5.0 percent. Collect two independent measurements of the native HCl concentration.

8.2.6 Repeat the collection of sample measurements in section 8.2.5 until you have data for each spike concentration including a final set of unspiked sample measurements according to section 8.2.5.3.

8.2.7 Verify that the CEMS responded as expected for each spike gas injection, and that the data quality is not impacted by large shifts in the native source concentration. Discard and repeat any spike injections as necessary to generate a complete set of the required replicate spike measurements.

8.2.8 Calculate the standard addition response (SAR) for extractive CEMS, using Equation A4 in section 11.2, of this appendix.

8.2.9 If the DS results do not meet the specifications for the appropriate performance test in PS–18 or Procedure 6 of appendix F of this part, you must take corrective action and repeat the DS procedure.

8.3 SA Procedure for IP–CEMS (Static Spiking).

8.3.1 For IP–CEMS, you must make measurements of native source gas HCl concentration and an HCl standard addition using a calibration cell added to the optical measurement path.

8.3.2 Introduce zero gas into a calibration cell located in the optical measurement path of the instrument. Continue to flush the zero gas into the cell for at least the SA response time of your CEMS or until two consecutive measurements taken are within 5.0 percent, then collect two independent measurements. Alternatively you may measure native concentrations without the calibration cell in the optical path.

8.3.3 Introduce the HCl spike gas into the calibration cell. Continue to flush the spike gas into the cell for at least the SA response time of your CEMS or until two consecutive measurements taken are within 5.0 percent of one another. Then collect two independent measurements of the SA addition to the native concentration. Alternatively you may insert a sealed calibration cell, containing HCl at the appropriate concentration, into the optical path to measure the SA addition to the native concentration.

8.3.4 Repeat the collection of SA-elevated and native HCl measurements in sections 8.3.2 and 8.3.3 until you have data for each SA concentration. Then, make a final native HCl measurement. The measured concentrations must be corrected for calibration cell and stack temperature, pressure and stack measurement path length.

8.3.5 Calculate the standard addition response (SAR) for an IP–CEMS, using Equation A8 in section 11.3 of this appendix.

8.3.6 If the SA results do not meet the specifications for the appropriate performance test in PS–18 or Procedure 6 of appendix F of this part, you must take corrective action and repeat the SA procedure.

9.0 Quality Control [Reserved]

10.0 Calibration and Standardization [Reserved]

11.0 *Calculations and Data Analysis.* Calculate the SA response for each measurement and its associated native HCl measurement(s), using equations in this section. (**Note:** For cases where the emission standard is expressed in units of lb/MMBtu or corrected to a specified O_2 or CO_2 concentration, an absolute accuracy specification based on a span at stack conditions may be calculated using the average concentration and applicable conversion factors. The appropriate procedures for use in cases where a percent removal standard is more restrictive than the emission standard are the same as in 40 CFR part 60, PS–2, sections 12 and 13.)

11.1 Nomenclature.

C_{spike} = Actual HCl reference gas concentration spiked (*e.g.,* bottle or reference gas concentration) ppmv;
$C_{tracer\ spiked}$ = Tracer gas concentration injected with spike gas (''reference concentration'') ppmv;
DF = Spiked gas dilution factor;
DSCD = Calibration drift determined using DS procedure (percent);
DSE = Dynamic spike error (ppmv);
ESA = Effective spike addition (ppmv);
MC_{SA} = Measured SA-elevated source gas concentration (ppmv);
MC_{spiked} = Measured HCl reference gas concentration i (ppmv);
MC_{native} = Average measured concentration of the native HCl (ppmv);
$M_{native\ tracer}$ = Measured tracer gas concentration present in native effluent gas (ppmv);
$M_{spiked\ tracer}$ = Measured diluted tracer gas concentration in a spiked sample (ppmv);
Q_{spike} = Flow rate of the dynamic spike gas (Lpm);
Q_{probe} = Average total stack sample flow through the system (Lpm);
S = Span (ppmv);
SAR = Standard addition response (ppmv)

11.2 Calculating Dynamic Spike Response and Error for Extractive CEMS.

11.2.1 If you determine your spike DF using spike gas and stack sample flow measurements, calculate the DF using equation A1:

$$DF = \frac{Q_{spike}}{Q_{probe}} \qquad \text{Eq. A1}$$

11.2.2 If you determine your spike DF using an independent stable tracer gas that is not present in the native source emissions, calculate the DF for DS using equation A2:

$$DF = \frac{M_{spiked\ tracer}}{C_{\text{tracer spiked}}} \qquad \text{Eq. A2}$$

11.2.3 If you determine your spike dilution factor using an independent stable tracer that is present in the native source emissions, calculate the dilution factor for dynamic spiking using equation A3:

$$DF = \frac{M_{spiked\ tracer} - M_{native\ tracer}}{C_{native\ tracer} - M_{native\ tracer}} \qquad \text{Eq. A3}$$

11.2.4 Calculate the SA response using Equation A4:

$$SAR = MC_{spiked} - (1 - DF) * MC_{native} \qquad \text{Eq. A4}$$

11.2.5 Calculate the DS error using Equation A5.

$$DSE = MC_{spiked} - MC_{native} - DF * (C_{spike} - MC_{native}) \qquad \text{Eq. A5}$$

11.2.6 Calculating CD using DS. When using the DS option for determining mid-level CD, calculate the CD as a percent of span using equation A6:

$$DSCD = \frac{|DSE|}{S} \qquad \text{Eq. A6}$$

11.2.7 The effective spike addition (ESA) is the expected increase in the measured concentration as a result of injecting a spike. Calculate ESA using Equation A7:

$$ESA = DF * (C_{spike} - MC_{native}) \qquad \text{Eq. A7}$$

11.3 Standard Addition Response for IP–CEMS. If you use an IP–CEMS and a calibration cell, calculate the SA response using Equation A8.

$$SAR = MC_{SA} - MC_{native} \qquad \text{Eq. A8}$$

13. Tables and Figures.

Table A1. Spike Data Sheet

Facility name:	Date:	Time:
Unit(s) tested:	Test personnel:	
Analyzer make and model:		
Serial number:		
Calibration range:		

Q_{probe} (lpm)	Q_{spike} (lpm)	DF[1]	MC_{native}			Actual Values		DSE (ppmv)
			Pre	Post	Avg	C_{spike}[2] (ppmv)	MC_{spiked}[3] (ppmv)	
							Average	
							SD	

[1] DF must be less than or equal to 10 percent for extractive CEMS.
[2] C_{spike} = Actual HCl concentration of the spike gas, ppmv.
[3] MC_{spiked} = Measured HCl concentration of the spiked sample at the target level, ppmv.

■ 3. Appendix F to part 60 is amended by adding Procedure 6 to read as follows:

Appendix F to Part 60—Quality Assurance Procedures

* * * * *

Procedure 6. Quality Assurance Requirements for Gaseous Hydrogen Chloride (HCl) Continuous Emission Monitoring Systems Used for Compliance Determination at Stationary Sources

1.0 Applicability and Principle

1.1 Applicability. Procedure 6 is used to evaluate the effectiveness of quality control (QC) and quality assurance (QA) procedures and evaluate the quality of data produced by any hydrogen chloride (HCl) gas, CAS: 7647–01–0, continuous emission monitoring system (CEMS) that is used for determining compliance with emission standards for HCl on a continuous basis as specified in an applicable permit or regulation.

1.1.1 This procedure specifies the minimum QA requirements necessary for the control and assessment of the quality of CEMS data submitted to the Environmental Protection Agency (EPA) or a delegated authority. If you are responsible for one or more CEMS used for HCl compliance monitoring you must meet these minimum requirements and you are encouraged to develop and implement a more extensive QA program or to continue such programs where they already exist.

1.1.2 Data collected as a result of QA and QC measures required in this procedure are to be submitted to the EPA or the delegated authority in accordance with the applicable regulation or permit. These data are to be used by both the delegated authority and you, as the CEMS operator, in assessing the effectiveness of the CEMS QC and QA procedures in the maintenance of acceptable CEMS operation and valid emission data.

1.2 Principle

1.2.1 The QA procedures consist of two distinct and equally important functions. One function is the assessment of the quality of the CEMS data by estimating accuracy. The other function is the control and improvement of the quality of the CEMS data by implementing QC policies and corrective actions. These two functions form an iterative control loop. When the assessment function indicates that the data quality is inadequate, the control effort must be increased until the data quality is acceptable. In order to provide uniformity in the assessment and reporting of data quality, this procedure specifies the assessment procedures to evaluate response drift and accuracy. The procedures specified are based on Performance Specification 18 (PS–18) in appendix B to this part.

(**Note:** Because the control and corrective action function encompasses a variety of policies, specifications, standards and corrective measures, this procedure treats QC requirements in general terms to allow you, as source owner or operator to develop the most effective and efficient QC system for your circumstances.)

2.0 Definitions

See PS–18 of this subpart for the primary definitions used in this Procedure.

3.0 QC Requirements

3.1 You, as a source owner or operator, must develop and implement a QC program. At a minimum, each QC program must include written procedures and/or manufacturer's information which should describe in detail, complete, step-by-step procedures and operations for each of the following activities:

(a) Calibration Drift (CD) checks of CEMS;

(b) CD determination and adjustment of CEMS;

(c) Integrated Path (IP) CEMS temperature and pressure sensor accuracy checks;

(d) IP CEMS beam intensity checks;

(e) Routine and preventative maintenance of CEMS (including spare parts inventory);

(f) Data recording, calculations, and reporting;

(g) Accuracy audit procedures for CEMS including reference method(s); and

(h) Program of corrective action for malfunctioning CEMS.

3.2 These written procedures must be kept on site and available for inspection by the delegated authority. As described in section 5.4, whenever excessive inaccuracies occur for two consecutive quarters, you must revise the current written procedures, or modify or replace the CEMS to correct the deficiency causing the excessive inaccuracies.

4.0 Daily Data Quality Requirements and Measurement Standardization Procedures

4.1 CD Assessment. An upscale gas, used to meet a requirement in this section must be either a NIST-traceable reference gas or a gas certified by the gas vendor to ±5.0 percent accuracy.

4.1.1 CD Requirement. Consistent with 40 CFR 60.13(d) and 63.8(c), you, as source owners or operators of CEMS must check, record, and quantify the CD at two levels, using a zero gas and mid-level gas at least once daily (approximately every 24 hours). Perform the CD check in accordance with the procedure in applicable performance specification (*e.g.,* section 11.8 of PS–18 in appendix B of this part). The daily zero- and mid-level CD must not exceed two times the drift limits specified in the applicable performance specification (*e.g.,* section 13.2 of PS–18 in appendix B to this part.)

4.1.2 Recording Requirement for CD Corrective action. Corrective actions taken to bring a CEMS back in control after exceeding a CD limit must be recorded and reported with the associated CEMS data. Reporting corrective action must include the unadjusted concentration measured prior to resetting the calibration and the adjusted value after resetting the calibration to bring the CEMS back into control.

4.1.3 Dynamic Spiking Option for Mid-level CD. For extractive CEMS, you have the option to conduct a daily dynamic spiking procedure found in section 11.8.8 of PS–18 of appendix B of this part in lieu of the daily mid-level CD check. If this option is selected, the daily zero CD check is still required.

4.1.4 Out of Control Criteria for Excessive CD. As specified in § 63.8(c)(7)(i)(A), a CEMS is out of control if the zero or mid-level CD exceeds two times the applicable CD specification in the applicable PS or in the relevant standard. When a CEMS is out of control, you as owner or operator of the affected source must take the necessary corrective actions and repeat the tests that caused the system to go out of control (in this case, the failed CD check) until the applicable performance requirements are met.

4.1.5 Additional Quality Assurance for Data above Span. This procedure must be used when required by an applicable regulation and may be used when significant data above span is being collected.

4.1.5.1 Any time the average measured concentration of HCl exceeds 150 percent of the span value for greater than two hours, conduct the following 'above span' CEMS response check.

4.1.5.1.1 Within a period of 24 hours (before or after) of the 'above span' period, introduce a higher, 'above span' HCl reference gas standard to the CEMS. Use 'above span' reference gas that meets the requirements of section 7.0 of PS–18 and target a concentration level between 75 and 125 percent of the highest hourly concentration measured during the period of measurements above span.

4.1.5.1.2 Introduce the reference gas at the probe for extractive CEMS or for IP–CEMS as an equivalent path length corrected concentration in the instrument calibration cell.

4.1.5.1.3 At no time may the 'above span' concentration exceed the analyzer full-scale range.

4.1.5.2 Record and report the results of this procedure as you would for a daily calibration. The 'above span' response check is successful if the value measured by the CEMS is within 20 percent of the certified value of the reference gas.

4.1.5.3 If the 'above span' response check is conducted during the period when measured emissions are above span and there is a failure to collect at least one data point in an hour due to the response check duration, then determine the emissions average for that missed hour as the average of hourly averages for the hour preceding the missed hour and the hour following the missed hour.

4.1.5.4 In the event that the 'above span' response check is not successful (*i.e.,* the CEMS measured value is not within 20 percent of the certified value of the reference gas), then you must normalize the one-hour average stack gas values measured above the span during the 24-hour period preceding or following the 'above span' response check for reporting based on the CEMS response to the reference gas as shown in Eq. 6–1:

$$\text{Normalized stack gas result} = \frac{\text{Certified reference gas value}}{\text{Measured value of reference gas}} \times \text{Measured stack gas result} \qquad \text{Eq.6-1}$$

4.2 Beam Intensity Requirement for HCl IP–CEMS.

4.2.1 Beam Intensity Measurement. If you use a HCl IP–CEMS, you must quantify and record the beam intensity of the IP–CEMS in appropriate units at least once daily (approximately 24 hours apart) according to manufacturer's specifications and procedures.

4.2.2 Out of Control Criteria for Excessive Beam Intensity Loss. If the beam intensity falls below the level established for the operation range determined following the procedures in section 11.2 of PS–18 of this part, then your CEMS is out-of-control. This quality check is independent of whether the CEMS daily CD is acceptable. If your CEMS is out-of-control, take necessary corrective action. You have the option to repeat the beam intensity test procedures in section 11.2 of PS–18 to expand the acceptable range of acceptable beam intensity. Following corrective action, repeat the beam intensity check.

4.3 Out Of Control Period Duration for Daily Assessments. The beginning of the out-of-control period is the hour in which the owner or operator conducts a daily performance check (*e.g.,* calibration drift or beam intensity check) that indicates an exceedance of the performance requirements established under this procedure. The end of the out-of-control period is the completion of daily assessment of the same type following corrective actions, which shows that the applicable performance requirements have been met.

4.4 CEMS Data Status During Out-of-Control Period. During the period the CEMS is out-of-control, the CEMS data may not be used in calculating compliance with an emissions limit nor be counted towards meeting minimum data availability as required and described in the applicable regulation or permit.

5.0 Data Accuracy Assessment

You must audit your CEMS for the accuracy of HCl measurement on a regular basis at the frequency described in this section, unless otherwise specified in an applicable regulation or permit. Quarterly audits are performed at least once each calendar quarter. Successive quarterly audits, to the extent practicable, shall occur no closer than 2 months apart. Annual audits are performed at least once every four consecutive calendar quarters.

5.1 Temperature and Pressure Accuracy Assessment for IP CEMS.

5.1.1 Stack or source gas temperature measurement audits for HCl IP–CEMS must be conducted and recorded at least annually in accordance with the procedure described in section 11.3 of PS–18 in appendix B to this part. As an alternative, temperature measurement devices may be replaced with certified instruments on an annual basis. Units removed from service may be bench tested against an NIST traceable sensor and reused during subsequent years. Any measurement instrument or device that is used to conduct ongoing verification of

temperature measurement must have an accuracy that is traceable to NIST.

5.1.2 Stack or source gas pressure measurement audits for HCl IP–CEMS must be conducted and recorded at least annually in accordance with the procedure described in section 11.4 of PS–18 in appendix B of this part. As an alternative, pressure measurement devices may be replaced with certified instruments on an annual basis. Units removed from service may be bench tested against an NIST traceable sensor and reused during subsequent years. Any measurement instrument or device that is used to conduct ongoing verification of pressure measurement must have an accuracy that is traceable to NIST.

5.1.3 Out of Control Criteria for Excessive Parameter Verification Inaccuracy. If the temperature or pressure verification audit exceeds the criteria in sections 5.3.4.5 and 5.3.4.6, respectively, the CEMS is out-of-control. If the CEMS is out-of-control, take necessary corrective action to eliminate the problem. Following corrective action, you must repeat the failed verification audit until the temperature or pressure measurement device is operating within the applicable specifications, at which point the out-of-control period ends.

5.2 Concentration Accuracy Auditing Requirements. Unless otherwise specified in an applicable rule or permit, you must audit the HCl measurement accuracy of each CEMS at least once each calendar quarter, except in the case where the affected facility is off-line (does not operate). In that case, the audit must be performed as soon as is practicable in the quarter in which the unit recommences operation. Successive quarterly audits must, to the extent practicable, be performed no less than 2 months apart. The accuracy audits shall be conducted as follows:

5.2.1 Relative Accuracy Test Audit. A RATA must be conducted at least once every four calendar quarters, except as otherwise noted in sections 5.2.5 or 5.5 of this procedure. Perform the RATA as described in section 11.9 of PS–18 in appendix B to this part. If the HCl concentration measured by the RM during a RATA (in ppmv) is less than or equal to 20 percent of the concentration equivalent to the applicable emission standard, you must perform a Cylinder Gas Audit (CGA) or a Dynamic Spike Audit (DSA) for at least one subsequent (one of the following three) quarterly accuracy audits.

5.2.2 Quarterly Relative Accuracy Audit (RAA). A quarterly RAA may be conducted as an option to conducting a RATA in three of four calendar quarters, but in no more than three quarters in succession. To conduct an RAA, follow the test procedures in section 11.9 of PS–18 in appendix B to this part, except that only three test runs are required. The difference between the mean of the RM values and the mean of the CEMS responses relative to the mean of the RM values (or alternatively the emission standard) is used to assess the accuracy of the CEMS. Calculate the RAA results as described in section 6.2. As an alternative to an RAA, a cylinder gas audit or a dynamic spiking audit may be conducted.

5.2.3 Cylinder Gas Audit. A quarterly CGA may be conducted as an option to conducting a RATA in three of four calendar quarters, but in no more than three consecutive quarters. To perform a CGA, challenge the CEMS with a zero-level and two upscale level audit gases of known concentrations within the following ranges:

Audit point	Audit range
1 (Mid-Level)	50 to 60% of span value.
2 (High-Level) ...	80 to 100% of span value.

5.2.3.1 Inject each of the three audit gases (zero and two upscale) three times each for a total of nine injections. Inject the gases in such a manner that the entire CEMS is challenged. Do not inject the same gas concentration twice in succession.

5.2.3.2 Use HCl audit gases that meet the requirements of section 7 of PS–18 in appendix B to this part.

5.2.3.3 Calculate results as described in section 6.3.

5.2.4 Dynamic Spiking Audit. For extractive CEMS, a quarterly DSA may be conducted as an option to conducting a RATA in three of four calendar quarters, but in no more than three quarters in succession.

5.2.4.1 To conduct a DSA, you must challenge the entire HCl CEMS with a zero gas in accordance with the procedure in section 11.8 of PS–18 in appendix B of this part. You must also conduct the DS procedure as described in appendix A to PS–18 of appendix B to this part. You must conduct three spike injections with each of two upscale level audit gases. The upscale level gases must meet the requirements of section 7 of PS–18 in appendix B to this part and must be chosen to yield concentrations at the analyzer of 50 to 60 percent of span and 80 to 100 percent of span. Do not inject the same gas concentration twice in succession.

5.2.4.2 Calculate results as described in section 6.4. You must calculate the dynamic spiking error (DSE) for each of the two upscale audit gases using the combination of Equation A5 and A6 in appendix A to PS–18 in appendix B to this part to determine CEMS accuracy.

5.2.5 Other Alternative Quarterly Audits. Other alternative audit procedures, as approved by the Administrator, may be used for three of four calendar quarters.

5.3 Out of Control Criteria for Excessive Audit Inaccuracy. If the results of the RATA, RAA, CGA, or DSA do not meet the applicable performance criteria in section 5.3.4, the CEMS is out-of-control. If the CEMS is out-of-control, take necessary corrective action to eliminate the problem. Following corrective action, the CEMS must pass a test of the same type that resulted in the out-of-control period to determine if the CEMS is operating within the specifications (*e.g.,* a RATA must always follow an out-of-control period resulting from a RATA).

5.3.1 If the audit results show the CEMS to be out-of-control, you must report both the results of the audit showing the CEMS to be out-of-control and the results of the audit following corrective action showing the CEMS to be operating within specifications.

5.3.2 Out-Of-Control Period Duration for Excessive Audit Inaccuracy. The beginning of the out-of-control period is the time corresponding to the completion of the sampling for the failed RATA, RAA, CGA or DSA. The end of the out-of-control period is the time corresponding to the completion of the sampling of the subsequent successful audit.

5.3.3 CEMS Data Status During Out-Of-Control Period. During the period the CEMS is out-of-control, the CEMS data may not be used in calculating emission compliance nor be counted towards meeting minimum data availability as required and described in the applicable regulation or permit.

5.3.4 Criteria for Excessive Quarterly and Yearly Audit Inaccuracy. Unless specified otherwise in the applicable regulation or permit, the criteria for excessive inaccuracy are:

5.3.4.1 For the RATA, the CEMS must meet the RA specifications in section 13.4 of PS–18 in appendix B to this part.

5.3.4.2 For the CGA, the accuracy must not exceed 5.0 percent of the span value at the zero gas and the mid- and high-level reference gas concentrations.

5.3.4.3 For the RAA, the RA must not exceed 20.0 percent of the RM_{avg} as calculated using Equation 6–2 in section 6.2 of this procedure whether calculated in units of HCl concentration or in units of the emission standard. In cases where the RA is calculated on a concentration (ppmv) basis, if the average HCl concentration measured by the RM during the test is less than 75 percent of the HCl concentration equivalent to the applicable standard, you may substitute the equivalent emission standard value (in ppmvw) in the denominator of Equation 6–2 in the place of RM_{avg} and the result of this alternative calculation of RA must not exceed 15.0 percent.

5.3.4.4 For DSA, the accuracy must not exceed 5.0 percent of the span value at the zero gas and the mid- and high-level reference gas concentrations or 20.0 percent of the applicable emission standard, whichever is greater.

5.3.4.5 For the gas temperature measurement audit, the CEMS must satisfy the requirements in section 13.7 in PS–18 of appendix B to this part.

5.3.4.6 For the gas pressure measurement audit, the CEMS must satisfy the requirements in section 13.8 in PS–18 of appendix B to this part.

5.4 Criteria for Acceptable QC Procedures. Repeated excessive inaccuracies (*i.e.,* out-of-control conditions resulting from the quarterly or yearly audits) indicate that the QC procedures are inadequate or that the CEMS is incapable of providing quality data. Therefore, whenever excessive inaccuracies occur for two consecutive quarters, you must revise the QC procedures (see section 3.0) or modify or replace the CEMS.

5.5 Criteria for Optional QA Test Frequency. If all the quality criteria are met in sections 4 and 5 of this procedure, the CEMS is in-control.

5.5.1 Unless otherwise specified in an applicable rule or permit, if the CEMS is in-control and if your source emits ≤75 percent of the HCl emission limit for each averaging period as specified in the relevant standard for eight consecutive quarters that include a

minimum of two RATAs, you may revise your auditing procedures to use CGA, RAA or DSA each quarter for seven subsequent quarters following a RATA.

5.5.2 You must perform at least one RATA that meets the acceptance criteria every 2 years.

5.5.3 If you fail a RATA, RAA, CGA, or DSA, then the audit schedule in section 5.2 must be followed until the audit results meet the criteria in section 5.3.4 to start requalifying for the optional QA test frequency in section 5.5.

6.0 Calculations for CEMS Data Accuracy

6.1 RATA RA Calculation. Follow Equations 9 through 14 in section 12 of PS–18 in appendix B to this part to calculate the RA for the RATA. The RATA must be calculated either in units of the applicable emission standard or in concentration units (ppmv).

6.2 RAA Accuracy Calculation. Use Equation 6–2 to calculate the accuracy for the RAA. The RA may be calculated in concentration units (ppmv) or in the units of the applicable emission standard.

$$RA = \frac{[MN_{avg} - RM_{avg}]}{RM_{avg}} * 100 \quad \text{Eq. 6-2}$$

Where:

RA = Accuracy of the CEMS (percent)

MN_{avg} = Average measured CEMS response during the audit in units of applicable standard or appropriate concentration.

RM_{avg} = Average reference method value in units of applicable standard or appropriate concentration.

6.3 CGA Accuracy Calculation. For each gas concentration, determine the average of the three CEMS responses and subtract the average response from the audit gas value. For extractive CEMS, calculate the ME at each gas level using Equation 3A in section 12.3 of PS–18 in appendix B to this part. For IP–CEMS, calculate the ME at each gas level using Equation 6A in section 12.4.3 of PS–18 in appendix B to this part.

6.4 DSA Accuracy Calculation. DSA accuracy is calculated as a percent of span. To calculate the DSA accuracy for each upscale spike concentration, first calculate the DSE using Equation A5 in appendix A of PS–18 in appendix B to this part. Then use Equation 6–3 to calculate the average DSA accuracy for each upscale spike concentration. To calculate DSA accuracy at the zero level, use equation 3A in section 12.3 of PS–18 in appendix B to this part.

$$DSA\ Accuracy = \frac{\sum_1^3 \left[\frac{|DSE_i|}{S}\right]}{3} * 100 \quad \text{Eq. 6-3}$$

7.0 Reporting Requirements

At the reporting interval specified in the applicable regulation or permit, report for each CEMS the quarterly and annual accuracy audit results from section 6 and the daily assessment results from section 4. Unless otherwise specified in the applicable regulation or permit, include all data sheets, calculations, CEMS data records (*i.e.,* charts, records of CEMS responses), reference gas certifications and reference method results necessary to confirm that the performance of the CEMS met the performance specifications.

7.1 Unless otherwise specified in the applicable regulations or permit, report the daily assessments (CD and beam intensity) and accuracy audit information at the interval for emissions reporting required under the applicable regulations or permits.

7.1.1 At a minimum, the daily assessments and accuracy audit information reporting must contain the following information:

a. Company name and address.

b. Identification and location of monitors in the CEMS.

c. Manufacturer and model number of each monitor in the CEMS.

d. Assessment of CEMS data accuracy and date of assessment as determined by a RATA, RAA, CGA or DSA described in section 5 including:

i. The RA for the RATA;

ii. The accuracy for the CGA, RAA, or DSA;

iiii. Temperature and pressure sensor audit results for IP–CEMS;

iv. The RM results, the reference gas certified values;

v. The CEMS responses;

vi. The calculation results as defined in section 6; and

vii. Results from the performance audit samples described in section 5 and the applicable RMs.

e. Summary of all out-of-control periods including corrective actions taken when CEMS was determined out-of-control, as described in sections 4 and 5.

7.1.2 If the accuracy audit results show the CEMS to be out-of-control, you must report both the audit results showing the CEMS to be out-of-control and the results of the audit following corrective action showing the CEMS to be operating within specifications.

8.0 Bibliography

1. EPA Traceability Protocol for Assay and Certification of Gaseous Calibration Standards, U.S. Environmental Protection Agency office of Research and Development, EPA/600/R–12/531, May 2012.

2. Method 205, ''Verification of Gas Dilution Systems for Field Instrument Calibrations,'' 40 CFR part 51, appendix M.

9.0 Tables, Diagrams, Flowcharts—[Reserved]

[FR Doc. 2015–16385 Filed 7–6–15; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

45 CFR Part 155

[CMS–9944–F2]

RIN 0938–AS19

Patient Protection and Affordable Care Act; HHS Notice of Benefit and Payment Parameters for 2016; Correcting Amendment

AGENCY: Centers for Medicare & Medicaid Services (CMS), HHS.

ACTION: Final rule; correcting amendment.

SUMMARY: This document corrects a technical error that appeared in the final rule published in the February 27, 2015 **Federal Register** (80 FR 10749) entitled ''Patient Protection and Affordable Care Act; HHS Notice of Benefit and Payment Parameters for 2016.''

DATES: *Effective Date:* This correction document is effective July 7, 2015.

Application Date: The correction is applicable as of April 28, 2015.

FOR FURTHER INFORMATION CONTACT:
Jeff Wu, (301) 492–4305.
Krutika Amin, (301) 492–5153.
Lindsey Murtagh, 301–492–4106.
Rachel Arguello, 301–492–4263.

SUPPLEMENTARY INFORMATION:

I. Background

In FR Doc. 2015–03751 (80 FR 10749 through 10877), the final rule entitled

''Patient Protection and Affordable Care Act; HHS Notice of Benefit and Payment Parameters for 2016,'' there was a technical error in the regulation text that is identified and corrected in this correcting amendment.

II. Summary of Errors in the Regulation Text

On page 10867 of the HHS Notice of Benefit and Payment Parameters for 2016 final rule, there was a technical error in § 155.420(d)(2)(ii). In the preamble, we acknowledged that Exchanges may need more time to implement the necessary functional IT changes, and stated that we were making § 155.420(d)(2)(ii) effective January 1, 2017. However, in the regulatory text, we inadvertently omitted the phrase ''Effective January 1, 2017 or earlier . . .'' before the phrase ''at the option of the Exchange''.

III. Waiver of Proposed Rulemaking and Delay in Effective Date

We ordinarily publish a notice of proposed rulemaking in the **Federal Register** to provide a period for public comment before the provisions of a rule take effect in accordance with section 553(b) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). However, this notice and comment procedure can be waived if the Secretary finds, for good cause, that the notice and comment process is impracticable, unnecessary, or contrary to the public interest, and incorporates a statement of the finding and the reasons therefore in the notice.

Section 553(d) of the APA ordinarily requires a 30-day delay in effective date of final rules after the date of their publication in the **Federal Register**. This 30-day delay in effective date can be waived, however, if an agency finds for good cause that the delay is impracticable, unnecessary, or contrary to the public interest, and the agency incorporates a statement of the findings and its reasons in the rule issued.

This document corrects a technical error in the HHS Notice of Benefit and Payment Parameters for 2016 final rule and is not a substantive change to the standards set forth in the final rule. Therefore, we believe that undertaking further notice and comment procedures to incorporate this correction and delay the effective date for this change is unnecessary. In addition, we believe it is important for the public to have the correct information as soon as possible, and believe it is contrary to the public interest to delay when they become effective. For the reasons stated previously, we find there is good cause to waive notice and comment procedures and the 30-day delay in the effective date for this correction notice.

List of Subjects in 45 CFR Part 155

Administrative practice and procedure, Health care access, Health insurance, Reporting and recordkeeping requirements, State and local governments, Cost-sharing reductions, Advance payments of premium tax credit, Administration and calculation of advance payments of the premium tax credit, Plan variations, Actuarial value.

Accordingly, 45 CFR part 155 is corrected by making the following correcting amendment:

PART 155—EXCHANGE ESTABLISHMENT STANDARDS AND OTHER RELATED STANDARDS UNDER THE AFFORDABLE CARE ACT

■ 1. The authority citation for part 155 continues to read as follows:

Authority: Title I of the Affordable Care Act, sections 1301, 1302, 1303, 1304, 1311, 1312, 1313, 1321, 1322, 1331, 1332, 1334, 1402, 1411, 1412, 1413, Pub. L. 111–148, 124 Stat. 119 (42 U.S.C. 18021–18024, 18031–18033, 18041–18042, 18051, 18054, 18071, and 18081–18083).

■ 2. Section 155.420 is amended by revising paragraph (d)(2)(ii) to read as follows:

§ 155.420 Special enrollment periods.

* * * * *

(d) * * *

(2) * * *

(ii) Effective January 1, 2017 or earlier at the option of the Exchange, the enrollee loses a dependent or is no longer considered a dependent through divorce or legal separation as defined by State law in the State in which the divorce or legal separation occurs, or if the enrollee, or his or her dependent, dies.

* * * * *

Dated: June 29, 2015.

Madhura Valverde,

Executive Secretary to the Department, Department of Health and Human Services.

[FR Doc. 2015–16532 Filed 7–6–15; 8:45 am]

BILLING CODE 4120–01–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 1 and 20

[WT Docket No. 10–4; FCC 14–138]

The Commission's Rules To Improve Wireless Coverage Through the Use of Signal Boosters

AGENCY: Federal Communications Commission.

ACTION: Final rule; announcement of effective date.

SUMMARY: In this document, the Federal Communications Commission (Commission) announces that the Office of Management and Budget (OMB) has approved, for a period of three years, certain information collection requirements associated with the Commission's *Order on Reconsideration* regarding the Commission's rules to Improve Wireless Coverage Through the Use of Signal Boosters, FCC 14–138. This document is consistent with the *Order on Reconsideration,* which stated that the Commission would publish a document in the **Federal Register** announcing OMB approval and the effective date of the new information collection requirements.

DATES: 47 CFR 20.21(f)(1)(iv)(A)(2) published at 79 FR 70790, November 28, 2014, are effective on July 7, 2015.

FOR FURTHER INFORMATION CONTACT: Cathy Williams by email at *Cathy.Williams@fcc.gov* and telephone at (202) 418–2918.

SUPPLEMENTARY INFORMATION: This document announces that, on June 17, 2015, OMB approved certain information collection requirements contained in the Commission's *Order on Reconsideration,* FCC 14–138, published at 79 FR 70790, November 28, 2014. The OMB Control Number is 3060–1189. The Commission publishes this notice as an announcement of the effective date of these information collection requirements.

Synopsis

As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3507), the FCC is notifying the public that it received OMB approval on June 17, 2015, for the new information collection requirements contained in the Commission's rules at 47 CFR 20.21(f)(1)(iv)(A)(2). Under 5 CFR part 1320, an agency may not conduct or sponsor a collection of information unless it displays a current, valid OMB Control Number. No person shall be subject to any penalty for failing to comply with a collection of information

subject to the Paperwork Reduction Act that does not display a current, valid OMB Control Number. The OMB Control Number is 3060–1189.

The foregoing notice is required by the Paperwork Reduction Act of 1995, Public Law 104–13, October 1, 1995, and 44 U.S.C. 3507.

The total annual reporting burdens and costs for the respondents are as follows:

OMB Control Number: 3060–1189.

OMB Approval Date: June 17, 2015.

OMB Expiration Date: June 30, 2018.

Title: Signal Boosters, sections 1.1307(b)(1), 20.3, 20.21(a)(2), 20.21(a)(5), 20.21(e)(2), 20.21(e)(8)(i)(G), 20.21(e)(9)(i)(H), 20.21(f), 20.21(h), 22.9, 24.9, 27.9. 90.203, 90.219(b)(l)(i), 90.219(d)(5), and 90.219(e)(5).

Form Number: N/A.

Respondents: Business or other for-profit entities, Not for profit institutions and Individuals or household.

Number of Respondents and Responses: 632,595 respondents and 635,215 responses.

Estimated Time per Response: .5 hours–40 hours.

Frequency of Response: Recordkeeping requirement, On occasion reporting requirement and Third party disclosure requirement.

Obligation to Respond: Required to obtain or retain benefits. The statutory authority for this information collection is contained in 47 U.S.C. 154(I), 303(g), 303(r) and 332.

Total Annual Burden: 324,470 hours.

Total Annual Cost: No cost.

Privacy Impact Assessment: This information collection affects individuals or households; thus, there are impacts under the Privacy Act. However, the government is not directly collecting this information and the R&O directs carriers to protect the information to the extent it is considered Customer Proprietary Network Information (CPNI).

Nature and Extent of Confidentiality: There is no need for confidentiality with this collection of information.

Needs and Uses: On September 19, 2014, the Federal Communications Commission (Commission or FCC) adopted an *Order on Reconsideration* in WT Docket No. 10–4, FCC No. 14–138, in which it took the following action, among others: Required that Consumer Signal Boosters certified for fixed operation only be labeled to notify consumers that such devices may only be used in fixed, in-building locations. Therefore, the new labeling requirement which requires OMB review and approval is as follows:

The labeling requirement is covered under 47 CFR 20.21(f)(1)(iv)(A)(*2*). The new requirement is needed in order to ensure that consumers are properly informed about which devices are suitable for their use and how to comply with our rules, the Commission required that all Consumer Signal Boosters certified for fixed, in-building operation include a label directing consumers that the device may only be operated in a fixed, in-building location. The Verizon Petitioners state that this additional labeling requirement is necessary to inform purchasers of fixed Consumer Signal Boosters that they may not lawfully be installed and operated in a moving vehicle or outdoor location. We recognize that our labeling requirement imposes additional costs on entities that manufacture Consumer Signal Boosters; however, on balance, we find that such costs are outweighed by the benefits of ensuring that consumers purchase appropriate devices. Accordingly, all fixed Consumer Signal Boosters, both Provider-Specific and Wideband, manufactured or imported on or after one year from the effective date of the rule change must include the following advisory (1) in on-line point-of-sale marketing materials, (2) in any print or on-line owner's manual and installation instructions, (3) on the outside packaging of the device, and (4) on a label affixed to the device: ''This device may be operated ONLY in a fixed location for in-building use.''

Federal Communications Commission.

Gloria J. Miles,

Federal Register Liaison Officer.

[FR Doc. 2015–16536 Filed 7–6–15; 8:45 am]

BILLING CODE 6712–01–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

49 CFR Part 219

[Docket No. FRA–2001–11213, Notice No. 19]

Alcohol and Drug Testing: Reporting Positive Results for Tramadol as a Controlled Substance

AGENCY: Federal Railroad Administration (FRA), DOT.

ACTION: Final rule.

SUMMARY: This document announces that FRA will begin reporting post-accident toxicological test results for tramadol to the employee and the railroad Medical Review Officers. FRA will also begin including post-accident toxicological test results for tramadol in its post-accident toxicology reports. Because tramadol was not a controlled substance when FRA began testing for it, FRA has kept post-accident toxicological test results for tramadol confidential.

DATES: This document is effective July 7, 2015.

FOR FURTHER INFORMATION CONTACT: Jerry Powers, FRA Drug and Alcohol Program Manager, W33–310, Federal Railroad Administration, 1200 New Jersey Avenue SE., Washington, DC 20590, telephone 202–493–6313 or *gerald.powers@dot.gov;* or Sam Noe, FRA Drug and Alcohol Program Specialist, telephone 615–719–2951, or *sam.noe@dot.gov.*

SUPPLEMENTARY INFORMATION:

FRA's Post-Accident Toxicological Testing Program

Since 1985, as part of its accident investigation program, FRA has routinely conducted alcohol and drug tests on railroad employees involved in serious train accidents that meet certain criteria specified in FRA's regulations. *See* 49 CFR 219.201.[1] This post-accident testing is used to determine if alcohol misuse or drug abuse played a role in the occurrence or severity of an accident. Since the program's inception, FRA has routinely conducted post-accident tests for alcohol and certain drugs the United States Drug Enforcement Administration (DEA) classifies as controlled substances.

Controlled substances are drugs or chemicals that are prohibited or strictly regulated because of their potential for abuse or addiction. *See* 77 FR 29307, 29307, May 17, 2002. The DEA oversees the classification of controlled substances into five schedules. Section I contains illicit drugs such as marijuana and heroin, which have no legitimate medical use under Federal law. Schedules II–V contain legal drugs that are available only by prescription. *See generally* The Controlled Substances Act (CSA), Title II of the Comprehensive Drug Abuse Prevention Substances Act of 1970 (21 U.S.C. 801 *et seq.*).

FRA has historically conducted post-accident tests for the following controlled substances: Marijuana, cocaine, phencyclidine (PCP), and selected opioids, amphetamines, barbiturates, and benzodiazepines. Under 49 CFR 219.211(b), FRA reports post-accident test results for these substances to the employee tested and the employing railroad's Medical Review Officer (MRO). *See* 49 CFR 219.211(b).

[1] All references to sections of the Code of Federal Regulations (CFR) in this document refer to sections within title 49 of the CFR.

In 2013, FRA amended its alcohol and drug testing regulations to establish post-accident testing for non-controlled substances.[2] *See* 78 FR 14217, Mar. 5, 2013. In the final rule adopting this revision, FRA provided notice of the addition of two non-controlled substances to its standard post-accident testing panel: Tramadol and sedating antihistamines. FRA also made clear that the agency did not intend to report the results of post-accident tests for these non-controlled substances to the employee involved or relevant MRO and instead intended to use the results for research and data purposes only. *See id.* at 14217 and 14219.

DEA's Determination To Schedule Tramadol as a Controlled Substance

In 2014, after FRA issued its final rule establishing post-accident testing for non-controlled substances, the DEA placed tramadol [3] on the CSA's Schedule IV. *See* 79 FR 37623–37630, Jul. 2, 2014. The DEA's determination stated that it took into account a scientific and medical evaluation the Department of Health and Human Services (HHS) prepared which recommended including tramadol in Schedule IV of the CSA. *See id.* at 37623. The HHS evaluation analyzed tramadol taking into consideration eight factors listed in 21 U.S.C. 811(c), as well as tramadol's abuse potential, legitimate medical use, and dependence liability. *See id.* at 37623–37624. In response to public comment, DEA explained that tramadol is considered an opioid because it produces pharmacological effects similar to those produced by other opioids. *Id.* at 37626. The DEA also noted ''tramadol is a widely prescribed drug, with nearly 40 million prescriptions written in 2012.'' *Id.* at 37627 (citations omitted).

Reporting of Tramadol Positives

Because the DEA now designates tramadol a controlled substance, FRA's alcohol and drug regulations apply to tramadol use and possession the same as they apply to use and possession of any other controlled substance, such as synthetic opioids and valium. For example, FRA's regulations place certain limitations on a railroad employee's use and possession of controlled substances—those limitations now apply to the use and possession of tramadol by railroad employees. The regulations prohibit a railroad employee from using or possessing a controlled substance while assigned by a railroad to perform covered service,[4] except as provided by § 219.103. *See* 49 CFR 219.101(a)(1). (Section 219.103 provides that subject to certain conditions and limitations, a covered employee may use and possess Schedule II through IV controlled substances if a medical practitioner prescribes or authorizes the use.) The regulations also prohibit a railroad employee who performs covered service from using a controlled substance at any time, whether on or off duty, except as § 219.103 permits. *See* 49 CFR 219.102. A railroad employee who uses or possesses a controlled substance, including tramadol, in violation of one of these prohibitions is subject to the removal, return-to-service, and follow-up testing requirements of § 219.104.

FRA is issuing this document to (1) make railroads and railroad employees aware of the DEA's classification of tramadol as a controlled substance and (2) remind railroads and individuals subject to FRA's regulations of the effect of the DEA's designation of tramadol as a controlled substance on FRA's post-accident testing program. Issuance of this document does not provide precedent that FRA will notify the industry whenever DEA designates additional drugs as controlled substances or whenever FRA decides to conduct post-accident testing for additional controlled substances. This document is also not an exhaustive discussion of all FRA requirements governing controlled substances.

Because DEA has designated tramadol as a Schedule IV controlled substance, on July 7, 2015 FRA will begin reporting post-accident test results for tramadol pursuant to § 219.211(b), which provides that post-accident test results for controlled substances will be reported to a railroad's MRO and the employee. FRA also intends to include post-accident test results for tramadol in toxicology reports as § 219.211(f)(2) requires.

Railroads and MROs must also treat post-accident test results for tramadol consistent with all applicable FRA requirements for controlled substances. For example, like post-accident test results for any controlled substance, an MRO must review tramadol results with respect to any claim of use or administration of tramadol consistent with § 219.103 that could account for the laboratory findings, and must report the results of this review to the employing railroad and FRA. *See* § 219.211(c). Railroads and MROs must also treat post-accident test results for tramadol as confidential under § 219.211(b). FRA encourages any railroad, railroad employee, or MRO that has questions about post-accident test results for tramadol to contact FRA's Drug and Alcohol Program Manager for guidance.

Finally, the requirements of §§ 219.101, 219.102, 219.103, and 219.104 now apply to covered employees' use and possession of tramadol.

Robert C. Lauby,

Associate Administrator for Railroad Safety Chief Safety Officer.

[FR Doc. 2015–16531 Filed 7–6–15; 8:45 am]

BILLING CODE 4910–06–P

[2] A non-controlled substance is any substance that is not currently regulated under 21 U.S.C. 801–971 or 21 CFR part 1308. *See* § 219.5. Non-controlled substances can include prescription medications, over-the-counter products, dietary supplements, and herbal preparations. *See id.*

[3] The DEA's decision to designate tramadol as a Schedule IV controlled substance applied to the substance 2-[(dimethylamino)methyl]-1-(3-methoxyphenyl)cyclohexanol (tramadol), including its salts, isomers, and salts of isomers. *See id.* at 37623.

[4] Covered service is service in the United States that is subject to the hours of service laws at 49 U.S.C. 21103, 21104, or 21105. *See* 49 CFR 219.5. Covered service does not include any period the employee is relieved of all responsibilities and is free to come and go. *See id.*

Proposed Rules

Federal Register

Vol. 80, No. 129

Tuesday, July 7, 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.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2015–2457; Directorate Identifier 2014–NM–209–AD]

RIN 2120–AA64

Airworthiness Directives; Bombardier, Inc. Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to adopt a new airworthiness directive (AD) for certain Bombardier, Inc. Model CL–600–2C10 (Regional Jet Series 700, 701, & 702) airplanes, Model CL–600–2D15 (Regional Jet Series 705) airplanes, and Model CL–600–2D24 (Regional Jet Series 900) airplanes. This proposed AD was prompted by a report indicating that some operators have inadvertently removed the existing insulation blankets from the upper wing box area. This proposed AD would require inspecting for and replacing missing insulation blankets in the upper wing box area. We are proposing this AD to detect and replace missing insulation blankets from the upper wing box area, which could result in inadequate thermal protection to prevent fuel ignition in the event of an undetected bleed air leak due to a cracked or ruptured bleed-air duct.

DATES: We must receive comments on this proposed AD by August 21, 2015.

ADDRESSES: You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.
- *Hand Delivery:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this proposed AD, contact Bombardier, Inc., 400 Côte-Vertu Road West, Dorval, Québec H4S 1Y9, Canada; telephone 514–855–5000; fax 514–855–7401; email *thd.crj@aero.bombardier.com;* Internet *http://www.bombardier.com.* You may view this referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221.

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–2015–2457; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone 800–647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Morton Lee, Aerospace Engineer, Propulsion and Services Branch, ANE–173, FAA, New York Aircraft Certification Office (ACO), 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7355; fax 516–794–5531.

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include ''Docket No. FAA–2015–2457; Directorate Identifier 2014–NM–209–AD'' at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD based on those comments.

We will post all comments we receive, without change, to *http://www.regulations.gov,* including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this proposed AD.

Discussion

Transport Canada Civil Aviation (TCCA), which is the aviation authority for Canada, has issued Canadian Airworthiness Directive CF–2014–35, dated October 17, 2014 (referred to after this as the Mandatory Continuing Airworthiness Information, or ''the MCAI''), to correct an unsafe condition for certain Bombardier, Inc. Model CL–600–2C10 (Regional Jet Series 700, 701, & 702) airplanes, Model CL–600–2D15 (Regional Jet Series 705) airplanes, and Model CL–600–2D24 (Regional Jet Series 900) airplanes. The MCAI states:

> It was discovered that some operators have inadvertently removed the existing insulation blankets from the upper wing box area while incorporating Bombardier Service Bulletin (SB) 670BA–36–016 to comply with [Canadian] AD CF–2012–06 [which corresponds to FAA AD 2012–12–02, Amendment 39–17081 (77 FR 36129, June 18, 2012)].
>
> Without insulation blankets on the upper wing box area, there may be inadequate thermal protection to prevent fuel ignition in the event of an undetected bleed air leak due to a cracked or ruptured bleed-air duct.
>
> This [Canadian] AD mandates the inspection and rectification [*i.e.,* replacement], as required, of the insulation blankets in the upper wing box area.

You may examine the MCAI in the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2015–2457.

Related Service Information Under 1 CFR Part 51

We reviewed Bombardier Service Bulletin 670BA–57–024, dated July 23, 2014. This service information describes procedures for an inspection of the insulation blankets in the upper wing box area to find if the blankets are installed, and replacement of missing insulation blankets. This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section of this NPRM.

FAA's Determination and Requirements of This Proposed AD

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to our bilateral agreement with the State of Design Authority, we have been notified of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all pertinent information and determined an unsafe condition exists and is likely to exist or develop on other products of the same type design.

Costs of Compliance

We estimate that this proposed AD affects 470 airplanes of U.S. registry.

We also estimate that it would take about 4 work-hours per product to comply with the basic requirements of this proposed AD. The average labor rate is $85 per work-hour. Required parts would cost about $0 per product. Based on these figures, we estimate the cost of this proposed AD on U.S. operators to be $159,800, or $340 per product.

In addition, we estimate that any necessary follow-on actions would take up to 70 work-hours and require parts costing up to $665, for a cost of up to $6,615 per product. We have no way of determining the number of aircraft that might need this action.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. ''Subtitle VII: Aviation Programs,'' describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in ''Subtitle VII, Part A, Subpart III, Section 44701: General requirements.'' Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

We determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify this proposed regulation:

1. Is not a ''significant regulatory action'' under Executive Order 12866;
2. Is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979);
3. Will not affect intrastate aviation in Alaska; and
4. Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by adding the following new airworthiness directive (AD):

Bombardier, Inc.: Docket No. FAA–2015–2457; Directorate Identifier 2014–NM–209–AD.

(a) Comments Due Date

We must receive comments by August 21, 2015.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Bombardier, Inc. Model CL–600–2C10 (Regional Jet Series 700, 701, & 702) airplanes, Model CL–600–2D15 (Regional Jet Series 705) airplanes, and Model CL–600–2D24 (Regional Jet Series 900) airplanes, certificated in any category, as identified in Bombardier Service Bulletin 670BA–57–024, dated July 23, 2014.

(d) Subject

Air Transport Association (ATA) of America Code 57, Wings.

(e) Reason

This AD was prompted by a report indicating that some operators have inadvertently removed the existing insulation blankets from the upper wing box area. We are issuing this AD to detect and replace missing insulation blankets from the upper wing box area, which could result in inadequate thermal protection to prevent fuel ignition in the event of an undetected bleed air leak due to a cracked or ruptured bleed-air duct.

(f) Compliance

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

(g) Inspection

Within 800 flight hours or 4 months after the effective date of this AD, whichever occurs first: Do a general visual inspection of the insulation blankets in the upper wing box area to determine whether any insulation blanket is missing in specified areas, in accordance with Part A of the Accomplishment Instructions of Bombardier Service Bulletin 670BA–57–024, dated July 23, 2014.

(1) If no insulation blanket is missing, no further action is required by this AD.

(2) If any insulation blanket is missing, within 1,200 flight hours or 6 months after the effective date of this AD, whichever occurs first, replace the missing insulation blankets, in accordance with Part B of the Accomplishment Instructions of Bombardier Service Bulletin 670BA–57–024, dated July 23, 2014; except, where Bombardier Service Bulletin 670BA–57–024, dated July 23, 2014, specifies contacting Bombardier for ''an approved disposition to complete this service bulletin,'' this AD requires corrective action to be done using a method approved by the Manager, New York Aircraft Certification Office (ACO), ANE–170, FAA; or Transport Canada Civil Aviation (TCCA); or Bombardier, Inc.'s TCCA Design Approval Organization (DAO).

(h) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, New York ACO, ANE–170, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the ACO, send it to ATTN: Program Manager, Continuing Operational Safety, FAA, New York ACO, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7300; fax 516–794–5531. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office. The AMOC approval letter must specifically reference this AD.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain corrective actions from a manufacturer, the action must be accomplished using a method approved by the Manager, New York ACO, ANE–170, FAA; or TCCA; or Bombardier, Inc.'s TCCA DAO. If approved by the DAO, the approval must include the DAO-authorized signature.

(i) Related Information

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) Canadian Airworthiness Directive CF–2014–35, dated October 17, 2014, for related information. This MCAI may be found in the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2015–2457.

(2) For service information identified in this AD, contact Bombardier, Inc., 400 Côte-Vertu Road West, Dorval, Québec H4S 1Y9, Canada; telephone 514–855–5000; fax 514–855–7401; email *thd.crj@aero.bombardier.com;* Internet *http://www.bombardier.com.* You may view this service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221.

Issued in Renton, Washington, on June 25, 2015.

Jeffrey E. Duven,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2015–16465 Filed 7–6–15; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF JUSTICE

Bureau of Prisons

28 CFR Part 506

[BOP Docket No. 1156–P]

RIN 1120–ABXX

Inmate Commissary Account Deposit Procedures

AGENCY: Bureau of Prisons, Justice.

ACTION: Proposed rule.

SUMMARY: In this document, the Bureau of Prisons (Bureau) proposes to amend its regulations on inmate commissary account deposit procedures and requirements to provide clarification. Specifically, the amendments will clarify that, regardless of the form or method of the deposit (by mail or electronic deposit), the Bureau is authorized to obtain transaction information about the sender, and the sender is required to provide such information to the Bureau and its authorized service providers if the sender seeks to deposit funds in an inmate's commissary account.

DATES: Comments must be received by September 8, 2015.

ADDRESSES: Submit comments to Rules Unit, Office of General Counsel, Bureau of Prisons, 320 First Street NW., Washington, DC 20534.

FOR FURTHER INFORMATION CONTACT: Sarah Qureshi, Office of General Counsel, Bureau of Prisons, phone (202) 307–2105, email *BOPRULES@BOP.GOV*.

SUPPLEMENTARY INFORMATION:

Posting of Public Comments

Please note that all comments received are considered part of the public record and made available for public inspection online at *www.regulations.gov*. Such information includes personal identifying information (such as your name, address, etc.) voluntarily submitted by the commenter.

If you want to submit personal identifying information (such as your name, address, etc.) as part of your comment, but do not want it to be posted online, you must include the phrase ''PERSONAL IDENTIFYING INFORMATION'' in the first paragraph of your comment. You must also locate all the personal identifying information you do not want posted online in the first paragraph of your comment and identify what information you want redacted.

If you want to submit confidential business information as part of your comment but do not want it to be posted online, you must include the phrase ''CONFIDENTIAL BUSINESS INFORMATION'' in the first paragraph of your comment. You must also prominently identify confidential business information to be redacted within the comment. If a comment contains so much confidential business information that it cannot be effectively redacted, all or part of that comment may not be posted on *www.regulations.gov*.

Personal identifying information identified and located as set forth above will be placed in the agency's public docket file, but not posted online. Confidential business information identified and located as set forth above will not be placed in the public docket file. If you wish to inspect the agency's public docket file in person by appointment, please see the ''For Further Information Contact'' paragraph.

The Proposed Rule: The Bureau proposes to amend and clarify its inmate commissary account regulations, published on July 2, 2004 (69 FR 40315). The proposed revisions are explained below.

Section 506.1 Purpose

In this regulation, we reiterate the purpose of the inmate commissary account deposit program, as stated in the current regulation. We also state that the Bureau operates and maintains individual inmate commissary accounts in a manner that preserves the safety, security, and good order of Bureau institutions, and protects the public.

Section 506.2 Methods of depositing funds into an inmate commissary account

In this regulation, the Bureau clarifies that funds from family, friends, or other sources, may be deposited into an inmate commissary account by mail or electronic deposit. Subparagraph (a) simply paraphrases language in current § 506.2(a).

Subparagraph (b) allows for electronic deposits, which may be sent from persons in the community through service providers (for example, a financial institution as defined in 31 U.S.C. 5312(a)(2), bank, money service business, or money service provider or processor), and forwarded to the individual inmate's commissary account, as authorized and directed by the Bureau.

Section 506.3 Consent to collection and use of sender's transactional and personal identification data

This regulation will clarify that persons sending or depositing, or attempting to send or deposit, funds to an inmate's commissary account under this subpart are required to provide all related transactional data, including the sender's personal identification information, to (1) the Bureau; and (2) the service provider(s) (for example, a financial institution, bank, money service business, or money service provider or processor) in accordance with the provisions of its agreement for providing service to the Bureau.

System of records BOP–006, Inmate Trust Fund Accounts and Commissary Record System, currently authorizes the Bureau to collect ''personal identification data for persons who send or receive funds to/from inmates. This regulation serves to put the public on notice that such data will be collected whenever funds are sent or attempted to be sent to an inmate, regardless of the form of the deposit.

This regulation will also clarify that by sending or depositing, or attempting to send or deposit, funds to an inmate's commissary account under this subpart, a person consents to the collection, review, use, disclosure, and retention of, all related transactional data, including the sender's personal identification information, by both (1) the Bureau, pursuant to the applicable Privacy Act system(s) of records; and (2) the service provider in accordance with the provisions of its agreement for providing service to the Bureau.

This rule is in compliance with the Right to Financial Privacy Act, 12 U.S.C.

3401 *et seq.* (the RFPA), which allows federal agencies to have access to or obtain copies of the financial records of any customer from a financial institution only if the financial records are reasonably described and . . . the financial records are disclosed in response to a formal written request which meets certain notice and other technical requirements. 12 U.S.C. 3402(5).

RFPA provides that a financial institution cannot release a customer's financial records unless and until the federal government authority seeking the records certifies in writing to the financial institution that the authority has complied with the applicable provisions of the RFPA or unless the release of such records falls within one of the RFPA's delineated exceptions.

The Bureau allows transfers into inmate accounts via the use of ''money transmitters,'' or ''monetary service'' providers which do not qualify as ''financial institutions'' under the RFPA. Except as provided in Section 3414 of the RFPA (which allows for disclosures in connection with terrorism investigations and other exigent circumstances), a ''financial institution'' means ''any office of a bank, savings bank, card issuer as defined in section 1602(n) of Title 15 [of the United States Code], industrial loan company, trust company, savings association, building and loan, or homestead association (including cooperative banks), credit union or consumer finance institution located in any State or territory of the United States, District of Columbia, Puerto Rico, Guam, American Samoa, or the Virgin Islands.'' 12 U.S.C. 3401(1).

The ''monetary service'' providers that facilitate outside deposits into inmate accounts are not among the entities covered by the definition of ''financial institution'' above. Therefore, such entities are not ''financial institutions'' for purposes of the RFPA's general restrictions on providing personally identifiable records to federal government authorities.

Further, the legitimate law enforcement purpose for this rule is to use transactional information of people who deposit funds into inmate accounts in order to detect unlawful activity. Continuous and routine deposits into an inmate's account, sometimes from fraudulent sources, have been linked to unlawful conducting of a business by an inmate or other inmate-involved unlawful activity, such as drug trafficking, money laundering, fraudulent income tax returns, gambling, attempted criminal assault, and other such unlawful activities. This rule is intended to provide notice to those members of the public who deposit funds into inmate accounts that their transactional information will be retained for the purpose of detecting unlawful activity.

Executive Order 12866

The Director certifies that this rule is a ''significant regulatory action'' under section 3(f) of Executive Order 12866 and therefore was reviewed by the Office of Management and Budget for review.

Executive Order 13132

This regulation will not have substantial direct effects on the States, on the relationship between the national government and the States, or on distribution of power and responsibilities among the various levels of government. Under Executive Order 13132, this rule does not have sufficient federalism implications for which we would prepare a Federalism Assessment.

Regulatory Flexibility Act

The Director of the Bureau of Prisons, under the Regulatory Flexibility Act (5 U.S.C. 605(b)), reviewed this regulation. By approving it, the Director certifies that it will not have a significant economic impact upon a substantial number of small entities because: This rule is about the correctional management of offenders committed to the custody of the Attorney General and the Director of the Bureau of Prisons, and its economic impact is limited to the Bureau's appropriated funds.

Unfunded Mandates Reform Act of 1995

This rule will not cause State, local and tribal governments, or the private sector, to spend $100,000,000 or more in any one year, and it will not significantly or uniquely affect small governments. We do not need to take action under 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 804 of the Small Business Regulatory Enforcement Fairness Act of 1996. This rule will not result in an annual effect on the economy of $100,000,000 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 companies to compete with foreign-based companies in domestic and export markets.

List of Subjects in 28 CFR Part 506

Prisoners.

L.C. Eichenlaub,

Deputy Director, Bureau of Prisons.

Under the rulemaking authority vested in the Attorney General in 5 U.S.C. 552(a) and delegated to the Director, Bureau of Prisons, we propose to revise 28 CFR part 506 to read as follows:

PART 506—INMATE COMMISSARY ACCOUNT

Sec.
506.1 Purpose.
506.2 Methods of depositing funds into an inmate commissary account.
506.3 Consent to collection and use of sender's transactional and personal identification data.

Authority: 5 U.S.C. 301; 18 U.S.C. 3621, 3622, 3624, 4001, 4042, 4081, 4082 (Repealed in part as to offenses committed on or after November 1, 1987), 5006–5024 (Repealed October 12, 1984 as to offenses committed after that date), 5039; 28 U.S.C. 509, 510; 31 U.S.C. 1321.

§ 506.1 Purpose.

The purpose of this subpart is to describe the Bureau's operation and maintenance of individual inmate commissary accounts in a manner that preserves the safety, security, and good order of Bureau institutions, and protects the public. Family, friends, or other sources may send and deposit funds into these accounts, and inmates may withdraw funds from these accounts, as authorized by the Bureau.

§ 506.2 Methods of depositing funds into an inmate commissary account.

Family, friends, and other sources, (such as senders of tax refunds, dividends from stocks, or state benefits) may send or deposit funds into an inmate's commissary account by the following methods:

(a) *By mail.* Funds for deposit must be sent to the centralized inmate commissary account address we provide. Deposits must be in the form of a money order made out to the inmate's full name and complete register number. Personal checks will be returned to the sender, if an adequate return address is provided. The deposit envelope must not contain any enclosure(s) intended for delivery to the inmate. Any such enclosure(s) will be disposed.

(b) *By electronic deposit.* Electronic deposits of funds may be sent from persons in the community through service providers (for example, a financial institution, bank, money service business, or money service provider or processor), and forwarded to

the individual inmate's commissary account, as authorized and directed by the Bureau.

§ 506.3 Consent to collection and use of sender's transactional and personal identification data.

Persons sending or depositing, or attempting to send or deposit, funds to an inmate's commissary account under this subpart are required to provide, and consent to the collection, review, use, disclosure, and retention of, all related transactional data, including the sender's personal identification information, to:

(a) The Bureau, pursuant to the applicable Privacy Act system(s) of records; and

(b) The service provider(s) (for example, a financial institution, bank, money service business, or money service provider or processor) involved with the inmate commissary account program as authorized and directed by the Bureau in accordance with its agreement for providing service to the Bureau.

[FR Doc. 2015–16637 Filed 7–6–15; 8:45 am]

BILLING CODE 4410–05–P

Notices

Federal Register

Vol. 80, No. 129

Tuesday, July 7, 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

Forest Service

Ashley Resource Advisory Committee

AGENCY: Forest Service, USDA.

ACTION: Notice of meeting.

SUMMARY: The Ashley Resource Advisory Committee (RAC) will meet in Vernal, Utah. The committee is authorized under the Secure Rural Schools and Community Self-Determination Act (the Act) and operates in compliance with the Federal Advisory Committee Act. The purpose of the committee is to improve collaborative relationships and to provide advice and recommendations to the Forest Service concerning projects and funding consistent with Title II of the Act. Additional RAC information, including the meeting agenda and the meeting summary/minutes can be found at the following Web site: *http://cloudapps-usda-gov.force.com/FSSRS/RAC_Page?id=001t0000002JcvKAAS.*

DATES: The meeting will be held from 6 p.m. to 8 p.m. on August 19, 2015.

All RAC meetings are subject to cancellation. For status of meeting prior to attendance, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

ADDRESSES: The meeting will be held at Ashley National Forest (NF) Supervisor's Office, 355 North Vernal Avenue, Vernal, Utah.

Written comments may be submitted as described under *Supplementary Information.* All comments, including names and addresses when provided, are placed in the record and are available for public inspection and copying. The public may inspect comments received at Ashley NF Supervisor's Office. Please call ahead to facilitate entry into the building.

FOR FURTHER INFORMATION CONTACT: Louis Haynes, RAC Coordinator, by phone at 435–781–5105 or via email at *ljhaynes@fs.fed.us.*

Individuals who use telecommunication devices for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8:00 a.m. and 8:00 p.m., Eastern Standard Time, Monday through Friday.

SUPPLEMENTARY INFORMATION: The purpose of the meeting is:

1. Establish meeting schedule for 2015 and 2016;
2. Vote for the election of the chairperson; and
3. Identify potential field trip dates to review completed projects.

The meeting is open to the public. The agenda will include time for people to make oral statements of three minutes or less. Individuals wishing to make an oral statement should request in writing by July 29, 2015, to be scheduled on the agenda. Anyone who would like to bring related matters to the attention of the committee may file written statements with the committee staff before or after the meeting. Written comments and requests for time for oral comments must be sent to Attention: Louis Haynes, RAC Coordinator, Ashley NF Supervisor's Office, 355 North Vernal Avenue, Vernal, Utah 84078; by email to *ljhaynes@fs.fed.us,* or via facsimile to 435–781–5142.

Meeting Accommodations: If you are a person requiring reasonable accommodation, please make requests in advance for sign language interpreting, assistive listening devices or other reasonable accommodation for access to the facility or proceedings by contacting the person listed in the section titled **FOR FURTHER INFORMATION CONTACT**. All reasonable accommodation requests are managed on a case by case basis.

Dated: June 24, 2015.

John R. Erickson,

Forest Supervisor.

[FR Doc. 2015–16592 Filed 7–6–15; 8:45 am]

BILLING CODE 3411–15–P

DEPARTMENT OF AGRICULTURE

Forest Service

Southwest Idaho Resource Advisory Committee

AGENCY: Forest Service, USDA.

ACTION: Notice of meeting.

SUMMARY: The Southwest Idaho Resource Advisory Committee (RAC) will meet in Emmett, Idaho. The committee is authorized under the Secure Rural Schools and Community Self-Determination Act (the Act) and operates in compliance with the Federal Advisory Committee Act. The purpose of the committee is to improve collaborative relationships and to provide advice and recommendations to the Forest Service concerning projects and funding consistent with Title II of the Act.

DATES: The meeting will be held August 4, 2015, from 9:00 a.m. to 5:00 p.m.

All RAC meetings are subject to cancellation. For status of meeting prior to attendance, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

ADDRESSES: The meeting will be held at the USDA Service Center, 1805 Highway 16, Emmett, Idaho.

Written comments may be submitted as described under **SUPPLEMENTARY INFORMATION**. All comments, including names and addresses when provided, are placed in the record and are available for public inspection and copying. The public may inspect comments received at Emmett Ranger District. Please call ahead to facilitate entry into the building.

FOR FURTHER INFORMATION CONTACT: Richard Newton, Designated Federal Officer, by phone at 208–365–7001 or via email at *renewton@fs.fed.us.*

Individuals who use telecommunication devices for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8:00 a.m. and 8:00 p.m., Eastern Standard Time, Monday through Friday.

SUPPLEMENTARY INFORMATION: The purpose of the meeting is:

1. Outline meeting objectives,
2. Agenda review,
3. Discussion of administrative needs, and
4. Review projects submitted for Title II funding.

The meeting is open to the public. This is the second of two meetings of the RAC to determine which projects will be considered for funding. This first meeting was an initial sort of projects with possible approval of projects; the second meeting allows for additional

public input and presentations needed for project clarification. Anyone who would like to bring related matters to the attention of the committee may file written statements with the committee staff before or after the meeting. Written comments and requests for time for oral comments must be sent to Richard Newton, RAC Designated Federal Officer, Emmett Ranger District, 1805 Highway 16 #5, Emmett, ID; by email to *renewton@fs.fed.us,* or via facsimile to 208–374–5623.

Meeting Accommodations: If you are a person requiring reasonable accommodation, please make requests in advance for sign language interpreting, assistive listening devices or other reasonable accommodation for access to the facility or proceedings by contacting the person listed in the section titled **FOR FURTHER INFORMATION CONTACT**. All reasonable accommodation requests are managed on a case by case basis.

Dated: June 25, 2015.

Cecelia R. Seesholtz,

Forest Supervisor.

[FR Doc. 2015–16596 Filed 7–6–15; 8:45 am]

BILLING CODE 3411–15–P

DEPARTMENT OF AGRICULTURE

Forest Service

Southwest Idaho Resource Advisory Committee

AGENCY: Forest Service, USDA.

ACTION: Notice of meeting.

SUMMARY: The Southwest Idaho Resource Advisory Committee (RAC) will meet in Emmett, Idaho. The committee is authorized under the Secure Rural Schools and Community Self-Determination Act (the Act) and operates in compliance with the Federal Advisory Committee Act. The purpose of the committee is to improve collaborative relationships and to provide advice and recommendations to the Forest Service concerning projects and funding consistent with Title II of the Act.

DATES: The meeting will be held July 21, 2015, from 9:00 a.m. to 5:00 p.m.

All RAC meetings are subject to cancellation. For status of meeting prior to attendance, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

ADDRESSES: The meeting will be held at the USDA Service Center, 1805 Highway 16, Emmett, Idaho.

Written comments may be submitted as described under **SUPPLEMENTARY INFORMATION.** All comments, including names and addresses when provided, are placed in the record and are available for public inspection and copying. The public may inspect comments received at Emmett Ranger District. Please call ahead to facilitate entry into the building.

FOR FURTHER INFORMATION CONTACT: Richard Newton, Designated Federal Officer, by phone at 208–365–7001 or via email at *renewton@fs.fed.us.*

Individuals who use telecommunication devices for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8:00 a.m. and 8:00 p.m., Eastern Standard Time, Monday through Friday.

SUPPLEMENTARY INFORMATION: The purpose of the meeting is:

1. Outline meeting objectives,
2. Selection of a new Chairman,
3. Discussion of administrative needs, and
4. Review projects submitted for Title II funding.

The meeting is open to the public. This is the first of two meetings of the RAC to determine which projects will be considered for funding. This first meeting will function as an initial sort of projects with possible approval of projects; the second meeting will allow for additional public input and presentations needed for project clarification. Anyone who would like to bring related matters to the attention of the committee may file written statements with the committee staff before or after the meeting. Written comments and requests for time for oral comments must be sent to Richard Newton, RAC Designated Federal Officer, Emmett Ranger District, 1805 Highway 16 #5, Emmett, ID; by email to *renewton@fs.fed.us,* or via facsimile to 208–374–5623.

Meeting Accommodations: If you are a person requiring reasonable accommodation, please make requests in advance for sign language interpreting, assistive listening devices or other reasonable accommodation for access to the facility or proceedings by contacting the person listed in the section titled **FOR FURTHER INFORMATION CONTACT**. All reasonable accommodation requests are managed on a case by case basis.

Dated: June 25, 2015.

Cecelia R. Seesholtz,

Forest Supervisor.

[FR Doc. 2015–16591 Filed 7–6–15; 8:45 am]

BILLING CODE 3411–15–P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meeting of the Oklahoma Advisory Committee for a Meeting To Vote on Final Agenda and Other Logistics for September Meeting Regarding the School to Prison Pipeline in Oklahoma

AGENCY: U.S. Commission on Civil Rights.

ACTION: Announcement 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 Oklahoma Advisory Committee (Committee) will hold a meeting on Friday, July 31, 2015, at 1:30 p.m. CST for the purpose of voting on the final agenda of speakers and other logistics for the September 11, 2015, meeting on the school to prison pipeline in Oklahoma. The Committee approved a project proposal on the topic at its March 27, 2015, meeting.

Members of the public can listen to the discussion. This meeting is available to the public through the following toll-free call-in number: 888–337–8169, conference ID: 9565292. Any interested member of the public may call this number and listen to the meeting. An open comment period will be provided to allow members of the public to make a statement at the end of 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 August 31, 2015. Written comments may be mailed to the Regional Programs Unit, 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 Regional Programs Unit at (312) 353–8311.

Records and documents discussed during the meeting will be available for public viewing prior to and after the meeting at *http://facadatabase.gov/committee/meetings.aspx?cid=269* and clicking on the ''Meeting Details'' and ''Documents'' links. Records generated from this meeting may also be inspected and reproduced at the Regional Programs Unit, as they become available, both before and after the meeting. Persons interested in the work of this Committee are directed to the Commission's Web site, *http://www.usccr.gov,* or may contact the Regional Programs Unit at the above email or street address.

Agenda

Welcome and Introductions, Vicki Limas, Chair
Discussion and Vote on Agenda for meeting on School to Prison Pipeline in Oklahoma: Oklahoma Advisory Committee
Planning Next Steps
Open Comment
Adjournment

DATES: The meeting will be held on Friday, July 31, 2015, at 1:30 p.m.

Public Call Information:
Dial: 888–337–8169
Conference ID: 9565292

FOR FURTHER INFORMATION CONTACT: Melissa Wojnaroski, DFO, at 312–353–8311 or *mwojnaroski@usccr.gov*.

Dated: July 1, 2015.

David Mussatt,

Chief, Regional Programs Unit.

[FR Doc. 2015–16572 Filed 7–6–15; 8:45 am]

BILLING CODE 6335–01–P

DEPARTMENT OF COMMERCE

Submission for OMB Review; Comment Request

The Department of Commerce will submit to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35).

Agency: Economic Development Administration (EDA), Department of Commerce.

Title: Property Management.

OMB Control Number: 0610–0103.

Form Number(s): None.

Type of Request: Ad hoc submission (only when a recipient makes a request).

Number of Respondents: 150 (54 incidental use requests; 96 for requests to release EDA's Property interest).

Average Hours per Response: 45 minutes.

Burden Hours: 413.

Needs and Uses: A recipient must request in writing EDA's approval to undertake an incidental use of property acquired or improved with EDA's investment assistance (*see* 13 CFR 314.3 of EDA's regulations). This collection of information allows EDA to determine whether an incidental use of property acquired or improved with EDA investment assistance is appropriate. If a recipient wishes EDA to release its real property or tangible personal property interests before the expiration of the property's estimated useful life, the recipient must submit a written request to EDA and disclose to EDA the intended future use of the real property or the tangible personal property for which the release is requested (*see* 13 CFR 314.10 of EDA's regulations). This collection of information allows EDA to determine whether to release its real property or tangible personal property interests.

Affected Public: Current recipients of EDA construction (Public Works or Economic Adjustment) assistance, to include (1) cities or other political subdivisions of a state, including a special purpose unit of state or local government engaged in economic or infrastructure development activities, or a consortium of political subdivisions; (2) states; (3) institutions of higher education or a consortium of institutions of higher education; (4) public or private non-profit organizations or associations; (5) District Organizations; and (6) Indian Tribes or a consortia of Indian Tribes.

Frequency: Ad hoc.

Respondent's Obligation: Required to release EDA's property interest.

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.

Sheleen Dumas,

Department PRA Lead, Office of the Chief Information Officer.

[FR Doc. 2015–16597 Filed 7–6–15; 8:45 am]

BILLING CODE 3510–34–P

DEPARTMENT OF COMMERCE

Submission for OMB Review; Comment Request

The Department of Commerce will submit to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35).

Agency: Economic Development Administration (EDA), Department of Commerce.

Title: Requirements for Approved Construction Investments.

OMB Control Number: 0610–0096.

Form Number(s): None.

Type of Request: Regular submission (extension of a currently approved information collection).

Number of Respondents: 4,200.

Average Hours per Response: 2.

Burden Hours: 8,400.

Needs and Uses: The *Summary of EDA Construction Standards* (commonly referred to as the ''bluebook'') and the *Standard Terms and Conditions for Construction Projects,* as well as any special conditions incorporated into the terms and conditions at the time of award, supplement the requirements that apply to EDA-funded construction projects. The information collected is used to monitor recipients' compliance with EDA's statutory and regulatory requirements and specific terms and conditions relating to individual awards. EDA also uses the information requested to analyze and evaluate program performance.

Affected Public: Current recipients of EDA construction (Public Works or Economic Adjustment) assistance, to include (1) cities or other political subdivisions of a state, including a special purpose unit of state or local government engaged in economic or infrastructure development activities, or a consortium of political subdivisions; (2) states; (3) institutions of higher education or a consortium of institutions of higher education; (4) public or private non-profit organizations or associations; (5) District Organizations; and (6) Indian Tribes or a consortia of Indian Tribes.

Frequency: Ad hoc.

Respondent's Obligation: Required to obtain or retain benefits.

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.

Sheleen Dumas,

Department PRA Lead, Office of the Chief Information Officer.

[FR Doc. 2015–16594 Filed 7–6–15; 8:45 am]

BILLING CODE 3510–34–P

DEPARTMENT OF COMMERCE

Submission for OMB Review; Comment Request

The Department of Commerce will submit to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

Agency: Economic Development Administration (EDA), Department of Commerce.

Title: Award Amendment Requests and Project Service Maps.

OMB Control Number: 0610–0102.

Form Number(s): None.

Type of Request: Regular submission (extension of a currently approved information collection).

Number of Respondents: 632 (600 requests for amendments to construction awards, 30 requests for amendments to non-construction awards, 2 project service maps).

Average Hours per Response: 2 hours for an amendment to a construction award, 1 hour for an amendment to a non-construction award, 6 hours for a project service map.

Burden Hours: 1,242.

Needs and Uses: A recipient must submit a written request to EDA to amend an investment award and provide such information and documentation as EDA deems necessary to determine the merit of altering the terms of an award (*see* 13 CFR 302.7(a) of EDA's regulations). EDA *may* require a recipient to submit a project service map and information from which to determine whether services are provided to all segments of the region being assisted (*see* CFR 302.16(c) of EDA's regulations).

Affected Public: Current recipients of EDA construction (Public Works or Economic Adjustment) assistance, to include (1) cities or other political subdivisions of a state, including a special purpose unit of state or local government engaged in economic or infrastructure development activities, or a consortium of political subdivisions; (2) states; (3) institutions of higher education or a consortium of institutions of higher education; (4) public or private non-profit organizations or associations; (5) District Organizations; and (6) Indian Tribes or a consortia of Indian Tribes and (7) (for training, research, and technical assistance awards only) individuals and for-profit businesses.

Frequency: Ad hoc.

Respondent's Obligation: Required to obtain or retain benefits.

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.

Sheleen Dumas,

Department PRA Lead, Office of the Chief Information Officer.

[FR Doc. 2015–16598 Filed 7–6–15; 8:45 am]

BILLING CODE 3510–34–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–821–801]

Solid Urea From the Russian Federation: Final Results of Antidumping Duty Administrative Review; 2013–2014

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: On April 9, 2015, the Department of Commerce (the Department) published the preliminary results of the administrative review of the antidumping duty order on solid urea from the Russian Federation (Russia).[1] For the final results, we continue to find that MCC EuroChem has not sold subject merchandise at less than normal value during the period of review (POR).

DATES: *Effective Date:* July 7, 2015.

FOR FURTHER INFORMATION CONTACT: Michael Romani or Minoo Hatten, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–0198, and (202) 482–1690, respectively.

SUPPLEMENTARY INFORMATION:

Background

On April 9, 2015, the Department published the *Preliminary Results.* The POR is July 1, 2013 through June 30, 2014. We invited interested parties to comment on the *Preliminary Results.* We received no comments.

The Department conducted this administrative review in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act).

Scope of the Order

The merchandise subject to the order is solid urea, a high-nitrogen content fertilizer which is produced by reacting ammonia with carbon dioxide. The product is currently classified under the Harmonized Tariff Schedules of the United States (HTSUS) item number 3102.10.00.00. Previously, such merchandise was classified under item number 480.3000 of the Tariff Schedules of the United States. Although the HTSUS subheading is provided for convenience and customs purposes, the written description of the merchandise subject to the order is dispositive.

Changes Since the Preliminary Results

The Department made no changes to its calculations announced in the *Preliminary Results.*

Final Results of Review

For the final results of this review, we determine that a weighted-average dumping margin of 0.00 percent exists for MCC EuroChem for the POR.

Assessment Rates

In accordance with 19 CFR 351.212 and the *Final Modification,*[2] the Department will instruct U.S. Customs and Border Protection (CBP) to liquidate all appropriate entries for MCC EuroChem without regard to antidumping duties.

For entries of subject merchandise during the POR produced by MCC EuroChem for which it did not know its merchandise was destined for the United States, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.[3]

[1] *See Solid Urea From the Russian Federation: Preliminary Results of Antidumping Duty Administrative Review; 2013–2014,* 80 FR 19069 (April 9, 2015) (*Preliminary Results).*

[2] *See Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Duty Proceedings; Final Modification,* 77 FR 8101, 8102 (February 14, 2012) (*Final Modification*).

[3] For a full discussion, *see Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003).

We intend to issue instructions to CBP 15 days after publication of the final results of this review.

Cash Deposit Requirements

The following deposit requirements will be effective upon publication of the notice of final results of administrative review for all shipments of solid urea from Russia entered, or withdrawn from warehouse, for consumption on or after the date of publication as provided by section 751(a)(2) of the Act: (1) The cash deposit rate for MCC EuroChem will be 0.00 percent, the weighted average dumping margin established in the final results of this administrative review; (2) for previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recently completed segment of this proceeding; (3) if the exporter is not a firm covered in this review, a prior review, or the original investigation but the manufacturer is, the cash deposit rate will be the rate established for the manufacturer of the merchandise for the most recently completed segment of this proceeding; (4) the cash deposit rate for all other manufacturers or exporters will continue to be 64.93 percent, the all-others rate established in the original less-than-fair-value (LTFV) investigation.[4] The rate established in the LTFV investigation for the Soviet Union was applied to each new independent state, including Russia. These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

[4] *See Urea From the Union of Soviet Socialist Republics; Final Determination of Sales at Less Than Fair Value,* 52 FR 19557 (May 26, 1987). Also note that following the break-up of the Soviet Union, the antidumping duty order on solid urea from the Soviet Union was transferred to the individual members of the Commonwealth of Independent States. *See Solid Urea From the Union of Soviet Socialist Republics; Transfer of the Antidumping Order on Solid Urea From the Union of Soviet Socialist Republics to the Commonwealth of Independent States and the Baltic States and Opportunity to Comment,* 57 FR 28828 (June 29, 1992).

Administrative Protective Orders

This notice also serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a sanctionable violation.

Notification to Interested Parties

The Department is issuing and publishing these final results of administrative review in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.213(h).

Dated: June 30, 2015.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2015–16636 Filed 7–6–15; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–601]

Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, From the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review; 2013–2014

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The Department of Commerce (Department) is conducting an administrative review of the antidumping duty order on tapered roller bearings and parts thereof, finished and unfinished (TRBs), from the People's Republic of China (PRC). The administrative review covers four exporters, of which the Department selected two mandatory respondents for individual examination (*i.e.,* Changshan Peer Bearing Co. Ltd. (CPZ/SKF); and Yantai CMC Bearing Co., Ltd. (Yantai CMC)). The period of review (POR) is June 1, 2013, through May 31, 2014.

We preliminarily determine that sales of subject merchandise have been made below normal value (NV). In addition, we preliminarily determine, in accordance with 19 CFR 351.401(f), to treat affiliated producers, CPZ/SKF and Shanghai General Bearing Co., Ltd. (SGBC) as a single entity.[1] If these preliminary results are adopted in the final results of this review, we will instruct U.S. Customs and Border Protection (CBP) to assess antidumping duties on all appropriate entries. Interested parties are invited to comment on these preliminary results.

DATES: *Effective Date:* July 7, 2015.

FOR FURTHER INFORMATION CONTACT: Stephen Bailey or Blaine Wiltse, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–0193 or (202) 482–6345, respectively.

SUPPLEMENTARY INFORMATION:

Scope of the Order

The merchandise covered by the order includes tapered roller bearings. The subject merchandise is currently classifiable under Harmonized Tariff Schedule of the United States (HTSUS) subheadings: 8482.20.00, 8482.91.00.50, 8482.99.15, 8482.99.45, 8483.20.40, 8483.20.80, 8483.30.80, 8483.90.20, 8483.90.30, 8483.90.80, 8708.70.6060, 8708.99.2300, 8708.99.4850, 8708.99.6890, 8708.99.8115, and 8708.99.8180. The HTSUS subheadings are provided for convenience and customs purposes only; the written description of the scope of the order is dispositive.[2]

Methodology

The Department is conducting this review in accordance with section 751(a)(1)(B) of the Tariff Act of 1930, as amended (the Act). As noted above, there are two mandatory respondents in this administrative review: CPZ/SGBC and Yantai CMC. For CPZ/SGBC, we calculated constructed export prices in accordance with section 772 of the Act.

[1] The collapsed entity is hereinafter referred to as CPZ/SGBC. For further discussion, *see* memorandum from The Team to Melissa Skinner, Director Office II, dated June 30, 2015, entitled ''Whether to Collapse Changshan Peer Bearing Company Ltd. and Shanghai General Bearing Company Ltd. in the 2013–2014 Antidumping Duty Administrative Review of Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, from the People's Republic of China,'' (Collapsing Memorandum).

[2] For a complete description of the scope of the order, *see* memorandum from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Enforcement and Compliance, dated June 30, 2015 entitled ''Decision Memorandum for the Preliminary Results of the 2013–2014 Antidumping Duty Administrative Review of Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, from the People's Republic of China'' (Preliminary Decision Memorandum), issued concurrently with and hereby adopted by this notice.

Because the PRC is a non-market economy (NME) within the meaning of section 771(18) of the Act, normal value has been calculated in accordance with section 773(c) of the Act.

For Yantai CMC, we preliminarily find that this respondent is ineligible for a separate rate because it has failed to demonstrate an absence of *de facto* government control in this administrative review. Therefore, we did not calculate a separate margin for Yantai CMC.

For a full description of the methodology underlying our conclusions, *see* the Preliminary Decision Memorandum. The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *http://access.trade.gov* and in the Central Records Unit, room B0824 of the main Department of Commerce building. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at *http://enforcement.trade.gov/frn/index.html*. The signed Preliminary Decision Memorandum and the electronic version of the Preliminary Decision Memorandum are identical in content. A list of the topics discussed in the Preliminary Decision Memorandum is attached as the Appendix to this notice.

Rate for Non-Examined Companies Which Are Eligible for a Separate Rate

The statute and the Department's regulations do not address the establishment of the rate applied to individual respondents not selected for individual examination when the Department limits its examination in an administrative review pursuant to section 777A(c)(2) of the Act. Generally, the Department looks to section 735(c)(5) of the Act, which provides instructions for calculating the all-others rate in an investigation, for guidance when calculating the rate for separate-rate respondents that are not examined individually in an administrative review. Section 735(c)(5)(A) of the Act notes a preference that we are not to calculate an all-others rate using rates for individually-examined respondents which are zero, *de minimis,* or based entirely on facts available. Section 735(c)(5)(B) of the Act provides that, where all rates are zero, *de minimis,* or based entirely on facts available, the Department may use ''any reasonable method'' for assigning a rate to non-examined respondents.

For these preliminary results, we calculated a margin of zero percent for CPZ/SGBC. Therefore, we preliminarily determine that the application of the rate from the previous administrative review to the non-examined separate-rate companies is consistent with precedent [3] and the most appropriate method to determine the separate rate in the instant review. Pursuant to this method, we are preliminarily assigning the margin of 0.65 percent, the most recent margin calculated for the non-examined separate-rate respondents,[4] to the non-examined separate-rate respondents in the instant review.

Preliminary Results of Review

Because Yantai CMC did not demonstrate that it was entitled to a separate rate, the Department preliminarily finds Yantai CMC to be part of the PRC-wide entity.[5] The rate previously established for the PRC-wide entity is 92.84 percent.

The Department preliminarily determines that the following weighted-average dumping margins exist for the period June 1, 2013, through May 31, 2014:

Exporters	Weighted-average percent margin
Changshan Peer Bearing Co., Ltd./Shanghai General Bearing Co., Ltd.	0.00 Percent.
Xinchang Kaiyuan Automotive Bearing Co., Ltd.*.	0.65 Percent.
Ningbo Xinglun Bearings Import & Export Co., Ltd.*.	0.65 Percent.

* This company demonstrated that it qualified for a separate rate in this administrative review.

Disclosure and Public Comment

The Department will disclose calculations performed for these preliminary results to the parties within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b). Interested parties may submit case briefs no later than 30 days after the date of publication of these preliminary results of review.[6] Rebuttals to case briefs may be filed no later than five days after case briefs are filed and all rebuttal briefs must be limited to comments raised in the case briefs. Parties who submit comments are requested to submit with the argument: (1) A statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.[7]

Any interested party may request a hearing within 30 days of publication of this notice.[8] Hearing requests should contain the following information: (1) The party's name, address, and telephone number; (2) the number of participants; and (3) a list of the issues to be discussed. Oral presentations will be limited to issues raised in the briefs.[9] If a request for a hearing is made, parties will be notified of the time and date for the hearing to be held at the U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230.[10]

All submissions, with limited exceptions, must be filed electronically using ACCESS. An electronically filed document must be received successfully in its entirety by 5 p.m. Eastern Time (ET) on the due date. Documents excepted from the electronic submission requirements must be filed manually (*i.e.,* in paper form) with the APO/Dockets Unit in Room 18022 and stamped with the date and time of receipt by 5 p.m. ET on the due date.

Unless otherwise extended, the Department intends to issue the final results of this administrative review, which will include the results of its analysis of all issues raised in the case briefs, within 120 days of publication of these preliminary results, pursuant to section 751(a)(3)(A) of the Act.

[3] *See e.g., Certain Frozen Warmwater Shrimp From the People's Republic of China: Preliminary Results and Preliminary Partial Rescission of Fifth Antidumping Duty Administrative Review,* 76 FR 8338, 8342 (February 14, 2011), unchanged in *Administrative Review of Certain Frozen Warmwater Shrimp From the People's Republic of China: Final Results and Partial Rescission of Antidumping Duty Administrative Review,* 76 FR 51940 (August 19, 2011).

[4] This margin is from the 2012–2013 administrative review. *See Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, From the People's Republic of China: Final Results of the Antidumping Duty Administrative Review and Final Results of the New Shipper Review; 2012–2013,* 80 FR 4244 (January 27, 2015).

[5] *See* Preliminary Decision Memorandum, at 8–9. Pursuant to the Department's change in practice, the Department no longer considers the NME entity as an exporter conditionally subject to administrative reviews. *See Antidumping Proceedings: Announcement of Change in Department Practice for Respondent Selection in Antidumping Duty Proceedings and Conditional Review of the Nonmarket Economy Entity in NME Antidumping Duty Proceedings,* 78 FR 65963, 65970 (November 4, 2013). Under this practice, the NME entity will not be under review unless a party specifically requests, or the Department self-initiates, a review of the entity. Because no party requested a review of the entity, the entity is not under review and the entity's rate is not subject to change.

[6] *See* 19 CFR 351.309(c)(1)(ii).

[7] *See* 19 CFR 351.309(d).

[8] *See* 19 CFR 351.310(c).

[9] *Id.*

[10] *See* 19 CFR 351.310(d).

Assessment Rates

Upon issuance of the final results, the Department will determine, and CBP shall assess, antidumping duties on all appropriate entries covered by this review.[11] The Department intends to issue assessment instructions to CBP 15 days after the publication of the final results of this review. For each individually-examined respondent in this review (*i.e.,* CPZ/SGBC) which has a weighted-average dumping margin which is not zero or *de minimis* (*i.e.,* less than 0.5 percent), we will calculate importer-specific assessment rates based on the ratio of the total amount of dumping calculated for the importer's examined sales to the total entered value of those sales, in accordance with 19 CFR 351.212(b)(1).[12] Where either the respondent's weighted-average dumping margin is zero or *de minimis,* or an importer-specific *ad valorem* dumping margin is zero or *de minimis,* we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

For the respondents which were not selected for individual examination in this administrative review and which qualified for a separate rate, the assessment rate will be equal to the dumping margin assigned to the non-examined separate-rate companies in the 2012–2013 administrative review of TRBs from the PRC.[13]

For the final results, if we continue to treat Yantai CMC as part of the PRC-wide entity, we will instruct CBP to apply an *ad valorem* assessment rate of 92.84 percent to all entries of subject merchandise during the POR which were exported by Yantai CMC.

For entries that were not reported in the U.S. sales databases submitted by companies individually examined during this review, the Department will instruct CBP to liquidate such entries at the PRC-wide rate. In addition, if the Department determines that an exporter under review had no shipments of the subject merchandise, any suspended entries that entered under that exporter's case number (*i.e.,* at that exporter's rate) will be liquidated at the PRC-wide rate.[14]

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this administrative review for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(2)(C) of the Act: (1) For the exporters listed above which have a separate rate, the cash deposit rate will be the rate established in the final results of this review (except, if the rate is zero or *de minimis,* then a cash deposit rate of zero will be established for that company); (2) for previously investigated or reviewed PRC and non-PRC exporters not listed above that have separate rates, the cash deposit rate will continue to be the exporter-specific rate published for the most recently completed segment of this proceeding; (3) for all PRC exporters of subject merchandise that have not been found to be entitled to a separate rate, the cash deposit rate will be the rate for the PRC-wide entity, 92.84 percent; and (4) for all non-PRC exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the PRC exporter(s) that supplied that non-PRC exporter. These deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

We are issuing and publishing these preliminary results of review in accordance with sections 751(a)(l) and 777(i)(l) of the Act, and 19 CFR 351.221(b)(4).

Dated: June 30, 2015.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

Appendix—List of Topics Discussed in the Preliminary Decision Memorandum

1. Summary
2. Background
3. Scope of the Order
4. Discussion of the Methodology
   a. Non-Market Economy Country
   b. Separate Rates
   c. Separate Rate for Non-Selected Companies
   d. Collapsing of CPZ With Another Producer of TRBs
   e. Surrogate Country
   f. Date of Sale
   g. Normal Value Comparisons
5. Conclusion

[FR Doc. 2015–16647 Filed 7–6–15; 8:45 am]

BILLING CODE 3510–DS–P

[11] *See* 19 CFR 351.212(b)(1).

[12] In these preliminary results, the Department applied the assessment rate calculation method adopted in *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings: Final Modification,* 77 FR 8101 (February 14, 2012). The Department will limit the application of this assessment rate to CPZ/SKF's entries of subject merchandise because SGBC's entries were not subject to the antidumping duty order on TRBs during the POR. For further discussion, see the Preliminary Decision Memorandum.

[13] *See* ''Rate for Non-Examined Companies Which Are Eligible for a Separate Rate'' section, above.

[14] For a full discussion of this practice, *see Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties,* 76 FR 65694 (October 24, 2011).

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–831]

Fresh Garlic From the People's Republic of China: Final Results of the Changed Circumstances Review of Lanling Qingshui Vegetable Foods Co., Ltd.

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: On March 23, 2015, the Department of Commerce (Department) published a notice of preliminary results of a changed circumstance review (CCR) of the antidumping duty (AD) order on fresh garlic from the People's Republic of China (PRC)[1] in response to a request from Lanling Qingshui Vegetable Foods Co., Ltd. (Qingshui), a producer/exporter of fresh and peeled garlic from the PRC.[2] Pursuant to section 751(b) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.216, the Department preliminarily determined that Qingshui is the successor-in-interest to Cangshan Qingshui Vegetable Foods Co., Ltd. (Cangshan Qingshui) for purposes of the AD order on fresh garlic from the PRC, and, as such, is entitled to Cangshan Qingshui's cash deposit rate with respect to entries of subject merchandise. We invited interested parties to comment on the *Preliminary*

[1] *See Antidumping Duty Order: Fresh Garlic from the People's Republic of China,* 59 FR 59209 (November 16, 1994) (*Order*).

[2] *See Fresh Garlic from the People's Republic of China: Preliminary Results of the Changed Circumstances Review of Lanling Qingshui Vegetable Foods Co., Ltd.,* 80 FR 15192 (March 23, 2015) (*Preliminary Results*).

Results. As no parties submitted comments or requested a hearing, the Department continues to find that Qingshui is the successor-in-interest to Cangshan Qingshui for these final results.

DATES: *Effective Date:* July 7, 2015.

FOR FURTHER INFORMATION CONTACT: Hilary E. Sadler, Esq., AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–4340.

SUPPLEMENTARY INFORMATION:

Background

Based on a request from Qingshui, the Department initiated a CCR on Qingshui to determine whether it is the successor-in-interest to Cangshan Qingshui, for purposes of determining antidumping duties due as a result of the Order. The Department preliminarily determined that Qingshui is the successor-in-interest to Cangshan Qingshui and is entitled to its cash deposit rate with respect to entries of merchandise subject to the AD order on fresh garlic from the PRC.[3] The Department provided interested parties 30 days from the date of publication of the preliminary results to submit comments or request a public hearing in accordance with 19 CFR 351.309(c)(1)(ii). No parties submitted comments or requests for a public hearing.

Scope of the Order

The products covered by the order are all grades of garlic, whole or separated into constituent cloves, whether or not peeled, fresh, chilled, frozen, water or other neutral substance, but not prepared or preserved by the addition of other ingredients or heat processing. The differences between grades are based on color, size, sheathing, and level of decay. The scope of the order does not include the following: (a) Garlic that has been mechanically harvested and that is primarily, but not exclusively, destined for non-fresh use; or (b) garlic that has been specially prepared and cultivated prior to planting and then harvested and otherwise prepared for use as seed. The subject merchandise is used principally as a food product and for seasoning. The subject garlic is currently classifiable under subheadings: 0703.20.0000, 0703.20.0010, 0703.20.0015, 0703.20.0020, 0703.20.0090, 0710.80.7060, 0710.80.9750, 0711.90.6000, 0711.90.6500, 2005.90.9500, 2005.90.9700, 2005.99.9700, and of the Harmonized Tariff Schedule of the United States (HTSUS).

Although the HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope of the order is dispositive. In order to be excluded from the order, garlic entered under the HTSUS subheadings listed above that is (1) mechanically harvested and primarily, but not exclusively, destined for non-fresh use or (2) specially prepared and cultivated prior to planting and then harvested and otherwise prepared for use as seed must be accompanied by declarations to U.S. Customs and Border Protection to that effect.

Final Results of Changed Circumstances Review

Because no party submitted comments opposing the Department's *Preliminary Results,* and the record contains no other information or evidence that calls into question the *Preliminary Results,* the Department determines that Qingshui is the successor-in-interest to Cangshan Qingshui.

Instructions to U.S. Customs and Border Protection

As a result of this determination, the Department finds that Qingshui is entitled to the cash deposit rate previously assigned to Cangshan Qingshui as determined in the new shipper review of Cangshan Qingshui.[4] Consequently, the Department will instruct U.S. Customs and Border Protection to collect estimated antidumping duties for all shipments of subject merchandise produced and/or exported by Qingshui, and entered, or withdrawn from warehouse, for consumption on or after the publication date of this notice in the **Federal Register** at $3.06 per kilogram, which is the current antidumping duty cash deposit rate for Cangshan Qingshui.[5] This cash deposit requirement shall remain in effect until further notice.

Notification to Parties

This notice serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.306. Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a sanctionable violation.

We are issuing and publishing these final results in accordance with sections 751(b)(1) and 777(i) of the Act, and 19 CFR 351.216.

Dated: June 30, 2015.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2015–16644 Filed 7–6–15; 8:45 am]

BILLING CODE 3510–DS–P

[3] *See Preliminary Results.*

[4] *See Fresh Garlic From the People's Republic of China: Final Results of the Semiannual Antidumping Duty New Shipper Review of Jinxiang Merry Vegetable Co., Ltd. and Cangshan Qingshui Vegetable Foods Co., Ltd.; 2012–2013,* 79 FR 62103 (October 16, 2014) with accompanying issues and decision memorandum (NSR).

[5] *See id.*

DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

[Docket Number: 150414364–5364–01]

National Institute of Standards and Technology Plan for Providing Public Access to the Results of Federally Funded Research

AGENCY: National Institute of Standards and Technology, Department of Commerce.

ACTION: Notice; request for public comment.

SUMMARY: The National Institute of Standards and Technology (NIST) seeks comments on the *NIST Plan for Providing Public Access to the Results of Federally Funded Research* (NIST Public Access Plan). NIST is taking steps to make its scientific data and publications more readily available and accessible by the public, as directed in several recent White House memoranda. The NIST Public Access Plan applies to the results of research funded wholly or in part by NIST, presented in peer-reviewed scholarly publications and as research data. This document outlines NIST's plan for implementing new responsibilities and procedures to manage the public access of scientific data and publications. The NIST Public Access Plan was reviewed by the Office of Science and Technology Policy and the Office of Management and Budget; they approved it on December 4, 2014. Comments received on the NIST Public Access Plan will inform NIST as it revises its directives that implement the Plan.

DATES: Comments must be received by 11:59 p.m. Eastern Time on August 21, 2015 to be considered.

ADDRESSES: Written comments may be submitted by any of the following methods:

- *Email: public-access@nist.gov.*
- *Fax:* 301–975–8620, Attn: Katherine Sharpless.
- *Mail:* Katherine Sharpless, NIST, 100 Bureau Drive Stop 4701, Gaithersburg, MD 20899–4701.

Please be aware that all comments will be publicly posted online at *http://www.nist.gov/data.* Comments containing references, studies, research, and other empirical data that are not widely published should include copies of the referenced materials. All comments will be made public; therefore personal, proprietary, or confidential information should not be included.

FOR FURTHER INFORMATION CONTACT: Katherine Sharpless by phone at 301–975–3121 or by email at *katherine.sharpless@nist.gov.*

Please direct media inquiries to Jennifer Huergo, NIST Office of Public Affairs, by phone at 301–975–6343 or by email at *jennifer.huergo@nist.gov.*

SUPPLEMENTARY INFORMATION: The National Institute of Standards and Technology (NIST) is one of our Nation's oldest Federal laboratories (for more information, visit *www.nist.gov*). As a bureau in the Department of Commerce, the NIST mission is to promote U.S. innovation and industrial competitiveness by advancing measurement science, standards, and technology in ways that enhance economic security and improve our quality of life. From early electrical measurement research to today's quantum information science, NIST has long been, and continues to be, a center for high-impact research meeting the needs of academia, industry, and government. The NIST laboratories conduct world-class research, often in close collaboration with industry, which advances the nation's technology infrastructure and helps U.S. companies continually improve products and services.

NIST publishes this notice to seek comments on the *NIST Plan for Providing Public Access to the Results of Federally Funded Research* (NIST Public Access Plan), posted at *www.nist.gov/data.* The NIST Public Access Plan documents NIST's plan to implement new responsibilities and procedures to manage the public access of scientific data and publications. Comments received on the NIST Public Access Plan will inform NIST as it revises its directives that implement the Plan.

NIST is taking steps to make its scientific data and publications more readily available and accessible by the public, as directed in several recent White House memoranda, Office of Management and Budget Memoranda M–10–06, *Open Government Directive,* and M–13–13, *Open Data Policy—Managing Information as an Asset;* and the February 22, 2013, Office of Science and Technology Policy Memorandum, *Increasing Access to the Results of Federally Funded Scientific Research.*

The NIST Public Access Plan applies to the results of research funded wholly or in part by NIST, presented in peer-reviewed scholarly publications and as research data. Research data means the recorded factual material commonly accepted in the scientific community as necessary to validate research findings, but not any of the following: preliminary analyses,[1] drafts of scientific papers, plans for future research, peer reviews, or communications with colleagues. This ''recorded'' material excludes physical objects (*e.g.,* laboratory samples). Research data does not include: Trade secrets, commercial information, materials necessary to be held confidential by a researcher until they are published, or similar information which is protected under law; and personnel and medical information and similar information the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, such as information that could be used to identify a particular person in a research study.[2]

Putting new plans in place to manage public access to NIST data and publications stands to significantly benefit the public and NIST by ensuring that the integrity of NIST data and publications is maintained throughout their life cycles, and by increasing the visibility of NIST measurements, standards, technology, and research activities. Stakeholder consultation is a critical step in the development of NIST's plan for managing public access to research results.

In May 2013, NIST co-sponsored two public comment meetings at the National Academy of Sciences on providing public access to federally supported R&D data and publications.[3] The stakeholder input gathered at these public meetings and information from ongoing dialogue with other Federal agencies were considered in the development of the NIST Public Access Plan. NIST invites respondents to comment on the following questions that pertain to the implementation of its public access policy:

- What are the best practices (from academia, industry, and other stakeholder communities) in managing public access of data?
- What are the biggest challenges to implementing a public access policy, and how can these challenges be addressed?
- What criteria could the NIST laboratories use in prioritizing the public release of datasets?
- How can NIST improve its plan to provide greater public access to NIST data?

All comments must be received in accordance with the **DATES** section of the notice above.

Richard Cavanagh,

Acting Associate Director for Laboratory Programs.

[FR Doc. 2015–16508 Filed 7–6–15; 8:45 am]

BILLING CODE 3510–13–P

[1] For purposes of NIST's Public Access Plan, NIST considers the contents of laboratory notebooks to be preliminary analyses.

[2] For purposes of this notice, NIST is adopting the definition of ''research data'' provided in 2 CFR 200.315(e)(3). *http://www.gpo.gov/fdsys/pkg/CFR–2014-title2-vol1/pdf/CFR-2014-title2-vol1-sec200-315.pdf.*

[3] *Public Comment Meeting Concerning Public Access to Federally Supported R&D Publications Workshop,* held May 14–15, 2013, and *Public Comment Meeting Concerning Public Access to Federally Supported R&D Data Workshop,* held May 16–17, 2013, at the National Academy of Sciences.

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XE024

New England Fishery Management Council; Public Meeting

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

ACTION: Notice; public meetings.

SUMMARY: The New England Fishery Management Council (Council) is scheduling a public meeting of its Herring Committee to consider actions affecting New England fisheries in the exclusive economic zone (EEZ). Recommendations from this group will be brought to the full Council for formal consideration and action, if appropriate.

DATES: This meeting will be held on Wednesday, July 22, 2015 at 9:30 a.m.

ADDRESSES:

Meeting address: The meeting will be held at the Four Points by Sheraton (formerly Sheraton Colonial), 1 Audubon Road, Wakefield, MA 01880; telephone: (781) 245–9300; fax: (781) 245–0842.

Council address: New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950.

FOR FURTHER INFORMATION CONTACT: Thomas A. Nies, Executive Director, New England Fishery Management Council; telephone: (978) 465–0492.

SUPPLEMENTARY INFORMATION: The committee plans to address elements of 2016–2018 Atlantic herring fishery specifications, including the specification of management uncertainty, the stockwide Atlantic herring annual catch limit (ACL), domestic annual harvesting (DAH), domestic annual processing (DAP), U.S. at-sea processing (USAP), Border Transfer (BT), fixed gear set-aside (FGSA), and Research Set-Aside (RSA). They also plan to develop options (as appropriate) for 2016–2018 Atlantic herring sub-ACLs (by management area) and gear/area catch caps for river herring and shad (RH/S). The committee will develop recommendations for seasonal sub-ACLs in any management areas. Additionally, they will discuss and develop options (as appropriate) to modify management measures related to Atlantic herring RSAs. Other business will be discussed as necessary.

Although non-emergency issues not contained in this agenda may come before these groups for discussion, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

Special Accommodations

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, Executive Director, at (978) 465–0492, at least 5 days prior to the meeting date.

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

Dated: June 30, 2015.

Tracey L. Thompson,

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

[FR Doc. 2015–16564 Filed 7–6–15; 8:45 am]

BILLING CODE 3510–22–P

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Appointments to Performance Review Board for Senior Executive Service

AGENCY: Committee for Purchase from People Who Are Blind or Severely Disabled.

ACTION: Appointment of Performance Review Board for Senior Executive Service.

SUMMARY: The Committee For Purchase from People Who Are Blind Or Severely Disabled (Committee) has announced appointments to the Committee Performance Review Board.

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 or to Submit Comments Contact: Barry S. Lineback, Telephone: (703) 603–7740, Fax: (703) 603–0655, or email *CMTEFedReg@AbilityOne.gov.*

SUPPLEMENTARY INFORMATION: All appointments are made pursuant to Section 4314 of Chapter 43 of Title 5 of the United States Code.

Appointments

The following individuals are appointed as members of the Committee Performance Review Board responsible for making recommendations to the appointing and awarding authorities on performance appraisal ratings and performance awards for Senior Executive Service employees:

Perry E. Anthony, Ph.D., Deputy Commissioner, Rehabilitation Services Administration, Department of Education.

James M. Kesteloot, Private Citizen.

Lisa Wilusz, Director, Office of Procurement and Property Management, Department of Agriculture.

DATES: *Effective Date:* July 1, 2015.

FOR FURTHER INFORMATION CONTACT: Barry S. Lineback, Telephone: (703) 603–7740, Fax: (703) 603–0655, or email *CMTEFedReg@abilityone.gov.*

Barry S. Lineback,

Director, Business Operations.

[FR Doc. 2015–16529 Filed 7–6–15; 8:45 am]

BILLING CODE 6353–01–P

COMMODITY FUTURES TRADING COMMISSION

Agency Information Collection Activities Under OMB Review

AGENCY: Commodity Futures Trading Commission.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 (''PRA''), this notice announces that the Information Collection Request (''ICR'') abstracted below has been forwarded to the Office of Management and Budget (''OMB'') for review and comment. The ICR describes the nature of the information collection and its expected costs and burden.

DATES: Comments must be submitted on or before August 6, 2015.

ADDRESSES: Comments may be submitted to OMB within 30 days of the notice's publication. Comments, identified by ''Process for Review of Swaps for Mandatory Clearing (OMB Control No. 3038–0097),'' should be mailed to the Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for the Commodity Futures Trading Commission, 725 17th Street NW., Washington, DC 20503. Comments may also be submitted directly to OMB within 30 days of the notice's publication by email at *OIRAsubmissions@omb.eop.gov.*

Comments may be also be submitted, regarding the burden estimated or any other aspect of the information collection, including suggestions for reducing the burden, identified by ''Process for Review of Swaps for Mandatory Clearing (OMB Control No. 3038–0097),'' by any of the following methods:

- The Agency's Web site, via its Comments Online process: *http://comments.cftc.gov.* Follow the instructions for submitting comments through the Web site.
- *Mail:* Christopher Kirkpatrick, Secretary, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW., Washington, DC 20581.
- *Hand Delivery/Courier:* Same as Mail, above.
- *Federal eRulemaking Portal: http://www.regulations.gov/.* Follow the instructions for submitting comments.

All comments must be submitted in English, or if not, accompanied by an English translation. Comments will be posted as received to *http://www.cftc.gov.* You should submit only information that you wish to make available publicly. If you wish the

Commission to consider information that is exempt from disclosure under the Freedom of Information Act, a petition for confidential treatment of the exempt information may be submitted according to the procedures set forth in section 145.9 of the Commission's regulations.

FOR FURTHER INFORMATION CONTACT: Eileen Chotiner, Division of Clearing and Risk, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW., Washington, DC 20581, (202) 418–5467; email: *echotiner@cftc.gov* and refer to OMB Control No. 3038–0097.

SUPPLEMENTARY INFORMATION: This is a request for extension of a currently approved information collection.

Title: ''Process for Review of Swaps for Mandatory Clearing,'' (OMB Control No. 3038–0097).

Abstract: The Commodity Exchange Act and Commission regulations require a derivatives clearing organization (''DCO'') that wishes to accept a swap for clearing to be eligible to clear the swap and to submit the swap to the Commission for a determination as to whether the swap is required to be cleared. Commission Regulation 39.5 sets forth the process for these submissions. The Commission uses the information in this collection to determine whether a DCO that wishes to accept a swap for clearing is eligible to clear the swap and whether the swap should be required to be cleared.

Burden Statement: The respondent burden for this collection is estimated to average 40 hours per response.

Respondents/Affected Entities: Derivatives clearing organizations.

Estimated Number of Respondents: 14.

Estimated Total Annual Burden on Respondents: 560 hours.

Frequency of Collection: On occasion.

Authority: 44 U.S.C. 3501 *et seq.*

Dated: July 1, 2015.

Robert N. Sidman,

Deputy Secretary of the Commission.

[FR Doc. 2015–16611 Filed 7–6–15; 8:45 am]

BILLING CODE 6351–01–P

DEPARTMENT OF DEFENSE

Office of the Secretary

Threat Reduction Advisory Committee; Notice of Federal Advisory Committee Meeting

AGENCY: Office of the Under Secretary of Defense (Acquisition, Technology, and Logistics), Department of Defense.

ACTION: Federal Advisory Committee meeting notice.

SUMMARY: The Department of Defense announces the following Federal advisory committee meeting of the Threat Reduction Advisory Committee.

DATES: Wednesday, July 15, from 8:30 a.m. to 4:30 p.m. and Thursday, July 16, 2015, from 8:00 a.m. to 3:30 p.m.

ADDRESSES: CENTRA Technology Inc., Arlington, Virginia.

FOR FURTHER INFORMATION CONTACT: Mr. William Hostyn, DoD, Defense Threat Reduction Agency/J2/5/8R–AC, 8725 John J. Kingman Road, MS 6201, Fort Belvoir, VA 22060–6201. Email: *william.p.hostyn.civ@mail.mil.* Phone: (703) 767–4453. Fax: (703) 767–4206.

SUPPLEMENTARY INFORMATION: Due to difficulties beyond the control of the Designated Federal Officer, the Department of Defense was unable to finalize the meeting announcement for the scheduled meeting of the Threat Reduction Advisory Committee on July 15–16, 2015, to ensure compliance with 41 CFR 102–3.150(a). Accordingly, the Advisory Committee Management Officer for the Department of Defense, pursuant to 41 CFR 102–3.150(b), waives the 15-calendar day notification requirement.

Purpose of Meeting: This meeting is being held under the provisions of the Federal Advisory Committee Act of 1972 (FACA) (5 U.S.C., Appendix, as amended), the Government in the Sunshine Act of 1976 (5 U.S.C. 552b, as amended), and 41 CFR 102–3.150. The TRAC will obtain, review and evaluate classified information related to the Committee's mission to advise on technology security, Combating Weapons of Mass Destruction (C–WMD), counter terrorism and counter proliferation.

Agenda: All discussions for the two-day meeting will be classified. On Wednesday, July 15, the Chair will open the meeting with remarks that outline the topics that will be covered in the two-day meeting. Following the opening remarks, the TRAC will receive a brief on the Office of Net Assessment and China. Following that brief, a representative from the Joint Atomic Energy Intelligence Committee will brief the TRAC on Russian Weapons Technology. The TRAC will then receive an overview brief on the National Nuclear Security Agency. Following the briefing, the TRAC will receive an overview brief that focuses on Department of Homeland Security Science and Technology. The first day will conclude with a TRAC-only session to discuss the information presented and how it relates to previous and current TRAC studies. The TRAC will continue to meet on July 16, 2015. The Chair will open the day with brief comments that summarize the previous day and outline the current day. Following his comments, the Director of the Defense Threat Reduction Agency & U.S. Strategic Center for Combatting Weapons of Mass Destruction & Standing Joint Force Headquarters—Elimination, will provide an overview of the organization to the TRAC. Following that, the TRAC will discuss the findings and recommendations from the Nuclear Strategic Stability focused information gathering group. Following that, the TRAC will discuss two new taskings: one that will focus on emerging issues for the Defense Threat Reduction Agency & U.S. Strategic Center for Combatting Weapons of Mass Destruction & Standing Joint Force Headquarters—Elimination, and the other will focus on North Korea. Following that, the Chair will lead a discussion on a new tasking, which will focus entirely on Russia and China. The Chair will conclude the meeting by providing an outline for the way forward and expectations for the next plenary that will take place in the fall.

Meeting Accessibility: Pursuant to 5 U.S.C. 552b, and 41 CFR 102–3.155, the Department of Defense has determined that the meeting shall be closed to the public. The Under Secretary of Defense for Acquisition, Technology, and Logistics, in consultation with the Department of Defense FACA Attorney, has determined in writing that the public interest requires all sessions of this meeting be closed to the public because the discussions will be concerned with classified information and matters covered by 5 U.S.C. 552b(c)(1). Such classified matters are inextricably intertwined with the unclassified material and cannot reasonably be segregated into separate discussions without disclosing secret material.

Committee's Designated Federal Officer or Point of Contact: Mr. William Hostyn, DoD, Defense Threat Reduction Agency/J/2/5/8R–ACP, 8725 John J. Kingman Road, MS 6201, Fort Belvoir, VA 22060–6201. Email: *william.hostyn@dtra.mil.* Phone: (703) 767–4453. Fax: (703) 767–4206.

Written Statements: Pursuant to section 10(a)(3) of FACA and 41 CFR 102–3.105(j) and 102–3.140, the public or interested organizations may submit written statements to the membership of the Committee at any time or in response to the stated agenda of a planned meeting. Written statements should be submitted to the Committee's Designated Federal Officer. The Designated Federal Officer's contact information is listed in the section

immediately above or it can be obtained from the General Services Administration's FACA Database—*http://www.facadatabase.gov/committee/committee.aspx?cid=1663&aid=41.*

Written statements that do not pertain to a scheduled meeting of the Committee may be submitted at any time. However, if individual comments pertain to a specific topic being discussed at a planned meeting, then these statements must be submitted no later than five business days prior to the meeting in question. The Designated Federal Officer will review all submitted written statements and provide copies to all TRAC members.

Dated: July 1, 2015.

Aaron Siegel,

Alternate OSD Federal Register, Liaison Officer, Department of Defense.

[FR Doc. 2015–16578 Filed 7–6–15; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF EDUCATION

[Catalog of Federal Domestic Assistance (CFDA) Number: 84.259A.]

Final Waiver and Extension of the Project Period; Native Hawaiian Career and Technical Education Program

AGENCY: Office of Career, Technical, and Adult Education, Department of Education.

ACTION: Final waiver and extension of the project period.

SUMMARY: For the 24-month projects funded in fiscal year (FY) 2013 under the Native Hawaiian Career and Technical Education Program (NHCTEP), the Secretary waives the requirements that generally prohibit project period extensions involving the obligation of additional Federal funds. The Secretary also extends the project period of the seven current grants for up to an additional 24 months. This enables the current NHCTEP grantees to request and continue to receive Federal funding annually for project periods through FY 2016 and possibly through FY 2017.

DATES: The waiver and extension of the project period is effective July 7, 2015.

FOR FURTHER INFORMATION CONTACT: Linda Mayo, U.S. Department of Education, 400 Maryland Avenue SW., Room 11075, Potomac Center Plaza, Washington, DC 20202–7241. Telephone: (202) 245–7792, or by email at: *linda.mayo@ed.gov.*

If you use a telecommunications device for the deaf or a text telephone, call the Federal Relay Service, toll free, at 1–800–877–8339.

SUPPLEMENTARY INFORMATION: On February 10, 2015, we published in the **Federal Register** (80 FR 7379) a proposed waiver of 34 CFR 75.261(a) and (c)(2) and extension of the project period (proposed waiver and extension) in order to—

(1) Enable the Secretary to provide additional funds to the current NHCTEP grantees with FY 2015 funds and possibly FY 2016 funds for project periods through FY 2016 and possibly through FY 2017; and

(2) Request comments on the proposed waiver and extension.

There are no substantive differences between the proposed waiver and extension and the final waiver and extension.

Public Comment: In response to our invitation in the proposed waiver and extension, we received six comments. Generally, we do not address comments that raise concerns not related to the proposed waiver and extension.

Analysis of Comments and Discussion

An analysis of the comments received in response to the proposed waiver and extension follows.

Comment: Almost all commenters supported the proposed waiver and extension of the NHCTEP project period. The commenters provided various reasons for their support of the waiver and extension, including the great need for funding beyond the two-year project period.

One commenter, who supported the proposed waiver and extension, stated that an abrupt suspension in the NHCTEP grantees' training services, as well as outreach, recruitment, academic, and retention efforts, would be detrimental to students who would then have to rely on welfare services instead of vocational training opportunities.

Another commenter stated that the continuity of funding would be a tremendous stabilizing benefit to the program and students. The commenter further stated that NHCTEP grantees have placed students in well-paying jobs with opportunities for advancement and the continuity of support would be more effective in maintaining their high-quality services. The commenter expressed the view that the extension would also help maximize their recruitment efforts, as well as positively affect the direct participation and completion of the Native Hawaiian students enrolled in NHCTEP-funded projects.

Two commenters indicated that the continuation of an existing NHCTEP grantee's program and its consortium of sub-grantees would allow them to continue to provide valued career and technical education (CTE) services to Native Hawaiian students, including special needs students. Also, the commenters stated that continuation grant awards would allow the consortium to continue providing specialized CTE training that would maximize both the participation and completion of Native Hawaiian students.

Finally, a commenter stated that the proposed waiver and extension would allow NHCTEP-funded projects more time to prepare Native Hawaiian high school students for postsecondary training or the workforce.

Discussion: We appreciate the support of the commenters and agree that extending the current NHCTEP grant period will allow current NHCTEP grantees to continue to work toward accomplishing the goals and objectives stated in their 2013 NHCTEP grant applications, including providing specialized CTE training to Native Hawaiian students. We agree that it is important that there not be a lapse in programming provided by NHCTEP grantees to CTE students.

Changes: None.

Comment: One commenter asked why the Department used the notice and comment procedures of the Administrative Procedure Act (APA) for this proposed waiver and extension. The commenter characterized the waiver and extension as a general statement of policy that would not fall within the APA's notice and comment rulemaking requirements, and inquired as to why the Department treated the waiver and extension differently. The commenter also cited the APA's exception of interpretive rules and statements of policy from the requirement for rules to have an effective date no fewer than 30 days after their date of publication.

Discussion: The APA defines a ''rule'' as ''an agency statement of general or particular applicability and future effect designed to implement, interpret, or prescribe law or policy'' and requires agencies to follow notice and comment procedures when formulating, amending, or repealing rules. 5 U.S.C. 551, 553. As the commenter notes, the APA provides some exceptions to this requirement. For instance, absent another statute to the contrary, the APA exempts ''interpretative rules, general statements of policy, or rules of agency organization, procedure, or practice'' from its notice and comment rulemaking requirements. 5 U.S.C. 553(b)(A). In addition, the APA exempts ''matter[s] relating to . . . loans, grants,

benefits, or contracts'' from notice and comment rulemaking. 5 U.S.C. 553(a)(2).

However, the General Education Provisions Act limits applicability of the APA's grants exemption to regulations (1) governing the first grant program under a new or substantially revised program authority, or (2) where the Secretary finds that use of notice and comment rulemaking would cause ''extreme hardship to the intended beneficiaries of the program affected by such regulations.'' 20 U.S.C. 1232(d). Neither of those two exceptions was applicable. As a result, the Department followed its standard practice of utilizing notice and comment rulemaking procedures for rules governing its grant programs.

The commenter is correct that the proposed waiver and extension could arguably be construed as an interpretive rule, which would not require use of the APA's notice and comment procedures. *See* 5 U.S.C. 553(b)(A). However, it is the Department's general practice to err on the side of providing the public with more openness, accessibility and transparency into its actions whenever practicable. This is especially true where, as here, no party is likely to be adversely affected by the Department's decision to seek notice and comment.

Changes: None.

Background

NHCTEP, authorized by section 116 of the Carl D. Perkins Career and Technical Education Act of 2006 (the Perkins Act), supports grants to community-based organizations primarily serving and representing Native Hawaiians. Under this program, grantees carry out projects that provide organized educational activities offering a sequence of courses that—

(a) Provides individuals with coherent and rigorous content aligned with challenging academic standards and relevant technical knowledge and skills needed to prepare for further education and careers in current or emerging professions;

(b) Provides technical skill proficiency, an industry-recognized credential, a certificate, or an associate degree; and

(c) Includes competency-based applied learning that contributes to the academic knowledge, higher-order reasoning and problem-solving skills, work attitudes, general employability skills, technical and occupation-specific skills, and knowledge of all aspects of an industry, including entrepreneurship, of an individual. Projects may include prerequisite courses (other than remedial courses) that meet the definitional requirements of section 3(5)(A) of the Perkins Act (20 U.S.C. 2302(5)(A)).

On June 14, 2013, we published in the **Federal Register** (78 FR 35877) a notice inviting applications for NHCTEP grants (2013 NIA). Although the Secretary invited applications with a proposed project period of five years in previous NHCTEP competitions, in 2013, in anticipation of congressional reauthorization of the Perkins Act, the Department invited applications with proposed project periods of two years. The project periods for the NHCTEP projects funded under the 2013 NIA are scheduled to end in FY 2015. Because there is the potential for changes in the Perkins Act for NHCTEP beyond 2015, we do not believe it is in the public interest to hold a new NHCTEP competition in FY 2015 for projects that may then operate for just one year, or to announce a competition under which eligible entities would be expected to proceed through the application preparation and submission process while lacking critical information about the future of the program. Further, we do not think that it is in the public interest to have a lapse in the services currently provided by the NHCTEP grantees.

For these reasons, the Secretary waives the requirements of 34 CFR 75.261(a) and (c)(2) that generally prohibit project period extensions involving the obligation of additional Federal funds and extends the NHCTEP project period for up to 24 months. The waiver and extension will allow the current NHCTEP grantees to request and receive Federal funding annually for project periods through FY 2016 and possibly through FY 2017. We will fund the extended project period by using funds appropriated for FY 2015 or FY 2016, depending on whether the grants are extended for one or two years.

Any activities carried out during the period of a NHCTEP continuation award will have to be consistent with, or a logical extension of, the scope, goals, and objectives of the grantee's application as approved in the FY 2013 NHCTEP competition. The requirements applicable to continuation awards for this competition set forth in the 2013 NIA and the requirements in 34 CFR 75.253 will apply to any continuation awards sought by the current NHCTEP grantees. We will base our decisions regarding continuation awards on the program narratives, budgets, budget narratives, and program performance reports submitted by the current grantees, and the requirements in 34 CFR 75.253.

The waiver and extension will not exempt the current NHCTEP grantees from the appropriation account closing provisions of 31 U.S.C. 1552(a), nor will they extend the availability of funds previously awarded to current NHCTEP grantees. As a result of 31 U.S.C. 1552(a), appropriations available for a limited period may be used for payment of valid obligations for only five years after the expiration of their period of availability for Federal obligation. After that time, the unexpended balance of those funds is canceled and returned to the U.S. Department of the Treasury and is unavailable for restoration for any purpose (31 U.S.C. 1552(b)).

Regulatory Flexibility Act Certification

The Secretary certifies that the final waiver and extension and the activities required to support additional years of funding will not have a significant economic impact on a substantial number of small entities. The small entities that will be affected by this waiver and extension are the seven currently funded NHCTEP grantees and any potential applicants.

The Secretary further certifies that the final waiver and extension will not have a significant economic impact on these entities because the extension of an existing project imposes minimal compliance costs, and the activities required to support the additional years of funding will not impose additional regulatory burdens or require unnecessary Federal supervision.

Paperwork Reduction Act of 1995

This waiver and extension does not contain any information collection requirements.

Intergovernmental Review

NHCTEP is not subject to Executive Order 12372 and the regulations in 34 CFR part 79.

Accessible Format: Individuals with disabilities can obtain this document in an accessible format (*e.g.,* braille, large print, audiotape, or compact disc) on request to the contact person listed under **FOR FURTHER INFORMATION CONTACT**.

Electronic Access to This Document: The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available via the Federal Digital System at: *www.gpo.gov/fdsys.* At this site you can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Adobe Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at this site.

You may also access documents of the Department published in the **Federal Register** by using the article search feature at: *www.federalregister.gov.* Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Dated: July 1, 2015.

Johan E. Uvin,

Acting Assistant Secretary for Career, Technical, and Adult Education.

[FR Doc. 2015–16622 Filed 7–6–15; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2015–ICCD–0026]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; William D. Ford Federal Direct Loan Program: Internship/Residency and Loan Debt Burden Forbearance Forms

AGENCY: Federal Student Aid (FSA), Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 3501 *et seq.*), ED is proposing a revision of an existing information collection.

DATES: Interested persons are invited to submit comments on or before August 6, 2015.

ADDRESSES: Comments submitted in response to this notice should be submitted electronically through the Federal eRulemaking Portal at *http://www.regulations.gov* by selecting Docket ID number ED–2015–ICCD–0026 or via postal mail, commercial delivery, or hand delivery. If the regulations.gov site is not available to the public for any reason, ED will temporarily accept comments at *ICDocketMgr@ed.gov. Please note that comments submitted by fax or email and those submitted after the comment period will not be accepted; ED will ONLY accept comments during the comment period in this mailbox when the regulations.gov site is not available.* Written requests for information or comments submitted by postal mail or delivery should be addressed to the Director of the Information Collection Clearance Division, U.S. Department of Education, 400 Maryland Avenue SW., LBJ, Mailstop L–OM–2–2E319, Room 2E103, Washington, DC 20202.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Ian Foss, 202–377–3681.

SUPPLEMENTARY INFORMATION: The Department of Education (ED), in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the Department's information collection requirements and provide the requested data in the desired format. ED is soliciting comments on the proposed information collection request (ICR) that is described below. The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

Title of Collection: William D. Ford Federal Direct Loan Program: Internship/Residency and Loan Debt Burden Forbearance Forms.

OMB Control Number: 1845–0018.

Type of Review: A revision of an existing information collection.

Respondents/Affected Public: Individuals or Households.

Total Estimated Number of Annual Responses: 27,042.

Total Estimated Number of Annual Burden Hours: 6,393.

Abstract: These forms serve as the means by which borrowers in the William D. Ford Federal Direct Loan (Direct Loan), Federal Family Education Loan (FFEL) and the Federal Perkins Loan (Perkins Loan) Programs may request forbearance of repayment on their loans if they meet certain conditions. The U.S. Department of Education and other loan holders uses the information collected on these forms to determine whether a borrower meets the eligibility requirements for the specific type of forbearance.

Dated: July 1, 2015.

Kate Mullan,

Acting Director, Information Collection Clearance Division, Office of the Chief Privacy Officer, Office of Management.

[FR Doc. 2015–16581 Filed 7–6–15; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2015–ICCD–0028]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; William D. Ford Federal Direct Loan Program Deferment Request Forms

AGENCY: Federal Student Aid (FSA), Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 3501 *et seq.*), ED is proposing a revision of an existing information collection.

DATES: Interested persons are invited to submit comments on or before August 6, 2015.

ADDRESSES: Comments submitted in response to this notice should be submitted electronically through the Federal eRulemaking Portal at *http://www.regulations.gov* by selecting Docket ID number ED–2015–ICCD–0028 or via postal mail, commercial delivery, or hand delivery. If the regulations.gov site is not available to the public for any reason, ED will temporarily accept comments at *ICDocketMgr@ed.gov. Please note that comments submitted by fax or email and those submitted after the comment period will not be accepted; ED will ONLY accept comments during the comment period in this mailbox when the regulations.gov site is not available.* Written requests for information or comments submitted by postal mail or delivery should be addressed to the Director of the Information Collection Clearance Division, U.S. Department of Education, 400 Maryland Avenue SW, LBJ, Mailstop L–OM–2–2E319, Room 2E103, Washington, DC 20202.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Ian Foss, 202–377–3681.

SUPPLEMENTARY INFORMATION: The Department of Education (ED), in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed,

revised, and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the Department's information collection requirements and provide the requested data in the desired format. ED is soliciting comments on the proposed information collection request (ICR) that is described below. The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

Title of Collection: William D. Ford Federal Direct Loan Program Deferment Request Forms.

OMB Control Number: 1845–0011.

Type of Review: A revision of an existing information collection.

Respondents/Affected Public: Individuals or Households.

Total Estimated Number of Annual Responses: 3,345,642.

Total Estimated Number of Annual Burden Hours: 535,303.

Abstract: These forms serve as the means by which borrowers in the William D. Ford Federal Direct Loan (Direct Loan), Federal Family Education Loan (FFEL) and the Federal Perkins Loan (Perkins Loan) Programs may request deferment of repayment on their loans if they meet certain statutory and regulatory criteria. The U.S. Department of Education and other loan holders uses the information collected on these forms to determine whether a borrower meets the eligibility requirements for the specific deferment type being submitted.

Dated: July 1, 2015.

Kate Mullan,

Acting Director, Information Collection Clearance Division, Office of the Chief Privacy Officer, Office of Management.

[FR Doc. 2015–16582 Filed 7–6–15; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Filings Instituting Proceedings

Docket Numbers: RP15–1083–000.
Applicants: Gulf South Pipeline Company, LP.
Description: Section 4(d) Rate Filing: Amendment to Neg Rate Agmt (Petrohawk 41455–26) to be effective 6/26/2015.
Filed Date: 6/26/15.
Accession Number: 20150626–5175.
Comments Due: 5 p.m. ET 7/8/15.

Docket Numbers: RP15–1084–000.
Applicants: Alliance Pipeline L.P.
Description: Section 4(d) Rate Filing: July 1–31 2015 Auction to be effective 7/1/2015.
Filed Date: 6/26/15.
Accession Number: 20150626–5189.
Comments Due: 5 p.m. ET 7/8/15.

Docket Numbers: RP15–1085–000.
Applicants: Tallgrass Interstate Gas Transmission, L.
Description: Section 4(d) Rate Filing: Neg Rate 2015/6/26 Housekeeping Filing to be effective 6/27/2015.
Filed Date: 6/26/15.
Accession Number: 20150626–5214.
Comments Due: 5 p.m. ET 7/8/15.

Docket Numbers: RP15–1086–000.
Applicants: Southeast Supply Header, LLC.
Description: Section 4(d) Rate Filing: Moving Negotiated Rates to be effective 8/1/2015.
Filed Date: 6/29/15.
Accession Number: 20150629–5127.
Comments Due: 5 p.m. ET 7/13/15.

Docket Numbers: RP15–1087–000.
Applicants: Texas Eastern Transmission, LP.
Description: Section 4(d) Rate Filing: U2GC FT–1 8–1–2015 Non-conforming Agreements to be effective 8/1/2015.
Filed Date: 6/29/15.
Accession Number: 20150629–5231.
Comments Due: 5 p.m. ET 7/13/15.

Docket Numbers: RP15–1088–000.
Applicants: El Paso Natural Gas Company, L.L.C.
Description: Section 4(d) Rate Filing: Negotiated Rate Agreement Update (APS July 2015) to be effective 7/1/2015.
Filed Date: 6/29/15.
Accession Number: 20150629–5243.
Comments Due: 5 p.m. ET 7/13/15.

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: June 30, 2015.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2015–16609 Filed 7–6–15; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EL15–80–000]

Advanced Energy Management Alliance Coalition v. PJM Interconnection, L.L.C.; Notice of Complaint

Take notice that on June 29, 2015, pursuant to Rule 206 of the Federal Energy Regulatory Commission's (Commission) Rules of Practice and Procedure, 18 CFR 385.206 and sections 206 and 306 of the Federal Power Act (FPA), 16 U.S.C. 824(e) and 825(e), Advanced Energy Management Alliance Coalition (AEMA Coalition or Complainant),[1] filed a formal complaint against PJM Interconnection, L.L.C. (Respondent), alleging that the Respondent violated the filed rate doctrine and, in the alternative, FPA section 206, by precluding Demand Response Resources and Energy Efficiency Resources from participating in imminent Capacity Performance Transition Incremental Auctions, in contravention of its Open Access Transmission Tariff, as more fully explained in the complaint.

The Complainant certifies that copies of the complaint were served on the

[1] The AEMA Coalition includes, for purposes of this complaint proceeding, the Advanced Energy Management Alliance, CPower, EnergyConnect, Inc., Enernoc, Inc. and EMC2 Development Company, Inc. The AEMA is a trade association that serves leading demand response providers and their customers.

contacts for the Respondent as listed on the Commission's list of Corporate Officials.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. The Respondent's answer and all interventions, or protests must be filed on or before the comment date. The Respondent's answer, motions to intervene, and protests must be served on the Complainants.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the ''eFiling'' link at *http://www.ferc.gov.* Persons unable to file electronically should submit an original and 5 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426.

This filing is accessible on-line at *http://www.ferc.gov,* using the ''eLibrary'' link and is available for electronic review in the Commission's Public Reference Room in Washington, DC. There is an ''eSubscription'' link on the Web site that enables subscribers to receive email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email *FERCOnlineSupport@ferc.gov,* or call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Comment Date: 5:00 p.m. Eastern Time on July 9, 2015.

Dated: June 30, 2015.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2015–16604 Filed 7–6–15; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EL11–66–001]

Notice of Filing

Martha Coakley, Massachusetts Attorney General; Connecticut Public Utilities Regulatory Authority; Massachusetts Department of Public Utilities; New Hampshire Public Utilities Commission; Connecticut Office of Consumer Counsel; Maine Office of the Public Advocate; George Jepsen, Connecticut Attorney General; New Hampshire Office of Consumer Advocate; Rhode Island Division of Public Utilities and Carriers; Vermont Department of Public Service; Massachusetts Municipal Wholesale Electric Company; Associated Industries of Massachusetts; The Energy Consortium; Power Options, Inc.; and the Industrial Energy Consumer Group, v. Bangor Hydro-Electric Company; Central Maine Power Company; New England Power Company d/b/a National Grid; New Hampshire Transmission LLC d/b/a NextEra; NSTAR Electric and Gas Corporation; Northeast Utilities Service Company; The United Illuminating Company; Unitil Energy Systems, Inc. and Fitchburg Gas and Electric Light Company; Vermont Transco, LLC

Take notice that on June 29, 2015, Fitchburg Gas and Electric Light Company submitted tariff filing per 35.19a(b): Refund Report to be effective N/A, pursuant to the Commission's Opinion No. 531–A, issued on October 16, 2014.[1]

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the comment date. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant and all the parties in this proceeding.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the ''eFiling'' link at *http://www.ferc.gov.* Persons unable to file electronically should submit an original and 5 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426.

This filing is accessible on-line at *http://www.ferc.gov,* using the ''eLibrary'' link and is available for electronic review in the Commission's Public Reference Room in Washington, DC. There is an ''eSubscription'' link on the Web site that enables subscribers to receive email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email *FERCOnlineSupport@ferc.gov,* or call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Comment Date: 5:00 p.m. Eastern Time on July 20, 2015.

Dated: June 30, 2015.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2015–16606 Filed 7–6–15; 8:45 am]

BILLING CODE 6717–01–P

[1] *Martha Coakley, Mass. Attorney Gen., et al.* v. *Bangor Hydro-Elec. Co., et al.,* Opinion No. 531, 147 FERC ¶ 61,234 (2014) (Opinion No. 531), *order on paper hearing,* Opinion No. 531–A, 149 FERC ¶ 61,032 (2014) (Opinion No. 531–A).

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: EC15–160–000.
Applicants: Westar Energy, Inc.
Description: Application for Authorization for Consolidation of Jurisdictional Facilities and Request for Expedited Action and Certain Waivers of Westar Energy, Inc.
Filed Date: 6/29/15.
Accession Number: 20150629–5304.
Comments Due: 5 p.m. ET 7/20/15.

Take notice that the Commission received the following exempt wholesale generator filings:

Docket Numbers: EG15–100–000.
Applicants: Greenleaf Energy Unit 1 LLC.
Description: Notice of Self-Certification of Greenleaf Energy Unit 1 LLC as an EWG.
Filed Date: 6/29/15.
Accession Number: 20150629–5145.
Comments Due: 5 p.m. ET 7/20/15.

Docket Numbers: EG15–101–000.
Applicants: Slate Creek Wind Project, LLC.
Description: Notice of Self-Certification of Exempt Wholesale Generator Status of Slate Creek Wind Project, LLC.
Filed Date: 6/29/15.
Accession Number: 20150629–5263.
Comments Due: 5 p.m. ET 7/20/15.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER10–1959–004; ER15–2026–001; ER15–2025–001; ER15–2024–001; ER15–2023–001; ER15–2022–001; ER15–2020–001; ER15–2018–001; ER15–2016–001; ER15–2015–001; ER15–2014–001; ER15–2013–001; ER13–2308–003; ER12–2513–005; ER12–2512–005; ER12–2511–005; ER12–2510–005; ER10–2499–001; ER10–2446–008; ER10–2444–008; ER10–2442–008;

ER10–2440–008; ER10–2435–008; ER10–2432–008.

Applicants: Lower Mount Bethel Energy, LLC, Brunner Island, LLC, Holtwood, LLC, Martins Creek, LLC, Montour, LLC, Susquehanna Nuclear, LLC, Talen Energy Marketing, LLC, Talen Ironwood, LLC, Talen Montana, LLC, Talen New Jersey Biogas, LLC, Talen New Jersey Solar, LLC, Talen Renewable Energy, LLC, Brandon Shores LLC, H.A. Wagner LLC, Raven Power Marketing LLC, Bayonne Plant Holding, L.L.C., Camden Plant Holding, L.L.C., Dartmouth Power Associates Limited Partnership, Newark Bay Cogeneration Partnership L.P., Pedricktown Cogeneration Company LP, Sapphire Power Marketing LLC, York Generation Company LLC, C.P. Crane LLC, Elmwood Park Power, LLC.

Description: Notice of Change in Status of the Talen Energy Corporation public utility subsidiaries.

Filed Date: 6/26/15.

Accession Number: 20150626–5333.

Comments Due: 5 p.m. ET 7/17/15.

Docket Numbers: ER10–2331–032; ER14–630–009; ER10–2319–024; ER10–2317–024; ER10–2326–030; ER14–1468–008; ER13–1351–006; ER10–2330–031.

Applicants: J.P. Morgan Ventures Energy Corporation, AlphaGen Power LLC, BE Alabama LLC, BE CA LLC, Cedar Brakes I, L.L.C., KMC Thermo, LLC, Florida Power Development LLC, Utility Contract Funding, L.L.C.

Description: Notice of Non-Material Change in Status of the JP Morgan Sellers.

Filed Date: 6/29/15.

Accession Number: 20150629–5258.

Comments Due: 5 p.m. ET 7/20/15.

Docket Numbers: ER15–1494–002.

Applicants: Convergent Energy and Power Inc.

Description: Tariff Amendment: Petition for Acceptance of Initial Tariff, Waivers and Blanket Authority to be effective 6/15/2015.

Filed Date: 6/30/15.

Accession Number: 20150630–5083.

Comments Due: 5 p.m. ET 7/21/15.

Docket Numbers: ER15–2060–000.

Applicants: Maine Electric Power Company, Inc.

Description: Section 205(d) Rate Filing: Amended & Restated Second E&P Agmt with Number Nine Wind Farm LLC to be effective 6/29/2015.

Filed Date: 6/29/15.

Accession Number: 20150629–5234.

Comments Due: 5 p.m. ET 7/20/15.

Docket Numbers: ER15–2061–000.

Applicants: Consumers Energy Company.

Description: Tariff Cancellation: Cancel Tariff ID to be effective 6/30/2015.

Filed Date: 6/29/15.

Accession Number: 20150629–5245.

Comments Due: 5 p.m. ET 7/20/15.

Docket Numbers: ER15–2062–000.

Applicants: Consumers Energy Company.

Description: Compliance filing: Administrative Re-File to be effective 6/30/2015.

Filed Date: 6/29/15.

Accession Number: 20150629–5246.

Comments Due: 5 p.m. ET 7/20/15.

Docket Numbers: ER15–2063–000.

Applicants: Rising Tree Wind Farm LLC.

Description: Section 205(d) Rate Filing: Amended SFA to be effective 8/29/2015.

Filed Date: 6/29/15.

Accession Number: 20150629–5248.

Comments Due: 5 p.m. ET 7/20/15.

Docket Numbers: ER15–2064–000.

Applicants: Rising Tree Wind Farm III LLC.

Description: Section 205(d) Rate Filing: Amended SFA to be effective 8/29/2015.

Filed Date: 6/29/15.

Accession Number: 20150629–5249.

Comments Due: 5 p.m. ET 7/20/15.

Docket Numbers: ER15–2065–000.

Applicants: Rising Tree Wind Farm II LLC.

Description: Section 205(d) Rate Filing: Amended SFA to be effective 8/29/2015.

Filed Date: 6/29/15.

Accession Number: 20150629–5251.

Comments Due: 5 p.m. ET 7/20/15.

Docket Numbers: ER15–2066–000.

Applicants: Rising Tree Wind Farm LLC.

Description: Section 205(d) Rate Filing: Amended Co-Tenancy Agmnt to be effective 8/29/2015.

Filed Date: 6/30/15.

Accession Number: 20150630–5000.

Comments Due: 5 p.m. ET 7/21/15.

Docket Numbers: ER15–2067–000.

Applicants: Rising Tree Wind Farm III LLC.

Description: Section 205(d) Rate Filing: Amended Co-Tenancy Agmnt to be effective 8/29/2015.

Filed Date: 6/30/15.

Accession Number: 20150630–5002.

Comments Due: 5 p.m. ET 7/21/15.

Docket Numbers: ER15–2068–000.

Applicants: Rising Tree Wind Farm II LLC.

Description: Section 205(d) Rate Filing: Amended Co-Tenancy Agmnt to be effective 8/29/2015.

Filed Date: 6/30/15.

Accession Number: 20150630–5003.

Comments Due: 5 p.m. ET 7/21/15.

Docket Numbers: ER15–2069–000.

Applicants: NorthWestern Corporation.

Description: Application of NorthWestern Corporation regarding Formula Rate and Protocols to be included in Southwest Power Pool, Inc.'s Tariff.

Filed Date: 6/29/15.

Accession Number: 20150629–5293.

Comments Due: 5 p.m. ET 7/20/15.

Docket Numbers: ER15–2070–000.

Applicants: Vermont Transco, LLC.

Description: Section 205(d) Rate Filing: Vermont Transco LLC Updated Exhibit A for the 1991 Transmission Agreement to be effective 7/1/2015.

Filed Date: 6/30/15.

Accession Number: 20150630–5106.

Comments Due: 5 p.m. ET 7/21/15.

Docket Numbers: ER15–2071–000.

Applicants: NorthWestern Corporation.

Description: Section 205(d) Rate Filing: SA 31 13th Revised—NITSA with ConocoPhillips Company to be effective 9/1/2015.

Filed Date: 6/30/15.

Accession Number: 20150630–5148.

Comments Due: 5 p.m. ET 7/21/15.

Docket Numbers: ER15–2072–000.

Applicants: Cedar Brakes I, L.L.C.

Description: Tariff Cancellation: Notice of cancellation to be effective 6/30/2015.

Filed Date: 6/30/15.

Accession Number: 20150630–5168.

Comments Due: 5 p.m. ET 7/21/15.

Docket Numbers: ER15–2073–000.

Applicants: Consolidated Water Power Company.

Description: Compliance filing: Amendment to be effective 7/1/2015.

Filed Date: 6/30/15.

Accession Number: 20150630–5169.

Comments Due: 5 p.m. ET 7/21/15.

Docket Numbers: ER15–2074–000.

Applicants: Escanaba Paper Company.

Description: Compliance filing: Amendment to be effective 7/1/2015.

Filed Date: 6/30/15.

Accession Number: 20150630–5171.

Comments Due: 5 p.m. ET 7/21/15.

Docket Numbers: ER15–2075–000.

Applicants: Southwest Power Pool, Inc.

Description: Section 205(d) Rate Filing: North Western Corporation (South Dakota) Formula Rate to be effective 10/1/2015.

Filed Date: 6/30/15.

Accession Number: 20150630–5175.

Comments Due: 5 p.m. ET 7/21/15.

Docket Numbers: ER15–2076–000.

Applicants: NewPage Energy Services, LLC.

Description: Compliance filing: Amendment to be effective 7/1/2015.

Filed Date: 6/30/15.
Accession Number: 20150630–5176.
Comments Due: 5 p.m. ET 7/21/15.

Docket Numbers: ER15–2077–000.
Applicants: Duke Energy Florida, Inc.
Description: Section 205(d) Rate Filing: City of Williston Amendment RS No. 220 to be effective 1/1/2015.
Filed Date: 6/30/15.
Accession Number: 20150630–5177.
Comments Due: 5 p.m. ET 7/21/15.

Docket Numbers: ER15–2078–000.
Applicants: Talen Energy Marketing, LLC.
Description: Section 205(d) Rate Filing: Notice of Succession to Reactive Tarifff to be effective 6/30/2015.
Filed Date: 6/30/15.
Accession Number: 20150630–5187.
Comments Due: 5 p.m. ET 7/21/15.

Docket Numbers: ER15–2079–000.
Applicants: New York Independent System Operator, Inc., New York State Electric & Gas Corporation.
Description: Section 205(d) Rate Filing: NYISO 205 filing EPC agreement among NYISO, NYSEG and CPV Valley to be effective 6/9/2015.
Filed Date: 6/30/15.
Accession Number: 20150630–5206.
Comments Due: 5 p.m. ET 7/21/15.

Docket Numbers: ER15–2080–000.
Applicants: PJM Interconnection, L.L.C.
Description: Section 205(d) Rate Filing: Original WMPA Service Agreement No. 4186; Queue No. Z1–068 to be effective 6/16/2015.
Filed Date: 6/30/15.
Accession Number: 20150630–5234.
Comments Due: 5 p.m. ET 7/21/15.

Take notice that the Commission received the following electric reliability filings:

Docket Numbers: RR15–10–000.
Applicants: North American Electric Reliability Corporation.
Description: Supplement to May 29, 2015 North American Electric Reliability Corporation's Report of Budgeted to Actual Costs for 2014 for NERC and the Regional Entities under RR15–10.
Filed Date: 6/29/15.
Accession Number: 20150629–5298.
Comments Due: 5 p.m. ET 7/20/15.

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: June 30, 2015.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2015–16602 Filed 7–6–15; 8:45 am]

BILLING CODE 6717–01–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: ER10–1585–008; ER10–1594–008; ER10–1616–004; ER10–1617–008; ER10–1623–004; ER12–60–010; ER10–1632–010; ER10–1628–008.
Applicants: Alabama Electric Marketing, LLC, California Electric Marketing, LLC, New Covert Generating Company, LLC, New Mexico Electric Marketing, LLC, Tenaska Frontier Partners, Ltd., Tenaska Power Management, LLC, Tenaska Power Services Co., Texas Electric Marketing, LLC.
Description: Triennial Market Power Analysis for the Central Region of the Tenaska MBR Sellers.
Filed Date: 6/30/15.
Accession Number: 20150630–5259.
Comments Due: 5 p.m. ET 8/31/15.

Docket Numbers: ER10–2394–003; ER10–2395–003; ER10–2422–003; ER10–2389–002.
Applicants: BIV Generation Company, L.L.C., Colorado Power Partners, Rocky Mountain Power, LLC, San Joaquin Cogen, LLC.
Description: Notice of Non-Material Change in Status of BIV Generation Company, L.L.C., et al.
Filed Date: 6/29/15.
Accession Number: 20150629–5309.
Comments Due: 5 p.m. ET 7/20/15.

Docket Numbers: ER10–2405–004.
Applicants: High Prairie Wind Farm II, LLC.
Description: Updated Market Power Analysis for Central Region of High Prairie Wind Farm II, LLC.
Filed Date: 6/30/15.
Accession Number: 20150630–5252.
Comments Due: 5 p.m. ET 8/31/15.

Docket Numbers: ER10–2417–002; ER13–122–002.
Applicants: ExxonMobil Baton Rouge Complex, ExxonMobil Beaumont Complex.
Description: Triennial Market-Power Analysis for the Central Region of ExxonMobil Baton Rouge Complex, et al.
Filed Date: 6/29/15.
Accession Number: 20150629–5317.
Comments Due: 5 p.m. ET 8/28/15.

Docket Numbers: ER10–2507–005.
Applicants: Westar Energy, Inc.
Description: Triennial Market Power Analysis of Westar Energy, Inc.
Filed Date: 6/29/15.
Accession Number: 20150629–5313.
Comments Due: 5 p.m. ET 8/28/15.

Docket Numbers: ER10–2615–006; ER11–2335–007.
Applicants: Plum Point Energy Associates, LLC, Plum Point Services Company, LLC.
Description: Triennial MBR Filing of Plum Point Energy Associates, LLC and Plum Point Services Company, LLC. et al.
Filed Date: 6/29/15.
Accession Number: 20150629–5316.
Comments Due: 5 p.m. ET 8/28/15.

Docket Numbers: ER10–3079–009.
Applicants: Tyr Energy, LLC.
Description: Updated Market Power Analysis of Tyr Energy, LLC.
Filed Date: 6/29/15.
Accession Number: 20150629–5310.
Comments Due: 5 p.m. ET 8/28/15.

Docket Numbers: ER13–738–004; ER11–3097–008; ER10–1212–007; ER10–1186–007; ER10–1277–007; ER10–1211–007; ER10–1188–007; ER10–1329–007.
Applicants: DTE Electric Company, DTE Energy Trading, Inc., DTE River Rouge No. 1, LLC, DTE Energy Supply, Inc., DTE East China, LLC, DTE Pontiac North, LLC, St. Paul Cogeneration, LLC, DTE Stoneman, LLC.
Description: Updated Market Power Analysis for the Central Region of the DTE MBR Entities.
Filed Date: 6/29/15.
Accession Number: 20150629–5311.
Comments Due: 5 p.m. ET 8/28/15.

Docket Numbers: ER15–2081–000.
Applicants: PJM Interconnection, L.L.C.
Description: Section 205(d) Rate Filing: Original WMPA Service Agreement No. 4187; Queue No. Z2–099 to be effective 6/16/2015.
Filed Date: 6/30/15.
Accession Number: 20150630–5256.
Comments Due: 5 p.m. ET 7/21/15.

Docket Numbers: ER15–2082–000.
Applicants: ExxonMobil Baton Rouge Complex.
Description: Compliance filing: Compliance to be effective 7/1/2015.
Filed Date: 6/30/15.
Accession Number: 20150630–5266.
Comments Due: 5 p.m. ET 7/21/15.

Docket Numbers: ER15–2083–000.
Applicants: New York Independent System Operator, Inc.
Description: Section 205(d) Rate Filing: NYISO 205 filing EPC agreement among NYISO, Central Hudson and CPV Valley to be effective 6/3/2015.
Filed Date: 6/30/15.
Accession Number: 20150630–5269.
Comments Due: 5 p.m. ET 7/21/15.

Docket Numbers: ER15–2084–000.
Applicants: LG&E Energy Marketing Inc.
Description: Section 205(d) Rate Filing: Amendment to Market Based Rate Tariff to be effective 7/1/2015.
Filed Date: 6/30/15.
Accession Number: 20150630–5272.
Comments Due: 5 p.m. ET 7/21/15.

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: June 30, 2015.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2015–16603 Filed 7–6–15; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Filings Instituting Proceedings

Docket Numbers: RP12–1136–000.
Applicants: Cameron Interstate Pipeline, L.L.C.
Description: Annual Report of Transportation Imbalances and Cash Out Activity.
Filed Date: 4/27/12.
Accession Number: 20120427–5145.
Comments Due: 5 p.m. ET 7/6/15.

Docket Numbers: RP15–171–000.
Applicants: Destin Pipeline Company, L.L.C.
Description: Report Filing: Notice of Auxiliary Installation Reimbursement Fee Effective Date.
Filed Date: 6/22/15.
Accession Number: 20150622–5154.
Comments Due: 5 p.m. ET 7/6/15.

Docket Numbers: RP15–23–007.
Applicants: Transwestern Pipeline Company, LLC.
Description: Settlement Agreement.
Filed Date: 6/22/15.
Accession Number: 20150622–5000.
Comments Due: 5 p.m. ET 7/13/15.

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.

Filings in Existing Proceedings

Docket Numbers: RP14–1195–003.
Applicants: Sierrita Gas Pipeline LLC.
Description: Compliance filing Tariff Record Correction Compliance to be effective 10/31/2014.
Filed Date: 6/18/15.
Accession Number: 20150618–5095
Comments Due: 5 p.m. ET 6/30/15.

Any person desiring to protest in any of the above proceedings must file in accordance with Rule 211 of the Commission's Regulations (18 CFR 385.211) on or before 5:00 p.m. Eastern time on the specified comment date.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

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: June 29, 2015.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2015–16588 Filed 7–6–15; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. ER15–1308–000; ER15–1308–001]

Kingfisher Wind, LLC; Order Granting Market-Based Rate Authorization and Request for Waivers and Providing Guidance on Vertical Market Power Representations

Before Commissioners: Norman C. Bay, Chairman; Philip D. Moeller, Cheryl A. LaFleur, Tony Clark, and Colette D. Honorable.

1. In this order, we grant Kingfisher Wind, LLC (Kingfisher Wind) authority to make wholesale sales of electric energy, capacity, and ancillary services at market-based rates, effective June 30, 2015, as requested. Also, as discussed below, we grant Kingfisher Wind's request for waiver of the Commission's requirements to file an Open Access Transmission Tariff (OATT), to establish and maintain an Open Access Same-Time Information System (OASIS), and to comply with the Commission's Standards of Conduct. In addition, as discussed below, we provide guidance with regard to interconnection facilities that qualify for the blanket OATT waiver provided in Order No. 807.[1] We also grant Kingfisher Wind's request for other waivers commonly granted to market-based rate sellers, except as noted herein.

2. Additionally, we find that Kingfisher Wind meets the criteria for a Category 1 seller in the Northwest, Northeast, Southwest, Southeast, and Central regions and a Category 2 seller in the Southwest Power Pool (SPP) region, and is so designated. Kingfisher Wind must file updated market power analyses for the SPP region in compliance with the regional reporting schedule adopted in Order No. 697.[2]

[1] Subsequent to the filing of this application, the Commission issued Order No. 807, which will be effective June 30, 2015. In Order No. 807, the Commission amended its regulations to waive the OATT requirements of 18 CFR 35.28, the OASIS requirements of part 37, and the Standards of Conduct requirements of part 358, under certain conditions, for entities that own interconnection facilities. *See Open Access and Priority Rights on Interconnection Customer's Interconnection Facilities,* Order No. 807, FERC Stats. & Regs. ¶ 31,367 (2015).

[2] *See Market-Based Rates for Wholesale Sales of Electric Energy, Capacity and Ancillary Services by Public Utilities,* Order No. 697, FERC Stats. & Regs. ¶ 31,252, at PP 848–850, *clarified,* 121 FERC ¶ 61,260 (2007) (Clarification Order), *order on reh'g,* Order No. 697–A, FERC Stats. & Regs. ¶ 31,268, *clarified,* 124 FERC ¶ 61,055, *order on reh'g,* Order No. 697–B, FERC Stats. & Regs. ¶ 31,285 (2008), *order on reh'g,* Order No. 697–C, FERC Stats. &

Continued

I. Background

3. On March 17, 2015, as amended May 18, 2015, pursuant to section 205 of the Federal Power Act (FPA),[3] Kingfisher Wind filed an application for market-based rate authority with an accompanying tariff providing for the sale of electric energy, capacity, and ancillary services at market-based rates.[4]

4. Kingfisher Wind states that it owns a 298 megawatt (MW) wind generation facility located in Canadian and Kingfisher Counties, Oklahoma (the Project), within the SPP market.

5. Kingfisher Wind states that it will also own limited interconnection facilities which will consist of 34.5 kilovolt (kV) collection lines and related facilities, including a collection substation, transformers and disconnect switches, and a share of a 25-mile, 345 kV generator tie line and related equipment and facilities (Shared Facilities)[5] that are necessary to interconnect the Project to the 345 kV Cimarron substation owned by OG&E and the transmission system operated by SPP.

6. Kingfisher Wind states that it will utilize the interconnection facilities solely to interconnect the Project to the transmission system operated by SPP. Kingfisher Wind states that the interconnection facilities do not comprise an integrated transmission system and are limited and discrete. Kingfisher Wind requests that the Commission waive the requirements under Order Nos. 888,[6] 889,[7] 890,[8] 2004,[9] and 717,[10] and section 35.28,[11] and Parts 37[12] and 358[13] of the Commission's regulations for all of the limited interconnection facilities, including but not limited to, the Shared Facilities.

7. Kingfisher Wind states that it is a wholly-owned subsidiary of FR Kingfisher Holdings II LLC, which is an indirect subsidiary of First Reserve Energy Infrastructure Fund II, L.P. (Fund II), which is controlled by senior officers of First Reserve, a global private equity firm focused on the energy industry. Kingfisher Wind states that Fund II is managed and controlled by its general partner, First Reserve Energy Infrastructure GP II, L.P., which in turn, is managed and controlled by its general partner, First Reserve Energy Infrastructure G.P. II Limited (First Reserve GP II). Kingfisher Wind states that its affiliates that own or control generation facilities in the United States are either exempt wholesale generators or owners of qualifying facilities under the Public Utility Regulatory Policies Act of 1978.[14] Kingfisher Wind represents that it is affiliated with approximately 918 MW of generation capacity in the SPP market, all of which is fully committed under long-term power purchase agreements.

II. Notice of Filings

8. Notices of Kingfisher Wind's filings were published in the **Federal Register**,[15] with interventions and protests due on or before June 9, 2015. None was filed.

9. Notice of Kingfisher Wind's request for blanket authorization under part 34 of the Commission's regulations was separately published in the **Federal Register**,[16] with interventions or protests due on or before April 7, 2015. None was filed.

III. Discussion

10. As discussed below, we will grant Kingfisher Wind's request for authorization to make wholesale sales of electric energy, capacity, and ancillary services at market-based rates and we will accept its market-based rate tariff, effective June 30, 2015, as requested.[17] We will also grant Kingfisher Wind's request for certain waivers.

A. Market-Based Rate Authorization

11. The Commission allows power sales at market-based rates if the seller and its affiliates do not have, or have adequately mitigated, horizontal and vertical market power.[18]

1. Horizontal Market Power

12. The Commission has adopted two indicative screens for assessing horizontal market power: the pivotal supplier screen and the wholesale market share screen.[19] The Commission has stated that passage of both screens establishes a rebuttable presumption that the applicant does not possess

Regs. ¶ 31,291 (2009), *order on reh'g,* Order No. 697–D, FERC Stats. & Regs. ¶ 31,305 (2010), *aff'd sub nom. Mont. Consumer Counsel* v. *FERC,* 659 F.3d 910 (9th Cir. 2011), *cert. denied,* 133 S. Ct. 26 (2012).

[3] 16 U.S.C. 824d (2012).

[4] Kingfisher Wind requests authorization to sell ancillary services in the markets administered by PJM Interconnection, L.L.C., New York Independent System Operator, Inc., ISO New England Inc., California Independent System Operator Corp., Midcontinent Independent System Operator, Inc. (MISO), and SPP, as well as authorization to engage in the sale of certain ancillary services as a third-party provider in other markets.

[5] Kingfisher Wind states that it will acquire 30 percent tenancy-in-common interests of the Shared Facilities from Canadian Hills Wind, LLC (Canadian Hills). Kingfisher adds that Canadian Hills is an exempt wholesale generator which owns and operates a wind generation facility that is interconnected with the Oklahoma Gas and Electric Company (OG&E) transmission system via the Shared Facilities. Kingfisher Wind states that the Commission granted Canadian Hills waiver of the OATT requirement. *See Canadian Hills Wind, LLC,* 143 FERC ¶ 61,261 (2013); *see also Canadian Hills Wind, LLC,* Docket No. ER15–1372–000 (May 14, 2015) (delegated letter order).

[6] *Promoting Wholesale Competition Through Open Access Non-Discriminatory Transmission Services by Public Utilities; Recovery of Stranded Costs by Public Utilities and Transmitting Utilities,* Order No. 888, FERC Stats. & Regs. ¶ 31,036 (1996), *order on reh'g,* Order No. 888–A, FERC Stats. & Regs. ¶ 31,048, *order on reh'g,* Order No. 888–B, 81 FERC ¶ 61,248 (1997), *order on reh'g,* Order No. 888–C, 82 FERC ¶ 61,046 (1998), *aff'd in relevant part sub nom. Transmission Access Policy Study Group* v. *FERC,* 225 F.3d 667 (D.C. Cir. 2000), *aff'd sub nom. New York* v. *FERC,* 535 U.S. 1 (2002).

[7] *Open Access Same-Time Information System and Standards of Conduct,* Order No. 889, FERC Stats. & Regs. ¶ 31,035 (1996), *order on reh'g,* Order No. 889–A, FERC Stats. & Regs. ¶ 31,049, *reh'g denied,* Order No. 889–B, 81 FERC ¶ 61,253 (1997).

[8] *Preventing Undue Discrimination and Preference in Transmission Service,* Order No. 890, FERC Stats. & Regs. ¶ 31,241, *order on reh'g,* Order No. 890–A, FERC Stats. & Regs. ¶ 31,261 (2007), *order on reh'g,* Order No. 890–B, 123 FERC ¶ 61,299 (2008), *order on reh'g,* Order No. 890–C, 126 FERC ¶ 61,228, *order on clarification,* Order No. 890–D, 129 FERC ¶ 61,126 (2009).

[9] *Standards of Conduct for Transmission Providers,* Order No. 2004, FERC Stats. & Regs. ¶ 31,155 (2003), *order on reh'g,* Order No. 2004–A, FERC Stats. & Regs. ¶ 31,161, *order on reh'g,* Order No. 2004–B, FERC Stats. & Regs. ¶ 31,166, *order on reh'g,* Order No. 2004–C, FERC Stats. & Regs. ¶ 31,172 (2004), *order on reh'g,* Order No. 2004–D, 110 FERC ¶ 61,320 (2005), *vacated and remanded as it applies to natural gas pipelines sub nom. National Fuel Gas Supply Corp.* v. *FERC,* 468 F.3d 831 (D.C. Cir. 2006); *see Standards of Conduct for Transmission Providers,* Order No. 690, FERC Stats. & Regs. ¶ 31,237, *order on reh'g,* Order No. 690–A, FERC Stats. & Regs. ¶ 31,243 (2007).

[10] *Standards of Conduct for Transmission Providers,* Order No. 717, FERC Stats. & Regs. ¶ 31,280 (2008), *order on reh'g,* Order No. 717–A, FERC Stats. & Regs. ¶ 31,297, *order on reh'g,* Order No. 717–B, 129 FERC ¶ 61,123 (2009), *order on reh'g,* Order No. 717–C, 131 FERC ¶ 61,045 (2010), *order on reh'g,* Order No. 717–D, 135 FERC ¶ 61,017 (2011).

[11] 18 CFR 35.28 (2014).

[12] 18 CFR 37 (2014).

[13] 18 CFR 358 (2014).

[14] 16 U.S.C. 2601 *et seq.* (2012).

[15] 80 FR 15,779 (2015); 80 FR 30,223 (2015).

[16] 80 FR 15,784 (2015).

[17] We note that Kingfisher Wind is not being granted authority to make third-party sales of operating reserves to a public utility that is purchasing ancillary services to satisfy its own open access transmission tariff requirements to offer ancillary services to its own customers. If Kingfisher Wind seeks such authority, it must make the required showing and receive Commission authorization prior to making such sales. *See Third-Party Provision of Ancillary Services; Accounting and Financial Reporting for New Electric Storage Technologies,* Order No. 784, FERC Stats. & Regs. ¶ 31,349, at PP 200–202 (2013), *order on clarification,* Order No. 784–A, 146 FERC ¶ 61,114 (2014).

[18] Order No. 697, FERC Stats. & Regs. ¶ 31,252 at PP 62, 399, 408, 440.

[19] *Id.* P 62.

horizontal market power, while failure of either screen creates a rebuttable presumption that the applicant has horizontal market power.[20]

13. Kingfisher Wind represents that it relies on Westar Energy, Inc.'s recently accepted market power analysis to demonstrate that Kingfisher Wind passes both the pivotal supplier and the wholesale market share screens for the SPP market.[21]

14. Based on Kingfisher Wind's representations, we find that Kingfisher Wind satisfies the Commission's requirements for market-based rates regarding horizontal market power.

2. Vertical Market Power

15. In cases where a public utility, or any of its affiliates, owns, operates, or controls transmission facilities, the Commission requires that there be a Commission-approved OATT on file or that the seller has received waiver of the OATT requirement before granting a seller market-based rate authorization.[22] Kingfisher Wind states that neither Kingfisher Wind nor its affiliates owns transmission facilities other than those limited and discrete facilities that are necessary to interconnect generation facilities to the transmission grid. As discussed more fully below, the Commission will grant Kingfisher Wind's request for waiver of the requirement to have an OATT on file for the interconnection facilities.

16. The Commission also considers a seller's ability to erect other barriers to entry as part of the vertical market power analysis.[23] The Commission requires a seller to provide a description of its ownership or control of, or affiliation with an entity that owns or controls, intrastate natural gas transportation, intrastate natural gas storage or distribution facilities; sites for new generation capacity development; and physical coal supply sources and ownership of or control over who may access transportation of coal supplies (collectively, inputs to electric power production).[24] The Commission also requires sellers to make an affirmative statement that they have not erected barriers to entry into the relevant market and will not erect barriers to entry into the relevant market.[25] The Commission adopted a rebuttable presumption that the ownership or control of, or affiliation with any entity that owns or controls, inputs to electric power production does not allow a seller to raise entry barriers but will allow intervenors to demonstrate otherwise.[26]

17. Regarding other barriers to entry, Kingfisher Wind states that neither it nor any of its affiliates owns or controls physical coal supply sources, entities that may access transportation of coal supplies, or sites to develop new generation capacity. Kingfisher Wind states that it has affiliates that own or control intrastate natural gas transportation, storage or distribution facilities, but that these assets will not allow Kingfisher Wind to erect barriers to entry.[27]

18. Finally, consistent with Order No. 697, Kingfisher Wind affirmatively states that it and its affiliates have not erected, and will not erect, barriers to entry in SPP.

19. Based on Kingfisher Wind's representations, we find that Kingfisher Wind satisfies the Commission's requirements for market-based rates regarding vertical market power.

B. Waiver Requests

1. OATT, OASIS, and Standards of Conduct

20. Kingfisher Wind seeks waiver of the requirements to file an OATT, establish and maintain an OASIS, and abide by the Standards of Conduct with respect to the interconnection facilities that it owns.[28] In support, Kingfisher Wind represents that the interconnection facilities are limited and discrete and that it will utilize them solely to interconnect the Project to the transmission system operated by SPP. Kingfisher Wind further states that the interconnection facilities do not comprise an integrated transmission system.

21. Order Nos. 888 and 890 and section 35.28 of the Commission's regulations require public utilities that own, operate, or control facilities used for the transmission of electric energy in interstate commerce to file an OATT. Order No. 889 and part 37 of the Commission's regulations require public utilities to establish and maintain an OASIS. Order Nos. 889, 2004, and 717 and Part 358 of the Commission's regulations require public utilities to abide by certain Standards of Conduct.[29] In prior orders, the Commission has enunciated the standards for exemption from some or all of the requirements of Order Nos. 888, 889, and 890.[30] The Commission has stated that the criteria for waiver of the requirements of Order No. 890 and Order No. 2004 are unchanged from those used to evaluate requests for waiver under Order Nos. 888 and 889.[31] Order No. 717 did not change those criteria.[32]

22. The Commission may grant requests for waiver of the obligation to file an OATT to public utilities that can show that they own, operate, or control only limited and discrete transmission facilities (facilities that do not form an integrated transmission grid), until such time as the public utility receives a request for transmission service. Should the public utility receive such a request, the Commission has determined that the public utility must file with the Commission a *pro forma* tariff within 60 days of the date of the request, and must comply with any additional requirements that are effective on the date of the request.[33]

23. The Commission has also determined that waiver of the requirement to establish an OASIS and abide by the Standards of Conduct would be appropriate for a public utility if the applicant: (1) Owns, operates, or controls only limited and discrete transmission facilities (rather than an integrated transmission grid); or (2) is a small public utility that owns, operates, or controls an integrated transmission grid, unless other circumstances are

[20] *Id.* PP 33, 62–63.

[21] *See Westar Energy, Inc.,* Docket No. ER14–724–000 (Feb. 28, 2014) (delegated letter order). Kingfisher Wind relies on historical data for the SPP market for the study period of December 2011 through November 2012 contained in the Westar pivotal supplier and market share screens study. Kingfisher Wind states that the use of more recent data (*i.e.,* December 2012 through November 2013) would not result in significantly higher market shares because conditions would not change materially over one year. *See* Clarification Order, 121 FERC ¶ 61,260 at P 12.d.

[22] Order No. 697, FERC Stats. & Regs. ¶ 31,252 at P 408.

[23] *Id.* P 440.

[24] Order No. 697–A, FERC Stats. & Regs. ¶ 31,268 at P 176.

[25] Order No. 697, FERC Stats. & Regs. ¶ 31,252 at P 447.

[26] *Id.* P 446.

[27] Kingfisher Wind states that it is affiliated with: (1) Crestwood Midstream Partners, LP, which owns gathering pipelines and natural gas storage facilities located in a number of geographic regions, including some gathering pipelines located in or near SPP; (2) the Arthur C. Nielsen Pipeline System and Clearfield Pipeline System, intrastate natural gas pipelines located within Pennsylvania; and (3) FREIF Caliber Holdings, which owns gathering pipelines located in MISO. *See* Kingfisher Wind May 18 Supplement at 2–3.

[28] Notwithstanding the issuance of Order No. 807, Kingfisher Wind requests that the Commission rule on its requested waiver herein. Kingfisher Wind May 18 Supplement at n.5.

[29] Order No. 889, FERC Stats. & Regs. ¶ 31,035 at 31,590; Order No. 2004, FERC Stats. & Regs. ¶ 31,155 at P 16; Order No. 717, FERC Stats. & Regs. ¶ 31,280 at P 313.

[30] *See, e.g., Black Creek Hydro, Inc.,* 77 FERC ¶ 61,232, at 61,941 (1996) (*Black Creek*); *Entergy Mississippi, Inc.,* 112 FERC ¶ 61,228, at P 22 (2005) (*Entergy*).

[31] *See Alcoa Power Generating Inc.,* 120 FERC ¶ 61,035, at P 3 (2007); *Alcoa Power Generating Inc.,* 108 FERC ¶ 61,243, at P 27 (2004).

[32] *See* Order No. 717, FERC Stats. & Regs. ¶ 31,280 at PP 31–33.

[33] *Black Creek,* 77 FERC at 61,941.

present that indicate that a waiver would not be justified.[34] The Commission has held that waiver of Order No. 889 will remain in effect until the Commission takes action in response to a complaint to the Commission that an entity evaluating its transmission needs could not get the information necessary to complete its evaluation (for OASIS waivers) or an entity complains that the public utility has unfairly used its access to information about transmission to benefit the utility or its affiliate (for Standards of Conduct waivers).[35]

24. Based on the statements in Kingfisher Wind's application, we find that its interconnection facilities qualify as limited and discrete. Kingfisher Wind will use the facilities solely to interconnect the Project to the transmission grid. Accordingly, we will grant Kingfisher Wind waiver of the requirements of Order Nos. 888 and 890 and section 35.28 of the Commission's regulations to have an OATT on file with respect to the interconnection facilities. However, if Kingfisher Wind receives a request for transmission service, it must file with the Commission a *pro forma* OATT within 60 days of the date of the request.[36]

25. The Commission will also grant Kingfisher Wind waiver of the requirements of Order No. 889 and part 37 of the Commission's regulations with respect to OASIS and Order Nos. 889, 2004, and 717 and Part 358 with respect to the Standards of Conduct. We note that Kingfisher Wind's waiver of the requirement to establish an OASIS will remain in effect until the Commission takes action in response to a complaint to the Commission that an entity evaluating its transmission needs could not get the information necessary to complete its evaluation.[37] Likewise, Kingfisher Wind's waiver of the Standards of Conduct will remain in effect unless and until the Commission takes action on a complaint by an entity that Kingfisher Wind has unfairly used its access to information to unfairly benefit itself or its affiliates.[38]

26. Given that Order No. 807 will be effective June 30, 2015, we take this opportunity to explain how market-based rate applicants and sellers may demonstrate a lack of vertical market power once the blanket waiver provided for in 18 CFR 35.28(d)(2) takes effect. In Order No. 807, the Commission modified its policy to provide an additional method for obtaining waiver of the OATT requirements. Specifically, the Commission stated that a market-based rate seller or any of its affiliates that own, operate, or control transmission facilities may satisfy the vertical market power requirements in 18 CFR 35.37(d) by one of the following: (1) Have a Commission-approved OATT on file; (2) receive waiver of the OATT requirement under 18 CFR 35.28(d)(1); or (3) satisfy the requirements for a blanket waiver under 18 CFR 35.28(d)(2).[39]

27. We provide guidance herein that an applicant that qualifies for the blanket OATT waiver under 18 CFR 35.28(d)(2) should affirm in its market-based rate application that it qualifies for the blanket OATT waiver. As the Commission stated in Order No. 807, ''[s]uch a waiver is justified because the usually limited and discrete nature of [Interconnection Customer's Interconnection Facilities (ICIF)] and ICIF's dedicated interconnection purpose means that such facilities do not typically present the concerns about discriminatory conduct that the Commission's OATT, OASIS, and Standards of Conduct requirements were intended to address.''[40] In accordance with Order No. 807, the waivers referenced in 18 CFR 35.28(d)(2) shall be deemed in effect unless revoked as of the date the public utility ceases to satisfy the qualifications of 18 CFR 35.28(d)(2), and also may be revoked by the Commission if the Commission determines that it is in the public interest to do so.[41] Thus, applicants who attest that they qualify for the blanket authorization do not need to request, nor should they request, a waiver of the OATT, OASIS and Standards of Conduct requirements. We also note that the Commission stated in Order No. 807 that an entity that has already been issued a waiver of the OATT, OASIS and Standards of Conduct requirements and that is eligible for the blanket waiver under Order No. 807 will be deemed to be operating under the blanket waiver without further filings necessary with respect to the previously-issued waiver.[42]

28. As stated above, Kingfisher Wind specifically requests that the Commission rule on its requested OATT waiver, and we hereby grant this waiver.

2. Other Waivers and Authorizations

29. Kingfisher Wind also requests the following waivers and authorizations: (1) Waiver of the filing requirements of subparts B and C of part 35 of the Commission's regulations, except sections 35.12(a), 35.13(b), 35.15, and 35.16; (2) waiver of the accounting and other requirements of parts 41, 101, and 141 of the Commission's regulations, except sections 141.14 and 141.15; and (3) blanket authorization under section 204 of the FPA[43] and Part 34 of the Commission's regulations for all future issuances of securities and assumptions of liability.

30. The Commission will grant the requested waivers and authorizations consistent with those granted to other entities with market-based rate authorizations.[44] Notwithstanding the

[34] *Id.* Although the Commission originally precluded waiver of the requirements for OASIS and the Standards of Conduct for a small public utility that is a member of a tight power pool, in *Black Hills Power, Inc.,* 135 FERC ¶ 61,058, at PP 2–3 (2011) (*Black Hills*), the Commission explained that membership in a tight power pool is no longer a factor in the determination for waiver of Standards of Conduct. Moreover, *Black Hills* did not affect waivers based on a public utility disposing of no more than 4 million megawatt-hours annually.

[35] *Entergy,* 112 FERC ¶ 61,228 at P 23 (citing *Cent. Minn. Mun. Power Agency,* 79 FERC ¶ 61,260, at 62,127 (1997) (*Central Minnesota*); *Easton Utils. Comm'n,* 83 FERC ¶ 61,334, at 62,343 (1998) (*Easton*)).

[36] *Black Creek,* 77 FERC at 61,941.

[37] *Entergy,* 112 FERC ¶ 61,228 at P 23 (citing *Central Minnesota,* 79 FERC at 62,127; *Easton,* 83 FERC at 62,343).

[38] *Id.* Kingfisher Wind must notify the Commission if there is a material change in facts that affects its waiver within 30 days of the date of such change. *Material Changes in Facts Underlying Waiver of Order No. 889 and Part 358 of the Commission's Regulations,* 127 FERC ¶ 61,141, at P 5 (2009).

[39] Order No. 807, FERC Stats. & Regs. ¶ 31,367 at P 57.

[40] *Id.* P 55.

[41] *Id.* P 101 (''the [blanket] waiver would be deemed to be revoked as of the date the public utility ceases to satisfy the qualifications for such waiver. . . . [I]f the ICIF that are covered by a blanket waiver become integrated into a transmission system such that they can no longer be considered ICIF, the blanket waiver would be deemed to be revoked.''). After revocation of its waivers, the public utility must comply with the requirements that had been waived within 60 days of revocation. *Id.* at regulatory text (to be codified at 18 CFR 35.28(d)(2)(i)).

[42] *Id.* P 176 (referencing P 89, which states, in part, that ''if an entity has previously received a specific waiver of the OATT and related obligations pursuant to the Commission's 'limited and discrete' or 'small entity' standards, the blanket waiver will supersede the existing waiver'').

[43] 16 U.S.C. 824c (2012).

[44] We note that the Commission has examined and approved the continued applicability of the waiver of its accounting and reporting requirements in parts 41, 101, and 141 of the Commission's regulations, as well as the continued applicability of the blanket authorization for the issuance of securities and the assumption of liabilities in part 34 of the Commission's regulations. *See* Order No. 697, FERC Stats. & Regs. ¶ 31,252 at PP 984–985 (regarding waiver of parts 41, 101, and 141) and PP 999–1000 (regarding blanket approval under part 34). However, waiver of the provisions of part 101 that apply to hydropower licensees is not granted with respect to licensed hydropower projects. Hydropower licensees are required to comply with the requirements of the Uniform System of Accounts pursuant to 18 CFR part 101 to the extent necessary to carry out their responsibilities under part I of the FPA. We further note that a licensee's

waiver of the accounting and reporting requirements, the Commission expects Kingfisher Wind to keep its accounting records in accordance with generally accepted accounting principles.

C. Reporting Requirements

31. An entity with market-based rate authorization must file an Electric Quarterly Report (EQR) with the Commission, consistent with Order Nos. 2001 [45] and 768,[46] to fulfill its responsibility under FPA section 205(c) [47] to have rates on file in a convenient form and place.[48] Kingfisher Wind must file EQRs electronically with the Commission consistent with the procedures set forth in Order No. 770.[49] Failure to timely and accurately file an EQR is a violation of the Commission's regulations for which Kingfisher Wind may be subject to refund, civil penalties, and/or revocation of market-based rate authority.[50]

32. Additionally, Kingfisher Wind must timely report to the Commission any change in status that would reflect a departure from the characteristics the Commission relied upon in granting market-based rate authority.[51]

33. In Order No. 697, the Commission created two categories of sellers.[52] Category 1 sellers are not required to file regularly scheduled updated market power analyses. Category 1 sellers are wholesale power marketers and wholesale power producers that own or control 500 MW or less of generation in aggregate per region; that do not own, operate, or control transmission facilities other than limited equipment necessary to connect individual generation facilities to the transmission grid (or have been granted waiver of the requirements of Order No. 888); that are not affiliated with anyone that owns, operates, or controls transmission facilities in the same region as the seller's generation assets; that are not affiliated with a franchised public utility in the same region as the seller's generation assets; and that do not raise other vertical market power issues.[53] Sellers that do not fall into Category 1 are designated as Category 2 sellers and are required to file updated market power analyses.[54]

34. Kingfisher Wind requests Category 1 seller status in the Northwest, Northeast, Southwest, Southeast, and Central regions, and Category 2 seller status in the SPP region. Kingfisher Wind states that it is located in the SPP region, where it and its affiliates own or control more than 500 MW of generation capacity. Kingfisher Wind represents that it does not own or control generation in any other region. Kingfisher Wind further represents that neither it nor its affiliates own, operate or control transmission facilities other than limited facilities necessary to connect individual generating facilities to the transmission grid. Kingfisher Wind also represents that it is not affiliated with any entity that owns, operates or controls transmission facilities in the same region as its generation assets nor with a franchised public utility in the same region as its generation assets. Finally, Kingfisher Wind represents that neither it nor its affiliates raise other vertical market power concerns.

35. Based on Kingfisher Wind's representations, we grant Kingfisher Wind Category 1 seller status in the Northwest, Northeast, Southwest, Southeast and Central regions and Category 2 seller status in the SPP region. Kingfisher Wind must file an updated market power analysis for the SPP region in compliance with the regional reporting schedule adopted in Order No. 697.[55] The Commission also reserves the right to require such an analysis at any time for any region.[56]

The Commission orders:

(A) Kingfisher Wind's market-based rate tariff is hereby accepted for filing, effective June 30, 2015, as requested, as discussed in the body of this order.

(B) Kingfisher Wind's request for waiver of the requirements to file an OATT, to establish and maintain an OASIS, and to comply with the Standards of Conduct is hereby granted, as discussed in the body of this order.

(C) Waiver of the provisions of subparts B and C of part 35 of the Commission's regulations, with the exception of sections 35.12(a), 35.13(b), 35.15, and 35.16, is hereby granted.

(D) Waiver of part 101 of the Commission's regulations is hereby granted, with the exception that waiver of the provisions of Part 101 that apply to hydropower licensees is not granted with respect to licensed hydropower projects. Waiver of parts 41 and 141 of the Commission's regulations is hereby granted, with the exception of sections 141.14 and 141.15.

(E) Blanket authorization under part 34 of the Commission's regulations for all future issuances of securities and assumptions of liability is hereby granted. Kingfisher Wind is hereby authorized to issue securities and assume obligations or liabilities as guarantor, indorser, surety, or otherwise in respect of any security of another person; provided that such issue or assumption is for some lawful object within the corporate purposes of Kingfisher Wind, compatible with the public interest, and reasonably necessary or appropriate for such purposes.

(F) The Commission reserves the right to modify this order to require a further showing that neither the public nor private interests will be adversely affected by continued Commission approval of Kingfisher Wind's issuance of securities or assumptions of liability.

(G) Kingfisher Wind is hereby required to file EQRs in compliance with Order Nos. 2001 and 768. If the effective date of Kingfisher Wind's market-based rate tariff falls within a quarter of the year that has already expired, Kingfisher Wind's EQRs for the expired quarter are due within 30 days of the date of this order.

(H) The Secretary is hereby directed to publish a copy of this order in the **Federal Register**.

By the Commission.

status as a market-based rate seller under part II of the FPA does not exempt it from its accounting responsibilities as a licensee under part I of the FPA. *See Seneca Gen., LLC,* 145 FERC ¶ 61,096, at P 23 n.20 (2013) (citing *Trafalgar Power Inc.,* 87 FERC ¶ 61,207, at 61,798 (1999) (noting that ''all licensees are required to comply with the requirements of the Uniform System of Accounts to the extent necessary to carry out their responsibilities under [s]ections 4(b), 10(d) and 14 of the FPA'')).

[45] *Revised Public Utility Filing Requirements,* Order No. 2001, FERC Stats. & Regs. ¶ 31,127, *reh'g denied,* Order No. 2001–A, 100 FERC ¶ 61,074, *reh'g denied,* Order No. 2001–B, 100 FERC ¶ 61,342, *order directing filing,* Order No. 2001–C, 101 FERC ¶ 61,314 (2002), *order directing filing,* Order No. 2001–D, 102 FERC ¶ 61,334, *order refining filing requirements,* Order No. 2001–E, 105 FERC ¶ 61,352 (2003), *order on clarification,* Order No. 2001–F, 106 FERC ¶ 61,060 (2004), *order revising filing requirements,* Order No. 2001–G, 120 FERC ¶ 61,270, *order on reh'g and clarification,* Order No. 2001–H, 121 FERC ¶ 61,289 (2007), *order revising filing requirements,* Order No. 2001–I, FERC Stats. & Regs. ¶ 31,282 (2008).

[46] *Electricity Mkt. Transparency Provisions of Section 220 of the Fed. Power Act,* Order No. 768, FERC Stats. & Regs. ¶ 31,336 (2012), *order on reh'g,* Order No. 768–A, 143 FERC ¶ 61,054 (2013).

[47] 16 U.S.C. 824d(c) (2012).

[48] *See Revisions to Electric Quarterly Report Filing Process,* Order No. 770, FERC Stats. & Regs. ¶ 31,338, at P 3 (2012) (citing Order No. 2001, FERC Stats. & Regs. ¶ 31,127 at P 31).

[49] Order No. 770, FERC Stats. & Regs. ¶ 31,338.

[50] The exact filing dates for these reports are prescribed in 18 CFR 35.10b (2014). Forfeiture of market-based rate authority may require a new application for market-based rate authority if the applicant wishes to resume making sales at market-based rates.

[51] *Reporting Requirement for Changes in Status for Public Utilities with Market-Based Rate Authority*, Order No. 652, FERC Stats. & Regs. ¶ 31,175, *order on reh'g,* 111 FERC ¶ 61,413 (2005); 18 CFR 35.42 (2014).

[52] Order No. 697, FERC Stats. & Regs. ¶ 31,252 at P 848.

[53] 18 CFR 35.36(a) (2014).

[54] Order No. 697, FERC Stats. & Regs. ¶ 31,252 at P 850.

[55] *Id.*

[56] *Id.* P 853.

Issued: June 30, 2015.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2015–16589 Filed 7–6–15; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OW–2003–0026; FRL–9930–14–OW]

Proposed Information Collection Request; Comment Request; National Water Quality Inventory Reports (Renewal)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency is planning to submit an information collection request (ICR), ''National Water Quality Inventory Reports (Renewal)'' (EPA ICR No. 1560.11, OMB Control No. 2040–0071) 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.*). Before submitting the ICR to OMB, EPA is soliciting public comments on specific aspects of the proposed information collection as described below. This is a request for renewal of an existing collection. 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: Comments must be submitted on or before September 8, 2015.

ADDRESSES: Submit your comments, referencing Docket ID No. EPA–HQ–OW–2003–0026, online using *www.regulations.gov* (our preferred method), by email to *OW-Docket@epa.gov,* or by mail to: EPA Docket Center, Environmental Protection Agency, Mail Code 28221T, 1200 Pennsylvania Ave. NW., Washington, DC 20460.

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: Charles Kovatch, Assessment and Watershed Protection Division, Office of Water, Mail Code: 4503T, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460; telephone number: 202–566–0399# ; fax number: 202–566–1331; email address: *Kovatch.charles@epa.gov.*

SUPPLEMENTARY INFORMATION: Supporting documents that 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.*

Pursuant to section 3506(c)(2)(A) of the PRA, EPA is soliciting comments and information to enable it to: (i) 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; (ii) 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; (iii) enhance the quality, utility, and clarity of the information to be collected; and (iv) 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. EPA will consider the comments received and amend the ICR as appropriate. The final ICR package will then be submitted to OMB for review and approval. At that time, EPA will issue another **Federal Register** notice to announce the submission of the ICR to OMB and the opportunity to submit additional comments to OMB.

Abstract: The Clean Water Act section 305(b) reports contain information on the water quality standards attainment status of assessed waters, and, when waters are impaired, the pollutants and potential sources affecting water quality. This information helps track State progress in addressing water pollution. Section 303(d) of the Clean Water Act requires States to identify and rank waters that cannot meet water quality standards (WQS) following the implementation of technology-based controls. Under section 303(d), States are also required to establish total maximum daily loads (TMDLs) for listed waters not meeting standards as a result of pollutant discharges. In developing the section 303(d) lists, States are required to consider various sources of water quality related data and information, including the section 305(b) State water quality reports. Section 106(e) requires that states annually update monitoring data and use it in their section 305(b) report. Section 314(a) requires states to report on the condition of their publicly-owned lakes within the section 305(b) report.

EPA's Assessment and Watershed Protection Division (AWPD) works with its Regional counterparts to review and approve or disapprove State section 303(d) lists and TMDLs from 56 respondents (the 50 States, the District of Columbia, and the five Territories). Section 303(d) specifically requires States to develop lists and TMDLs ''from time to time,'' and EPA to review and approve or disapprove the lists and the TMDLs. EPA also collects State 305(b) reports from 59 respondents (the 50 States, the District of Columbia, five Territories, and 3 River Basin Commissions).

Tribes are not required to submit section 305(b) reports. However, to meet the needs of Tribes at all levels of development, EPA has prepared guidance that presents the basic steps a Tribe should take to collect the water quality information it needs to make effective decisions about its program, its goals, and its future directions. Tribal water quality monitoring and reporting activities are covered under the Section 106 Tribal Grants Program and not included in the burden estimates for this ICR.

During the period covered by this ICR renewal, respondents will: Complete their 2016 section 305(b) reports and 2016 section 303(d) lists; complete their 2018 section 305(b) reports and 2018 section 303(d) lists; transmit annual electronic updates of ambient monitoring data via the Water Quality Exchange; and continue to develop TMDLs according to their established schedules. EPA will prepare biennial updates on assessed and impaired waters for Congress and the public for the 2016 reporting cycle and for the 2018 cycle, and EPA will review 303(d) list and TMDL submissions from respondents.

The burdens of specific activities that States undertake as part of their section 305(b) and 303(d) programs are derived from a project among EPA, States and other interested stakeholders to develop a tool for estimating the States' resource needs for State water quality management programs. This project has developed the State Water Quality Management Workload Model

(SWQMWM), which estimates and sums the workload involved in more than one hundred activities or tasks comprising a State water quality management program. Over twenty States contributed information about their activities that became the basis for the model. According to the SWQMWM, to meet section 305(b) and 303(d) reporting requirements the States will conduct: Watershed monitoring and characterization; modeling and analysis; development of a TMDL document for public review; public outreach; formal public participation; tracking; planning; legal support; etc. In general, respondents have conducted each of these reporting and record keeping activities for past section 305(b) and 303(d) reporting cycles and thus have staff and procedures in place to continue their section 305(b) and 303(d) reporting programs. The burden associated with these tasks is estimated in this ICR to include the total number of TMDLs that may be submitted during the period covered by this ICR.

Form Numbers: None.

Respondents/affected entities: Entities potentially affected by this action are States, Territories and Tribes with Clean Water Act (CWA) responsibilities.

Respondent's obligation to respond: Mandatory: Integrated Water Quality Inventory Reports (Clean Water Act sections 305(b), 303(d), 314(a), and 106(e)).

Estimated number of respondents: 59 (total).

Frequency of response: Biennial.

Total estimated burden: 3,740,017 (per year) hours. Burden is defined at 5 CFR 1320.03(b)

Total estimated cost: $203,728,300 (per year), includes $0 annualized capital or operation & maintenance costs.

Changes in Estimates: There is no change of hours in the total estimated respondent burden compared with the ICR currently approved by OMB, published on August 31, 2012. EPA is currently designing the Water Quality Framework, which is a new way of integrating EPA's data and information systems to more effectively support reporting and tracking water quality protection and restoration actions. The Framework will streamline water quality assessment and reporting by reducing transactions associated with paper copy reviews and increasing electronic data exchange. The Framework is in line with EPA's E-Enterprise Initiative, which seeks to assess and reformulate EPA's business process to reduce burden through the improved use of technology. EPA expects that the reporting burden will decrease and will revise the ICR burden after the new information system is implemented for the 2018 reporting cycle.

Dated: June 26, 2015.

Benita Best-Wong,

Director, Office of Wetlands, Oceans, and Watersheds.

[FR Doc. 2015–16638 Filed 7–6–15; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–9930–10–OA]

National Environmental Education Advisory Council

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of meeting.

SUMMARY: Under the Federal Advisory Committee Act, EPA gives notice of a teleconference meeting of the National Environmental Education Advisory Council (NEEAC). The NEEAC was created by Congress to advise, consult with, and make recommendations to the Administrator of the Environmental Protection Agency (EPA) on matters related to activities, functions and policies of EPA under the National Environmental Education Act (the Act). 20 U.S.C. 5508(b).

The purpose of this teleconference is to discuss specific topics of relevance for consideration by the council in order to provide advice and insights to the Agency on environmental education.

DATES: The National Environmental Education Advisory Council will hold a public teleconference on Monday, July 13th, 2015, from 3:00 p.m. until 4:00 p.m. Eastern Daylight Time.

FOR FURTHER INFORMATION CONTACT: Javier Araujo, Designated Federal Officer, *araujo.javier@epa.gov,* 202–564–2642, U.S. EPA, Office of Environmental Education, William Jefferson Clinton North Room, 1426, 1200 Pennsylvania Avenue NW., Washington, DC 20460.

SUPPLEMENTARY INFORMATION: Members of the public wishing to gain access to the teleconference, make brief oral comments, or provide a written statement to the NEEAC must contact Javier Araujo, Designated Federal Officer, at *araujo.javier@epa.gov* or 202–564–2642 by 10 business days prior to each regularly scheduled meeting.

Meeting Access: For information on access or services for individuals with disabilities or to request accommodations, please contact Javier Araujo at *araujo.javier@epa.gov* or 202–564–2642, preferably at least 10 days prior to the meeting, to give EPA as much time as possible to process your request.

Dated: June 26, 2015.

Sarah Sowell,

Deputy Director, Office of Environmental Education.

Javier Araujo,

(NEEAC) Designated Federal Officer.

[FR Doc. 2015–16642 Filed 7–6–15; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL DEPOSIT INSURANCE CORPORATION

Notice to All Interested Parties of the Termination of the Receivership of 10113, InBank, Oak Forest, Illinois

NOTICE IS HEREBY GIVEN that the Federal Deposit Insurance Corporation (''FDIC'') as Receiver for InBank, Oak Forest, Illinois (''the Receiver'') intends to terminate its receivership for said institution. The FDIC was appointed receiver of InBank on September 04, 2009. The liquidation of the receivership assets has been completed. To the extent permitted by available funds and in accordance with law, the Receiver will be making a final dividend payment to proven creditors.

Based upon the foregoing, the Receiver has determined that the continued existence of the receivership will serve no useful purpose. Consequently, notice is given that the receivership shall be terminated, to be effective no sooner than thirty days after the date of this Notice. If any person wishes to comment concerning the termination of the receivership, such comment must be made in writing and sent within thirty days of the date of this Notice to: Federal Deposit Insurance Corporation, Division of Resolutions and Receiverships, Attention: Receivership Oversight Department 32.1, 1601 Bryan Street, Dallas, TX 75201.

No comments concerning the termination of this receivership will be considered which are not sent within this time frame.

Dated: June 30, 2015.

Federal Deposit Insurance Corporation.

Robert E. Feldman,

Executive Secretary.

[FR Doc. 2015–16513 Filed 7–6–15; 8:45 am]

BILLING CODE 6714–01–P

FEDERAL DEPOSIT INSURANCE CORPORATION

Notice to All Interested Parties of the Termination of the Receivership of 10108, First Coweta Bank, Newnan, GA

Notice is hereby given that the Federal Deposit Insurance Corporation (''FDIC'') as Receiver for First Coweta Bank, (''the Receiver'') intends to terminate its receivership for said institution. The FDIC was appointed receiver of First Coweta Bank on August 21, 2009. The liquidation of the receivership assets has been completed. To the extent permitted by available funds and in accordance with law, the Receiver will be making a final dividend payment to proven creditors.

Based upon the foregoing, the Receiver has determined that the continued existence of the receivership will serve no useful purpose. Consequently, notice is given that the receivership shall be terminated, to be effective no sooner than thirty days after the date of this Notice. If any person wishes to comment concerning the termination of the receivership, such comment must be made in writing and sent within thirty days of the date of this Notice to: Federal Deposit Insurance Corporation, Division of Resolutions and Receiverships, Attention: Receivership Oversight Department 32.1, 1601 Bryan Street, Dallas, TX 75201.

No comments concerning the termination of this receivership will be considered which are not sent within this time frame.

Dated: June 30, 2015.

Federal Deposit Insurance Corporation.

Robert E. Feldman,

Executive Secretary.

[FR Doc. 2015–16512 Filed 7–6–15; 8:45 am]

BILLING CODE 6714–01–P

FEDERAL RESERVE SYSTEM

[Docket No. OP–1516]

Announcement of Financial Sector Liabilities

Section 622 of the Dodd-Frank Wall Street Reform and Consumer Protection Act, implemented by the Board's Regulation XX, prohibits a merger or acquisition that would result in a financial company that controls more than 10 percent of the aggregate consolidated liabilities of all financial companies (''aggregate financial sector liabilities''). Specifically, an insured depository institution, a bank holding company, a savings and loan holding company, a foreign banking organization, any other company that controls an insured depository institution, and a nonbank financial company designated by the Financial Stability Oversight Council (each, a ''financial company'') is prohibited from merging or consolidating with, acquiring all or substantially all of the assets of, or acquiring control of, another company (''covered acquisition'') if the resulting company's consolidated liabilities would exceed 10 percent of the aggregate financial sector liabilities.[1]

Pursuant to Regulation XX, the Federal Reserve will publish the aggregate consolidated liabilities of all financial companies by July 1 of each year. For the first period (July 1, 2015–June 30, 2016), aggregate financial sector liabilities is equal to the financial sector liabilities calculated as of December 31, 2014. For all subsequent periods, aggregate financial sector liabilities will equal the average of the financial sector liabilities as of December 31 of each of the preceding two calendar years.

FOR FURTHER INFORMATION CONTACT: Felton Booker, Senior Supervisory Financial Analyst (202) 912–4651; Sean Healey, Senior Financial Analyst, (202) 912–4611; Christine Graham, Counsel, (202) 452–3005; Matthew Suntag, Senior Attorney, (202) 452–3694; for persons who are deaf or hard of hearing, TTY (202) 263–4869.

Aggregate Financial Sector Liabilities

As of December 31, 2014, aggregate financial sector liabilities is equal to $21,632,232,035,000. This measure is in effect from July 1, 2015 through June 30, 2016.

Calculation Methodology

Aggregate financial sector liabilities equals the sum of the financial sector liabilities of all financial companies, calculated using the methodology set forth in Regulation XX and summarized below.

Financial sector liabilities of a U.S. financial company that was subject to consolidated risk-based capital rules as of December 31, 2014, equals the difference between its risk-weighted assets (as adjusted upward to reflect amounts that are deducted from regulatory capital elements pursuant to the Federal banking agencies' risk-based capital rules) and total regulatory capital, as calculated under the applicable risk-based capital rules. Companies in this category include bank holding companies and insured depository institutions. The Federal Reserve used information collected on the Consolidated Financial Statements for Holding Companies (FR Y–9C) and the Bank Consolidated Reports of Condition and Income (Call Report) to calculate liabilities of these institutions.

Financial sector liabilities of a U.S. financial company that was not subject to consolidated risk-based capital rules as of December 31, 2014, equal liabilities calculated in accordance with applicable accounting standards. Companies in this category include savings and loan holding companies, nonbank financial companies supervised by the Board, bank holding companies with total consolidated assets of less than $1 billion, and U.S. depository institution holding companies that are not bank holding companies or savings and loan holding companies. ''Applicable accounting standards'' is defined as GAAP, or such other accounting standard or method of estimation that the Board determines is appropriate.[2] The Federal Reserve used information collected on the FR Y–9C, the Parent Company Only Financial Statements for Small Holding Companies (FR Y–9SP), and the Financial Company Report of Consolidated Liabilities (FR XX–1) to calculate liabilities of these institutions.

Section 622 provides that the financial sector liabilities of a ''foreign financial company'' equal the risk-weighted assets and regulatory capital attributable to the company's ''U.S. operations.'' Under Regulation XX, financial sector liabilities of a foreign banking organization's U.S. operations are calculated using the risk-weighted asset methodology for subsidiaries subject to risk-based capital rules, and applicable accounting standards for all branches, agencies, and nonbank subsidiaries. Financial sector liabilities attributable to the U.S. operations of a foreign financial company that is not a foreign banking organization are calculated in a similar manner to the method described for foreign banking organizations, but liabilities of a U.S. subsidiary not subject to risk-based capital rules are calculated based on the U.S. subsidiary's liabilities under applicable accounting standards. The Federal Reserve used information collected on the Capital and Asset Report for Foreign Banking Organizations (FR Y–7Q) and the FR XX–1 to calculate liabilities of these institutions.

[1] 12 U.S.C. 1852(a)(2), (b).

[2] A financial company may request to use an accounting standard or method of estimation other than GAAP if it does not calculate its total consolidated assets or liabilities under GAAP for any regulatory purpose (including compliance with applicable securities laws). 12 CFR 251.3(e).

The Board granted requests from ten financial companies to use an accounting standard or method of estimation other than GAAP to calculate liabilities. Nine of the companies were insurance companies that report financial information under Statutory Accounting Principles (''SAP''), and one was a foreign company that controls a U.S. industrial loan company that reports financial information under International Financial Reporting Standards (''IFRS''). For the insurance companies, the Board approved a method of estimation that was based on line items from SAP reports, with adjustments to reflect certain differences in accounting treatment between GAAP and SAP. For the foreign company, the Board approved the use of IFRS.

By order of the Board of Governors of the Federal Reserve System, acting through the Director of the Division Banking Supervision and Regulation under delegated authority, July 1, 2015.

Robert deV. Frierson,

Secretary of the Board.

[FR Doc. 2015–16658 Filed 7–6–15; 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 July 30, 2015.

A. Federal Reserve Bank of Dallas (Robert L. Triplett III, Senior Vice President) 2200 North Pearl Street, Dallas, Texas 75201–2272:

1. *Friendswood Capital Corporation,* Houston, Texas; to become a bank holding company by the conversion of Texan Bank, Houston, Texas, from a federal savings bank to a national bank charter.

Board of Governors of the Federal Reserve System, July 1, 2015.

Michael J. Lewandowski,

Associate Secretary of the Board.

[FR Doc. 2015–16593 Filed 7–6–15; 8:45 am]

BILLING CODE 6210–01–P

FEDERAL TRADE COMMISSION

[File No. 152 3069]

JS Autoworld, Inc.; Analysis of Proposed Consent Order To Aid Public Comment

AGENCY: Federal Trade Commission.

ACTION: Proposed Consent Agreement.

SUMMARY: The consent agreement in this matter settles alleged violations of federal law prohibiting unfair or deceptive acts or practices. The attached Analysis to Aid Public Comment describes both the allegations in the draft complaint and the terms of the consent order—embodied in the consent agreement—that would settle these allegations.

DATES: Comments must be received on or before July 29, 2015.

ADDRESSES: Interested parties may file a comment at *https://ftcpublic.commentworks.com/ftc/planetnissanconsent* online or on paper, by following the instructions in the Request for Comment part of the **SUPPLEMENTARY INFORMATION** section below. Write ''JS Autoworld, Inc.—Consent Agreement; File No. 152–3069'' on your comment and file your comment online at *https://ftcpublic.commentworks.com/ftc/planetnissanconsent* by following the instructions on the web-based form. If you prefer to file your comment on paper, write ''JS Autoworld, Inc.—Consent Agreement; File No. 152–3069'' on your comment and on the envelope, and mail your comment to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW., Suite CC–5610 (Annex D), Washington, DC 20580, or deliver your comment to the following address: Federal Trade Commission, Office of the Secretary, Constitution Center, 400 7th Street SW., 5th Floor, Suite 5610 (Annex D), Washington, DC 20024.

FOR FURTHER INFORMATION CONTACT: Yan Fang, FTC Western Region, (415–848–5150), 901 Market Street, Suite 570, San Francisco, CA 94103.

SUPPLEMENTARY INFORMATION: Pursuant to Section 6(f) of the Federal Trade Commission Act, 15 U.S.C. 46(f), and FTC Rule 2.34, 16 CFR 2.34, notice is hereby given that the above-captioned consent agreement containing consent order to cease and desist, having been filed with and accepted, subject to final approval, by the Commission, has been placed on the public record for a period of thirty (30) days. The following Analysis to Aid Public Comment describes the terms of the consent agreement, and the allegations in the complaint. An electronic copy of the full text of the consent agreement package can be obtained from the FTC Home Page (for June 29, 2015), on the World Wide Web at: *http://www.ftc.gov/os/actions.shtm.*

You can file a comment online or on paper. For the Commission to consider your comment, we must receive it on or before July 29, 2015. Write ''JS Autoworld, Inc.—Consent Agreement; File No. 152–3069'' on your comment. Your comment—including your name and your state—will be placed on the public record of this proceeding, including, to the extent practicable, on the public Commission Web site, at *http://www.ftc.gov/os/publiccomments.shtm.* As a matter of discretion, the Commission tries to remove individuals' home contact information from comments before placing them on the Commission Web site.

Because your comment will be made public, you are solely responsible for making sure that your comment does not include any sensitive personal information, like anyone's Social Security number, date of birth, driver's license number or other state identification number or foreign country equivalent, passport number, financial account number, or credit or debit card number. You are also solely responsible for making sure that your comment does not include any sensitive health information, like medical records or other individually identifiable health information. In addition, do not include any ''[t]rade secret or any commercial or financial information which . . . is privileged or confidential,'' as discussed

in Section 6(f) of the FTC Act, 15 U.S.C. 46(f), and FTC Rule 4.10(a)(2), 16 CFR 4.10(a)(2). In particular, do not include competitively sensitive information such as costs, sales statistics, inventories, formulas, patterns, devices, manufacturing processes, or customer names.

If you want the Commission to give your comment confidential treatment, you must file it in paper form, with a request for confidential treatment, and you have to follow the procedure explained in FTC Rule 4.9(c), 16 CFR 4.9(c).[1] Your comment will be kept confidential only if the FTC General Counsel, in his or her sole discretion, grants your request in accordance with the law and the public interest.

Postal mail addressed to the Commission is subject to delay due to heightened security screening. As a result, we encourage you to submit your comments online. To make sure that the Commission considers your online comment, you must file it at *https://ftcpublic.commentworks.com/ftc/planetnissanconsent* by following the instructions on the web-based form. If this Notice appears at *http://www.regulations.gov/#!home,* you also may file a comment through that Web site.

If you file your comment on paper, write ''JS Autoworld, Inc.—Consent Agreement; File No. 152–3069'' on your comment and on the envelope, and mail your comment to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW., Suite CC–5610 (Annex D), Washington, DC 20580, or deliver your comment to the following address: Federal Trade Commission, Office of the Secretary, Constitution Center, 400 7th Street SW., 5th Floor, Suite 5610 (Annex D), Washington, DC 20024. If possible, submit your paper comment to the Commission by courier or overnight service.

Visit the Commission Web site at *http://www.ftc.gov* to read this Notice and the news release describing it. The FTC Act and other laws that the Commission administers permit the collection of public comments to consider and use in this proceeding as appropriate. The Commission will consider all timely and responsive public comments that it receives on or before July 29, 2015. You can find more information, including routine uses permitted by the Privacy Act, in the Commission's privacy policy, at *http://www.ftc.gov/ftc/privacy.htm.*

[1] In particular, the written request for confidential treatment that accompanies the comment must include the factual and legal basis for the request, and must identify the specific portions of the comment to be withheld from the public record. *See* FTC Rule 4.9(c), 16 CFR 4.9(c).

Analysis of Proposed Consent Order To Aid Public Comment

The Federal Trade Commission (''FTC'' or ''Commission'') has accepted, subject to final approval, an agreement containing consent order from JS Autoworld, Inc., also doing business as Planet Nissan. The proposed consent order has been placed on the public record for thirty (30) days for receipt of comments by interested persons. Comments received during this period will become part of the public record. After thirty (30) days, the Commission will again review the agreement and the comments received, and will decide whether it should withdraw from the agreement and take appropriate action or make final the agreement's proposed order.

The respondent is a motor vehicle dealer. According to the FTC's complaint, the respondent has misrepresented in certain advertisements: (1) vehicle purchase prices; (2) that advertised monthly payment amounts were for vehicle purchases, not leases; and (3) that consumers can pay $0 at signing to obtain vehicles shown in the advertisements for the advertised monthly amount. The complaint alleges therefore that the representations are false or misleading in violation of Section 5 of the FTC Act.

In addition, the complaint alleges that the respondent violated the Consumer Leasing Act (''CLA'') and Regulation M for failing to disclose or to disclose clearly and conspicuously certain costs and terms when advertising vehicles for lease.

The FTC's complaint also alleges that the respondent violated the Truth in Lending Act (''TILA'') and Regulation Z by failing to disclose or to disclose clearly and conspicuously certain costs and terms when advertising credit.

The proposed consent order contains provisions designed to prevent respondent from engaging in similar acts or practices in the future. Part I.A of the order prohibits respondent from misrepresenting the cost of: (1) purchasing a vehicle with financing, including but not necessarily limited to, the amount or percentage of the downpayment, the number of payments or period of repayment, the amount of any payment, the annual percentage rate or any other finance rate, and the repayment obligation over the full term of the loan, including any balloon payment; or (2) leasing a vehicle, including but not necessarily limited to, the total amount due at lease inception, the downpayment, amount down, acquisition fee, capitalized cost reduction, any other amount required to be paid at lease inception, and the amounts of all monthly or other periodic payments. Part I.B prohibits the respondent from misrepresenting any other material fact about the price, sale, financing, or leasing of any vehicle.

Part II of the proposed order addresses the CLA allegations. Part II.A prohibits respondent from stating the amount of any payment or that any or no initial payment is required at lease inception without disclosing clearly and conspicuously: (1) that the transaction advertised is a lease; (2) the total amount due at lease signing or delivery; (3) whether or not a security deposit is required; (4) the number, amounts, and timing of scheduled payments; and (5) that an extra charge may be imposed at the end of the lease term. Part II.B prohibits the respondent from violating any provision of the CLA or Regulation M.

Part III of the proposed order addresses the TILA allegations. Part III.A requires the respondent to make all of the disclosures required by TILA and Regulation Z when any of its advertisements state relevant triggering terms. Part III.B requires that if any finance charge is advertised, the rate be stated as an ''annual percentage rate'' using that term or the abbreviation ''APR.'' In addition, Part III.C prohibits the respondent from failing to comply in any respect with TILA and Regulation Z.

Part IV of the proposed order requires respondent to keep copies of relevant advertisements and materials substantiating claims made in the advertisements. Part V requires the respondent provide copies of the order to certain of its personnel. Part VI requires notification to the Commission regarding changes in corporate structure that might affect compliance obligations under the order. Part VII requires respondent to file compliance reports with the Commission. Finally, Part VIII is a provision ''sunsetting'' the order after twenty (20) years, with certain exceptions.

The purpose of this analysis is to facilitate public comment on the proposed order, and it is not intended to constitute an official interpretation of the complaint or proposed order, or to modify the proposed order's terms in any way.

By direction of the Commission.

Donald S. Clark,

Secretary.

[FR Doc. 2015–16617 Filed 7–6–15; 8:45 am]

BILLING CODE 6750–01–P

FEDERAL TRADE COMMISSION

[File No. 152 3096]

TC Dealership, L.P.; Analysis of Proposed Consent Order To Aid Public Comment

AGENCY: Federal Trade Commission.

ACTION: Proposed consent agreement.

SUMMARY: The consent agreement in this matter settles alleged violations of federal law prohibiting unfair or deceptive acts or practices. The attached Analysis to Aid Public Comment describes both the allegations in the draft complaint and the terms of the consent order—embodied in the consent agreement—that would settle these allegations.

DATES: Comments must be received on or before July 29, 2015.

ADDRESSES: Interested parties may file a comment at *https://ftcpublic.commentworks.com/ftc/planethyundaiconsent* online or on paper, by following the instructions in the Request for Comment part of the **SUPPLEMENTARY INFORMATION** section below. Write ''TC Dealership, L.P.—Consent Agreement; File No. 152–3096'' on your comment and file your comment online at *https://ftcpublic.commentworks.com/ftc/planethyundaiconsent* by following the instructions on the web-based form. If you prefer to file your comment on paper, write ''TC Dealership, L.P.—Consent Agreement; File No. 152–3096'' on your comment and on the envelope, and mail your comment to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW., Suite CC–5610 (Annex D), Washington, DC 20580, or deliver your comment to the following address: Federal Trade Commission, Office of the Secretary, Constitution Center, 400 7th Street SW., 5th Floor, Suite 5610 (Annex D), Washington, DC 20024.

FOR FURTHER INFORMATION CONTACT: Yan Fang, FTC Western Region, (415–848–5150), 901 Market Street, Suite 570, San Francisco, CA 94103.

SUPPLEMENTARY INFORMATION: Pursuant to Section 6(f) of the Federal Trade Commission Act, 15 U.S.C. 46(f), and FTC Rule 2.34, 16 CFR 2.34, notice is hereby given that the above-captioned consent agreement containing consent order to cease and desist, having been filed with and accepted, subject to final approval, by the Commission, has been placed on the public record for a period of thirty (30) days. The following Analysis to Aid Public Comment describes the terms of the consent agreement, and the allegations in the complaint. An electronic copy of the full text of the consent agreement package can be obtained from the FTC Home Page (for June 29, 2015), on the World Wide Web at: *http://www.ftc.gov/os/actions.shtm.*

You can file a comment online or on paper. For the Commission to consider your comment, we must receive it on or before July 29, 2015. Write ''TC Dealership, L.P.—Consent Agreement; File No. 152–3096'' on your comment. Your comment—including your name and your state—will be placed on the public record of this proceeding, including, to the extent practicable, on the public Commission Web site, at *http://www.ftc.gov/os/publiccomments.shtm.* As a matter of discretion, the Commission tries to remove individuals' home contact information from comments before placing them on the Commission Web site.

Because your comment will be made public, you are solely responsible for making sure that your comment does not include any sensitive personal information, like anyone's Social Security number, date of birth, driver's license number or other state identification number or foreign country equivalent, passport number, financial account number, or credit or debit card number. You are also solely responsible for making sure that your comment does not include any sensitive health information, like medical records or other individually identifiable health information. In addition, do not include any ''[t]rade secret or any commercial or financial information which . . . is privileged or confidential,'' as discussed in Section 6(f) of the FTC Act, 15 U.S.C. 46(f), and FTC Rule 4.10(a)(2), 16 CFR 4.10(a)(2). In particular, do not include competitively sensitive information such as costs, sales statistics, inventories, formulas, patterns, devices, manufacturing processes, or customer names.

If you want the Commission to give your comment confidential treatment, you must file it in paper form, with a request for confidential treatment, and you have to follow the procedure explained in FTC Rule 4.9(c), 16 CFR 4.9(c).[1] Your comment will be kept confidential only if the FTC General Counsel, in his or her sole discretion, grants your request in accordance with the law and the public interest.

Postal mail addressed to the Commission is subject to delay due to heightened security screening. As a result, we encourage you to submit your comments online. To make sure that the Commission considers your online comment, you must file it at *https://ftcpublic.commentworks.com/ftc/planethyundaiconsent* by following the instructions on the web-based form. If this Notice appears at *http://www.regulations.gov/#!home,* you also may file a comment through that Web site.

If you file your comment on paper, write ''TC Dealership, L.P.—Consent Agreement; File No. 152–3096'' on your comment and on the envelope, and mail your comment to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW., Suite CC–5610 (Annex D), Washington, DC 20580, or deliver your comment to the following address: Federal Trade Commission, Office of the Secretary, Constitution Center, 400 7th Street SW., 5th Floor, Suite 5610 (Annex D), Washington, DC 20024. If possible, submit your paper comment to the Commission by courier or overnight service.

Visit the Commission Web site at *http://www.ftc.gov* to read this Notice and the news release describing it. The FTC Act and other laws that the Commission administers permit the collection of public comments to consider and use in this proceeding as appropriate. The Commission will consider all timely and responsive public comments that it receives on or before July 29, 2015. You can find more information, including routine uses permitted by the Privacy Act, in the Commission's privacy policy, at *http://www.ftc.gov/ftc/privacy.htm.*

Analysis of Proposed Consent Order To Aid Public Comment

The Federal Trade Commission (''FTC'' or ''Commission'') has accepted, subject to final approval, an agreement containing consent order from TC Dealership, L.P., also doing business as Planet Hyundai. The proposed consent order has been placed on the public record for thirty (30) days for receipt of comments by interested persons. Comments received during this period will become part of the public record. After thirty (30) days, the Commission will again review the agreement and the comments received, and will decide whether it should withdraw from the agreement and take appropriate action or make final the agreement's proposed order.

[1] In particular, the written request for confidential treatment that accompanies the comment must include the factual and legal basis for the request, and must identify the specific portions of the comment to be withheld from the public record. *See* FTC Rule 4.9(c), 16 CFR 4.9(c).

The respondent is a motor vehicle dealer. According to the FTC's complaint, the respondent has misrepresented in certain advertisements: (1) Vehicle purchase prices; (2) that advertised monthly payment amounts were for vehicle purchases, not leases; and (3) that consumers can pay $0 at signing to obtain vehicles shown in the advertisements for the advertised monthly amount. The complaint alleges therefore that the representations are false or misleading in violation of Section 5 of the FTC Act.

In addition, the complaint alleges that the respondent violated the Consumer Leasing Act (''CLA'') and Regulation M for failing to disclose or to disclose clearly and conspicuously certain costs and terms when advertising vehicles for lease.

The FTC's complaint also alleges that the respondent violated the Truth in Lending Act (''TILA'') and Regulation Z by failing to disclose or to disclose clearly and conspicuously certain costs and terms when advertising credit.

The proposed consent order contains provisions designed to prevent respondent from engaging in similar acts or practices in the future. Part I.A of the order prohibits respondent from misrepresenting the cost of: (1) Purchasing a vehicle with financing, including but not necessarily limited to, the amount or percentage of the downpayment, the number of payments or period of repayment, the amount of any payment, the annual percentage rate or any other finance rate, and the repayment obligation over the full term of the loan, including any balloon payment; or (2) leasing a vehicle, including but not necessarily limited to, the total amount due at lease inception, the downpayment, amount down, acquisition fee, capitalized cost reduction, any other amount required to be paid at lease inception, and the amounts of all monthly or other periodic payments. Part I.B prohibits the respondent from misrepresenting any other material fact about the price, sale, financing, or leasing of any vehicle.

Part II of the proposed order addresses the CLA allegations. Part II.A prohibits respondent from stating the amount of any payment or that any or no initial payment is required at lease inception without disclosing clearly and conspicuously: (1) That the transaction advertised is a lease; (2) the total amount due at lease signing or delivery; (3) whether or not a security deposit is required; (4) the number, amounts, and timing of scheduled payments; and (5) that an extra charge may be imposed at the end of the lease term. Part II.B prohibits the respondent from violating any provision of the CLA or Regulation M.

Part III of the proposed order addresses the TILA allegations. Part III.A requires the respondent to make all of the disclosures required by TILA and Regulation Z when any of its advertisements state relevant triggering terms. Part III.B requires that if any finance charge is advertised, the rate be stated as an ''annual percentage rate'' using that term or the abbreviation ''APR.'' In addition, Part III.C prohibits the respondent from failing to comply in any respect with TILA and Regulation Z.

Part IV of the proposed order requires respondent to keep copies of relevant advertisements and materials substantiating claims made in the advertisements. Part V requires the respondent provide copies of the order to certain of its personnel. Part VI requires notification to the Commission regarding changes in corporate structure that might affect compliance obligations under the order. Part VII requires respondent to file compliance reports with the Commission. Finally, Part VIII is a provision ''sunsetting'' the order after twenty (20) years, with certain exceptions.

The purpose of this analysis is to facilitate public comment on the proposed order, and it is not intended to constitute an official interpretation of the complaint or proposed order, or to modify the proposed order's terms in any way.

By direction of the Commission.

Donald S. Clark,

Secretary.

[FR Doc. 2015–16618 Filed 7–6–15; 8:45 am]

BILLING CODE 6750–01–P

DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[OMB Control No. 9000–0043; Docket 2015–0076; Sequence 8]

Submission for OMB Review; Delivery Schedules

AGENCY: Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Notice of request for public comments regarding an extension to an existing OMB clearance.

SUMMARY: Under the provisions of the Paperwork Reduction Act, the Regulatory Secretariat Division will be submitting to the Office of Management and Budget (OMB) a request to review and approve an extension of a previously approved information collection requirement concerning delivery schedules. A notice was published in the **Federal Register** at 80 FR 22735, on April 23, 2015. No comments were received.

DATES: Submit comments on or before August 6, 2015.

ADDRESSES: Submit comments identified by Information Collection 9000–0043, Delivery Schedules by any of the following methods:

- *Regulations.gov*: *http://www.regulations.gov.* Submit comments via the Federal eRulemaking portal by searching the OMB control number. Select the link ''Submit a Comment'' that corresponds with ''Information Collection 9000–0043, Delivery Schedules''. Follow the instructions provided at the ''Submit a Comment'' screen. Please include your name, company name (if any), and ''Information Collection 9000–0043, Delivery Schedules'' on your attached document.
- *Mail*: General Services Administration, Regulatory Secretariat Division (MVCB), 1800 F Street NW., Washington, DC 20405. ATTN: Ms. Flowers/IC 9000–0043, Delivery Schedules.

Instructions: Please submit comments only and cite Information Collection 9000–0043, Delivery Schedules, in all correspondence related to this collection. All comments received will be posted without change to *http://www.regulations.gov,* including any personal and/or business confidential information provided.

FOR FURTHER INFORMATION CONTACT: Mr. Michael O. Jackson, Federal Acquisition Policy Division, GSA 202–208–4949 or via email at *michaelo.jackson@gsa.gov.*

SUPPLEMENTARY INFORMATION:

A. Purpose

The time of delivery or performance is an essential contract element and must be clearly stated in solicitations and contracts. The contracting officer may set forth a required delivery schedule or may allow an offeror to propose an alternate delivery schedule, for other than those for construction and architect-engineering, by inserting in solicitations and contracts a clause substantially the same as either FAR 52.211–8, Time of Delivery, or FAR 52.211–9, Desired and Required Time of Delivery. These clauses allow the

contractor to fill in their proposed delivery schedule. The information is needed to assure supplies or services are obtained in a timely manner.

B. Annual Reporting Burden

Respondents: 3,440.
Responses per Respondent: 5.
Annual Responses: 17,200.
Hours per Response: .167.
Total Burden Hours: 2,872.

C. Public Comments

Public comments are particularly invited on: Whether this collection of information is necessary for the proper performance of functions of the Federal Acquisition Regulation (FAR), and whether it will have practical utility; whether our estimate of the public burden of this collection of information is accurate, and based on valid assumptions and methodology; ways to enhance the quality, utility, and clarity of the information to be collected; and ways in which we can minimize the burden of the collection of information on those who are to respond, through the use of appropriate technological collection techniques or other forms of information technology.

Obtaining Copies of Proposals: Requesters may obtain a copy of the information collection documents from the General Services Administration, Regulatory Secretariat Division (MVCB), 1800 F Street NW., Washington, DC 20405, telephone 202–501–4755. Please cite OMB Control No. 9000–0043, Delivery Schedules, in all correspondence.

Dated: June 30, 2015.

Edward Loeb,

Acting Director, Federal Acquisition Policy Division, Office of Governmentwide Acquisition Policy, Office of Acquisition Policy, Office of Governmentwide Policy.

[FR Doc. 2015–16565 Filed 7–6–15; 8:45 am]

BILLING CODE 6820–EP–P

DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[OMB Control No. 9000–0067; Docket 2015–0076; Sequence 10]

Federal Acquisition Regulation; Submission for OMB Review; Incentive Contracts

AGENCIES: Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Notice of request for public comments regarding an extension to an existing OMB clearance.

SUMMARY: Under the provisions of the Paperwork Reduction Act, the Regulatory Secretariat Division will be submitting to the Office of Management and Budget (OMB) a request to review and approve an extension of a previously approved information collection requirement concerning incentive contracts. A notice was published in the **Federal Register** at 80 FR 22735, on April 23, 2015. No Comments were received.

DATES: Submit comments on or before August 6, 2015.

ADDRESSES: Submit comments identified by Information Collection 9000–0067, Incentive Contracts, by any of the following methods:

- *Regulations.gov: http://www.regulations.gov.* Submit comments via the Federal eRulemaking portal by searching the OMB control number. Select the link ''Submit a Comment'' that corresponds with ''Information Collection 9000–0067, Incentive Contracts''. Follow the instructions provided at the ''Submit a Comment'' screen. Please include your name, company name (if any), and ''Information Collection 9000–0067, Incentive Contracts'' on your attached document.
- *Mail:* General Services Administration, Regulatory Secretariat (MVCB), 1800 F Street NW., Washington, DC 20405. ATTN: Ms. Flowers/IC 9000–0067, Incentive Contracts.

Instructions: Please submit comments only and cite Information Collection 9000–0067, Incentive Contracts, in all correspondence related to this collection. All comments received will be posted without change to *http://www.regulations.gov,* including any personal and/or business confidential information provided.

FOR FURTHER INFORMATION CONTACT: Mr. Michael O. Jackson, Procurement Analyst, Office of Acquisition Policy, GSA 202–208–4949 or via email *michaelo.jackson@gsa.gov.*

SUPPLEMENTARY INFORMATION:

A. Purpose

In accordance with FAR 16.4, incentive contracts are normally used when a firm fixed-price contract is not appropriate and the required supplies or services can be acquired at lower costs, and sometimes with improved delivery or technical performance, by relating the amount of profit or fee payable under the contract to the contractor's performance.

The information required periodically from the contractor, such as cost of work already performed, estimated costs of further performance necessary to complete all work, total contract price for supplies or services accepted by the Government for which final prices have been established, and estimated costs allocable to supplies or services accepted by the Government and for which final prices have not been established, is needed to negotiate the final prices of incentive-related items and services. Contractors are required to submit the information in accordance with several incentive fee FAR clauses: FAR 52.216–16, Incentive Price Revision—Firm Target; FAR 52.216–17, Incentive Price Revision—Successive Targets; and FAR 52.216–10, Incentive Fee.

The contracting officer evaluates the information received to determine the contractor's performance in meeting the incentive target and the appropriate price revision, if any, for the items or services.

B. Annual Reporting Burden

Respondents: 1,000.

Responses per Respondent: 2.

Annual Responses: 2,000.

Hours per Response: 1.5.

Total Burden Hours: 3,000.

C. Public Comments

Public comments are particularly invited on: Whether this collection of information is necessary for the proper performance of functions of the Federal Acquisition Regulation (FAR), and whether it will have practical utility; whether our estimate of the public burden of this collection of information is accurate, and based on valid assumptions and methodology; ways to enhance the quality, utility, and clarity of the information to be collected; and ways in which we can minimize the burden of the collection of information on those who are to respond, through the use of appropriate technological collection techniques or other forms of information technology.

Obtaining Copies of Proposals: Requesters may obtain a copy of the information collection documents from the General Services Administration, Regulatory Secretariat (MVCB), 1800 F Street NW., Washington, DC 20405, telephone 202–501–4755. Please cite

OMB Control No. 9000–0067, Incentive Contracts, in all correspondence.

Edward Loeb,

Acting Director, Federal Acquisition Policy Division, Office of Governmentwide Acquisition Policy, Office of Acquisition Policy, Office of Governmentwide Policy.

[FR Doc. 2015–16566 Filed 7–6–15; 8:45 am]

BILLING CODE 6820–EP–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifiers: CMS–10137 and CMS–10237]

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Centers for Medicare & Medicaid Services.

ACTION: Notice.

SUMMARY: The Centers for Medicare & Medicaid Services (CMS) is announcing an opportunity for the public to comment on CMS' intention to collect information from the public. Under the Paperwork Reduction Act of 1995 (the PRA), federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information (including each proposed extension or reinstatement of an existing collection of information) and to allow 60 days for public comment on the proposed action. Interested persons are invited to send comments regarding our burden estimates or any other aspect of this collection of information, including any of the following subjects: (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.

DATES: Comments must be received by September 8, 2015.

ADDRESSES: When commenting, please reference the document identifier or OMB control number. To be assured consideration, comments and recommendations must be submitted in any one of the following ways:

1. *Electronically.* You may send your comments electronically to *http://www.regulations.gov.* Follow the instructions for ''Comment or Submission'' or ''More Search Options'' to find the information collection document(s) that are accepting comments.

2. *By regular mail.* You may mail written comments to the following address: CMS, Office of Strategic Operations and Regulatory Affairs, Division of Regulations Development, Attention: Document Identifier/OMB Control Number _____, Room C4–26–05, 7500 Security Boulevard, Baltimore, Maryland 21244–1850.

To obtain copies of a supporting statement and any related forms for the proposed collection(s) summarized in this notice, you may make your request using one of following:

1. Access CMS' Web site address at *http://www.cms.hhs.gov/PaperworkReductionActof1995.*

2. Email your request, including your address, phone number, OMB number, and CMS document identifier, to *Paperwork@cms.hhs.gov.*

3. Call the Reports Clearance Office at (410) 786–1326.

FOR FURTHER INFORMATION CONTACT: Reports Clearance Office at (410) 786–1326.

SUPPLEMENTARY INFORMATION:

Contents

This notice sets out a summary of the use and burden associated with the following information collections. More detailed information can be found in each collection's supporting statement and associated materials (see **ADDRESSES**).

CMS–10137 Solicitation for Applications for Medicare Prescription Drug Plan 2017 Contracts

CMS–10237 Part C—Medicare Advantage and 1876 Cost Plan Expansion Application

Under the 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. The term ''collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA requires federal agencies to publish a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension or reinstatement of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, CMS is publishing this notice.

Information Collection

1. *Type of Information Collection Request:* Revision of a currently approved collection; *Title of Information Collection:* Solicitation for Applications for Medicare Prescription Drug Plan 2017 Contracts; *Use:* The information will be collected under the solicitation of proposals from prescription drug plans, Medicare Advantage (MA) plans that offer integrated prescription drug and health care coverage (MA–PD) plans, Cost Plan, PACE, and Employer Group Waiver Plan applicants. The information will be used by CMS to: ensure that applicants meet CMS requirements and to support the determination of contract awards. Participation in the Part D program is voluntary. Only organizations that are interested in participating in the program will respond to the solicitation. The MA–PDs that voluntarily participate in the Part C program must submit a Part D application and successful bid. *Form Number:* CMS–10137 (OMB Control Number: 0938–0936); *Frequency:* Yearly; *Affected Public:* Private sector (Business or other For-profits and Not-for-profit institutions); *Number of Respondents:* 254; *Total Annual Responses:* 230; *Total Annual Hours:* 2,109. (For policy questions regarding this collection contact Arianne Spaccarelli at 410–786–5715).

2. *Type of Information Collection Request:* Revision of a currently approved collection; *Title of Information Collection:* Part C—Medicare Advantage and 1876 Cost Plan Expansion Application; *Use:* The information will be collected under the solicitation of Part C applications from Medicare Advantage, Employer Group Waiver Plan, and Cost Plan applicants and will be used by CMS to ensure that applicants meet CMS requirements, and to support the determination of contract awards. Participation is voluntary whereby only organizations that are interested in participating in the program will respond to the solicitation. Medicare Advantage (MA) organizations that offer integrated prescription drug and health care products (MA–PD plans) that voluntarily participate in the Part C program must submit a Part D application and successful bid. *Form Number:* CMS–10237 (OMB Control Number: 0938–0935); *Frequency:* Yearly; *Affected Public:* Private sector (Business or other For-profits and Not-for-profit institutions); *Number of Respondents:* 566; *Total Annual Responses:* 566; *Total Annual Hours:*

21,926. (For policy questions regarding this collection contact Wanda Pigatt-Canty at 410–786–6177).

Dated: July 1, 2015.

William N. Parham, III,

Director, Paperwork Reduction Staff, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2015–16608 Filed 7–6–15; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Community Living

Notice of Intent To Award a Single Supplement to the Eldercare Locator

ACTION: Notice of intent to award a single supplement to the National Association of Area Agencies on Aging.

SUMMARY: The Administration for Community Living (ACL) is announcing supplemental funding for the Eldercare Locator program. The Eldercare Locator program helps older adults and their families and caregivers find their way through the maze of services for older adults by linking to a trustworthy network of national, State, Tribal and community organizations and services through a nationally recognized toll-free number. The Eldercare Locator also provides older adults and caregivers who require more in depth support the opportunity to speak with highly trained eldercare consultants who can better triage the situation. The purpose of this announcement is to award supplemental funds to the National Association of Area Agencies on Aging to support additional specialized staff and enhanced technology to better serve callers, mobile and after hour callers.

Program Name: Eldercare Locator.

Award Amount: $162,681.

Budget Period: 6/1/2015 to 5/31/2016.

Award Type: Cooperative Agreement.

Statutory Authority: The statutory authority for grants under this notice is contained in Title IV of the Older Americans Act (OAA) (42 U.S.C. 3032), as amended by the Older Americans Act Amendments of 2006. Statutory authority specifically for the Eldercare Locator is contained in Title II of the Older Americans Act (202(a)(21).

Catalog of Federal Domestic Assistance (CFDA) Number: 93.048 Discretionary Projects

I. Program Description

The Administration on Aging, an agency of the U.S. Administration for Community Living, has been funding the Eldercare Locator (the Locator) since 1991. The Eldercare Locator links older persons and their caregivers to resources through a nationally recognized toll-free number, 1–800–677–1116 and Web site (*www.eldercare.gov*). The goal is to provide users with the information and resources they need that will help older persons live independently and safely in their homes and communities for as long as possible.

The Eldercare Locator call center utilizes live agents to help callers find their way through the maze of services for older adults by linking to a trustworthy network of national, State, Tribal and community organizations and services. In 2011, an additional feature was added to assist older adults and caregivers who require more in depth support the opportunity to speak with highly trained eldercare consultants who can better triage the situation.

II. Justification for the Supplemental Funding

Since 2011, there has been an increase in the number of callers with very complex situations, multiple issues or require assistance with long-term care planning. Because of the complexity, eldercare consultant and senior staff calls are much longer than a regular information specialist call which averages about 5 minutes. There is a need to increase the number of eldercare consultants and/or senior level staff available to handle this higher demand for intense consultation. In addition, there is a need to enhance the technical capabilities of the call center to better serve after hours and mobile callers.

III. Agency Contact

For further information or comments regarding this program expansion supplement, contact Sherri Clark, U.S. Department of Health and Human Services, Administration for Community Living, Office of External Affairs, One Massachusetts Avenue NW., Washington, DC 20001; telephone (202) 357–3506; email *sherri.clark@acl.hhs.gov.*

Dated: June 29, 2015.

Kathy Greenlee,

Administrator and Assistant Secretary for Aging.

[FR Doc. 2015–16507 Filed 7–6–15; 8:45 am]

BILLING CODE 4154–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration on Community Living

Availability of Program Instructions for MIPPA Funds Program Title: Medicare Improvements for Patients and Providers Act: State Plans for Medicare Savings Program, Low Income Subsidy & Prescription Drug Enrollment Outreach and Assistance

Announcement Type: Initial.

Funding Opportunity Number: HHS–2015–ACL–MI–1502

Statutory Authority: The Medicare Improvements for Patients and Providers Act of 2008—Section 119, Public Law (Pub. L.) 110–275 as amended by the Patient Protection and Affordable Care Act of 2010 (Affordable Care Act), reauthorized by the American Taxpayer Relief Act of 2012 (ATRA), reauthorized by section 110 of the Protecting Access to Medicare Act of 2014 and reauthorized by the Medicare Access and CHIP Reauthorization Act of 2015.

Catalog of Federal Domestic Assistance (CFDA) Number: 93.071.

DATES: The deadline date for the submission of MIPPA state plans is 11:59 PM EST, August 31, 2015.

I. Funding Opportunity Description

The purpose of MIPPA funding is to provide states with an opportunity to expand, extend, or enhance their outreach efforts to beneficiaries on Medicare Part D and for those with limited incomes. In 2014 ACL released a funding opportunity for states to submit a three year state plan to conduct MIPPA activities. With this announcement ACL is reopening the funding announcement for states that did not submit state plans in 2014 to now submit a two- year MIPPA state plan to conduct MIPPA activities over the remaining life of the grant.

States that are currently funded under MIPPA do not have to reapply.

In addition, in 2016 there will be a similar opportunity released for states that are not receiving MIPPA funds at that time to apply for FY 16 funds with a one year state plan.

MIPPA funds are provided to enhance efforts through statewide and local coalition building focused on intensified outreach activities to help beneficiaries likely to be eligible for the Low Income Subsidy program (LIS), Medicare Savings Program (MSP), Medicare Prescription Drug Coverage (Part D) and in assisting beneficiaries in applying for benefits. ACL will provide funding to State Health Insurance

Assistance Programs (SHIPs), Area Agencies on Aging (AAAs), and Aging and Disability Resource Center programs (ADRCs), to inform Medicare beneficiaries about available Federal and State benefits. ACL seeks plans from states that will describe how the MIPPA funds will be used for beneficiary outreach and education over the next two years.

ACL requests that states submit a two year state plan with specific project strategies to expand, extend, or enhance the outreach efforts to beneficiaries on Medicare Part D and for those with limited incomes. States should describe how the SHIP, AAA, and ADRC efforts will be coordinated to provide outreach to beneficiaries with limited incomes statewide, for general Medicare Part D outreach and assistance to beneficiaries in rural areas, and for outreach activities aimed at Medicare prevention and wellness benefits as well as the improvements in the Part D program under the Affordable Care Act as mandated by Section 3306 of the Act. States that are eligible to apply are asked to review previous MIPPA plans and update these plans to reflect successes achieved to date and direct their efforts to enhance and expand their MIPPA outreach activities. State agencies may prepare either one statewide plan or separate plans for each eligible State agency.

II. Award Information

1. Funding Instrument Type

These awards will be made in the form of grants to State Agencies for each MIPPA Priority Area.

Priority Area 1—Grants to State Agencies (the State Unit on Aging or the State Department of Insurance) that administer the State Health Insurance Assistance Programs to provide enhanced outreach to eligible Medicare beneficiaries regarding their benefits and enhanced outreach to individuals who may be eligible for the LIS or for the MSP.

Priority Area 2—Grants to State Units on Aging for AAAs to provide enhanced outreach to eligible Medicare beneficiaries regarding their benefits and enhanced outreach to individuals who may be eligible for the LIS, MSP, Medicare Part D and Part D in rural areas.

Priority Area 3—Grants to State Units on Aging that administer the Aging and Disability Resource Centers to provide outreach to individuals regarding the benefits available under Medicare Part D and under the MSP. Funds will be allocated to ADRCs via a formula patterned after the statutory formula used for SHIPs and AAAs.

2. Anticipated Total Priority Area Funding per Budget Period

ACL intends to make available, under this program announcement, grant awards for the three MIPPA priority areas. Funding will be distributed through a formula as identified in statute. The amounts allocated are based upon factors defined in statute and will be distributed to each priority area based on the formula. ACL will fund total project periods of up to two (2) years contingent upon availability of federal funds.

Priority Area 1—SHIP: $7.5 million in FY 15 and potentially $13 million in FY 16 for state agencies that administer the SHIP Program.

Priority Area 2—AAA: $7.5 million in FY 15 and potentially $7.5 million in FY 16 for SUAs for Area Agencies on Aging and for Native American programs. Funding for Native American Programs ($264,000) is deducted from Priority 2 and is being allocated through a separate process.

Priority Area 3—ADRC: $5 million in FY 2015 and potentially $5 million in FY 16 for state agencies that administer ADRC programs that were established prior to March 2014.

III. Eligibility Criteria and Other Requirements

1. Eligible Applicants MIPPA Priority Areas 1, 2 and 3

Awards made under this announcement, by statute, will be made only to agencies of State Governments.

Priority Area 1: Only existing SHIP grant recipients are eligible to apply.

Priority Area 2: Only State Units on Aging are eligible to apply.

Priority Area 3: Only State Agencies that received an ACL and CMS Aging and Disability Resource Center (ADRC) grant where the ADRC was established by March, 2015 are eligible in FY 2015.

Eligibility may change if future funding is available.

2. Cost Sharing or Matching Is Not Required.

3. DUNS Number

All grant applicants must obtain and keep current a D–U–N–S number from Dun and Bradstreet. It is a nine-digit identification number, which provides unique identifiers of single business entities. The D–U–N–S number can be obtained from: *https://iupdate.dnb.com/iUpdate/viewiUpdateHome.htm.*

4. Intergovernmental Review

Executive Order 12372, Intergovernmental Review of Federal Programs, is not applicable to these grant applications.

IV. Submission Information

1. Application Kits

Application kits/Program Instructions are available at *www.grantsolutions.gov.* Instructions for completing the application kit will be available on the site.

2. Submission Dates and Times

To receive consideration, applications must be submitted by 11:59 p.m. Eastern time on August 31, 2015, through *www.GrantSolutions.gov.*

VII. Agency Contacts

Direct inquiries regarding programmatic issues to U.S. Department of Health and Human Services, Administration on Aging, Office of Healthcare Information and Counseling, Washington, DC 20201, attention: Katherine Glendening or by calling 202–357–3859, or by email *Katherine.Glendening@acl.hhs.gov.*

Dated: June 29, 2015.

Kathy Greenlee,

Administrator and Administration on Aging.

[FR Doc. 2015–16509 Filed 7–6–15; 8:45 am]

BILLING CODE 4154–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2015–D–2244

Qualification of Biomarker—Plasma Fibrinogen in Studies Examining Exacerbations and/or All-Cause Mortality for Patients With Chronic Obstructive Pulmonary Disease; Draft Guidance for Industry; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA or Agency) is announcing the availability of a draft guidance for industry entitled ''Qualification of Biomarker—Plasma Fibrinogen in Studies Examining Exacerbations and/or All-Cause Mortality in Patients With Chronic Obstructive Pulmonary Disease.'' This draft guidance provides a qualified context of use (COU) for plasma fibrinogen in interventional clinical trials of chronic obstructive pulmonary disease (COPD) subjects at high risk for exacerbations and/or all-cause mortality. This draft guidance also describes the experimental conditions

and constraints for which this biomarker is qualified through the Center for Drug Evaluation and Research (CDER) Biomarker Qualification Program. This biomarker can be used by drug developers for the qualified COU in submissions of investigational new drug applications (INDs), new drug applications (NDAs), and biologics license applications (BLAs) without the relevant CDER review group reconsidering and reconfirming the suitability of the biomarker.

In the **Federal Register** of January 7, 2014, FDA announced the availability of a final guidance for industry entitled ''Qualification Process for Drug Development Tools'' that described the process that would be used to qualify drug development tools (DDTs) and to make new DDT qualification recommendations available on FDA's Web site. The qualification recommendations in this draft guidance were developed using the process described in that guidance.

DATES: Although you can comment on any guidance at any time (see 21 CFR 10.115(g)(5)), to ensure that the Agency considers your comment on this draft guidance before it begins work on the final version of the guidance, submit either electronic or written comments on the draft guidance by September 8, 2015.

ADDRESSES: Submit written requests for single copies of the draft guidance to the Division of Drug Information, Center for Drug Evaluation and Research, Food and Drug Administration, 10001 New Hampshire Ave., Hillandale Building, 4th Floor, Silver Spring, MD 20993–0002. Send one self-addressed adhesive label to assist that office in processing your requests. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the draft guidance document.

Submit electronic comments on the draft guidance to *http://www.regulations.gov.* Submit written comments to the Division of Dockets Management (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT: 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, 301–796–2600.

SUPPLEMENTARY INFORMATION:

I. Background

FDA is announcing the availability of a draft guidance for industry entitled ''Qualification of Biomarker—Plasma Fibrinogen in Studies Examining Exacerbations and/or All-Cause Mortality for Chronic Obstructive Pulmonary Disease.'' This draft guidance provides qualification recommendations for the use of plasma fibrinogen, measured at baseline, as a prognostic biomarker to enrich clinical trial populations of COPD subjects at high risk for exacerbations and/or all-cause mortality for inclusion in interventional clinical trials. This biomarker should be considered with other subject demographic and clinical characteristics, including a prior history of COPD exacerbations, as an enrichment factor in these trials.

Specifically, this draft guidance provides the COU for which this biomarker is qualified through the CDER Biomarker Qualification Program. Qualification of this biomarker for this specific COU represents the conclusion that analytically valid measurements of the biomarker can be relied on to have a specific use and interpretable meaning. This biomarker can be used by drug developers for the qualified COU in submission of IND applications, NDAs, and BLAs without the relevant CDER review group reconsidering and reconfirming the suitability of the biomarker. ''Qualification'' means that the use of this biomarker in the specific COU is not limited to a single, specific drug development program. Making the qualification recommendations widely known and available for use by drug developers will contribute to drug innovation, thus supporting public health.

As stated previously, in the **Federal Register** of January 7, 2014 (79 FR 831), FDA announced the availability of a final guidance for industry entitled ''Qualification Process for Drug Development Tools'' that described the process that would be used to qualify DDTs and to make new DDT qualification recommendations available on FDA's Web site at *http://www.fda.gov/Drugs/GuidanceComplianceRegulatoryInformation/Guidances/default.htm.* The current draft guidance is an attachment to that final guidance.

CDER has initiated this formal qualification process to work with developers of these biomarker DDTs to guide them as they refine and evaluate DDTs for use in the regulatory context. Once qualified, DDTs will be publicly available for use in any drug development program for the qualified COU. As described in the January 2014 guidance, biomarker DDTs should be developed and reviewed using this process. For more information on FDA's DDTs Qualification Programs, refer to the following Web site: *http://www.fda.gov/Drugs/DevelopmentApprovalProcess/DrugDevelopmentToolsQualificationProgram/default.htm.*

This draft guidance is being issued consistent with FDA's good guidance practices regulation (21 CFR 10.115). The draft guidance, when finalized, will represent the Agency's current thinking on the use of plasma fibrinogen as an enrichment biomarker in interventional clinical trials of COPD patients. 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.

II. The Paperwork Reduction Act of 1995

This guidance contains an information collection that is 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 information collection has been approved under the OMB control numbers 0910–0001 and 0910–0014. The information requested in this guidance is currently submitted to FDA to support medical product effectiveness (see 21 CFR 312.30, 21 CFR 314.50(d)(5), and 21 CFR 314.126(b)(6)).

III. Comments

Interested persons may submit either electronic comments regarding this document to *http://www.regulations.gov* or written comments to the Division of Dockets Management (see ADDRESSES). It is only necessary to send one set of comments. Identify comments with the docket number found in brackets in the heading of this document. Received comments may be seen in the Division of Dockets Management between 9 a.m. and 4 p.m., Monday through Friday, and will be posted to the docket at *http://www.regulations.gov.*

IV. Electronic Access

Persons with access to the Internet may obtain the document at either *http://www.fda.gov/Drugs/GuidanceComplianceRegulatoryInformation/Guidances/default.htm* or *http://www.regulations.gov.*

Dated: June 30, 2015.

Leslie Kux,

Associate Commissioner for Policy.

[FR Doc. 2015–16563 Filed 7–6–15; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2014–N–1951]

CHEMBIOMED, LTD.; Revocation of U.S. License No. 0916

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing the revocation of the biologics license (U.S. License No. 0916) issued to CHEMBIOMED, LTD. (CHEMBIOMED) for the manufacture of Anti-A (Murine Monoclonal), Anti-B (Murine Monoclonal), Anti-Le[a] (Murine Monoclonal) and Anti-Le[b] (Murine Monoclonal). CHEMBIOMED did not respond to a notice of opportunity for a hearing on a proposal to revoke its license.

DATES: The revocation of the biologics license (U.S. License No. 0916) is effective July 7, 2015.

FOR FURTHER INFORMATION CONTACT: Jessica T. Walker, 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 revoking the biologics license (U.S. License No. 0916) issued to CHEMBIOMED, 9515 107th St., Rm. 401, Edmonton AB T5K 2C3, Canada, for the manufacture of Anti-A (Murine Monoclonal), Anti-B (Murine Monoclonal), Anti-Le[a] (Murine Monoclonal) and Anti-Le[b] (Murine Monoclonal). Proceedings to revoke U.S. License No. 0916 were initiated under § 601.5(b) (21 CFR 601.5(b)) because FDA determined through various means that a meaningful inspection of CHEMBIOMED could not be conducted because the manufacturer was no longer in operation.

In a phone conversation that occurred on July 7, 1992, a former CHEMBIOMED employee informed FDA that CHEMBIOMED was no longer in business, had ceased the manufacture of licensed products, and had also ceased shipments of licensed products to the United States.

In a letter dated June 16, 1995, FDA requested from the Authorized Official (Responsible Head) of CHEMBIOMED a status update for the production of all of the products for which CHEMBIOMED held a U.S. license. This letter requested that the firm notify FDA in writing of the firm's status and also informed the Authorized Official that in the absence of a response to this letter that FDA would take action to revoke CHEMBIOMED's U.S. license. FDA did not receive a response to its letter dated June 16, 1995.

In a certified, return-receipt letter dated October 18, 1995, FDA requested that the Authorized Official of CHEMBIOMED inform FDA whether or not the firm intended to pursue a product license application supplement request dated May 6, 1987. In the October 18, 1995 letter, FDA also informed the Authorized Official that the product license application supplement request had been placed in the FDA inactive files. FDA did not receive a response to its certified, return-receipt letter dated October 18, 1995.

In a letter to CHEMBIOMED dated December 19, 2012, FDA provided notice of FDA's intent to revoke U.S. License No. 0916, and announced its intent to offer an opportunity for a hearing. FDA indicated that FDA registrations for CHEMBIOMED facilities have not been updated since May 12, 1994. The letter also advised the Authorized Official that, under § 601.5(b)(1)(i) and (ii) of FDA's regulations, proceedings for license revocation may be instituted when FDA finds that authorized FDA employees have been unable to gain access to an establishment for the purpose of carrying out an inspection, or when the manufacturing of a product has been discontinued to an extent that a meaningful inspection cannot be made at the establishment. The December 19, 2012 letter to CHEMBIOMED, sent via United Parcel Service, was returned as undeliverable.

In addition, Health Canada advised FDA that CHEMBIOMED was no longer in operation, according to the Industry Canada Web site: *www.ic.gc.ca.* CHEMBIOMED (Corporation No. 0228176 and Business No. 100938521RC0001 under the governing legislation of the Canada Business Corporations Act) was issued a Certificate of Incorporation on August 15, 1977, and later was issued a Certificate of Dissolution on March 17, 1999.

Under § 12.21(b) (21 CFR 12.21(b)), FDA published in the **Federal Register** of January 14, 2015 (80 FR 1917), a notice of opportunity for a hearing (NOOH) on a proposal to revoke the biologics license (U.S. License No. 0916) issued to CHEMBIOMED for the manufacture of Anti-A (Murine Monoclonal), Anti-B (Murine Monoclonal), Anti-Le[a] (Murine Monoclonal) and Anti-Le[b] (Murine Monoclonal). In the NOOH, FDA explained that the proposed license revocation was based on information that the firm was no longer in operation and the manufacture of its licensed products has been discontinued. FDA also noted in the NOOH that the documentation in support of the license revocation had been placed on file with the Division of Dockets Management under the docket number found in brackets in the heading of the notice.

The NOOH provided the firm 30 days to submit an electronic or written request for a hearing and 60 days to submit any data and information justifying a hearing. The NOOH provided other interested persons with 60 days to submit electronic or written comments on the proposed revocation. The firm did not respond within the 30-day time period with an electronic or written request for a hearing, and under § 12.21(b), the 30-day time period prescribed in the NOOH may not be extended. No comments from other interested persons were received within the 60-day time period.

Accordingly under 21 CFR 12.38, section 351 of the Public Health Service Act (42 U.S.C. 262), and under the authority delegated to the Commissioner of Food and Drugs and redelegated to the Director and Deputy Director of the Center for Biologics Evaluation and Research (FDA Staff Manual Guide 1410.203), the biologics license (U.S. License No. 0916) issued to CHEMBIOMED, LTD. for the manufacture of Anti-A (Murine Monoclonal), Anti-B (Murine Monoclonal), Anti-Le[a] (Murine Monoclonal) and Anti-Le[b] (Murine Monoclonal) is revoked, effective July 7, 2015.

Dated: June 30, 2015.

Leslie Kux,

Associate Commissioner for Policy.

[FR Doc. 2015–16562 Filed 7–6–15; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2011–N–0169]

Chung Po Liu; Denial of Hearing; Final Debarment Order

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is denying Chung

Po Liu's (Liu) request for a hearing and is issuing an order under the Federal Food, Drug, and Cosmetic Act (the FD&C Act) debarring Liu for 5 years from importing articles of food or offering such articles for importation into the United States. FDA bases this order on a finding that Liu was convicted of a felony for conduct relating to the importation of an article of food into the United States. In determining the appropriateness and period of Liu's debarment, FDA has considered the relevant factors listed in the FD&C Act. Liu has failed to file with the Agency information and analysis sufficient to create a basis for a hearing concerning this action.

DATES: This order is effective July 7, 2015.

ADDRESSES: Submit applications for termination of debarment to the Division of Dockets Management Branch (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT: Julie Finegan, Office of Scientific Integrity, Food and Drug Administration, 10903 New Hampshire Ave., Silver Spring, MD 20993, 301–796–8618.

SUPPLEMENTARY INFORMATION:

I. Background

On August 26, 2010, Chung Po Liu pleaded guilty to the felony crime of entering honey, a food, into the commerce of the United States by means of a false statement, in violation of 18 U.S.C. 542 and 2. Liu admitted that he had caused his customs broker to declare Thailand to be the country of origin of one honey shipment, although the majority of the honey originated in China, and to declare the Philippines to be the country of origin of a second honey shipment, although the honey originated in China. Liu admitted that, in each instance, he had documents in his possession establishing that the honey originated in China, that the declaration of country of origin was false, and that he was without reasonable cause to believe it was true. Liu also admitted that the United States began requiring the deposit of estimated anti-dumping duties of between 183 percent and 221 percent on all non-exempt honey of Chinese origin beginning in 2001. Liu did not deposit estimated anti-dumping duties for either of these two shipments of imported honey. Liu also pleaded guilty to the misdemeanor crime of introducing adulterated food into interstate commerce in violation of sections 301(a), 303(a)(1), and 402(a)(2)(C)(i) of the FD&C Act (21 U.S.C. 331(a), 333(a)(1), and 342(a)(2)(C)(i)). Liu admitted that he had introduced honey that contained the unsafe food additive ciprofloxacin, an antibiotic, into interstate commerce. On December 20, 2010, the U.S. District Court for the Western District of Washington entered a criminal judgment against Liu under his guilty plea.

Section 306(b)(1)(C) of the FD&C Act (21 U.S.C. 335a(b)(1)(C)) authorizes FDA to debar a person from importing articles of food or offering food for importation into the United States based on a finding, under section 306(b)(3) of the FD&C Act, that the person was convicted of a felony for conduct relating to the importation of food into the United States. By letter dated April 25, 2011, in accordance with section 306(i) of the FD&C Act and 21 CFR 10.50(c)(20) and 12.21(b), FDA, Office of Regulatory Affairs (ORA) notified Liu that the Agency proposed to debar him for 5 years from importing any articles of food or offering such articles for importation into the United States and offered an opportunity to request a hearing on the proposed order of debarment to resolve disputed issues of material fact. ORA advised Liu that a request for a hearing may not rest upon mere allegations or denials, but must present specific facts showing that there is a genuine and substantial issue of fact that requires a hearing.

In a letter dated May 24, 2011, Liu requested a hearing on his proposed debarment. On June 11, 2011, Liu submitted materials in support of his hearing request. In these materials, which were submitted in accordance with 21 CFR 12.22, Liu acknowledges his felony conviction. However, he urges FDA not to exercise its authority to debar him based on that conviction. In the alternative, he argues that any debarment should be limited to the 1-year period of supervised release that the court ordered him to serve after his release from custody after serving his sentence of incarceration of 1 year and 1 day.

Under the authority delegated to him by the Commissioner of Food and Drugs, the Director of the Office of Scientific Integrity (the Director) has considered Liu's submission. FDA will grant a hearing only if the material submitted shows that there is a genuine and substantial issue of fact for resolution at the hearing. Hearings will not be granted on issues of policy or law, on mere allegations, denials, or general descriptions of positions and contentions, or on data and information insufficient to justify the factual determination urged (see 21 CFR 12.24(b)). Based on this review, the Director has concluded that Liu has failed to raise a genuine and substantial issue of fact for resolution at a hearing and that a hearing is not justified. Accordingly, Liu's request for a hearing is denied, and FDA is issuing this notice to explain the basis for this decision (see 21 CFR 12.24(a) and 12.28).

II. Arguments

Liu raises two primary arguments in support of his hearing request. Liu first contends generally that debarment is ''unwarranted in law and without justification by the facts in the case.'' He also urges that FDA should not debar him due to his advanced age and ill health, or, alternatively, that FDA should debar him for a time period of less than 5 years, the debarment period proposed in the Notice of Opportunity for Hearing.

Liu notes that, under section 306(b), the decision whether to debar him is committed to FDA's discretion, and that FDA is authorized to debar him ''as a result of conviction of certain crimes'' (June 21 submission at 1). Indeed, section 306(b)(3) of the FD&C Act states that a person is subject to debarment if the person has been convicted of a felony for conduct relating to the importation into the United States of any food. Liu does not dispute that he was convicted of a felony crime in violation of 18 U.S.C. 542 and 2, or that his conviction was based on conduct relating to the importation of honey, a food. In the plea agreement Liu signed, which he does not now refute, he admitted that: (1) He entered or introduced, or attempted to enter or introduce, into the commerce of the United States, imported merchandise; (2) he did so by means of any fraudulent or false invoice, declaration, affidavit, letter, paper, or by means of any false statement, written or verbal; and (3) he was without reasonable cause to believe the truth of such statement or procured the making of any such false statement as to any matter material thereto without reasonable cause to believe the truth of such statement (Plea Agreement at 2). He further admitted that this conduct related to the importation of honey, a food (see, for example, Plea Agreement at 11–12, June 21 submission at 2–3). Accordingly, Liu is subject to debarment under section 306(b)(3) on the basis of that felony conviction.

Since Liu's felony conviction for conduct relating to the importation into the United States of honey establishes a predicate from which FDA may choose to exercise its authority to debar him, Liu's June 21 submission in support of his request for a hearing attempts to raise factual issues concerning the

application of the factors in section 306(c)(3) that FDA is required to consider in determining the appropriateness and the period of debarment. These are the applicable criteria: (1) The nature and seriousness of any offense involved; (2) the nature and extent of management participation in any offense involved, whether corporate policies and practices encouraged the offense, including whether inadequate institutional controls contributed to the offense; (3) the nature and extent of voluntary steps to mitigate the impact on the public of any offense involved, including . . . full cooperation with any investigations (including the extent of disclosure to appropriate authorities of all wrongdoing) . . . and any other actions taken to substantially limit potential or actual adverse effects on the public health; (4) whether the extent to which changes in ownership, management, or operations have corrected the causes of any offense involved and provide reasonable assurances that the offense will not occur in the future; and (5) prior convictions under the FD&C Act or under other Acts involving matters within the jurisdiction of FDA.

Significantly, the health and age of an individual subject to debarment are not included as factors relevant to FDA's exercise of the Agency's debarment authority. Although a defendant may sometimes argue that poor health and advanced age should be considered in mitigation of punishment, debarment under 21 U.S.C. 335a is not a punitive sanction. Instead it is remedial in purpose. (See *DiCola* v. *FDA,* 77 F.3d 504, 507 (D.C. Cir. 1996) (permanent debarment of convicted individual is not punishment, but instead is a remedy to protect the integrity of the drug industry and public confidence in that industry); *Bae* v. *Shalala,* 44 F.3d 489, 493 (7th Cir. 1995) (purpose of statute establishing debarment authority was to restore consumer confidence in generic drugs by eradicating widespread corruption in generic drug approval process).) In determining whether to debar Liu, as well as the length of a term of debarment, FDA acts to protect the public health and not to punish Liu. Because we are acting for this remedial, not punitive, purpose, Liu's arguments concerning his health and age are not relevant to this proceeding.

I address each of the relevant factors in turn.

A. The Nature and Seriousness of the Offense

Liu emphasizes that he was not convicted of the charge for which he was originally indicted, conspiracy to violate 18 U.S.C. 545 by conspiring to enter goods into the United States through false statement, and to smuggle goods. He urges that conviction under the original charge would have required proof that he acted ''knowingly and intentionally'' (June 21 submission at 3). He devotes much of his submission to his argument that he did not act ''knowingly and intentionally.'' According to Liu's June 21 submission, Liu's accomplices, Yong Xiang Yan, the owner of Changge Jixiang Bee Products, Ltd. of Henan China, and Boa Zhong Zhang, a vice-president and part owner of Changge, established a scheme to transship and import into the United States Chinese honey, using Indigo Distribution Corp. in the Philippines. He disclaims knowledge of the nature and extent of their operations (June 21 submission at 4).

However, these allegations are not relevant. Liu's conviction was not for violating, or conspiring to violate, 18 U.S.C. 545. The offense that must be considered is his felony violation of 18 U.S.C. 542 and 2, which was based on Liu's causing the false declarations to be made even though he was without reasonable cause to believe the truth of such statements. Even in his June 21 submission, Liu expressly acknowledges that he had documents in his possession indicating that, as described in the Plea Agreement and as charged in the superseding information to which he pleaded guilty, two shipments of honey he imported actually originated in China (June 21 submission at 3). He leaves unchallenged the factual basis for his conviction: That, without reasonable cause to believe the truth of the statements, he caused his customs broker to falsely state that the shipments originated in Thailand (December 20, 2006, shipment) and the Philippines (February 14, 2007, shipment). Although he dismisses these as a ''few emails . . . among many hundreds of documents relating to the importation of honey found in Mr. Liu's house'' (June 21 submission at 3), he fully admits that these communications were in his possession. Liu has raised no factual issue for resolution at a hearing concerning whether he acted without reasonable cause to believe the truth of the statements concerning where the honey was produced.

We further note that the statement of facts, which Liu admitted in his plea agreement, provides additional information concerning his actions which demonstrate the financial motive behind this offense. Had Liu instructed his customs broker to declare the country of origin as China, he and his companies would have been responsible for anti-dumping duties in the amount of 221 percent of the value of the honey (Plea Agreement at 11–12). Liu's misrepresentation was thus both material and meaningful in the imports process, and it could not have been lost on Liu how important the country of origin was in the context of the anti-dumping duties for Chinese honey.

Finally, I note that Liu's conviction did not rest on a single false statement. Instead, he pleaded guilty to a superseding information that included false statements with respect to two separate entries of imported Chinese honey, 2 months apart. His conviction did not rest on a single isolated incident, but on a repeated violation.

Therefore, it is undisputed that Liu was responsible for multiple material false statements that resulted in the avoidance of significant duties for the importation of two shipments of honey with a total declared value of $186,912. As such, I agree with ORA's evaluation of this consideration and find that the nature and seriousness of Liu's felony offense weighs strongly in favor of debarment.

B. The Nature and Extent of Management Participation in the Offense

Next, I consider whether Liu's response raised specific facts showing that there is a genuine and substantial issue of fact that requires a hearing concerning the nature and extent of management participation in the offense, including whether corporate policies and practices encouraged the offense, and whether inadequate institutional controls contributed to the offense.

In the Notice of Opportunity for a Hearing, ORA stated, ''As the owner of the importing companies, you were responsible for the accuracy of declarations made to United States customs officials. You were without reasonable cause to believe the truth of these declarations regarding the origins of the honey. Further, you directly profited from the domestic sale of the imported honey.''

Liu has not challenged these statements, and all of the descriptions of Liu's actions in the June 21 submission show him to act alone, as the individual responsible for importing these two shipments of honey. I agree with ORA that, based upon these facts, the nature and extent of Liu's management participation in the offense weighs in favor of debarment.

C. The Nature and Extent of Voluntary Steps To Mitigate the Impact on the Public

Next, I consider whether Liu has raised specific facts showing that there is a genuine and substantial issue of fact that requires a hearing concerning the nature and extent of voluntary steps to mitigate the impact of his offense on the public, including full cooperation with any investigations (including the extent of disclosure to appropriate authorities of all wrongdoing) and any other actions taken to substantially limit potential or actual adverse effects on the public health.

In the Notice of Opportunity for a Hearing, ORA stated, ''You took no steps to mitigate the impact on the public of your actions.'' Liu has not challenged this statement. As such, I agree with ORA that the nature and extent of Liu's voluntary steps to mitigate the impact to the public weighs in favor of debarment.

D. The Impact of Changes in Ownership, Management, or Operations

In the Notice of Opportunity for Hearing, ORA determined that this factor was not applicable for consideration. Liu has not challenged that determination.

E. Prior Convictions Under the FD&C Act or Related Acts

In the Notice of Opportunity for Hearing, ORA acknowledged that the Agency was unaware of any prior convictions involving matters within the jurisdiction of FDA. The lack of previous violations of the FD&C Act or related statutes by Liu weighs against debarment.

III. Findings and Order

The Director of the Office of Scientific Integrity, under section 306(b)(3)(A) of the FD&C Act and under authority delegated to him, finds that Liu has been convicted of a felony for conduct relating to the importation of food into the United States. Accordingly, FDA may debar Liu from importing articles of food or offering such articles for import into the United States for a period of not more than 5 years.

I have considered the arguments raised by Liu regarding the relevant factors listed in section 306(c)(3) of the FD&C Act and have determined that Liu has raised no genuine and substantial issues of fact that require resolution at an evidentiary hearing. I have considered the factors in section 306(c)(3) of the FD&C Act. The nature and seriousness of Liu's offense, Liu's management participation in the offense, and the lack of any voluntary steps to mitigate the impact of the offense weigh in favor of debarring. Although Liu appears to have no prior criminal convictions involving matters within the jurisdiction of FDA, that consideration does not counterbalance to a sufficient degree the remaining considerations to warrant decreasing the period of debarment. Of particular note is the nature and seriousness of the offense, in light of the volume of honey that was imported, the amount of duties that were avoided, and the fact that false statements were made with regard to two shipments of honey. I agree with ORA's proposed period of debarment and find that a debarment of 5 years is appropriate.

As a result of the foregoing findings, Liu is debarred for a period of 5 years from importing articles of food or offering such articles for import into the United States, effective (see DATES). Under section 301(cc) of the FD&C Act, the importing or offering for import into the United States of an article of food by, with the assistance of, or at the direction of Liu is a prohibited act.

Any application by Liu for termination of debarment under section 306(d) of the FD&C Act should be identified with Docket No. FDA–2011–N–0169 and sent to the Division of Dockets Management Branch (see **ADDRESSES**). All such submissions are to be filed in four copies. The public availability of information in these submissions is governed by 21 CFR 10.20(j). Publicly available submissions may be seen in the Division of Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday. Persons with access to the Internet may obtain documents in the Docket at *http://www.regulations.gov.*

Dated: June 25, 2015.

Nathan Doty,

Director, Office of Scientific Integrity.

[FR Doc. 2015–16561 Filed 7–6–15; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

National Advisory Council on Nurse Education and Practice; Notice of Meeting

SUMMARY: In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463), notice is hereby given of the following meeting of the National Advisory Council on Nurse Education and Practice (NACNEP).

DATES: July 28 and 29, 2015, 8:30 a.m.–5 p.m. EST.

ADDRESSES: This meeting will be via Webinar Format. U.S. Department of Health and Human Services, Health Resources and Services Administration, 5600 Fishers Lane, Rockville, Maryland 20857.

FOR FURTHER INFORMATION CONTACT: For additional information regarding NACNEP, please contact Jeanne Brown, Staff Assistant, National Advisory Council on Nurse Education and Practice, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857. The telephone number is: (301) 443–5688. The email is *jbrown@hrsa.gov.*

SUPPLEMENTARY INFORMATION:

Status: This advisory council meeting will be open to the public.

Purpose: The purpose of the 131st National Advisory Council on Nurse Education and Practice (NACNEP) meeting is to provide advice and recommendations on policy and program development related to the role of nursing in Interprofessional Education (IPE) and Practice. The purpose is to discuss existing IPE models in an academic setting and the intersect between education and practice as it relates to Health Care delivery reform. The goal of the meeting is to solicit recommendations for IPE in an academic setting and the intersect important to IPE and practice. Strengths, challenges, achievable solutions, and replicable models required and/or available to move from discussion to action will be identified. Additionally, the meeting will discuss topics for future work of the council. This meeting will conclude with a formulation of recommendations and form the basis for NACNEP's mandated Thirteenth Annual Report to the Secretary of the U.S. Department of Health and Human Services and Congress.

Agenda: A final agenda will be posted on the *NACNEP Web site* 3 days prior to the meeting. Agenda items are subject to change as priorities dictate.

Further information regarding NACNEP including the roster of members, reports to Congress, and minutes from previous meetings is available at the NACNEP Web site. Members of the public and interested parties may request to participate in the meeting by contacting Staff Assistant, Jeanne Brown. Access to the meeting will be granted on a first come, first-served basis and space is limited. Public participants may submit written statements in advance of the scheduled meeting. If you would like to provide oral public comment during the meeting

you will need to register with Erin Fowler, Designated Federal Official (DFO). Public comment will be limited to 3 minutes per speaker and is tentatively scheduled for after lunch on the first day of the meeting. Statements and comments can be addressed to Erin Fowler. Please send by email to: *nacnep@hrsa.gov.*

Please be advised that committee members are given copies of all written statements submitted by the public prior to the meeting. Any further public participation will be at the discretion of the Chair, with approval of the DFO in attendance. Registration through the designated contact for the public comment session is required. Any member of the public who wishes to have printed materials distributed to the Advisory Group should submit materials to the point of contact no later than 12:00 p.m. EST on July 13, 2015.

Jackie Painter,

Director, Division of the Executive Secretariat.

[FR Doc. 2015–16135 Filed 7–6–15; 8:45 am]

BILLING CODE 4165–15–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Advisory Council on Blood Stem Cell Transplantation; Notice of Meeting

SUMMARY: In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463), notice is hereby given of the following meeting of the Advisory Council on Blood Stem Cell Transplantation (ACBSCT).

DATES: September 11, 2015 from 8:00 a.m. to 4:30 p.m. Eastern Time.

ADDRESSES: Health Resources and Services Administration, 5600 Fishers Lane, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Patricia Stroup, MBA, MPA, Executive Secretary, Healthcare Systems Bureau, Health Resources and Services Administration, 5600 Fishers Lane, Room 17W65, Rockville, Maryland 20857; telephone (301) 443–1127.

SUPPLEMENTARY INFORMATION:

Status: The meeting will be open to the public.

Purpose: Pursuant to Public Law 109–129, 42 U.S.C. 274k (section 379 of the Public Health Service Act, as amended), the ACBSCT advises the Secretary of the Department of Health and Human Services and the Administrator, Health Resources and Services Administration, on matters related to the activities of the C.W. Bill Young Cell Transplantation Program (Program) and the National Cord Blood Inventory Program.

Agenda: The Council will hear a report from the ACBSCT Work Group on Advancing Hematopoietic Stem Cell Transplantation for Hemoglobinopathies. The Council also will hear presentations and discussions on topics including: past recommendations made to the Secretary, cord blood bank economics, status of Food and Drug Administration licensure of cord blood banks, and potential impact of haploidentical transplants. Agenda items are subject to changes as priorities indicate.

After Council discussions, members of the public will have an opportunity to provide comment. Because of the Council's full agenda and timeframe in which to cover the agenda topics, public comment may be limited. All public comments will be included in the record of the ACBSCT meeting. Meeting summary notes will be posted on HRSA's Program Web site at *http://bloodcell.transplant.hrsa.gov/ABOUT/Advisory_Council/index.html.*

The draft meeting agenda will be posted on *https://www.blsmeetings.net/acbsct.* Those participating at this meeting should pre-register by visiting *https://www.blsmeetings.net/acbsct.* The deadline to pre-register for this meeting is Thursday, September 10, 2015. Registration will be confirmed on site. For all logistical questions and concerns, please contact Anita Allen, Seamon Corporation, at (301) 658–3442 or send an email to *aallen@seamoncorporation.com.*

Participants can also join this meeting via teleconference by:

1. (Audio Portion) Calling the Conference Phone Number (800–988–0202) and providing the Participant Passcode (9115853); and

2. (Visual Portion) Connecting to the ACBSCT Adobe Connect Pro Meeting using the following URL and entering as GUEST: *https://hrsa.connectsolutions.com/acbsct_webinar/* (copy and paste the link into your browser if it does not work directly, and enter as a guest).

Participants should call and connect 15 minutes prior to the meeting for logistics to be set up. If you have never attended an Adobe Connect meeting, please test your connection using the following URL: *https://hrsa.connectsolutions.com/common/help/en/support/meeting_test.htm.* In order to obtain a quick overview, go to the following URL: *http://www.adobe.com/go/connectpro_overview.* Call (301) 443–0437 or send an email to *ptongele@hrsa.gov* if you are having trouble connecting to the meeting site.

Public Comment: It is preferred that persons interested in providing an oral presentation email a written request, along with a copy of their presentation, to Patricia Stroup, MBA, MPA, Executive Secretary, Healthcare Systems Bureau, Health Resources and Services Administration, at *pstroup@hrsa.gov.* Requests should contain the name, address, telephone number, email address, and any business or professional affiliation of the person desiring to make an oral presentation. Groups having similar interests are requested to combine their comments and present them through a single representative.

The allocation of time may be adjusted to accommodate the level of expressed interest. Persons who do not file an advance request for a presentation, but desire to make an oral statement, may request it during the public comment period. Public participation and ability to comment will be limited as time permits.

Jackie Painter,

Director, Division of the Executive Secretariat.

[FR Doc. 2015–16137 Filed 7–6–15; 8:45 am]

BILLING CODE 4165–15–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

National Vaccine Injury Compensation Program; List of Petitions Received

AGENCY: Health Resources and Services Administration, HHS.

ACTION: Notice.

SUMMARY: The Health Resources and Services Administration (HRSA) is publishing this notice of petitions received under the National Vaccine Injury Compensation Program (the Program), as required by Section 2112(b)(2) of the Public Health Service (PHS) Act, as amended. While the Secretary of Health and Human Services is named as the respondent in all proceedings brought by the filing of petitions for compensation under the Program, the United States Court of Federal Claims is charged by statute with responsibility for considering and acting upon the petitions.

FOR FURTHER INFORMATION CONTACT: For information about requirements for filing petitions, and the Program in general, contact the Clerk, United States Court of Federal Claims, 717 Madison Place NW., Washington, DC 20005,

(202) 357–6400. For information on HRSA's role in the Program, contact the Director, National Vaccine Injury Compensation Program, 5600 Fishers Lane, Room 11C–26, Rockville, MD 20857; (301) 443–6593, or visit our Web site at: *http://www.hrsa.gov/vaccinecompensation/index.html.*

SUPPLEMENTARY INFORMATION: The Program provides a system of no-fault compensation for certain individuals who have been injured by specified childhood vaccines. Subtitle 2 of Title XXI of the PHS Act, 42 U.S.C. 300aa–10 *et seq.,* provides that those seeking compensation are to file a petition with the U.S. Court of Federal Claims and to serve a copy of the petition on the Secretary of Health and Human Services, who is named as the respondent in each proceeding. The Secretary has delegated this responsibility under the Program to HRSA. The Court is directed by statute to appoint special masters who take evidence, conduct hearings as appropriate, and make initial decisions as to eligibility for, and amount of, compensation.

A petition may be filed with respect to injuries, disabilities, illnesses, conditions, and deaths resulting from vaccines described in the Vaccine Injury Table (the Table) set forth at 42 CFR 100.3. This Table lists for each covered childhood vaccine the conditions that may lead to compensation and, for each condition, the time period for occurrence of the first symptom or manifestation of onset or of significant aggravation after vaccine administration. Compensation may also be awarded for conditions not listed in the Table and for conditions that are manifested outside the time periods specified in the Table, but only if the petitioner shows that the condition was caused by one of the listed vaccines.

Section 2112(b)(2) of the PHS Act, 42 U.S.C. 300aa–12(b)(2), requires that within 30 days after the Secretary receives service of any petition filed under section 2111 the Secretary shall publish notice of such petition in the **Federal Register**. Set forth below is a list of petitions received by HRSA on May 1, 2015, through May 31, 2015. This list provides the name of petitioner, city and state of vaccination (if unknown then city and state of person or attorney filing claim), and case number. In cases where the Court has redacted the name of a petitioner and/or the case number, the list reflects such redaction.

In accordance with Section 2112(b)(2), all interested persons may submit written information relevant to the issues described in Section 2112(b)(2) of the PHS Act in the case of the petitions listed below. Any person choosing to do so should file an original and three (3) copies of the information with the Clerk of the U.S. Court of Federal Claims at the address listed above (under the heading ''For Further Information Contact''), with a copy to HRSA addressed to Director, Division of Injury Compensation Programs, Healthcare Systems Bureau, 5600 Fishers Lane, Room 11C–26, Rockville, MD 20857. The Court's caption (Petitioner's Name v. Secretary of Health and Human Services) and the docket number assigned to the petition should be used as the caption for the written submission. Chapter 35 of title 44, United States Code, related to paperwork reduction, does not apply to information required for purposes of carrying out the Program.

Dated: June 26, 2015.

James Macrae,

Acting Administrator.

List of Petitions Filed

1. Herbert W. Morgan, La Jolla, California, Court of Federal Claims No: 15–0441V
2. John Dauksts, Jenison, Michigan, Court of Federal Claims No: 15–0442V
3. Roberta Reyna, Baraboo, Wisconsin, Court of Federal Claims No: 15–0443V
4. Elizabeth S. Bell, Cayce, South Carolina, Court of Federal Claims No: 15–0444V
5. Lillian R. Johnson, Gainesville, Florida, Court of Federal Claims No: 15–0447V
6. Ellen Guyer, Boston, Massachusetts, Court of Federal Claims No: 15–0448V
7. Quentin Prideaux, Boston, Massachusetts, Court of Federal Claims No: 15–0449V
8. Julia Telonidis, West Long Branch, New Jersey, Court of Federal Claims No: 15–0450V
9. Gerda Ulysse, Boston, Massachusetts, Court of Federal Claims No: 15–0451V
10. Harvey McBride, Boston, Massachusetts, Court of Federal Claims No: 15–0452V
11. Julie Feaster, Fairfax, Virginia, Court of Federal Claims No: 15–0455V
12. Donald Harris, Dallas, Texas, Court of Federal Claims No: 15–0461V
13. Kimberly Cox, Griffith, Indiana, Court of Federal Claims No: 15–0462V
14. Miranda Laird, Little Rock, Arkansas, Court of Federal Claims No: 15–0463V
15. Dima Schloss on behalf of N. S., Ann Arbor, Michigan, Court of Federal Claims No: 15–0465V
16. Sholom Wolman and Yonit Wolman on behalf of S. D. W., New York, New York, Court of Federal Claims No: 15–0466V
17. Elizabeth J. Zdroik, Richmond, Virginia, Court of Federal Claims No: 15–0468V
18. Joseph Stout, Oxford, Ohio, Court of Federal Claims No: 15–0469V
19. Ronald Cooper on behalf of J. C., Wellesley Hills, Massachusetts, Court of Federal Claims No: 15–0471V
20. Robert Shupe, Tiffin, Ohio, Court of Federal Claims No: 15–0472V
21. Harold Duke, Rock Hill, South Carolina, Court of Federal Claims No: 15–0473V
22. James Perales and Joy Perales on behalf of J. P., Dallas, Texas, Court of Federal Claims No: 15–0474V
23. Judy G. Davidson, Atlanta, Georgia, Court of Federal Claims No: 15–0475V
24. Roy Bush, Boston, Massachusetts, Court of Federal Claims No: 15–0476V
25. Kimberly Sengenberger, Murray, Kentucky, Court of Federal Claims No: 15–0477V
26. Adina Small, Boston, Massachusetts, Court of Federal Claims No: 15–0478V
27. Andrew Hoose, Boston, Massachusetts, Court of Federal Claims No: 15–0479V
28. James Czerwonka, Barron, Wisconsin, Court of Federal Claims No: 15–0482V
29. Lavern Griffis, Oklahoma City, Oklahoma, Court of Federal Claims No: 15–0483V
30. Logan Osberg, Mount Kisco, New York, Court of Federal Claims No: 15–0484V
31. Rosa Allicock on behalf of M. A., Phoenix, Arizona, Court of Federal Claims No: 15–0485V
32. Jacqueline F. King on behalf of Brooklyn Hernandez, Nags Head, North Carolina, Court of Federal Claims No: 15–0486V
33. Lillian Rivera, Bronx, New York, Court of Federal Claims No: 15–0487V
34. Cara Specks, Chicago, Illinois, Court of Federal Claims No: 15–0491V
35. Barry George Jackson, Pasadena, California, Court of Federal Claims No: 15–0492V
36. Enrique Rodriguez-Luna, Arlington, Virginia, Court of Federal Claims No: 15–0496V
37. Michael C. King, Plainfield, Indiana, Court of Federal Claims No: 15–0500V

38. Stephanie Delapaz, Houston, Texas, Court of Federal Claims No: 15–0502V
39. Bernhard Kreten, San Diego, California, Court of Federal Claims No: 15–0504V
40. Adam Raszkiewicz, Mount Kisco, New York, Court of Federal Claims No: 15–0509V
41. Susana Gonzales-Sexauer, Las Cruces, New Mexico, Court of Federal Claims No: 15–0512V
42. Anne Tinsley, Piermont, New York, Court of Federal Claims No: 15–0513V
43. Robin Adkins on behalf of Sherman Arrowood, Deceased, Lavalette, West Virginia, Court of Federal Claims No: 15–0514V
44. Elizabeth Gram on behalf of A. L. M., Houston, Texas, Court of Federal Claims No: 15–0515V
45. Beth Britt, Sarasota, Florida, Court of Federal Claims No: 15–0516V
46. Jeremy Eamick, Fayetteville, North Carolina, Court of Federal Claims No: 15–0519V
47. Jeremy Svagdis and Kimberly Svagdis on behalf of A. S., Cumming, Georgia, Court of Federal Claims No: 15–0520V
48. David Wilson on behalf of Estelle Maltz, Deceased, San Diego, California, Court of Federal Claims No: 15–0521V
49. Jeffrey Norris, Granite Falls, North Carolina, Court of Federal Claims No: 15–0525V
50. Lee Liggett, Washington, District of Columbia, Court of Federal Claims No: 15–0526V
51. Terrence Francis and Michelle Francis on behalf of M. F., Middletown, Delaware, Court of Federal Claims No: 15–0527V
52. Scott A. Fundermann, Correctionville, Iowa, Court of Federal Claims No: 15–0529V
53. MaryAnn Story, Layton, Utah, Court of Federal Claims No: 15–0530V
54. Raymond L. Sparks, Riverton, Wyoming, Court of Federal Claims No: 15–0531V
55. Karl Steger, Washington, District of Columbia, Court of Federal Claims No: 15–0532V
56. Brittany Arnold on behalf of L. H., Philadelphia, Pennsylvania, Court of Federal Claims No: 15–0534V
57. Vernon D. Begley, Florida City, Florida, Court of Federal Claims No: 15–0535V
58. Winifred Campbell, Depew, New York, Court of Federal Claims No: 15–0541V
59. Diane M. Sphar, Cincinnati, Ohio, Court of Federal Claims No: 15–0544V
60. Catherine Henry, Memphis, Tennessee, Court of Federal Claims No: 15–0545V
61. Robert Berkley, Houston, Texas, Court of Federal Claims No: 15–0546V
62. Angela Thomas, Philadelphia, Pennsylvania, Court of Federal Claims No: 15–0550V
63. Roby Wilson and Jeana Wilson on behalf of J. W., Washington, District of Columbia, Court of Federal Claims No: 15–0551V

[FR Doc. 2015–16170 Filed 7–6–15; 8:45 am]

BILLING CODE 4165–15–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Indian Health Service

Office of Direct Service and Contracting Tribes; National Indian Health Outreach and Education, Policy/Budget/Diabetes; Announcement Type: Limited New and Competing Continuation Funding Announcement Number: HHS–2015–IHS–NIHOE–I–PBD–0002; Catalog of Federal Domestic Assistance Number: 93.933

Key Dates

Application Deadline Date: September 8, 2015.

Review Date: September 10, 2015.

Earliest Anticipated Start Date: September 30, 2015.

Proof of Non-Profit Status Due Date: September 8, 2015.

I. Funding Opportunity Description

Statutory Authority

The Indian Health Service (IHS) is accepting competitive cooperative agreement applications for the National Indian Health Outreach and Education, Policy/Budget/Diabetes (NIHOE–I) limited competition cooperative agreement program. This award includes the following four components, as described in this announcement: ''Line Item 128 Health Education and Outreach funds,'' ''Health Care Policy Analysis and Review,'' ''Budget Formulation,'' and ''Tribal Leaders Diabetes Committee'' (TLDC). This program is authorized under the Snyder Act, codified at 25 U.S.C. 13. This program is described in the Catalog of Federal Domestic Assistance under 93.933.

Background

The NIHOE1 program carries out health program objectives in the American Indian and Alaska Native (AI/AN) community in the interest of improving Indian health care for all 566 Federally-recognized Tribes, including Tribal governments operating their own health care delivery systems through self-determination contracts with the IHS and Tribes that continue to receive health care directly from the IHS. This program addresses health policy and health program issues and disseminates educational information to all AI/AN Tribes and villages. This program requires that public forums be held at Tribal educational consumer conferences to disseminate changes and updates in the latest health care information. This program also requires that regional and national meetings be coordinated for information dissemination as well as the inclusion of planning and technical assistance and health care recommendations on behalf of participating Tribes to ultimately inform IHS based on Tribal input through a broad based consumer network.

Purpose

The purpose of this IHS cooperative agreement is to further IHS's mission and goals related to providing quality health care to the AI/AN community through outreach and education efforts with the sole outcome of improving Indian health care. This award includes the following four health services components: Line Item 128 Health Education and Outreach funds, Health Care Policy Analysis and Review, Budget Formulation, and TLDC.

Limited Competition Justification

Competition for the award included in this announcement is limited to national Indian health care organizations with at least ten years of experience providing education and outreach on a national scale. This limitation ensures that the awardee will have: (1) A national information-sharing infrastructure which will facilitate the timely exchange of information between the Department of Health and Human Services (HHS) and Tribes and Tribal organizations on a broad scale; (2) a national perspective on the needs of AI/AN communities that will ensure that the information developed and disseminated through the projects is appropriate, useful and addresses the most pressing needs of AI/AN communities; and (3) established relationships with Tribes and Tribal organizations that will foster open and honest participation by AI/AN communities. Regional or local organizations will not have the mechanisms in place to conduct communication on a national level, nor will they have an accurate picture of the health care needs facing AI/ANs

nationwide. Organizations with less experience will lack the established relationships with Tribes and Tribal organizations throughout the country that will facilitate participation and the open and honest exchange of information between Tribes and HHS. With the limited funds available for these projects, HHS must ensure that the education and outreach efforts described in this announcement reach the widest audience possible in a timely fashion, are appropriately tailored to the needs of AI/AN communities throughout the country, and come from a source that AI/ANs recognize and trust. For these reasons, this is a limited competition announcement.

II. Award Information

Type of Award

Cooperative Agreement.

Estimated Funds Available

The total amount of funding identified for the current fiscal year (FY) 2015 is approximately $825,000. Three hundred thousand dollars ($300,000) is estimated for outreach, education, and support to Tribes who have elected to leave their Tribal shares with the IHS (this amount could vary based on Tribal shares assumptions; Line Item 128 Health Education and Outreach funding will be awarded in partial increments based on availability and amount of funding); $200,000 for the Health Care Policy Analysis and Review; $75,000 for the Budget Formulation; and $250,000 associated with providing legislative education, outreach and communications support to the IHS TLDC and to facilitate Tribal consultation on the Special Diabetes Program for Indians (SDPI). The amount of funding available for both competing and continuation awards issued under this announcement is subject to the availability of appropriations and budgetary priorities of the Agency. The IHS is under no obligation to make awards that are selected for funding under this announcement.

Anticipated Number of Awards

One award will be issued under this program announcement comprised of the following four components: Line Item 128 Health Education and Outreach; Health Care Policy Analysis and Review; Budget Formulation; and TLDC.

Project Period

The project period will run for one year from September 30, 2015 through September 29, 2016.

Cooperative Agreement

Cooperative agreements awarded by HHS are administered under the same policies as a grant. The funding agency (IHS) is required to have substantial programmatic involvement in the project during the entire award segment. Below is a detailed description of the level of involvement required for both IHS and the grantee. IHS will be responsible for activities listed under section A and the grantee will be responsible for activities listed under section B as stated:

Substantial Involvement Description for Cooperative Agreement

A. IHS Programmatic Involvement

1. The IHS assigned program official will work in partnership with the awardee in all decisions involving strategy, hiring of personnel, deployment of resources, release of public information materials, quality assurance, coordination of activities, any training, reports, budget and evaluation. Collaboration includes data analysis, interpretation of findings and reporting.

2. The IHS assigned program official will monitor the overall progress of the awardee's execution of the requirements of the award noted below, as well as their adherence to the terms and conditions of the cooperative agreement. This includes providing guidance for required reports, development of tools and other products, interpreting program findings and assisting with evaluation and overcoming any slippages encountered.

3. The IHS assigned program official will coordinate review and provide final approval of any deliverables, including printed materials, reports, testimony, and PowerPoint slides, prior to their distribution or dissemination to HHS, Tribes, or the public.

4. The IHS assigned program official will also coordinate the following:

- Discussion and release of any and all special grant conditions upon fulfillment.
- Monthly scheduled conference calls.
- Appropriate dissemination of required reports to each participating IHS program.

5. IHS will jointly with the awardee, plan and set an agenda for an annual conference that:

- Shares the outcomes of the outreach and health education training provided.
- Fosters collaboration amongst the participating IHS program offices.
- Increases visibility for the partnership between the awardee and IHS.
- Includes HHS Conference Policy:

6. IHS will provide guidance in preparing articles for publication and/or presentations of program successes, lessons learned and new findings.

7. IHS staff will review articles concerning the HHS for accuracy and may, if requested by the awardee, provide relevant articles.

8. IHS will communicate, via monthly conference calls and meetings, individual or collective (all participating programs) site visits to the awardee.

9. IHS will provide technical assistance to the awardee as requested.

10. IHS staff may, at the request of the entity's board, participate on study groups, attend board meetings, and recommend topics for analysis and discussion.

B. Grantee Cooperative Agreement Award Activities

The awardee must obtain written IHS approval of all deliverables produced with award funds, including printed materials, reports, testimony, and PowerPoint slides, prior to their distribution or dissemination to HHS, Tribes, or the public.

The awardee must comply with relevant Office of Management and Budget (OMB) Circular provisions regarding lobbying, any applicable lobbying restrictions provided under other law and any applicable restriction on the use of appropriated funds for lobbying activities.

1. Pre-Conference Grant Requirements. The awardee is required to comply with the ''HHS Policy on Promoting Efficient Spending: Use of Appropriated Funds for Conferences and Meeting Space, Food, Promotional Items, and Printing and Publications,'' dated December 16, 2013 (''Policy''), as applicable to conferences funded by grants and cooperative agreements. The Policy is available at *http://www.hhs.gov/asfr/ogapa/acquisition/policies/promoting-efficient-conference-spending-policy-12-16-2013.html.*

The awardee is required to:

Provide a separate detailed budget justification and narrative for each conference anticipated. The cost categories to be addressed are as follows: (1) Contract/Planner, (2) Meeting Space/Venue, (3) Registration Web site, (4) Audio Visual, (5) Speakers Fees, (6) Non-Federal Attendee Travel, (7) Registration Fees, (8) Other (explain in detail and cost breakdown). For additional questions please contact Mr. Chris Buchanan on (301) 443–1104 or email him at *Chris.Buchanan@ihs.gov*.

2. Line Item 128 Health Education and Outreach funding is utilized for

outreach, health education, and support to Tribes—approximately $300,000 funding is available.

The awardee is expected to fulfill the following:

Meeting Responsibilities ANNUAL (Required)

Estimated Costs: The estimated costs for this activity shall not exceed $100,000. The awardee shall work with IHS/Office of Direct Service and Contracting Tribes (ODSCT) closely on this item. As the sponsoring agency, IHS meeting attendees will not incur registration fees.

a. Host an annual conference to disseminate changes and updates on health care information relative to AI/AN.

Meeting Responsibilities MID–YEAR (Required)

Estimated Costs: The estimated costs for this activity shall not exceed $100,000. The awardee shall work with IHS/ODSCT closely on this item. As the sponsoring agency, IHS meeting attendees will not incur registration fees.

a. Host a mid-year consumer conference(s) as appropriate to disseminate changes and updates on health care information relative to AI/AN.

Coordination, Dissemination, and Technical Assistance Responsibilities (Required)

Estimated Costs: The estimated costs for this activity shall not exceed $100,000. The awardee shall work with IHS/ODSCT closely on this item.

a. Conduct regional and national meeting coordination as appropriate.

b. Conduct health care information dissemination as appropriate.

c. Coordinate planning and technical assistance needs on behalf of Tribes/Tribal organizations (T/TO) with IHS.

d. Convey health care recommendations on behalf of T/TO to IHS.

3. Health Care Policy Analysis and Review

This funding component requires the awardee to provide IHS with research and analysis of the impact of Centers for Medicare and Medicaid Services (CMS) programs on AI/AN beneficiaries and the health care delivery system that serves these beneficiaries. $200,000 funding is available for analysis of CMS programs that affect AI/AN beneficiaries.

The awardee will produce measurable outcomes to include:

a. Analytical reports, policy review and recommendation documents—The products will be in the form of written (hard copy and/or electronic files) documents that contain analysis of relevant health care issues to be reported on a monthly or quarterly basis and face-to-face meetings with hard copies submitted to the Director, IHS/Office of Resource, Access and Partnerships (ORAP).

b. Qualitative and quantitative analysis of the overall impact of the Affordable Care Act (ACA) implementation, including the regulations and policies, on the Indian health care system, in terms of whether or not it is working as intended. That is, whether Tribes and AI/AN consumers are receiving the benefits of the special provisions for Indians, and whether all of the necessary stakeholders including Indian Health Service/Tribes/Urbans (I/T/Us), qualified health plans, providers, and consumers have the information and capacity to ensure successful outcomes and are working cooperatively and effectively to that end.

c. Policy recommendations, based on the analysis, that include in particular, direct service Tribes' perspectives incorporating real-time information on how the structure of the Federal system should support the I/T/U healthcare delivery system. If deficiencies are found, provide recommendations on improvement and solutions. Issues of analysis may include improving access to care, obtaining affordable coverage, network contracting and enforcement of Section 206 of the Indian Health Care Improvement Act (IHCIA).

d. Educational and informational materials to be disseminated by the awardee and communicated to IHS and Tribal health program staff during monthly and quarterly conferences, the annual consumer conference, meetings and training sessions. This can be in the form of PowerPoint presentations, informational brochures, and/or handout materials. The IHS will provide guidance and assistance as needed. Copies of all deliverables shall be submitted to the IHS/ODSCT and IHS/ORAP.

4. Tribal Budget Consultation—Budget Formulation

The awardee will provide assistance and technical support to IHS, Tribes, and the Budget Formulation Workgroup with the National Budget Formulation work session, the HHS Tribal Consultation meeting, and the Budget Formulation Evaluation and Planning meeting. The awardee will develop the National Tribal Budget Recommendation document, briefing documents, and Tribal Leaders presentation and talking points, by performing the activities described below in coordination with and support of the IHS Tribal Budget Consultation process. $75,000 is available for Budget Formulation. Budget consultation is required by the Indian Self-Determination and Education Assistance Act, 25 U.S.C. 450j–1(i).

NATIONAL BUDGET FORMULATION WORK SESSION—January 2016

Meeting Responsibilities (Required)

Estimated Costs: The estimated costs for this activity shall not exceed $10,000. The awardee shall work with IHS/Office of Finance and Accounting (OFA)/Division of Budget Formulation (DBF) closely on this item.

a. Registration of National Budget Formulation Work Session attendees. The Awardee shall assist with the registration of all attendees as they enter the Budget Formulation Work Session.

b. The awardee shall distribute prepared budget formulation packages to all attendees.

Recordation of Meeting—The awardee shall take minutes during the work session.

a. Minutes should be recorded in a clear and concise manner and identify all speakers including presenters and any individuals contributing comments or motions.

b. Minutes will be recorded in an objective manner.

c. Minutes shall include a record of any comments, votes, or recommendations made, as well as notation of any handouts and other materials referenced by speakers, documented by the speaker's name and affiliation.

d. Minutes shall document any written materials that were distributed at the meeting. These materials will be included with the submission of the transcription and the summary page outlining all key topics.

e. Minutes will include information regarding the next meeting, including the date, time and location and a list of topics to be addressed.

f. The minutes must be submitted to IHS/OFA in final draft within five working days after the conclusion of the work session.

Further Instructions

The awardee shall:

a. Package and distribute results of the work session to IHS/OFA within five working days, which includes minutes and the final set of agreed upon national budget priorities; and

b. Provide final documents needed for the IHS budget formulation Web site.

HHS TRIBAL CONSULTATION—March 2016

Preparation and Meeting Responsibilities

Estimated Costs: The estimated costs for this activity shall not exceed $55,000. The awardee shall work with IHS/OFA/DBF closely on this item.

The Tribal testimony is a combined effort that is written and presented by the National Tribal Budget Formulation Workgroup. The testimony is presented to the Secretary of HHS and related staff as part of the Annual National U.S. Department of Health and Human Services Tribal Budget and Policy Consultation.

The awardee will assist the National Tribal Budget Formulation Workgroup to prepare for the HHS Consultation meeting by:

a. Arranging a workgroup meeting;

b. Preparing testimony and a PowerPoint presentation with talking points, with the content of both based on input from the workgroup and technical team and with the awardee responsible for formatting and design of the products;

c. Submitting testimony and the draft PowerPoint presentation to IHS for review and clearance ten working days prior to the presentation to HHS;

d. Packaging and distributing final materials, once clearance from IHS is obtained; and

e. Delivering the final testimony to the IHS/OFA/DBF five working days prior to the presentation.

The awardee will arrange working space for the workgroup to provide final input to the presentation and finalize the presentation, if needed—not to exceed two days. In addition, the awardee will assist presenters, as needed, with rehearsal of the final presentation.

BUDGET FORMULATION EVALUATION AND PLANNING MEETING—May 2016

Meeting Responsibilities (Required)

Estimated Costs: The estimated costs for this activity shall not exceed $10,000. The awardee shall work with IHS/OFA/DBF closely on this item.

Recordation of Meeting—The awardee shall take minutes during the work session.

a. Minutes should be recorded in a clear and concise manner and identify all speakers including presenters and any individuals contributing comments or motions.

b. Minutes will be recorded in an objective manner.

c. Minutes shall include a record of any comments, votes, or recommendations made, as well as notation of any handouts and other materials referenced by speakers, documented by the speaker's name and affiliation.

d. Minutes shall document any written materials that were distributed at the meeting. These materials will be included with the submission of the transcription and the summary page outlining all key topics.

e. Minutes will include information regarding the next meeting, including the date, time and location and a list of topics to be addressed.

f. The minutes must be submitted to IHS/OFA in final draft within five working days after the conclusion of the meeting.

Further Instructions

The awardee shall package and distribute results of the meeting in final:

a. To OFA within five working days; and

b. The documents needed for IHS budget formulation Web site.

Additionally, for all specified meeting and activities:

- All expenses will be itemized.
- If costs are projected to exceed the estimated cost for any part of this Scope of Work, approval from IHS/OFA must be granted before any release of funds.
- Preapproval from IHS is required before any subcontract may be awarded at a price above the estimated cost.

5. Facilitate Tribal Consultation on SDPI, Provide Meeting Support for TLDC, and Provide Education, Outreach and Communications Support

A total of $250,000 is available for tasks associated with providing meeting support for the TLDC and providing education, outreach and communications support on the activities of the TLDC, the SDPI grant program and related diabetes/chronic disease issues.

TLDC Meetings

Meeting Responsibilities (Required)

Estimated Costs: The estimated costs for this activity shall not exceed $184,000 or $46,000 per quarterly meeting. The awardee shall work with the Division of Diabetes Treatment and Prevention (DDTP) closely on this item.

a. Arrange TLDC meetings and strategic planning workgroup sessions.

i. Face-to-Face TLDC meetings (up to quarterly)

1. Location to be determined by TLDC members and the IHS Director. Every effort will be made to utilize Federal meeting space for TLDC meetings.

2. Provide on-site logistical support for TLDC meetings, including coordination of meeting activities, room set-up, registration, services, and materials (*e.g.* badges, name tents, agendas and other meeting documents).

ii. TLDC Strategic Planning Workgroups

1. Schedule conference calls and/or webinars for four workgroups. Schedule of calls will be made in conjunction with TLDC members.

b. Develop TLDC workgroup session agendas with the DDTP and TLDC.

c. Record and provide minutes of TLDC meetings and workgroup sessions.

i. Minutes will be completed as follows:

1. Minutes will be recorded in a clear and concise manner and identify all speakers including presenters and any individuals contributing comments or motions.

2. Minutes will be recorded in an objective manner.

3. Minutes shall include a record of any comments, votes, or recommendations made, as well as notation of any handouts and other materials referenced by speakers, documented by the speaker's name and affiliation.

4. Minutes shall document any written materials that were distributed at the meeting. These materials will be included with the submission of the transcription and the summary page outlining all key topics.

5. Minutes will include information regarding the next meeting, including the date, time and location, and a list of topics to be addressed.

6. The minutes must be submitted to IHS/DDTP for review and approval within five working days after each TLDC general or workgroup meeting or teleconference.

ii. Provide final minutes and pertinent documents to IHS/DDTP within five working days of receiving IHS/DDTP's edits on the draft version.

d. Coordinate travel planning and travel/per diem reimbursement in accordance with the approved TLDC charter for 12 TLDC members (or their assigned alternate) and five technical advisors to attend up to four quarterly TLDC meetings.

i. Travel planning and reimbursement process will include:

1. Direct communication with TLDC members (and alternates, as necessary) and technical advisors to assist in travel arrangements.

2. Provide logistical information to TLDC members and advisors for meeting location and lodging.

3. Prepare and distribute reimbursement forms with clear instructions in advance of the meeting and serve as the point of contact for communicating any additional travel information that is required.

4. Collect reimbursement forms and provide timely reimbursement of approved participants' expenses within 30 days of the receipt of the claim forms.

5. Provide a detailed travel reimbursement report to DDTP within 60 days of the TLDC meeting.

6. Maintain an active TLDC email directory in order to assist DDTP and TLDC with disseminating related meeting, travel and reimbursement information and soliciting related feedback.

7. Include identified DDTP staff on all email correspondence to TLDC members and technical advisors.

Provide Education, Outreach and Communications Support

Education, Outreach and Communication Support Responsibilities (Required)

Estimated Costs: The estimated cost for these activities is $66,000. The awardee shall work with DDTP closely on this item.

e. Communicate with Tribal leaders and Indian organizations about the activities of the TLDC, the SDPI grant program and related diabetes/chronic disease issues.

i. Provide factual information, review and analysis of legislative and policy issues that are relevant to diabetes and related chronic conditions in AI/ANs and on related health care disparities in written and e-file format for the purpose of keeping TLDC membership up-to-date on such information and for sharing with other Tribal leadership, Indian organizations and others.

ii. Coordinate sharing DDTP-approved information with national non-profit organizations such as the Juvenile Diabetes Research Foundation and the American Diabetes Association for strengthening outreach to Tribes and Tribal communities as well as education and outreach to non-Indian communities in the United States about AI/ANs living with diabetes and other chronic diseases.

iii. Support registration, presentation, and exhibit costs for up to five DDTP staff and assignees to potentially include a plenary and up to four workshop presentations on diabetes, SDPI and related chronic disease at meetings such as:

1. National Indian Health Board (NIHB) Public Health Summit and the NIHB Annual Consumer Conference; and

2. Other national Tribal health care conferences/meetings such as the National Congress of American Indians Annual Convention.

iv. Support exhibit opportunity for SDPI community-directed and Diabetes Prevention/Health Heart Initiatives grant programs to display programmatic information at the 2016 NIHB Public Health Summit.

III. Eligibility Information

1. Eligibility

To be eligible for this ''New/Competing Continuation Announcement,'' an eligible applicant must be a 501(c)(3) national Indian organization that has demonstrated expertise as follows:

- Representing all Tribal governments and providing a variety of services to Tribes, area health boards, Tribal organizations, and Federal agencies, and playing a major role in focusing attention on Indian health care needs, resulting in improved health outcomes for Tribes.
- Promoting and supporting Indian education and coordinating efforts to inform AI/AN of Federal decisions that affect Tribal government interests including the improvement of Indian health care.
- Administering national health policy and health programs.
- Maintaining a national AI/AN constituency and clearly supporting critical services and activities within the IHS mission of improving the quality of health care for AI/AN people.
- Supporting improved healthcare in Indian Country.

Applicants must provide proof of non-profit status with the application.

The national Indian organization must have the infrastructure in place to accomplish the work under the proposed program.

Note: Please refer to Section IV.2 (Application and Submission Information/Subsection 2, Content and Form of Application Submission) for additional proof of applicant status documents required such as Tribal resolutions, proof of non-profit status, etc.

2. Cost Sharing or Matching

The IHS does not require matching funds or cost sharing for grants or cooperative agreements.

3. Other Requirements

If application budgets exceed the highest dollar amount outlined under the ''Estimated Funds Available'' section within this funding announcement, the application will be considered ineligible and will not be reviewed for further consideration. If deemed ineligible, IHS will not return the application. The applicant will be notified by email by the Division of Grants Management (DGM) of this decision.

The following documentation is required:

Proof of Non-Profit Status

Organizations claiming non-profit status must submit proof. A copy of the 501(c)(3) Certificate must be received with the application submission by the Application Deadline Date listed under the Key Dates section on page one of this announcement.

An applicant submitting any of the above additional documentation after the initial application submission due date is required to ensure the information was received by the IHS by obtaining documentation confirming delivery (*i.e.* FedEx tracking, postal return receipt, etc.).

IV. Application and Submission Information

1. Obtaining Application Materials

The application package and detailed instructions for this announcement can be found at *http://www.Grants.gov* or *https://www.ihs.gov/dgm/index.cfm?module=dsp_dgm_funding.*

Questions regarding the electronic application process may be directed to Mr. Paul Gettys at (301) 443–2114.

2. Content and Form Application Submission

The applicant must include the project narrative as an attachment to the application package. Mandatory documents for all applicants include:

- Table of contents.
- Abstract (one page) summarizing the project.
- Application forms:
  - SF–424, Application for Federal Assistance.
  - SF–424A, Budget Information—Non-Construction Programs.
  - SF–424B, Assurances—Non-Construction Programs.
- Budget Justification and Narrative (must be single spaced and not exceed five pages).
- Project Narrative (must be single spaced and not exceed ten pages for each of the four components listed).
  - Background information on the organization.
  - Proposed scope of work, objectives, and activities that provide a description of what will be accomplished, including a one-page Timeframe Chart.
- Letter of support from organization's Board of Directors.
- 501(c)(3) Certificate (if applicable).
- Position descriptions for key personnel.
- Resumes of key personnel.

- Contractor/Consultant resumes or qualifications and scope of work.
- Disclosure of Lobbying Activities (SF–LLL).
- Certification Regarding Lobbying (GG-Lobbying Form).
- Copy of current Negotiated Indirect Cost rate (IDC) agreement (required) in order to receive IDC.
- Organizational chart (optional).
- Documentation of current OMB A–133 required Financial Audit (if applicable).

Acceptable forms of documentation include:

○ Email confirmation from Federal Audit Clearinghouse (FAC) that audits were submitted; or

○ Face sheets from audit reports. These can be found on the FAC Web site: *http://harvester.census.gov/sac/dissem/accessoptions.html?submit=Go+To+Database*

Public Policy Requirements

All Federal-wide public policies apply to IHS grants and cooperative agreements with exception of the discrimination policy.

Requirements for Project and Budget Narratives

A. Project Narrative: This narrative should be a separate Word document that is no longer than ten pages per each component and must: be single-spaced, be type written, have consecutively numbered pages, use black type not smaller than 12 characters per one inch, and be printed on one side only of standard size 8½″ × 11″ paper.

Be sure to succinctly address and answer all questions listed under each part of the narrative and place all responses and required information in the correct section (noted below), or they shall not be considered or scored. These narratives will assist the Objective Review Committee (ORC) in becoming more familiar with the applicant's activities and accomplishments prior to this grant award. If the narrative exceeds the page limit, only the first ten pages of each of the four components will be reviewed. The ten pages per component page limit for the narrative does not include the work plan, standard forms, table of contents, budget, budget narrative justifications, and/or other appendix items.

There are three parts to the narrative: Part A—Program Information; Part B—Program Planning and Evaluation; and Part C—Program Report. See below for additional details about what must be included in the narrative.

Part A: Program Information (2 Page Limitation)

Section 1: Needs

Describe how the national Indian organization has the expertise to provide outreach and education efforts on a continuing basis regarding the pertinent changes and updates in health care for each of the four components listed herein.

Part B: Program Planning and Evaluation (6 Page Limitation)

Section 1: Program Plans

Describe fully and clearly how the national Indian organization plans to address the NIHOE1 requirements, including how the national Indian organization plans to demonstrate improved health education and outreach services to all 566 Federally-recognized Tribes for each of the four components described herein. Include proposed timelines as appropriate and applicable.

Section 2: Program Evaluation

Describe fully and clearly how the outreach and education efforts will impact changes in knowledge and awareness in Tribal communities. Identify anticipated or expected benefits for the Tribal constituency.

Part C: Program Report (2 Page Limitation)

Section 1: Describe major accomplishments over the last 24 months. Please identify and describe significant program achievements associated with the delivery of quality health outreach and education services for each of the four components. Provide a comparison of the actual accomplishments to the goals established for the project period, or if applicable, provide justification for the lack of progress.

Section 2: Describe major activities over the last 24 months. Please identify and summarize recent major health related project activities of the work done regarding each of the four components during the project period.

B. Budget Narrative: This narrative must include a line item budget with a narrative justification for all expenditures identifying reasonable and allowable costs necessary to accomplish the goals and objectives as outlined in the project narrative. The budget narrative should match the scope of work described in the project narrative. The page limitation should not exceed five pages.

3. Submission Dates and Times

Applications must be submitted electronically through Grants.gov by 11:59 p.m., Eastern Daylight Time (EDT) on the Application Deadline Date listed in the Key Dates section on page one of this announcement. Any application received after the application deadline will not be accepted for processing, nor will it be given further consideration for funding. Grants.gov will notify the applicant via email if the application is rejected.

If technical challenges arise and assistance is required with the electronic application process, contact Grants.gov Customer Support via email to *support@grants.gov* or at (800) 518–4726. Customer support is available to address questions 24 hours a day, 7 days a week (except on Federal holidays). If problems persist, contact Mr. Paul Gettys, DGM (*Paul.Gettys@ihs.gov*) at (301) 443–2114. Please be sure to contact Mr. Gettys at least ten days prior to the application deadline. Please do not contact the DGM until you have received a Grants.gov tracking number. In the event you are not able to obtain a tracking number, call the DGM as soon as possible.

If the applicant needs to submit a paper application instead of submitting electronically through Grants.gov, a waiver must be requested. Prior approval must be requested and obtained from Ms. Tammy Bagley, Acting Director of DGM, (see Section IV.6 below for additional information). The waiver must: (1) Be documented in writing (emails are acceptable), *before* submitting a paper application, and (2) include clear justification for the need to deviate from the required electronic grants submission process. A written waiver request must be sent to *GrantsPolicy@ihs.gov* with a copy to *Tammy.Bagley@ihs.gov.* Once the waiver request has been approved, the applicant will receive a confirmation of approval email containing submission instructions and the mailing address to submit the application. A copy of the written approval *must* be submitted along with the hardcopy of the application that is mailed to DGM. Paper applications that are submitted without a copy of the signed waiver from the Acting Director of the DGM will not be reviewed or considered for funding. The applicant will be notified via email of this decision by the Grants Management Officer of the DGM. Paper applications must be received by the DGM no later than 5:00 p.m., EDT, on the Application Deadline Date listed in the Key Dates section on page one of this announcement. Late applications

will not be accepted for processing or considered for funding.

4. Intergovernmental Review

Executive Order 12372 requiring intergovernmental review is not applicable to this program.

5. Funding Restrictions

- Pre-award costs are not allowable.
- The available funds are inclusive of direct and appropriate indirect costs.
- Only one grant/cooperative agreement will be awarded per applicant.
- IHS will not acknowledge receipt of applications.

6. Electronic Submission Requirements

All applications must be submitted electronically. Please use the *http://www.Grants.gov* Web site to submit an application electronically and select the ''Find Grant Opportunities'' link on the homepage. Download a copy of the application package, complete it offline, and then upload and submit the completed application via the *http://www.Grants.gov* Web site. Electronic copies of the application may not be submitted as attachments to email messages addressed to IHS employees or offices.

If the applicant receives a waiver to submit paper application documents, the applicant must follow the rules and timelines that are noted below. The applicant must seek assistance at least ten days prior to the Application Deadline Date listed in the Key Dates section on page one of this announcement.

Applicants that do not adhere to the timelines for System for Award Management (SAM) and/or *http://www.Grants.gov* registration or that fail to request timely assistance with technical issues will not be considered for a waiver to submit a paper application.

Please be aware of the following:

- Please search for the application package in *http://www.Grants.gov* by entering the CFDA number or the Funding Opportunity Number. Both numbers are located in the header of this announcement.
- If you experience technical challenges while submitting your application electronically, please contact Grants.gov Support directly at: *support@grants.gov* or (800) 518–4726. Customer support is available to address questions 24 hours a day, 7 days a week (except on Federal holidays).
- Upon contacting Grants.gov, obtain a tracking number as proof of contact. The tracking number is helpful if there are technical issues that cannot be resolved and a waiver from the agency must be obtained.
- If it is determined that a waiver is needed, the applicant must submit a request in writing (emails are acceptable) to *GrantsPolicy@ihs.gov* with a copy to *Tammy.Bagley@ihs.gov.* Please include a clear justification for the need to deviate from the standard electronic submission process.
- If the waiver is approved, the application should be sent directly to the DGM by the Application Deadline Date listed in the Key Dates section on page one of this announcement.
- Applicants are strongly encouraged not to wait until the deadline date to begin the application process through Grants.gov as the registration process for SAM and Grants.gov could take up to fifteen working days.
- Please use the optional attachment feature in Grants.gov to attach additional documentation that may be requested by the DGM.
- All applicants must comply with any page limitation requirements described in this funding announcement.
- After electronically submitting the application, the applicant will receive an automatic acknowledgment from Grants.gov that contains a Grants.gov tracking number. The DGM will download the application from Grants.gov and provide necessary copies to the appropriate agency officials. Neither the DGM nor the ODSCT will notify the applicant that the application has been received.
- Email applications will not be accepted under this announcement.

Dun and Bradstreet (D&B) Data Universal Numbering System (DUNS)

All IHS applicants and grantee organizations are required to obtain a DUNS number and maintain an active registration in the SAM database. The DUNS number is a unique 9-digit identification number provided by D&B which uniquely identifies each entity. The DUNS number is site specific; therefore, each distinct performance site may be assigned a DUNS number. Obtaining a DUNS number is easy, and there is no charge. To obtain a DUNS number, please access it through *http://fedgov.dnb.com/webform,* or to expedite the process, call (866) 705–5711.

All HHS recipients are required by the Federal Funding Accountability and Transparency Act of 2006, as amended (''Transparency Act''), to report information on subawards. Accordingly, all IHS grantees must notify potential first-tier subrecipients that no entity may receive a first-tier subaward unless the entity has provided its DUNS number to the prime grantee organization. This requirement ensures the use of a universal identifier to enhance the quality of information available to the public pursuant to the Transparency Act.

System for Award Management (SAM)

Organizations that were not registered with Central Contractor Registration and have not registered with SAM will need to obtain a DUNS number first and then access the SAM online registration through the SAM home page at *https://www.sam.gov* (U.S. organizations will also need to provide an Employer Identification Number from the Internal Revenue Service that may take an additional 2–5 weeks to become active). Completing and submitting the registration takes approximately one hour to complete and SAM registration will take 3–5 business days to process. Registration with the SAM is free of charge. Applicants may register online at *https://www.sam.gov.*

Additional information on implementing the Transparency Act, including the specific requirements for DUNS and SAM, can be found on the IHS Grants Management, Grants Policy Web site: *https://www.ihs.gov/dgm/index.cfm?module=dsp_dgm_policy_topics.*

V. Application Review Information

The instructions for preparing the application narrative also constitute the evaluation criteria for reviewing and scoring the application. Weights assigned to each section are noted in parentheses. The ten page narrative allowed per each of the four components page narrative should include only the first year of activities. The narrative section should be written in a manner that is clear to outside reviewers unfamiliar with prior related activities of the applicant. It should be well organized, succinct, and contain all information necessary for reviewers to understand the project fully. Points will be assigned to each evaluation criteria adding up to a total of 100 points. A minimum score of 60 points is required for funding. Points are assigned as follows:

1. Criteria

A. Introduction and Need for Assistance (15 Points)

(1) Describe the organization's current health, education and technical assistance operations as related to the broad spectrum of health needs of the AI/AN community. Include what

programs and services are currently provided (*i.e.,* Federally-funded, State-funded, etc.), any memorandums of agreement with other national, area or local Indian health board organizations. This could also include HHS agencies that rely on the applicant as the primary gateway organization to AI/AN communities that are capable of providing the dissemination of health information. Include information regarding technologies currently used (*i.e.,* hardware, software, services, Web sites, etc.), and identify the source(s) of technical support for those technologies (*i.e.,* in-house staff, contractors, vendors, etc.). Include information regarding how long the applicant has been operating and its length of association/partnerships with area health boards, etc. [historical collaboration].

(2) Describe the organization's current technical assistance ability. Include what programs and services are currently provided, programs and services projected to be provided, memorandums of agreement with other national Indian organizations that deem the applicant as the primary source of health policy information for AI/AN, memorandums of agreement with other area Indian health boards, etc.

(3) Describe the population to be served by the proposed projects.

(4) Identify all previous IHS cooperative agreement awards received, dates of funding and summaries of the projects' accomplishments. State how previous cooperative agreement funds facilitated education, training and technical assistance nationwide for AI/ANs and relate the progression of health care information delivery and development relative to the current proposed projects. (Copies of reports will not be accepted.)

(5) Describe collaborative and supportive efforts with national, area and local Indian health boards.

(6) Explain the need/reason for your proposed projects by identifying specific gaps or weaknesses in services or infrastructure that will be addressed by the proposed projects. Explain how these gaps/weaknesses have been assessed.

(7) If the proposed projects include information technology (*i.e.,* hardware, software, etc.), provide further information regarding measures taken or to be taken that ensure the proposed projects will not create other gaps in services or infrastructure (*i.e.,* negatively or adversely affect IHS interface capability, Government Performance Results Act reporting requirements, contract reporting requirements, information technology compatibility, etc.), if applicable.

(8) Describe the effect of the proposed projects on current programs (*i.e.,* Federally-funded, State-funded, etc.) and, if applicable, on current equipment (*i.e.,* hardware, software, services, etc.). Include the effect of the proposed projects on planned/anticipated programs and/or equipment.

(9) Describe how the projects relate to the purpose of the cooperative agreement by addressing the following: Identify how the proposed projects will address outreach and education regarding each of the four components: Line Item 128 Health Education and Outreach funds, Health Care Policy Analysis and Review, Budget Formulation, and TLDC.

B. Project Objective(s), Work Plan and Approach (40 Points)

(1) Identify the proposed objective(s) for each of the four projects, as applicable. Objectives should be:

- Measurable and (if applicable) quantifiable.
- Results oriented.
- Time-limited.

Example: Issue four quarterly newsletters, provide alerts and quantify number of contacts with Tribes. Goals must be clear and concise. Objectives must be measurable, feasible and attainable for each of the selected projects.

(2) Address how the proposed projects will result in change or improvement in program operations or processes for each proposed project objective for all of the projects. Also address what tangible products, if any, are expected from the projects, (*i.e.,* policy analysis, annual conference, mid-year conferences, summits, etc.).

(3) Address the extent to which the proposed projects will provide, improve, or expand services that address the need(s) of the target population. Include a current strategic plan and business plan that includes the expanded services. Include the plan(s) with the application submission.

(4) Submit a work plan in the appendix which includes the following information:

- Provide the action steps on a timeline for accomplishing each of the projects' proposed objective(s).
- Identify who will perform the action steps.
- Identify who will supervise the action steps.
- Identify what tangible products will be produced during and at the end of the proposed projects' objective(s).
- Identify who will accept and/or approve work products during the duration of the proposed projects and at the end of the proposed projects.
- Include any training that will take place during the proposed projects and who will be attending the training.
- Include evaluation activities planned in the work plans.

(5) If consultants or contractors will be used during the proposed project, please include the following information in their scope of work (or note if consultants/contractors will not be used):

- Educational requirements.
- Desired qualifications and work experience.
- Expected work products to be delivered on a timeline.

If a potential consultant/contractor has already been identified, please include a resume in the Appendix.

(6) Describe what updates will be required for the continued success of the proposed projects. Include when these updates are anticipated and where funds will come from to conduct the update and/or maintenance.

C. Program Evaluation (20 Points)

Each proposed objective requires an evaluation component to assess its progression and ensure its completion. Also, include the evaluation activities in the work plan.

Describe the proposed plan to evaluate both outcomes and process. Outcome evaluation relates to the results identified in the objectives, and process evaluation relates to the work plan and activities of the project.

(1) For outcome evaluation, describe:

- What will the criteria be for determining success of each objective?
- What data will be collected to determine whether the objective was met?
- At what intervals will data be collected?
- Who will collect the data and their qualifications?
- How will the data be analyzed?
- How will the results be used?

(2) For process evaluation, describe:

- How will each project be monitored and assessed for potential problems and needed quality improvements?
- Who will be responsible for monitoring and managing each project's improvements based on results of ongoing process improvements and their qualifications?
- How will ongoing monitoring be used to improve the projects?
- Describe any products, such as manuals or policies, that might be developed and how they might lend themselves to replication by others.
- How will the organization document what is learned throughout each of the projects periods?

(3) Describe any evaluation efforts planned after the grant period has ended.

(4) Describe the ultimate benefit to the AI/AN population that the applicant organization serves that will be derived from these projects.

D. Organizational Capabilities, Key Personnel and Qualifications (15 Points)

This section outlines the broader capacity of the organization to complete the project outlined in the work plan. It includes the identification of personnel responsible for completing tasks and the chain of responsibility for successful completion of the projects outlined in the work plan.

(1) Describe the organizational structure of the organization beyond health care activities, if applicable.

(2) Describe the ability of the organization to manage the proposed projects. Include information regarding similarly sized projects in scope and financial assistance, as well as other cooperative agreements/grants and projects successfully completed.

(3) Describe what equipment (*i.e.,* fax machine, phone, computer, etc.) and facility space (*i.e.,* office space) will be available for use during the proposed projects. Include information about any equipment not currently available that will be purchased through the cooperative agreement/grant.

(4) List key personnel who will work on the projects. Include title used in the work plans. In the appendix, include position descriptions and resumes for all key personnel. Position descriptions should clearly describe each position and duties, indicating desired qualifications and experience requirements related to the proposed projects. Resumes must indicate that the proposed staff member is qualified to carry out the proposed projects' activities. If a position is to be filled, indicate that information on the proposed position description.

(5) If personnel are to be only partially funded by this cooperative agreement, indicate the percentage of time to be allocated to the projects and identify the resources used to fund the remainder of the individual's salary.

E. Categorical Budget and Budget Justification (10 Points)

This section should provide a clear estimate of the projects' program costs and justification for expenses for the entire cooperative agreement period. The budgets and budget justifications should be consistent with the tasks identified in the work plans.

(1) Provide a categorical budget for each of the 12-month budget periods requested for each of the four projects.

(2) If indirect costs are claimed, indicate and apply the current negotiated rate to the budget. Include a copy of the rate agreement in the appendix.

(3) Provide a narrative justification explaining why each line item is necessary/relevant to the proposed project. Include sufficient cost and other details to facilitate the determination of cost allowability (*i.e.,* equipment specifications, etc.).

Additional Documents Can Be Uploaded as Appendix Items in Grants.gov

- Work plan, logic model and/or time line for proposed objectives.
- Position descriptions for key staff.
- Resumes of key staff that reflect current duties.
- Consultant or contractor proposed scope of work and letter of commitment (if applicable).
- Current Indirect Cost Agreement.
- Organizational chart.
- Map of area identifying project location(s).
- Additional documents to support narrative (*i.e.* data tables, key news articles, etc.).

2. Review and Selection

Each application will be prescreened by the DGM staff for eligibility and completeness as outlined in the funding announcement. Applications that meet the eligibility criteria shall be reviewed for merit by the ORC based on evaluation criteria in this funding announcement. The ORC could be composed of both Tribal and Federal reviewers appointed by the IHS program to review and make recommendations on these applications. The technical review process ensures selection of quality projects in a national competition for limited funding. Incomplete applications and applications that are non-responsive to the eligibility criteria will not be referred to the ORC. The applicant will be notified via email of this decision by the Grants Management Officer of the DGM. Applicants will be notified by DGM, via email, to outline minor missing components (*i.e.,* budget narratives, audit documentation, key contact form) needed for an otherwise complete application. All missing documents must be sent to DGM on or before the due date listed in the email of notification of missing documents required.

To obtain a minimum score for funding by the ORC, applicants must address all program requirements and provide all required documentation.

VI. Award Administration Information

1. Award Notices

The Notice of Award (NoA) is a legally binding document signed by the Grants Management Officer and serves as the official notification of the grant award. The NoA will be initiated by the DGM in our grant system, GrantSolutions (*https://www.grantsolutions.gov*). Each entity that is approved for funding under this announcement will need to request or have a user account in GrantSolutions in order to retrieve their NoA. The NoA is the authorizing document for which funds are dispersed to the approved entities and reflects the amount of Federal funds awarded, the purpose of the grant, the terms and conditions of the award, the effective date of the award, and the budget/project period.

Disapproved Applicants

Applicants who received a score less than the recommended funding level for approval, 60 points, and were deemed to be disapproved by the ORC, will receive an Executive Summary Statement from the IHS program office within 30 days of the conclusion of the ORC outlining the strengths and weaknesses of their application submitted. The IHS program office will also provide additional contact information as needed to address questions and concerns as well as provide technical assistance if desired.

Approved But Unfunded Applicants

Approved but unfunded applicants that met the minimum scoring range and were deemed by the ORC to be ''Approved,'' but were not funded due to lack of funding, will have their applications held by DGM for a period of one year. If additional funding becomes available during the course of FY 2015 the approved but unfunded application may be re-considered by the awarding program office for possible funding. The applicant will also receive an Executive Summary Statement from the IHS program office within 30 days of the conclusion of the ORC.

Note: Any correspondence other than the official NoA signed by an IHS grants management official announcing to the project director that an award has been made to their organization is not an authorization to implement their program on behalf of IHS.

2. Administrative Requirements

Cooperative agreements are administered in accordance with the

following regulations, policies, and OMB cost principles:

A. The criteria as outlined in this Program Announcement.

B. Administrative Regulations for Grants:

- Uniform Administrative Requirements HHS Awards, located at 45 CFR part 75.

C. Grants Policy:

- HHS Grants Policy Statement, Revised 01/07.

D. Cost Principles:

Uniform Administrative Requirements for HHS Awards, ''Cost Principles,'' located at 45 CFR part 75, subpart E.

E. Audit Requirements:

- Uniform Administrative Requirements for HHS Awards, ''Audit Requirements,'' located at 45 CFR part 75, subpart F.

3. Indirect Costs

This section applies to all grant recipients that request reimbursement of indirect costs (IDC) in their grant application. In accordance with HHS Grants Policy Statement, Part II–27, IHS requires applicants to obtain a current IDC rate agreement prior to award. The rate agreement must be prepared in accordance with the applicable cost principles and guidance as provided by the cognizant agency or office. A current rate covers the applicable grant activities under the current award's budget period. If the current rate is not on file with the DGM at the time of award, the IDC portion of the budget will be restricted. The restrictions remain in place until the current rate is provided to the DGM.

Generally, IDC rates for IHS grantees are negotiated with the Division of Cost Allocation (DCA) *https://rates.psc.gov/* and the Department of Interior (Interior Business Center) *http://www.doi.gov/ibc/services/Indirect_Cost_Services/index.cfm.* For questions regarding the indirect cost policy, please call the Grants Management Specialist listed under ''Agency Contacts'' or the main DGM office at (301) 443–5204.

4. Reporting Requirements

The grantee must submit required reports consistent with the applicable deadlines. Failure to submit required reports within the time allowed may result in suspension or termination of an active grant, withholding of additional awards for the project, or other enforcement actions such as withholding of payments or converting to the reimbursement method of payment. Continued failure to submit required reports may result in one or both of the following: (1) The imposition of special award provisions; and (2) the non-funding or non-award of other eligible projects or activities. This requirement applies whether the delinquency is attributable to the failure of the grantee organization or the individual responsible for preparation of the reports. Reports must be submitted electronically via GrantSolutions. Personnel responsible for submitting reports will be required to obtain a login and password for GrantSolutions. Please see the Agency Contacts list in section VII for the systems contact information.

The reporting requirements for this program are noted below.

A. Progress Reports

Program progress reports are required semi-annually within 30 days after the budget period ends. These reports must include a brief comparison of actual accomplishments to the goals established for the period, or, if applicable, provide sound justification for the lack of progress and other pertinent information as required. A final report must be submitted within 90 days of expiration of the budget/project period.

B. Financial Reports

Federal Financial Report FFR (SF–425), Cash Transaction Reports are due 30 days after the close of every calendar quarter to the Payment Management Services, HHS at: *http://www.dpm.psc.gov.* It is recommended that the applicant also send a copy of the FFR (SF–425) report to the Grants Management Specialist. Failure to submit timely reports may cause a disruption in timely payments to the organization.

Grantees are responsible and accountable for accurate information being reported on all required reports: the Progress Reports and Federal Financial Report.

C. Federal Subaward Reporting System (FSRS)

This award may be subject to the Transparency Act subaward and executive compensation reporting requirements of 2 CFR part 170.

The Transparency Act requires the OMB to establish a single searchable database, accessible to the public, with information on financial assistance awards made by Federal agencies. The Transparency Act also includes a requirement for recipients of Federal grants to report information about first-tier subawards and executive compensation under Federal assistance awards.

IHS has implemented a Term of Award into all IHS Standard Terms and Conditions, NoAs and funding announcements regarding the FSRS reporting requirement. This IHS Term of Award is applicable to all IHS grant and cooperative agreements issued on or after October 1, 2010, with a $25,000 subaward obligation dollar threshold met for any specific reporting period. Additionally, all new (discretionary) IHS awards (where the project period is made up of more than one budget period) and where: (1) The project period start date was October 1, 2010 or after and (2) the primary awardee will have a $25,000 subaward obligation dollar threshold during any specific reporting period will be required to address the FSRS reporting. For the full IHS award term implementing this requirement and additional award applicability information, visit the DGM Grants Policy Web site at: *https://www.ihs.gov/dgm/index.cfm?module=dsp_dgm_policy_topics.*

D. Post Conference Grant Reporting

The following requirements were enacted in Section 3003 of the Consolidated Continuing Appropriations Act, 2013, and Section 119 of the Continuing Appropriations Act, 2014; *Office of Management and Budget Memorandum M–12–12:*

All HHS/IHS awards containing grants funds allocated for conferences will be required to complete a mandatory post award report for all conferences in excess of $20,000. *Specifically:* The total amount of funds provided in this grant/cooperative agreement that were spent for ''Conference X,'' must be reported in final detailed actual costs *within 15 days of the completion of the conference.*

Final Post Conference Report should include all final expenditures on the cost categories as follows: (1) Contract/Planner, (2) Meeting Space/Venue, (3) Registration Web site, (4) Audio Visual, (5) Speakers Fees, (6) Federal Attendee Travel, (7) Non-Federal Attendee Travel, (8) Registration Fees, and (9) Other.

Failure to submit your required ''Post Conference Report'' within 15 days after the completion of the conference could result in cost associated with your conference being disallowed.

For additional questions please contact Mr. Chris Buchanan on (301) 443–1104 or email him at *Chris.Buchanan@ihs.gov.*

Telecommunication for the hearing impaired is available at: TTY (301) 443–6394.

VII. Agency Contacts

1. Questions on the programmatic issues may be directed to: Mr. Chris Buchanan, Director, ODSCT, 801 Thompson Avenue, Suite 220, Rockville, MD 20852, Telephone: (301) 443–1104, E-Mail: *Chris.Buchanan@ihs.gov*.
2. Questions on grants management and fiscal matters may be directed to: Mr. John Hoffman, Grants Management Specialist, Division of Grants Management, 801 Thompson Avenue, TMP Suite 360, Rockville, MD 20852, Telephone: (301) 443–5204, Fax: (301) 443–9602, E-Mail: *John.Hoffman@ihs.gov.*
3. Questions on systems matters may be directed to: Mr. Paul Gettys, Grant Systems Coordinator, Division of Grants Management, 801 Thompson Avenue, TMP Suite 360, Rockville, MD 20852, Phone: (301) 443–2114; or the DGM main line (301) 443–5204, Fax: 301–443–9602, E-Mail: *Paul.Gettys@ihs.gov.*

VIII. Other Information

The Public Health Service strongly encourages all cooperative agreement and contract recipients to provide a smoke-free workplace and promote the non-use of all tobacco products. In addition, Public Law 103–227, the Pro-Children Act of 1994, prohibits smoking in certain facilities (or in some cases, any portion of the facility) in which regular or routine education, library, day care, health care, or early childhood development services are provided to children. This is consistent with the HHS mission to protect and advance the physical and mental health of the American people.

Dated: June 29, 2015.

Robert G. McSwain,

Acting Director, Indian Health Service.

[FR Doc. 2015–16620 Filed 7–6–15; 8:45 am]

BILLING CODE 4160–16–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Drug Abuse; 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 on Drug Abuse Special Emphasis Panel; Seek, Test, Treat and Retain For Youth and Young Adults Living with or at High Risk for Acquiring HIV (R01).

Date: July 9, 2015.

Time: 8:00 a.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Churchill Hotel, 1914 Connecticut Avenue NW., Washington, DC 20009.

Contact Person: Nadine Rogers, Ph.D., Scientific Review Officer, Office of Extramural Affairs, National Institute on Drug Abuse, NIH, DHHS, 6001 Executive Blvd., Room 4229, MSC 9550, Bethesda, MD 20892–9550, 301–402–2105, *rogersn2@nida.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.: 93.279, Drug Abuse and Addiction Research Programs, National Institutes of Health, HHS)

Dated: June 30, 2015.

Michelle Trout,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2015–16527 Filed 7–6–15; 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 Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Center for Scientific Review Special Emphasis Panel RFA–DA15–015: Adolescent Brain Cognitive Development (ABCD) Study—Research Project Sites (U01).

Date: July 17, 2015.

Time: 10:00 a.m. to 8:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892.

Contact Person: Heidi B Friedman, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 1012A, MSC 7770, Bethesda, MD 20892, 301–379–5632, *hfriedman@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.

Name of Committee: Center for Scientific Review Special Emphasis Panel Program Project: Computation and Experiment to Determine Disordered Protein Ensembles.

Date: July 27–28, 2015.

Time: 10:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892; (Virtual Meeting).

Contact Person: William A. Greenberg, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4168, MSC 7806, Bethesda, MD 20892, (301) 435–1726, *greenbergwa@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Myalgic Encephalomyelitis/Chronic Fatigue Syndrome.

Date: July 27–28, 2015.

Time: 10:00 a.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Lynn E. Luethke, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5166, MSC 7844, Bethesda, MD 20892, (301) 806–3323,*luethkel@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Language and Communication.

Date: August 7, 2015.

Time: 1:00 p.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Telephone Conference Call).

Contact Person: Biao Tian, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3089B, MSC 7848, Bethesda, MD 20892, (301) 402–4411, *tianbi@csr.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research, 93.306, 93.333, 93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: June 30, 2015.

Michelle Trout,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2015–16525 Filed 7–6–15; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Mental Health; Notice of Closed 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 Mental Health Special Emphasis Panel; Mental Health Services.

Date: July 22, 2015.

Time: 11:00 a.m. to 12:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852 (Telephone Conference Call).

Contact Person: Aileen Schulte, Ph.D., Scientific Review Officer, Division of Extramural Activities, National Institute of Mental Health, NIH, Neuroscience Center, 6001 Executive Blvd., Room 6140, MSC 9608, Bethesda, MD 20892–9608, 301–443–1225, *aschulte@mail.nih.gov.*

(Catalogue of Federal Domestic Assistance Program No. 93.242, Mental Health Research Grants, National Institutes of Health, HHS)

Dated: June 30, 2015.

Carolyn A. Baum,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2015–16501 Filed 7–6–15; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Mental Health; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of a meeting of the National Advisory Mental Health Council.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Advisory Mental Health Council.

Date: August 4, 2015.

Time: 2:00 p.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Neuroscience Center, Conference Rooms A1/A2, 6001 Executive Boulevard, Rockville, MD 20852 (Telephone Conference Call).

Contact Person: Tracy Waldeck, Ph.D., Chief, Extramural Policy Branch, DEA, National Institute of Mental Health, NIH, Neuroscience Center, 6001 Executive Blvd., Room 6160, MSC 9607, Bethesda, MD 20892–9607, 301–443–5047, *waldeckt@mail.nih.gov.*

Information is also available on the Institute's/Center's home page: *http://www.nimh.nih.gov/about/advisory-boards-and-groups/namhc/index.shtml,* where an agenda and any additional information for the meeting will be posted when available.

(Catalogue of Federal Domestic Assistance Program No. 93.242, Mental Health Research Grants, National Institutes of Health, HHS)

Dated: June 30, 2015.

Carolyn Baum,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2015–16502 Filed 7–6–15; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Diabetes and Digestive and Kidney Diseases; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Diabetes and Digestive and Kidney Diseases Special Emphasis Panel; Time-Sensitive Obesity Policy.

Date: July 24, 2015.

Time: 1:00 p.m. to 2:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Two Democracy Plaza, 6707 Democracy Boulevard, Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: Michele L. Barnard, Ph.D., Scientific Review Officer, Review Branch, DEA, NIDDK, National Institutes of Health, Room 753, 6707 Democracy Boulevard, Bethesda, MD 20892–2542, (301) 594–8898, *barnardm@extra.niddk.nih.gov.*

Name of Committee: National Institute of Diabetes and Digestive and Kidney Diseases Special Emphasis Panel; NIDDK Career Awards Review.

Date: August 3, 2015.

Time: 11:00 a.m. to 12:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Two Democracy Plaza, 6707 Democracy Boulevard, Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: Carol J. Goter-Robinson, Ph.D., Scientific Review Officer, Review Branch, DEA, NIDDK, National Institutes of Health, Room 748, 6707 Democracy Boulevard, Bethesda, MD 20892–5452, (301) 594–7791, *goterrobinsonc@extra.niddk.nih.gov.*

Name of Committee: National Institute of Diabetes and Digestive and Kidney Diseases Special Emphasis Panel; Review of Data Management and Coordinating Center (UO1).

Date: August 3, 2015.

Time: 2:00 p.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Two Democracy Plaza, 6707 Democracy

Boulevard, Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: Maria E. Davila-Bloom, Ph.D., Scientific Review Officer, Review Branch, DEA, NIDDK, National Institutes of Health, Room 758, 6707 Democracy Boulevard, Bethesda, MD 20892–5452, (301) 594–7637, *davila-bloomm@extra.niddk.nih.gov.*

Name of Committee: National Institute of Diabetes and Digestive and Kidney Diseases Special Emphasis Panel; T2D Outcomes Ancillary Study.

Date: August 6, 2015.

Time: 11:00 a.m. to 1:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Two Democracy Plaza, 6707 Democracy Boulevard, Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: Robert Wellner, Ph.D., Scientific Review Officer, Review Branch, DEA, NIDDK, National Institutes of Health, Room 706, 6707 Democracy Boulevard, Bethesda, MD 20892–5452, 301–594–4721, *rw175w@nih.gov.*

Name of Committee: National Institute of Diabetes and Digestive and Kidney Diseases Special Emphasis Panel; Reengineering Organs P01.

Date: August 10, 2015.

Time: 11:00 a.m. to 1:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Two Democracy Plaza, 6707 Democracy Boulevard, Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: Thomas A. Tatham, Ph.D., Scientific Review Officer, Review Branch, DEA, NIDDK, National Institutes of Health, Room 760, 6707 Democracy Boulevard, Bethesda, MD 20892–5452, (301) 594–3993, *tathamt@mail.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.847, Diabetes, Endocrinology and Metabolic Research; 93.848, Digestive Diseases and Nutrition Research; 93.849, Kidney Diseases, Urology and Hematology Research, National Institutes of Health, HHS)

Dated: June 30, 2015.

David Clary,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2015–16503 Filed 7–6–15; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Prospective Grant of Exclusive License: Treatment of Acute and Chronic Neurological Injuries Involving Axonal Regeneration

AGENCY: National Institutes of Health, HHS.

ACTION: Notice.

SUMMARY: This is notice, in accordance with 35 U.S.C. 209 and 37 CFR part 404, that the National Institutes of Health, Department of Health and Human Services, is contemplating the grant of an exclusive patent license to practice the following inventions embodied in the following patent applications:

HHS Ref. No.: E–214–2012/0

Titled: ''Compositions and Methods for the Treatment of Central Nervous System Injury''

1. US Provisional Patent Application No.: 61/705,555 HHS Ref. No.: E–214–2012/0–US–01 Filing *Date:* September 25, 2012
2. PCT Patent Application No.: PCT/US2013/061693 HHS Ref. No.: E–214–2012/0–PCT–02 Filing *Date:* September 25, 2013
3. Australian Patent Application No.: 2013–32367 HHS Ref No.: E–214–2012/0–AU–03 Filing *Date:* September 25, 2013
4. European Patent Application No.: 13771750 HHS Ref. No.: E–214–2012/0–EP–04 Filing *Date:* September 25, 2013
5. U.S. Patent Application No.: 14/430,850 HHS Ref. No.: E–214–2012/0–US–06 Filing *Date:* September 25, 2013

to BioAxone Biosciences Incorporated (''BioAxone''), a company incorporated under the laws of the State of Delaware having an office in at least Cambridge, Massachusetts, U.S.A. The patent rights in these inventions have been assigned to the United States of America. BioAxone is seeking all worldwide territories for this license. The field of use may be limited to ''Treatment of human acute and chronic neurological injuries involving axonal regeneration, as monotherapy or in combination with other therapeutic drugs or medical devices''.

DATES: Only written comments and/or applications for a license which are received by the NIH Office of Technology Transfer on or before August 6, 2015 will be considered.

ADDRESSES: Requests for copies of the patent application, patents, inquiries, comments, and other materials relating to the contemplated exclusive license should be directed to: Cristina Thalhammer-Reyero, Ph.D., M.B.A., Office of Technology Transfer, National Institutes of Health, 6011 Executive Boulevard, Suite 325, Rockville, MD 20852–3804; Telephone: (301) 435–4507; Facsimile: (301) 402–0220; Email: *thalhamc@mail.nih.gov.* A signed confidentiality nondisclosure agreement will be required to receive copies of any patent applications or patents that have not been published or issued by the United States Patent and Trademark Office or the World Intellectual Property Organization.

SUPPLEMENTARY INFORMATION: This technology, and its corresponding patent applications, is directed to methods of treating or preventing spinal cord injury or a glial scar by administering an agent that reduces the amount or activity of a 4-sulfacted GalNAc in a chondroitin glycosaminoglycan chain, wherein said agent includes human enzyme, arylsulfatase B (ARSB). This technology, and its corresponding patent applications, is also directed to methods of increasing neuron growth, proliferation, or migration by administering an agent that reduces the amount or activity of a 4-sulfacted GalNAc in a chondroitin glycosaminoglycan chain, wherein said agent includes ARSB. This technology may be useful as a means to treat paralysis and motor defects induced by spinal cord injury, such as by promoting axonal regrowth.

The prospective exclusive license will be royalty bearing and will comply with the terms and conditions of 35 U.S.C. 209 and 37 CFR part 404. The prospective exclusive license may be granted unless within thirty (30) days from the date of this published notice, the NIH receives written evidence and argument that establishes that the grant of the license would not be consistent with the requirements of 35 U.S.C. 209 and 37 CFR part 404.

Properly filed competing applications for a license in response to this notice will be treated as objections to the contemplated license. Comments and objections submitted in response to this notice will not be made available for public inspection and, to the extent permitted by law, will not be released under the Freedom of Information Act, 5 U.S.C. 552.

Dated: June 30, 2015.

Richard U. Rodriguez,

Acting Director, Office of Technology Transfer, National Institutes of Health.

[FR Doc. 2015–16500 Filed 7–6–15; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Submission for OMB Review; 30-Day Comment Request; Generic Clearance To Conduct Voluntary Customer/Partner Surveys (NLM)

SUMMARY: Under the provisions of section 3507(a)(1)(D) of the Paperwork Reduction Act of 1995, the National Institutes of Health (NIH) has submitted to the Office of Management and Budget

(OMB) a request for review and approval of the information collection listed below. This proposed information collection was previously published in the **Federal Register** on April 22, 2015, page 22542 and allowed 60-days for public comment. One public comment was received. The purpose of this notice is to allow an additional 30 days for public comment. The National Library of Medicine (NLM), National Institutes of Health, may not conduct or sponsor, and the respondent is not required to respond to, an information collection that has been extended, revised, or implemented on or after October 1, 1995, unless it displays a currently valid OMB control number.

Direct Comments to OMB: Written comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time, should be directed to the: Office of Management and Budget, Office of Regulatory Affairs, *OIRA_submission@omb.eop.gov* or by fax to 202–395–6974, Attention: NIH Desk Officer.

Comment Due Date: Comments regarding this information collection are best assured of having their full effect if received within 30-days of the date of this publication.

FOR FURTHER INFORMATION CONTACT: To obtain a copy of the data collection plans and instruments or request more information on the proposed project contact: David Sharlip, Office of Administrative and Management Analysis Services, National Library of Medicine, Building 38A, Room B2N12, 8600 Rockville Pike, Bethesda, MD 20894, or call non-toll-free number (301) 402–9680, or Email your request, including your address to: *sharlipd@mail.nih.gov* Formal requests for additional plans and instruments must be requested in writing.

Proposed Collection: Generic Clearance to Conduct Voluntary Customer/Partner Surveys (NLM), 0925–0476, Expiration Date 07/31/2015, EXTENSION, National Library of Medicine (NLM), National Institutes of Health (NIH).

Need and Use of Information Collection: E.O. 12962 directed agencies that provide significant services directly to the public to survey customers to determine the kind and quality of services they want and their level of satisfaction with existing services. Additionally, since 1994, the NLM has been a ''Federal Reinvention Laboratory'' with a goal of improving its methods of delivering information to the public. An essential strategy in accomplishing reinvention goals is the ability to periodically receive input and feedback from customers about the design and quality of the services they receive. The NLM provides significant services directly to the public including health providers, researchers, universities, other federal agencies, state and local governments, and to others through a range of mechanisms, including publications, technical assistance, and Web sites. These services are primarily focused on health and medical information dissemination activities. The purpose of this submission is to obtain OMB's generic approval to continue to conduct satisfaction surveys of NLM's customers. The NLM will use the information provided by individuals and institutions to identify strengths and weaknesses in current services and to make improvements where feasible. The ability to periodically survey NLM's customers is essential to continually update and upgrade methods of providing high quality service.

OMB approval is requested for 3 years. There are no costs to respondents other than their time. The total estimated annualized burden hours are 750.

ESTIMATED ANNUALIZED BURDEN HOURS

Type of respondents	Number of respondents	Frequency of response	Average time per response (minutes/hour)	Total burden hours
General Public	1,000	1	20/60	333
Health Professionals	500	1	15/60	125
Librarians	500	1	20/60	167
Health Educators	500	1	15/60	125

Dated: June 29, 2015.

David Sharlip,

Project Clearance Liaison, NLM, NIH.

[FR Doc. 2015–16633 Filed 7–6–15; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Eunice Kennedy Shriver National Institute of Child Health and Human Development; 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 section 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 Child Health and Human Development Special Emphasis Panel.

Date: August 7, 2015.

Time: 2:00 p.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6100 Executive Boulevard, Rockville, MD 20852, (Telephone Conference Call).

Contact Person: Sherry L. Dupere, Ph.D., Scientific Review Officer, Scientific Review Branch, Eunice Kennedy Shriver National Institute of Child Health and Human Development, NIH, 6100 Executive Boulevard, Room 5B01, Bethesda, MD 20892–9304, (301) 451–3415, *duperes@mail.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.864, Population Research; 93.865, Research for Mothers and Children; 93.929, Center for Medical Rehabilitation Research; 93.209, Contraception and Infertility Loan Repayment Program, National Institutes of Health, HHS)

Dated: June 30, 2015.

Michelle Trout,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2015–16528 Filed 7–6–15; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Substance Abuse and Mental Health Services Administration

Center for Substance Abuse Treatment; Notice of Meeting

Pursuant to Public Law 92–463, notice is hereby given that the Substance Abuse and Mental Health Services Administration's (SAMHSA's) Center for Substance Abuse Treatment (CSAT) National Advisory Council will meet on July 16, 2015, from 3:00 p.m.–4:00 p.m. (EDT). The meeting will be closed to the public.

The meeting will include discussion and evaluation of grant applications reviewed by Initial Review Groups, and involve an examination of confidential financial and business information as well as personal information concerning the applicants. Therefore, the meeting will be closed to the public, as determined by the SAMHSA Administrator, in accordance with Title 5 U.S.C. 552b(c)(4) and (6) and (c)(9)(B) and 5 U.S.C. App. 2, Section 10(d).

The meeting will be held virtually. Meeting information and a roster of Council members may be obtained either by accessing the SAMHSA Council Web site at: *http://www.samhsa.gov/about-us/advisory-councils/csat-national-advisory-council* or by contacting LCDR Holly Berilla.

Council Name: SAMHSA's Center for Substance Abuse Treatment; National Advisory Council.

Date/Time/Type: July 16, 2015, 3:00 p.m.–4:00 p.m. EDT, Closed.

Place: Virtual—Teleconference.

Contact: LCDR Holly Berilla, Designated Federal Official, CSAT National Advisory Council, 1 Choke Cherry Road, Rockville, Maryland 20857 (mail), Telephone: (240) 276–1252, Fax: (240) 276–2252, Email: *holly.berilla@samhsa.hhs.gov.*

Summer King,

Statistician, SAMHSA.

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BILLING CODE 4162–20–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Substance Abuse and Mental Health Services Administration

National Registry of Evidence-Based Programs and Practices

AGENCY: Substance Abuse and Mental Health Services Administration (SAMHSA), HHS.

ACTION: Notice regarding SAMHSA's NREPP: Redesign of NREPP.

SUMMARY: The mission of SAMHSA is to reduce the impact of substance abuse and mental illness on America's communities. Established in 1992, the agency was directed by Congress to target effective substance abuse and mental health services to the people most in need, and to translate research in these areas more effectively and more rapidly into the general health care system. NREPP is a key public resource SAMHSA has developed to help meet this directive. This notice announces the redesign of NREPP to better align the registry with the standards and processes of other evidence-based repositories. A re-launch of the Web site with revised content is anticipated in late fall/early winter 2015.

The notice explains the changes in how programs and practices will be identified for NREPP, how submissions will be screened and reviewed, and provides guidance on accessing updated information on the NREPP site. Potential applicants should be aware that this notice includes updated information relating to the eligibility of interventions for inclusion in NREPP and changes in the program and practice review process that supersedes guidance provided in earlier **Federal Register** notices.

FOR FURTHER INFORMATION CONTACT: Carter Roeber, Ph.D., Social Science Analyst, Center for Behavioral Health Statistics and Quality, SAMHSA, 1 Choke Cherry Road, Room 2–1050, Rockville, MD 20857, telephone 240–276–1488.

SUPPLEMENTARY INFORMATION:

Advancing Evidence-Based Programs and Practices Through Improved Decision Support Tools: Reconceptualizing NREPP

Introduction

SAMHSA's NREPP is an evidence-based repository and review system designed to provide the public with reliable information about behavioral health interventions in the areas of mental health and substance abuse. Programs and practices that are accepted for inclusion in NREPP undergo a review process that provides information on the quality of research and the magnitude and direction of program or practice impact on individual outcomes. Materials for dissemination are reviewed to determine the type and extent of information available to support implementation. The results of these reviews are published on the NREPP Web site (*http://nrepp.samhsa.gov*).

It should be noted that inclusion in NREPP indicates that some, but not necessarily all, of the evidence for a program or practice has been reviewed. In some cases, the quality of the research supporting the program or practice may have been determined to be poor or insufficient to earn a rating. Inclusion in NREPP does not constitute endorsement of an intervention as effective by SAMHSA. Moreover, since NREPP has not reviewed all behavioral health interventions, the use of NREPP as an exclusive or exhaustive list of interventions is not appropriate. Policymakers and funders in particular are discouraged from limiting providers and/or potential grantees to selecting exclusively from among NREPP interventions and from funding NREPP interventions regardless of the ratings the interventions receive.

This notice announces changes to (1) the process for identifying new programs and practices for NREPP review, (2) the process for announcing open submission periods, (3) the minimum requirements to be considered for NREPP review, and (4) the review process. This notice also announces the intent to re-review currently posted NREPP programs and practices to comport with new review criteria and ratings. The re-review of programs and practices currently posted will take place over the course of the next several years, depending on available resources. A re-launch of the NREPP Web site will take place in phases and the first phase is planned for late fall/early winter of 2015.

Identifying New Programs and Practices for NREPP

Open submissions periods, during which applicants may submit materials for review, will continue to be used to identify new programs and practices for review (see below). Programs and practices addressing specific SAMHSA priorities may also be identified by SAMHSA or through environmental scans (including literature reviews, focus groups, public input, and interviews), as time and resources permit. Programs and practices related to priority areas may be reviewed before programs and practices identified through the open submission period. SAMHSA will be consulting with subject matter experts and leadership in underserved groups and populations, including American Indian/Alaska Native Tribes, regarding ways to incorporate traditional and culturally-specific interventions into NREPP, in order to better meet the needs of groups whose efforts to promote behavioral health may not have not been routinely evaluated. Innovative, but perhaps less rigorously tested, programs and

practices will be considered if specific to SAMHSA priority areas, as a parallel contribution to the standard review procedures.

Stand-alone pharmacologic treatments are not eligible for review and should not be submitted to NREPP. The evidence base for pharmacologic treatments is reviewed and approved through the U.S. Food and Drug Administration (FDA). FDA approved pharmacotherapy interventions (on-label use) are considered for NREPP review only when combined with one or more behavioral or psychosocial treatments.

SAMHSA reserves the right to reject for review programs and practices whose goals or activities are determined to be inconsistent with SAMHSA's mission, which is ''to reduce the impact of substance abuse and mental illness on American communities.''

Open Submission Periods

SAMHSA accepts new applications for review during open submission periods. SAMHSA generally holds one open submission period a year but, depending on the number of reviews in progress and resources available may hold more or fewer within a calendar year. All future open submission periods will be announced on the NREPP Web site. Emails will also be sent announcing the open submission period to those on the NREPP listserv. Anyone wishing to be notified of future open submission periods can join the NREPP listserv by sending a request to *nrepp@samhsa.hhs.gov.*

Applications can be submitted at any point during an open period. Program and practice developers, researchers, and others interested in submitting an intervention should read below for information about the new minimum requirements to be considered for an NREPP review. Additional future changes to the review process and criteria will be posted on the NREPP Web site as they are implemented. Therefore, before submitting a program or practice for NREPP review, applicants should examine the most recent information posted on the NREPP Web site about the review process and criteria and the most recent guidance for preparing an intervention for submission (see *http://www.nrepp.samhsa.gov/ReviewSubmission.aspx*). This guidance will be periodically updated to reflect the redesign of NREPP during the re-launch.

The selection of interventions will take place after the closing of the open submission period, and applicants will be notified whether they have been accepted after an initial screening to ensure that the application meets minimum requirements. The number of reviews conducted will depend on the availability of funds, with the timing of reviews to be determined by SAMHSA. In submitting an intervention, applicants should understand that if interventions are selected for review, the results of NREPP reviews are considered public information and will be posted on the NREPP Web site. Once a review is completed, the applicant will be provided with a summary document (''the program or practice profile'') that presents results of the review, ratings of program effectiveness, and descriptive information about the intervention. The applicant will have the opportunity to comment on the profile before it is posted but they will not have the option to refuse posting.

Minimum Requirements

To be considered for review, interventions must meet three minimum requirements:

1. Research or evaluation of the intervention has assessed mental health or substance use outcomes among individuals, communities, or populations OR other behavioral health-related outcomes on individuals, communities, or populations with or at risk of mental health issues or substance use problems.

2. Evidence of these outcomes has been demonstrated in at least one study using an experimental or quasi-experimental design. Experimental designs require random assignment, a control or comparison group, and pre- and post-intervention outcome assessments. Quasi-experimental designs do not require random assignment, but do require a comparison or control group and pre- and post-intervention outcome assessments. Comparison/control groups must be a no-treatment control group, a wait-list control group, a treatment-as-usual comparison group, or an intervention that is presumed to be ineffective or substantially less effective than the intervention (*e.g.,* a ''placebo'' control or, in cases in which providing no treatment might be considered unethical, less effective treatments, even if not treatment-as-usual, such as ''supportive therapy''). Studies with single-group, pretest-posttest designs or single-group, longitudinal/multiple time series do not meet this requirement, but will be considered to identify emerging programs and practices for consideration in the Learning Center. Comparative effectiveness trials, in which two interventions, both presumed to be equally effective, are compared, and studies in which the effects of the same intervention on various subpopulations are compared or in which various doses or components of the same intervention are compared will be reviewed, but only for purposes of providing readers in the Learning Center the opportunity to determine whether a particular program or practice may have use or show promise in different settings or circumstances.

3. The results of these studies have been published in a peer-reviewed journal or other professional publication, or documented in a comprehensive evaluation report, published within the previous 25 years. Comprehensive evaluation reports must include a review of the literature, theoretical framework, purpose, methodology, findings/results with statistical analysis and p values for significant outcomes, discussion, and conclusions.

Applicants are required to provide full-text documents at the time of submission that demonstrate the intervention meets these minimum requirements. Other research articles, published or unpublished evaluation reports, grant final reports, and replication studies may be submitted as additional supporting documentation. **Note:** Abstracts or links to partial articles are regarded as incomplete and will not be considered.

NREPP will no longer require programs and practices to have developed implementation materials, training and support resources, and quality assurance procedures. However, programs and practices with such dissemination and/or implementation resources will be considered for prioritized review if within the priorities established by the SAMHSA review process, and the materials, along with the location of their availability, will be listed in the program or practice profile.

Applicants submitting dissemination and implementation resources should include a brief narrative description of the materials that are being submitted. These materials may include, but are not limited to, treatment manuals, information for administrators, information for direct service staff, tested training curricula, mechanisms for ongoing supervision and consultation, protocols for gathering process and outcome data, ongoing monitoring of intervention fidelity, and processes for gathering feedback. Applicants should also provide the location of where the materials can be obtained.

Selection of Interventions for Review

SAMHSA will select interventions for review from among submissions meeting the minimum requirements. In selecting interventions for review, SAMHSA may give special consideration to interventions that meet one or more of the following conditions:

- More than one research study or evaluation has been conducted on the same or a similar target population that meets the minimum requirements.
- The intervention targets underserved populations (*e.g.,* minority populations, tribal communities or American Indian/Alaska Native populations, elderly individuals, young adults, individuals who are incarcerated, etc.).
- Dissemination and implementation materials (*e.g.,* program or practice manuals, training guides, measurement instruments, implementation fidelity tools) are available. Lower costs and no-cost materials may be prioritized.
- The intervention contributes to a content area in which few evidence-based interventions have been previously identified.

Interventions that are not selected for review may be resubmitted by the applicant in a future open submission period.

The Review Process

The review process has been revised to improve the quality of the reviews and utility of information that NREPP can provide its users. In addition to articles and reports submitted by NREPP applicants, additional studies, articles, and evaluation reports regarding the interventions will be identified through literature searches. Studies and outcomes to be reviewed will be determined through the systematic application of standardized screening criteria, and the number of studies and outcomes to be reviewed will be expanded to more comprehensively represent the evidence base for the program or practice. Inclusion of studies and outcomes will no longer be limited to positive significant outcomes; all studies and outcomes that meet the standardized screening criteria will be reviewed, including those with negative and non-significant effects. Programs and practices will be assessed on the basis of evaluation studies of program or practice impact, information related to conceptual framework (that is, program or practice goals, theory of change, and program or practice components), and information about implementation fidelity (that is, whether a study employs quality assurance measures to declare that the program or practice is delivered as intended to the program's or practice's target population).

The methodological rigor (that is, internal validity, statistical validity, and measurement validity) of the research for each program or practice will be reviewed, as it pertains to each outcome examined, along with the magnitude and direction of the program's or practice's effect on each outcome. Based on this information, the program's or practice's effectiveness for each outcome will be rated, along with the rigor of the research examining the program or practice, and the ratings will be displayed on the NREPP Web site.

In general, each NREPP evidence review will be conducted by two trained and certified reviewers. However, based on funding and available resources, SAMHSA use one reviewer for programs and practices being re-reviewed. When necessary, NREPP may conduct author queries to confirm or gather additional information needed for the review. Program and practice profiles will be developed on the basis of the information gathered. Applicants will have the opportunity to review the program or practice profile before it is posted on the NREPP site, but they will not have the option to refuse posting.

Dissemination and implementation materials will no longer be rated as they were historically. Instead, descriptions of available materials for each program or practice, highlighting information that may be of most interest to NREPP users, will be included in the program or practice profile, along with information documenting the extent to which materials are available.

Programs and practices currently posted on NREPP will be re-reviewed as time and resources permit but the re-reviews of currently posted programs and practices will take place over the next few years.

Detailed information about the revised review process will be available at *http://www.nrepp.samhsa.gov* after the re-launch of the new NREPP Web site.

Enhancing the Learning Center

NREPP's Learning Center is a developing and underutilized component of the NREPP Web site. With the evolution and enhancement of the registry, SAMHSA seeks to bring greater recognition to both rigorously evaluated behavioral health interventions and those interventions that have been implemented, demonstrate promise, but have not necessarily been evaluated in a rigorous manner. To that end, the Learning Center is being significantly revamped to support stakeholder engagement and to become a shared learning environment for all stakeholders. SAMHSA recognizes that the successful promotion and dissemination of evidence-based programs and practices requires an environment that promotes community assessment, program and practice planning and evaluation, as well as guidance on the selection and implementation of programs and practices listed on NREPP. There are useful types of evaluation research, often conducted among underserved populations, which provide valuable insights for practitioners, but do not meet the minimum criteria required for experimental or quasi-experimental design. SAMHSA intends the Learning Center to be a forum for presenting research on emerging programs and practices, and exploring ways that pre-experimental and qualitative research can complement and enrich findings from experimental and quasi-experimental research designs. An inventory of such programs and practices will be compiled and maintained within the Learning Center and will operate in parallel to the listing of reviewed programs and practices with experimental and quasi-experimental designs. In this way, SAMHSA intends to support programs and practices researched with the most rigorous approaches while also supporting the development of practice-based evidence, especially for certain populations and emerging practices that are critical to learning and improving behavioral health outcomes for persons with or at risk of developing behavioral health issues.

Summer King,

Statistician.

[FR Doc. 2015–16573 Filed 7–6–15; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Notice of Issuance of Final Determination Concerning Wound Therapy System

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of final determination.

SUMMARY: This document provides notice that U.S. Customs and Border Protection (''CBP'') has issued a final determination concerning the country of origin of the PICO single use negative pressure wound therapy system manufactured and distributed by Smith

& Nephew. Based upon the facts presented, CBP has concluded that the United Kingdom will be the country of origin of the PICO single use negative pressure wound therapy system (''PICO NPWT System'') for purposes of U.S. Government procurement.

DATES: The final determination was issued on June 30, 2015. A copy of the final determination is attached. Any party-at-interest, as defined in 19 CFR 177.22(d), may seek judicial review of this final determination within August 6, 2015.

FOR FURTHER INFORMATION CONTACT: Antonio J. Rivera, Valuation and Special Programs Branch, Regulations and Rulings, Office of International Trade (202) 325–0226.

SUPPLEMENTARY INFORMATION: Notice is hereby given that on June 30, 2015 pursuant to subpart B of part 177, U.S. Customs and Border Protection Regulations (19 CFR part 177, subpart B), CBP has issued a final determination concerning the country of origin of the PICO NPWT System manufactured and distributed by Smith & Nephew, which may be offered to the U.S. Government under an undesignated government procurement contract. This final determination, HQ H259473, was issued under procedures set forth at 19 CFR part 177, subpart B, which implements Title III of the Trade Agreement Act of 1979, as amended (19 U.S.C. 2511–18). In the final determination, under the totality of the circumstances, considering the PICO NPWT System's use as a single medical instrument, the origin of the dressings, and the flash programming and final assembly of the pump, which will be performed in the U.K., and will change the pump into a specialized pump that can only be used with its respective dressings, CBP concluded that the country of origin of the PICO NPWT System will be the United Kingdom for purposes of U.S. Government procurement.

Section 177.29, CBP Regulations (19 CFR 177.29), provides that a notice of final determination shall be published in the **Federal Register** within 60 days of the date the final determination is issued. Section 177.30, CBP Regulations (19 CFR 177.30), provides that any party-at-interest, as defined in 19 CFR 177.22(d), may seek judicial review of a final determination within 30 days of publication of such determination in the **Federal Register**.

Dated: June 30, 2015.

Harold Singer,

Acting Executive Director, Regulations and Rulings, Office of International Trade.

HQ H259473

June 30, 2015

OT:RR:CTF:VS H259473 AJR

CATEGORY: Origin

Daniel S. Char, Esq.
Associate General Counsel (Commercial)
Smith and Nephew, PLC
150 Minuteman Road
Andover, MA 01810

RE: Trade Agreements Act; Government Procurement; Country of Origin of the PICO Single Use Negative Pressure Wound Therapy System

Dear Mr. Char:

This is in response to your letter, dated November 19, 2014, requesting a final determination on behalf of Smith & Nephew, PLC (''Smith & Nephew''), pursuant to subpart B of part 177 of the U.S. Customs and Border Protection (''CBP'') Regulations (19 CFR part 177). Under these regulations, which implement Title III of the Trade Agreements Act of 1979 (''TAA''), as amended (19 U.S.C. 2511 *et seq.*), CBP issues country of origin advisory rulings and final determinations as to whether an article is or would be a product of a designated country or instrumentality for the purposes of granting waivers of certain ''Buy American'' restrictions in U.S. law or practice for products offered for sale to the U.S. Government.

This final determination concerns the country of origin of Smith & Nephew's PICO Single Use Negative Pressure Wound Therapy System (''PICO NPWT System''). As the manufacturer and U.S. importer, Smith & Nephew is a party-at-interest within the meaning of 19 CFR 177.22(d)(1) and is entitled to request this final determination. In addition, we have reviewed and grant the request for confidentiality pursuant to 19 CFR 177.2(b)(7), with respect to certain information submitted.

FACTS:

The PICO NPWT System is a sterile, single-use, complete negative pressure wound therapy system consisting of a pump, two dressings with attached long tube assemblies, and retention strips. It is marketed for use in a sterile operating room environment. Each dressing is applied to the wound and held in place with the retention strips. The long tube assembly is attached to the dressing on one end, and to the PICO pump on the other end, connecting them together. The suction pump pulls air out of the dressing via the long tube assembly, creating negative pressure and drawing excess fluid from the wound into the dressing. The pump is battery powered and delivers 80 mmHg of continuous negative pressure for up to seven days, after which it is programmed to permanently stop working. Consistent with the lifespan of the pump, the dressings provide a total of seven days wear time. The pump in the PICO NPWT System can only be used with the dressings included in the system, and will only be used once by a patient for a specific wound type as the therapy prescribes. The dressings are only sold with the pump and not separately available. Unlike conventional negative pressure systems that use canisters for the collection of wound fluid, the PICO NPWT System is canister-less, which according to your submission means that the components of the PICO NPWT System can only be used together as a system.

The pump in the PICO NPWT System consists of: a printed circuit board (''PCB'') assembly that provides pressure measurement and feedback control for the pump; a diaphragm pump and motor that provide airflow to maintain pressure; components such as an internal air path and check valve; a plastic housing; and, batteries. Most of the pump's components are made in China, except for a lightweight pipe, valve and connector made in the U.S., and the batteries. The pump components and subassemblies will be shipped from China to the United Kingdom (''U.K.'') for the remainder of the pump manufacturing process. In the U.K., U.S.-origin firmware, written and validated in the U.S. according to medical device and Food and Drug Administration standards, will be loaded onto the pump at flash programming stations. The flash programming stations are equipped with ''bed of nails'' interfaces, which have discrete electrical conductors that extend and make contact with discrete pads on the PCB assembly. You state that the erasable programmable read-only memory (''EPROM'') on the PCB assembly is actively programmed by sending electric charges through the ''bed of nails'' to the PCB assembly in order to drive the EPROM into receptive mode, and then sending byte by byte to program the EPROM with the unique calibrations and specific parameters required to operate the pump.[1] You state that this process requires moderate, semi-skilled technicians trained in ''clean-room'' techniques and operating programming fixtures. The pump is then fully assembled by assembling the subassemblies with the case pieces and attaching the battery cover and label, which you state requires low, basic ''box build'' assembly techniques. After assembly, the pump goes through a series of tests to verify calibrated performance of the device, which you state requires moderate, semi-skilled technicians operating test fixtures.

You state that the firmware is essential to the function of the pump because the firmware ensures that the pump dispenses the accurate amount of negative pressure. You state that while the components used to manufacture the PICO NPWT System are largely generic (*e.g.* micro-controllers, small battery powered motors and generic PCB assemblies), it is only when the pump is calibrated and then flashed with specific firmware that it becomes a true medical device, as the flashing enables the pump to deliver calibrated, therapeutic negative pressure levels to the wound.

[1] You state that, though EPROM is not irreversible, re-programming EPROM requires working through different levels of encryption and the use of specific equipment, which is not readily available.

You state that the material, labor, and overhead costs of the PICO NPWT System are broken down per country as follows: [XXXX]% from the pump and battery production in China, [XXXX]% from flashing and final assembly in the U.K., and the remaining [XXXX]% [2] mainly from the U.K.

The dressings are manufactured in the U.K., with materials of U.K. and Canadian origin,[3] to produce a four-layer dressing that consists of: (1) a high moisture vapor transfer rate (''MTVR'') film to allow for transpiration of the wound fluid; (2) a superabsorbent layer to hold the fluid; (3) an airlock layer to ensure consistent delivery of negative pressure from the pump to the wound bed; and, (4) an adhesive layer to maintain an effective seal around the dressing and prevent trauma. The manufacturing operations to produce the dressings involve extruding medical grade film, perforating the adhesive layer to ensure breathability of the dressing, and then shaping, cutting and laminating together the layers of the dressing. The four-layer dressing is then connected to a long tube assembly, which is also manufactured in the U.K. from U.K.-origin materials. The dressings and pumps are then sterilized, separately sealed, packed, and then re-sterilized. Once the PICO NPWT System is received by its user, the user will connect the pump to the dressing by the attached long tube assembly.

You state that a majority of the essential therapeutic elements for wound healing are delivered via the unique dressing. You state that the dressing is the fundamental ''enabling technology,'' as the combination of layers work together to: manage the wound fluid; ensure consistent delivery of negative pressure from the pump to the wound bed (stimulating blood vessel and cell growth); and, maintain an optimal environment for wound healing by protecting the wound from outside contaminants and limiting disruption of the wound bed, which allows for the formation of granulation tissue.

The PICO NPWT System is imported into the United States packaged for retail sale. Its main components, the pump and the dressings, are not assembled together and must be connected to each other by the user after the dressing is secured to the patient with the retention strips. You state that, as imported, the PICO NPWT System is classified in subheading 9018.90.80, Harmonized Tariff Schedule of the United States (''HTSUS''), as a medical instrument. You also state that it is described by two of the American Medical Association Current Procedural Terminology (''CPT'') codes, G0456 and G0457, which provide for: ''negative pressure wound therapy (*e.g.* vacuum assisted drainage collection) using a [. . .] device, not durable medical equipment, including provision of [. . .] dressing(s), topical application(s), wound assessment, and instructions for ongoing care, per session.'' According to your submission, the difference in the codes is based on the description of the size of the wound to be treated.

ISSUE:

What is the country of origin of the PICO NPWT System for purposes of U.S. Government procurement?

LAW AND ANALYSIS:

Pursuant to Subpart B of Part 177, 19 CFR 177.21 *et seq.,* which implements Title III of the Trade Agreements Act of 1979, as amended (19 U.S.C. 2511 *et seq.*), CBP issues country of origin advisory rulings and final determinations as to whether an article is or would be a product of a designated country or instrumentality for the purposes of granting waivers of certain ''Buy American'' restrictions in U.S. law or practice for products offered for sale to the U.S. Government.

Under the rule of origin set forth under 19 U.S.C. 2518(4)(B):

An article is a product of a country or instrumentality only if (i) it is wholly the growth, product, or manufacture of that country or instrumentality, or (ii) in the case of an article which consists in whole or in part of materials from another country or instrumentality, it has been substantially transformed into a new and different article of commerce with a name, character, or use distinct from that of the article or articles from which it was so transformed.

See also 19 CFR 177.22(a).

In determining whether the combining of parts or materials constitutes a substantial transformation, the determinative issue is the extent of operations performed and whether the parts lose their identity and become an integral part of the new article. *Belcrest Linens* v. *United States,* 573 F. Supp. 1149 (Ct. Int'l Trade 1983), *aff'd,* 741 F.2d 1368 (Fed. Cir. 1984). Assembly operations that are minimal or simple, as opposed to complex or meaningful, will generally not result in a substantial transformation. *See* C.S.D. 80–111, C.S.D. 85–25, C.S.D. 89–110, C.S.D. 89–118, C.S.D. 90–51, and C.S.D. 90–97. If the manufacturing or combining process is a minor one which leaves the identity of the article intact, a substantial transformation has not occurred. *Uniroyal, Inc.* v. *United States,* 3 CIT 220, 542 F. Supp. 1026 (1982), *aff'd* 702 F. 2d 1022 (Fed. Cir. 1983).

In order to determine whether a substantial transformation occurs when components of various origins are assembled into completed products, CBP considers the totality of the circumstances and makes such determinations on a case-by-case basis. The country of origin of the item's components, extent of the processing that occurs within a country, and whether such processing renders a product with a new name, character, and use are primary considerations in such cases. Additionally, factors such as the resources expended on product design and development, the extent and nature of post-assembly inspection and testing procedures, and worker skill required during the actual manufacturing process will be considered when determining whether a substantial transformation has occurred. No one factor is determinative.

In this case, the PICO NPWT System is comprised of the pump and the dressings. These two components are attached to each other by the user and together, these two components are used as one product to extract fluid from the wound. The four-layer dressing is manufactured in the U.K. by combining MTVR film from the U.K. to allow for transpiration of the wound fluid, a superabsorbent layer from Canada to hold the fluid, an airlock layer from the U.K. to ensure consistent delivery of negative pressure from the pump to the wound bed, and an adhesive layer from the U.K. to effectively seal the dressing. The long tube assembly, which is produced in the U.K. from U.K. materials, is adhered to the dressing in the U.K. and is later connected by the user to the pump to create a one-way vacuum via a unique taper-lock connector that ensures the pump and dressing can only connect to each other and not to other medical connectors. The pump is as important as the dressing in allowing negative pressure to be created and to enable fluid to be drawn from the wound. Therefore, the additional processes performed on the pump component are necessary in order to find that the PICO NPWT System is a product of the U.K.

You argue that the PICO NPWT System should be considered a product of the U.K. because the U.K is the country of origin of the dressings, and that although the pump components and subassemblies will be made in China, the pump will be flash programmed with firmware and the final assembly of the pump will take place in the U.K. You state that the pump will be programmed with U.S.-origin firmware at flash programming stations equipped with ''bed of nails'' interfaces, which have discrete electrical conductors that extend from the ''bed of nails'' and make contact with discrete pads on the PCB assembly.[4] You state that the EPROM is actively programmed because this process sends electric charges through the ''bed of nails'' to the PCB assembly in order to drive the EPROM into receptive mode, and then sends byte by byte to program the EPROM with the unique calibrations and specific parameters required to operate the pump.[5] You state that, though the EPROM is not irreversible, re-programming the EPROM requires working through different levels of

[2] [XXXX]% derives from the production of the dressing in the U.K. Aside from [XXXX]% for primary sterile barrier costs from both the U.K. and [XXXX], the remaining costs will be incurred in the U.K.

[3] All of the layers, except for the super-absorbent layer that is from Canada, are from the U.K.

[4] ''Bed of nails'' refers to a traditional electronic fixture with numerous pins extending from the fixture to make contact with points on a PCB. Pressing a PCB against a ''bed of nails'' interface allows the PCB to be directly accessed for programming. *See* Michael J. Smith, *Why Program Devices at In-Circuit Test?,* Evaluation Engineering, at http://www4.evaluationengineering.com/articles/201110/why-program-devices-at-in-circuit-test.php (specifically the ''bed of nails'' explanation); *see also* ''In-Circuit Test,'' Wikipedia, at http://en.wikipedia.org/wiki/In-circuit_test (only with reference to ''Bed of Nails tester'' section).

[5] EPROM refers to a non-volatile memory that retains its contents until it is exposed to ultraviolet light, and it is programmed by using a specialized machine to force an electric charge that sends bits of the EPROM onto a PCB. *See* G. Groeseneken, et al., *Basics of Nonvolatile Semiconductor Memory Devices*, 25–28, at *http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.111.9431&rep=rep1&type=pdf; see also* Integrated Circuit Engineering Corporation, *ROM, EPROM, and EEPROM Technology*, 4–9, at *https://web.eecs.umich.edu/~prabal/teaching/eecs373-f10/readings/rom-eprom-eeprom-technology.pdf.*

encryption and the use of specific equipment, which is not readily available.[6] Accordingly, you state that only when the pump is calibrated and flashed with specific firmware, it becomes a true medical device, as the flashing enables the pump to deliver calibrated, therapeutic negative pressure levels to the wound. In support of your positions you cite Headquarters Ruling (''HQ'') H034843, dated May 5, 2009; and HQ 968000, dated February 14, 2006.

HQ H034843 concerned the country of origin of USB flash drives that used software and firmware developed in Israel and an assembly process that began in China and ended in Israel or the United States. CBP noted that the assembly in Israel or the United States, mainly the installation and customization of the firmware and software, made the USB flash drives functional, permitted them to execute their security features, and increased their value. Therefore, the USB flash drives were substantially transformed in the countries where these operations took place, making the country of origin for the USB flash drives either Israel or the United States.

In HQ 968000, CBP ruled that the country of origin for marking purposes of a fabric switch for storage area networks was the United States. The assembly of the hardware for the switch occurred in China. Then, the resulting electromechanical assembly was shipped to the United States, where U.S.-origin software was installed, configured, and tested. *See also Data General v. United States,* 4 Ct. Int'l Trade 182 (1982).

As in HQ H034843 and HQ 968000, the firmware will be installed in a different country from where the majority of the product is assembled, thereby imparting the product (here, the pump) with an essential and required feature (here, enabling the pump to operate as a unique medical device). However, despite these similarities, HQ H034843 and HQ 968000 concerned a USB flash drive and a switch for network storage, which are instruments primarily associated with computer-related products, while in this case the product is primarily a medical instrument and serves separate functions apart from the programmed capabilities. For instance, in HQ H215657, dated April 29, 2013, CBP held that a flashlight originated from China despite the fact that it was programmed in the U.S. with U.S. software. HQ H215657 explained that the programming was not essential to the basic operation of the flashlight, as it only enhanced how the flashlight operated, without changing its fundamental nature. Though such programming provided the flashlight with some additional features, CBP held that the programming was not sufficiently complex to change the identity or characterize the device.

Nonetheless, to the extent that the programming process in the U.K. is integrated with the U.K.-origin dressing to produce a specific-use medical device, we find that the last substantial transformation of the PICO NPWT System occurs in the U.K. The unique dressing is the ''enabling technology'' that provides the essential therapeutic elements for wound healing (e.g. fluid management, protecting against contaminants, and limiting wound bed disruption) to the instrument. Furthermore, the programmed pressure calibrations are critical to the pump's function as a medical device, and can only tolerate a small margin for error since any programming error would devalue the pump for medical purposes and require correction via a difficult reprogramming technique.

Based on the information in your request, under the totality of the circumstances, considering the PICO NPWT System's use as a single medical instrument, the origin of the dressings, and the flash programming and final assembly of the pump, which will be performed in the U.K, and will change the pump into a specialized pump that can only be used with its respective dressings, we find that the country of origin of the PICO NPWT System will be the United Kingdom for purposes of U.S. Government procurement.

HOLDING:

Based on the facts in this case, we find that the country of origin of the PICO NPWT System will be the United Kingdom for purposes of U.S. Government procurement.

Notice of this final determination will be given in the Federal Register, as required by 19 CFR 177.29. Any party-at-interest other than the party which requested this final determination may request, pursuant to 19 CFR 177.31, that CBP reexamine the matter anew and issue a new final determination. Pursuant to 19 CFR 177.30, any party-at-interest may, within 30 days of publication of the Federal Register Notice referenced above, seek judicial review of this final determination before the Court of International Trade.

Sincerely,

Harold Singer, Acting Executive Director
Regulations and Rulings
Office of International Trade

[FR Doc. 2015–16553 Filed 7–6–15; 8:45 am]

BILLING CODE 9111–14–P

[6] EPROM is not easily reprogrammed because, even when the reprogramming change is minimal, the process requires erasing the memory by exposing the EPROM to ultraviolet light, and then reprogramming it byte by byte. *See id.*

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2015–0001; Internal Agency Docket No. FEMA–B–1515]

Proposed Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: Comments are requested on proposed flood hazard determinations, which may include additions or modifications of any Base Flood Elevation (BFE), base flood depth, Special Flood Hazard Area (SFHA) boundary or zone designation, or regulatory floodway on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports for the communities listed in the table below. The purpose of this notice is to seek general information and comment regarding the preliminary FIRM, and where applicable, the FIS report that the Federal Emergency Management Agency (FEMA) has provided to the affected communities. The FIRM and FIS report are the basis of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). In addition, the FIRM and FIS report, once effective, will be used by insurance agents and others to calculate appropriate flood insurance premium rates for new buildings and the contents of those buildings.

DATES: Comments are to be submitted on or before October 5, 2015

ADDRESSES: The Preliminary FIRM, and where applicable, the FIS report for each community are available for inspection at both the online location and the respective Community Map Repository address listed in the tables below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at *www.msc.fema.gov* for comparison.

You may submit comments, identified by Docket No. FEMA–B–1515, to Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, FEMA, 500 C Street SW., Washington, DC 20472, (202) 646–4064, or (email) *Luis.Rodriguez3@fema.dhs.gov.*

FOR FURTHER INFORMATION CONTACT: Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, FEMA, 500 C Street SW., Washington, DC 20472, (202) 646–4064, or (email) *Luis.Rodriguez3@fema.dhs.gov;* or visit the FEMA Map Information eXchange (FMIX) online at *www.floodmaps.fema.gov/fhm/fmx_main.html.*

SUPPLEMENTARY INFORMATION: FEMA proposes to make flood hazard determinations for each community listed below, in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed flood hazard determinations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. These flood hazard determinations are used to meet the floodplain management requirements of the NFIP and also are used to calculate the appropriate flood insurance premium rates for new buildings built after the FIRM and FIS report become effective.

The communities affected by the flood hazard determinations are provided in the tables below. Any request for reconsideration of the revised flood hazard information shown on the Preliminary FIRM and FIS report that satisfies the data requirements outlined in 44 CFR 67.6(b) is considered an appeal. Comments unrelated to the flood hazard determinations also will be considered before the FIRM and FIS report become effective.

Use of a Scientific Resolution Panel (SRP) is available to communities in support of the appeal resolution process. SRPs are independent panels of experts in hydrology, hydraulics, and other pertinent sciences established to review conflicting scientific and technical data and provide recommendations for resolution. Use of the SRP only may be exercised after FEMA and local communities have been engaged in a collaborative consultation process for at least 60 days without a mutually acceptable resolution of an appeal. Additional information regarding the SRP process can be found online at *http://floodsrp.org/pdfs/srp_fact_sheet.pdf.*

The watersheds and/or communities affected are listed in the tables below. The Preliminary FIRM, and where applicable, FIS report for each community are available for inspection at both the online location and the respective Community Map Repository address listed in the tables. For communities with multiple ongoing Preliminary studies, the studies can be identified by the unique project number and Preliminary FIRM date listed in the tables. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at *www.msc.fema.gov* for comparison.

(Catalog of Federal Domestic Assistance No. 97.022, ''Flood Insurance.'')

Dated: May 21, 2015.

Roy E. Wright,

Deputy Associate Administrator for Mitigation, Department of Homeland Security, Federal Emergency Management Agency.

I. Watershed-based studies:

Community	Community map repository address
Middle Coosa Watershed	
St. Clair County, AL and Incorporated Areas	
Maps Available for Inspection Online at: *http://www.fema.gov/preliminaryfloodhazarddata*	
Project:12–04–0857S Preliminary Date: March 26, 2015	
City of Argo	City Hall, 100 Blackjack Road, Argo, AL 35173.
City of Ashville	City Hall, 211 8th Street, Ashville, AL 35953.
City of Margaret	City Hall,125 School Street, Margaret, AL 35112.
City of Moody	City Hall, 670 Park Avenue, Moody, AL 35004.
City of Odenville	City Hall,183 Alabama Street, Odenville, AL 35120.
City of Pell City	City Hall,1905 First Avenue North, Pell City, AL 35125.
City of Riverside	City Hall, 379 Depot Street, Riverside, AL 35135.
City of Springville	City Hall, 6327 U.S. Highway 11, Springville, AL 35146.
City of Trussville	City Hall,131 Main Street, Trussville, AL 35173.
Town of Ragland	Town Hall, 220 Fredia Street, Suite 102, Ragland, AL 35131.
Town of Steele	Town Hall, 4025 Pope Avenue, Steele, AL 35987.
Unincorporated Areas of St. Clair County	St. Clair County Courthouse, 100 6th Avenue, Suite 400, Ashville, AL 35953.

II. Non-watershed-based studies:

Community	Community map repository address
Lafayette Parish, LA and Incorporated Areas	
Maps Available for Inspection Online at: *http://www.fema.gov/preliminaryfloodhazarddata*	
Project: MICS 15977 Preliminary Dates: September 6, 2011, December 19, 2014	
City of Broussard	City Hall, 310 East Main Street, Broussard, LA 70518.
City of Carencro	City Hall, Planning Department, 210 East St. Peter Street, Carencro, LA 70520.
City of Lafayette	Consolidated Government Building, 705 West University Avenue, Lafayette, LA 70506.
City of Scott	City Hall, 125 Lions Club Road, Scott, LA 70583.
City of Youngsville	City Hall, 305 Iberia Street, Youngsville, LA 70592.
Town of Duson	Town Hall, 498 Toby Mouton Road, Duson, LA 70529.
Unincorporated Areas of Lafayette Parish	Consolidated Government Building, 705 West University Avenue, Lafayette, LA 70506.

Community	Community map repository address
Loudoun County, Virginia and Incorporated Areas	
Maps Available for Inspection Online at: *http://www.fema.gov/preliminaryfloodhazarddata*	
Project:11–03–2001S Preliminary Dates: May 23, 2014, December 12, 2014, February 23, 2015	
Town of Hillsboro	Town Hall, 36966 Charles Town Pike, Hillsboro, VA 20132.
Town of Leesburg	Town Hall, 25 West Market Street, Leesburg, VA 20176.

[FR Doc. 2015–16552 Filed 7–6–15; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2015–0001]

Changes in Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Final notice.

SUMMARY: New or modified Base (1-percent annual chance) Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, and/or regulatory floodways (hereinafter referred to as flood hazard determinations) as shown on the indicated Letter of Map Revision (LOMR) for each of the communities listed in the table below are finalized. Each LOMR revises the Flood Insurance Rate Maps (FIRMs), and in some cases the Flood Insurance Study (FIS) reports, currently in effect for the listed communities. The flood hazard determinations modified by each LOMR will be used to calculate flood insurance premium rates for new buildings and their contents.

DATES: The effective date for each LOMR is indicated in the table below.

ADDRESSES: Each LOMR is available for inspection at both the respective Community Map Repository address listed in the table below and online through the FEMA Map Service Center at *www.msc.fema.gov.*

FOR FURTHER INFORMATION CONTACT: Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, FEMA, 500 C Street SW., Washington, DC 20472, (202) 646–4064, or (email) *Luis.Rodriguez3@fema.dhs.gov;* or visit the FEMA Map Information eXchange (FMIX) online at *www.floodmaps.fema.gov/fhm/fmx_main.html.*

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) makes the final flood hazard determinations as shown in the LOMRs for each community listed in the table below. Notice of these modified flood hazard determinations has been published in newspapers of local circulation and 90 days have elapsed since that publication. The Deputy Associate Administrator for Mitigation has resolved any appeals resulting from this notification.

The modified flood hazard determinations are made pursuant to section 206 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.,* and with 44 CFR part 65.

For rating purposes, the currently effective community number is shown and must be used for all new policies and renewals.

The new or modified flood hazard information is the basis for the floodplain management measures that the community is required either to adopt or to show evidence of being already in effect in order to remain qualified for participation in the National Flood Insurance Program (NFIP).

This new or modified flood hazard information, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities.

This new or modified flood hazard determinations are used to meet the floodplain management requirements of the NFIP and also are used to calculate the appropriate flood insurance premium rates for new buildings, and for the contents in those buildings. The changes in flood hazard determinations are in accordance with 44 CFR 65.4.

Interested lessees and owners of real property are encouraged to review the final flood hazard information available at the address cited below for each community or online through the FEMA Map Service Center at *www.msc.fema.gov.*

(Catalog of Federal Domestic Assistance No. 97.022, ''Flood Insurance.'')

Date: June 16, 2015.

Roy E. Wright,

Deputy Associate Administrator for Insurance and Mitigation, Department of Homeland Security, Federal Emergency Management Agency.

State and county	Location and case No.	Chief executive officer of community	Community map repository	Effective date of modification	Community No.
Alabama:					
Montgomery (FEMA Docket No.: B–1474).	City of Montgomery (15–04–0687P).	The Honorable Todd Strange, Mayor, City of Montgomery, P.O. Box 1111, Montgomery, AL 36104.	City Hall, 103 North Perry Street, Montgomery, AL 36104.	April 30, 2015	010174
Montgomery (FEMA Docket No.: B–1474).	Unincorporated areas of Montgomery County (15–04–0687P).	The Honorable Elton Dean, Sr., Chairman, Montgomery County Board of Commissioners, 101 South Lawrence Street, Montgomery, AL 36104.	25 Aupuni Street, Hilo, HI 96720.	April 30, 2015	010278
Colorado:					
Arapahoe (FEMA Docket No.: B–1505).	City of Aurora (14–08–1180P).	The Honorable Steve Hogan, Mayor, City of Aurora, 15151 East Alameda Parkway, Aurora, CO 80012.	City Hall, 15151 East Alameda Parkway, Aurora, CO 80012.	May 22, 2015	080002

State and county	Location and case No.	Chief executive officer of community	Community map repository	Effective date of modification	Community No.
Arapahoe (FEMA Docket No.: B–1505).	City of Centennial (14–08–1180P).	The Honorable Cathy Noon, Mayor, City of Centennial, 13133 East Arapahoe Road, Centennial, CO 80112.	Southeast Metro Stormwater Authority, 7437 South Fairplay Street, Centennial, CO 80112.	May 22, 2015	080315
Arapahoe (FEMA Docket No.: B–1505).	Unincorporated areas of Arapahoe County (14–08–1180P).	The Honorable Nancy Doty, Chair, Arapahoe County Board of Commissioners, 5334 South Prince Street, Littleton, CO 80120.	Arapahoe County Public Works Department, 6924 South Lima Street, Centennial, CO 80112.	May 22, 2015	080011
Douglas (FEMA Docket No.: B–1474).	Town of Castle Rock (14–08–0954P).	The Honorable Paul Donahue, Mayor, Town of Castle Rock, 100 North Wilcox Street, Castle Rock, CO 80104.	Utilities Department, 175 Kellogg Court, Castle Rock, CO 80109.	May 1, 2015	080050
Douglas (FEMA Docket No.: B–1474).	Unincorporated areas of Douglas County (14–08–0954P).	The Honorable Roger Partridge, Chairman, Douglas County Board of Commissioners, 100 3rd Street, Castle Rock, CO 80104.	Douglas County Public Works Department, Engineering Division, 100 3rd Street, Castle Rock, CO 80104.	May 1, 2015	080049
Jefferson (FEMA Docket No.: B–1474).	City of Arvada (14–08–1098P).	The Honorable Marc Williams, Mayor, City of Arvada, P.O. Box 8101, Arvada, CO 80001.	Engineering Department, 8101 Ralston Road, Arvada, CO 80001.	May 8, 2015	085072
Florida:					
Bay (FEMA Docket No.: B–1474).	City of Panama City Beach (14–04–4599P).	The Honorable Gayle Oberst, Mayor, City of Panama City Beach, 110 South Arnold Road, Panama City Beach, FL 32413.	Building Department, 110 South Arnold Road, Panama City Beach, FL 32413.	April 23, 2015	120013
Bay (FEMA Docket No.: B–1474).	City of Panama City Beach (14–04–8184P).	The Honorable Gayle Oberst, Mayor, City of Panama City Beach, 110 South Arnold Road, Panama City Beach, FL 32413.	Building Department, 110 South Arnold Road, Panama City Beach, FL 32413.	April 14, 2015	120013
Bay (FEMA Docket No.: B–1474).	Unincorporated areas of Bay County (14–04–4599P).	The Honorable Guy M. Tunnell, Chairman, Bay County Board of Commissioners, 840 West 11th Street, Panama City, FL 32401.	Bay County Planning and Zoning Department, 707 Jenks Avenue, Suite B, Panama City, FL 32401.	April 23, 2015	120004
Bay (FEMA Docket No.: B–1474).	Unincorporated areas of Bay County (14–04–AA70P).	The Honorable Guy M. Tunnell, Chairman, Bay County Board of Commissioners, 840 West 11th Street, Panama City, FL 32401.	Bay County Planning and Zoning Department, 707 Jenks Avenue, Suite B, Panama City, FL 32401..	May 4, 2015	120004
Bradford (FEMA Docket No.: B–1505).	City of Starke (15–04–2615P).	The Honorable Travis Woods, Mayor, City of Starke, P.O. Drawer C, Starke, FL 32091.	City Clerk's Office, 209 North Thompson Street, Starke, FL 32091.	May 15, 2015	120017
Broward (FEMA Docket No.: B–1474).	Town of Lauderdale-By-The-Sea (15–04–0738X).	The Honorable Scot Sasser, Mayor, Town of Lauderdale-By-The-Sea, 4501 Ocean Drive, Lauderdale-By-The-Sea, FL 33308.	City Hall, 4501 Ocean Drive, Lauderdale-By-The-Sea, FL 33308.	May 7, 2015	125123
Collier (FEMA Docket No.: B–1505).	City of Marco Island (15–04–0522P).	The Honorable Larry Sacher, Chairman, City of Marco Island Council, 50 Bald Eagle Drive, Marco Island, FL 34145.	City Hall, 50 Bald Eagle Drive, Marco Island, FL 34145.	May 7, 2015	120426
Collier (FEMA Docket No.: B–1508).	Unincorporated areas of Collier County (14–04–A504P).	The Honorable Tom Henning, Chairman, Collier County Board of Commissioners, 3299 Tamiami Trail East, Suite 303, Naples, FL 34112.	Collier County Administrative Building, 3301 East Tamiami Trail, Building F, 1st Floor, Naples, FL 34112.	May 12, 2015	120067
Columbia (FEMA Docket No.: B–1474).	City of Lake City (13–04–6159P).	The Honorable Stephen M. Witt, Mayor, City of Lake City, 205 North Marion Avenue, Lake City, FL 32055.	City Hall, 205 North Marion Avenue, Lake City, FL 32055.	April 16, 2015	120406
Columbia (FEMA Docket No.: B–1474).	Unincorporated areas of Columbia County (13–04–6159P).	The Honorable Ronald Williams, Chairman, Columbia County Board of Commissioners, P.O. Box 1529, Lake City, FL 32056.	Columbia County Building and Zoning Department, 173 Northeast Hernando Avenue, Lake City, FL 32055.	April 16, 2015	120070
Lake (FEMA Docket No.: B–1474).	City of Fruitland Park (14–04–A712P).	The Honorable Chris Bell, Mayor, City of Fruitland Park, 506 West Berckman Street, Fruitland Park, FL 34731.	Building Department, 506 West Berckman Street, Fruitland Park, FL 34731.	April 30, 2015	120387
Lee (FEMA Docket No.: B–1505).	Unincorporated areas of Lee County (14–04–8329P).	The Honorable Brian Hamman, Chairman, Lee County Board of Commissioners, P.O. Box 398, Fort Myers, FL 33902.	Lee County Community Development Department, 1500 Monroe Street, 2nd Floor, Fort Meyers, FL 33901.	May 12, 2015	125124
Monroe (FEMA Docket No.: B–1505).	Village of Islamorada (14–04–A708P).	The Honorable Mike Forester, Mayor, Village of Islamorada, 86800 Overseas Highway, Islamorada, FL 33036.	Village Hall, 87000 Overseas Highway, Islamorada, FL 33036.	May 4, 2015	120424
Monroe (FEMA Docket No.: B–1505).	Unincorporated areas of Monroe County (14–04–A180P).	The Honorable Danny Kolhage, Mayor, Monroe County Board of Commissioners, 1100 Simonton Street, Key West, FL 33040.	Monroe County Planning and Environmental Resources Department, 2798 Overseas Highway, Marathon, FL 33050.	May 7, 2015	125129
Seminole (FEMA Docket No.: B–1505).	City of Longwood (14–04–7277P).	The Honorable John C. Maingot, Mayor, City of Longwood, 175 West Warren Avenue, Longwood, FL 32750.	Building and Planning Department, 174 West Church Avenue, Longwood, FL 32750.	May 15, 2015	120292
Seminole (FEMA Docket No.: B–1505).	Unincorporated areas of Seminole County (14–04–7277P).	The Honorable Bob Dallari, Chairman, Seminole County Board of Commissioners, 1101 East 1st Street, Sanford, FL 32771.	Seminole County Building Division, 1101 East 1st Street, Sanford, FL 32771.	May 15, 2015	120289

State and county	Location and case No.	Chief executive officer of community	Community map repository	Effective date of modification	Community No.
St. Johns (FEMA Docket No.: B–1505).	Unincorporated areas of St. Johns County (14–04–8520P).	The Honorable Rachael Bennett, Chairman, St. Johns County Board of Commissioners, 500 San Sebastian View, St. Augustine, FL 32084.	St. Johns County Administrative Building, 4020 Lewis Speedway, St. Augustine, FL 32084.	May 14, 2015	125147
Georgia:					
Cherokee (FEMA Docket No.: B–1505).	Unincorporated areas of Cherokee County (14–04–8555P).	The Honorable L.B. Ahrens, Chairman, Cherokee County Board of Commissioners, 1130 Bluffs Parkway, Canton, GA 30114.	Cherokee County Administrative Office, 130 East Main Street, Suite 106, Canton, GA 30114.	May 18, 2015	130424
Cobb (FEMA Docket No.: B–1505).	City of Smyrna (14–04–9804P).	The Honorable Arthur Max Bacon, Mayor, City of Smyrna, 2800 King Street, Smyrna, GA 30080.	City Engineer's Office, 2800 King Street, Smyrna, GA 30080.	May 18, 2015	130057
Mississippi: Rankin (FEMA Docket No.: B–1505).	City of Brandon (14–04–8704P).	The Honorable Butch Lee, Mayor, City of Brandon, P.O. Box 1539, Brandon, MS 39043.	City Hall, 1000 Municipal Drive, Brandon, MS 39042.	May 12, 2015	280143
Montana: Butte-Silver Bow (FEMA Docket No.: B–1474).	Unincorporated areas of Butte-Silver Bow County (14–08–0867P).	The Honorable Cindi Shaw, Chair, Butte-Silver Bow County Council of Commissioners, 155 West Granite Street, Butte, MT 59701.	Butte-Silver Bow County Floodplain Administrator, 115 West Granite Street, Butte, MT 59701.	April 17, 2015	300077
North Carolina: Columbus (FEMA Docket No.: B–1508).	Unincorporated areas of Columbus County (14–04–6649P).	The Honorable Trent Burroughs, Chairman, Columbus County Board of Commissioners, 111 Washington Street, Whiteville, NC 28472.	Columbus County Planning Department, 111 Washington Street, Whiteville, NC 28472.	May 5, 2015	370305
South Carolina:					
Lancaster (FEMA Docket No.: B–1474).	Unincorporated areas of Lancaster County (14–04–3565P).	The Honorable Larry McCullough, Chairman, Lancaster County Council, 101 North Main Street, 2nd Floor, Lancaster, SC 29721.	Lancaster County Building and Zoning Department, 101 North Main Street, Lancaster, SC 29721.	April 23, 2015	450120
Richland (FEMA Docket No.: B–1505).	Unincorporated areas of Richland County (14–04–5349P).	The Honorable Norman Jackson, Chairman, Richland County Council, P.O. Box 192, Columbia, SC 29201.	Richland County Floodplain Coordinator, 2020 Hampton Street, 1st Floor, Columbia, SC 29204.	May 18, 2015	450170
South Dakota:					
Lincoln (FEMA Docket No.: B–1505).	Town of Harrisburg (14–08–0638P).	The Honorable Julie Burke-Bowen, Mayor, Town of Harrisburg, P.O. Box 26, Harrisburg, SD 57032.	City Hall, 203 Prairie Street, Harrisburg, SD 57032.	May 22, 2015	460114
Lincoln (FEMA Docket No.: B–1505).	Unincorporated areas of Lincoln County (14–08–0638P).	The Honorable Dale Long, Chairman, Lincoln County Board of Commissioners, 104 North Main Street, Canton, SD 57013.	Lincoln County Court House, 105 East 5th Street, Canton, SD 57013.	May 22, 2015	460277
Tennessee: Shelby (FEMA Docket No.: B–1505).	Town of Collierville (14–04–6821P).	The Honorable Stan Joyner, Jr., Mayor, Town of Collierville, 500 Poplar View Parkway, Collierville, TN 38017.	Town Hall, 500 Poplar View Parkway, Collierville, TN 38017.	May 8, 2015	470263
Utah:					
Davis (FEMA Docket No.: B–1474).	City of Kaysville (14–08–0854P).	The Honorable Steve A. Hiatt, Mayor, City of Kaysville, 23 East Center Street, Kaysville, UT 84037.	City Hall, 23 East Center Street, Kaysville, UT 84037.	May 8, 2015	490046
Salt Lake (FEMA Docket No.: B–1474).	City of Murray (14–08–0600P).	The Honorable Ted Eyre, Mayor, City of Murray, 5025 South State Street, 2nd Floor, Murray, UT 84107.	Public Works Office, 4646 South 500 West, Murray, UT 84123.	April 16, 2015	490103
Washington (FEMA Docket No.: B–1505).	City of St. George (14–08–1160P).	The Honorable Jon Pike, Mayor, City of St. George, 175 East 200 North, St. George, UT 84770.	Engineering Department, 175 East 200 North, St. George, UT 84770.	May 14, 2015	490177
Washington (FEMA Docket No.: B–1508).	Town of Springdale (14–08–1247P).	The Honorable Stan Smith, Mayor, Town of Springdale, 118 Lion Boulevard, Springdale, UT 84767.	Planning and Zoning Department, 118 Lion Boulevard, Springdale, UT 84767.	May 22, 2015	490179
Washington (FEMA Docket No.: B–1505).	Unincorporated areas of Washington County (14–08–1160P).	The Honorable James J. Eardley, Chairman, Washington County Board of Commissioners, 197 East Tabernacle; Street St. George, UT 84770.	Washington County Planning Department, 197 East Tabernacle Street, St. George, UT 84770.	May 14, 2015	490224

[FR Doc. 2015–16551 Filed 7–6–15; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4226–DR; Docket ID FEMA–2015–0002]

Arkansas; Major Disaster and Related Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This is a notice of the Presidential declaration of a major disaster for the State of Arkansas (FEMA–4226–DR), dated June 26, 2015, and related determinations.

DATES: *Effective Date:* June 26, 2015.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: Notice is hereby given that, in a letter dated June 26, 2015, the President issued a major disaster declaration under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the ''Stafford Act''), as follows:

I have determined that the damage in certain areas of the State of Arkansas resulting from severe storms, tornadoes, straight-line winds, and flooding during the period of May 7 to June 15, 2015, is of sufficient severity and magnitude to warrant a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the ''Stafford Act''). Therefore, I declare that such a major disaster exists in the State of Arkansas.

In order to provide Federal assistance, you are hereby authorized to allocate from funds available for these purposes such amounts as you find necessary for Federal disaster assistance and administrative expenses.

You are authorized to provide Individual Assistance and Public Assistance in the designated areas and Hazard Mitigation throughout the State. Consistent with the requirement that Federal assistance be supplemental, any Federal funds provided under the Stafford Act for Hazard Mitigation and Other Needs Assistance will be limited to 75 percent of the total eligible costs. Federal funds provided under the Stafford Act for Public Assistance also will be limited to 75 percent of the total eligible costs, with the exception of projects that meet the eligibility criteria for a higher Federal cost-sharing percentage under the Public Assistance Alternative Procedures Pilot Program for Debris Removal implemented pursuant to section 428 of the Stafford Act.

Further, you are authorized to make changes to this declaration for the approved assistance to the extent allowable under the Stafford Act.

The time period prescribed for the implementation of section 310(a), Priority to Certain Applications for Public Facility and Public Housing Assistance, 42 U.S.C. 5153, shall be for a period not to exceed six months after the date of this declaration.

The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, Nancy M. Casper, of FEMA is appointed to act as the Federal Coordinating Officer for this major disaster.

The following areas of the State of Arkansas have been designated as adversely affected by this major disaster:

Crawford, Garland, Howard, Jefferson, Little River, Miller, Perry, Sebastian, and Sevier Counties for Individual Assistance.

Clark, Crawford, Dallas, Franklin, Garland, Hempstead, Howard, Independence, Izard, Jefferson, Johnson, Lafayette, Little River, Logan, Madison, Marion, Miller, Montgomery, Nevada, Newton, Ouachita, Perry, Pike, Polk, Scott, Searcy, Sevier, and Yell Counties for Public Assistance.

All areas within the State of Arkansas are eligible for assistance under the Hazard Mitigation Grant Program.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

W. Craig Fugate,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2015–16549 Filed 7–6–15; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4225–DR; Docket ID FEMA–2015–0002]

Nebraska; Major Disaster and Related Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This is a notice of the Presidential declaration of a major disaster for the State of Nebraska (FEMA–4225–DR), dated June 25, 2015, and related determinations.

DATES: *Effective Date:* June 25, 2015.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: Notice is hereby given that, in a letter dated June 25, 2015, the President issued a major disaster declaration under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the ''Stafford Act''), as follows:

I have determined that the damage in certain areas of the State of Nebraska resulting from severe storms, tornadoes, straight-line winds, and flooding during the period of May 6 to June 17, 2015, is of sufficient severity and magnitude to warrant a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the ''Stafford Act''). Therefore, I declare that such a major disaster exists in the State of Nebraska.

In order to provide Federal assistance, you are hereby authorized to allocate from funds available for these purposes such amounts as you find necessary for Federal disaster assistance and administrative expenses.

You are authorized to provide Public Assistance in the designated areas and Hazard Mitigation throughout the State. Consistent with the requirement that Federal assistance be supplemental, any Federal funds provided under the Stafford Act for Hazard Mitigation will be limited to 75 percent of the total eligible costs. Federal funds provided under the Stafford Act for Public Assistance also will be limited to 75 percent of the total eligible costs, with the exception of projects that meet the eligibility criteria for a higher Federal cost-sharing percentage under the Public Assistance Alternative Procedures Pilot Program for Debris Removal implemented pursuant to section 428 of the Stafford Act.

Further, you are authorized to make changes to this declaration for the approved assistance to the extent allowable under the Stafford Act.

The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, Christian M. Van Alstyne, of FEMA is appointed to act as the Federal Coordinating Officer for this major disaster.

The following areas of the State of Nebraska have been designated as adversely affected by this major disaster:

Cass, Dundy, Gage, Jefferson, Lancaster, Lincoln, Morrill, Nuckolls, Otoe, Saline, Saunders, and Thayer Counties for Public Assistance.

All areas within the State of Nebraska are eligible for assistance under the Hazard Mitigation Grant Program.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households in Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance

(Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

W. Craig Fugate,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2015–16550 Filed 7–6–15; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2015–0001; Internal Agency Docket No. FEMA–B–1508]

Changes in Flood Hazard Determinations

Correction

In notice document 2015–10535 beginning on page 26074 in the issue of Wednesday, May 6, 2015, make the following correction:

The table appearing on pages 26075–26078 should read as follows:

State and county	Location and case No.	Chief executive officer of community	Community map repository	Online location of letter of map revision	Effective date of modification	Community No.
Alabama:						
Madison	City of Huntsville (15–04–0198P).	The Honorable Tommy Battle, Mayor, City of Huntsville, 308 Fountain Circle, Huntsville, AL 35801.	Engineering Department, 308 Fountain Circle, Huntsville, AL 35801.	*http://www.msc.fema.gov/lomc.*	Jul. 6, 2015	010153
Madison	Unincorporated areas of Madison County (15–04–0198P).	The Honorable Dale W. Strong, Chairman, Madison County Commission, 100 Northside Square, Huntsville, AL 35801.	Madison County Engineering Building, 266–C Shields Road, Huntsville, AL 35811.	*http://www.msc.fema.gov/lomc.*	Jul. 6, 2015	010151
California:						
Colusa	City of Williams (14–09–4496P).	The Honorable John J. Troughton, Jr., Mayor, City of Williams, P.O. Box 310, Williams, CA 95987.	City Hall, 810 E Street, Williams, CA 95987.	*http://www.msc.fema.gov/lomc.*	Jul. 2, 2015	060024
Colusa	Unincorporated areas of Colusa County (14–09–4438P).	The Honorable Mark D. Marshall, Chairman, Colusa County Board of Supervisors, 547 Market Street, Suite 102, Colusa, CA 95932.	Colusa County Department of Public Works, 1215 Market Street, Colusa, CA 95932.	*http://www.msc.fema.gov/lomc.*	Jul. 2, 2015	060022
Colusa	Unincorporated areas of Colusa County (14–09–4496P).	The Honorable Mark D. Marshall, Chairman, Colusa County Board of Supervisors, 547 Market Street, Suite 102, Colusa, CA 95932.	Colusa County Department of Public Works, 1215 Market Street, Colusa, CA 95932.	*http://www.msc.fema.gov/lomc.*	Jul. 2, 2015	060022
Riverside	Unincorporated areas of Riverside County (15–09–0813P).	The Honorable Marion Ashley, Chairman, Riverside County Board of Supervisors, 4080 Lemon Street, 5th Floor, Riverside, CA 92501.	Riverside County Flood Control and Water Conservation District, 1995 Market Street, Riverside, CA 92501.	*http://www.msc.fema.gov/lomc.*	Jun. 8, 2015	060245
San Diego	Unincorporated areas of San Diego County (14–09–4435P).	The Honorable Dianne Jacob, Chair, San Diego County Board of Supervisors, 1600 Pacific Highway, Room 335, San Diego, CA 92101.	San Diego County Department of Public Works, Flood Control District, 5510 Overland Avenue, Suite 401, San Diego, CA 92123.	*http://www.msc.fema.gov/lomc.*	Jun. 19, 2015	060284
Colorado:						
Denver	City and County of Denver (15–08–0320P).	The Honorable Michael B. Hancock, Mayor, City and County of Denver, 1437 Bannock Street, Suite 350, Denver, CO 80202.	Department of Public Works, 201 West Colfax Avenue, Denver, CO 80202.	*http://www.msc.fema.gov/lomc.*	Jun. 19, 2015	080046
Denver	City and County of Denver (15–08–0321P).	The Honorable Michael B. Hancock, Mayor, City and County of Denver, 1437 Bannock Street, Suite 350, Denver, CO 80202.	Department of Public Works, 201 West Colfax Avenue, Denver, CO 80202.	*http://www.msc.fema.gov/lomc.*	Jun. 19, 2015	080046
Douglas	Unincorporated areas of Douglas County (14–08–0892P).	The Honorable Jill Repella, Chair, Douglas County Board of Commissioners, 100 3rd Street, Castle Rock, CO 80104.	Douglas County Public, Works Department, Engineering Division, 100 3rd Street, Castle Rock, CO 80104.	*http://www.msc.fema.gov/lomc.*	Jun. 12, 2015	080049
Florida:						
Alachua	Unincorporated areas of Alachua County (15–04–0356P).	The Honorable Lee Pinkoson, Chairman, Alachua County Board of Commissioners, P.O. Box 5547, Gainesville, FL 32627.	Alachua County Public Works Department, 5620 Northwest 120th Lane, Gainesville, FL 32653.	*http://www.msc.fema.gov/lomc.*	Jul. 3, 2015	120001

State and county	Location and case No.	Chief executive officer of community	Community map repository	Online location of letter of map revision	Effective date of modification	Community No.
Charlotte	Unincorporated areas of Charlotte County (15–04–1137P).	The Honorable Bill Truex, Chairman, Charlotte County Board of Commissioners, 18500 Murdock Circle, Port Charlotte, FL 33948.	Charlotte County Community Development Department, 18500 Murdock Circle, Port Charlotte, FL 33948.	*http://www.msc.fema.gov/lomc.*	Jun. 19, 2015	120061
Collier	City of Marco Island (15–04–1069P).	The Honorable Larry Sacher, Chairman, City of Marco Island Council, 50 Bald Eagle Drive, Marco Island, FL 34145.	City Hall, 50 Bald Eagle Drive, Marco Island, FL 34145.	*http://www.msc.fema.gov/lomc.*	Jun. 19, 2015	120426
Collier	Unincorporated areas of Collier County (14–04–A504P).	The Honorable Tom Henning, Chairman, Collier County Board of Commissioners, 3299 Tamiami Trail East, Suite 303, Naples, FL 34112.	Collier County Administrative Building, 3301 East Tamiami Trail, Building F, 1st Floor, Naples, FL 34112.	*http://www.msc.fema.gov/lomc.*	May 12, 2015	120067
Marion	City of Ocala (14–04–6358P).	The Honorable Kent Guinn, Mayor, City of Ocala, 110 Southeast Watula Avenue, Ocala, FL 34471.	Engineering Department, 405 Southeast Osceola Avenue, Ocala, FL 34478.	*http://www.msc.fema.gov/lomc.*	Jun. 25, 2015	120330
Monroe	City of Key West (14–04–A505P).	The Honorable Craig Cates, Mayor, City of Key West, 3126 Flagler Avenue, Key West, FL 33040.	Planning Department, 605A Simonton Street, Key West, FL 33040.	*http://www.msc.fema.gov/lomc.*	Jun. 5, 2015	120168
Pinellas	City of Clearwater (14–04–A506P).	The Honorable George N. Cretekos, Mayor, City of Clearwater, P.O. Box 4748, Clearwater, FL 33758.	Public Works Department, 100 South Myrtle Avenue, Suite 220, Clearwater, FL 33758.	*http://www.msc.fema.gov/lomc.*	Jun. 25, 2015	125096
Seminole	City of Longwood (15–04–0949P).	The Honorable John Maingot, Mayor, City of Longwood, 175 West Warren Avenue, Longwood, FL 32750.	City Hall, 175 West Warren Avenue, Longwood, FL 32750.	*http://www.msc.fema.gov/lomc.*	Jun. 19, 2015	120292
Georgia: Columbia	Unincorporated areas of Columbia County (15–04–0305P).	The Honorable Ron Cross, Chairman, Columbia County Board of Commissioners, P.O. Box 498, Evans, GA 30809.	Columbia County Planning Services Division, 603 Ronald Reagan Drive, Building B, Evans, GA 30809.	*http://www.msc.fema.gov/lomc.*	Jun. 19, 2015	130059
Kentucky:						
Kenton	City of Covington (15–04–2329P).	The Honorable Sherry Carran, Mayor, City of Covington, 20 West Pike Street, Covington, KY 41011.	City Hall, 20 West Pike Street, Covington, KY 41011.	*http://www.msc.fema.gov/lomc.*	Jun. 19, 2015	210129
Kenton	City of Fort Wright (15–04–2329P).	The Honorable Joseph Nienaber, Jr., Mayor, City of Fort Wright, 409 Kyles Lane, Fort Wright, KY 41011.	City Hall, 409 Kyles Lane, Fort Wright, KY 41011.	*http://www.msc.fema.gov/lomc.*	Jun. 19, 2015	210249
New York: Suffolk	Town of Brookhaven (15–02–0307P).	The Honorable Edward P. Romaine, Town of Brookhaven Supervisor, 1 Independence Hill, Farmingville, NY 11738.	Town Hall, 1 Independence Hill, Farmingville, NY 11738.	*http://www.msc.fema.gov/lomc.*	Jul. 16, 2015	365334
North Carolina:						
Columbus	Unincorporated areas of Columbus County (14–04–6649P).	The Honorable Trent Burroughs, Chairman, Columbus County Board of Commissioners, 111 Washington Street, Whiteville, NC 28472.	Columbus County Planning Department, 111 Washington Street, Whiteville, NC 28472.	*http://www.msc.fema.gov/lomc.*	May 5, 2015	370305
Guilford	City of Greensboro (14–04–9100P).	The Honorable Nancy Vaughan, Mayor, City of Greensboro, P.O. Box 3136, Greensboro, NC 27402.	Central Library, 219 North Church Street, Greensboro, NC 27401.	*http://www.msc.fema.gov/lomc.*	Jun. 26, 2015	375351
Union	Town of Weddington (14–04–7777P).	The Honorable Bill Deter, Mayor, Town of Weddington, 1924 Weddington Road, Weddington, NC 28104.	Planning Department, 1924 Weddington Road, Weddington, NC 28104.	*http://www.msc.fema.gov/lomc.*	Jun. 22, 2015	370518
Union	Unincorporated areas of Union County (14–04–7777P).	The Honorable Richard Helms, Chairman, Union County Board of Commissioners, 500 North Main Street, Room 921, Monroe, NC 28112.	Union County Planning Department, 500 North Main Street, Monroe, NC 28112.	*http://www.msc.fema.gov/lomc.*	Jun. 22, 2015	370234

State and county	Location and case No.	Chief executive officer of community	Community map repository	Online location of letter of map revision	Effective date of modification	Community No.
Wake	City of Raleigh (14–04–8341P).	The Honorable Nancy McFarlane, Mayor, City of Raleigh, P.O. Box 590, Raleigh, NC 27602.	Public Works Department, 222 West Hargett Street, Raleigh, NC 27601.	*http://www.msc.fema.gov/lomc.*	Jun. 26, 2015	370243
Wake	Unincorporated areas of Wake County (14–04–8341P).	The Honorable James West, Chairman, Wake County Board of Commissioners, P.O. Box 550, Raleigh, NC 27602.	Wake County Environmental Services Department, 336 Fayetteville Street, Raleigh, NC 27602.	*http://www.msc.fema.gov/lomc.*	Jun. 26, 2015	370368
South Carolina:						
Charleston.	City of Charleston (15–04–0605P).	The Honorable Joseph P. Riley, Jr., Mayor, City of Charleston, P.O. Box 652, Charleston, SC 29402.	Engineering Department, 75 Calhoun Street Division 301, Charleston, SC 29402.	*http://www.msc.fema.gov/lomc.*	Jun. 19, 2015	455412
Utah:						
Davis	City of Farmington (15–08–0034P).	The Honorable Jim Talbot, Mayor, City of Farmington, 160 South Main, Farmington, UT 84025.	GIS Department, 1600 South Main, Farmington, UT 84025.	*http://www.msc.fema.gov/lomc.*	Jun. 26, 2015	490044
Davis	City of Fruit Heights (14–08–1211P).	The Honorable Don Carroll, Mayor, City of Fruit Heights, 910 South Mountain Road, Fruit Heights, UT 84037.	City Hall, 910 South Mountain Road, Fruit Heights, UT 84307.	*http://www.msc.fema.gov/lomc.*	Jun. 5, 2015	490045
Davis	City of Kaysville (14–08–1178P).	The Honorable Steve A. Hiatt, Mayor, City of Kaysville, 23 East Center Street, Kaysville, UT 84037.	City Hall, 23 East Center Street, Kaysville, UT 84037.	*http://www.msc.fema.gov/lomc.*	Jun. 5, 2015	490046
Davis	City of Kaysville (14–08–1211P).	The Honorable Steve A. Hiatt, Mayor, City of Kaysville, 23 East Center Street, Kaysville, UT 84037.	City Hall, 23 East Center Street, Kaysville, UT 84037.	*http://www.msc.fema.gov/lomc.*	Jun. 5, 2015	490046
Washington	Town of Springdale (14–08–1247P).	The Honorable Stan Smith, Mayor, Town of Springdale, 118 Lion Boulevard, Springdale, UT 84767.	Planning and Zoning Department, 118 Lion Boulevard, Springdale, UT 84767.	*http://www.msc.fema.gov/lomc.*	May 22, 2015	490179

[FR Doc. C1–2015–10535 Filed 7–6–15; 8:45 am]
BILLING CODE 1505–01D

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS–R2–ES–2015–N104; FXES11130200000C2–112–FF02ENEH00]

Endangered and Threatened Wildlife and Plants; Barton Springs Salamander Recovery Plan Draft Addendum

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability; request for comment.

SUMMARY: We, the Fish and Wildlife Service (Service), announce the availability of a draft addendum to the 2005 Barton Springs salamander (*Eurycea sosorum*) Recovery Plan, to include the Austin blind salamander (*Eurycea waterlooensis*). Both species are listed as endangered under the Endangered Species Act of 1973, as amended (Act). These salamander species are currently found in Barton Springs in Austin, Texas. The Barton Springs Salamander Recovery Plan (Recovery Plan) currently includes specific recovery objectives and criteria to be met in order to enable us to remove the Barton Springs salamander from the list of endangered and threatened wildlife and plants. This draft addendum adds to the Recovery Plan's recovery goals, objectives, downlisting criteria, and delisting criteria in order to reflect the addition of the Austin blind salamander. The Recovery Plan also includes additional time and cost estimates for recovery actions for the Austin blind salamander. We request review and comment on this draft addendum from local, State, and Federal agencies; Tribes; and the public.

DATES: To ensure consideration, we must receive written comments on or before September 8, 2015. However, we will accept information about any species at any time.

ADDRESSES: If you wish to review the draft addendum, you may obtain a copy by any one of the following methods:

Internet: Access the file at *www.fws.gov/southwest/es/Documents/R2ES/BSS_RP_DraftAddendum_June2015.pdf; http://www.fws.gov/southwest/es/AustinTexas/;*

U.S. mail: U.S. Fish and Wildlife Service, 10711 Burnet Road, Suite 200, Austin, TX 78758; or

Telephone: (512) 490–0057.

If you wish to comment on the draft addendum, you may submit your comments in writing by any one of the following methods:

- *U.S. mail:* Field Supervisor, at the above address;
- *Hand-delivery:* Austin Ecological Services Field Office, at the above address;
- *Fax:* (512) 490–0974; or
- *Email: Adam_Zerrenner@fws.gov.*

For additional information about submitting comments, see the ''Request for Public Comments'' section below.

FOR FURTHER INFORMATION CONTACT: Adam Zerrenner, Field Supervisor, at the above address and phone number, or by email at *Adam_Zerrenner@fws.gov.*

SUPPLEMENTARY INFORMATION:

Background

Recovery of endangered or threatened animals and plants to the point where they are again secure, self-sustaining members of their ecosystems is a primary goal of our endangered species program and the Act (16 U.S.C. 1531 *et seq.*). Recovery means improvement of the status of listed species to the point

at which listing is no longer appropriate under the criteria set out in section 4(a)(1) of the Act. The Act requires the development of recovery plans for listed species, unless such a plan would not promote the conservation of a particular species.

Species History

The Austin blind salamander was federally listed as endangered throughout its range on September 9, 2013 (78 FR 51277), and detailed background information on the taxonomy, habitat, range, threats, and life history attributes of the Austin blind salamander can be found in the final rule. It has a recovery priority number of 2C, which is based on a high degree of threat, high potential for recovery, taxonomic classification as a species, and potential for conflict over resources (primarily water quality and quantity) and economic development.

When we developed the Barton Springs Salamander Recovery Plan, the Austin blind salamander was a candidate for Federal listing as endangered or threatened (67 FR 40657). We included information on the Austin blind salamander to facilitate adding this species to the Recovery Plan if it ultimately became listed. The existing recovery plan for the Barton Springs salamander presents a recovery strategy, objective and measurable recovery criteria, and site-specific management actions to monitor and reduce or remove threats to the Barton Springs salamander. The Barton Springs and Austin blind salamanders occur in the same ecosystem, have similar ecology and life history needs, and face similar threats. The Barton Springs Salamander Recovery Plan was developed to address the Barton Springs ecosystem as a whole, as well as both salamander species, which are vulnerable to threats to this ecosystem. Therefore, the recovery strategy for the Barton Springs salamander is also applicable to and appropriate for the Austin blind salamander. For these reasons, we are proposing an efficient approach to recovery planning for the Austin blind salamander by supplementing the Barton Springs Salamander Recovery Plan with an addendum to include the Austin blind salamander.

Request for Public Comments

Section 4(f) of the Act requires us to provide public notice and an opportunity for public review and comment during recovery plan development. We are, therefore, providing the public the opportunity to comment on the draft addendum. Because the Barton Springs Salamander Recovery Plan has already been through peer and public review and because this plan is a valid recovery plan, we seek public comments on only the draft addendum. We will summarize and respond to the issues raised by the public and post our responses on our Web site. Substantive comments may or may not result in changes to the draft addendum; comments regarding recovery plan implementation will be forwarded as appropriate to Federal or other entities so that they can be taken into account during the course of implementing recovery actions.

We invite written comments on the draft addendum. In particular, we are interested in additional information regarding the appropriateness of the draft recovery criteria and recovery actions for the Austin blind salamander as well as the costs associated with implementing the recommended recovery actions.

Before we approve a final addendum, we will consider all comments we receive by the date specified in **DATES**. Methods of submitting comments are in the **ADDRESSES** section.

Public Availability of Comments

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Comments and materials we receive will be available on our Web site *http://www.fws.gov/southwest/es/AustinTexas/,* by appointment, for public inspection during normal business hours at our office (see **ADDRESSES**).

References Cited

A complete list of all references cited herein is available upon request from the Austin Ecological Services Field Office (see **FOR FURTHER INFORMATION CONTACT** section).

Authority

We developed this recovery plan addendum under the authority of section 4(f) of the Act, 16 U.S.C. 1533(f). We publish this notice under section 4(f) Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Dated: June 18, 2015.

Joy E. Nicholopoulos,

Acting Regional Director, Southwest Region, U.S. Fish and Wildlife Service.

[FR Doc. 2015–16595 Filed 7–6–15; 8:45 am]

BILLING CODE 4310–55–P

DEPARTMENT OF THE INTERIOR

UTAH RECLAMATION MITIGATION AND CONSERVATION COMMISSION

[RC0ZCUPCA0, 155R0680R1, RR.17549897.2015101.02]

Notice of Availability of the Records of Decision for the Provo River Delta Restoration Project

AGENCY: Office of the Assistant Secretary for Water and Science, Interior; Utah Reclamation Mitigation and Conservation Commission.

ACTION: Notice.

SUMMARY: The Department of the Interior and the Utah Reclamation Mitigation and Conservation Commission have prepared separate Records of Decision (RODs) that disclose their selection of Alternative B for implementing the restoration of the Provo River Delta as described in the Provo River Delta Restoration Project (PRDRP) Final Environmental Impact Statement (FEIS). Both agencies have also selected to implement Option 2 for the improvement of the existing Provo River Channel. The size of Alternative B may be increased by acquiring additional land described under Alternative A. However, such additional land acquisition will only be accomplished if the additional land can be acquired on a willing-seller basis. Therefore, a potentially enlarged Alternative B (the Preferred Alternative) and Option 2 are adopted as the Selected Action. The implementation of Alternative B as potentially modified and Option 2 will significantly aid in meeting recovery actions within the approved June Sucker Recovery Plan of 1999.

DATES: The Department of the Interior and the Utah Reclamation Mitigation and Conservation Commission signed separate RODs on May 26, 2015 and subsequently made them available to the public.

ADDRESSES: Send written correspondence or requests for copies to Mr. W. Russ Findlay, Department of the Interior, Central Utah Project Completion Act Office, 302 East 1860 South, Provo, Utah 846060–7317; or Mr. Richard Mingo, Utah Reclamation Mitigation and Conservation Commission, 230 South 500 East Suite

230, Salt Lake City, Utah 84102; or by email to *wfindlay@usbr.gov* or *rmingo@usbr.gov.* The RODs are accessible at the following Web sites: *www.cupcao.gov, www.provoriverdelta.us, www.mitigationcommission.gov.* See the **SUPPLEMENTARY INFORMATION** section for locations where copies of the RODs are available for public review.

FOR FURTHER INFORMATION CONTACT: Mr. W. Russ Findlay, 801–379–1084, *wfindlay@usbr.gov;* or Mr. Richard Mingo, 801–524–3146, *rmingo@usbr.gov.*

SUPPLEMENTARY INFORMATION:

Background

The Department of the Interior's Record of Decision for the Diamond Fork System Final Supplement to the Diamond Fork Power System Final Environmental Impact Statement, signed September 29, 1999, commits the Department of the Interior, Utah Reclamation Mitigation and Conservation Commission, and the Central Utah Water Conservancy District to ''. . . participate in the development of a Recovery Implementation Program for June sucker.'' Moreover, ''. . . [a]ny future development of the Bonneville Unit of CUP [Central Utah Project] will be contingent on the RIP [June Sucker Recovery Implementation Program (JSRIP)] making 'sufficient progress' towards recovery of June sucker.'' The Utah Reclamation Mitigation and Conservation Commission signed its own Record of Decision for the Diamond Fork System Project on November 19, 1999. The JSRIP was established in 2002, and the Joint Lead Agencies are participants. The goals of the JSRIP are twofold, to recover June sucker so that it no longer requires protection under the Endangered Species Act and allow continued operation of existing water facilities and future development of water resources for human uses within the Utah Lake Basin in Utah.

The June sucker exists naturally only in Utah Lake and spawns primarily in the lower Provo River, a Utah Lake tributary. Monitoring indicates young June sucker hatching in the lower Provo River do not survive to the adult stage due to habitat inadequacies in the lower Provo River and its interface with Utah Lake related to flow, food supply, and shelter. A compounding factor is likely predation by nonnative fishes. Dredging and channelization for flood control has eliminated the shallow, warm, complex wetland habitat at the mouth of the Provo River where it enters Utah Lake.

The Federal Action

The PRDRP will restore the lower Provo River to a more natural deltaic ecosystem. The delta and associated habitat will provide needed habitat for the recovery of the endangered June sucker. These improvements will be accomplished through the implementation of Alternative B and Option 2 as analyzed in the PRDRP FEIS plus the option to increase the size of Alternative B by acquiring additional land described under Alternative A only if the additional land can be acquired on a willing-seller basis.

Purpose and Need for Action

The PRDRP has been identified as an essential action needed to recover the endangered June sucker. It will restore functional habitat conditions in the lower Provo River and its interface with Utah Lake that are needed for spawning, hatching, larval transport, survival, rearing and recruitment of young June sucker into the population on a self-sustaining basis.

The purposes of the PRDRP are to:

- Implement the specific criteria of the June Sucker Recovery Plan to restore a naturally functioning Provo River delta ecosystem essential for recruitment of June sucker;
- provide recreational improvements and opportunities associated with the PRDRP; and
- adopt flow regime targets for the lower Provo River and provide delivery of supplemental water to the lower Provo River, including additional conserved water.

Alternative B—Provo River Delta Restoration

Alternative B was developed with substantial involvement from study area landowners and other stakeholders. It is the selected alternative for restoring the Provo River Delta. It will reduce the amount of private land required for the PRDRP and preserve the highest-value agricultural land, while still improving June sucker spawning and rearing habitat. The acquisition boundary for this alternative encompasses 310.3 acres. As previously described in this NOA, lands in addition to the minimum required under Alternative B could be acquired on a willing-seller basis, either in conjunction with Alternative B or at a later time. Implementing Alternative B as described in the Final EIS would result in splitting of three or more contiguous land ownerships/agricultural operations. It is possible that landowners may request as condition of sale of their property the acquisition of some or all of the remaining properties outside the delineated Alternative B boundary. Other landowners may also have interest in selling their land to the government for the project. Only if these agreements can be achieved on a willing-seller basis would they be consummated. Such lands could be acquired to enhance the habitat values for June sucker, to preserve habitat values for other wildlife or wetlands, or to provide additional related recreational opportunities.

Option 2—Provo River Existing Channel Improvement

Option 2 will be implemented along with Alternative B above. Option 2 will maintain the existing channel at a relatively constant elevation by constructing a small dam at the downstream mouth of the channel near Utah Lake State Park. An aeration system will be installed and operated as necessary to improve water quality. A minimum flow of 10 cubic feet per second will be provided to the existing Provo River channel which will be retained and managed for recreational and aesthetic purposes.

A Notice of Availability of the Draft Environmental Impact Statement (DEIS) for the PRDRP was published in the **Federal Register** on February 28, 2014 (79 FR 11511). A Notice of Availability of the PRDRP FEIS was published in the **Federal Register** on April 8, 2015 (80 FR 18940).

Copies of the RODs are available for public review at:

- Department of the Interior, Central Utah Project Completion Act Office, 302 East 1860 South, Provo, Utah 84606–7317
- Utah Reclamation Mitigation and Conservation Commission, 230 South 500 East Suite 230, Salt Lake City, Utah 84102

Dated: June 8, 2015.

Reed R. Murray,

Program Director, Central Utah Project Completion Act Office, Department of the Interior.

Dated: June 8, 2015.

Mark Holden,

Executive Director, Utah Reclamation Mitigation and Conservation Commission.

[FR Doc. 2015–16600 Filed 7–6–15; 8:45 am]

BILLING CODE 4332–90–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NRNHL–18618; PPWOCRADI0, PCU00RP14.R50000]

National Register of Historic Places; Notification of Pending Nominations and Related Actions

Nominations for the following properties being considered for listing or related actions in the National Register were received by the National Park Service before June 6, 2015. Pursuant to section 60.13 of 36 CFR part 60, written comments are being accepted concerning the significance of the nominated properties under the National Register criteria for evaluation. Comments may be forwarded by United States Postal Service, to the National Register of Historic Places, National Park Service, 1849 C St. NW., MS 2280, Washington, DC 20240; by all other carriers, National Register of Historic Places, National Park Service,1201 Eye St. NW., 8th floor, Washington, DC 20005; or by fax, 202–371–6447. Written or faxed comments should be submitted by July 22, 2015. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Dated: June 15, 2015.

J. Paul Loether,

Chief, National Register of Historic Places/National Historic Landmarks Program.

ALABAMA

Jefferson County

Birmingham Wholesale Warehouse Loop West Historic District, Roughly bounded by RRs., 14th St. S., 2nd Ave. S. & I–65, Birmingham, 15000429

Blessed Sacrament Catholic Church, 1460 Pearson Ave. SW., Birmingham, 15000430

Limestone County

Sulphur Creek Trestle Battle Site (Boundary Increase and Additional Documentation), Address Restricted, Elkmont, 15000431

Macon County

Creek Stand A.M.E. Zion Church Cemetery, (U.S. Public Health Service Syphilis Study, Macon County, Alabama MPS) Slim Rd. off of Cty. Rd. 10, Tuskegee, 15000432

Shiloh Missionary Baptist Church Cemetery, (U.S. Public Health Service Syphilis Study, Macon County, Alabama MPS) AL 81 at Pistol Range Rd., Notasulga, 15000433

Shelby County

Farrington Hall, 124 Cty. Rd. 203, Montevallo, 15000434

IOWA

Allamakee County

Waterloo Ridge Menigheds Kirke og Kirkegard Historic District, 169 Dorchester Dr., Dorchester, 15000435

Dubuque County

St. Mary's Catholic Church Historic District, 105 E. 15th, 1584 White, 1501 & 1561 Jackson Sts., Dubuque, 15000436

MINNESOTA

Brown County

New Ulm High School, 1 N. State St., New Ulm, 15000438

Nobles County

Worthington Band Shell, (Federal Relief Construction in Minnesota MPS) 418 Lake Ave., Worthington, 15000439

St. Louis County

Ely State Theater, 234 E. Sheridan St., Ely, 15000440

MISSOURI

Butler County

Cynthia—Kinzer Historic District, 900–1000 blks. of Cynthia & Kinzer, 918–924 Maud & 838–842 Kinzer Sts., Poplar Bluff, 15000441

St. Louis Independent city

Brahm—Mitchellette Motor Car Company, (Auto-Related Resources of St. Louis, Missouri MPS) 3537 S. Kingshighway Blvd., St. Louis (Independent City), 15000442

NEW JERSEY

Passaic County

Passaic County Court House and United States Custom House and Post Office Historic District, 73–87, 63–65 Hamilton St., Paterson, 15000443

TENNESSEE

Bledsoe County

Fall Creek Falls Fire Lookout Tower, (Tennessee Division of Forestry Fire Lookout Towers MPS) Fire Tower Rd., Pikeville, 15000444

Davidson County

RCA Victor Studios Building, 30 Music Square W., Nashville, 15000445

Grainger County

Old Grainger County Jail, SE. corner of Water St. & TN 92, Rutledge, 15000446

Rutledge Presbyterian Church and Cemetery, 123 Church St., Rutledge, 15000447

White County

Ravencroft Mine, Glade Creek Rd., Sparta, 15000449

TEXAS

Erath County

First National Bank Building, 198 S. Belknap St., Stephenville, 15000450

Potter County

Smith, Louis H., Inc. Firestone Store, 1004 S. Tyler St., Amarillo, 15000451

UTAH

Weber County

Ogden Union Stockyard Exchange Building, 600 W. Exchange Rd., Ogden, 15000452

WASHINGTON

King County

Magnolia Public Library, 2801 34th Ave. W., Seattle, 15000453

Masonic Temple—Auburn, 10 Auburn Way S., Auburn, 15000454

White Center Fieldhouse and Caretaker Cottage, 1321 SW. 102nd St., Seattle, 15000455

Whatcom County

Orchard Terrace Apartments, 901 N. Forest St., Bellingham, 15000456

WISCONSIN

Rock County

Masonic Temple, 508 Vernal Ave., Milton, 15000458

Wood County

Wood County Courthouse, 400 Market St., Wisconsin Rapids, 15000457

In the interest of preservation, a three day comment period has been requested for the following resource:

KENTUCKY

Woodford County

Versailles Elementary School, 299 S. Main St., Versailles, 15000459

A request for removal has been made for the following resources:

IOWA

Linn County

Horecky, Henek and Mary, Log Cabin, Address Restricted, Mt. Vernon, 00001078

LOUISIANA

East Baton Rouge Parish

Adams House, 421 S. 7th, Baton Rouge, 98000440

Evangeline Parish

LaTour, Alexis, House, 247 E. Main, Ville Platte, 87001492

Rapides Parish

Conerly House, (Neo-Classical Architecture of Bayou Rapides TR) Off US 71, Alexandria, 84000534

TENNESSEE

Williamson County

Davis, Stokely, House, (Williamson County MRA) Old Natchez Trace 1 mi. S of Moran Rd., Franklin, 88000294

[FR Doc. 2015–16570 Filed 7–6–15; 8:45 am]

BILLING CODE 4312–51–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NRNHL–18680; PPWOCRADI0, PCU00RP14.R50000]

National Register of Historic Places; Notification of Pending Nominations and Related Actions

Nominations for the following properties being considered for listing or related actions in the National Register were received by the National Park Service before June 20, 2015. Pursuant to section 60.13 of 36 CFR part 60, written comments are being accepted concerning the significance of the nominated properties under the National Register criteria for evaluation. Comments may be forwarded by United States Postal Service, to the National Register of Historic Places, National Park Service, 1849 C St. NW., MS 2280, Washington, DC 20240; by all other carriers, National Register of Historic Places, National Park Service,1201 Eye St. NW., 8th floor, Washington, DC 20005; or by fax, 202–371–6447. Written or faxed comments should be submitted by July 22, 2015. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Dated: June 26, 2015.

J. Paul Loether,

Chief, National Register of Historic Places/National Historic Landmarks Program.

ARKANSAS

Polk County

Shady Lake Recreation Area Historic District, FS 38, Athens, 15000480

COLORADO

Chaffee County

Comanche Drive-In, 17063 Cty. Rd. 106, Buena Vista, 15000481

INDIANA

St. Joseph County Federal Building, (Downtown South Bend Historic MRA) 204 S. Main, South Bend, 15000482

IOWA

Clinton County

Washington Junior High School and Jefferson Grade School, 751 2nd Ave. S., Clinton, 15000483

MONTANA

Flathead County

Swan River Bridge, (Montana's Historic Steel Truss Bridges) Bridge St., Bigfork, 15000484

Park County

Convict Grade Historic District, 1 mi. E. of jct. with US 89, Springdale, 15000485

Gardiner Jail, 2nd St., Gardiner, 15000486

NEBRASKA

Colfax County

Odd Fellows—Top Notch Building, 302 E. 11th St., Schyler, 15000487

Gage County

Johnson Cabin Museum, Blue Springs Park, Blue Springs, 15000488

NEW JERSEY

Essex County

Maplewood Memorial Park, Bounded by Oakland & Dunnell Rds., Valley & Baker Sts., Maplewood, 15000489

Morris County

Mount Olive Village Historic District, Mount Olive & Flanders-Drakestown Rds., Mount Olive, 15000490

NEW MEXICO

Bernalillo County

Hubbell, James Lawrence and Juliana Gutierrez y Chavez, House, (Camino Real in New Mexico, AD 1598–1881 MPS) 6029 Isleta Blvd. SW., Albuquerque, 15000491

Cibola County

Grants—Milan Flight Service Station, 1116 N. Dale Carnutte Rd., Grants, 15000492

Los Alamos County

United States Post Office—Los Alamos, New Mexico, 199 Central Park Sq., Los Alamos, 15000493

Santa Fe County

Delgrado Street Bridge, Delgrado St. over the Santa Fe R., Santa Fe, 15000494

K'uuyemugeh,
Address Restricted, Cuyamungue, 15000496

St. John's College—Santa Fe, New Mexico, 1160 Camino Cruz Blanca, Santa Fe, 15000495

RHODE ISLAND

Providence County

Edgewood Historic District—Anstis Greene Estate Plats, (Edgewood Neighborhood, Cranston, R.I. MPS) Anstis, Broad & Swift Sts., Birchfield & Kensington Rds., Bluff, King, Marion & Rosewood Aves., Narragansett Blvd., Cranston, 15000497

WASHINGTON

Jefferson County

Tamanowas Rock, Address Restricted, Chimacum, 15000498

King County

Montlake Historic District, Roughly bounded by Lake Washington Ship Canal, Interlaken Park, 15th Ave. E. & Washington Park Arboretum, Seattle, 15000499

Thurston County

Schmidt, Trueman and Virginia, House, 2832 Maringo Rd. SE., Olympia, 15000500

Washington State Library, 415 15th Ave. SE., Olympia, 15000501

WISCONSIN

Dane County

Stevens, Breese, Municipal Athletic Field, 917 E. Mifflin St., Madison, 15000502

Jefferson County

Clyman Street Historic District, Roughly bounded by Western Ave,. Clyman, S. 10th & S. 5th Sts., Watertown, 15000503

Rock County

Merchant Row Historic District, 212, 216, 218–220, 228–230 Merchant Row & 553, 537, 541 Vernal Ave., Milton, 15000504

Parkview Historic District, 644–655 College St. & 247–319 Parkview Dr., Milton, 15000505

In the interest of preservation the comment period has been extended to July 16, 2015 for the following resource:

ARIZONA

Pinal County

Chi'chil Bildagoteel Historic District, Address Restricted, Kearney, 15000358

A request for removal has been made for the following resource:

NEW YORK

Dutchess County

Sands, Robert, Estate, (Rhinebeck Town MRA (AD)) 1.5 mi. E of Rhinebeck at NY 308 and NY 9, Rhinebeck, 75001183

[FR Doc. 2015–16567 Filed 7–6–15; 8:45 am]

BILLING CODE 4312–51–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NRNHL–18648; PPWOCRADI0, PCU00RP14.R50000]

National Register of Historic Places; Notification of Pending Nominations and Related Actions

Nominations for the following properties being considered for listing or related actions in the National Register were received by the National Park Service before June 13, 2015. Pursuant to section 60.13 of 36 CFR part 60, written comments are being accepted concerning the significance of the nominated properties under the National Register criteria for evaluation. Comments may be forwarded by United States Postal Service, to the National Register of Historic Places, National Park Service, 1849 C St. NW., MS 2280, Washington, DC 20240; by all other carriers, National Register of Historic Places, National Park Service,1201 Eye St. NW., 8th floor, Washington, DC 20005; or by fax, 202–371–6447. Written or faxed comments should be submitted by July 22, 2015. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Dated: June 19, 2015.

J. Paul Loether,

Chief, National Register of Historic Places/ National Historic Landmarks Program.

CALIFORNIA

San Bernardino County

Eagle Well Petroglyph Site, Address Restricted, Barstow, 15000470

COLORADO

Chaffee County

Commercial Hotel, 43255 Cty. Rd. 397, Granite, 15000460

Fay, William and Anna, House, 201 S. Colorado Ave., Buena Vista, 15000461

Kelley—McDonald House, 108 S. Pleasant Ave., Buena Vista, 15000462

Pedro—Botz House, 7467 Cty. Rd. 150, Salida, 15000463

Rock Ledge Ranch—Franzel Ranch, 17975 Cty. Rd. 338, Buena Vista, 15000464

Salida Livestock Commission Company, 5005 E. US 50, Salida, 15000465

GEORGIA

Fulton County

Ansley Park Historic District (Boundary Increase, Decrease and Additional Documentation), Roughly bounded by RR tracks, Beverly Rd., Piedmont Ave., Spring, 15th & Peachtree Sts., Atlanta, 15000466

IOWA

Linn County

Averill, Glenn M. and Edith, House, 616 4th Ave. SE., Cedar Rapids, 15000472

Scott County

Harrison, Issac W., House, (Davenport MRA) 318 E. 10th, Davenport, 83004560

MASSACHUSETTS

Essex County

Greenlawn Cemetery, 57 Orne St., Salem, 15000467

Hampshire County

Plainfield Center Historic District, Portions of Church Ln., Broom, Central, Main, Pleasant & Union Sts., Plainfield, 15000468

Plymouth County

First Baptist Church of Scituate, 656 & 660 Country Way, Scituate, 15000469

MISSOURI

Jackson County

Fairfax Building, The, 101 W. 11th St., Kansas City, 15000471

NEW YORK

Albany County

Former Parsonage of the Reformed Dutch Church of Coeymans, 32 Church St., Coeymans, 15000473

McCarty, Brigadier General David, Stone Cottage, 29 2nd St., Coeymans, 15000474

Columbia County

Coons, Charles H., Farm, 516 Church Ave., Germantown, 15000475

Delaware County

First Congregational Church of Walton, 4 Mead St.,Walton, 15000476

VERMONT

Windsor County

Fox Stand, 5615 VT 14, Royalton, 15000477

WISCONSIN

Door County

Jacksonport Wharf Archaeological District (Boundary Increase and Additional Documentation), Near Lakeside Park off Cty. Rd. V, Jacksonport, 15000478

Milwaukee County

MILWAUKEE (steam screw) Shipwreck, (Great Lakes Shipwreck Sites of Wisconsin MPS) 3 mi. E. of Fox Point, Fox Point, 15000479

[FR Doc. 2015–16568 Filed 7–6–15; 8:45 am]

BILLING CODE 4312–51–P

DEPARTMENT OF THE INTERIOR

Bureau of Safety and Environmental Enforcement

[Docket ID BSEE–2015–0004; OMB Control Number 1014–0008; 15XE1700DX EEEE500000 EX1SF0000.DAQ000]

Information Collection Activities; Well Control and Production Safety Training; Submitted for Office of Management and Budget (OMB) Review; Comment Request

ACTION: 30-Day notice.

SUMMARY: To comply with the Paperwork Reduction Act of 1995 (PRA), the Bureau of Safety and Environmental Enforcement (BSEE) is notifying the public that we have submitted to OMB an information collection request (ICR) to renew approval of the paperwork requirements in the regulations under subpart O, *Well Control and Production Safety Training.* This notice also provides the public a second opportunity to comment on the revised paperwork burden of these regulatory requirements.

DATES: You must submit comments by August 6, 2015.

ADDRESSES: Submit comments by either fax (202) 395–5806 or email (*OIRA_Submission@omb.eop.gov*) directly to the Office of Information and Regulatory Affairs, OMB, Attention: Desk Officer for the Department of the Interior (1014–0008). Please provide a copy of your comments to BSEE by any of the means below.

- Electronically go to *http://www.regulations.gov.* In the Search box, enter BSEE–2015–0004 then click search. Follow the instructions to submit public comments and view all related materials. We will post all comments.
- Email *cheryl.blundon@bsee.gov,* fax (703) 787–1546, or mail or hand-carry comments to the Department of the Interior; Bureau of Safety and Environmental Enforcement; Regulations and Standards Branch; ATTN: Cheryl Blundon; 45600 Woodland Road, Sterling, VA 20166. Please reference ICR 1014–0008 in your comment and include your name and return address.

FOR FURTHER INFORMATION CONTACT: Cheryl Blundon, Regulations and Standards Branch, (703) 787–1607, to request additional information about this ICR. To see a copy of the entire ICR submitted to OMB, go to *http://www.reginfo.gov* (select Information Collection Review, Currently Under Review).

SUPPLEMENTARY INFORMATION:

Title: 30 CFR 250, Subpart O, *Well control and Production Safety Training.*

OMB Control Number: 1014–0008.

Abstract: The Outer Continental Shelf (OCS) Lands Act, as amended (43 U.S.C. 1331 *et seq.* and 43 U.S.C. 1801 *et seq.*), authorizes the Secretary of the Interior to prescribe rules and regulations necessary for the administration of the leasing provisions of the Act related to mineral resources on the OCS. Such rules and regulations will apply to all operations conducted under a lease, pipeline right-of-way, or a right-of-use and easement. Operations on the OCS must preserve, protect, and develop oil and natural gas resources in a manner that is consistent with the need to make such resources available to meet the Nation's energy needs as rapidly as possible; to balance orderly energy resource development with protection of human, marine, and coastal environments; to ensure the public a fair and equitable return on the resources of the OCS; and to preserve and maintain free enterprise competition.

In addition to the general rulemaking authority of the OCSLA at 43 U.S.C. 1334, section 301(a) of the Federal Oil and Gas Royalty Management Act (FOGRMA), 30 U.S.C. 1751(a), grants authority to the Secretary to prescribe such rules and regulations as are reasonably necessary to carry out FOGRMA's provisions. While the majority of FOGRMA is directed to royalty collection and enforcement, some provisions apply to offshore operations. For example, section 108 of FOGRMA, 30 U.S.C. 1718, grants the Secretary broad authority to inspect lease sites for the purpose of determining whether there is compliance with the mineral leasing laws. Section 109(c)(2) and (d)(1), 30 U.S.C. 1719(c)(2) and (d)(1), impose substantial civil penalties for failure to permit lawful inspections and for knowing or willful preparation or submission of false, inaccurate, or misleading reports, records, or other information. Because the Secretary has delegated some of the authority under FOGRMA to BSEE, 30 U.S.C. 1751 is included as additional authority for these requirements.

Section 1332(6) of the OCS Lands Act requires that ''operations in the [O]uter Continental Shelf should be conducted in a safe manner by well trained personnel using technology, precautions, and other techniques sufficient to prevent or minimize the likelihood of blowouts, loss of well control, fires, spillages, physical obstructions to other users of the waters or subsoil and seabed, or other occurrences which may cause damage to the environment or to property or endanger life or health.''

It should be noted, that due to the regulatory requirements in 30 CFR 250, subpart S (SEMS), the 30 CFR 250, subpart O, audits ceased. The training audits fall under the requirements defined in § 250.1915. However, BSEE keeps subpart O documents and regulations active, because the subpart O regulatory requirements give BSEE the authority and ability to test employees on the effectiveness of their own training program with respect to well control and production safety.

This authority and responsibility are among those delegated to the Bureau of Safety and Environmental Enforcement (BSEE). The regulations at 30 CFR 250, subpart O, Well Control and Production Safety Training, concern training requirements for certain personnel working on the OCS and is the subject of this collection. This request also covers the related Notices to Lessees and Operators (NTLs) that BSEE issues to clarify, supplement, or provide additional guidance on some aspects of our regulations.

BSEE will use the information collected under subpart O regulations to ensure that workers in the OCS are properly trained with the necessary skills to perform their jobs in a safe and pollution-free manner.

In some instances, we may conduct oral interviews of offshore employees to evaluate the effectiveness of a company's training program. The oral interviews are used to gauge how effectively the companies are implementing their own training program.

Responses are mandatory or are required to obtain or retain a benefit. No questions of a sensitive or private nature are asked. If however, we did collect any such information, BSEE protects information considered proprietary under the Freedom of Information Act (5 U.S.C. 552) and DOIs implementing regulations (43 CFR 2), and under regulations at 30 CFR part 250.197, *Data and information to be made available to the public or for limited inspection,* 30 CFR part 252, *OCS Oil and Gas Information Program.*

The information collected under subpart O is used to ensure that workers in the OCS are properly trained with the necessary skills to perform their jobs in a safe and pollution-free manner.

In some instances, we may conduct oral interviews of offshore employees to evaluate the effectiveness of a company's training program. The oral interviews are used to gauge how effectively the companies are implementing their own training program.

Frequency: On occasion and as required by regulations.

Description of Respondents: Potential respondents comprise OCS Federal oil, gas, or sulphur lessees and/or operators.

Estimated Reporting and Recordkeeping Hour Burden: The estimated annual hour burden for this information collection is a total of 202 hours. The following chart details the individual components and estimated hour burdens. In calculating the burdens, we assumed that respondents perform certain requirements in the normal course of their activities. We consider these to be usual and customary and took that into account in estimating the burden.

BURDEN TABLE

Citation 30 CFR 250 Subpart O	Reporting & recordkeeping requirement	Hour burden	Average number of annual responses	Annual burden hours
1503(a), (c)	Develop training plans. Note: Existing lessees/respondents already have training plans developed. This number reflects development of plans for any new lessees.	120	1	120

BURDEN TABLE—Continued

Citation 30 CFR 250 Subpart O	Reporting & recordkeeping requirement	Hour burden	Average number of annual responses	Annual burden hours
1503(d)(1)	Upon request, provide BSEE with copies of training documentation for personnel involved in well control, deepwater well control, or production safety operations within the past 5 years.	16	1	16
1503(d)(2)	Upon request, provide BSEE with a copy of your training plan.	16	1	16
1507(b)	Employee oral interview conducted by BSEE.	2	1	2
1507(c), (d); 1508; 1509	Written testing conducted by BSEE or authorized representative.	Not considered information collection under 5 CFR 1320.3(h)(7).		0
1510(b)	Revise training plan and submit to BSEE.	40	1	40
250.1500–1510	General departure or alternative compliance requests not specifically covered elsewhere in subpart O.	8	1	8
Total Hour Burden			6	202

Estimated Reporting and Recordkeeping Non-Hour Cost Burden: We have not identified any non-hour cost burdens associated with this collection of information.

Public Disclosure Statement: The PRA (44 U.S.C. 3501, *et seq.,)* provides that an agency may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number. Until OMB approves a collection of information, you are not obligated to respond.

Comments: Section 3506(c)(2)(A) of the PRA (44 U.S.C. 3501, *et seq.,*) requires each agency ''. . . to provide notice . . . and otherwise consult with members of the public and affected agencies concerning each proposed collection of information . . .'' Agencies must specifically solicit comments to: (a) Evaluate whether the collection is necessary or useful; (b) evaluate the accuracy of the burden of the proposed collection of information; (c) enhance the quality, usefulness, and clarity of the information to be collected; and (d) minimize the burden on the respondents, including the use of technology.

To comply with the public consultation process, on April 10, 2015, we published a **Federal Register** notice (80 FR 19352) announcing that we would submit this ICR to OMB for approval. The notice provided the required 60-day comment period. In addition, § 250.199 provides the OMB Control Number for the information collection requirements imposed by the 30 CFR 250, subpart O regulations and forms. The regulation also informs the public that they may comment at any time on the collections of information and provides the address to which they should send comments. We received one comment in response to the **Federal Register** notice or unsolicited comments from respondents covered under these regulations. The comment was from a private citizen and it was not germane to the paperwork burden of this ICR.

Public Availability of Comments: Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Dated: June 16, 2015.

Keith Good,

Acting Deputy Chief, Office of Offshore Regulatory Programs.

[FR Doc. 2015–16599 Filed 7–6–15; 8:45 am]

BILLING CODE 4310–VH–P

DEPARTMENT OF JUSTICE

Antitrust Division

United States and State of Michigan v. Hillsdale Community Health Center, et al.; Proposed Final Judgment and Competitive Impact Statement

Notice is hereby given pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. 16(b)–(h), that a proposed Final Judgment, Stipulation and Order, and Competitive Impact Statement have been filed with the United States District Court for the Eastern District of Michigan in *United States and State of Michigan* v. *Hillsdale Community Health Center, et al.,* Civil Action No. 15–cv–12311 (JEL) (DRG). On June 25, 2015, the United States and the State of Michigan filed a Complaint alleging that Defendant Hillsdale Community Health Center (''Hillsdale'') entered into agreements with Defendants W.A. Foote Memorial Hospital, d/b/a Allegiance Health (''Allegiance''), Community Health Center of Branch County (''Branch''), and ProMedica Health System (''ProMedica'') that unlawfully allocated territories for the marketing of competing healthcare services in violation of section 1 of the Sherman Act, 15 U.S.C. 1, and section 2 of the Michigan Antitrust Reform Act, MCL 445.772. The proposed Final Judgment, submitted at the same time as the Complaint, prohibits the settling Defendants—Hillsdale, Branch, and ProMedica—from agreeing with other healthcare providers to prohibit or limit marketing or to divide any geographic market or territory. The proposed Final Judgment also prohibits the settling Defendants from communicating with other Defendants about marketing plans, with limited exceptions.

Copies of the Complaint, proposed Final Judgment, and Competitive Impact Statement are available for inspection at the Department of Justice, Antitrust Division, Antitrust Documents Group, 450 Fifth Street NW., Suite 1010, Washington, DC 20530 (telephone: 202–514–2481), on the Department of Justice's Web site at *http://www.justice.gov/atr,* and at the Office of the Clerk of the United States District Court for the Eastern District of Michigan. Copies of these materials may be obtained from the Antitrust Division upon request and payment of the copying fee set by Department of Justice regulations.

Public comment on the proposed Final Judgment is invited within 60 days of the date of this notice. Such comments, including the name of the submitter, and responses thereto, will be posted on the U.S. Department of Justice, Antitrust Division's internet Web site, filed with the Court and, under certain circumstances, published in the **Federal Register**. Comments should be directed to Peter J. Mucchetti, Chief, Litigation I Section, Antitrust Division, Department of Justice, 450

Fifth Street NW., Suite 4100, Washington, DC 20530 (telephone: 202–307–0001).

Patricia A. Brink,

Director of Civil Enforcement.

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF MICHIGAN

UNITED STATES OF AMERICA and STATE OF MICHIGAN, *Plaintiffs,* v. HILLSDALE COMMUNITY HEALTH CENTER, W.A. FOOTE MEMORIAL HOSPITAL, D/B/A ALLEGIANCE HEALTH, COMMUNITY HEALTH CENTER OF BRANCH COUNTY, and PROMEDICA HEALTH SYSTEM, INC., *Defendants.*

CASE NO.: 2:15-cv-12311

Hon. Judith E. Levy

COMPLAINT

The United States of America and the State of Michigan bring this civil antitrust action to enjoin agreements by Defendants Hillsdale Community Health Center (''Hillsdale''), W.A. Foote Memorial Hospital, d/b/a Allegiance Health (''Allegiance''), Community Health Center of Branch County (''Branch''), and ProMedica Health System, Inc. (''ProMedica'') (collectively, ''Defendants'') that unlawfully allocate territories for the marketing of competing healthcare services and limit competition among Defendants.

NATURE OF THE ACTION

1. Defendants are healthcare providers in Michigan that operate the only general acute-care hospital or hospitals in their respective counties. Defendants directly compete with each other to provide healthcare services to the residents of south-central Michigan. Marketing is a key component of this competition and includes advertisements, mailings to patients, health fairs, health screenings, and outreach to physicians and employers.

2. Allegiance, Branch, and ProMedica's Bixby and Herrick Hospitals (''Bixby and Herrick'') are Hillsdale's closest Michigan competitors. Hillsdale orchestrated agreements to limit marketing of competing healthcare services. Allegiance explained in a 2013 oncology marketing plan: ''[A]n agreement exists with the CEO of Hillsdale Community Health Center, Duke Anderson, to not conduct marketing activity in Hillsdale County.'' Branch's CEO described the Branch agreement with Hillsdale as a ''gentlemen's agreement not to market services.'' A ProMedica communications specialist described the ProMedica agreement with Hillsdale in an email: ''The agreement is that they stay our [sic] of our market and we stay out of theirs unless we decide to collaborate with them on a particular project.''

3. The Defendants' agreements have disrupted the competitive process and harmed patients, physicians, and employers. For instance, all of these agreements have deprived patients, physicians, and employers of information they otherwise would have had when making important healthcare decisions. In addition, the agreement between Allegiance and Hillsdale has deprived Hillsdale County patients of free medical services such as health screenings and physician seminars that they would have received but for the unlawful agreement. Moreover, it denied Hillsdale County employers the opportunity to develop relationships with Allegiance that could have allowed them to improve the quality of their employees' medical care.

4. Defendants' senior executives created and enforced these agreements, which lasted for many years. On certain occasions when a Defendant violated one of the agreements, executives of the aggrieved Defendant complained about the violation and received assurances that the previously agreed upon marketing restrictions would continue to be observed going forward.

5. Defendants' agreements are naked restraints of trade that are *per se* unlawful under Section 1 of the Sherman Act, 15 U.S.C. 1, and Section 2 of the Michigan Antitrust Reform Act, MCL 445.772.

JURISDICTION, VENUE, AND INTERSTATE COMMERCE

6. The United States brings this action pursuant to Section 4 of the Sherman Act, 15 U.S.C. 4, to prevent and restrain Defendants' violations of Section 1 of the Sherman Act, 15 U.S.C. 1. The State of Michigan brings this action in its sovereign capacity under its statutory, equitable and/or common law powers, and pursuant to Section 16 of the Clayton Act, 15 U.S.C. 26, to prevent and restrain Defendants' violations of Section 2 of the Michigan Antitrust Reform Act, MCL 445.772.

7. This Court has subject matter jurisdiction over this action under Section 4 of the Sherman Act, 15 U.S.C. 4 (as to claims by the United States); Section 16 of the Clayton Act, 15 U.S.C. 26 (as to claims by the State of Michigan); and 28 U.S.C. 1331, 1337(a), 1345, and 1367.

8. Venue is proper in the Eastern District of Michigan under 28 U.S.C. 1391 and Section 12 of the Clayton Act, 15 U.S.C. 22. Each Defendant transacts business within the Eastern District of Michigan, all Defendants reside in the State of Michigan, and at least two Defendants reside in the Eastern District of Michigan.

9. Defendants all engage in interstate commerce and in activities substantially affecting interstate commerce. Defendants provide healthcare services to patients for which employers, health plans, and individual patients remit payments across state lines. Defendants purchase supplies and equipment from out-of-state vendors that are shipped across state lines.

DEFENDANTS

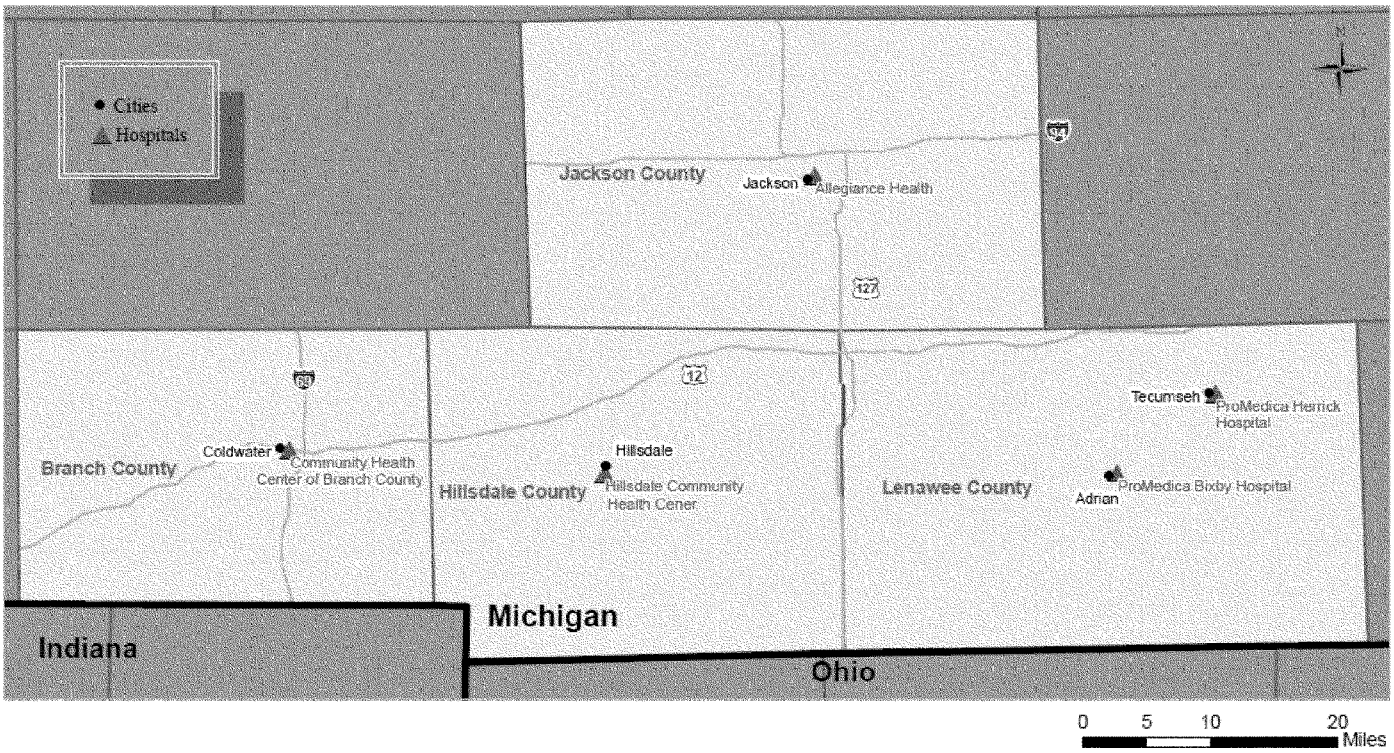
10. Hillsdale is a Michigan corporation headquartered in Hillsdale, Michigan. Its general acute-care hospital, which is in Hillsdale County, Michigan, has 47 beds and a medical staff of over 90 physicians.

11. Allegiance is a Michigan corporation headquartered in Jackson, Michigan. Its general acute-care hospital, which is in Jackson County, Michigan, has 480 beds and a medical staff of over 400 physicians.

12. Branch is a Michigan corporation headquartered in Coldwater, Michigan. Its general acute-care hospital, which is in Branch County, Michigan, has 87 beds and a medical staff of over 100 physicians.

13. ProMedica is an Ohio corporation headquartered in Toledo, Ohio, with facilities in northwest Ohio and southern Michigan. ProMedica's Bixby and Herrick Hospitals are both in Lenawee County, Michigan. Bixby is a general acute-care hospital with 88 beds and a medical staff of over 120 physicians. Herrick is a general acute-care hospital with 25 beds and a medical staff of over 75 physicians.

Map of Defendants' Hospitals



BACKGROUND ON HOSPITAL COMPETITION

14. Hillsdale competes with each of the other Defendants to provide many of the same hospital and physician services to patients. Hospitals compete on price, quality, and other factors to sell their services to patients, employers, and insurance companies. An important tool that hospitals use to compete for patients is marketing aimed at informing patients, physicians, and employers about a hospital's quality and scope of services. An executive from each Defendant has testified at deposition that marketing is an important strategy through which hospitals seek to increase their patient volume and market share.

15. Defendants' marketing includes advertisements through mailings and media such as local newspapers, radio, television, and billboards. Allegiance's marketing to patients also includes the provision of free medical services, such as health screenings, physician seminars, and health fairs. Some Defendants also market to physicians through educational and relationship-building meetings that provide physicians with information about those Defendants' quality and range of services. Allegiance also engages in these marketing activities with employers.

HILLSDALE'S UNLAWFUL AGREEMENTS

16. Hillsdale has agreements limiting competition with Allegiance, ProMedica, and Branch.

Unlawful Agreement Between Hillsdale and Allegiance

17. Since at least 2009, Hillsdale and Allegiance have had an agreement that limits Allegiance's marketing for competing services in Hillsdale County. As Allegiance explained in a 2013 oncology marketing plan: ''[A]n agreement exists with the CEO of Hillsdale Community Health Center, Duke Anderson, to not conduct marketing activity in Hillsdale County.''

18. In compliance with this agreement, Allegiance has excluded Hillsdale County from marketing campaigns since at least 2009. For example, Allegiance excluded Hillsdale County from the marketing plans outlined in the above-referenced 2013 oncology marketing plan. And according to a February 2014 board report, Allegiance excluded Hillsdale from marketing campaigns for cardiovascular and orthopedic services.

19. On at least two occasions, Hillsdale's CEO complained to Allegiance after Allegiance sent marketing materials to Hillsdale County residents. Both times—at the direction of Allegiance CEO Georgia Fojtasek—Allegiance's Vice President of Marketing, Anthony Gardner, apologized in writing to Hillsdale's CEO. In one apology he said, ''It isn't our style to purposely not honor our agreement.'' Mr. Gardner assured Hillsdale's CEO that Allegiance would not repeat this mistake.

20. Allegiance also conveyed its hands-off approach to Hillsdale in 2009 when Ms. Fojtasek told Hillsdale's CEO that Allegiance would take a ''Switzerland'' approach towards Hillsdale, and then confirmed this approach by mailing Hillsdale's CEO a Swiss flag.

21. Allegiance executives and staff have discussed the agreement in numerous correspondences and business documents. For example, Allegiance staff explained in a 2012 cardiovascular services analysis: ''Hillsdale does not permit [Allegiance] to conduct free vascular screens as they periodically charge for screenings.'' As a result, around that time, Hillsdale County patients were deprived of free vascular-health screenings.

22. In another instance, in 2014 Allegiance discouraged one of its newly employed physicians from giving a seminar in Hillsdale County relating to competing services. In response to the physician's request to provide the

seminar, the Allegiance Marketing Director asked the Vice President of Physician Integration and Business Development: ''Who do you think is the best person to explain to [the doctor] our restrictions in Hillsdale? We're happy to do so but often our docs find it hard to believe and want a higher authority to confirm.''

23. The agreement between Hillsdale and Allegiance has deprived Hillsdale County patients, physicians, and employers of information regarding their healthcare-provider choices and of free health-screenings and education.

Unlawful Agreement Between Hillsdale and ProMedica

24. Since at least 2012, Hillsdale and ProMedica have agreed to limit their marketing for competing services in one another's county.

25. This agreement has restrained marketing in several ways. For example, in June 2012, Bixby and Herrick's President asked Hillsdale's CEO if he would have any issue with Bixby marketing its oncology services to Hillsdale physicians. Hillsdale's CEO replied that he objected because his hospital provided those services. Bixby and Herrick's President responded that he understood. Bixby and Herrick then refrained from marketing their competing oncology services in Hillsdale County.

26. Another incident occurred around January 2012, when Hillsdale's CEO complained to Bixby and Herrick's President about the placement of a ProMedica billboard across from a physician's office in Hillsdale County. At the conclusion of the conversation, Bixby and Herrick's President assured Hillsdale's CEO that he would check into taking down the billboard.

27. ProMedica employees have discussed and acknowledged the agreement in multiple documents. For example, after Hillsdale's CEO called Bixby and Herrick's President to complain about ProMedica's billboard, a ProMedica communications specialist described the agreement to marketing colleagues via email: ''According to [Bixby and Herrick's President] any potential marketing (including network development) efforts targeted for the Hillsdale, MI market should be run by him so that he can talk to Hillsdale Health Center in advance. The agreement is that they stay our [sic] of our market and we stay out of theirs unless we decide to collaborate with them on a particular project.''

28. The agreement between Hillsdale and ProMedica deprived patients, physicians, and employers of Hillsdale and Lenawee Counties of information regarding their healthcare-provider choices.

Unlawful Agreement Between Hillsdale and Branch

29. Since at least 1999, Hillsdale and Branch have agreed to limit marketing in one another's county. In the fall of 1999, Hillsdale's then-CEO and Branch's CEO reached an agreement whereby each hospital agreed not to market anything but new services in the other hospital's county. Branch's CEO testified recently in deposition that ''There's a gentlemen's agreement not to market services other than new services.''

30. Branch has monitored Hillsdale's compliance with the agreement. For example, in November 2004, Hillsdale promoted one of its physicians through an advertisement in the Branch County newspaper. Branch's CEO faxed Hillsdale's then-CEO a copy of the advertisement, alerting him to the violation of their agreement.

31. In addition to monitoring Hillsdale's compliance, Branch has directed its marketing employees to abide by the agreement with Hillsdale. For example, Branch's 2013 guidelines for sending out media releases instructed that it had a ''gentleman's agreement'' with Hillsdale and thus Branch should not send media releases to the *Hillsdale Daily News*.

32. The agreement between Hillsdale and Branch deprived Hillsdale and Branch County patients, physicians, and employers of information regarding their healthcare-provider choices.

NO PROCOMPETITIVE JUSTIFICATIONS

33. The Defendants' anticompetitive agreements are not reasonably necessary to further any procompetitive purpose.

VIOLATIONS ALLEGED

First Cause of Action: Violation of Section 1 of the Sherman Act

34. Plaintiffs incorporate paragraphs 1 through 33.

35. Allegiance, Branch, and ProMedica are each a horizontal competitor of Hillsdale in the provision of healthcare services in south-central Michigan. Defendants' agreements are facially anticompetitive because they allocate territories for the marketing of competing healthcare services and limit competition among Defendants. The agreements eliminate a significant form of competition to attract patients.

36. The agreements constitute unreasonable restraints of trade that are *per se* illegal under Section 1 of the Sherman Act, 15 U.S.C. 1. No elaborate analysis is required to demonstrate the anticompetitive character of these agreements.

37. The agreements are also unreasonable restraints of trade that are unlawful under Section 1 of the Sherman Act, 15 U.S.C. 1, under an abbreviated or ''quick look'' rule of reason analysis. The principal tendency of the agreements is to restrain competition. The nature of the restraints is obvious, and the agreements lack legitimate procompetitive justifications. Even an observer with a rudimentary understanding of economics could therefore conclude that the agreements would have anticompetitive effects on patients, physicians, and employers, and harm the competitive process.

Second Cause of Action: Violation of MCL 445.772

38. Plaintiff State of Michigan incorporates paragraphs 1 through 37 above.

39. Defendants entered into unlawful agreements with each other that unreasonably restrain trade and commerce in violation of Section 2 of the Michigan Antitrust Reform Act, MCL 445.772.

REQUESTED RELIEF

The United States and the State of Michigan request that the Court:

(A) judge that Defendants' agreements limiting competition constitute illegal restraints of interstate trade in violation of Section 1 of the Sherman Act, 15 U.S.C. 1, and Section 2 of the Michigan Antitrust Reform Act, MCL 445.772;

(B) enjoin Defendants and their members, officers, agents, and employees from continuing or renewing in any manner the conduct alleged herein or from engaging in any other conduct, agreement, or other arrangement having the same effect as the alleged violations;

(C) enjoin each Defendant and its members, officers, agents, and employees from communicating with any other Defendant about any Defendant's marketing in its or the other Defendant's county, unless such communication is related to the joint provision of services, or unless the communication is part of normal due diligence relating to a merger, acquisition, joint venture, investment, or divestiture;

(D) require Defendants to institute a comprehensive antitrust compliance program to ensure that Defendants do not establish any similar agreements and that Defendants' members, officers, agents and employees are fully informed of the application of the antitrust laws

to hospital restrictions on competition; and

(E) award Plaintiffs their costs in this action, including attorneys' fees and investigation costs to the State of Michigan, and such other relief as may be just and proper.

Dated: June 25, 2015

Respectfully submitted,

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UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF MICHIGAN

UNITED STATES OF AMERICA and STATE OF MICHIGAN, *Plaintiffs,* v. HILLSDALE COMMUNITY HEALTH CENTER, W.A. FOOTE MEMORIAL HOSPITAL, D/B/A ALLEGIANCE HEALTH, COMMUNITY HEALTH CENTER OF BRANCH COUNTY, and PROMEDICA HEATLH SYSTEM, INC., *Defendants.*

Case No.: 2:15-cv-12311

Hon. Judith E. Levy

COMPETITIVE IMPACT STATEMENT

Plaintiff United States of America, pursuant to Section 2(b) of the Antitrust Procedures and Penalties Act (''APPA'' or ''Tunney Act''), 15 U.S.C. 16(b)–(h), files this Competitive Impact Statement relating to the proposed Final Judgment submitted for entry in this civil antitrust proceeding.

I. NATURE AND PURPOSE OF THE PROCEEDING

On June 25, 2015, the United States and the State of Michigan filed a civil antitrust Complaint alleging that Defendants Hillsdale Community Health Center (''Hillsdale''), W.A. Foote Memorial Hospital, d/b/a Allegiance Health (''Allegiance''), Community Health Center of Branch County (''Branch''), and ProMedica Health System, Inc. (''ProMedica'') violated Section 1 of the Sherman Act, 15 U.S.C. 1, and Section 2 of the Michigan Antitrust Reform Act, MCL 445.772. The Complaint alleges that Hillsdale agreed with its closest Michigan competitors to unlawfully allocate territories for the marketing of competing healthcare services and to limit competition between them. Specifically, according to the Complaint, Hillsdale entered into agreements with Allegiance, Branch, and ProMedica to limit marketing of competing healthcare services. The agreements eliminated a significant form of competition to attract patients and overall substantially diminished competition in south-central Michigan. Defendants' agreements to allocate territories for marketing are *per se* illegal under Section 1 of the Sherman Act, 15 U.S.C. 1, and Section 2 of the Michigan Antitrust Reform Act, MCL 445.772.

With the Complaint, the United States and the State of Michigan filed a Stipulation and proposed Final Judgment with respect to Hillsdale, Branch, and ProMedica (collectively ''Settling Defendants''). The proposed Final Judgment, as explained more fully below, enjoins Settling Defendants from (1) agreeing with any healthcare provider to prohibit or limit marketing or to allocate geographic markets or territories, and (2) communicating with any other Defendant about any Defendant's marketing in its or the other Defendant's county, subject to narrow exceptions.

The United States, the State of Michigan, and the Settling Defendants have stipulated that the proposed Final Judgment may be entered after compliance with the APPA, unless the United States and the State of Michigan withdraw their consent. Entry of the proposed Final Judgment would terminate this action with respect to Settling Defendants, except that this Court would retain jurisdiction to construe, modify, and enforce the proposed Final Judgment and to punish violations thereof. The case against Allegiance will continue.

II. DESCRIPTION OF THE EVENTS GIVING RISE TO THE ALLEGED VIOLATIONS

A. Background on the Defendants and their Marketing Activities

Allegiance, Branch, Hillsdale, and ProMedica's Bixby and Herrick Hospitals are general acute-care hospitals in adjacent counties in south-central Michigan. Defendants are the only hospital or hospitals in their respective counties. Hillsdale directly competes with each of the other Defendants to provide many of the same hospital and physician services to patients.

An important tool that hospitals use to compete for patients is marketing aimed at informing patients, physicians, and employers about a hospital's quality and scope of services. Defendants' marketing includes advertisements through mailings and media, such as local newspapers, radio, television, and billboards. Allegiance's marketing efforts have also included the provision of free medical services, such as health screenings, physician seminars, and health fairs. Some Defendants also market to physicians through educational and relationship-building meetings that provide physicians with information about Defendants' quality and range of services. Allegiance also engages in these marketing meetings with employers.

B. Defendants' Unlawful Agreements to Limit Marketing

Allegiance, Branch, and ProMedica's Bixby and Herrick Hospitals are Hillsdale's closest Michigan competitors. Hillsdale orchestrated agreements with each to limit marketing of competing healthcare services. Defendants' senior executives created and enforced these agreements, which have lasted for many years.

1. Unlawful Agreement Between Hillsdale and Allegiance

Since at least 2009, Hillsdale and Allegiance have had an agreement that limits Allegiance's marketing for competing services in Hillsdale County. As Allegiance explained in a 2013 oncology marketing plan: ''[A]n agreement exists with the CEO of Hillsdale Community Health Center . . . to not conduct marketing activity in Hillsdale County.'' In compliance with this agreement, which Allegiance executives acknowledge in numerous documents, Allegiance has excluded Hillsdale County from marketing campaigns since at least 2009. Allegiance has on occasion apologized to Hillsdale for violating the agreement and assured Hillsdale that Allegiance would honor the previously agreed upon agreement going forward. And Allegiance has avoided giving free health benefits, such as physician seminars and health screenings, to residents of Hillsdale County because of the agreement. For example, Allegiance discouraged one of its newly employed physicians from giving a seminar relating to competing services in Hillsdale County. This unlawful agreement between Hillsdale and Allegiance has deprived Hillsdale County patients, physicians, and employers of information regarding their healthcare provider choices and of free health screenings and education.

1. Unlawful Agreement Between Hillsdale and ProMedica

Since at least 2012, Hillsdale and ProMedica have agreed to limit their marketing for competing services in one another's county. As one ProMedica communications specialist described: ''The agreement is that they stay our [sic] of our market and we stay out of theirs unless we decide to collaborate with them on a particular project.'' This agreement has restrained the hospitals' marketing in each other's county. For example, in June 2012, Hillsdale's CEO refused to allow ProMedica to market competing oncology services in Hillsdale County. This unlawful agreement between Hillsdale and ProMedica deprived patients, physicians, and employers of Hillsdale and Lenawee Counties of information regarding their healthcare provider choices.

2. Unlawful Agreement Between Hillsdale and Branch

Since at least 1999, Hillsdale and Branch have agreed to limit their marketing for competing services in one another's county. In the fall of 1999, Hillsdale's then-CEO and Branch's CEO reached an agreement whereby each hospital agreed not to market anything but new services in the other hospital's county. Branch's CEO testified recently in deposition that ''[t]here's a gentlemen's agreement not to market services other than new services.'' Branch has monitored Hillsdale's compliance with the agreement and directed its marketing employees to abide by the agreement. This unlawful agreement between Hillsdale and Branch deprived Hillsdale and Branch County patients, physicians, and employers of information regarding their healthcare provider choices.

3. Defendants' Marketing Agreements Are Per Se Illegal

Defendants' agreements have disrupted the competitive process and harmed patients, physicians, and employers. For instance, the agreements have deprived patients, physicians, and employers of information they otherwise would have had when making important healthcare decisions. Another impact of the agreement between Allegiance and Hillsdale was to deprive Hillsdale County patients of free medical services such as health screenings and physician seminars that they would have received but for the unlawful agreement. Moreover, Allegiance's agreement with Hillsdale denied Hillsdale County employers the opportunity to receive information and to develop relationships that could have allowed them to improve the quality of their employees' medical care.

Defendants' anticompetitive agreements are not reasonably necessary to further any procompetitive purpose. Each of the agreements among the Defendants allocates territories for marketing and constitutes a naked restraint of trade that is *per se* unlawful under Section 1 of the Sherman Act, 15 U.S.C. 1, and Section 2 of the Michigan Antitrust Reform Act, MCL 445.772. *See United States* v. *Topco Assocs., Inc.,* 405 U.S. 596, 607–08 (1972) (holding that naked market allocation agreements among horizontal competitors are plainly anticompetitive and illegal per se); *United States* v. *Cooperative Theatres of Ohio,* Inc., 845 F.2d 1367, 1371, 1373 (6th Cir. 1988) (holding that the defendants' agreement to not ''*actively* solicit[] each other's customers'' was ''undeniably a type of customer allocation scheme which courts have often condemned in the past as a *per se* violation of the Sherman Act''); *Blackburn* v. *Sweeney,* 53 F.3d 825, 828 (7th Cir. 1995) (holding that the ''[a]greement to limit advertising to different geographical regions was intended to be, and sufficiently approximates[,] an agreement to allocate markets so that the *per se* rule of illegality applies'').

III. EXPLANATION OF THE PROPOSED FINAL JUDGMENT

The proposed Final Judgment will prevent the continuation and recurrence of the violations alleged in the Complaint and restore the competition restrained by Settling Defendants' anticompetitive agreements. Section X of the proposed Final Judgment provides that these provisions will expire five years after its entry.

A. Prohibited Conduct

Under Section IV of the proposed Final Judgment, Settling Defendants cannot agree with any healthcare provider to prohibit or limit marketing or to allocate geographic markets or territories. Settling Defendants are also prohibited from communicating with any other Defendant about any Defendant's marketing in its or the other Defendant's county, subject to narrow exceptions. There is an exception for communication about joint marketing if the communication is related to the joint provision of services, *i.e.,* any past, present, or future coordinated delivery of any healthcare services by two or more healthcare providers. There is another exception for communications about marketing that are part of customary due diligence relating to a merger, acquisition, joint venture, investment, or divestiture.

B. Compliance and Inspection

The proposed Final Judgment sets forth various provisions to ensure Defendants' compliance with the proposed Final Judgment. Section V of the proposed Final Judgment requires each Settling Defendant to appoint an Antitrust Compliance Officer within 30 days of the Final Judgment's entry. The Antitrust Compliance Officer must furnish copies of this Competitive Impact Statement, the Final Judgment, and a notice explaining the obligations of the Final Judgment to each Settling Defendant's officers, directors, and marketing managers at the level of director and above. The Antitrust Compliance Officer must also obtain from each recipient a certification that he or she has read and agreed to abide by the terms of the Final Judgment, and must maintain a record of all certifications received. Additionally, each Antitrust Compliance Officer shall annually brief each person receiving a copy of the Final Judgment and this Competitive Impact Statement on the meaning and requirements of the Final Judgment and the antitrust laws.

For a period of five years following the date of entry of the Final Judgment, the Settling Defendants separately must certify annually to the United States that they have complied with the provisions of the Final Judgment. Additionally, upon learning of any violation or potential violation of the terms and conditions of the Final Judgment, Settling Defendants must within thirty days file with the United States a statement describing the violation, and must promptly take action to terminate it.

To facilitate monitoring of the Settling Defendants' compliance with the Final Judgment, Section VII of the proposed Final Judgment requires each Settling Defendant to grant the United States or the State of Michigan access, upon reasonable notice, to Settling Defendant's records and documents relating to matters contained in the Final Judgment. Settling Defendants must also make their employees available for interviews or depositions and answer interrogatories and prepare written reports relating to matters contained in the Final Judgment upon request.

C. Settling Defendants' Cooperation

Section VI of the proposed Final Judgment provides that Settling Defendants must cooperate fully and truthfully with the United States and the State of Michigan in any investigation or litigation alleging that Defendants unlawfully agreed to restrict marketing in violation of Section 1 of the Sherman Act, as amended, 15 U.S.C. 1, or Section 2 of the Michigan Antitrust Reform Act, MCL 445.772. Such cooperation includes, but is not limited to, producing documents, making officers, directors, employees, and agents available for interviews, and testifying at trial and other judicial proceedings fully, truthfully, and under oath.

IV. REMEDIES AVAILABLE TO POTENTIAL PRIVATE LITIGANTS

Section 4 of the Clayton Act, 15 U.S.C. 15, provides that any person who has been injured as a result of conduct prohibited by the antitrust laws may bring suit in federal court to recover three times the damages the person has suffered, as well as costs and reasonable attorneys' fees. Entry of the proposed Final Judgment will neither impair nor assist the bringing of any private antitrust damage action. Under the provisions of Section 5(a) of the Clayton Act, 15 U.S.C. 16(a), the proposed Final Judgment has no *prima facie* effect in any subsequent private lawsuit that may be brought against the Settling Defendants.

V. PROCEDURES AVAILABLE FOR MODIFICATION OF THE PROPOSED FINAL JUDGMENT

The United States, the State of Michigan, and the Settling Defendants have stipulated that the proposed Final Judgment may be entered by the Court after compliance with the provisions of the APPA, provided that the United States has not withdrawn its consent. The APPA conditions entry upon the Court's determination that the proposed Final Judgment is in the public interest.

The APPA provides a period of at least sixty days preceding the effective date of the proposed Final Judgment within which any person may submit to the United States written comments regarding the proposed Final Judgment. Any person who wishes to comment should do so within sixty days of the date of publication of this Competitive Impact Statement in the **Federal Register**, or the last date of publication in a newspaper of the summary of this Competitive Impact Statement, whichever is later. All comments received during this period will be considered by the U.S. Department of Justice, which remains free to withdraw its consent to the proposed Final Judgment at any time prior to the Court's entry of judgment. The comments and the response of the United States will be filed with the Court. In addition, comments will be posted on the U.S. Department of Justice, Antitrust Division's internet Web site and, under certain circumstances, published in the **Federal Register**.

Written comments should be submitted to:

Peter J. Mucchetti
Chief, Litigation I Section
Antitrust Division
United States Department of Justice
450 Fifth Street, N.W., Suite 4100
Washington, DC 20530

The proposed Final Judgment provides that the Court retains jurisdiction over this action, and the parties may apply to the Court for any order necessary or appropriate for the modification, interpretation, or enforcement of the Final Judgment.

VI. ALTERNATIVES TO THE PROPOSED FINAL JUDGMENT

The United States considered, as an alternative to the proposed Final Judgment, a full trial on the merits against the Settling Defendants. The United States is satisfied, however, that the relief proposed in the Final Judgment will prevent the recurrence of the violations alleged in the Complaint and ensure that patients, physicians, and employers benefit from competition between Defendants. Thus, the proposed Final Judgment would achieve all or substantially all of the relief the United States would have obtained through litigation, but avoids the time, expense, and uncertainty of a full trial on the merits.

VII. STANDARD OF REVIEW UNDER THE APPA FOR THE PROPOSED FINAL JUDGMENT

The Clayton Act, as amended by the APPA, requires that proposed consent judgments in antitrust cases brought by the United States be subject to a sixty-day comment period, after which the court shall determine whether entry of the proposed Final Judgment ''is in the public interest.'' 15 U.S.C. 16(e)(1). In making that determination, the court, in accordance with the statute as amended in 2004, is required to consider:

(A) The competitive impact of such judgment, including termination of alleged violations, provisions for enforcement and modification, duration of relief sought, anticipated effects of alternative remedies actually considered, whether its terms are ambiguous, and any other competitive considerations bearing upon the adequacy of such judgment that the court deems necessary to a determination of whether the consent judgment is in the public interest; and

(B) the impact of entry of such judgment upon competition in the relevant market or markets, upon the public generally and individuals alleging specific injury from the violations set forth in the complaint including consideration of the public benefit, if any, to be derived from a determination of the issues at trial.

15 U.S.C. 16(e)(1)(A) & (B).[1] In considering these statutory factors, the court's inquiry is necessarily a limited one as the government is entitled to ''broad discretion to settle with the Defendant within the reaches of the public interest.'' *United States* v. *Microsoft Corp.,* 56 F.3d 1448, 1461 (D.C. Cir. 1995); *see generally United States* v. *U.S. Airways Group, Inc.,* 38 F. Supp. 3d 69, 75 (D.D.C. 2014) (noting the court has broad discretion of the adequacy of the relief at issue); *United States* v. *SBC Commc'ns, Inc.,* 489 F. Supp. 2d 1 (D.D.C. 2007) (describing the public-interest standard under the Tunney Act); *United States* v. *InBev N.V./S.A.,* No. 08–1965 (JR), 2009 U.S. Dist. LEXIS 84787, at *3 (D.D.C. Aug. 11, 2009) (noting that the court's review of a consent judgment is limited and only inquires ''into whether the government's determination that the proposed remedies will cure the antitrust violations alleged in the complaint was reasonable, and whether the mechanisms to enforce the final judgment are clear and manageable'').

Under the APPA, a court considers, among other things, the relationship between the remedy secured and the specific allegations set forth in the government's complaint, whether the decree is sufficiently clear, whether enforcement mechanisms are sufficient, and whether the decree may positively harm third parties. *See Microsoft,* 56 F.3d at 1458–62. With respect to the adequacy of the relief secured by the decree, a court may not ''engage in an unrestricted evaluation of what relief would best serve the public.'' *United States* v. *BNS, Inc.,* 858 F.2d 456, 462 (9th Cir. 1988) (quoting *United States* v. *Bechtel Corp.,* 648 F.2d 660, 666 (9th Cir. 1981)); *see also Microsoft,* 56 F.3d at 1460–62; *United States* v. *Alcoa, Inc.,* 152 F. Supp. 2d 37, 40 (D.D.C. 2001); *InBev,* 2009 U.S. Dist. LEXIS 84787, at *3. One court explained:

> [t]he balancing of competing social and political interests affected by a proposed antitrust consent decree must be left, in the first instance, to the discretion of the Attorney General. The court's role in protecting the public interest is one of [e]nsuring that the government has not breached its duty to the public in consenting to the decree. The court is required to determine not whether a particular decree is the one that will best serve society, but whether the settlement is ''*within the reaches of the public interest.''* More elaborate requirements might undermine the effectiveness of antitrust enforcement by consent decree.

Bechtel, 648 F.2d at 666 (emphasis added) (citations omitted).[2] In determining whether a proposed settlement is in the public interest, a district court ''must accord deference to the government's predictions about the efficacy of its remedies, and may not require that the remedies perfectly match the alleged violations.'' *SBC Commc'ns,* 489 F. Supp. 2d at 17; *see also U.S. Airways,* 38 F. Supp. 3d at 75 (noting that a court should not reject the proposed remedies because it believes others are preferable); *Microsoft,* 56 F.3d at 1461 (noting the need for courts to be ''deferential to the government's predictions as to the effect of the proposed remedies''); *United States* v. *Archer-Daniels-Midland Co.,* 272 F. Supp. 2d 1, 6 (D.D.C. 2003) (noting that the court should grant due respect to the United States' prediction as to the effect of proposed remedies, its perception of the market structure, and its views of the nature of the case).

Courts have greater flexibility in approving proposed consent decrees than in crafting their own decrees following a finding of liability in a litigated matter. ''[A] proposed decree must be approved even if it falls short of the remedy the court would impose on its own, as long as it falls within the range of acceptability or is 'within the reaches of public interest.' '' *United States* v. *Am. Tel. & Tel. Co.,* 552 F. Supp. 131, 151 (D.D.C. 1982) (citations omitted); *see also U.S. Airways,* 38 F. Supp. 3d at 75 (noting that room must be made for the government to grant concessions in the negotiation process for settlements) (citing *Microsoft,* 56 F.3d at 1461); *United States* v. *Alcan Aluminum Ltd.,* 605 F. Supp. 619, 622 (W.D. Ky. 1985) (approving the consent decree even though the court would have imposed a greater remedy). To meet this standard, the United States ''need only provide a factual basis for concluding that the settlements are reasonably adequate remedies for the alleged harms.'' *SBC Commc'ns,* 489 F. Supp. 2d at 17.

Moreover, the court's role under the APPA is limited to reviewing the remedy in relationship to the violations that the United States has alleged in its Complaint, and does not authorize the court to ''construct [its] own hypothetical case and then evaluate the decree against that case.'' *Microsoft,* 56 F.3d at 1459; *see also U.S. Airways,* 38 F. Supp. 3d at 76 (noting that the court must simply determine whether there is a factual foundation for the government's decisions such that its conclusions regarding the proposed settlements are reasonable); *InBev,* 2009 U.S. Dist. LEXIS 84787, at *20 (''the 'public interest' is not to be measured by comparing the violations alleged in the complaint against those the court believes could have, or even should have, been alleged''). Because the ''court's authority to review the decree depends entirely on the government's exercising its prosecutorial discretion by bringing a case in the first place,'' it follows that ''the court is only authorized to review the decree itself,'' and not to ''effectively redraft the complaint'' to inquire into other matters that the United States did not pursue. *Microsoft,* 56 F.3d at 1459–60. As a court confirmed in *SBC Communications,* courts ''cannot look beyond the complaint in making the public interest determination unless the complaint is drafted so narrowly as to make a mockery of judicial power.'' *SBC Commc'ns,* 489 F. Supp. 2d at 15.

In its 2004 amendments, Congress made clear its intent to preserve the practical

[1] The 2004 amendments substituted ''shall'' for ''may'' in directing relevant factors for courts to consider and amended the list of factors to focus on competitive considerations and to address potentially ambiguous judgment terms. *Compare* 15 U.S.C. 16(e) (2004), *with* 15 U.S.C. 16(e)(1) (2006); *see also SBC Commc'ns,* 489 F. Supp. 2d at 11 (concluding that the 2004 amendments ''effected minimal changes'' to Tunney Act review).

[2] *Cf. BNS,* 858 F.2d at 464 (holding that the court's ''ultimate authority under the [APPA] is limited to approving or disapproving the consent decree''); *United States* v. *Gillette Co.,* 406 F. Supp. 713, 716 (D. Mass. 1975) (noting that, in this way, the court is constrained to ''look at the overall picture not hypercritically, nor with a microscope, but with an artist's reducing glass''). *See generally Microsoft,* 56 F.3d at 1461 (discussing whether ''the remedies [obtained in the decree are] so inconsonant with the allegations charged as to fall outside of the 'reaches of the public interest' '').

benefits of using consent decrees in antitrust enforcement, adding the unambiguous instruction that ''[n]othing in this section shall be construed to require the court to conduct an evidentiary hearing or to require the court to permit anyone to intervene.'' 15 U.S.C. 16(e)(2); *see also U.S. Airways,* 38 F. Supp. 3d at 76 (noting that a court is not required to hold an evidentiary hearing or to permit intervenors as part of its review under the Tunney Act). The language captured Congress's intent when it enacted the Tunney Act in 1974. Senator Tunney explained: ''The court is nowhere compelled to go to trial or to engage in extended proceedings which might have the effect of vitiating the benefits of prompt and less costly settlement through the consent decree process.'' 119 Cong. Rec. 24,598 (1973) (statement of Sen. Tunney). Rather, the procedure for the public-interest determination is left to the discretion of the court, with the recognition that the court's ''scope of review remains sharply proscribed by precedent and the nature of Tunney Act proceedings.'' *SBC Commc'ns,* 489 F. Supp. 2d at 11.[3] A court can make its public-interest determination based on the competitive impact statement and response to public comments alone. *U.S. Airways,* 38 F. Supp. 3d at 76.

VIII. DETERMINATIVE DOCUMENTS

There are no determinative materials or documents within the meaning of the APPA that were considered by the United States in formulating the proposed Final Judgment.

Dated: June 25, 2015

Respectfully submitted,

FOR PLAINTIFF UNITED STATES OF AMERICA

Katrina Rouse
Trial Attorney
Antitrust Division
U.S. Department of Justice
Litigation I Section
450 Fifth Street, N.W., Suite 4100
Washington, D.C. 20530
Phone: (202) 305–7498
D.C. Bar #1013035
Email: katrina.rouse@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on June 25, 2015, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system and sent it via email to the following counsel at the email addresses below.

Counsel for Defendants Hillsdale Community Health Center and Community Health Center of Branch County:

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201 West Big Beaver Rd.
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Troy, MI 48084
Phone: (248) 457–7850
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Counsel for Defendant W.A. Foote Memorial Hospital, d/b/a Allegiance Health:

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Counsel for Defendant ProMedica Health System, Inc.:

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EXHIBIT A

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF MICHIGAN

UNITED STATES OF AMERICA and STATE OF MICHIGAN, *Plaintiffs,* v. HILLSDALE COMMUNITY HEALTH CENTER, W.A. FOOTE MEMORIAL HOSPITAL, D/B/A ALLEGIANCE HEALTH, COMMUNITY HEALTH CENTER OF BRANCH COUNTY, and PROMEDICA HEALTH SYSTEM, INC., *Defendants.*

Case No.: 2:15–cv–12311

Hon. Judith E. Levy

[PROPOSED] FINAL JUDGMENT

WHEREAS, Plaintiffs, the United States of America and the State of Michigan, filed their joint Complaint on June 25, 2015, alleging that Defendants violated Section 1 of the Sherman Act, 15 U.S.C. 1, and Section 2 of the Michigan Antitrust Reform Act, MCL 445.772;

AND WHEREAS, Plaintiffs and Defendants Hillsdale Community Health Center, Community Health Center of Branch County, and ProMedica Health System, Inc. (collectively, ''Settling Defendants''), by their respective attorneys, have consented to the entry of this Final Judgment without trial or adjudication of any issue of fact or law;

AND WHEREAS, Plaintiffs require the Settling Defendants to agree to undertake certain actions and refrain from certain conduct for the purpose of remedying the anticompetitive effects alleged in the Complaint;

NOW THEREFORE, before any testimony is taken, without this Final Judgment constituting any evidence against or admission by Settling Defendants regarding any issue of fact or law, and upon consent of the parties to this action, it is ORDERED, ADJUDGED, AND DECREED:

I. JURISDICTION

This Court has jurisdiction over the subject matter of and each of the parties to this action. The Complaint states a claim upon which relief may be granted against the Settling Defendants under Section 1 of the Sherman Act, 15 U.S.C. 1, and Section 2 of the Michigan Antitrust Reform Act, MCL 445.772.

II. DEFINITIONS

As used in this Final Judgment:

(A) ''Allegiance'' means Defendant W. A. Foote Memorial Hospital doing business as Allegiance Health, a corporation organized and existing under the laws of the State of Michigan with its headquarters in Jackson, Michigan, its (i) successors and assigns, (ii) controlled subsidiaries, divisions, groups, affiliates, partnerships, and joint ventures, and (iii) their directors, officers, managers, agents, and employees.

(B) ''Agreement'' means any contract, arrangement, or understanding, formal or informal, oral or written, between two or more persons.

(C) ''Branch'' means Defendant Community Health Center of Branch County, a municipal health facility corporation formed under Public Act 230 of the Public Acts of 1987 (MCL 331.1101, *et. seq.*) with its headquarters in Coldwater, Michigan, its (i) successors and assigns, (ii) controlled subsidiaries, divisions, groups, affiliates, partnerships, and joint ventures, and (iii) their directors, officers, managers, agents, and employees.

(D) ''Communicate'' means to discuss, disclose, transfer, disseminate, or exchange information or opinion, formally or informally, directly or indirectly, in any manner.

(E) ''Hillsdale'' means Defendant Hillsdale Community Health Center, a corporation organized and existing under the laws of the State of Michigan with its headquarters in Hillsdale, Michigan, its (i) successors and assigns, (ii) controlled subsidiaries, divisions, groups, affiliates, partnerships, and joint ventures, and (iii) their directors, officers, managers, agents, and employees.

(F) ''Joint Provision of Services'' means any past, present, or future coordinated delivery of any healthcare services by two or more healthcare providers, including a clinical affiliation, joint venture, management agreement, accountable care organization, clinically integrated network, group purchasing organization, management services organization, or physician hospital organization.

(G) ''Marketing'' means any past, present, or future activities that are involved in making persons aware of the services or products of the hospital or of physicians employed or with privileges at the hospital, including advertising, communications, public relations, provider network development, outreach to employers or physicians, and promotions, such as free health screenings and education.

[3] *See United States* v. *Enova Corp.,* 107 F. Supp. 2d 10, 17 (D.D.C. 2000) (noting that the ''Tunney Act expressly allows the court to make its public interest determination on the basis of the competitive impact statement and response to comments alone''); *United States* v. *Mid-Am. Dairymen, Inc.,* No. 73–CV–681–W–1, 1977–1 Trade Cas. (CCH) ¶ 61,508, at 71,980, *22 (W.D. Mo. 1977) (''Absent a showing of corrupt failure of the government to discharge its duty, the Court, in making its public interest finding, should . . . carefully consider the explanations of the government in the competitive impact statement and its responses to comments in order to determine whether those explanations are reasonable under the circumstances.''); S. Rep. No. 93–298, at 6 (1973) (''Where the public interest can be meaningfully evaluated simply on the basis of briefs and oral arguments, that is the approach that should be utilized.'').

(H) ''Marketing Manager'' means any company officer or employee at the level of director, or above, with responsibility for or oversight of Marketing.

(I) ''Person'' means any natural person, corporation, firm, company, sole proprietorship, partnership, joint venture, association, institute, governmental unit, or other legal entity.

(J) ''ProMedica'' means Defendant ProMedica Health System, Inc., a corporation organized and existing under the laws of the State of Ohio with its headquarters in Toledo, Ohio, its (i) successors and assigns, (ii) controlled subsidiaries, divisions, groups, affiliates, partnerships, and joint ventures, including Emma L. Bixby Medical Center, Inc. (d/b/a ProMedica Bixby Hospital), a Michigan nonprofit corporation located in Adrian, Michigan, and Herrick Hospital, Inc. (d/b/a ProMedica Herrick Hospital), a Michigan nonprofit corporation located in Tecumseh, Michigan, but excluding Paramount Health Care, and (iii) their directors, officers, managers, agents, and employees.

(K) ''Provider'' means any physician or physician group and any inpatient or outpatient medical facility including hospitals, ambulatory surgical centers, urgent care facilities, and nursing facilities.

(L) ''Relevant Area'' means Branch, Hillsdale, Jackson, and Lenawee Counties in the State of Michigan.

III. APPLICABILITY

This Final Judgment applies to the Settling Defendants, and all other persons in active concert or participation with any of them who receive actual notice of this Final Judgment by personal service or otherwise.

IV. PROHIBITED CONDUCT

(A) Each Settling Defendant shall not attempt to enter into, enter into, maintain, or enforce any Agreement with any other Provider that:

(1) Prohibits or limits Marketing; or

(2) allocates any geographic market or territory between or among the Settling Defendant and any other Provider.

(B) Each Settling Defendant shall not Communicate with any other Defendant about any Defendant's Marketing in its or the other Defendant's county, except each Settling Defendant may:

(1) Communicate with any other Defendant about joint Marketing if the communication is related to the Joint Provision of Services; or

(2) communicate with any other Defendant about Marketing if the communication is part of customary due diligence relating to a merger, acquisition, joint venture, investment, or divestiture.

V. REQUIRED CONDUCT

(A) Within thirty days of entry of this Final Judgment, each Settling Defendant shall appoint an Antitrust Compliance Officer and identify to Plaintiffs his or her name, business address, and telephone number.

(B) Each Antitrust Compliance Officer shall:

(1) Furnish a copy of this Final Judgment, the Competitive Impact Statement, and a cover letter that is identical in content to Exhibit 1 within sixty days of entry of the Final Judgment to each Settling Defendant's officers, directors, and Marketing Managers, and to any person who succeeds to any such position, within thirty days of that succession;

(2) annually brief each person designated in Section V(B)(1) on the meaning and requirements of this Final Judgment and the antitrust laws;

(3) obtain from each person designated in Section V(B)(1), within sixty days of that person's receipt of the Final Judgment, a certification that he or she (i) has read and, to the best of his or her ability, understands and agrees to abide by the terms of this Final Judgment; (ii) is not aware of any violation of the Final Judgment that has not already been reported to the Settling Defendant; and (iii) understands that any person's failure to comply with this Final Judgment may result in an enforcement action for civil or criminal contempt of court against each Settling Defendant and/or any person who violates this Final Judgment;

(4) maintain a record of certifications received pursuant to this Section; and

(5) annually communicate to the Settling Defendant's employees that they may disclose to the Antitrust Compliance Officer, without reprisal, information concerning any potential violation of this Final Judgment or the antitrust laws.

(C) Each Settling Defendant shall:

(1) Upon learning of any violation or potential violation of any of the terms and conditions contained in this Final Judgment, promptly take appropriate action to terminate or modify the activity so as to comply with this Final Judgment and maintain all documents related to any violation or potential violation of this Final Judgment;

(2) upon learning of any violation or potential violation of any of the terms and conditions contained in this Final Judgment, file with the United States and the State of Michigan a statement describing any violation or potential violation within thirty days of its becoming known. Descriptions of violations or potential violations of this Final Judgment shall include, to the extent practicable, a description of any communications constituting the violation or potential violation, including the date and place of the communication, the persons involved, and the subject matter of the communication; and

(3) certify to the United States and the State of Michigan annually on the anniversary date of the entry of this Final Judgment that the Settling Defendant has complied with the provisions of this Final Judgment.

VI. SETTLING DEFENDANTS' COOPERATION

Each Settling Defendant shall cooperate fully and truthfully with the United States and the State of Michigan in any investigation or litigation alleging that Defendants unlawfully agreed to restrict Marketing in the Relevant Area in violation of Section 1 of the Sherman Act, as amended, 15 U.S.C. 1, or Section 2 of the Michigan Antitrust Reform Act, MCL 445.772. Each Settling Defendant shall use its best efforts to ensure that all officers, directors, employees, and agents also fully and promptly cooperate with the United States and the State of Michigan. The full, truthful, and continuing cooperation of each Settling Defendant will include, but not be limited to:

(A) Producing all documents and other materials, wherever located, not protected under the attorney-client privilege or the work-product doctrine, in the possession, custody, or control of that Settling Defendant, that are relevant to the unlawful agreements among Defendants to restrict Marketing in the Relevant Area in violation of Section 1 of the Sherman Act, as amended, 15 U.S.C. 1, or Section 2 of the Michigan Antitrust Reform Act, MCL 445.772, alleged in the Complaint, upon the request of the United States or the State of Michigan;

(B) making available for interview any officers, directors, employees, and agents if so requested by the United States or the State of Michigan; and

(C) testifying at trial and other judicial proceedings fully, truthfully, and under oath, subject to the penalties of perjury (18 U.S.C. 1621), making a false statement or declaration in court proceedings (18 U.S.C. 1623), contempt (18 U.S.C. 401–402), and obstruction of justice (18 U.S.C. 1503, *et seq.*), or the equivalent Michigan provisions, when called upon to do so by the United States or the State of Michigan;

(D) provided however, that the obligations of each Settling Defendant to cooperate fully with the United States and the State of Michigan as described in this Section shall cease upon the sooner of (i) when all Defendants settle all claims in this matter and all settlements have been entered by this Court, or (ii) at the conclusion of all investigations and litigation alleging the non-Settling Defendant unlawfully agreed to restrict Marketing in the Relevant Area in violation of Section 1 of the Sherman Act, as amended, 15 U.S.C. 1, or Section 2 of the Michigan Antitrust Reform Act, MCL 445.772, including exhaustion of all appeals or expiration of time for all appeals of any Court ruling in this matter.

VII. COMPLIANCE INSPECTION

(A) For the purposes of determining or securing compliance with this Final Judgment, or of determining whether the Final Judgment should be modified or vacated, and subject to any legally recognized privilege, from time to time authorized representatives of the United States Department of Justice or the Office of the Michigan Attorney General, including consultants and other retained persons, shall, upon the written request of an authorized representative of the Assistant Attorney General in charge of the Antitrust Division or of the Office of the Michigan Attorney General, and on reasonable notice to Settling Defendants, be permitted:

(1) Access during Settling Defendants' office hours to inspect and copy, or at the option of the United States or the State of Michigan, to require Settling Defendants to provide hard copy or electronic copies of, all books, ledgers, accounts, records, data, and documents in the possession, custody, or control of Settling Defendants, relating to any

matters contained in this Final Judgment; and

(2) to interview, either informally or on the record, Settling Defendants' officers, directors, employees, or agents, who may have individual counsel present, regarding such matters. The interviews shall be subject to the reasonable convenience of the interviewee and without restraint or interference by Settling Defendants.

(B) Upon the written request of an authorized representative of the Assistant Attorney General in charge of the Antitrust Division or of the Office of the Michigan Attorney General, Settling Defendants shall, subject to any legally recognized privilege, submit written reports or response to written interrogatories, under oath if requested, relating to any of the matters contained in this Final Judgment as may be requested.

(C) No information or documents obtained by the means provided in this section shall be divulged by the United States or the State of Michigan to any person other than an authorized representative of the executive branch of the United States or the State of Michigan, except in the course of legal proceedings to which the United States or the State of Michigan is a party (including grand jury proceedings), or for the purpose of securing compliance with this Final Judgment, or as otherwise required by law.

(D) If at the time information or documents are furnished by Settling Defendants to the United States or the State of Michigan, Settling Defendants represent and identify in writing the material in any such information or documents to which a claim of protection may be asserted under Rule 26(c)(1)(G) of the Federal Rules of Civil Procedure, and Settling Defendants mark each pertinent page of such material, ''Subject to claim of protection under Rule 26(c)(1)(G) of the Federal Rules of Civil Procedure,'' then the United States and the State of Michigan shall give Settling Defendants ten calendar days notice prior to divulging such material in any legal proceeding (other than a grand jury proceeding).

VIII. INVESTIGATION FEES AND COSTS

Each Settling Defendant shall pay to the State of Michigan the sum of $5,000.00 to partially cover the attorney fees and costs of investigation.

IX. RETENTION OF JURISDICTION

This Court retains jurisdiction to enable any party to this Final Judgment to apply to this Court at any time for further orders and directions as may be necessary or appropriate to carry out or construe this Final Judgment, to modify any of its provisions, to enforce compliance, and to punish violations of its provisions.

X. EXPIRATION OF FINAL JUDGMENT

Unless this Court grants an extension, this Final Judgment shall expire five years from the date of its entry.

XI. NOTICE

For purposes of this Final Judgment, any notice or other communication required to be filed with or provided to the United States or the State of Michigan shall be sent to the persons at the addresses set forth below (or such other address as the United States or the State of Michigan may specify in writing to any Settling Defendant):

Chief
Litigation I Section
U.S. Department of Justice
Antitrust Division
450 Fifth Street, Suite 4100
Washington, DC 20530

Division Chief
Corporate Oversight Division
Michigan Department of Attorney General
525 West Ottawa Street
P.O. Box 30755
Lansing, MI 48909

XII. PUBLIC INTEREST DETERMINATION

The parties, as required, have complied with the procedures of the Antitrust Procedures and Penalties Act, 15 U.S.C. 16, including making copies available to the public of this Final Judgment, the Competitive Impact Statement, and any comments thereon, and the United States' responses to comments. Based upon the record before the Court, which includes the Competitive Impact Statement and any comments and response to comments filed with the Court, entry of this Final Judgment is in the public interest.

Dated: _____

Court approval subject to procedures of Antitrust Procedures and Penalties Act, 15 U.S.C. § 16

United States District Judge

Exhibit 1

[Letterhead of Settling Defendant]

[Name and Address of Antitrust Compliance Officer]

Dear [XX]:

I am providing you this notice to make sure you are aware of a court order recently entered by a federal judge in _____, Michigan. This court order applies to our institution and all of its employees, including you, so it is important that you understand the obligations it imposes on us. [CEO Name] has asked me to let each of you know that s/he expects you to take these obligations seriously and abide by them.

In a nutshell, the order prohibits us from agreeing with other healthcare providers, including hospitals and physicians, to limit marketing or to divide any geographic market or territory between healthcare providers. This means you cannot give any assurance to another healthcare provider that [Settling Defendant] will refrain from marketing our services, and you cannot ask for any assurance from them that they will refrain from marketing. The court order also prohibits communicating with [list other three defendants], or their employees about our marketing plans or about their marketing plans. There are limited exceptions to this restriction on communications, such as discussing joint projects, but you should check with me before relying on those exceptions.

A copy of the court order is attached. Please read it carefully and familiarize yourself with its terms. The order, rather than the above description, is controlling. If you have any questions about the order or how it affects your activities, please contact me. Thank you for your cooperation.

Sincerely,

[Settling Defendant's Antitrust Compliance Officer]

[FR Doc. 2015–16585 Filed 7–6–15; 8:45 am]

BILLING CODE 4410–11–P

DEPARTMENT OF JUSTICE

[OMB Number 1105–0091]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Assumption of Concurrent Federal Criminal Jurisdiction In Certain Areas of Indian Country

AGENCY: Office of Tribal Justice, Department of Justice.

ACTION: 30-day notice.

SUMMARY: The Department of Justice, Office of Tribal Justice, will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. This proposed information collection was previously published in the FR 80 23287, on April 27, 2015, allowing for a 60 day comment period.

DATES: Comments are encouraged and will be accepted for an additional 30 days until August 6, 2015.

FOR FURTHER INFORMATION CONTACT: If you have additional comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Mr. Tracy Toulou, Director, Office of Tribal Justice, Department of Justice, 950 Pennsylvania Avenue NW, Room 2310, Washington, DC 20530. Written comments and/or suggestions can also be directed to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention Department of Justice Desk Officer, Washington, DC 20530 or sent to *OIRA_submissions@omb.eop.gov.*

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;

—Enhance the quality, utility, and clarity of the information to be collected; and/or

—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 of a currently approved collection.

2. *The Title of the Form/Collection:* Request to the Attorney General for Assumption of Concurrent Federal Criminal Jurisdiction.

3. *The agency form number:* N/A

4. *Affected public who will be asked or required to respond, as well as a brief abstract:*

Primary: Tribal governments.

Other: None.

Abstract: The Department of Justice published a rule to establish the procedures for an Indian tribe whose Indian country is subject to State criminal jurisdiction under Public Law 280 (18 U.S.C. 1162(a)) to request that the United States accept concurrent criminal jurisdiction within the tribe's Indian country, and for the Attorney General to decide whether to consent to such a request. The purpose of the collection is to provide information from the requesting tribe sufficient for the Attorney General to make a decision whether to consent to the request.

5. *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* It is estimated that there are fewer than 350 respondents; the response should take an average of 80 hours to complete and submit.

6. *An estimate of the total public burden (in hours) associated with the collection:* There are an estimated 28,000 annual total burden hours associated with this collection.

If additional information is required contact: Jerri Murray, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE., 3E.405B, Washington, DC 20530.

Dated: June 30, 2015.

Jerri Murray,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2015–16554 Filed 7–6–15; 8:45 am]

BILLING CODE 4410–A5–P

DEPARTMENT OF JUSTICE

[Docket No. ODAG 155]

Notice of Federal Advisory Committee Meeting

AGENCY: Department of Justice.

ACTION: Notice of Federal Advisory Committee Meeting.

SUMMARY: This notice announces a forthcoming public meeting of the National Commission on Forensic Science.

DATES: The meeting will be held on August 10, 2015 from 12:00 p.m. to 5:00 p.m. and August 11, 2015 from 9:00 a.m. to 5:00 p.m. Online registration for the meeting must be completed on or before 5:00 p.m. (EST) August 3, 2015. Electronic comments on any draft work products will be accepted through the electronic Federal Docket Management System (FDMS) at *www.regulations.gov* for a thirty day public comment period.

ADDRESSES: House of Sweden: 2900 K Street NW., Washington, DC 20007.

FOR FURTHER INFORMATION CONTACT: Andrew J. Bruck, Senior Counsel to the Deputy Attorney General and Designated Federal Official, 950 Pennsylvania Avenue NW., Washington, DC 20530, by email at *Andrew.J.Bruck@usdoj.gov* by phone at (202) 305–3481.

SUPPLEMENTARY INFORMATION:

Agenda: On August 10, the Commission will receive an overview of ethics issues in their roles as Special Government Employees. The Commission will receive a briefing on issues related to proficiency testing and receive status reports from the Subcommittees on Bylaws and Accreditation and Proficiency Testing. The public comment period will begin at 5:00 p.m. On August 11, the Commission will receive status reports from the Subcommittees on Scientific Inquiry and Research, Interim Solutions, Human Factors, Reporting and Testimony, Medicolegal Death Investigation, and Training on Science and Law. The Commission will also receive a briefing from a representative from the Netherlands Register of Court Experts. **Note:** Agenda items, including designation of presentation dates are subject to change. A final agenda will be posted to the Commission's Web site in advance of the meeting.

Procedures: Meeting materials, including work products, will be made available on the Commission's Web site: *http://www.justice.gov/ncfs.* The meeting will be webcast at: *http://stream.sparkstreetdigital.com/player-ce.html?id=doj-aug10.* The meeting will also be open to the public. Seating in the meeting room is limited and will be available on a first-come, first-served basis. All persons who are interested in being on-site for the meeting must register on-line by clicking the registration link found at: *http://www.justice.gov/ncfs/meetings#s7.*

Members of the public may present oral comments on issues pending before the Commission. Those individuals interested in making oral comments should indicate their intent through the on-line registration form and time will be allocated on a first-come, first-served basis. Time allotted for an individual's comment period will be limited to no more than 3 minutes. If the number of registrants requesting to speak is greater than can be reasonably accommodated during the scheduled public comment periods, written comments can be submitted through *www.regulations.gov* in lieu of oral comments.

Posting of Public Comments: To ensure proper handling of comments, please reference ''Docket No. ODAG 155'' on all electronic and written correspondence. The Department encourages all comments on subcommittee work products be submitted electronically through *www.regulations.gov* using the electronic comment form provided on that site. Paper comments that duplicate the electronic submission are not necessary as all comments submitted to *www.regulations.gov* will be posted for public review and are part of the official docket record.

In accordance with the Federal Records Act, please note that all comments received are considered part of the public record, and shall be made available for public inspection online at *http://www.regulations.gov.* The comments to be posted may include personally identifiable information (such as your name, address, etc.) and confidential business information voluntarily submitted by the commenter.

You are not required to submit personal identifying information in order to comment on this meeting. Nevertheless, if you want to submit personally identifiable information (such as your name, address, etc.) as part of your comment, but do not want

it to be made available for public inspection and posted online, you must include the phrase ''PERSONALLY IDENTIFIABLE INFORMATION'' in the first paragraph of your comment. You must also place all the personally identifiable information you do not want made available for public inspection or posted online in the first paragraph of your comment and identify what information you want redacted.

If you want to submit confidential business information as part of your comment, but do not want it to be made available for public inspection and posted online, you must include the phrase ''CONFIDENTIAL BUSINESS INFORMATION'' in the first paragraph of your comment. You must also prominently identify confidential business information to be redacted within the comment. If a comment has so much confidential business information that it cannot be effectively redacted, all or part of that comment may not be made available for public inspection or posted online.

Personally identifiable information and confidential business information identified and located as set forth above will be redacted and the comment, in redacted form, will be made available for public inspection and posted on *http://www.regulations.gov.*

The Department of Justice welcomes the attendance of the public at its advisory committee meetings and will make every effort to accommodate persons with physical disabilities or special needs. If you require special accommodations, please indicate your requirements on the online registration form.

Dated: July 1, 2015.

Andrew J. Bruck,

Designated Federal Official, National Commission on Forensic Science.

[FR Doc. 2015–16634 Filed 7–6–15; 8:45 am]

BILLING CODE 4410–18–P

DEPARTMENT OF LABOR

Employment and Training Administration

Agency Information Collection Activities; Comment Request; Weekly Claims and Extended Benefits Data and Weekly Initial and Continued Weeks Claimed

AGENCY: Employment and Training Administration, Labor.

ACTION: Notice.

SUMMARY: The Department of Labor (Department), as part of its continuing effort to reduce paperwork and respondent burden, provides this notice to the public and Federal agencies to provide an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 [44 U.S.C. 3506(c)(2)(A)] (PRA). The PRA helps ensure that respondents can provide requested data in the desired format with minimal reporting burden (time and financial resources), collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. Currently, ETA is soliciting comments concerning the collection process for unemployment insurance (UI), Extended Benefits, Notice of Proposed Rulemaking (NPRM). The NPRM is titled, *Federal-State Unemployment Compensation Program; Implementing the Total Unemployment Rate as an Extended Benefits Indicator and Amending for Technical Corrections; Notice of Proposed Rulemaking (RIN 1205–AB62).*

DATES: Comments must be submitted in writing on or before September 8, 2015.

ADDRESSES: You may submit comments, identified by Regulatory Information Number (RIN) 1205–AB62, by only one of the following methods:

- *Federal e-Rulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Mail/Hand Delivery/Courier:* Submit comments to Adele Gagliardi, Administrator, Office of Policy Development and Research (OPDR), U.S. Department of Labor, Employment and Training Administration, 200 Constitution Avenue NW., Room N–5641, Washington, DC 20210. Because of security-related concerns, there may be a significant delay in the receipt of submissions by United States Mail. You must take this into consideration when preparing to meet the deadline for submitting comments. The Department will post all comments received on *http://www.regulations.gov* without making any changes to the comments or redacting any information, including any personal information provided. The *http://www.regulations.gov* Web site is the Federal e-rulemaking portal and all comments posted there are available and accessible to the public. The Department recommends that commenters not include personal information such as Social Security Numbers, personal addresses, telephone numbers, and email addresses that they do not want made public in their comments as such submitted information will be available to the public via the *http://www.regulations.gov* Web site. Comments submitted through *http://www.regulations.gov* will not include the email address of the commenter unless the commenter chooses to include that information as part of his or her comment. It is the responsibility of the commenter to safeguard personal information.

Instructions: All submissions received must include the agency name and the OMB Control Number for this PRA. Please submit your comments by only one method.

Docket: All comments will be available for public inspection and copying during normal business hours by contacting OPDR at (202) 693–3700. You may also contact OPDR at the address listed above. As noted above, the Department also will post all comments it receives on *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Adele Gagliardi, Administrator, OPDR, Employment and Training Administration, (202) 693–3700 (this is not a toll-free number) or 1–877–889–5627 (TTY). Individuals with hearing or speech impairments may access the telephone number above via TTY by calling the toll-free Federal Information Relay Service at (800) 877–8339.

SUPPLEMENTARY INFORMATION: The Department published an NPRM on October 27, 2014, in the **Federal Register** (79 FR 63859). The NPRM proposes to amend 20 CFR 615, Extended Benefits, by implementing the Total Unemployment Rate (TUR) indicator, an optional calculation methodology for triggering on Extended Benefits, in regulations. The NPRM also proposes to revise the regulatory requirements at § 615.15, pertaining to records and reports State agencies must submit. More specifically, paragraphs (a) and (b) are proposed to be revised for clarity by deleting unnecessary language regarding the Secretary's authority to request Extended Benefit Program reports and to appoint audit officials for those reports. Furthermore, we propose to delete paragraphs (c) and (d). The reporting instructions for the proper and timely submission of data are provided in ET Handbook No. 401, which governs Unemployment Compensation required reporting.

The ET Handbook is a more effective way to communicate reporting requirements, because codifying the reporting requirements in paragraphs (c) and (d) of the regulation prevents the Department from adapting reporting instructions to changing conditions or needs. The ET Handbook requires the weekly submission of Forms ETA–538 and ETA–539. These forms have been

computerized and contain information on initial Unemployment Insurance claims and continued weeks claimed. These figures are important economic indicators. Form ETA–538 provides information allowing release of advance unemployment claims information to the public five days after the close of the reference period. Form ETA–539 contains more detailed weekly claims information and the State's 13-week IUR that is used to determine eligibility for the Extended Benefits program. The reporting requirements in paragraphs (c) and (d) of the old regulation are included in the ET Handbook and elimination of the requirements in regulation allow for ease in making future modifications by simply updating the ET Handbook.

Furthermore, paragraph (d) existed during the implementation phase of the insured unemployment rate (IUR) indicator and required States to submit the method used to identify and select the weeks used for EB trigger purposes to ensure that States were consistent and comparable in their methods. With 30 years of experience, as well as numerous data validation and data quality programs in effect, it is unnecessary to compel State administrators to provide this information. Current reporting guidelines contained in the ET Handbook are clear enough that States continue to have clear standards about which claims are used for constructing totals used to compute trigger values, thus permitting the deletion of this paragraph. The NPRM does not change the existing reporting requirements for Forms ETA–538 or ETA–539.

The preamble to the NPRM stated that the Department had determined the proposed rule did not contain new information collections. However, to ensure transparency and full opportunities for public participation under all appropriate authorities, the Department has decided to submit an Information Collection Request (ICR) to the Office of Management and Budget (OMB) to revise the PRA approval for the information collections to reflect this rulemaking. *See* 44 U.S.C. 3506(c)(2)(B); 5 CFR 1320.11. As part of that process, we seek public comments on the removal of specific information collection requirements in the NPRM and on the general Extended Benefit reporting requirements in Handbook 401 and Forms ETA 538 and 539 in light of specific areas of interest to minimize so-called ''paperwork'' burdens on the public.

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. We obtain OMB approval for this information collection under Control Number 1205–0028. This notice is to provide the public an opportunity to comment on the proposed changes to the information collections in the rule, in preparation for an ICR to revise the current PRA approval to reflect the changes in the rule.

Interested parties are encouraged to send comments to the address shown in the **ADDRESSES** section within sixty (60) days of publication of this notice in the **Federal Register**. In order to help ensure appropriate consideration, comments should mention OMB Control Number 1205–0028. We are 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.

This information collection is summarized as follows:

Agency: DOL–ETA.

Action: ICR Revision.

Title of Collection: Weekly Claims and Extended Benefits Data and Weekly Initial and Continued Weeks Claimed.

OMB Control Number: 1205–0028.

Affected Public: State, Local, and Tribal Governments.

Total Estimated Number of Respondents: 53.

Total Estimated Number of Responses: 5,512.

Total Estimated Annual Time Burden: 3,675 hours.

Total Estimated Annual Other Costs Burden: $0.

Portia Wu,

Assistant Secretary for Employment and Training.

[FR Doc. 2015–16590 Filed 7–6–15; 8:45 am]

BILLING CODE 4510–FW–P

DEPARTMENT OF LABOR

Employment and Training Administration

Comment Request for Information Collection for ETA 9128, Reemployment Services and Eligibility Assessments Workload Report, ETA 9129, Reemployment Services and Eligibility Assessments Outcomes Report, Extension With Revision, ETA 9128 X, Reemployment Services and Eligibility Assessments Workload Report for Unemployment Compensation for Ex-Servicemembers (UCX), and ETA 9129 X, Reemployment Services and Eligibility Assessments Outcomes Report for Unemployment Compensation for Ex-Servicemembers

AGENCY: Employment and Training Administration (ETA), Labor.

ACTION: Notice

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and Federal agencies an opportunity to comment on proposed and/or continuing collection of information in accordance with the Paperwork Reduction Act of 1995 [44 U.S.C. 3506(c)(2)(A)] (PRA). The PRA helps to ensure that respondents can provide requested data in the desired format with minimal reporting burden (time and financial resources), collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed.

Currently, ETA is soliciting comments concerning the collection of data about the ETA 9128, and the ETA 9129 and the new ETA 9128 X and ETA 9129 X. The current expiration date for the ETA 9128 and ETA 9129 reports is January 31, 2016. Beginning in 2016, states will be required to target for the Reemployment Services and Eligibility Assessment (RESEA) program one-third of those regular claimants most likely to exhaust their benefits and all claimants receiving UCX. For this reason the Department is proposing that states send an ETA 9128 report for one-third of those regular claimants most likely to exhaust their benefits and a separate

ETA 9128 X report for UCX recipients. These two reports will reflect different populations and all data elements will be the same as are currently collected on the ETA 9128 report. To review the outcomes of the RESEA program, the Department is proposing to use the ETA 9129 report and the ETA 9129 X report for UCX participants. The data elements in these reports will parallel those of the treatment group on the current reports. Data collection for the comparison group in the ETA 9129 is being discontinued under this revision and will not be included in the ETA 9129 X. All these reports will reflect the new name for the Reemployment and Eligibility Assessment (REA) program, which changed in 2015 to the RESEA program.

DATES: Submit written comments to the office listed in the addressee section below on or before September 8, 2015.

ADDRESSES: Send comments to Diane Wood, Office of Unemployment Insurance, Room S–4524, Employment and Training Administration, U.S Department of Labor, 200 Constitution Avenue NW., Frances Perkins Bldg., Washington, DC 20210. Telephone number: (202) 693–3212 (this is not a toll-free number). Individuals with hearing or speech impairments may access the telephone number above via TTY by calling the toll-free Federal Information Relay Service at 1–877–889–5627 (TTY/TDD). Email at *wood.diane@dol.gov.* To obtain a copy of the proposed information collection request (ICR), please contact the person listed above.

SUPPLEMENTARY INFORMATION:

I. Background

Funds will be awarded to participating states in the RESEA program year 2015 to continue the REA program. The RESEA guidelines require that these funds be used to conduct in-person assessments in the American Job Centers. The RESEA must include an orientation session, an unemployment insurance (UI) eligibility review, the provision of labor market information, development of a re-employment plan and referral to reemployment services and/or training, as appropriate. The guidelines require that participation exclude those claimants who have a specific return-to-work date.

II. Review Focus

The Department is particularly interested in comments which:

* Evaluate whether the proposed collection of information is necessary for the proper performance of the function of the agency, including whether the information has 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 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.

III. Current Actions

The continued collection of the information contained on the ETA 9128 and the ETA 9129 reports is necessary to enable the Office of Unemployment Insurance (OUI) to continue evaluating the effectiveness of the REA program through workload and outcomes reports.

Type of Review: Extension with revision.

Title: Reemployment and Eligibility Assessments Workload Report and Reemployment and Eligibility Assessments Outcomes Report (ETA 9128 and ETA 9129) and Reemployment and Eligibility Assessments Workload Report for Ex-Servicemembers, and Reemployment and Eligibility Assessments Outcomes Report for Ex-Servicemembers (ETA 9128 X and ETA 9129 X).

OMB Number: 1205–0456.

Affected Public: State and Local Governments.

Estimated Total Annual Respondents: 48.

Average Frequency: Quarterly (four reports every quarter per state).

Estimated Annual Responses: 768.

Average Time per Response: 0.5 hours.

Estimated Total Burden Hours: 384 hours.

Total Estimated Annual Other Cost Burden: $0.

We will summarize and/or include in the request for OMB approval of the ICR, the comments received in response to this comment request; they will also become a matter of public record.

Portia Wu,

Assistant Secretary for Employment and Training, Labor.

[FR Doc. 2015–16560 Filed 7–6–15; 8:45 am]

BILLING CODE 4510–FN–P

DEPARTMENT OF LABOR

Office of Workers' Compensation Programs

Proposed Extension of Existing Collection; Comment Request

ACTION: Notice

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) [44 U.S.C. 3506(c)(2)(A)]. This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. Currently, the Office of Workers' Compensation Programs is soliciting comments concerning the proposed collection: Provider Enrollment Form (OWCP–1168). A copy of the proposed information collection request can be obtained by contacting the office listed below in the addresses section of this Notice.

DATES: Written comments must be submitted to the office listed in the addresses section below on or before September 8, 2015.

ADDRESSES: Ms. Yoon Ferguson, U.S. Department of Labor, 200 Constitution Ave. NW., Room S-3201, Washington, DC 20210, telephone/fax (202) 354–9647, Email *ferguson.yoon@dol.gov.* Please use only one method of transmission for comments (mail, fax, or Email).

SUPPLEMENTARY INFORMATION:

I. Background: The Office of Workers' Compensation Programs (OWCP) is the agency responsible for administration of the Federal Employees' Compensation Act (FECA), 5 U.S.C. 8101 *et seq.,* the Black Lung Benefits Act (BLBA), 30 U.S.C. 901 *et seq.,* and the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA), 42 U.S.C. 7384 *et seq.* These statutes require OWCP to pay for appropriate medical and vocational rehabilitation services provided to beneficiaries. In order for OWCP's billing contractor to pay providers of these services with its automated bill processing system, providers must ''enroll'' with one or more of the OWCP programs that administer the statutes by

submitting certain profile information, including identifying information, tax I.D. information, and whether they possess specialty or sub-specialty training. Form OWCP–1168 is used to obtain this information from each provider. This information collection is currently approved for use through January 31, 2016.

II. Review Focus: The Department of Labor is particularly interested in comments which:

* 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 submissions of responses.

III. Current Actions: The Department of Labor seeks the approval of the extension of this currently approved information collection in order to carry out a wide range of automated bill ''edits'', such as the identification of duplicate billings, the application of pertinent fee schedules, utilization review, and fraud and abuse detection. The profile information is also used to furnish detailed reports to providers on the status of previously submitted bills.

Type of Review: Extension.

Agency: Office of Workers' Compensation Programs.

Title: Provider Enrollment Form.

OMB Number: 1240–0021.

Agency Number: OWCP–1168.

Affected Public: Businesses or other for-profit.

Total Respondents: 31,979.

Total Responses: 31,979.

Time per Response: 8 minutes.

Estimated Total Burden Hours: 4,252.

Total Burden Cost (capital/startup): $0.

Total Burden Cost (operating/maintenance): $16,629.

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they will also become a matter of public record.

Dated: July, 1 2015.

Yoon Ferguson,

Agency Clearance Officer, Office of Workers' Compensation Programs,US Department of Labor.

[FR Doc. 2015–16579 Filed 7–6–15; 8:45 am]

BILLING CODE 4510–CR–P

NATIONAL SCIENCE FOUNDATION

Agency Information Collection Activities: Comment Request

AGENCY: National Science Foundation.

ACTION: Submission for OMB Review; Comment Request.

SUMMARY: The National Science Foundation (NSF) has submitted the following information collection requirement to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104–13. This is the second notice for public comment; the first was published in the **Federal Register** at 80 FR 22566, and no comments were received. NSF is forwarding the proposed renewal submission to the Office of Management and Budget (OMB) for clearance simultaneously with the publication of this second notice. The full submission may be found at: *http://www.reginfo.gov/public/do/PRAMain.* Comments regarding (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility and clarity of the information to be collected; or (d) ways to 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 should be addressed to: Office of Information and Regulatory Affairs of OMB, Attention: Desk Officer for National Science Foundation, 725—17th Street NW., Room 10235, Washington, DC 20503, and to Suzanne H. Plimpton, Reports Clearance Officer, National Science Foundation, 4201 Wilson Boulevard, Suite 295, Arlington, Virginia 22230 or send email to *splimpto@nsf.gov.* Comments regarding this information collection are best assured of having their full effect if received within 30 days of this notification. Copies of the submission(s) may be obtained by calling 703–292–7556.

FOR FURTHER INFORMATION CONTACT: Suzanne H. Plimpton at (703) 292–7556 or send email to *splimpto@nsf.gov.* Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

NSF may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

SUPPLEMENTARY INFORMATION:

Title of Collection: DUE Project Data Form

OMB Control No.: 3145–0201.

Abstract: The DUE Project Data Form (NSF 1295) is a component of all grant proposals submitted to NSF's Division of Undergraduate Education. This form collects information needed to direct proposals to appropriate reviewers and to report the estimated collective impact of proposed projects on institutions, students, and faculty members. Requested information includes the discipline of the proposed project, collaborating organizations involved in the project, the academic level on which the project focuses (*e.g.,* lower-level undergraduate courses, upper-level undergraduate courses), characteristics of the organization submitting the proposal, special audiences (if any) that the project would target (*e.g.,* women, minorities, persons with disabilities), strategic foci (if any) of the project (*e.g.,* research on teaching and learning, international activities, integration of research and education), and the number of students and faculty at different educational levels who would benefit from the project.

Respondents: Investigators who submit proposals to NSF's Division of Undergraduate Education.

Estimated Number of Annual Respondents: 2,700.

Burden on the Public: 20 minutes (per response) for an annual total of 900 hours.

Dated: July 1, 2015.

Suzanne H. Plimpton,

Reports Clearance Officer, National Science Foundation.

[FR Doc. 2015–16624 Filed 7–6–15; 8:45 am]

BILLING CODE 7555–01–P

NATIONAL SCIENCE FOUNDATION

Committee Management; Renewals

The National Science Foundation (NSF) management officials having responsibility for the advisory committees listed below have determined that renewing these groups for another two years is necessary and in the public interest in connection with the performance of duties imposed upon the Director, National Science Foundation (NSF), by 42 U.S.C. 1861 *et seq.* This determination follows consultation with the Committee Management Secretariat, General Services Administration.

Committees

Advisory Committee for Biological Sciences, #1110
Advisory Committee for Cyberinfrastructure, #25150
Advisory Committee for Education and Human Resources, #1119
Advisory Committee for Engineering, #1170
Advisory Committee for Geosciences, #1755
Advisory Committee for Integrative Activities, #1373 (Renewal/Amend)
Alan T. Waterman Award Committee, #1172
Proposal Review Panel for Atmospheric and Geospace Sciences, #10751
Proposal Review Panel for Behavioral and Cognitive Sciences, #10747
Proposal Review Panel for Biological Infrastructure, #10743
Proposal Review Panel for Earth Sciences, #1569
Proposal Review Panel for Emerging Frontiers in Biological Sciences, #44011
Proposal Review Panel for Environmental Biology, #10744
Proposal Review Panel for Geosciences, #1756
Proposal Review Panel for Integrative Organismal Systems, #10745
Proposal Review Panel for Molecular and Cellular Biosciences, #10746
Proposal Review Panel for Ocean Sciences, #10752
Proposal Review Panel for Research on Learning in Formal and Informal Settings, #59
Proposal Review Panel for Social, Behavioral and Economic Sciences, #1766
Proposal Review Panel for Social and Economic Sciences, #10748

Effective date for renewal is July 1, 2015. For more information, please contact Crystal Robinson, NSF, at (703) 292–8687.

Dated: July 1, 2015.

Crystal Robinson,

Committee Management Officer.

[FR Doc. 2015–16571 Filed 7–6–15; 8:45 am]

BILLING CODE 7555–01–P

NATIONAL TRANSPORTATION SAFETY BOARD

Plan for Generic Information Collection Activity; Submission for OMB Review; Comment Request

AGENCY: National Transportation Safety Board (NTSB).

ACTION: Notice.

SUMMARY: The NTSB is announcing it is submitting a plan for an Information Collection Request (ICR) to the Office of Management and Budget (OMB) for approval, in accordance with the Paperwork Reduction Act. This ICR Plan describes a web-based report form an aircraft operator may use to report a serious incident as defined in NTSB regulations. Providing the option to permit operators to file reports electronically will increase efficiency and be more convenient for operators. This Notice informs the public that it may submit to the NTSB comments concerning the agency's proposed plan for information collection.

DATES: Submit written comments regarding this proposed plan for the collection of information by September 8, 2015.

ADDRESSES: Respondents may submit written comments on the collection of information to the National Transportation Safety Board Office of Aviation Safety, 490 L'Enfant Plaza SW., Washington, DC 20594.

FOR FURTHER INFORMATION CONTACT: Josh Lindberg, NTSB Office of Aviation Safety, at (202) 314–6667.

SUPPLEMENTARY INFORMATION: In accordance with OMB regulations that require this Notice for proposed ICRs, the NTSB herein notifies the public that it may submit comments on this proposed ICR Plan to the NTSB. 5 CFR 1320.10(a). Section 1320.10(a) requires this ''notice directing requests for information, including copies of the proposed collection of information and supporting documentation, to the [NTSB].'' Pursuant to § 1320.10(a), the NTSB will provide a copy of this notice to OMB. This request for approval is not associated with a rulemaking activity.

A. Paperwork Reduction Act Requirement

In accordance with OMB regulations that require this Notice for proposed ICRs, the NTSB herein notifies the public that it may submit comments on this proposed information collection. Title 5 CFR 1320.8(d)(1) requires an agency, prior to submitting a collection of information to OMB for approval, to ''provide 60-day notice in the **Federal Register**, and otherwise consult with members of the public and affected agencies concerning . . . [the] proposed collection of information.'' Section 1320.8(d)(1) also requires the NTSB to solicit comment on any aspect of this information collection, including: (1) Whether the proposed collection is necessary for the NTSB to perform its mission; (2) the accuracy of the estimated burden; (3) ways for the NTSB 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. The NTSB will summarize and/or include the public's comments in its subsequent request for OMB's clearance of this information collection pursuant to 5 CFR 1320.10(a).

B. Description of Web-Based Report Form

The NTSB's proposed use of a web-based reporting form to collect information concerning reportable aviation incidents is distinct from its Pilot/Operator Aircraft Accident/Incident Report Form (NTSB Form 6120.1), which the NTSB uses in determining the facts, conditions, and circumstances for aircraft accident prevention activities and for statistical purposes.[1] The proposed electronic form to report serious incidents, as listed at 49 CFR 830.5, will be a concise electronic form available for completion on the NTSB Web site. The NTSB will obtain information on the form to determine whether to commence an investigation into the facts of the incident.

The form will ask, ''[w]hich of the following incidents did you experience?'' and include a listing of the serious incidents operators are required to report under 49 CFR 830.5. Respondents can check the box next to the appropriate incident and then proceed to the next question. The form will then ask whether serious injuries or substantial damage occurred, as well as whether the incident involved an unmanned aircraft. The form will include web hyperlinks to the definitions of ''serious injury'' and ''substantial damage,'' as defined at 49

[1] See Information Collection Review Reference Number 201311–3147–001; OMB Control Number 3147–0001.

CFR 830.2. If a respondent answers ''yes'' to any of those questions, the information collection will conclude by displaying an instruction for the respondent to contact the NTSB Response Operations Center at 844–373–9922. The next set of questions on the form will seek the following information: Name of operator; date and time of event (UTC); flight origin and intended destination; aircraft registration number and type; approximate location of the incident; number of pilots, crew, and passengers; and a description of the nature of the incident. At the conclusion of the form, the form will seek the respondent's name, email address, and phone number.

C. Use of Information on the Web-Based Incident Report Form

The NTSB will use the information provided on the electronic report form for serious incidents to determine whether to commence an investigation into the incident. Everyone involved in an NTSB investigation, including the parties to the investigation (as defined at 49 CFR 831.11), depend on accurate information the NTSB collects while conducting the investigation and determining which areas warrant focus and attention. In this regard, if the NTSB determines it will commence an investigation into the incident the operator has reported via the electronic form, the NTSB will consider the form to be critical to its statutory function to investigate accidents and incidents. In addition, the accuracy of the information the NTSB collects on the form will be used in issuing safety recommendations following the incident, in an effort to prevent future accidents and incidents.

The NTSB has carefully considered whether this collection of information on the draft electronic form is duplicative of any other agency's collections of information. The NTSB is unaware of any form the FAA disseminates that solicits the same information the electronic form will require. However, the NTSB notes some operators may choose to provide a voluntary report to the National Aeronautics and Space Administration (NASA) in accordance with the Aviation Safety Reporting Program (ASRP).[2]

The NTSB notes informing the NTSB of a serious incident listed at 49 CFR 830.5 is not voluntary, but is required by 49 CFR 830.5 and 830.10. The NTSB, in general, will not accept partially completed forms; NTSB investigators will exercise their discretion in requesting completion of an electronic incident reporting form a respondent submits that is partially completed.

Currently, the NTSB accepts phone calls transmitting the information described above. The NTSB seeks to improve the efficiency of the receipt of the necessary information by offering respondents the option of submitting the information online.

The NTSB has carefully reviewed the form to ensure it has used plain, coherent, and unambiguous terminology in its request for information. While some incidents listed in the form contain terms specific to the aviation industry, the NTSB believes respondents completing the form will be knowledgeable about the terminology the NTSB uses in the form, and the NTSB has remained mindful of its choices of terms in the development of the draft web-based form. The NTSB estimates respondents will spend approximately 10 minutes in completing the form. The NTSB estimates approximately 280 respondents per year will complete the form, but notes this number may vary, given the unpredictable nature of the frequency of aviation incidents.

D. Request for Comments

In accordance with 44 U.S.C. 3506(c)(2)(A), the NTSB seeks feedback from the public concerning this proposed plan for information collection. In particular, the NTSB asks the public to evaluate whether the proposed collection of information is necessary; to assess the accuracy of the NTSB's burden estimate; to comment on how to enhance the quality, utility, and clarity of the information to be collected; and to comment on how the NTSB might minimize the burden of the collection of information.

The NTSB will carefully consider all feedback it receives in response to this notice. As described above, obtaining the information the NTSB seeks on these electronic incident report forms in a timely manner is important to the NTSB's mission in investigating incidents and thereby improving aviation safety. Therefore, obtaining approval from the Office of Information and Regulatory Affairs for this electronic collection of information is a priority for the NTSB.

Christopher A. Hart,

Chairman.

[FR Doc. 2015–16619 Filed 7–6–15; 8:45 am]

BILLING CODE 7533–01–P

[2] Under the ASRP, the Administrator may waive the imposition of a sanction, despite the finding of a regulatory violation, as long as certain requirements are satisfied. Aviation Safety Reporting Program, Advisory Circular 00–46E (Dec. 16, 2011). To take advantage of the program, one must voluntarily file a report with NASA.

NUCLEAR REGULATORY COMMISSION

[Docket No. 50–390; NRC–2015–0162]

Tennessee Valley Authority, Watts Bar Nuclear Plant, Unit 1

AGENCY: Nuclear Regulatory Commission.

ACTION: License amendment application; opportunity to request a hearing and to petition for leave to intervene.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) has received an application from Tennessee Valley Authority (TVA), for amendment of Facility Operating License No. NPF–90, issued for the operation of Watts Bar Nuclear Plant, Unit 1, located in Rhea County, Tennessee. The proposed amendment would allow a change to the Technical Specifications (TSs) to revise the number of tritium producing burnable absorber rods (TPBARs) in the core.

DATES: A request for a hearing or petition for leave to intervene must be filed by September 8, 2015.

ADDRESSES: Please refer to Docket ID NRC–2015–0162 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–2015–0162. 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 (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:

Jeanne Dion, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington DC 20555–001, telephone 301–415–1349, email: *Jeannie.Dion@gmail.com.*

SUPPLEMENTARY INFORMATION:

I. Introduction

The NRC is considering issuance of an amendment to Facility Operating License No. NPF–90, issued to the TVA, for operation of the WBN, Unit 1, located in Rhea County, Tennessee.

The NRC has received an application from the TVA for amendment of Facility Operating License No. NFP–90, which authorizes the operation of WBN, Unit 1. The amendment would allow a change to the WBN, Unit 1 Technical Specification (TS) 4.2.1, ''Fuel Assemblies,'' to revise the maximum number of tritium producing burnable absorber rods (TPBARs) in the core. The proposed amendment would also revise TS 3.5.1, ''Accumulators,'' Surveillance Requirement (SR) 3.5.1.4 and TS 3.5.4, ''Refueling Water Storage Tank (RWST),'' SR 3.5.4.3 to delete outdated information related to the tritium production program. These proposed changes will support a planned increase in the TPBAR inventory in the WBN, Unit 1 reactor core to support national security needs.

Before issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations.

The amendment will not be issued prior to a hearing unless the staff makes a determination that the amendment involves no significant hazards considerations. If a request for a hearing is received, the Commission's staff may issue the amendment after it completes its technical review and prior to the completion of any required hearing if it publishes a further notice for public comment of its proposed finding of no significant hazards consideration in accordance with 10 CFR 50.91 and 10 CFR 50.92.

II. Opportunity To Request a Hearing and Petition for Leave To Intervene

Within 60 days after the date of publication of this **Federal Register** notice, any persons whose interest may be affected by this proceeding and who desires to participate as a party in the proceeding must file a written request for a hearing or a petition for leave to intervene specifying the contentions which the person seeks to have litigated in the hearing with respect to the license amendment request. Requests for a hearing and petitions for leave to intervene shall be filed in accordance with the NRC's ''Agency Rules of Practice and Procedure,'' in 10 CFR part 2. Interested person(s) should consult a current copy of 10 CFR 2.309, which is available at the NRC's PDR. The NRC's regulations are accessible electronically from the NRC Library on the NRC's public Web site at *http://www.nrc.gov/reading-rm/doc-collections/cfr/.*

As required by 10 CFR 2.309, a request for hearing or petition for leave to intervene must set forth with particularity the interest of the petitioner in the proceeding and how that interest may be affected by the results of the proceeding. The hearing request or petition must specifically explain the reasons why intervention should be permitted, with particular reference to the following general requirements: (1) The name, address, and telephone number of the requestor or petitioner; (2) the nature of the requestor's/petitioner's right under the Act to be made a party to the proceeding; (3) the nature and extent of the requestor's/petitioner's property, financial, or other interest in the proceeding; and (4) the possible effect of any decision or order which may be entered in the proceeding on the requestor's/petitioner's interest. The hearing request or petition must also include the specific contentions that the requestor/petitioner seeks to have litigated at the proceeding.

For each contention, the requestor/petitioner must provide a specific statement of the issue of law or fact to be raised or controverted, as well as a brief explanation of the basis for the contention. Additionally, the requestor/petitioner must demonstrate that the issue raised by each contention is within the scope of the proceeding and is material to the findings that the NRC must make to support the granting of a license amendment in response to the application. The hearing request or petition must also include a concise statement of the alleged facts or expert opinion that support the contention and on which the requestor/petitioner intends to rely at the hearing, together with references to those specific sources and documents. The hearing request or petition must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact, including references to specific portions of the application for amendment that the petitioner disputes and the supporting reasons for each dispute. If the requestor/petitioner believes that the application for amendment fails to contain information on a relevant matter as required by law, the requestor/petitioner must identify each failure and the supporting reasons for the requestor's/petitioner's belief. Each contention must be one which, if proven, would entitle the requestor/petitioner to relief. A requestor/petitioner who does not satisfy these requirements for at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing with respect to resolution of that person's admitted contentions, including the opportunity to present evidence and to submit a cross-examination plan for cross-examination of witnesses, consistent with NRC regulations, policies, and procedures. The Atomic Safety and Licensing Board will set the time and place for any prehearing conferences and evidentiary hearings, and the appropriate notices will be provided.

Hearing requests or petitions for leave to intervene must be filed no later than 60 days from the date of publication of this notice.

If a hearing is requested, the Commission will make a final determination on the issue of no significant hazards consideration. The final determination will serve to decide when the hearing is held. If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment. If the final determination is that the amendment request involves a significant hazards consideration, then any hearing held would take place before the issuance of any amendment unless the Commission finds an imminent danger to the health or safety of the public, in which case it will issue an appropriate order or rule under 10 CFR part 2.

III. Electronic Submissions (E-Filing)

All documents filed in NRC adjudicatory proceedings, including a request for hearing, a petition for leave to intervene, any motion or other document filed in the proceeding prior to the submission of a request for hearing or petition to intervene, and documents filed by interested governmental entities participating under 10 CFR 2.315(c), must be filed in accordance with the NRC's E-Filing rule (72 FR 49139; August 28, 2007). The E-Filing process requires participants to submit and serve all adjudicatory documents over the internet, or in some cases to mail copies on electronic storage media. Participants may not submit paper copies of their filings unless they seek an exemption in accordance with the procedures described below.

To comply with the procedural requirements of E-Filing, at least 10 days prior to the filing deadline, the participant should contact the Office of the Secretary by email at *hearing.docket@nrc.gov,* or by telephone at 301–415–1677, to request (1) a digital identification (ID) certificate, which allows the participant (or its counsel or representative) to digitally sign documents and access the E-Submittal server for any proceeding in which it is participating; and (2) advise the Secretary that the participant will be submitting a request or petition for hearing (even in instances in which the participant, or its counsel or representative, already holds an NRC-issued digital ID certificate). Based upon this information, the Secretary will establish an electronic docket for the hearing in this proceeding if the Secretary has not already established an electronic docket.

Information about applying for a digital ID certificate is available on the NRC's public Web site at *http://www.nrc.gov/site-help/e-submittals/getting-started.html.* System requirements for accessing the E-Submittal server are detailed in the NRC's ''Guidance for Electronic Submission,'' which is available on the agency's public Web site at *http://www.nrc.gov/site-help/e-submittals.html.* Participants may attempt to use other software not listed on the Web site, but should note that the NRC's E-Filing system does not support unlisted software, and the NRC Meta System Help Desk will not be able to offer assistance in using unlisted software.

If a participant is electronically submitting a document to the NRC in accordance with the E-Filing rule, the participant must file the document using the NRC's online, Web-based submission form. In order to serve documents through the Electronic Information Exchange System, users will be required to install a Web browser plug-in from the NRC's Web site. Further information on the Web-based submission form, including the installation of the Web browser plug-in, is available on the NRC's public Web site at *http://www.nrc.gov/site-help/e-submittals.html.*

Once a participant has obtained a digital ID certificate and a docket has been created, the participant can then submit a request for hearing or petition for leave to intervene. Submissions should be in Portable Document Format (PDF) in accordance with NRC guidance available on the NRC's public Web site at *http://www.nrc.gov/site-help/e-submittals.html.* A filing is considered complete at the time the documents are submitted through the NRC's E-Filing system. To be timely, an electronic filing must be submitted to the E-Filing system no later than 11:59 p.m. Eastern Time on the due date. Upon receipt of a transmission, the E-Filing system time-stamps the document and sends the submitter an email notice confirming receipt of the document. The E-Filing system also distributes an email notice that provides access to the document to the NRC's Office of the General Counsel and any others who have advised the Office of the Secretary that they wish to participate in the proceeding, so that the filer need not serve the documents on those participants separately. Therefore, applicants and other participants (or their counsel or representative) must apply for and receive a digital ID certificate before a hearing request/petition to intervene is filed so that they can obtain access to the document via the E-Filing system.

A person filing electronically using the NRC's adjudicatory E-Filing system may seek assistance by contacting the NRC Meta System Help Desk through the ''Contact Us'' link located on the NRC's public Web site at *http://www.nrc.gov/site-help/e-submittals.html,* by email to *MSHD.Resource@nrc.gov,* or by a toll-free call at 1–866–672–7640. The NRC Meta System Help Desk is available between 8 a.m. and 8 p.m., Eastern Time, Monday through Friday, excluding government holidays.

Participants who believe that they have a good cause for not submitting documents electronically must file an exemption request, in accordance with 10 CFR 2.302(g), with their initial paper filing requesting authorization to continue to submit documents in paper format. Such filings must be submitted by: (1) First class mail addressed to the Office of the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, Attention: Rulemaking and Adjudications Staff; or (2) courier, express mail, or expedited delivery service to the Office of the Secretary, Sixteenth Floor, One White Flint North, 11555 Rockville Pike, Rockville, Maryland, 20852, Attention: Rulemaking and Adjudications Staff. Participants filing a document in this manner are responsible for serving the document on all other participants. Filing is considered complete by first-class mail as of the time of deposit in the mail, or by courier, express mail, or expedited delivery service upon depositing the document with the provider of the service. A presiding officer, having granted an exemption request from using E-Filing, may require a participant or party to use E-Filing if the presiding officer subsequently determines that the reason for granting the exemption from use of E-Filing no longer exists.

Documents submitted in adjudicatory proceedings will appear in the NRC's electronic hearing docket which is available to the public at *http://ehd1.nrc.gov/ehd/,* unless excluded pursuant to an order of the Commission, or the presiding officer. Participants are requested not to include personal privacy information, such as social security numbers, home addresses, or home phone numbers in their filings, unless an NRC regulation or other law requires submission of such information. However, in some instances, a request to intervene will require including information on local residence in order to demonstrate a proximity assertion of interest in the proceeding. With respect to copyrighted works, except for limited excerpts that serve the purpose of the adjudicatory filings and would constitute a Fair Use application, participants are requested not to include copyrighted materials in their submission.

Petitions for leave to intervene must be filed no later than 60 days from the date of publication of this notice. Requests for hearing, petitions for leave to intervene, and motions for leave to file new or amended contentions that are filed after the 60-day deadline will not be entertained absent a determination by the presiding officer that the filing demonstrates good cause by satisfying the following three factors in 10 CFR 2.309(c)(1)(i)–(iii).

For further details with respect to this action, see the application for license

amendment dated March 31, 2015, as supplemented on May 27 and June 15, 2015 (available in ADAMS under Accession Nos. ML15098A446, ML15147A611, and ML15167A359, respectively).

Attorney for licensee: General Counsel, Tennessee Valley Authority, 400 West Summit Hill Drive, ET 11A, Knoxville, Tennessee 37902.

NRC Branch Chief: Jessie Quichocho.

Dated at Rockville, Maryland, this 26th day of June 2015.

For the Nuclear Regulatory Commission.

Robert F. Kuntz,

Senior Project Manager, Watts Bar Special Projects Branch, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.

[FR Doc. 2015–16541 Filed 7–6–15; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2015–0001]

Sunshine Act Meeting

DATE: July 6, 13, 20, 27, August 3, 10, 2015.

PLACE: Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

STATUS: Public and Closed.

Week of July 6, 2015

Tuesday, July 7, 2015

9:00 a.m. Briefing on Inspections, Tests, Analyses, and Acceptance Criteria (Public Meeting); (Contact: James Beardsley, 301–415–5998).

This meeting will be webcast live at the Web address—*http://www.nrc.gov/.*

Thursday, July 9, 2015

9:00 a.m. Briefing on the Mitigation of Beyond Design Basis Events Rulemaking (Public Meeting); (Contact: Tara Inverso, 301–415–1024).

This meeting will be webcast live at the Web address—*http://www.nrc.gov/.*

1:30–3:00 p.m. Discussion of Management and Personnel Issues (Closed—Ex. 2 & 6)

Week of July 13, 2015—Tentative

There are no meetings scheduled for the week of July 13, 2015.

Week of July 20, 2015—Tentative

There are no meetings scheduled for the week of July 20, 2015.

Week of July 27, 2015—Tentative

There are no meetings scheduled for the week of July 27, 2015.

Week of August 3, 2015—Tentative

Thursday, August 6, 2015

9:30 a.m. Strategic Programmatic Overview of the Operating Reactors Business Line (Public Meeting); (Contact: Nathan Sanfilippo: 301–415–8744).

This meeting will be webcast live at the Web address—*http://www.nrc.gov/.*

Week of August 10, 2015—Tentative

Thursday, August 13, 2015

9:00 a.m. Briefing on Greater-Than-Class-C Low-Level Radioactive Waste (Public Meeting); (Contact: Gregory Suber—301–415–8087).

* * * * *

The schedule for Commission meetings is subject to change on short notice. For more information or to verify the status of meetings, contact Glenn Ellmers at 301–415–0442 or via email at *Glenn.Ellmers@nrc.gov.*

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The NRC Commission Meeting Schedule can be found on the Internet at: *http://www.nrc.gov/public-involve/public-meetings/schedule.html.*

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The NRC provides reasonable accommodation to individuals with disabilities where appropriate. If you need a reasonable accommodation to participate in these public meetings, or need this meeting notice or the transcript or other information from the public meetings in another format (*e.g.* braille, large print), please notify Kimberly Meyer, NRC Disability Program Manager, at 301–287–0727, by videophone at 240–428–3217, or by email at *Kimberly.Meyer-Chambers@nrc.gov.* Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

* * * * *

Members of the public may request to receive this information electronically. If you would like to be added to the distribution, please contact the Nuclear Regulatory Commission, Office of the Secretary, Washington, DC 20555 (301–415–1969), or email *Brenda.Akstulewicz@nrc.gov* or *Patricia.Jimenez@nrc.gov.*

Dated: July 2, 2015.

Glenn Ellmers,

Policy Coordinator, Office of the Secretary.

[FR Doc. 2015–16749 Filed 7–2–15; 4:15 pm]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2015–0112]

Determining the Effectiveness, Limitations, and Operator Response for Very Early Warning Fire Detection Systems in Nuclear Facilities (DELORES–VEWFIRE)

AGENCY: Nuclear Regulatory Commission.

ACTION: Draft NUREG; request for comment.

SUMMARY: The NRC is making the proposed draft, NUREG–2180, ''Determining the Effectiveness, Limitations, and Operator Response for Very Early Warning Fire Detection Systems in Nuclear Facilities (DELORES–VEWFIRE), Draft Report for Comment,'' available for public comment.

DATES: Submit comments by September 8, 2015. Comments received after this date will be considered if it is practical to do so, but the Commission is able to ensure consideration only for comments received before this date.

ADDRESSES: You may submit comments by any of the following methods (unless this document describes a different method for submitting comments on a specific subject):

- *Federal Rulemaking Web site:* Go to *http://www.regulations.gov* and search for Docket ID NRC–2015–0112. 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.
- *Mail comments to:* Cindy Bladey, Office of Administration, Mail Stop: OWFN–12–H08, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

For additional direction on obtaining information and submitting comments, see ''Obtaining Information and Submitting Comments'' in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Gabriel Taylor, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–0781, email: *gabriel.taylor@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC–2015–0112 when contacting the NRC about the availability of information for this action. You may obtain publicly-available information related to this action by any of the following methods:

- *Federal Rulemaking Web site:* Go to *http://www.regulations.gov* and search for Docket ID NRC–2015–0112.
- *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 proposed draft NUREG–2180, ''Determining the Effectiveness, Limitations, and Operator Response for Very Early Warning Fire Detection Systems in Nuclear Facilities (DELORES–VEWFIRE), Draft Report for Comment,'' is available electronically under ADAMS Accession No. ML15162A416.
- *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.

B. Submitting Comments

Please include Docket ID NRC–2015–0112 in your comment submission.

The NRC cautions you not to include identifying or contact information that you do not want to be publicly disclosed in your comment submission. The NRC will post all comment submissions at *http://www.regulations.gov* as well as enter the comment submissions into ADAMS. The NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment into ADAMS.

II. Discussion

Aspirated smoke detection systems have been available on the commercial market for more than four decades as an alternative technology to spot-type smoke detection for detecting products of combustion. In the United States, several nuclear power plants (NPPs) have installed these systems as early as the mid-1990s as an alternative method to conventional fire detection systems with the idea to provide advanced warning of potential fire threats. Recently, there has been indication that numerous licensees of NPPs transitioning to a performance-based fire protection program intend to install these types of systems configured as very early warning fire detection. In many, but not all cases, the choice to install these systems is based on the expectation that these systems may reduce the estimated fire risk in a fire probabilistic risk assessment (PRA).

In 2008, the NRC issued a staff interim position documented in a National Fire Protection Association Standard 805 Frequently Asked Question 08–0046, ''Incipient Fire Detection Systems.'' This staff interim position provides guidance on the use of these systems and the associated fire PRA quantification for in-cabinet applications. At that time, there was limited test data and PRA experience available for those applications and as such a confirmatory research program was needed. Research was also needed to advance the state of knowledge related to the performance of these systems. This report documents the results and findings from the confirmatory research program.

Specific areas of this draft report where comments and additional relevant information or supporting data are sought include:

1. System availability, including system down time and surveillance test interval for the aspirated smoke detection systems used in nuclear and non-nuclear facilities.

2. Time duration between a very early warning fire detection system ''alert'' condition and the commencement of flaming conditions. Alternatively, the time duration of the incipient stage, from start of component degradation to flaming conditions. Include a description of the type of electrical enclosure (*e.g.,* motor control center, relay rack, control panel, etc.) and voltage level of initiation component)

Dated at Rockville, Maryland, this 26th day of June 2015.

For the Nuclear Regulatory Commission.

Mark Henry Salley,

Chief, Fire Research Branch, Division of Risk Analysis, Office of Nuclear Regulatory Research.

[FR Doc. 2015–16547 Filed 7–6–15; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2015–0163]

Biweekly Notice; Applications and Amendments to Facility Operating Licenses and Combined Licenses Involving No Significant Hazards Considerations

AGENCY: Nuclear Regulatory Commission.

ACTION: Biweekly notice.

SUMMARY: Pursuant to section 189a. (2) of the Atomic Energy Act of 1954, as amended (the Act), the U.S. Nuclear Regulatory Commission (NRC) is publishing this regular biweekly notice. The Act requires the Commission to publish notice of any amendments issued, or proposed to be issued and grants the Commission the authority to issue and make immediately effective any amendment to an operating license or combined license, as applicable, upon a determination by the Commission that such amendment involves no significant hazards consideration, notwithstanding the pendency before the Commission of a request for a hearing from any person.

This biweekly notice includes all notices of amendments issued, or proposed to be issued from June 11, 2015, to June 24, 2015. The last biweekly notice was published on June 23, 2015.

DATES: Comments must be filed by August 6, 2015. A request for a hearing must be filed by September 8, 2015.

ADDRESSES: You may submit comments by any of the following methods (unless this document describes a different method for submitting comments on a specific subject):

- Federal Rulemaking Web site: Go to *http://www.regulations.gov* and search for Docket ID NRC–2015–0163. 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.
- Mail comments to: Cindy Bladey, Office of Administration, Mail Stop: OWFN–12–H08, U.S. Nuclear

Regulatory Commission, Washington, DC 20555–0001.

For additional direction on obtaining information and submitting comments, see ''Obtaining Information and Submitting Comments'' in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Paula Blechman, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–2242, email: *Paula.Blechman@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC–2015–0163 when contacting the NRC about the availability of information for this action. You may obtain publicly-available information related to this action by any of the following methods:

- *Federal Rulemaking Web site:* Go to *http://www.regulations.gov* and search for Docket ID NRC–2015–0163.
- *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 is available in ADAMS) is provided the first time that it is mentioned in the **SUPPLEMENTARY INFORMATION** section.
- *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.

B. Submitting Comments

Please include Docket ID NRC–2015–0163, facility name, unit number(s), application date, and subject in your comment submission.

The NRC cautions you not to include identifying or contact information that you do not want to be publicly disclosed in your comment submission. The NRC will post all comment submissions at *http://www.regulations.gov* as well as enter the comment submissions into ADAMS. The NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment submissions into ADAMS.

II. Notice of Consideration of Issuance of Amendments to Facility Operating Licenses and Combined Licenses and Proposed No Significant Hazards Consideration Determination

The Commission has made a proposed determination that the following amendment requests involve no significant hazards consideration. Under the Commission's regulations in § 50.92 of Title 10 of the *Code of Federal Regulations* (10 CFR), this means that operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated, or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. The basis for this proposed determination for each amendment request is shown below.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendment until the expiration of 60 days after the date of publication of this notice. The Commission may issue the license amendment before expiration of the 60-day period provided that its final determination is that the amendment involves no significant hazards consideration. In addition, the Commission may issue the amendment prior to the expiration of the 30-day comment period should circumstances change during the 30-day comment period such that failure to act in a timely way would result, for example in derating or shutdown of the facility. Should the Commission take action prior to the expiration of either the comment period or the notice period, it will publish in the **Federal Register** a notice of issuance. Should the Commission make a final No Significant Hazards Consideration Determination, any hearing will take place after issuance. The Commission expects that the need to take this action will occur very infrequently.

A. Opportunity To Request a Hearing and Petition for Leave To Intervene

Within 60 days after the date of publication of this notice, any person(s) whose interest may be affected by this action may file a request for a hearing and a petition to intervene with respect to issuance of the amendment to the subject facility operating license or combined license. Requests for a hearing and a petition for leave to intervene shall be filed in accordance with the Commission's ''Agency Rules of Practice and Procedure'' in 10 CFR part 2. Interested person(s) should consult a current copy of 10 CFR 2.309, which is available at the NRC's PDR, located at One White Flint North, Room O1–F21, 11555 Rockville Pike (first floor), Rockville, Maryland 20852. The NRC's regulations are accessible electronically from the NRC Library on the NRC's Web site at *http://www.nrc.gov/reading-rm/doc-collections/cfr/.* If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or a presiding officer designated by the Commission or by the Chief Administrative Judge of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary or the Chief Administrative Judge of the Atomic Safety and Licensing Board will issue a notice of a hearing or an appropriate order.

As required by 10 CFR 2.309, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following general requirements: (1) The name, address, and telephone number of the requestor or petitioner; (2) the nature of the requestor's/petitioner's right under the Act to be made a party to the proceeding; (3) the nature and extent of the requestor's/petitioner's property, financial, or other interest in the proceeding; and (4) the possible effect of any decision or order which may be entered in the proceeding on the requestor's/petitioner's interest. The petition must also identify the specific contentions which the requestor/

petitioner seeks to have litigated at the proceeding.

Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the requestor/petitioner shall provide a brief explanation of the bases for the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the requestor/petitioner intends to rely in proving the contention at the hearing. The requestor/petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the requestor/petitioner intends to rely to establish those facts or expert opinion. The petition must include sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the requestor/petitioner to relief. A requestor/petitioner who fails to satisfy these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing.

If a hearing is requested, the Commission will make a final determination on the issue of no significant hazards consideration. The final determination will serve to decide when the hearing is held. If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment. If the final determination is that the amendment request involves a significant hazards consideration, then any hearing held would take place before the issuance of any amendment unless the Commission finds an imminent danger to the health or safety of the public, in which case it will issue an appropriate order or rule under 10 CFR part 2.

B. Electronic Submissions (E-Filing)

All documents filed in NRC adjudicatory proceedings, including a request for hearing, a petition for leave to intervene, any motion or other document filed in the proceeding prior to the submission of a request for hearing or petition to intervene, and documents filed by interested governmental entities participating under 10 CFR 2.315(c), must be filed in accordance with the NRC's E-Filing rule (72 FR 49139; August 28, 2007). The E-Filing process requires participants to submit and serve all adjudicatory documents over the internet, or in some cases to mail copies on electronic storage media. Participants may not submit paper copies of their filings unless they seek an exemption in accordance with the procedures described below.

To comply with the procedural requirements of E-Filing, at least 10 days prior to the filing deadline, the participant should contact the Office of the Secretary by email at *hearing.docket@nrc.gov,* or by telephone at 301–415–1677, to request (1) a digital identification (ID) certificate, which allows the participant (or its counsel or representative) to digitally sign documents and access the E-Submittal server for any proceeding in which it is participating; and (2) advise the Secretary that the participant will be submitting a request or petition for hearing (even in instances in which the participant, or its counsel or representative, already holds an NRC-issued digital ID certificate). Based upon this information, the Secretary will establish an electronic docket for the hearing in this proceeding if the Secretary has not already established an electronic docket.

Information about applying for a digital ID certificate is available on the NRC's public Web site at *http://www.nrc.gov/site-help/e-submittals/getting-started.html.* System requirements for accessing the E-Submittal server are detailed in the NRC's ''Guidance for Electronic Submission,'' which is available on the agency's public Web site at *http://www.nrc.gov/site-help/e-submittals.html.* Participants may attempt to use other software not listed on the Web site, but should note that the NRC's E-Filing system does not support unlisted software, and the NRC Meta System Help Desk will not be able to offer assistance in using unlisted software.

If a participant is electronically submitting a document to the NRC in accordance with the E-Filing rule, the participant must file the document using the NRC's online, Web-based submission form. In order to serve documents through the Electronic Information Exchange System, users will be required to install a Web browser plug-in from the NRC's Web site. Further information on the Web-based submission form, including the installation of the Web browser plug-in, is available on the NRC's public Web site at *http://www.nrc.gov/site-help/e-submittals.html.*

Once a participant has obtained a digital ID certificate and a docket has been created, the participant can then submit a request for hearing or petition for leave to intervene. Submissions should be in Portable Document Format (PDF) in accordance with NRC guidance available on the NRC's public Web site at *http://www.nrc.gov/site-help/e-submittals.html.* A filing is considered complete at the time the documents are submitted through the NRC's E-Filing system. To be timely, an electronic filing must be submitted to the E-Filing system no later than 11:59 p.m. Eastern Time on the due date. Upon receipt of a transmission, the E-Filing system time-stamps the document and sends the submitter an email notice confirming receipt of the document. The E-Filing system also distributes an email notice that provides access to the document to the NRC's Office of the General Counsel and any others who have advised the Office of the Secretary that they wish to participate in the proceeding, so that the filer need not serve the documents on those participants separately. Therefore, applicants and other participants (or their counsel or representative) must apply for and receive a digital ID certificate before a hearing request/petition to intervene is filed so that they can obtain access to the document via the E-Filing system.

A person filing electronically using the NRC's adjudicatory E-Filing system may seek assistance by contacting the NRC Meta System Help Desk through the ''Contact Us'' link located on the NRC's public Web site at *http://www.nrc.gov/site-help/e-submittals.html,* by email to *MSHD.Resource@nrc.gov,* or by a toll-free call at 1–866–672–7640. The NRC Meta System Help Desk is available between 8 a.m. and 8 p.m., Eastern Time, Monday through Friday, excluding government holidays.

Participants who believe that they have a good cause for not submitting documents electronically must file an exemption request, in accordance with 10 CFR 2.302(g), with their initial paper filing requesting authorization to continue to submit documents in paper format. Such filings must be submitted by: (1) first class mail addressed to the Office of the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, Attention: Rulemaking and Adjudications Staff; or (2) courier,

express mail, or expedited delivery service to the Office of the Secretary, Sixteenth Floor, One White Flint North, 11555 Rockville Pike, Rockville, Maryland, 20852, Attention: Rulemaking and Adjudications Staff. Participants filing a document in this manner are responsible for serving the document on all other participants. Filing is considered complete by first-class mail as of the time of deposit in the mail, or by courier, express mail, or expedited delivery service upon depositing the document with the provider of the service. A presiding officer, having granted an exemption request from using E-Filing, may require a participant or party to use E-Filing if the presiding officer subsequently determines that the reason for granting the exemption from use of E-Filing no longer exists.

Documents submitted in adjudicatory proceedings will appear in the NRC's electronic hearing docket which is available to the public at *http://ehd1.nrc.gov/ehd/,* unless excluded pursuant to an order of the Commission, or the presiding officer. Participants are requested not to include personal privacy information, such as social security numbers, home addresses, or home phone numbers in their filings, unless an NRC regulation or other law requires submission of such information. However, in some instances, a request to intervene will require including information on local residence in order to demonstrate a proximity assertion of interest in the proceeding. With respect to copyrighted works, except for limited excerpts that serve the purpose of the adjudicatory filings and would constitute a Fair Use application, participants are requested not to include copyrighted materials in their submission.

Petitions for leave to intervene must be filed no later than 60 days from the date of publication of this notice. Requests for hearing, petitions for leave to intervene, and motions for leave to file new or amended contentions that are filed after the 60-day deadline will not be entertained absent a determination by the presiding officer that the filing demonstrates good cause by satisfying the three factors in 10 CFR 2.309(c)(1)(i)–(iii).

For further details with respect to these license amendment applications, see the application for amendment which is available for public inspection in ADAMS and at the NRC's PDR. For additional direction on accessing information related to this document, see the ''Obtaining Information and Submitting Comments'' section of this document.

FirstEnergy Nuclear Operating Company, et al., Docket No. 50–346, Davis-Besse Nuclear Power Station (DBNPS), Unit No. 1, Ottawa County, Ohio

Date of amendment request: December 19, 2014. A publicly-available version is in ADAMS under Accession No. ML14353A349.

Description of amendment request: The proposed amendment would revise the technical specifications (TS) to adopt performance-based Type C testing for the reactor containment, which would allow for extended test intervals for Type C valves, and corrects an editorial issue in the TS.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed amendment adopts the NRC-accepted guidelines of [Nuclear Energy Institute] NEI 94–01, Revision 3–A, ''Industry Guideline for Implementing Performance-Based Option of 10 CFR part 50, Appendix J,'' for DBNPS performance-based Type C containment isolation valve testing. Revision 3–A of NEI 94–01 allows, based on previous valve leak test performance, an extension of Type C containment isolation valve leak test intervals. Since the change involves only performance-based Type C testing, the proposed amendment does not involve either a physical change to the plant or a change in the manner in which the plant is operated or controlled.

Implementation of these guidelines continues to provide adequate assurance that during design basis accidents, the components of the primary containment system will limit leakage rates to less than the values assumed in the plant safety analyses.

The proposed amendment will not change the leakage rate acceptance requirements. As such, the containment will continue to perform its design function as a barrier to fission product releases.

Therefore, the proposed amendment does not significantly increase the probability or consequences of an accident previously evaluated.

2. Does the proposed amendment create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed amendment to revise the extended frequency performance-based Type C testing program does not change the design or operation of structures, systems, or components of the plant.

The proposed amendment would continue to ensure containment operability and would ensure operation within the bounds of existing accident analyses. There are no accident initiators created or affected by the proposed amendment.

Therefore, the proposed amendment does not create the possibility of a new or different kind of accident from any previously evaluated.

3. Does the proposed amendment involve a significant reduction in a margin of safety?

Response: No.

The proposed amendment to revise the extended frequency performance-based Type C testing program does not affect plant operations, design functions, or any analysis that verifies the capability of a structure, system, or component of the plant to perform a design function. In addition, this change does not affect safety limits, limiting safety system setpoints, or limiting conditions for operation. The specific requirements and conditions of the Technical Specification Containment Leakage Rate Testing Program exist to ensure that the degree of containment structural integrity and leak-tightness that is considered in the plant safety analysis is maintained.

The overall containment leak rate limit specified by Technical Specifications is maintained, thus ensuring the margin of safety in the plant safety analysis is maintained. The design, operation, testing methods, and acceptance criteria for Type A, Type B, and Type C containment leakage tests specified in applicable codes and standards would continue to be met with the acceptance of this proposed change, since these are not affected by this revision to the performance-based containment testing program.

Therefore, the proposed amendment does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: David W. Jenkins, Attorney, FirstEnergy Corporation, Mail Stop A–GO–15, 76 South Main Street, Akron, OH 44308.

NRC Branch Chief: Travis L. Tate.

FirstEnergy Nuclear Operating Company, et al., Docket No. 50–346, Davis-Besse Nuclear Power Station, Unit No. 1, Ottawa County, Ohio

Date of amendment request: April 1, 2015. A publicly-available version is in ADAMS under Accession No. ML15091A143.

Description of amendment request: The proposed amendment requests changes to certain technical specification minimum voltage and frequency acceptance criteria for emergency diesel generator (EDG) surveillance testing.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed amendment would provide more restrictive acceptance criteria for certain EDG technical specification surveillance tests. The proposed acceptance criteria changes would help to ensure the EDGs are capable of carrying the electrical loading assumed in the safety analyses that take credit for the operation of the EDGs, would not affect the capability of other structures, systems, and components to perform their design function, and would not increase the likelihood of a malfunction.

Therefore, the proposed amendment does not significantly increase the probability or consequences of an accident previously evaluated.

2. Does the proposed amendment create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed changes would provide more restrictive acceptance criteria to be applied to existing technical specification surveillance tests that demonstrate the capability of the facility EDGs to perform their design function. The proposed acceptance criteria changes would not create any new failure mechanisms, malfunctions, or accident initiators not considered in the design and licensing bases.

Therefore, the proposed amendment does not create the possibility of a new or different kind of accident from any previously evaluated.

3. Does the proposed amendment involve a significant reduction in a margin of safety?

Response: No.

The proposed EDG surveillance requirement changes involve increased minimum voltage and frequency test acceptance criteria. The conduct of surveillance tests on safety related plant equipment is a means of assuring that the equipment is capable of maintaining the margin of safety established in the safety analyses for the facility. The proposed amendment does not affect EDG performance as described in the design basis analyses, including the capability for the EDG to attain and maintain required voltage and frequency for accepting and supporting plant safety loads should an EDG start signal be received. The proposed amendment does not introduce changes to limits established in the accident analysis.

Therefore, the proposed amendment does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: David W. Jenkins, Attorney, FirstEnergy Corporation, Mail Stop A–GO–15, 76 South Main Street, Akron, OH 44308.

NRC Branch Chief: Travis L. Tate.

National Institute of Standards and Technology (NIST), Docket No. 50–184, Center for Neutron Research (NCNR), Montgomery County, Maryland

Date of amendment request: June 23, 2014, as supplemented by letter dated August 20, 2014. Publicly-available versions are in ADAMS under Accession Nos. ML14196A043 and ML14241A384, respectively.

Description of amendment request: The proposed amendment would revise the NIST NCNR's Technical Specifications, sections 3.6 and 4.6, pertaining to the replacement of NCNR's Uninterruptable Power Supplies (UPS) which supplies emergency alternating current power to reactor critical loads.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed amendment would not increase the probability or consequences of an accident previously evaluated. The proposed amendment modifies maintenance requirements for emergency power systems due to a change in battery technology used in commercially available UPS. The proposed amendment will assure the reliability of the emergency power systems utilizing valve-regulated lead acid (VRLA) batteries by increasing the frequency of performance testing as recommended by the battery manufacturer and the IEEE (Institute of Electrical and Electronics Engineers). The IEEE recommends the performance test Interval for VRLA batteries (IEEE–I 188) should not be greater than 25% of the expected service life or two years, whichever is less. The expected lifespan of a VRLA battery is ten years so a two year testing interval was selected. More frequent performance testing will ensure all the station batteries used for emergency power remain capable of supplying emergency electrical loads for a minimum of four hours as required. The proposed amendment will also correct a typographical error and add the requirement in the Limiting Conditions for Operations (LCO) for at least one of the two replacement UPS system batteries to be available to operate the reactor. Each UPS battery system is capable of independently supplying the designated emergency electrical loads for a minimum of four hours. Power for larger electrical loads such as primary cooling backup pumps (shutdown pumps) and emergency ventilation fans comes from other sources of emergency electrical power (diesel generators, critical power bus, or 125 VDC [volt direct current] station battery).

2. Does the change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed amendment would not create the possibility of a new or different kind of accident from any accident previously evaluated. The replacement UPS utilizes a different battery type (VRLA) which has shorter lifespan than traditional Vented Lead Acid (VLA) batteries. Increasing the frequency of performance monitoring as recommended by the IEEE accounts for the shorter lifespan of VRLA batteries and will enable the facility to identify a loss of battery capacity early to permit scheduled replacement of individual system components. Two identical but redundant UPS systems will each provide for a minimum of four hours at fully rated emergency power loading (20 kVA [kilovolt ampere]). The actual emergency electrical loads on the UPS will be significantly less because the larger electrical loads will continue to be powered from the 125 VDC station battery directly or from one of two emergency diesel generators. The new system will have higher reliability and capacity than the existing emergency power system.

3. Does the proposed change involve a significant reduction in a margin of safety?

Response: No.

The proposed amendment would not involve a significant reduction in a margin of safety. More frequent monitoring of the capacity or performance of the VRLA batteries utilized in the replacement UPS supplying power to critical reactor loads will ensure the UPS performs its design function and loss of battery capacity is detected early before safety margins are reduced.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: Melissa J. Lieberman, Deputy Chief Counsel, National Institute of Standards and Technology, 100 Bureau Drive, Gaithersburg, MD 20899.

NRC Branch Chief: Alexander Adams, Jr.

Southern Nuclear Operating Company, Inc. (SNC), Docket Nos. 50–321 and 50–366, Edwin I. Hatch Nuclear Plant (HNP), Units 1 and 2, Appling County, Georgia

Date of amendment request: April 2, 2015. A publicly-available version is in

ADAMS under Accession No. ML15092A856.

Description of amendment request: The proposed amendment modifies Technical Specifications (TS) section 1.0 (''Definitions''), Limiting Conditions for Operation and Surveillance Requirement Applicability, section 3.4.9 (''RCS [Reactor Coolant System] Pressure and Temperature (P/T) Limits''), and section 5.0 (''Administrative Controls'') to delete reference to the pressure and temperature curves, and to include reference to the Pressure and Temperature Limits Report (PTLR). This change adopts the methodology of Boiling Water Reactor Owners Group (BWROG)–TP–11–022–A Revision 1 (SIR–05–044, Revision 1–A), ''Pressure-Temperature Limits Report Methodology for Boiling Water Reactors,'' dated June 2013, and of BWROG–TP–11–023–A, Revision 0 (0900876.401, Revision 0–A), ''Linear Elastic Fracture Mechanics Evaluation of General Electric Boiling Water Reactor Water Level Instrument Nozzles for Pressure-Temperature Curve Evaluations,'' dated May 2013, for preparation of the pressure and temperature (P–T) curves, and incorporates the guidance of Technical Specification Task Force (TSTF) TSTF–419–A, ''Revise PTLR Definition and References in Improved Standard Technical Specification (ISTS) 5.6.6, RCS PTLR.'' The HNP PTLRs have been developed based on the methodologies provided in BWROG–TP–11–022–A, Revision 1, and BWROG–TP–11–023–A, Revision 0, and based on the template provided in BWROG–TP–11–022–A, Revision 1.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration which is presented below:

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed change modifies Edwin I. Hatch Nuclear Plant (HNP) Unit 1 and Unit 2 Technical Specifications (TS) Section 1.0 (''Definitions''), Limiting Conditions for Operation and Surveillance Requirement Applicability Section 3.4.9 (''RCS Pressure and Temperature (P/T) Limits''), and Section 5.0 (''Administrative Controls''), to delete reference to the pressure and temperature curves, and to include reference to the Pressure and Temperature Limits Report (PTLR). This change adopts the methodology of BWROG–TP–11–022–A, Revision 1 (SIR–05–044, Revision 1–A), ''Pressure-Temperature Limits Report Methodology for Boiling Water Reactors,'' dated June 2013, and of BWROG–TP–11–023–A, Revision 0 (0900876.401, Revision 0–A), ''Linear Elastic Fracture Mechanics Evaluation of General Electric Boiling Water Reactor Water Level Instrument Nozzles for Pressure-Temperature Curve Evaluations,'' dated May 2013, for preparation of the pressure and temperature curves, and incorporates the guidance of TSTF–419–A, ''Revise PTLR Definition and References in ISTS 5.6.6, RCS PTLR.'' The HNP PTLRs have been developed based on the methodologies provided in BWROG–TP–11–022–A, Revision 1 and BWROG–TP–11–023–A, Revision 0, and based on the template provided in BWROG–TP–11–022–A, Revision 1. The HNP PTLRs meet all Conditions specified in the Safety Evaluation Reports (SERs) for BWROG–TP–11–022–A, Revision 1 and for BWROG–TP–11–023–A, Revision 0.

The NRC has established requirements in Appendix G to 10 CFR 50 in order to protect the integrity of the reactor coolant pressure boundary (RCPB) in nuclear power plants. Additionally, the regulation in 10 CFR part 50, Appendix H, provides the NRC staff's criteria for the design and implementation of reactor pressure vessel (RPV) material surveillance programs for operating lightwater reactors. Implementing these NRC approved methodologies does not reduce the ability to protect the reactor coolant pressure boundary as specified in Appendix G, nor will this change increase the probability of malfunction of plant equipment, or the failure of plant structures, systems, or components. Incorporation of the new methodologies for calculating P–T curves, and the relocation of the P–T curves from the TS to the PTLR, provides an equivalent level of assurance that the RCPB is capable of performing its intended safety functions.

Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed change does not affect the assumed accident performance of the RCPB, nor any plant structure, system, or component previously evaluated. The proposed change does not involve the installation of new equipment, and installed equipment is not being operated in a new or different manner. The change in methodology ensures that the RCPB remains capable of performing its safety functions. No set points are being changed which would alter the dynamic response of plant equipment. Accordingly, no new failure modes are introduced which could introduce the possibility of a new or different kind of accident from any previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

Response: No.

The proposed change does not affect the function of the RCPB or its response during plant transients. There are no changes proposed which alter the setpoints at which protective actions are initiated, and there is no change to the operability requirements for equipment assumed to operate for accident mitigation.

Therefore, the proposed change does not involve a significant reduction in a margin of safety.

Based upon the above, SNC concludes that the proposed amendment presents no significant hazards consideration under the standards set forth in 10 CFR 50.92(c), and, accordingly, a finding of no significant hazards is justified.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: Jennifer M. Buettner, Associate General Counsel, Southern Nuclear Operating Company, 40 Inverness Center Parkway, Birmingham, AL 35201.

NRC Branch Chief: Robert J. Pascarelli.

Southern Nuclear Operating Company, Inc., Docket Nos. 52–025 and 52–026, Vogtle Electric

Generating Plant (VEGP), Units 3 and 4, Burke County, Georgia

Date of amendment request: October 7, 2014. A publicly-available version is in ADAMS under Accession No. ML14280A391.

Description of amendment request: The proposed change would amend Combined License Nos. NPF–91 and NPF–92 for the VEGP, Units 3 and 4. The requested amendment proposes to modify the existing feedwater controller logic to allow the controller program to respond as required to various plant transients while minimizing the potential for false actuation. Because, this proposed change requires a departure from Tier 1 information in the Westinghouse Advanced Passive 1000 Design Control Document (DCD), the licensee also requested an exemption from the requirements of the Generic DCD Tier 1 in accordance with 10 CFR 52.63(b)(1).

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed changes will modify the control logic for actuation of the startup feedwater (SFW) pumps to support their

defense-in-depth function of core decay heat removal. The instrumentation used for actuation of the SFW pumps in their defense-in-depth function are not initiators of any accident. The proposed control logic uses different instrument tag numbers than the current design. The instruments used for the actuation of this function exist as a part of the current design; therefore this proposed change does not require any additional instrumentation. These instruments, to be included as part of the Design Reliability Assurance Program (D–RAP), will be held to the same enhanced quality assurance (QA) requirements as the current instruments and therefore neither safety, performance, nor reliance will be reduced as a part of this change.

Additionally, the proposed changes do not adversely affect any accident initiating event or component failure, thus accidents previously evaluated are not adversely affected. In the event of loss of offsite power that results in a loss of main feedwater (MFW) supply, the SFW pumps automatically supply feedwater to the steam generators to cool down the reactor under emergency shutdown conditions. The standby source motor control center circuit powers each of the two SFW pumps and their associated instruments and valves. The pump discharge isolation valves are motor-operated and are normally closed and interlocked with the SFW pumps. In the event of loss of offsite power, the onsite standby power supply diesel generators will power the SFW pumps. If both the normal ac power and the onsite standby ac power are unavailable, these valves will fail ''as-is.'' The pump suction header isolation valves are pneumatically actuated. The main and startup feedwater system (FWS) also has temperature instrumentation in the pump discharge that would permit monitoring of the SFW temperature. This proposed change therefore has no impact on the ability of the AP1000 plant to cool down under emergency shutdown conditions or during a loss of offsite power event.

No function used to mitigate a radioactive material release and no radioactive material release source term is involved, thus the radiological releases in the accident analyses are not adversely affected.

Therefore, the proposed amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed amendment create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed changes will modify the control logic for actuation of the startup feedwater (SFW) pumps to support their defense-in-depth function of core decay heat removal. The instrumentation used for actuation of the SFW pumps in their defense-in-depth function are not initiators of any accident. The proposed control logic uses different instrument tag numbers than the current design. However, the instruments used for the actuation of this function already exist as a part of the current design and so this change does not require any additional instrumentation. These instruments, to be included as part of the D–RAP, will be held to the same enhanced QA requirements as the current instruments and so neither safety, performance, nor reliance will be reduced as a part of this change. Furthermore, since the D–RAP ensures consistency with the Probabilistic Risk Assessment (PRA), the changes do not impact the PRA. The proposed changes would not introduce a new failure mode, fault, or sequence of events that could result in a radioactive material release. The proposed change does not alter the design, configuration, or method of operation of the plant beyond standard functional capabilities of the equipment.

Therefore, the proposed amendment does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed amendment involve a significant reduction in a margin of safety?

Response: No.

The proposed changes will modify the control logic for actuation of the startup feedwater (SFW) pumps to support their defense-in-depth function of core decay heat removal. These changes will have no negative impacts on the safety margin associated with the design functions of the SFW pumps. The proposed logic changes will only resolve the current conditions associated with undesired start up signals for the SFW pumps. The changes set forth in this amendment correct the actuation logic of the SFW pumps, so that the feedwater controller logic is now aligned with the guidance provided in the Advanced Light Water Reactor Utility Requirements Document (ALWR URD). In addition, the operation of the startup feedwater system function is not credited to mitigate a design-basis accident. Since there is no change to an existing design basis limit/criterion, design function, or regulatory criterion no margin of safety is reduced.

Therefore, the proposed amendment does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: M. Stanford Blanton, Balch & Bingham LLP, 1710 Sixth Avenue North, Birmingham, AL 35203–2015.

Acting NRC Branch Chief: Paul Kallan.

Susquehanna Nuclear, LLC, Docket Nos. 50–387 and 50–388, Susquehanna Steam Electric Station (SSES), Units 1 and 2, Luzerne County, Pennsylvania

Date of amendment request: March 19, 2015. A publicly-available version is available in ADAMS under Package Accession No. ML15091A657.

Description of amendment request: The amendment would revise the Emergency Plan for SSES to adopt the Nuclear Energy Institute's (NEI's) revised Emergency Action Level (EAL) scheme described in NEI 99–01, Revision 6, ''Development of Emergency Action Levels for Non-Passive Reactors'' (ADAMS Accession No. ML12326A805), which was endorsed by the NRC, as documented in NRC letter dated March 28, 2013 (ADAMS Accession No. ML12346A463).

On June 1, 2015, the NRC staff issued an amendment changing the name on the SSES license from PPL Susquehanna, LLC, to Susquehanna Nuclear, LLC. This amendment was issued subsequent to an order issued on April 10, 2015, to SSES, approving an indirect license transfer.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed change involve a significant increase in the probability or consequences of any accident previously evaluated?

Response: No.

The proposed changes to the EAL scheme to adopt the NRC-endorsed guidance in NEI 99–01, Revision 6, ''Development of Emergency Action Levels for Non-Passive Reactors,'' do not reduce the capability to meet the emergency planning requirements established in 10 CFR 50.47 and 10 CFR 50, Appendix E. The proposed changes do not reduce the functionality, performance, or capability of the ERO [Emergency Response Organization] to respond in mitigating the consequences of any design basis accident.

The probability of a reactor accident requiring implementation of Emergency Plan EALs has no relevance in determining whether the proposed changes to the EALs reduce the effectiveness of the Emergency Plan. As discussed in Section I.D, ''Planning Basis,'' of NUREG–0654, Revision 1, ''Criteria for Preparation and Evaluation of Radiological Emergency Response Plans and Preparedness in Support of Nuclear Power Plants'';

. . . The overall objective of emergency response plans is to provide dose savings (and in some cases immediate life saving) for a spectrum of accidents that could produce offsite doses in excess of Protective Action Guides (PAGs). No single specific accident sequence should be isolated as the one for which to plan because each accident could have different consequences, both in nature and degree. Further, the range of possible selection for a planning basis is very large, starting with a zero point of requiring no planning at all because significant offsite radiological accident consequences are unlikely to occur, to planning for the worst possible accident, regardless of its extremely low likelihood . . .

Therefore, risk insights are not considered for any specific accident initiation or

progression in evaluating the proposed changes.

The proposed changes do not involve any physical changes to plant equipment or systems, nor do they alter the assumptions of any accident analyses. The proposed changes do not adversely affect accident initiators or precursors nor do they alter the design assumptions, conditions, and configuration or the manner in which the plants are operated and maintained. The proposed changes do not adversely affect the ability of Structures, Systems, or Components (SSCs) to perform their intended safety functions in mitigating the consequences of an initiating event within the assumed acceptance limits.

Therefore, the proposed changes do not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed changes to the EAL scheme to adopt the NRC-endorsed guidance in NEI 99–01, Revision 6 do not involve any physical changes to plant systems or equipment. The proposed changes do not involve the addition of any new plant equipment. The proposed changes will not alter the design configuration, or method of operation of plant equipment beyond its normal functional capabilities. All ERO functions will continue to be performed as required. The proposed changes do not create any new credible failure mechanisms, malfunctions, or accident initiators.

Therefore, the proposed changes do not create the possibility of a new or different kind of accident from those that have been previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

Response: No.

The proposed changes to the EAL scheme to adopt the NRC-endorsed guidance in NEI 99–01, Revision 6 do not alter or exceed a design basis or safety limit. There is no change being made to safety analysis assumptions, safety limit, or limiting safety system settings that would adversely affect plant safety as a result of the proposed changes. There are no changes to setpoints or environmental conditions of any SSC or the manner in which any SSC is operated. Margins of safety are unaffected by the proposed changes to adopt the NEI 99–01, Revision 6 EAL scheme guidance. The applicable requirements of 10 CFR 50.47 and 10 CFR 50, Appendix E will continue to be met.

Therefore, the proposed changes do not involve any reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: Damon D. Obie, Associate General Counsel, Talen Energy Supply, LLC, 835 Hamilton St., Suite 150, Allentown, PA 18101.

NRC Branch Chief: Douglas A. Broaddus.

Union Electric Company, Docket No. 50–483, Callaway Plant, Unit 1 (Callaway), Callaway County, Missouri

Date of amendment request: May 8, 2015. A publicly-available version is in ADAMS under Accession No. ML15132A137.

Description of amendment request: The amendment would change Technical Specification (TS) 2.1.1.1 and 5.6.5 to adopt NRC-approved Westinghouse Electric Company LLC topical report WCAP–14565–P–A, Addendum 2–P–A, ''Extended Application of ABB–NV [Asea Brown Boveri N.V.] Correlation and Modified ABB–NV Correlation WLOP [Westinghouse Low Pressure] for PWR [Pressurized-Water Reactor] Low Pressure Applications,'' April 2008 (proprietary).

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

Overall protection system performance will remain within the bounds of the accident analyses since there are no design changes. The design of the reactor trip system (RTS) instrumentation will be unaffected, and thus, the protection system will continue to function in a manner consistent with the plant design basis. All applicable design, material, and construction standards will continue to be maintained.

The proposed changes will not affect any assumptions regarding accident initiators or precursors nor adversely alter the design assumptions, conditions, and configuration of the facility or the intended manner in which the plant is operated and maintained. The proposed changes will not alter or prevent the ability of structures, systems, and components (SSCs) from performing their intended functions to mitigate the consequences of an initiating event within the assumed acceptance limits.

The proposed changes do not physically alter safety-related systems nor affect the way in which safety-related systems perform their functions. TS 5.6.5.b continues to ensure that the analytical methods used to determine the core operating limits meet NRC reviewed and approved methodologies. TS 5.6.5.c, unchanged by this amendment application, will continue to ensure that applicable limits of the safety analyses are met.

The proposed change to TS 2.1.1.1 to specify only the true DNBR [departure from nucleate boiling ratio] safety limit without the addition of analytical uncertainties does not alter the use of the analytical methods used to determine core operating limits that have been reviewed and approved by the NRC. Removing analytical uncertainties from the TS would allow the use of current topical reports to refine those uncertainties without having to submit an amendment to the operating license, consistent with the intent of WCAP–14483–A [''Generic Methodology for Expanded Core Operating Limits Report,'' dated January 19, 1999; ADAMS Accession No. ML020430092]. Implementation of revisions to topical reports for Callaway Plant applications would still be reviewed in accordance with 10 CFR 50.59(c)(2)(viii) and, where required, receive prior NRC review and approval.

All accident analysis acceptance criteria will continue to be met with the proposed changes. The proposed changes will not affect the source term, containment isolation, or radiological release assumptions used in evaluating the radiological consequences of an accident previously evaluated. The proposed changes will not alter any assumptions or change any mitigation actions in the radiological consequence evaluations in the FSAR [Final Safety Analysis Report]. The applicable radiological dose acceptance criteria will continue to be met.

Therefore, the proposed changes do not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The ABB–NV correlation was originally developed for Combustion Engineering fuel designs, and has also been qualified and licensed for Westinghouse fuel applications for the fuel region below the first mixing vane grid where the W–3 correlation is currently applied. The WLOP correlation is developed for DNBR calculations at low pressure conditions. The W–3A correlations, which are based exclusively on DNB [departure from nucleate boiling] data from rod bundle tests, have a wider applicable range and are more accurate than the W–3 correlation, leading to increased DNB margin in the plant safety analyses. The NRC-approved ABB–NV and WLOP correlation 95/95 DNBR limits with the VIPRE–W code are 1.13 and 1.18, respectively.

The proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated, as the change is simply allowing the use of more accurate correlations when evaluating DNBR. The change does not involve any physical changes to the facility.

Likewise, revising TS 2.1.1.1 to present the DNBR safety limit calculated using the WRB–2 methodology, without uncertainties being applied, does [sic] not introduce any new or different failure mode from what has been previously been evaluated. The change does not involve any change to a methodology, including how uncertainties are calculated and accounted for, nor does it involve any physical change to the facility.

Collectively, and based on the above, the proposed changes do not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

Response: No.

The ABB–NV correlation was originally developed for Combustion Engineering fuel designs, and has also been qualified and licensed for Westinghouse fuel applications for the fuel region below the first mixing vane grid where the W–3 correlation is currently applied. The WLOP correlation is developed for DNBR calculations at low pressure conditions. The W–3A correlations, which are based exclusively on DNB data from rod bundle tests, have a wider applicable range and are more accurate than the W–3 correlation, leading to increased DNB margin in the plant safety analyses. Therefore, the proposed change does not involve a significant reduction in a margin of safety.

The currently listed Safety Limit in TS 2.1.1.1 for DNBR of 1.22 is calculated with some uncertainties statistically combined into the 1.17 value calculated using the WRB–2 methodology. These uncertainties are combined using the RTDP [Revised Thermal Design Procedure] methodology described in WCAP–11397–P–A [''Revised Thermal Design Procedure,'' April 1989 (proprietary)]. Callaway FSAR Section 4.4.1.1 discusses which uncertainties are statistically combined into the correlation limit.

Revising TS 2.1.1.1 to present the DNBR safety limit calculated using the WRB–2 methodology, without uncertainties being applied, does not represent a change in methodology, but rather allows for changes in calculated uncertainties using methodologies previously approved for Callaway without requiring a license amendment. The proposed TS 2.1.1.1 revision does not represent a change in methodology for performing analyses.

The proposed changes do not eliminate any surveillances or alter the frequency of surveillances required by the Technical Specifications. The nominal RTS and ESFAS [engineered safety features actuation system] trip setpoints (as well as the associated allowable values) will remain unchanged. None of the acceptance criteria for any accident analysis will be changed.

As there is no change to the source term, radiological release, or [dose] mitigation functions assumed in the accident analysis, the proposed changes have no impact on the radiological consequences of a design basis accident.

Based on the above, the proposed changes do not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: John O'Neill, Esq., Pillsbury Winthrop Shaw Pittman LLP, 2300 N Street NW., Washington, DC 20037.

NRC Branch Chief: Michael T. Markley.

Virginia Electric and Power Company, Docket Nos. 50–338 and 50–339, North Anna Power Station, Unit Nos. 1 and 2 (NAPS), Louisa County, Virginia

Date of amendment request: May 4, 2015. A publicly-available version is in ADAMS under Accession No. ML15131A026.

Description of amendment request: The proposed license amendment would revise an incorrect equipment mark number, due to an administrative error in the current Emergency Action Levels (EAL). The amendment would correct the equipment mark number from the ''GW–RI–178–1 Process Vent Normal Range'' monitor to the ''VG–RI–180–1 Vent Stack B Normal Range'' monitor for Initiating Condition (IC) RA2, EAL RA2.1.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

This administrative change affects the NAPS EALs, but does not alter any of the requirements of the Operating License or the Technical Specifications. The proposed change does not modify any plant equipment and does not impact any failure modes that could lead to an accident. Additionally, the proposed change has no effect on the consequences of any analyzed accident since the change does not affect any equipment related to accident mitigation.

Based on this discussion, the proposed amendment does not increase the probability or consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The change affects the NAPS EALs by correcting an incorrect radiation monitor reference, but does not alter any of the requirements of the Operating License or the Technical Specifications. It does not modify any plant equipment and there is no impact on the capability of the existing equipment to perform its intended functions. No system setpoints are being modified. No new failure modes are introduced by the proposed change. The proposed amendment does not introduce an accident initiator or any malfunctions that would cause a new or different kind of accident.

Therefore, the proposed amendment does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

Response: No.

The change affects the NAPS EALs, but does not alter any of the requirements of the Operating License or the Technical Specifications. The proposed change does not affect any of the assumptions used in the accident analysis, nor does it affect any operability requirements for equipment important to plant safety.

Therefore, the proposed change will not result in a significant reduction in the margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: Lillian M. Cuoco, Senior Counsel, Dominion Resources Services, Inc., 120 Tredegar Street, RS–2, Richmond, VA 23219.

NRC Branch Chief: Robert J. Pascarelli.

III. Notice of Issuance of Amendments to Facility Operating Licenses and Combined Licenses

During the period since publication of the last biweekly notice, the Commission has issued the following amendments. The Commission has determined for each of these amendments that the application complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR chapter I, which are set forth in the license amendment.

A notice of consideration of issuance of amendment to facility operating license or combined license, as applicable, proposed no significant hazards consideration determination, and opportunity for a hearing in connection with these actions, was published in the **Federal Register** as indicated.

Unless otherwise indicated, the Commission has determined that these amendments satisfy the criteria for categorical exclusion in accordance with 10 CFR 51.22. Therefore, pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared for these amendments. If the Commission has prepared an environmental assessment

under the special circumstances provision in 10 CFR 51.22(b) and has made a determination based on that assessment, it is so indicated.

For further details with respect to the action see (1) the applications for amendment, (2) the amendment, and (3) the Commission's related letter, Safety Evaluation and/or Environmental Assessment as indicated. All of these items can be accessed as described in the ''Obtaining Information and Submitting Comments'' section of this document.

Duke Energy Carolinas, LLC, Docket Nos. 50–413 and 50–414, Catawba Nuclear Station (Catawba), Units 1 and 2, York County, South Carolina

Duke Energy Carolinas, LLC, Docket Nos. 50–369 and 50–370 McGuire Nuclear Station (McGuire), Units 1 and 2, Mecklenburg County, North Carolina

Duke Energy Carolinas, LLC, Docket Nos. 50–269, 50–270, and 50–287, Oconee Nuclear Station (Oconee), Units 1, 2, and 3, Oconee County, South Carolina

Date of application for amendments: November 6, 2014.

Brief description of amendments: The amendments changed the completion date for implementing Milestone 8 of the Duke Cyber Security Plan. Specifically, the amendments revised the date from June 30, 2015, to December 31, 2017.

Date of issuance: June 11, 2015.

Effective date: The license amendments are effective as of their dates of issuance and shall be implemented within 30 days of issuance.

Amendment Nos.: Catawba Unit 1—276; Catawba Unit 2—272; McGuire Unit 1—279; McGuire Unit 2—259; Oconee Unit 1—391; Oconee Unit 2—393; and Oconee Unit 3—392. A publicly-available version is in ADAMS under Accession No. ML15133A453; documents related to these amendments are listed in the Safety Evaluation enclosed with the amendments.

Renewed Facility Operating License Nos. NPF–35, NPF–52, NPF–9, NPF–17, DPR–38, DPR–47, and DPR–55: Amendments revised the licenses.

Date of initial notice in ***Federal Register***: February 3, 2015 (80 FR 5818).

The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated June 11, 2015.

No significant hazards consideration comments received: No.

Duke Energy Carolinas, LLC, Docket Nos. 50–269, 50–270, and 50–287, Oconee Nuclear Station, Units 1, 2, and 3, Oconee County, South Carolina

Date of amendment request: November 8, 2010, as supplemented by letters dated September 1, 2011; June 28, 2012; March 28, April 18, September 27, and November 29, 2013; March 20 (two letters), and April 23, 2014; and May 28, 2015.

Brief description of amendments: The amendments approved revisions to the updated final safety analysis report to incorporate the licensee's reactor vessel internals inspection plan based on the Materials Reliability Program: ''Pressurized Water Reactor Internals Inspection and Evaluation Guidelines (MRP–227–A),'' published by the Electric Power Research Institute.

Date of issuance: June 19, 2015.

Effective date: As of the date of issuance and shall be implemented within 90 days.

Amendment Nos.: 392 for Unit 1, 394 for Unit 2, and 393 for Unit 3. A publicly-available version is in ADAMS under Accession No. ML15050A671; documents related to these amendments are listed in the Safety Evaluation enclosed with the amendments.

Facility Operating License Nos. DPR–38, DPR–47, and DPR–55: The amendments revised the Facility Operating Licenses.

Date of initial notice in ***Federal Register***: October 2, 2012 (77 FR 60149). The supplemental letters dated September 1, 2011; March 28, April 18, September 27, and November 29, 2013; March 20 (two letters), and April 23, 2014; and May 28, 2015, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination as published in the **Federal Register**.

The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated June 19, 2015.

No significant hazards consideration comments received: No.

Exelon Generation Company, LLC, Docket Nos. STN 50–456 and STN 50–457, Braidwood Station, Units 1 and 2, Will County, Illinois

Exelon Generation Company, LLC, Docket Nos. STN 50–454 and STN 50–455, Byron Station, Unit Nos. 1 and 2, Ogle County, Illinois

Exelon Generation Company, LLC, Docket No. 50–461, Clinton Power Station, Unit No. 1, DeWitt County, Illinois

Exelon Generation Company, LLC, Docket Nos. 50–237 and 50–249, Dresden Nuclear Power Station, Units 2 and 3, Grundy County, Illinois

Exelon Generation Company, LLC, Docket Nos. 50–373 and 50–374, LaSalle County Station, Units 1 and 2, LaSalle County, Illinois

Exelon Generation Company, LLC, Docket Nos. 50–254 and 50–265, Quad Cities Nuclear Power Station, Units 1 and 2, Rock Island County, Illinois

Date of application for amendments: July 14, 2014.

Brief description of amendments: The amendments revised and added Technical Specification (TS) surveillance requirements to address the concerns discussed in Generic Letter 2008–01, ''Managing Gas Accumulation in Emergency Core Cooling, Decay Heat Removal, and Containment Spray Systems,'' dated January 11, 2008. The TS changes are based on TS Task Force (TSTF) Traveler TSTF–523, Revision 2, ''Generic Letter 2008–01, Managing Gas Accumulation,'' dated February 21, 2013.

Date of issuance: June 19, 2015.

Effective date: As of the date of issuance and shall be implemented within 120 days from the date of issuance.

Amendment Nos.: 183, 183, 189, 189, 204, 244, 237, 214, 200, 257, and 252. A publicly-available version is in ADAMS under Accession No. ML15114A188; documents related to these amendments are listed in the Safety Evaluation enclosed with the amendments.

Facility Operating License Nos. NPF–72, NPF–77, NPF–37, NPF–66, NPF–62, DPR–19, DPR–25, NPF–11, NPF–18, DPR–29, and DPR–30: The amendments revised the TSs and Licenses.

Date of initial notice in ***Federal Register***: October 28, 2014 (79 FR 64224).

The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated June 19, 2015.

No significant hazards consideration comments received: No.

Exelon Generation Company, LLC, Docket Nos. 50–317 and 50–318, Calvert Cliffs Nuclear Power Plant, Unit Nos. 1 and 2, Calvert County, Maryland

Date of amendment request: November 13, 2013, as supplemented by letter dated June 13, 2014.

Brief description of amendments: The amendments revised Technical Specification (TS) 3.4.9, ''Pressurizer,'' TS 3.6.6, ''Containment Spray and Cooling Systems,'' TS 3.6.8, ''Iodine Removal System,'' TS 3.7.8, ''Control Room Emergency Ventilation System,'' and TS 3.7.12, ''Penetration Room Exhaust Ventilation System'' to provide a short completion time to restore an inoperable system for conditions under which existing TSs require a plant shutdown.

Date of issuance: January 14, 2015.

Effective date: As of the date of issuance and shall be implemented within 60 days of issuance.

Amendment Nos.: 309 and 287. A publicly-available version is in ADAMS under Accession No. ML14307A842; documents related to these amendments are listed in the Safety Evaluation enclosed with the amendments.

Renewed Facility Operating License Nos. DPR–53 and DPR–69: The amendments revised the Licenses and TSs.

Date of initial notice in ***Federal Register****:* July 22, 2014 (79 FR 42548). The supplement dated June 13, 2014, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the NRC staff's original proposed no significant hazards consideration determination.

The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated January 14, 2015.

No significant hazards consideration comments received: No.

FirstEnergy Nuclear Operating Company, et al., Docket No. 50–440, Perry Nuclear Power Plant, Unit No. 1, Lake County, Ohio

Date of application for amendment: June 23, 2014, as supplemented by a letter dated February 27, 2015.

Brief description of amendment: The amendment updated the technical specification (TS) pressure and temperature (P/T) figures using an NRC approved methodology to adjust the P/T limit curves for the previously missing data, addresses the reactor coolant system (RCS) vacuum condition that can occur under certain conditions, and aligns the heatup/cooldown requirements of the TS with the limits in the associated P/T figures. Additionally editorial changes are proposed related to the P/T figures including clarifications and updates to the associated titles, labeling, and notes.

Date of issuance: June 12, 2015.

Effective date: As of the date of issuance and shall be implemented within 90 days.

Amendment No.: 168. A publicly-available version is in ADAMS under Accession No. ML15141A482; documents related to this amendment are listed in the Safety Evaluation enclosed with the amendment.

Facility Operating License No. NPF–58: This amendment revised the TSs and License.

Date of initial notice in ***Federal Register****:* September 30, 2014 (79 FR 58817).

The February 27, 2015, supplement contained clarifying information and did not change the NRC staff's initial proposed finding of no significant hazards consideration.

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated June 12, 2015.

No significant hazards consideration comments received: No.

FirstEnergy Nuclear Operating Company, Docket No. 50–440, Perry Nuclear Power Plant, Unit No. 1, Lake County, Ohio

Date of amendment request: September 12, 2014.

Brief description of amendment: The amendment modified the Technical Specification (TS) definition of SHUTDOWN MARGIN (SDM) to require calculation of SDM at the reactor moderator temperature corresponding to the most reactive state throughout the operating cycle. The changes are consistent with the approved Technical Specification Task Force (TSTF) Traveler, TSTF–535, Revision 0.

Date of issuance: June 23, 2015.

Effective date: As of the date of issuance and shall be implemented within 90 days of issuance.

Amendment No.: 169. A publicly-available version is in ADAMS under Accession No. ML15160A028; documents related to this amendment are listed in the Safety Evaluation enclosed with the amendment.

Facility Operating License No. NPF–58: The amendment revised the Facility Operating License and Technical Specifications.

Date of initial notice in ***Federal Register****:* November 25, 2014 (79 FR 70216).

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated June 23, 2015.

No significant hazards consideration comments received: No.

Florida Power and Light Company, et al., Docket Nos. 50–335 and 50–389, St. Lucie Plant, Unit Nos. 1 and 2, St. Lucie County, Florida

Date of amendment request: February 20, 2014, as supplemented by letters dated December 11, 2014, and January 13, January 28, April 18, and May 19, 2015.

Brief description of amendments: The amendments revised the Technical Specifications (TSs) by relocating specific surveillance frequency requirements to a licensee-controlled program with implementation of Nuclear Energy Institute (NEI) 04–10, ''Risk-Informed Technical Specification Initiative 5b, Risk-Informed Method for Control of Surveillance Frequencies'' (ADAMS Accession No. ML071360456). The NEI 04–10 methodology provides reasonable acceptance guidelines and methods for evaluating the risk increase of proposed changes to surveillance frequencies, consistent with Regulatory Guide 1.177, ''An Approach for Plant-Specific, Risk-Informed Decisionmaking: Technical Specifications'' (ADAMS Accession No. ML003740176). The changes are consistent with NRC-approved Technical Specification Task Force (TSTF) Standard Technical Specifications Change TSTF–425, Revision 3, ''Relocate Surveillance Frequencies to Licensee Control—RITSTF [Risk Informed Technical Specifications Task Force] Initiative 5b'' (ADAMS Accession No. ML090850642). The **Federal Register** notice published on July 6, 2009 (74 FR 31996), announced the availability of TSTF–425, Revision 3. The amendments also include editorial changes to the TSs, administrative deviations from TSTF–425, and other changes resulting from differences between the St. Lucie Plant TSs and the TSs on which TSTF–425 was based.

Date of issuance: June 22, 2015.

Effective date: As of the date of issuance and shall be implemented within 90 days of issuance.

Amendment Nos.: 223 and 173. A publicly-available version is in ADAMS under Accession No. ML15127A066; documents related to these amendments are listed in the Safety Evaluation (SE) enclosed with the amendments.

Renewed Facility Operating License Nos. DPR–67 and NPF–16: Amendments revised the TSs.

Date of initial notice in ***Federal Register****:* The NRC staff initially made a proposed determination that the amendment request dated February 20,

2014, involved no significant hazards consideration (July 22, 2014, 79 FR 42550). By letters dated December 11, 2014, and January 13, 2015, the licensee provided clarifying information that did not expand the scope of the application and did not change the NRC staff's original proposed no significant hazards consideration (NSHC) determination, as published in the **Federal Register** on July 22, 2014 (79 FR 44550). Subsequently, by letter dated January 28, 2015, the licensee supplemented its amendment request with a proposed change that expanded the scope of the request. Therefore, the NRC published a second proposed NSHC determination in the **Federal Register** on March 3, 2015 (80 FR 11477), which superseded the notice dated July 22, 2014 (79 FR 44550). The licensee's supplements dated April 18, 2015, and May 19, 2015, provided clarifying information that did not expand the scope of the submittal and did not change the NRC staff's proposed NSHC determination, as published in the notice dated March 3, 2015 (80 FR 11477).

The Commission's related evaluation of the amendments is contained in an SE dated June 22, 2015.

No significant hazards consideration comments received: No.

PSEG Nuclear LLC, Docket Nos. 50–354, 50–272 and 50–311, Hope Creek Generating Station and Salem Nuclear Generating Station, Unit Nos. 1 and 2, Salem County, New Jersey

Date amendment request: December 9, 2014, as supplemented by letter dated April 9, 2015.

Brief description of amendments: The amendments revised the PSEG Nuclear LLC (PSEG) Environmental Protection Plans (non-radiological) (EPPs), contained in Appendix B to the renewed facility operating licenses for Hope Creek Generating Station and Salem Nuclear Generating Station, Units 1 and 2, to clarify that PSEG must adhere to the currently applicable biological opinion issued by the National Marine Fisheries Service. The amendments also simplify the Aquatic Monitoring section of the EPPs, modify reporting requirements related to New Jersey Pollutant Discharge Elimination System permits, modify the criteria for reporting Unusual or Important Environmental Events, and remove the requirement for PSEG to submit an Annual Environmental Operating Report.

Date of issuance: June 17, 2015.

Effective date: As of the date of issuance and shall be implemented within 60 days.

Amendment Nos.: 198, 308, 290. A publicly-available version is in ADAMS under Accession No. ML15141A271; documents related to these amendments are listed in the Safety Evaluation enclosed with the amendments.

Renewed Facility Operating License Nos. NPF–57, DPR–70 and DPR–75: The amendments revised the Renewed Facility Operating Licenses and EPPs.

*Date of initial notice in **Federal Register**:* April 14, 2015 (80 FR 20024). The supplemental letter dated April 9, 2015, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination as published in the **Federal Register**.

The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated June 17, 2015.

No significant hazards consideration comments received: Yes.

The Commission's related evaluation of the public comments is contained in the safety evaluation dated June 17, 2015.

Southern California Edison Company, et al., Docket Nos. 50–206, 50–361, 50–362, and 72–041, San Onofre Nuclear Generating Station (SONGS), Units 1, 2, and 3, and the Independent Spent Fuel Storage Installation, San Diego County, California

Date of amendment request: March 31, 2014, as supplemented by letters dated October 21, 2014, March 17, 2015, and April 29, 2015.

Brief description of amendment: The amendments revised the SONGS emergency plan to reflect the low likelihood of any credible accident at the facility in its permanently shutdown and defueled condition that could result in radiological releases requiring offsite protective measures and how, in the unlikely event of certain severe, beyond-design-basis accidents, sufficient time would be available to initiate appropriate mitigating actions, and if needed, for offsite authorities to implement protective actions to protect the public health and safety.

Date of issuance: June 5, 2015.

Effective date: As of the date of issuance and shall be implemented within 60 days of issuance.

Amendment Nos.: Unit 1—167; Unit 2—229; Unit 3—222. A publicly-available version is in ADAMS under Accession No. ML15126A461; documents related to these amendments are listed in the Safety Evaluation enclosed with the amendments.

Facility Operating License Nos. DPR–13, NPF–10, and NPF–15: The amendments revised the emergency plan.

*Date of initial notice in **Federal Register**:* December 23, 2014 (79 FR 77049). The supplemental letters dated March 17, 2015, and April 29, 2015, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination as published in the **Federal Register**.

The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated June 5, 2015.

No significant hazards consideration comments received: No.

Tennessee Valley Authority, Docket No. 50–260, Browns Ferry Nuclear Plant, Unit 2, Limestone County, Alabama

Date of amendment request: June 19, 2014, as supplemented by letter dated December 2, 2014.

Brief description of amendment: The amendment revised the Technical Specification (TS) 3.4.9, ''RCS [Reactor Coolant System] Pressure and Temperature (P/T) Limits,'' and Figures 3.4.9–1 through 3.4.9–2. The P/T limits are based on proprietary topical report NEDC–33178P–A, Revision 1, ''GE [General Electric] Hitachi Nuclear Energy Methodology for Development of Reactor Pressure Vessel Pressure-Temperature Curves.'' NEDO–33178–A, Revision 1, is the non-proprietary version of the NRC-approved topical report.

Date of issuance: June 2, 2015.

Effective date: As of the date of issuance and shall be implemented within 60 days of issuance.

Amendment No.: 314. A publicly available version is in ADAMS under Accession No. ML15065A049; documents related to this amendment are listed in the Safety Evaluation enclosed with the amendment.

Renewed Facility Operating License No. DPR–52: The amendment revised the Facility Operating License and TSs.

*Date of initial notice in **Federal Register**:* February 3, 2015 (80 FR 5819).

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated June 2, 2015.

No significant hazards consideration comments received: No.

Virginia Electric and Power Company, Docket Nos. 50–338 and 50–339, North Anna Power Station, Units 1 and 2, Louisa County, Virginia

Date of application for amendment: June 30, 2014, as supplemented by letter dated July 28, 2015.

Brief description of amendment: The license amendments approved the changes to the Technical Specification (TS) 5.5.15, ''Containment Leakage Rate Testing Program,'' by replacing the reference to Regulatory Guide (RG) 1.163 with a reference to Nuclear Energy Institute (NEI) topical report NEI 94–01, Revision 3–A, as the implementation document used to develop the North Anna performance-based leakage testing program in accordance with Option B of 10 CFR 50, Appendix J.

Date of issuance: June 16, 2015.

Effective date: As of the date of issuance and shall be implemented within 60 days from the date of issuance.

Amendment Nos.: 274 and 257. A publicly-available version is in ADAMS under Accession No. ML15133A381; documents related to this amendment are listed in the Safety Evaluation enclosed with the amendment.

Renewed Facility Operating License Nos. NPF–4 and NPF–7: The amendments revised the Facility Operating Licenses and Technical Specifications.

*Date of initial notice in **Federal Register**:* September 2, 2014 (79 FR 52070).

The supplement dated January 28, 2015, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination.

The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated June 16, 2015.

No significant hazards consideration comments received: No.

Notice of Issuance of Amendments to Facility Operating Licenses and Combined Licenses and Final Determination of No Significant Hazards Consideration and Opportunity for a Hearing (Exigent Public Announcement or Emergency Circumstances)

During the period since publication of the last biweekly notice, the Commission has issued the following amendments. The Commission has determined for each of these amendments that the application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR chapter I, which are set forth in the license amendment.

Because of exigent or emergency circumstances associated with the date the amendment was needed, there was not time for the Commission to publish, for public comment before issuance, its usual notice of consideration of issuance of amendment, proposed no significant hazards consideration determination, and opportunity for a hearing.

For exigent circumstances, the Commission has either issued a **Federal Register** notice providing opportunity for public comment or has used local media to provide notice to the public in the area surrounding a licensee's facility of the licensee's application and of the Commission's proposed determination of no significant hazards consideration. The Commission has provided a reasonable opportunity for the public to comment, using its best efforts to make available to the public means of communication for the public to respond quickly, and in the case of telephone comments, the comments have been recorded or transcribed as appropriate and the licensee has been informed of the public comments.

In circumstances where failure to act in a timely way would have resulted, for example, in derating or shutdown of a nuclear power plant or in prevention of either resumption of operation or of increase in power output up to the plant's licensed power level, the Commission may not have had an opportunity to provide for public comment on its no significant hazards consideration determination. In such case, the license amendment has been issued without opportunity for comment. If there has been some time for public comment but less than 30 days, the Commission may provide an opportunity for public comment. If comments have been requested, it is so stated. In either event, the State has been consulted by telephone whenever possible.

Under its regulations, the Commission may issue and make an amendment immediately effective, notwithstanding the pendency before it of a request for a hearing from any person, in advance of the holding and completion of any required hearing, where it has determined that no significant hazards consideration is involved.

The Commission has applied the standards of 10 CFR 50.92 and has made a final determination that the amendment involves no significant hazards consideration. The basis for this determination is contained in the documents related to this action. Accordingly, the amendments have been issued and made effective as indicated.

Unless otherwise indicated, the Commission has determined that these amendments satisfy the criteria for categorical exclusion in accordance with 10 CFR 51.22. Therefore, pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared for these amendments. If the Commission has prepared an environmental assessment under the special circumstances provision in 10 CFR 51.12(b) and has made a determination based on that assessment, it is so indicated.

For further details with respect to the action see (1) the application for amendment, (2) the amendment to Facility Operating License or Combined License, as applicable, and (3) the Commission's related letter, Safety Evaluation and/or Environmental Assessment, as indicated. All of these items can be accessed as described in the ''Obtaining Information and Submitting Comments'' section of this document.

A. Opportunity To Request a Hearing and Petition for Leave To Intervene

The Commission is also offering an opportunity for a hearing with respect to the issuance of the amendment. Within 60 days after the date of publication of this notice, any person(s) whose interest may be affected by this action may file a request for a hearing and a petition to intervene with respect to issuance of the amendment to the subject facility operating license or combined license. Requests for a hearing and a petition for leave to intervene shall be filed in accordance with the Commission's ''Agency Rules of Practice and Procedure'' in 10 CFR part 2. Interested person(s) should consult a current copy of 10 CFR 2.309, which is available at the NRC's PDR, located at One White Flint North, Room O1–F21, 11555 Rockville Pike (first floor), Rockville, Maryland 20852, and electronically on the Internet at the NRC's Web site, *http://www.nrc.gov/reading-rm/doc-collections/cfr/.* If there are problems in accessing the document, contact the PDR's Reference staff at 1–800–397–4209, 301–415–4737, or by email to *pdr.resource@nrc.gov.* If a request for a hearing or petition for leave to intervene is filed by the above date, the

Commission or a presiding officer designated by the Commission or by the Chief Administrative Judge of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary or the Chief Administrative Judge of the Atomic Safety and Licensing Board will issue a notice of a hearing or an appropriate order.

As required by 10 CFR 2.309, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following general requirements: (1) the name, address, and telephone number of the requestor or petitioner; (2) the nature of the requestor's/petitioner's right under the Act to be made a party to the proceeding; (3) the nature and extent of the requestor's/petitioner's property, financial, or other interest in the proceeding; and (4) the possible effect of any decision or order which may be entered in the proceeding on the requestor's/petitioner's interest. The petition must also identify the specific contentions which the requestor/petitioner seeks to have litigated at the proceeding.

Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the requestor/petitioner shall provide a brief explanation of the bases for the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the petitioner intends to rely to establish those facts or expert opinion. The petition must include sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the petitioner to relief. A requestor/petitioner who fails to satisfy these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing. Since the Commission has made a final determination that the amendment involves no significant hazards consideration, if a hearing is requested, it will not stay the effectiveness of the amendment. Any hearing held would take place while the amendment is in effect.

B. Electronic Submissions (E-Filing)

All documents filed in NRC adjudicatory proceedings, including a request for hearing, a petition for leave to intervene, any motion or other document filed in the proceeding prior to the submission of a request for hearing or petition to intervene, and documents filed by interested governmental entities participating under 10 CFR 2.315(c), must be filed in accordance with the NRC's E-Filing rule (72 FR 49139; August 28, 2007). The E-Filing process requires participants to submit and serve all adjudicatory documents over the internet, or in some cases to mail copies on electronic storage media. Participants may not submit paper copies of their filings unless they seek an exemption in accordance with the procedures described below.

To comply with the procedural requirements of E-Filing, at least ten 10 days prior to the filing deadline, the participant should contact the Office of the Secretary by email at *hearing.docket@nrc.gov,* or by telephone at 301–415–1677, to request (1) a digital identification (ID) certificate, which allows the participant (or its counsel or representative) to digitally sign documents and access the E-Submittal server for any proceeding in which it is participating; and (2) advise the Secretary that the participant will be submitting a request or petition for hearing (even in instances in which the participant, or its counsel or representative, already holds an NRC-issued digital ID certificate). Based upon this information, the Secretary will establish an electronic docket for the hearing in this proceeding if the Secretary has not already established an electronic docket.

Information about applying for a digital ID certificate is available on the NRC's public Web site at *http://www.nrc.gov/site-help/e-submittals/getting-started.html.* System requirements for accessing the E-Submittal server are detailed in the NRC's ''Guidance for Electronic Submission,'' which is available on the agency's public Web site at *http://www.nrc.gov/site-help/e-submittals.html.* Participants may attempt to use other software not listed on the Web site, but should note that the NRC's E-Filing system does not support unlisted software, and the NRC Meta System Help Desk will not be able to offer assistance in using unlisted software.

If a participant is electronically submitting a document to the NRC in accordance with the E-Filing rule, the participant must file the document using the NRC's online, Web-based submission form. In order to serve documents through the Electronic Information Exchange System, users will be required to install a Web browser plug-in from the NRC's Web site. Further information on the Web-based submission form, including the installation of the Web browser plug-in, is available on the NRC's public Web site at *http://www.nrc.gov/site-help/e-submittals.html.*

Once a participant has obtained a digital ID certificate and a docket has been created, the participant can then submit a request for hearing or petition for leave to intervene. Submissions should be in Portable Document Format (PDF) in accordance with NRC guidance available on the NRC's public Web site at *http://www.nrc.gov/site-help/e-submittals.html.* A filing is considered complete at the time the documents are submitted through the NRC's E-Filing system. To be timely, an electronic filing must be submitted to the E-Filing system no later than 11:59 p.m. Eastern Time on the due date. Upon receipt of a transmission, the E-Filing system time-stamps the document and sends the submitter an email notice confirming receipt of the document. The E-Filing system also distributes an email notice that provides access to the document to the NRC's Office of the General Counsel and any others who have advised the Office of the Secretary that they wish to participate in the proceeding, so that the filer need not serve the documents on those participants separately. Therefore, applicants and other participants (or their counsel or representative) must apply for and receive a digital ID certificate before a hearing request/petition to intervene is filed so that they can obtain access to the document via the E-Filing system.

A person filing electronically using the NRC's adjudicatory E-Filing system may seek assistance by contacting the NRC Meta System Help Desk through the ''Contact Us'' link located on the NRC's public Web site at *http://www.nrc.gov/site-help/e-submittals.html,* by email to *MSHD.Resource@nrc.gov,* or by a toll-free call at 1–866–672–7640. The NRC Meta System Help Desk is available between 8 a.m. and 8 p.m., Eastern

Time, Monday through Friday, excluding government holidays.

Participants who believe that they have a good cause for not submitting documents electronically must file an exemption request, in accordance with 10 CFR 2.302(g), with their initial paper filing requesting authorization to continue to submit documents in paper format. Such filings must be submitted by: (1) first class mail addressed to the Office of the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, Attention: Rulemaking and Adjudications Staff; or (2) courier, express mail, or expedited delivery service to the Office of the Secretary, Sixteenth Floor, One White Flint North, 11555 Rockville Pike, Rockville, Maryland, 20852, Attention: Rulemaking and Adjudications Staff. Participants filing a document in this manner are responsible for serving the document on all other participants. Filing is considered complete by first-class mail as of the time of deposit in the mail, or by courier, express mail, or expedited delivery service upon depositing the document with the provider of the service. A presiding officer, having granted an exemption request from using E-Filing, may require a participant or party to use E-Filing if the presiding officer subsequently determines that the reason for granting the exemption from use of E-Filing no longer exists.

Documents submitted in adjudicatory proceedings will appear in the NRC's electronic hearing docket which is available to the public at *http://ehd1.nrc.gov/ehd/,* unless excluded pursuant to an order of the Commission, or the presiding officer. Participants are requested not to include personal privacy information, such as social security numbers, home addresses, or home phone numbers in their filings, unless an NRC regulation or other law requires submission of such information. However, in some instances, a request to intervene will require including information on local residence in order to demonstrate a proximity assertion of interest in the proceeding. With respect to copyrighted works, except for limited excerpts that serve the purpose of the adjudicatory filings and would constitute a Fair Use application, participants are requested not to include copyrighted materials in their submission.

Energy Northwest, Docket No. 50–397, Columbia Generating Station, Benton County, Washington

Date of application for amendment: May 15, 2015, as supplemented by letter dated May 19, 2015.

Brief description of amendment: The amendment extended the implementation period for Amendment No. 232, License Amendment Request for Changing Technical Specification Table 3.3.1.1–1 Function 7, ''Scram Discharge Volume Water Level—High,'' which was issued on March 27, 2015 (ADAMS Accession No. ML15063A010). Amendment No. 232 was effective as of the date of issuance (*i.e.,* on March 27, 2015), and was required to be implemented prior to restarting from refueling outage R–22, scheduled for spring 2015. Amendment No. 235 extends the implementation period for Amendment No. 232 to prior to restarting from refueling outage R–23, scheduled for spring 2017.

Date of issuance: June 11, 2015.

Effective date: As of its date of issuance and shall be implemented prior to restarting from refueling outage R–23, scheduled for spring 2017.

Amendment No.: 235. A publicly-available version is in ADAMS under Accession No. ML15154A800; documents related to this amendment are listed in the Safety Evaluation enclosed with the amendment.

Renewed Facility Operating License No. NPF–21: Amendment revised the Renewed Facility Operating License to extend the implementation date of Amendment No. 232, issued on March 27, 2015, to prior to restarting from refueling outage R–23, scheduled for spring 2017.

Public comments requested as to proposed no significant hazards consideration (NSHC): Yes. Public notice of the proposed amendment was published in the *Tri-City Herald,* located in in Kennewick, Washington, from June 2 through June 4, 2015. The notice provided an opportunity to submit comments on the Commission's proposed NSHC determination. No comments were received.

The Commission's related evaluation of the amendment, finding of exigent circumstances, state consultation, public comments, and final NSHC determination are contained in a Safety Evaluation dated June 11, 2015.

Attorney for licensee: William A. Horin, Esq., Winston & Strawn, 1700 K Street, NW., Washington, DC 20006–3817.

NRC Branch Chief: Michael T. Markley.

Tennessee Valley Authority, Docket No. 50–390, Watts Bar Nuclear Plant, Unit 1 (WBN–1), Rhea County, Tennessee

Date of amendment request: May 29, 2015, as supplemented by letter dated June 5, 2015.

Description of amendment request: The amendment provided a one-time change to Technical Specification Table 3.3.4–1, Function 4a, ''Reactor Coolant System (RCS) Hot Leg Temperature Indication,'' to permit the temperature indication for RCS Loop 4 to be inoperable for the remainder of WBN–1 Operating Cycle 13.

Date of issuance: June 12, 2015.

Effective date: June 12, 2015.

Amendment No.: 100. A publicly-available version is in ADAMS under Accession No. ML15160A407; documents related to this amendment are listed in the Safety Evaluation enclosed with the amendment.

Facility Operating License No. (NPF–90): The amendment revised the Technical Specifications.

Public comments requested as to proposed no significant hazards consideration (NSHC): Yes. (*The Advocate & Democrat* and *The Herald-News* on June 7 and June 10, 2015 as well as *The Daily Post-Athenian* on June 5 and June 8, 2015.) The notice provided an opportunity to submit comments on the Commission's proposed NSHC determination. No comments were received.

The supplemental letter dated June 5, 2015, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination as published in *The Advocate & Democrat* and *The Herald-News* on June 7, and June 10, 2015, as well as *The Daily Post-Athenian,* on June 5, and June 8, 2015.

The Commission's related evaluation of the amendment, finding of exigent circumstances, state consultation, and NSHC determination are contained in a safety evaluation dated June 12, 2015.

Attorney for licensee: General Counsel, Tennessee Valley Authority, 400 West Summit Hill Drive, ET 11A, Knoxville, TN 37902.

NRC Branch Chief: Jessie F. Quichocho.

Dated at Rockville, Maryland, this 29th day of June 2015.

For the Nuclear Regulatory Commission.

George A. Wilson,

Deputy Director, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.

[FR Doc. 2015–16539 Filed 7–6–15; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2015–0154]

Applications and Amendments to Facility Operating Licenses and Combined Licenses Involving Proposed No Significant Hazards Considerations and Containing Sensitive Unclassified Non-Safeguards Information and Order Imposing Procedures for Access to Sensitive Unclassified Non-Safeguards Information

AGENCY: Nuclear Regulatory Commission.

ACTION: License amendment request; opportunity to comment, request a hearing, and petition for leave to intervene; order.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) received and is considering approval of eight amendment requests. The amendment requests are for Peach Bottom Atomic Power Station, Unit 3; Beaver Valley Power Station, Units Nos. 1 and 2; Monticello Nuclear Generating Plant; Fort Calhoun Station, Unit No. 1; Salem Nuclear Generating Station, Unit Nos. 1 and 2; Susquehanna Steam Electric Station, Unit Nos. 1 and 2; Browns Ferry Nuclear Plant, Unit 3; and Callaway Plant, Unit 1. For each amendment request, the NRC proposes to determine that they involve no significant hazards consideration. In addition, each amendment request contains sensitive unclassified non-safeguards information (SUNSI).

DATES: Comments must be filed by August 6, 2015. A request for a hearing must be filed by September 8, 2015. Any potential party as defined in § 2.4 of Title 10 of the *Code of Federal Regulations* (10 CFR), who believes access to SUNSI is necessary to respond to this notice must request document access by July 17, 2015.

ADDRESSES: You may submit comments by any of the following methods (unless this document describes a different method for submitting comments on a specific subject):

- Federal Rulemaking Web site: Go to *http://www.regulations.gov* and search for Docket ID NRC–2015–0154. 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.
- Mail comments to: Cindy Bladey, Office of Administration, Mail Stop: OWFN–12–H08, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

For additional direction on obtaining information and submitting comments, see ''Obtaining Information and Submitting Comments'' in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Janet Burkhardt, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–1384, email: *Janet.Burkhardt@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC–2015–0154 when contacting the NRC about the availability of information for this action. You may obtain publicly-available information related to this action by any of the following methods:

- *Federal Rulemaking Web site:* Go to *http://www.regulations.gov* and search for Docket ID NRC–2015–0154.
- *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 is available in ADAMS) is provided the first time that it is mentioned in the **SUPPLEMENTARY INFORMATION** section.
- 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.

B. Submitting Comments

Please include Docket ID NRC–2015–0154, facility name, unit number(s), application date, and subject in your comment submission.

The NRC cautions you not to include identifying or contact information that you do not want to be publicly disclosed in your comment submission. The NRC posts all comment submissions at *http://www.regulations.gov* as well as entering the comment submissions into ADAMS. The NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment submissions into ADAMS.

II. Background

Pursuant to Section 189a.(2) of the Atomic Energy Act of 1954, as amended (the Act), the NRC is publishing this notice. The Act requires the Commission to publish notice of any amendments issued, or proposed to be issued and grants the Commission the authority to issue and make immediately effective any amendment to an operating license or combined license, as applicable, upon a determination by the Commission that such amendment involves no significant hazards consideration, notwithstanding the pendency before the Commission of a request for a hearing from any person.

This notice includes notices of amendments containing SUNSI.

III. Notice of Consideration of Issuance of Amendments to Facility Operating Licenses and Combined Licenses, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing

The Commission has made a proposed determination that the following amendment requests involve no significant hazards consideration. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated, or (2) create the possibility of a new or different kind of accident from any accident previously evaluated, or (3) involve a significant reduction in a margin of safety. The basis for this proposed determination for each amendment request is shown below.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendment until the expiration of 60 days after the date of publication of this notice. The Commission may issue the license amendment before expiration of the 60-day period provided that its final determination is that the amendment involves no significant hazards consideration. In addition, the Commission may issue the amendment prior to the expiration of the 30-day comment period should circumstances change during the 30-day comment period such that failure to act in a timely way would result, for example, in derating or shutdown of the facility. Should the Commission take action prior to the expiration of either the comment period or the notice period, it will publish a notice of issuance in the **Federal Register**. Should the Commission make a final No Significant Hazards Consideration Determination, any hearing will take place after issuance. The Commission expects that the need to take this action will occur very infrequently.

A. Opportunity To Request a Hearing and Petition for Leave To Intervene

Within 60 days after the date of publication of this notice, any person(s) whose interest may be affected by this action may file a request for a hearing and a petition to intervene with respect to issuance of the amendment to the subject facility operating license or combined license. Requests for a hearing and a petition for leave to intervene shall be filed in accordance with the Commission's ''Agency Rules of Practice and Procedure'' in 10 CFR part 2. Interested person(s) should consult a current copy of 10 CFR 2.309, which is available at the NRC's PDR, located at One White Flint North, Room O1–F21, 11555 Rockville Pike (first floor), Rockville, Maryland 20852. The NRC's regulations are accessible electronically from the NRC Library on the NRC's Web site at *http://www.nrc.gov/reading-rm/doc-collections/cfr/*. If a request for a hearing or petition for leave to intervene is filed within 60 days, the Commission or a presiding officer designated by the Commission or by the Chief Administrative Judge of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary or the Chief Administrative Judge of the Atomic Safety and Licensing Board will issue a notice of a hearing or an appropriate order.

As required by 10 CFR 2.309, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following general requirements: (1) The name, address, and telephone number of the requestor or petitioner; (2) the nature of the requestor's/petitioner's right under the Act to be made a party to the proceeding; (3) the nature and extent of the requestor's/petitioner's property, financial, or other interest in the proceeding; and (4) the possible effect of any decision or order which may be entered in the proceeding on the requestor's/petitioner's interest. The petition must also set forth the specific contentions which the requestor/petitioner seeks to have litigated at the proceeding.

Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the requestor/petitioner shall provide a brief explanation of the bases for the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the requestor/petitioner intends to rely in proving the contention at the hearing. The requestor/petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the requestor/petitioner intends to rely to establish those facts or expert opinion. The petition must include sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the requestor/petitioner to relief. A requestor/petitioner who fails to satisfy these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing.

If a hearing is requested, and the Commission has not made a final determination on the issue of no significant hazards consideration, the Commission will make a final determination on the issue of no significant hazards consideration. The final determination will serve to decide when the hearing is held. If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment. If the final determination is that the amendment request involves a significant hazards consideration, then any hearing held would take place before the issuance of any amendment unless the Commission finds an imminent danger to the health or safety of the public, in which case it will issue an appropriate order or rule under 10 CFR part 2.

B. Electronic Submissions (E-Filing)

All documents filed in NRC adjudicatory proceedings, including a request for hearing, a petition for leave to intervene, any motion or other document filed in the proceeding prior to the submission of a request for hearing or petition to intervene, and documents filed by interested governmental entities participating under 10 CFR 2.315(c), must be filed in accordance with the NRC's E-Filing rule (72 FR 49139; August 28, 2007). The E-Filing process requires participants to submit and serve all adjudicatory documents over the internet, or in some cases to mail copies on electronic storage media. Participants may not submit paper copies of their filings unless they seek an exemption in accordance with the procedures described below.

To comply with the procedural requirements of E-Filing, at least 10 days prior to the filing deadline, the participant should contact the Office of the Secretary by email at *hearing.docket@nrc.gov*, or by telephone at 301–415–1677, to request (1) a digital identification (ID) certificate, which allows the participant (or its counsel or representative) to digitally sign documents and access the E-Submittal server for any proceeding in which it is participating; and (2) advise the Secretary that the participant will be submitting a request or petition for hearing (even in instances in which the participant, or its counsel or representative, already holds an NRC-issued digital ID certificate). Based upon this information, the Secretary will establish an electronic docket for the hearing in this proceeding if the Secretary has not already established an electronic docket.

Information about applying for a digital ID certificate is available on the NRC's public Web site at *http://www.nrc.gov/site-help/e-submittals/getting-started.html.* System requirements for accessing the E-Submittal server are detailed in the

NRC's ''Guidance for Electronic Submission,'' which is available on the agency's public Web site at *http://www.nrc.gov/site-help/e-submittals.html.* Participants may attempt to use other software not listed on the Web site, but should note that the NRC's E-Filing system does not support unlisted software, and the NRC Meta System Help Desk will not be able to offer assistance in using unlisted software.

If a participant is electronically submitting a document to the NRC in accordance with the E-Filing rule, the participant must file the document using the NRC's online, Web-based submission form. In order to serve documents through the Electronic Information Exchange System, users will be required to install a Web browser plug-in from the NRC's Web site. Further information on the Web-based submission form, including the installation of the Web browser plug-in, is available on the NRC's public Web site at *http://www.nrc.gov/site-help/e-submittals.html.*

Once a participant has obtained a digital ID certificate and a docket has been created, the participant can then submit a request for hearing or petition for leave to intervene. Submissions should be in Portable Document Format (PDF) in accordance with NRC guidance available on the NRC's public Web site at *http://www.nrc.gov/site-help/e-submittals.html.* A filing is considered complete at the time the documents are submitted through the NRC's E-Filing system. To be timely, an electronic filing must be submitted to the E-Filing system no later than 11:59 p.m. Eastern Time on the due date. Upon receipt of a transmission, the E-Filing system time-stamps the document and sends the submitter an email notice confirming receipt of the document. The E-Filing system also distributes an email notice that provides access to the document to the NRC's Office of the General Counsel and any others who have advised the Office of the Secretary that they wish to participate in the proceeding, so that the filer need not serve the documents on those participants separately. Therefore, applicants and other participants (or their counsel or representative) must apply for and receive a digital ID certificate before a hearing request/petition to intervene is filed so that they can obtain access to the document via the E-Filing system.

A person filing electronically using the NRC's adjudicatory E-Filing system may seek assistance by contacting the NRC Meta System Help Desk through the ''Contact Us'' link located on the NRC's public Web site at *http://www.nrc.gov/site-help/e-submittals.html,* by email to *MSHD.Resource@nrc.gov,* or by a toll-free call at 1–866–672–7640. The NRC Meta System Help Desk is available between 8 a.m. and 8 p.m., Eastern Time, Monday through Friday, excluding government holidays.

Participants who believe that they have a good cause for not submitting documents electronically must file an exemption request, in accordance with 10 CFR 2.302(g), with their initial paper filing requesting authorization to continue to submit documents in paper format. Such filings must be submitted by: (1) First class mail addressed to the Office of the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, Attention: Rulemaking and Adjudications Staff; or (2) courier, express mail, or expedited delivery service to the Office of the Secretary, Sixteenth Floor, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852, Attention: Rulemaking and Adjudications Staff. Participants filing a document in this manner are responsible for serving the document on all other participants. Filing is considered complete by first-class mail as of the time of deposit in the mail, or by courier, express mail, or expedited delivery service upon depositing the document with the provider of the service. A presiding officer, having granted an exemption request from using E-Filing, may require a participant or party to use E-Filing if the presiding officer subsequently determines that the reason for granting the exemption from use of E-Filing no longer exists.

Documents submitted in adjudicatory proceedings will appear in the NRC's electronic hearing docket which is available to the public at *http://ehd1.nrc.gov/ehd/*, unless excluded pursuant to an order of the Commission, or the presiding officer. Participants are requested not to include personal privacy information, such as social security numbers, home addresses, or home phone numbers in their filings, unless an NRC regulation or other law requires submission of such information. However, in some instances, a request to intervene will require including information on local residence in order to demonstrate a proximity assertion of interest in the proceeding. With respect to copyrighted works, except for limited excerpts that serve the purpose of the adjudicatory filings and would constitute a Fair Use application, participants are requested not to include copyrighted materials in their submission.

Petitions for leave to intervene must be filed no later than 60 days from the date of publication of this notice. Requests for hearing, petitions for leave to intervene, and motions for leave to file new or amended contentions that are filed after the 60-day deadline will not be entertained absent a determination by the presiding officer that the filing demonstrates good cause by satisfying the three factors in 10 CFR 2.309(c)(1)(i)–(iii).

For further details with respect to this amendment action, see the application for amendment which is available for public inspection at the NRC's PDR, located at One White Flint North, Room O1–F21, 11555 Rockville Pike (first floor), Rockville, Maryland 20852. Publicly available documents created or received at the NRC are accessible electronically through ADAMS in the NRC Library at *http://www.nrc.gov/reading-rm/adams.html.* If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the PDR's Reference staff at 1–800–397–4209, 301–415–4737, or by email to *pdr.resource@nrc.gov.*

Exelon Generation Company, LLC, and PSEG Nuclear LLC, Docket No. 50–278, Peach Bottom Atomic Power Station (PBAPS), Unit 3, York and Lancaster Counties, Pennsylvania

Date of amendment request: April 30, 2015. A publicly-available version is in ADAMS under Accession No. ML15120A290.

Description of amendment request: This amendment request contains sensitive unclassified non-safeguards information (SUNSI). The proposed amendment would revise the Technical Specifications related to the Safety Limit Minimum Critical Power Ratios. The proposed changes result from a cycle-specific analysis performed to support the operation of PBAPS Unit 3, in the upcoming Cycle 21. The re-analysis was performed to accommodate operation in the Maximum Extended Load Line Limit Analysis Plus (MELLLA+) operating domain based on a separate license amendment request (LAR) dated September 4, 2014 (ADAMS Accession No. ML14247A503, redacted to remove proprietary information).

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below with NRC staff edits in square brackets:

1. Does the proposed amendment involve a significant increase in the probability or

consequences of an accident previously evaluated?

Response: No.

The derivation of the cycle specific Safety Limit Minimum Critical Power Ratios (SLMCPRs) for incorporation into the Technical Specifications (TS), and their use to determine cycle specific thermal limits, has been performed using the methodology discussed in NEDE–24011–P–A, ''General Electric Standard Application for Reactor Fuel,'' Revision 20 [ADAMS Accession No. ML13352A474].

The basis of the SLMCPR calculation is to reasonably assure that, during normal operation and during anticipated operational transients, at least 99.9% of all fuel rods in the core do not experience boiling transition if the limit is not violated. The new SLMCPRs preserve the existing margin to boiling transition.

The MCPR [minimum critical power ratio] safety limit is reevaluated for each reload using NRC-approved methodologies. The analyses for Peach Bottom Atomic Power Station (PBAPS) Unit 3 Cycle 21, with the addition of operation in the MELLLA+ operating domain, have concluded that a two recirculation loop MCPR safety limit of ≥1.15, based on the application of Global Nuclear Fuel's NRC-approved MCPR safety limit methodology, will reasonably assure that this acceptance criterion is met. For single recirculation loop operation, a MCPR safety limit of ≥1.15 also reasonably assures that this acceptance criterion is met. The MCPR operating limits are presented and controlled in accordance with the PBAPS Unit 3 Core Operating Limits Report (COLR).

The requested TS changes do not involve any additional plant modifications or operational changes that could affect system reliability or performance or that could affect the probability of operator error beyond those associated with the MELLLA+ LAR [ADAMS Accession No. ML14247A503]. The requested changes do not affect any postulated accident precursors, do not affect any accident mitigating systems, and do not introduce any new accident initiation mechanisms.

Therefore, the proposed TS changes do not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed amendment create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The SLMCPR is a TS numerical value, calculated to reasonably assure that during normal operation and during anticipated operational transients, at least 99.9% of all fuel rods in the core do not experience boiling transition if the limit is not violated. The new SLMCPRs are calculated using NRC-approved methodology discussed in NEDE–24011–P–A, ''General Electric Standard Application for Reactor Fuel,'' Revision 20 [ADAMS Accession No. ML13352A474]. The proposed changes do not involve any new modes of operation, any changes to setpoints, or any plant modifications beyond those associated with the MELLLA+ LAR [ADAMS Accession No. ML14247A503]. The proposed revised MCPR safety limits have been shown to be acceptable for Cycle 21 operation with the MELLLA+ operating domain. The core operating limits will continue to be developed using NRC-approved methods. The proposed MCPR safety limits or methods for establishing the core operating limits do not result in the creation of any new precursors to an accident. Therefore, this proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

3. Does the proposed amendment involve a significant reduction in a margin of safety?

Response: No.

There is no significant reduction in the margin of safety previously approved by the NRC as a result of the proposed change to the SLMCPRs. The new SLMCPRs are calculated using methodology discussed in NEDE–24011–P–A, ''General Electric Standard Application for Reactor Fuel,'' Revision 20 [ADAMS Accession No. ML13352A474]. The SLMCPRs reasonably assure that, during normal operation and during anticipated operational transients, at least 99.9% of all fuel rods in the core do not experience boiling transition if the limits are not violated, thereby preserving the fuel cladding integrity.

Therefore, the proposed TS changes do not involve a significant reduction in the margin of safety previously approved by the NRC.

The NRC staff has reviewed the licensee's analysis and, based on this review, and with the changes noted above in square brackets, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: J. Bradley Fewell, Esquire, Vice President and Deputy General Counsel, Exelon Generation Company, LLC, 4300 Winfield Road, Warrenville, Illinois 60555.

NRC Branch Chief: Douglas A. Broaddus.

FirstEnergy Nuclear Operating Company, et al., Docket Nos. 50–334 and 50–412, Beaver Valley Power Station, Unit Nos. 1 and 2 (BVPS–1 and BVPS–2), Beaver County, Pennsylvania

Date of amendment request: March 19, 2015, as supplemented by letter dated May 6, 2015. Publicly-available versions are in ADAMS under Accession Nos. ML15084A346 and ML15127A202, respectively.

Description of amendment request: This amendment request contains sensitive unclassified non-safeguards information (SUNSI). The amendment would change the BVPS–1 and BVPS–2 Operating License. Specifically, the proposed license amendment would revise the Cyber Security Plan, Milestone 8, full implementation date as set forth in the cyber security plan implementation schedule.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed amendment extends the completion date for milestone 8 of the Cyber Security Plan (CSP) implementation schedule. Revising the full implementation date for the CSP does not involve modifications to any safety-related structures, systems, or components (SSCs). The implementation schedule provides a timeline for fully implementing the CSP. The CSP describes how the requirements of 10 CFR 73.54 are to be implemented to identify, evaluate, and mitigate cyber-attacks up to and including the design basis cyber-attack threat; thereby achieving high assurance that the facility's digital computer and communications systems and networks are protected from cyber-attacks. The revision of the CSP Implementation Schedule will not alter previously evaluated design basis accident analysis assumptions, add any accident initiators, modify the function of the plant safety-related SSCs, or affect how any plant safety-related SSCs are operated, maintained, tested, or inspected.

As the proposed change does not directly impact SSCs, and milestones 1 through 7 provide significant protection against cyber-attacks, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed amendment create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed change does not introduce a new mode of plant operation or involve a physical modification to the plant. New equipment is not installed with the proposed amendment, nor does the proposed amendment cause existing equipment to be operated in a new or different manner. The change to cyber security implementation plan milestone 8 is administrative in nature and relies on the significant protection against cyber-attacks that has been gained through the implementation of CSP milestones 1 through 7. Since the proposed amendment does not involve a change to the plan design or operation, no new system interactions are created by this change. The proposed changes do not result in any new failure modes, and thus cannot initiate an accident different from those previously evaluated.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

3. Do the proposed changes involve a significant reduction in a margin of safety?

Response: No.

The proposed amendment does not affect the performance of any structures, systems or components as described in the design basis analyses. The change to milestone 8 of the cyber security implementation plan is administrative in nature.

The proposed change does not introduce a new mode of plant operation or involve a physical modification to the plant. The proposed amendment does not introduce changes to limits established in the accident analysis. Since there is no impact to any SSCs, or any maintenance or operational practice, there is also no reduction in any margin of safety.

As the proposed change does not directly impact SSCs, and milestones 1 through 7 provide significant protection against cyber-attacks, the proposed change does not involve a significant reduction in the margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: David W. Jenkins, FirstEnergy Nuclear Operating Company, FirstEnergy Corporation, 76 South Main Street, Akron, Ohio 44308.

NRC Branch Chief: Douglas A. Broaddus.

Northern States Power Company—Minnesota, Docket No. 50–263, Monticello Nuclear Generating Plant (MNGP), Wright County, Minnesota

Date of amendment request: October 3, 2014. A publicly-available version is in ADAMS under Package Accession No. ML14283A125.

Description of amendment request: This amendment request contains sensitive unclassified non-safeguards information (SUNSI). The proposed amendment would revise the MNGP Technical Specifications and approve certain analytical methods to support operation in the expanded power-flow operating domain described as the Extended Flow Window (EFW).

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The probability (frequency of occurrence) of Design Basis Accidents occurring is not affected by the EFW operating domain because MNGP will continue to comply with the regulatory and design basis criteria established for plant equipment. Based on the EFW domain representing the same region as the Maximum Extended Load Line Limit Analysis Plus (MELLLA+), there is no change in consequences of postulated accidents when operating in the EFW operating domain compared to the operating domain previously evaluated. The results of accident evaluations remain within the NRC approved acceptance limits.

The spectrum of postulated transients has been investigated and is shown to meet the plant's currently licensed regulatory criteria. In the area of fuel and core design, the Safety Limit Minimum Critical Power Ratio (SLMCPR) is still met. Continued compliance with the SLMCPR will be confirmed on a cycle specific basis consistent with the criteria accepted by the NRC. Challenges to the Reactor Coolant Pressure Boundary were evaluated for the extended operating domain conditions (pressure, temperature, flow, and radiation) and were found to meet their acceptance criteria for allowable stresses and overpressure margin.

Evaluations have also show that the consequences of the Loss of Coolant Accident (LOCA) are not exacerbated by operation in the EFW domain.

Therefore, the proposed changes do not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed amendment create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

Equipment that could be affected by the EFW operating domain has been evaluated. Aside from small changes to plant setpoints, the only physical change that is proposed involves installation of an electrical jumper that had been previously approved and installed for several operating cycles. No new operating mode, safety-related equipment lineup, accident scenario, or equipment failure mode was identified. The full spectrum of accident considerations has been evaluated and no new or different kind of accident has been identified. The EFW operating domain uses developed technology and applies it within the capabilities of existing plant safety-related equipment in accordance with the regulatory criteria. No new accident or event precursor has been identified.

Therefore, the proposed changes do not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed amendment involve a significant reduction in a margin of safety?

Response: No.

The EFW operating domain affects only design and operational margins. Challenges to the fuel, reactor coolant pressure boundary, and containment were evaluated for the EFW operating domain conditions. Fuel integrity is maintained by meeting existing design and regulatory limits. The calculated loads on affected structures, systems and components (including the reactor coolant pressure boundary) will remain within their design basis event categories. No NRC acceptance criterion is exceeded.

Because the MNGP configuration and responses to transients and postulated accidents do not result in exceeding the presently-approved NRC acceptance limits, the proposed changes do not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: Peter M. Glass, Assistant General Counsel, Xcel Energy Services, Inc., 414 Nicollet Mall, Minneapolis, Minnesota 55401.

NRC Branch Chief: David L. Pelton.

Omaha Public Power District, Docket No. 50–285, Fort Calhoun Station, Unit No. 1, Washington County, Nebraska

Date of amendment request: November 25, 2014, as supplemented by letter dated April 20, 2015. Publicly-available versions are in ADAMS under Accession Nos. ML15070A007 and ML15110A420, respectively.

Description of amendment request: This amendment request contains sensitive unclassified non-safeguards information (SUNSI). The amendment would revise the Cyber Security Plan, Milestone 8, full implementation date as set forth in the Fort Calhoun Station cyber security plan implementation schedule.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

This amendment proposes a change to the Fort Calhoun Station (FCS)/Omaha Public Power District (OPPD) Cyber Security Program (CSP) Milestone 8 (MS8) full implementation date as set forth in the CSP Implementation Schedule and associated regulatory commitment. The revision of the MS8 implementation date for the CSP does not involve modifications to any safety-related structures, systems, or components (SSCs). The revision of the CSP Implementation Schedule will not alter previously evaluated design basis accident analysis assumptions, add any accident initiators, modify the function of the plant safety-related SSCs, or affect how any plant safety-related SSCs are operated, maintained, modified, tested, or inspected.

Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed amendment create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

This amendment proposes a change to the CSP MS8 full implementation date as set forth in the CSP Implementation Schedule and associated regulatory commitment. The revision of the MS8 full implementation date for the CSP does not involve modifications to any safety-related SSCs. No new accident scenarios, failure mechanisms, or limiting single failures are introduced as a result of this proposed amendment.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

3. Does the proposed amendment involve a significant reduction in a margin of safety?

Response: No.

The amendment proposes a change to the CSP MS8 full implementation date as set forth in the CSP Implementation Schedule and associated regulatory commitment. The revision of the MS8 full implementation date for the CSP does not involve modifications to any safety-related SSCs. The proposed amendment has no effect on the structural integrity of the fuel cladding, reactor coolant pressure boundary, or containment structure.

Therefore, the proposed change does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: David A. Repka, Esq., Winston & Strawn, 1700 K Street NW., Washington, DC 20006–3817.

NRC Branch Chief: Michael T. Markley.

PSEG Nuclear LLC, Docket Nos. 50–272 and 50–311, Salem Nuclear Generating Station, Unit Nos. 1 and 2, Salem County, New Jersey

Date of amendment request: March 27, 2015. A publicly-available version is in ADAMS under Accession No. ML15086A201.

Description of amendment request: This amendment request contains sensitive unclassified non-safeguards information (SUNSI). The proposed amendments would revise Technical Specification 3/4.3.3, ''Reactor Trip System Instrumentation,'' Table 3.3–1, Action 2, to allow one channel to be bypassed for up to 4 hours for surveillance testing and would establish two new action notes for the power range nuclear instrumentation in Table 4.3–1, which would exclude solid state protection system input relays from the surveillance testing when the bypass test capability is used to perform the surveillance. The proposed changes would support the installation and use of bypass test capability for the power range nuclear instrumentation.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below, with the NRC staff's edits in square brackets:

1. Do the proposed changes involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The power range (PR) nuclear instrumentation is not an accident initiator or precursor. The PR nuclear instrumentation provides indication and plant protection through a reactor trip. The reactor trip is part of the plant's accident mitigation response. With the existing system, analog channel comparators are placed in the tripped condition for channel testing. This changes the normal two-out-of-four coincidence trip logic to a one-out-of-three trip logic. In this condition, a human error, channel failure, or spurious transient in a redundant channel could result in a reactor trip. Testing the PR nuclear instrumentation channels in bypass eliminates the spurious reactor trip because the trip logic becomes two-out-of-three; thereby retaining the two channels required to actuate the protective function.

The proposed change does not affect how the Reactor Trip System (RTS) functions. The proposed change does not alter or prevent any structures, systems, or components from performing their intended design basis function(s) to mitigate the consequences of an initiating event within the applicable acceptance criteria. Surveillance testing in the bypass condition will not cause any design or analysis acceptance criteria to be exceeded.

PR channel testing in bypass does not affect the source term, containment isolation, or radiological release assumptions used in evaluating the radiological consequences of an accident previously evaluated. The proposed change does not increase the types or amounts of radioactive effluent that may be released offsite, or significantly increase individual or cumulative occupational/public radiation exposures. The change is consistent with safety analysis assumptions and resultant consequences. Implementation of the PR nuclear instrumentation bypass testing capability does not affect the integrity of the fission product barriers utilized for the mitigation of radiological dose consequences as a result of a design basis accident. The plant response as assumed in the safety analyses is unaffected by this change.

Therefore, the proposed changes do not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Do the proposed changes create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The manner in which the RTS provides plant protection is not changed. Surveillance testing in bypass does not affect accident initiation sequences or response scenarios as modeled in the safety analyses. The PR nuclear instrumentation will continue to have the same setpoints. No new failure modes are created for any plant equipment. The bypass test instrumentation has been designed and qualified to applicable regulatory and industry standards. Fault conditions, failure detection, reliability, and equipment qualification have been considered. Existing accident scenarios remain unchanged and new or different accident scenarios are not created. The types of accidents defined in the Updated Final Safety Analysis Report (UFSAR) continue to represent the credible spectrum of events analyzed to determine safe plant operation.

Therefore, the proposed changes do not create the possibility of a new or different kind of accident from any previously evaluated.

3. Do the proposed changes involve a significant reduction in a margin of safety?

Response: No.

Safety analyses are not changed or modified as a result of the proposed Technical Specification (TS) changes to reflect installed PR nuclear instrumentation bypass test capability. The changes do not alter the manner in which the safety limits, limiting safety system setpoints, or limiting conditions for operation are determined. Margins associated with the applicable safety analyses acceptance criteria are unaffected. The current safety analyses remain bounding; their assumptions and conclusions are not affected by performing PR nuclear instrumentation surveillance testing in bypass. The safety systems credited in the safety analyses continue to remain available to perform their required mitigation functions. The impact of testing in bypass upon reactor safety was previously evaluated by the NRC during their review of WCAP–10271–P–A [titled ''Evaluation of Surveillance Frequencies and Out of Service Times for the Reactor Protection Instrumentation System''], and determined to be acceptable.

Therefore, the proposed changes do not involve a significant reduction in the margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: Jeffrie J. Keenan, PSEG Nuclear LLC—N21, P.O. Box 236, Hancocks Bridge, New Jersey 08038.

NRC Branch Chief: Douglas A. Broaddus.

Susquehanna Nuclear, LLC, Docket Nos. 50–387 and 50–388, Susquehanna Steam Electric Station (SSES), Units 1 and 2, Luzerne County, Pennsylvania

Date of amendment request: December 2, 2014, as supplemented by letters dated February 12, 2015, and May 4, 2015. Publicly-available versions are in ADAMS under Accession Nos. ML14336A246, ML15044A053, and ML15124A668, respectively.

Description of amendment request: This request contains sensitive unclassified non-safeguards information (SUNSI). The amendments would revise the SSES Unit 1 and Unit 2 Cyber Security Plan, Milestone 8, full implementation date as set forth in the SSES cyber security plan implementation schedule.

On June 1, 2015, the NRC staff issued an amendment changing the name on the SSES license from PPL Susquehanna, LLC, to Susquehanna Nuclear, LLC. This amendment was issued subsequent to an Order issued on April 10, 2015, to SSES approving an indirect license transfer. As such, all references in the basis for proposed no significant hazards consideration below to PPL Susquehanna, LLC, have been replaced with references to Susquehanna Nuclear, LLC, and are shown in square brackets [ ].

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below, with the NRC staff's edits in square brackets:

1. Do the proposed changes involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The amendment proposes a change to the [Susquehanna Nuclear, LLC, (Susquehanna)] Cyber Security Plan (CSP) Milestone 8 (M8) full implementation date as set forth in the [Susquehanna] CSP implementation schedule. The revision of the full implementation date for the [Susquehanna] CSP does not involve modifications to any safety-related structures, systems or components (SSCs). Rather, the implementation schedule provides a timetable for fully implementing the [Susquehanna] CSP. The CSP describes how the requirements of 10 CFR 73.54 are to be implemented to identify, evaluate, and mitigate cyber-attacks up to and including the design basis cyber[-]attack threat, thereby achieving high assurance that the facility's digital computer and communications systems and networks are protected from cyber-attacks. The revision of the [Susquehanna] Cyber Security Plan implementation schedule will not alter previously evaluated design basis accident analysis assumptions, add any accident initiators, modify the function of the plant safety-related SSCs, or affect how any plant safety-related SSCs are operated, maintained, modified, tested, or inspected.

Therefore, the proposed changes do not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Do the proposed changes create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The implementation of the [Susquehanna] CSP does not introduce new equipment that could create a new or different kind of accident, and no new equipment failure modes are created. No new accident scenarios, failure mechanisms, or limiting single failures are introduced as a result of this proposed amendment.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

3. Do the proposed changes involve a significant reduction in a margin of safety?

Response: No

The margin of safety is associated with the confidence in the ability of the fission product barriers (*i.e.,* fuel cladding, reactor coolant pressure boundary, and containment structure) to limit the level of radiation to the public. The proposed amendment does not alter the way any safety-related SSC functions and does not alter the way the plant is operated. The [Susquehanna] CSP provides assurance that safety-related SSCs are protected from cyber-attacks. The proposed amendment does not introduce any new uncertainties or change any existing uncertainties associated with any safety limit. The proposed amendment has no effect on the structural integrity of the fuel cladding, reactor coolant pressure boundary, or containment structure. Based on the above considerations, the proposed amendment does not degrade the confidence in the ability of the fission product barriers to limit the level of radiation to the public.

Therefore, the proposed change does not involve a reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: Damon D. Obie, Assoc. General Counsel, Talen Energy Supply, LLC, 835 Hamilton Street, Suite 150, Allentown, Pennsylvania 18101.

NRC Branch Chief: Douglas A. Broaddus.

Tennessee Valley Authority (TVA), Docket No. 50–296, Browns Ferry Nuclear Plant (BFN), Unit 3, Limestone County, Alabama

Date of amendment request: March 6, 2015. A publicly-available version is in ADAMS under Accession No. ML15090A436.

Description of amendment request: This amendment request contains sensitive unclassified non-safeguards information (SUNSI). The amendment would revise Section 2.1.1.2 of the Technical Specifications (TSs), changing the value of the safety limit minimum critical power ratio (SLMCPR) for two-loop operation from the current 1.09 to 1.06, and for single-loop operation from the current 1.11 to 1.08. The proposed revised values are supported by the application of the methodology approved previously for BFN Unit 3 by Amendment No. 270, dated July 31, 2014 (ADAMS Accession No. ML1411A286).

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed TS revision is based on the implementation of a previously approved methodology. As such, it involves no changes to the operation of any system or component during normal, accident, or transient operating conditions. The change does not affect the initiators of any [previously evaluated] accident.

Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed amendment create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed reduction of the SLMCPR values is based upon previously approved methodologies and does not involve changes to the plant hardware or its operating characteristics. As a result, no new failure modes are being introduced.

Therefore, the proposed change does not introduce a new or different kind of accident from those previously evaluated.

3. Does the proposed amendment involve a significant reduction in the margin of safety?

Response: No.

The margin of safety is established through the design of plant structures, systems, and components, and through the parameters for safe operation and setpoints of equipment relied upon to respond to transients and design basis accidents. The proposed change in SLMCPR does not change the requirements governing operation or availability of safety equipment assumed to operate to preserve the margin of safety. The change does not alter the behavior of the plant equipment.

The reduction of the SLMCPR values does not change the requirement that no more than 0.1% of fuel rods in the core experience boiling transition during normal operation and anticipated operational occurrences.

Therefore, the proposed change does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: General Counsel, Tennessee Valley Authority, 400 West Summit Hill Drive, WT 6A–K, Knoxville, Tennessee 37902.

NRC Branch Chief: Shana R. Helton.

Union Electric Company, Docket No. 50–483, Callaway Plant, Unit 1 (Callaway), Callaway County, Missouri

Date of amendment request: April 29, 2015. A publicly-available version is in ADAMS under Accession No. ML15120A482.

Description of amendment request: This amendment request contains sensitive unclassified non-safeguards information (SUNSI). The amendment would revise the Cyber Security Plan, Milestone 8, full implementation date as set forth in the Callaway cyber security plan implementation schedule.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

Criterion 1. The proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

The proposed change is administrative in nature as it only involves extending the timeframe for final implementation of the cyber security plan for Callaway. It involves no change to the intended plan itself. The change does not alter accident analysis assumptions, add any initiators, or affect the function of plant systems or the manner in which systems are operated, maintained, modified, tested, or inspected. The proposed change does not require any plant modifications that affect the performance capability of the structures, systems, and components (SSCs) relied upon to mitigate the consequences of postulated accidents, and has no impact on the probability or consequences of an accident previously evaluated.

Therefore, the proposed changes do not involve a significant increase in the probability or consequences of an accident previously evaluated.

Criterion 2. The proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

The proposed change to the Callaway Cyber Security Plan Implementation Schedule is administrative in nature. This change does not alter accident analysis assumptions, add any initiators, or affect the function of plant systems or the manner in which systems are operated, maintained, modified, tested, or inspected. The proposed change does not require any plant modifications that could introduce new failure modes leading or contributing to a new or different kind of accident.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

Criterion 3. The proposed change does not involve a significant reduction in the margin of safety.

Plant safety margins are established through limiting conditions for operation, limiting safety system settings, and safety limits specified in the technical specifications. The proposed change to the Callaway Cyber Security Plan Implementation Schedule is administrative in nature.

Therefore, the proposed change does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: John O'Neill, Esq., Pillsbury Winthrop Shaw Pittman LLP, 2300 N Street NW., Washington, DC 20037.

NRC Branch Chief: Michael T. Markley.

Order Imposing Procedures for Access to Sensitive Unclassified Non-Safeguards Information for Contention Preparation

Exelon Generation Company, LLC, and PSEG Nuclear LLC, Docket No. 50–278, Peach Bottom Atomic Power Station, Unit 3, York and Lancaster Counties, Pennsylvania

FirstEnergy Nuclear Operating Company, et al., Docket Nos. 50–334 and 50–412, Beaver Valley Power Station, Unit Nos. 1 and 2, Beaver County, Pennsylvania

Northern States Power Company—Minnesota, Docket No. 50–263, Monticello Nuclear Generating Plant, Wright County, Minnesota

Omaha Public Power District, Docket No. 50–285, Fort Calhoun Station, Unit No. 1, Washington County, Nebraska

PSEG Nuclear LLC, Docket Nos. 50–272 and 50–311, Salem Nuclear Generating Station, Unit Nos. 1 and 2, Salem County, New Jersey

Susquehanna Nuclear, LLC, Docket Nos. 50–387 and 50–388, Susquehanna Steam Electric Station, Units 1 and 2, Luzerne County, Pennsylvania

Tennessee Valley Authority, Docket No. 50–296, Browns Ferry Nuclear Plant, Unit 3, Limestone County, Alabama

Union Electric Company, Docket No. 50–483, Callaway Plant, Unit 1, Callaway County, Missouri

A. This Order contains instructions regarding how potential parties to this proceeding may request access to documents containing SUNSI.

B. Within 10 days after publication of this notice of hearing and opportunity to petition for leave to intervene, any potential party who believes access to SUNSI is necessary to respond to this notice may request such access. A ''potential party'' is any person who intends to participate as a party by demonstrating standing and filing an admissible contention under 10 CFR 2.309. Requests for access to SUNSI submitted later than 10 days after publication of this notice will not be considered absent a showing of good cause for the late filing, addressing why the request could not have been filed earlier.

C. The requester shall submit a letter requesting permission to access SUNSI to the Office of the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, Attention: Rulemakings and Adjudications Staff, and provide a copy to the Associate General Counsel for Hearings, Enforcement and Administration, Office of the General Counsel, Washington, DC 20555–0001. The expedited delivery or courier mail address for both offices is: U.S. Nuclear Regulatory Commission, 11555 Rockville Pike, Rockville, Maryland 20852. The email address for the Office of the Secretary and the Office of the General Counsel are *Hearing.Docket@nrc.gov* and *OGCmailcenter@nrc.gov,* respectively.[1] The request must include the following information:

(1) A description of the licensing action with a citation to this **Federal Register** notice;

(2) The name and address of the potential party and a description of the potential party's particularized interest that could be harmed by the action identified in C.(1); and

(3) The identity of the individual or entity requesting access to SUNSI and the requester's basis for the need for the information in order to meaningfully participate in this adjudicatory

[1] While a request for hearing or petition to intervene in this proceeding must comply with the filing requirements of the NRC's ''E-Filing Rule,'' the initial request to access SUNSI under these procedures should be submitted as described in this paragraph.

proceeding. In particular, the request must explain why publicly-available versions of the information requested would not be sufficient to provide the basis and specificity for a proffered contention.

D. Based on an evaluation of the information submitted under paragraph C.(3) the NRC staff will determine within 10 days of receipt of the request whether:

(1) There is a reasonable basis to believe the petitioner is likely to establish standing to participate in this NRC proceeding; and

(2) The requestor has established a legitimate need for access to SUNSI.

E. If the NRC staff determines that the requestor satisfies both D.(1) and D.(2) above, the NRC staff will notify the requestor in writing that access to SUNSI has been granted. The written notification will contain instructions on how the requestor may obtain copies of the requested documents, and any other conditions that may apply to access to those documents. These conditions may include, but are not limited to, the signing of a Non-Disclosure Agreement or Affidavit, or Protective Order [2] setting forth terms and conditions to prevent the unauthorized or inadvertent disclosure of SUNSI by each individual who will be granted access to SUNSI.

F. Filing of Contentions. Any contentions in these proceedings that are based upon the information received as a result of the request made for SUNSI must be filed by the requestor no later than 25 days after the requestor is granted access to that information. However, if more than 25 days remain between the date the petitioner is granted access to the information and the deadline for filing all other contentions (as established in the notice of hearing or opportunity for hearing), the petitioner may file its SUNSI contentions by that later deadline. This provision does not extend the time for filing a request for a hearing and petition to intervene, which must comply with the requirements of 10 CFR 2.309.

G. Review of Denials of Access.

(1) If the request for access to SUNSI is denied by the NRC staff after a determination on standing and need for access, the NRC staff shall immediately notify the requestor in writing, briefly stating the reason or reasons for the denial.

(2) The requester may challenge the NRC staff's adverse determination by filing a challenge within 5 days of receipt of that determination with: (a) The presiding officer designated in this proceeding; (b) if no presiding officer has been appointed, the Chief Administrative Judge, or if he or she is unavailable, another administrative judge, or an administrative law judge with jurisdiction pursuant to 10 CFR 2.318(a); or (c) officer if that officer has been designated to rule on information access issues.

H. Review of Grants of Access. A party other than the requester may challenge an NRC staff determination granting access to SUNSI whose release would harm that party's interest independent of the proceeding. Such a challenge must be filed with the Chief Administrative Judge within 5 days of the notification by the NRC staff of its grant of access.

If challenges to the NRC staff determinations are filed, these procedures give way to the normal process for litigating disputes concerning access to information. The availability of interlocutory review by the Commission of orders ruling on such NRC staff determinations (whether granting or denying access) is governed by 10 CFR 2.311.[3]

I. The Commission expects that the NRC staff and presiding officers (and any other reviewing officers) will consider and resolve requests for access to SUNSI, and motions for protective orders, in a timely fashion in order to minimize any unnecessary delays in identifying those petitioners who have standing and who have propounded contentions meeting the specificity and basis requirements in 10 CFR part 2. Attachment 1 to this Order summarizes the general target schedule for processing and resolving requests under these procedures.

IT IS SO ORDERED.

Dated at Rockville, Maryland, this 24th day of June 2015.

For the Nuclear Regulatory Commission.

Annette L. Vietti-Cook,

Secretary of the Commission.

ATTACHMENT 1—GENERAL TARGET SCHEDULE FOR PROCESSING AND RESOLVING REQUESTS FOR ACCESS TO SENSITIVE UNCLASSIFIED NON-SAFEGUARDS INFORMATION IN THIS PROCEEDING

Day	Event/Activity
0	Publication of **Federal Register** notice of hearing and opportunity to petition for leave to intervene, including order with instructions for access requests.
10	Deadline for submitting requests for access to Sensitive Unclassified Non-Safeguards Information (SUNSI) with information: Supporting the standing of a potential party identified by name and address; describing the need for the information in order for the potential party to participate meaningfully in an adjudicatory proceeding.
60	Deadline for submitting petition for intervention containing: (i) Demonstration of standing; and (ii) all contentions whose formulation does not require access to SUNSI (+25 Answers to petition for intervention; +7 petitioner/requestor reply).
20	U.S. Nuclear Regulatory Commission (NRC) staff informs the requester of the staff's determination whether the request for access provides a reasonable basis to believe standing can be established and shows need for SUNSI. (NRC staff also informs any party to the proceeding whose interest independent of the proceeding would be harmed by the release of the information.) If NRC staff makes the finding of need for SUNSI and likelihood of standing, NRC staff begins document processing (preparation of redactions or review of redacted documents).
25	If NRC staff finds no "need" or no likelihood of standing, the deadline for petitioner/requester to file a motion seeking a ruling to reverse the NRC staff's denial of access; NRC staff files copy of access determination with the presiding officer (or Chief Administrative Judge or other designated officer, as appropriate). If NRC staff finds "need" for SUNSI, the deadline for any party to the proceeding whose interest independent of the proceeding would be harmed by the release of the information to file a motion seeking a ruling to reverse the NRC staff's grant of access.
30	Deadline for NRC staff reply to motions to reverse NRC staff determination(s).

[2] Any motion for Protective Order or draft Non-Disclosure Affidavit or Agreement for SUNSI must be filed with the presiding officer or the Chief Administrative Judge if the presiding officer has not yet been designated, within 30 days of the deadline for the receipt of the written access request.

[3] Requesters should note that the filing requirements of the NRC's E-Filing Rule (72 FR 49139; August 28, 2007) apply to appeals of NRC staff determinations (because they must be served on a presiding officer or the Commission, as applicable), but not to the initial SUNSI request submitted to the NRC staff under these procedures.

ATTACHMENT 1—GENERAL TARGET SCHEDULE FOR PROCESSING AND RESOLVING REQUESTS FOR ACCESS TO SENSITIVE UNCLASSIFIED NON-SAFEGUARDS INFORMATION IN THIS PROCEEDING—Continued

Day	Event/Activity
40	(Receipt +30) If NRC staff finds standing and need for SUNSI, deadline for NRC staff to complete information processing and file motion for Protective Order and draft Non-Disclosure Affidavit. Deadline for applicant/licensee to file Non-Disclosure Agreement for SUNSI.
A	If access granted: Issuance of presiding officer or other designated officer decision on motion for protective order for access to sensitive information (including schedule for providing access and submission of contentions) or decision reversing a final adverse determination by the NRC staff.
A + 3	Deadline for filing executed Non-Disclosure Affidavits. Access provided to SUNSI consistent with decision issuing the protective order.
A + 28	Deadline for submission of contentions whose development depends upon access to SUNSI. However, if more than 25 days remain between the petitioner's receipt of (or access to) the information and the deadline for filing all other contentions (as established in the notice of hearing or opportunity for hearing), the petitioner may file its SUNSI contentions by that later deadline.
A + 53	(Contention receipt +25) Answers to contentions whose development depends upon access to SUNSI.
A + 60	(Answer receipt +7) Petitioner/Intervenor reply to answers.
>A + 60	Decision on contention admission.

[FR Doc. 2015–16223 Filed 7–6–15; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2015–0035]

Natural Phenomena Hazards in Fuel Cycle Facilities

AGENCY: Nuclear Regulatory Commission.

ACTION: Interim staff guidance; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is announcing the availability of Interim Staff Guidance (ISG) for Natural Phenomena Hazards (NPH) in Fuel Cycle Facilities. Fuel cycle facility licensees are required to conduct and maintain an Integrated Safety Analysis (ISA). This analysis must examine potential accident sequences caused by process deviations or other events internal to the facility and credible external events, including natural phenomena. The staff is issuing this ISG to provide additional guidance to the NRC staff for the review of fuel cycle facilities ISA evaluation of accident sequences that may result from NPH. This ISG will be incorporated into future revisions of Appendix D of Chapter 3 of NUREG 1520, ''Standard Review Plan for the Review of a License Application for a Fuel Cycle Facility.'' Specific emphasis was provided on seismic hazards due to recent events such as the Fukushima Dai-ichi accident and recent updates to the U.S. Geological Survey hazard curves.

DATES: The final ISG is available as of July 7, 2015.

ADDRESSES: Please refer to Docket ID NRC–2015–0035 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–2015–0035. 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: Jonathan Marcano, Office of Nuclear Materials Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–6731, email: *Jonathan.Marcano@nrc.gov.*

SUPPLEMENTARY INFORMATION: A notice of opportunity for public comment on Draft Interim Staff Guidance (ISG) for Natural Phenomena Hazards (NPH) in Fuel Cycle Facilities was published in the **Federal Register** on February 24, 2015 (80 FR 9755). Comments were received from Stephen McDuffie (Agencywide Document and Management System (ADAMS) Accession No. ML15096A476) and the Nuclear Energy Institute (ADAMS Accession No. ML15104A341). The evaluation of these comments and the resulting changes to the interim staff guidance are discussed in a publicly-available document which is available in ADAMS under Accession No. ML15121A039.

The final interim staff guidance is available in ADAMS under Accession No. ML15121A044.

Dated at Rockville, Maryland, this 26th day of June, 2015.

For the U.S. Nuclear Regulatory Commission.

Marissa Bailey,

Director, Division of Fuel Cycle Safety, Safeguards, and Environmental Review, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 2015–16542 Filed 7–6–15; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2015–0106]

Standard Review Plan for Renewal of Specific Licenses and Certificates of Compliance for Dry Storage of Spent Nuclear Fuel

AGENCY: Nuclear Regulatory Commission.

ACTION: Draft NUREG; request for comment.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is issuing for public

comment draft NUREG–1927, Revision 1, ''Standard Review Plan for Renewal of Specific Licenses and Certificates of Compliance for Dry Storage of Spent Nuclear Fuel.'' The draft NUREG provides guidance to the NRC staff for the safety review of renewal applications for specific licenses of independent spent fuel storage installations (ISFSIs) and certificates of compliance (CoCs) of spent fuel storage casks. The NRC is soliciting public comments on this draft NUREG and will consider received comments as it finalizes the guidance.

DATES: Submit comments by August 21, 2015. Comments received after this date will be considered if it is practical to do so, but the Commission is able to ensure consideration only for comments received before this date.

ADDRESSES: You may submit comments by any of the following methods (unless this document describes a different method for submitting comments on a specific subject):

- *Federal Rulemaking Web site:* Go to *http://www.regulations.gov* and search for Docket ID NRC–2015–0106. Address questions about NRC dockets to Carol Gallagher; telephone: 301–415–3463; email: *Carol.Gallagher@nrc.gov.* For technical questions, contact the individuals listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *Mail comments to:* Cindy Bladey, Office of Administration, Mail Stop: OWFN–12–H08, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

For additional direction on obtaining information and submitting comments, see ''Obtaining Information and Submitting Comments'' in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Kristina Banovac, telephone: 301–415–7116; email: *Kristina.Banovac@nrc.gov;* or Ricardo Torres, telephone: 301–415–7508; email: *Ricardo.Torres@nrc.gov.* Both are staff of the Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington DC 20555–0001.

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC–2015–0106 when contacting the NRC about the availability of information for this action. You may obtain publicly-available information related to this action by any of the following methods:

- Federal Rulemaking Web site: Go to *http://www.regulations.gov* and search for Docket ID NRC–2015–0106.
- 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.* Draft NUREG–1927, Revision 1, ''Standard Review Plan for Renewal of Specific Licenses and Certificates of Compliance for Dry Storage of Spent Nuclear Fuel'' is available in ADAMS under Accession No. ML15180A011.
- 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.

B. Submitting Comments

Please include Docket ID NRC–2015–0106 in your comment submission.

The NRC cautions you not to include identifying or contact information that you do not want to be publicly disclosed in your comment submission. The NRC will post all comment submissions at *http://www.regulations.gov* as well as enter the comment submissions into ADAMS. The NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment into ADAMS.

II. Discussion

NUREG–1927, Revision 0, ''Standard Review Plan for Renewal of Spent Fuel Dry Cask Storage System Licenses and Certificates of Compliance'' (ADAMS Accession No. ML111020115) was published in March 2011 to provide guidance to the staff for the safety review of renewal applications for specific licenses of ISFSIs and CoCs of spent fuel storage casks. Since that time, staff's experience with spent fuel storage renewal reviews has indicated a need for augmented and clarified guidance. In 2014, the staff engaged with stakeholders in public meetings to obtain input on potential changes to the guidance. The staff developed the revised guidance in draft NUREG–1927, Revision 1, which addresses staff's recent review experience and valuable input received from stakeholders.

Proposed changes and clarifications have been made throughout draft NUREG–1927, Revision 1.

The staff expanded guidance in the following areas:

- Application content;
- Scoping evaluation;
- Aging management review;
- Time-limited aging analyses; and
- Elements of an aging management program (AMP).

The staff developed new guidance in the following areas:

- Timely renewal;
- Amendment applications submitted during renewal reviews and after the renewal is issued;
- Use of conditions for ensuring AMPs remain adequate during the period of extended operation;
- Commencement of AMPs for CoC renewals;
- Implementation of AMPs; and
- Learning AMPs that consider and respond to operating experience.

The staff expanded guidance on scoping and aging management of fuel internals, which consolidated the discussion on retrievability in Revision 0. The staff deleted appendices that added minimal value to the review process and developed new appendices on the following topics:

- Example AMPs;
- Lead system inspections;
- Use of a demonstration program as a surveillance tool for high burnup fuel performance;
- Considerations for CoC renewals; and
- Storage terms (and calculation of length of time that a dry cask storage system can remain loaded).

The staff will review and consider public comments received on draft NUREG–1927, Revision 1, as it finalizes the guidance. Although comments are invited on any areas of the draft guidance, the staff is specifically seeking input on the following areas: AMP discussion in Section 3.6; example AMPs in Appendix B; lead system inspections in Appendix C; and the aging management review consideration of the duration of time between the fabrication of a component and its deployment in the ISFSI, in Chapter 3. In addition, the staff invites comments on options for an operating experience

sharing program to be used to obtain, aggregate, and enter site-specific and industry-wide operating experience, as discussed in Section 3.6.1.10.

Dated at Rockville, Maryland, this 25th day of June 2015.

For the Nuclear Regulatory Commission.

Anthony H. Hsia,

Deputy Director, Division of Spent Fuel Management, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 2015–16540 Filed 7–6–15; 8:45 am]

BILLING CODE 7590–01–P

SECURITIES AND EXCHANGE COMMISSION

Sunshine Act Meeting

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Public Law 94–409, that the Securities and Exchange Commission will hold a Closed Meeting on Thursday, July 9, 2015 at 2:00 p.m.

Commissioners, Counsel to the Commissioners, the Secretary to the Commission, and recording secretaries will attend the Closed Meeting. Certain staff members who have an interest in the matters also may be present.

The General Counsel of the Commission, or her designee, has certified that, in her opinion, one or more of the exemptions set forth in 5 U.S.C. 552b(c)(3), (5), (7), 9(B) and (10) and 17 CFR 200.402(a)(3), (5), (7), 9(ii) and (10), permit consideration of the scheduled matter at the Closed Meeting.

Commissioner Stein, as duty officer, voted to consider the items listed for the Closed Meeting in closed session.

The subject matter of the Closed Meeting will be:

Institution and settlement of injunctive actions;

Institution and settlement of administrative proceedings; and

Other matters relating to enforcement proceedings.

At times, changes in Commission priorities require alterations in the scheduling of meeting items.

For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact the Office of the Secretary at (202) 551–5400.

Dated: July 2, 2015.

Brent J. Fields,

Secretary.

[FR Doc. 2015–16725 Filed 7–2–15; 4:15 pm]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–75335; File No. SR–MIAX–2015–43]

Self-Regulatory Organizations; Miami International Securities Exchange LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Its Fee Schedule

June 30, 2015.

Pursuant to the provisions of Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on June 24, 2015, Miami International Securities Exchange LLC (''MIAX'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') a proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of the Substance of the Proposed Rule Change

The Exchange is filing a proposal to amend the MIAX Options Fee Schedule (the ''Fee Schedule'').

The text of the proposed rule change is available on the Exchange's Web site at *http://www.miaxoptions.com/filter/wotitle/rule_filing,* at MIAX's principal office, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend the MIAX Options Fee Schedule (the ''Fee Schedule'') to modify the fees for FIX Ports. Specifically, the Exchange proposes to adopt the following fees for FIX Ports: (i) $500 per month for the first FIX Port; (ii) $300 per month for each FIX Port 2 through 5; and (iii) $100 per month for each additional FIX Port over 5.

Currently, MIAX assesses monthly FIX Port fees on Members based upon the number of FIX Ports used by the Member submitting orders to the Exchange. The Exchange currently assesses a fee of $250 per month for the first FIX Port, $150 per month for each FIX Port 2 through 5; and $50 per month for each additional FIX Port over 5. The FIX Ports include access to MIAX's primary and secondary data centers and its disaster recovery center.

The Exchange notes that another competing exchange charges substantially more for the use of similar ports.[3] The Exchange established the current lower rates in order to encourage additional market participants to become Members of the Exchange and use the service. Now that the Exchange has grown its market share and membership base, the Exchange proposes to modify its fees charged to Members for use of FIX Ports in an effort to increase the Exchange's revenues from non-transaction fee sources and also more closely align the fees with the rates charged by another competing options exchange. Accordingly, the Exchange proposes to increase the fees charged to Members for use of FIX Ports. Specifically, the Exchange proposes to: (i) increase the fee for the first FIX Port, from $250 to $500 per month; (ii) increase the fee for each FIX Port 2 through 5, from $150 to $300 per month; and (iii) increase the fee for each FIX Port over 5, from $50 to $100 per month.

The Exchange proposes to implement the fee changes beginning July 1, 2015.

2. Statutory Basis

The Exchange believes that its proposal to amend its fee schedule is consistent with Section 6(b) of the Act[4] in general, and furthers the objectives of Section 6(b)(4) of the Act[5] in particular, in that it is an equitable allocation of reasonable fees and other charges.

The Exchange believes that the proposed fees are reasonable, equitable and not unfairly discriminatory because Members are free to add and remove FIX Ports and will only be charged for the amount of FIX Ports that they desire to use. The proposed fee is fair and

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* NASDAQ OMX PHLX LLC (''PHLX'') Pricing Schedule, Section VII. PHLX assesses members an Order Entry Port Fee of $650 per month per mnemonic.

[4] 15 U.S.C. 78f(b).

[5] 15 U.S.C. 78f(b)(4).

equitable and not unreasonably discriminatory because it applies equally to all Members regardless of type. All similarly situated Members, with the same number of FIX Ports, will be subject to the same fee, and access to the Exchange is offered on terms that are not unfairly discriminatory. The Exchange believes that the proposed fees are reasonable in that the rates are within the range of that charged by another competing options exchange.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act, as amended. The Exchange believes that the proposal increases both intermarket and intramarket competition by increasing FIX Port fees for Members on the Exchange in the range of comparable fees on another exchange. 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 in order to attract market participants to use its services. The Exchange believes that the proposal reflects this competitive environment because it increases the Exchange's fees in a manner that continues to encourage market participants to register as Members on the Exchange, to provide liquidity, and to attract order flow. To the extent that this purpose is achieved, all the Exchange's market participants should benefit from the improved market liquidity.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(ii) of the Act.[6] At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–MIAX–2015–43 on the subject line.

Paper Comments

- Send paper comments in triplicate to Brent J. Fields, Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090.

All submissions should refer to File Number SR–MIAX–2015–43. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (*http://www.sec.gov/rules/sro.shtml*).

Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web site viewing and printing in the Commission's Public Reference Room, 100 F Street NE., Washington, DC 20549 on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of such filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–MIAX–2015–43, and should be submitted on or before July 28,2015.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[7]

Robert W. Errett,

Deputy Secretary.

[FR Doc. 2015–16545 Filed 7–6–15; 8:45 am]

BILLING CODE 8011–01–P

[6] 15 U.S.C. 78s(b)(3)(A)(ii).

[7] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–75333; File No. SR–FINRA–2015–019]

Self-Regulatory Organizations; Financial Industry Regulatory Authority, Inc.; Notice of Filing of a Proposed Rule Change To Amend FINRA Rule Series 9100, 9200, 9300, 9550, and 9800 Regarding Temporary and Permanent Cease and Desist Orders

June 30, 2015.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on June 16, 2015, Financial Industry Regulatory Authority, Inc. (''FINRA'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by FINRA. 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

FINRA is proposing to amend FINRA Rule Series 9100, 9200, 9300, 9550, and 9800 to modify the evidentiary standard that must be met to impose a temporary cease and desist order, to adopt a new expedited proceeding for repeated failures to comply with temporary or permanent cease and desist orders, to ease administrative burdens in temporary cease and desist proceedings, to harmonize the provisions governing how documents are served in temporary cease and desist proceedings and expedited proceedings, to clarify the process for issuing permanent cease and desist orders, and to make conforming changes throughout FINRA's Code of Procedure.

The text of the proposed rule change is available on FINRA's Web site at *http://www.finra.org,* at the principal

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

office of FINRA 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, FINRA included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. FINRA has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

(i) Background

In 2003, the SEC approved rule amendments that authorized FINRA to seek and impose temporary cease and desist orders.[3] Temporary cease and desist orders are designed to stop serious violative conduct and maintain the status quo while an underlying disciplinary proceeding is being litigated.[4] They can be imposed where the potential harm resulting from violations to investors is likely and significant. FINRA believes that lowering the evidentiary standard to obtain a temporary cease and desist order would better serve the investor protection purposes of the temporary cease and desist authority and make FINRA's temporary cease and desist authority a more viable investor-protection tool. The change in the evidentiary standard may allow FINRA to initiate and resolve temporary cease and desist proceedings sooner, in which case the potential benefits could be substantial in instances where investors are being significantly harmed. The change would also improve FINRA's capacity to enforce compliance with applicable laws and rules by its members and persons associated with members and FINRA's capability to prevent fraudulent and manipulative acts and practices. At the same time, the proposed rule change maintains all of the meaningful existing restraints on FINRA's temporary cease and desist authority, including rule provisions that restrict who may authorize the initiation of a temporary cease and desist proceeding, narrowly define the violations that a temporary cease and desist order can address, and limit the issuance of temporary cease and desist orders to situations where the alleged violative conduct or continuation thereof is likely to result in significant dissipation or conversion of assets or other significant harm to investors.

The proposed rule change also adopts a new expedited proceeding to address situations involving repeated violations of temporary or permanent cease and desist orders. Finally, the proposed rule change includes a series of rule amendments to the temporary cease and desist order rules (FINRA Rule Series 9800), the expedited proceedings rules (FINRA Rule Series 9550), and FINRA's Code of Procedure (FINRA Rule Series 9000) that harmonize service provisions in temporary cease and desist proceedings and expedited proceedings, ease administrative burdens in temporary cease and desist proceedings, and clarify the process by which permanent cease and desist orders may be imposed.

(ii) Evidentiary Standard for Imposing a Temporary Cease and Desist Order

FINRA Rule 9840(a)(1) provides, in pertinent part, that a temporary cease and desist order shall be imposed if the Hearing Panel finds ''by a preponderance of the evidence that the alleged violation specified in the notice has occurred.'' FINRA believes that the ''preponderance of the evidence'' standard sets too high an evidentiary threshold for this critical investor-protection tool. It is the identical standard for proving a violation in the underlying disciplinary proceeding that must be pursued at the same time. Thus, to obtain a temporary cease and desist order—and thereby prevent the likely and significant dissipation or conversion of assets or other significant harm to investors—FINRA's prosecuting department has to make an evidentiary presentation in the temporary cease and desist proceeding that is similar in extent to its evidentiary presentation in the subsequent underlying disciplinary proceeding, but in an expedited manner. This poses administrative challenges that create a strong disincentive to seeking a temporary cease and desist order.

To increase the viability of the temporary cease and desist authority and improve the capacity of that authority to protect investors facing the likelihood of significant dissipation or conversion of assets, FINRA is proposing rule amendments that modify the evidentiary standard that must be met to obtain a temporary cease and desist order. In this regard, proposed FINRA Rule 9840(a)(1) requires that a FINRA Hearing Panel find that the Department of Enforcement or Department of Market Regulation has made a showing of a likelihood of success on the merits before issuing a temporary cease and desist order. FINRA's intent is to establish an evidentiary standard in temporary cease and desist proceedings that would require a lesser showing than what would be required during the subsequent, underlying disciplinary proceeding. Changing the evidentiary standard to require a showing of a likelihood of success on the merits may enable FINRA to initiate and resolve temporary cease and desist proceedings sooner and more efficiently, which would better protect investors' assets and prevent other significant harm until the underlying disciplinary hearing is held.

The proposed rule change makes a corresponding amendment to FINRA Rule 9840(a)(2). Currently, FINRA Rule 9840(a)(2) provides that a temporary cease and desist order shall be imposed if the Hearing Panel finds that the violative conduct or continuation thereof is likely to result in significant dissipation or conversion of assets or other significant harm to investors prior to the completion of the underlying proceeding. The proposed rule change modifies this requirement to apply to the ''alleged'' violative conduct or continuation thereof, to be consistent with the proposed change to the evidentiary standard.

FINRA remains mindful that when the Commission approved FINRA's temporary cease and desist authority on a permanent basis in 2009, it noted FINRA's statement that it would use its authority ''judiciously.''[5] FINRA's actions have been consistent with that statement—FINRA has sought and obtained temporary cease and desist

[3] Securities Exchange Act Release No. 47925 (May 23, 2003), 68 FR 33548 (June 4, 2003) (Order Approving File No. SR–NASD–98–80). In 2009, the SEC approved the adoption of the temporary and permanent cease and desist authority on a permanent basis. Securities Exchange Act Release No. 60306 (July 14, 2009), 74 FR 36292 (July 22, 2009) (Order Approving File No. SR–FINRA–2009–035).

[4] FINRA Rule 9810(a) provides that a temporary cease and desist proceeding may be initiated with respect to alleged violations of Section 10(b) of the Act (15 U.S.C. 78j(b)) and Rule 10b–5 under the Act (17 CFR 240.10b–5); Rules 15g–1 through 15g–9 under the Act (17 CFR 240.15g–1 *et seq.*); FINRA Rule 2010 (if the alleged violation is unauthorized trading, or misuse or conversion of customer assets, or based on violations of Section 17(a) of the Securities Act of 1933 (15 U.S.C. 77q(a))); FINRA Rule 2020; or FINRA Rule 4330 (if the alleged violation is misuse or conversion of customer assets).

[5] Securities Exchange Act Release No. 60306 (July 14, 2009), 74 FR 36292, 36293 (July 22, 2009) (Order Approving File No. SR–FINRA–2009–035).

orders on only seven occasions since 2003—and FINRA intends to continue using its authority in a similarly judicious manner. Moreover, the proposed rule change maintains all of the meaningful restraints on FINRA's temporary cease and desist authority, including that a temporary cease and desist proceeding must be authorized by FINRA's Chief Executive Officer or other designated senior officer, and that a temporary cease and desist order can be imposed only if there is a likelihood of significant dissipation or conversion of assets or significant harm to investors.

In sum, FINRA's purpose in modifying the evidentiary standard for temporary cease and desist proceedings is to increase the effectiveness of this regulatory proceeding and thereby improve investor protection in the most threatening and serious cases until the underlying disciplinary hearing is held.

(iii) Failures To Comply With Temporary Cease and Desist Orders and Permanent Cease and Desist Orders (FINRA Rule 9556)

The proposed rule change includes amendments to FINRA Rule 9556, which sets forth expedited procedures for enforcing violations of FINRA-issued temporary and permanent cease and desist orders. FINRA is concerned that the existing expedited procedures may permit cease and desist orders to be circumvented without any real threat of a sanction. Under current FINRA Rule 9556, if a member or person fails to comply with a temporary or permanent cease and desist order, FINRA staff (with prior authorization from FINRA's Chief Executive Officer or other designated senior officer) may issue a notice stating that the failure to comply within seven days will result in a suspension or cancellation of membership or a suspension or bar from associating with any member and also stating what the respondent must do to avoid such action. A respondent potentially could abuse the current process by repeatedly violating a cease and desist order and curing that violation before the effective date of any FINRA Rule 9556 notice, without being subject to immediate sanctions or review by the Office of Hearing Officers for a prolonged period. While FINRA could pursue disciplinary action against a respondent that repeatedly ''violates and cures'' in this manner, an inability to obtain sanctions in an expedited manner could undermine any cease and desist order terms that require immediate compliance to be effective.

Proposed FINRA Rule 9556(h) permits FINRA staff (with prior authorization from FINRA's Chief Executive Officer or other designated senior officer) to institute a new kind of expedited proceeding if the subject of a temporary or permanent cease and desist order fails to comply with that order and has previously been served with a notice under FINRA Rule 9556(a) for a failure to comply with any provision of the same temporary or permanent cease and desist order. Proposed FINRA Rule 9556(h)(3) provides that, in contrast to other Rule 9556 proceedings, a respondent's compliance with the temporary or permanent cease and desist order is not a ground for dismissing the FINRA Rule 9556(h) proceeding. Thus, a respondent's compliance with a temporary or permanent cease and desist order after the FINRA Rule 9556(h) proceeding has been initiated would not prevent an adjudicator from reviewing the matter and imposing a fitting sanction for the respondent's violation.

The proposed FINRA Rule 9556(h) proceeding differs from other FINRA Rule 9556 expedited proceedings in other respects that reflect the response that FINRA believes is warranted for situations involving repeated violations of temporary or permanent cease and desist orders. These differences include the following:

- A FINRA Rule 9556(h) proceeding could be initiated only if the respondent has previously been served under FINRA Rule 9556(a) with a notice for failing to comply with any provision of the same temporary or permanent cease and desist order;
- FINRA's prosecuting department would initiate a FINRA Rule 9556(h) proceeding by filing a petition with FINRA's Office of Hearing Officers (and serving the respondent) that seeks the imposition of sanctions for the violation (rather than issuing a notice to the respondent);
- FINRA's prosecuting department would seek the imposition of any fitting sanction at the outset of the FINRA Rule 9556(h) proceeding (in contrast to other FINRA Rule 9556 expedited proceedings, where the recipient of a notice is not subject to the imposition of any fitting sanction unless such recipient opts for a hearing);
- a hearing is required in a FINRA Rule 9556(h) proceeding;
- the hearing for a FINRA Rule 9556(h) proceeding must be held in a condensed time frame (ten business days after a respondent is served the petition, versus other Rule 9556 proceedings which require a respondent to request a hearing within seven business days after service of a notice instituting a proceeding and require hearings to be held within 14 days after a request for a hearing is filed);[6]
- a FINRA Rule 9556(h) proceeding is presided over by a Hearing Officer, rather than a Hearing Panel;[7] and
- the Hearing Officer may issue default decisions in FINRA Rule 9556(h) proceedings.[8]

Under proposed FINRA Rule 9556(h)(4), the FINRA department that filed the petition can withdraw it without prejudice and shall be permitted to refile a petition based on allegations concerning the same facts and circumstances that are set forth in the withdrawn petition. This provision will provide FINRA the flexibility to withdraw the petition where, for instance, the respondent evidences a good faith intent to comply with the temporary or permanent cease and desist order without the need to adjudicate the petition, while preserving FINRA's right to refile the petition if the respondent fails to do so.

Considering that these new FINRA Rule 9556(h) expedited proceedings would be limited to subsequent violations of temporary or permanent cease and desist orders, require appropriate authorization, provide an opportunity for a hearing prior to the imposition of a sanction, be resolved by a Hearing Officer, and be subject to appeal to the SEC, sufficient checks are in place to ensure that FINRA continues to use its FINRA Rule 9556 powers in a judicious and fair manner.

(iv) Service Provisions in Temporary Cease and Desist Proceedings and Expedited Proceedings

The proposed rule change makes the FINRA rules that govern service of documents in temporary cease and desist proceedings and the eight different types of expedited proceedings more consistent. Currently, some provisions explicitly address service by facsimile and on counsel, but some do not. FINRA proposes rule amendments that explicitly allow service by facsimile and on counsel across all temporary cease and desist and expedited proceedings because doing so removes unnecessary burdens and inefficiencies.

The proposed rule change also permits service by email in all temporary cease and desist proceedings and expedited proceedings. Email service will allow parties to receive information quickly, which is particularly important in these types of proceedings, considering the short time

[6] *See* proposed FINRA Rule 9559(f)(2) and (3); FINRA Rule 9556(e).

[7] *See* proposed FINRA Rule 9559(d)(1) and (2).

[8] *See* proposed FINRA Rule 9559(m)(2).

frames involved. Moreover, where the proposed revisions permit email service, they also require duplicate service through some other means such as overnight courier or personal delivery.

(v) Clarifying FINRA's Authority To Impose Permanent Cease and Desist Orders

When FINRA obtained the authority to impose temporary cease and desist orders, it also obtained the authority to impose permanent cease and desist orders.[9] The proposed rule change contains amendments that clarify the process for imposing permanent cease and desist orders in disciplinary proceedings. These changes are procedural in nature and do not reflect any change to FINRA's prior representations concerning the context in which it will seek permanent cease and desist orders.[10]

(vi) Administrative Changes To Temporary Cease and Desist Proceedings

The small pool of persons who currently may serve on hearing panels that preside over temporary cease and desist proceedings, coupled with the short time in which a temporary cease and desist proceeding must be processed, creates administrative burdens for FINRA's Office of Hearing Officers. Currently, FINRA Rule 9820(a) requires that the Hearing Panel appointed to preside over a temporary cease and desist proceeding include two panelists that are ''current or former Governors, Directors, or National Adjudicatory Council members, and at least one Panelist shall be an associated person.'' This is a far more limited pool of potential panelists than is available for other FINRA adjudicatory proceedings, including the underlying disciplinary proceeding that follows a temporary cease and desist proceeding and any FINRA Rule 9556 expedited proceeding to enforce a cease and desist order.[11] While FINRA's Office of Hearing Officers has presided over only a limited number of temporary cease and desist proceedings, those experiences have revealed that the narrowly circumscribed set of potential panelists can impede the recruitment of Hearing Panel members, especially considering that the expedited nature of temporary cease and desist proceedings will already preclude many from being able to serve.[12] FINRA also has concerns that the small pool of potential panelists will often make it difficult to recruit hearing panelists who can serve on both the temporary cease and desist proceeding and the subsequent underlying disciplinary proceeding, as well as any related expedited proceeding under FINRA Rule 9556. In such situations, FINRA is unable to realize the corresponding benefits to judicial economy that come from having the same panelists preside over all such proceedings.

To address these issues, the proposed rule change expands the pool of persons eligible to serve on hearing panels to include those who may serve on hearing panels for disciplinary matters. Specifically, under proposed FINRA Rule 9820, the potential panelists for the Hearing Panels that preside over temporary cease and desist proceedings would include persons who currently serve or previously served on a District Committee; previously served on the National Adjudicatory Council; previously served on a disciplinary subcommittee of the National Adjudicatory Council or the National Business Conduct Committee; previously served as a member of the Board of Directors of FINRA Regulation or of the Board of Governors of FINRA; or currently serve or previously served on a committee appointed or approved by the Board of Governors of FINRA, but do not serve currently on the National Adjudicatory Council or as a member of the Board of Directors of FINRA Regulation or of the Board of Governors of FINRA. Likewise, the proposed rule change would require that each panelist be associated with a member of FINRA or retired therefrom.

The proposed rule change also eases other administrative burdens created by the shortened time frame of a temporary cease and desist proceeding. These proposed changes are aimed at improving Hearing Panels' and parties' ability to prepare for hearings and giving Hearing Officers some needed flexibility. For example, under current FINRA Rule 9830(a), a Hearing Officer is not able to extend a hearing date in a temporary cease and desist proceeding unless all parties consent to the extension. The requirement to obtain the parties' consent can be problematic where the Office of Hearing Officers, rather than one of the parties, has a need for an extension, such as when it encounters difficulty in quickly appointing a Hearing Panel. To address this problem, FINRA is proposing to change FINRA Rule 9830(a) to allow hearing deadlines to be extended by the Chief Hearing Officer or Deputy Chief Hearing Officer for good cause shown.

Likewise, the proposed rule change makes similar amendments to the process by which extensions are obtained to the deadlines for issuing decisions in temporary cease and desist proceedings and responding to requests to modify, set aside, limit or suspend a temporary cease and desist order. Under current FINRA Rule 9840(a), the Hearing Panel's deadline for issuing its written decision cannot be extended, even where there is good cause, without the consent of the parties. Likewise, under current FINRA Rule 9850, a Hearing Panel's deadline for responding to an application to have a temporary cease and desist order modified, set aside, limited, or suspended cannot be extended, even where there is a good cause, without the consent of the Parties. A Hearing Panel should be allowed some flexibility where there is a need for additional time to prepare its decision or respond to a FINRA Rule 9850 request (*e.g.*, when a member of the Hearing Panel becomes ill, where the temporary cease and desist proceeding is highly complex). The proposed change to FINRA Rules 9840(a) and 9850 would permit the deadlines for issuing decisions and responding to FINRA Rule 9850 applications to be extended by the Chief Hearing Officer or Deputy Chief Hearing Officer for good cause shown.

To further address the burdens created by the short time frame of temporary cease and desist proceedings, the proposed rule change also: (i) Requires FINRA's prosecuting department to file a memorandum of points and authorities with the notice initiating a temporary cease and desist proceeding; and (ii) permits the Hearing Officer to order a party to furnish to all other parties and the Hearing Panel such information as deemed appropriate, including any or all of the pre-hearing submissions described in FINRA Rule

[9] *See* Securities Exchange Act Release No. 47925 (May 23, 2003), 68 FR 33548, 33549–50 (June 4, 2003) (Order Approving File No. SR–NASD–98–80).

[10] *See* Securities Exchange Act Release No. 47925 (May 23, 2003), 68 FR 33548, 33550 & n.18 (June 4, 2003) (Order Approving File No. SR–NASD–98–80).

[11] *See* FINRA Rule 9231(b) (providing that each panelist shall be associated with a member of FINRA or retired therefrom and that the pool of panelists for disciplinary proceedings includes current or previous members of District Committees, former members of the National Adjudicatory Council, past members of disciplinary subcommittees of the National Adjudicatory Council or the National Business Conduct Committee, past members of the Board of Directors of FINRA Regulation or past members of the Board of Governors of FINRA, and current or previous members of committees appointed or approved by the Board of Governors of FINRA); FINRA Rule 9559(d)(2) (providing for the same pool for FINRA Rule 9556 expedited proceedings).

[12] Hearings in temporary cease and desist proceedings are, in general, required to be held not later than 15 days after service of the notice initiating the proceeding. FINRA Rule 9830(a).

9242(a).[13] Requiring FINRA's prosecuting department to file a memorandum of points and authorities at the initiation of the proceeding will, at the outset, provide more context to the allegations and set forth legal authorities on which the notice seeking a temporary cease and desist order is premised. This, in turn, will facilitate a more efficient process and improve the quality of the hearing through more thorough preparation, which are the same goals of the pre-hearing processes in FINRA disciplinary proceedings.[14] Requiring the filing of a memorandum of points and authorities at the initiation of a temporary cease and desist proceeding also will enhance disclosure of the prosecuting department's allegations, which will inure to the benefit of the respondents and further increase the fairness of the proceeding. All of these objectives also will be served by authorizing Hearing Officers to order a party to furnish other pre-hearing submissions.

Proposed FINRA Rule 9840(e) is a delivery requirement that would require a member firm that is the subject of a temporary cease and desist order to provide a copy of the order to its associated persons, within one business day of receiving it. Considering the significant nature of the harm that a temporary cease and desist order is aimed at stopping, FINRA believes there is a heightened need to ensure that the persons who may act on behalf of the member firm are made aware of the contents of a temporary cease and desist order imposed against the member firm. The delivery requirement will further that goal.[15]

Finally, the proposed rule change clarifies the following additional three issues: (1) How settlements may be approved in temporary cease and desist proceedings; (2) which Hearing Panel has jurisdiction to preside over applications filed under FINRA Rule 9850 to modify, set aside, limit or suspend temporary cease and desist orders that are filed after a Hearing Panel has already been appointed in the underlying disciplinary proceeding; and (3) whether temporary and permanent cease and desist orders imposed against a firm also apply to successors of that firm. With respect to the first issue, proposed FINRA Rule 9810(c) establishes that, if the parties agree to the terms of a proposed temporary cease and desist order, the Hearing Officer shall have the authority to approve and issue the order. On the second issue, proposed FINRA Rule 9850 provides that the Hearing Panel that presided over the temporary cease and desist order proceeding shall retain jurisdiction to review a FINRA Rule 9850 application unless at the time the application is filed a Hearing Panel has already been appointed in the underlying disciplinary proceeding commenced under FINRA Rule 9211, in which case the Hearing Panel appointed in the disciplinary proceeding has jurisdiction.[16] As to the third issue, proposed FINRA Rules 9840(b) and 9291(a) establish that when a temporary or permanent cease and desist order is imposed against a member firm, it also applies to any successor of the member firm.

(vii) Effective Date

FINRA will announce the effective date of the proposed rule change in a *Regulatory Notice* to be published no later than 60 days following Commission approval. The effective date will be no later than 30 days following publication of the *Regulatory Notice* announcing Commission approval.

2. Statutory Basis

FINRA believes that the proposed rule change is consistent with the provisions of Section 15A(b)(2) of the Act,[17] which requires, among other things, that FINRA has the capacity to be able to carry out the purposes of the Act and to comply, and to enforce compliance by its members and persons associated with its members, with the provisions of the Act, the rules and regulations thereunder, the rules of the Municipal Securities Rulemaking Board, and FINRA rules; Section 15A(b)(6) of the Act,[18] which requires, among other things, that FINRA rules must be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, and, in general, to protect investors and the public interest; Section 15A(b)(7) of the Act,[19] which requires, among other things, that FINRA rules provide that FINRA members and persons associated with its members shall be appropriately disciplined for violation of any provision of the Act, the rules of regulations thereunder, the rules of the Municipal Securities Rulemaking Board, or FINRA rules by expulsion, suspension, limitation of activities, functions, and operations, fine, censure, being suspended or barred from being associated with a member, or any other fitting sanction; and Section 15A(b)(8) of the Act,[20] which requires that FINRA rules provide a fair procedure for, among other things, the disciplining of members and persons associated with members.

FINRA believes that the proposed rule change is consistent with, and furthers the objectives of, Sections 15A(b)(2) and 15A(b)(6) of the Act in that the proposed changes to the evidentiary standard required for imposing a temporary cease and desist order and the proposed adoption of a new expedited proceeding for repeated failures to comply with temporary or permanent cease and desist orders will protect investors and the public interest by improving FINRA's capacity to enforce compliance with applicable laws and rules by its members and persons associated with members and improving FINRA's capability to prevent fraudulent and manipulative acts and practices. FINRA believes that the proposed rule change is consistent with Section 15A(b)(7) of the Act because it allows FINRA to take appropriate action against members and their associated persons who are

[13] The pre-hearing submissions described in FINRA Rule 9242(a) include: (1) An outline or narrative summary of a party's case or defense; (2) the legal theories upon which a party shall rely; (3) a list and copies of documents that a party intends to introduce at the hearing; (4) a list of witnesses who shall testify on a party's behalf, including the witnesses' names, occupations, addresses, and a brief summary of their expected testimony; and (5) if a witness shall be called to testify as an expert, a statement of the expert's qualifications, a listing of other proceedings in which the expert has given expert testimony, a list of the expert's publications, and copies of those publications that are not readily available to other parties and the Hearing Panel.

[14] *See* FINRA Rule 9241(a) (setting forth purposes of pre-hearing conferences in disciplinary proceedings).

[15] Similarly, the proposed rule change makes related amendments to FINRA Rules 9269, 9270, and 9840 to require that the Office of Hearing Officers, the Department of Enforcement, the Department of Market Regulation, or the General Counsel, as appropriate, disseminate default decisions, orders of acceptance of settlement, and temporary cease and desist orders to each member of FINRA with which a respondent is associated. These dissemination requirements are intended to ensure that a respondent's member firm is made aware of the disciplinary history of its associated persons, regardless of the specific disciplinary procedure involved. The proposed amendments are consistent with other FINRA Rules that already require the Office of Hearing Officers, the National Adjudicatory Council, or the Board of Governors of FINRA to provide copies of a decision issued by a Hearing Panel, an Extended Hearing Panel, the National Adjudicatory Council, or the Board of Governors of FINRA to each member firm with which a respondent is associated. *See* FINRA Rules 9268(d), 9349(c), 9351(e).

[16] In many instances the same Hearing Panel will preside over both the temporary cease and desist proceeding and the underlying disciplinary proceeding. There may be occasions, however, where that is not possible.

[17] 15 U.S.C. 78*o*–3(b)(2).

[18] 15 U.S.C. 78*o*–3(b)(6).

[19] 15 U.S.C. 78*o*–3(b)(7).

[20] 15 U.S.C. 78*o*–3(b)(8).

engaged in serious misconduct. Finally, FINRA believes that the proposed rule change is consistent with Section 15A(b)(8) of the Act because the rules governing temporary cease and desist orders and expedited proceedings require notice and an opportunity to be heard before a neutral tribunal, in addition to the numerous other procedural safeguards described above and included in the rules.

B. Self-Regulatory Organization's Statement on Burden on Competition

FINRA does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. FINRA expects that changing the rules that govern obtaining and enforcing temporary and permanent cease and desist orders will result in benefits to investors and the public interest, without imposing significant direct or indirect costs on members or the public. The primary purpose of these amendments is to better ensure that FINRA can protect the assets of brokerage customers in cases where it is demonstrably likely that violative conduct is taking place. These benefits would be achieved through a combination of changing the evidentiary standard for imposing temporary cease and desist orders, removing a potential gap that could allow persons to repeatedly ''violate and cure'' temporary or permanent cease and desist orders, and other administrative changes. Lowering the evidentiary threshold for obtaining a temporary cease and desist order would provide a more effective and efficient mechanism to combat serious misconduct and lessen the dissipation of customer funds in the presence of misconduct.

Based on FINRA's past history of initiating only a small number of temporary cease and desist actions after gaining temporary cease and desist authority, the proposed rule change is anticipated to result in only a nominal increase in temporary cease and desist actions. Nonetheless, the change in the evidentiary standard may allow FINRA to initiate and resolve temporary cease and desist proceedings sooner, in which case the potential benefits can be substantial in just a single case where investors are being harmed.

Moreover, there are numerous controls to assure that the temporary cease and desist authority is used only in limited and appropriate cases. First, the temporary cease and desist authority is restricted to those instances where the staff can demonstrate that the dissipation or conversion of assets or harm to customers is likely and significant. Second, FINRA's prosecuting departments must still be prepared to prove the underlying disciplinary case at the higher, ''preponderance of the evidence'' evidentiary standard. Third, to ensure that FINRA applies its temporary cease and desist authority in a manner that is fair, a temporary cease and desist order may be imposed only if the action has been authorized by FINRA's Chief Executive Officer or such other senior officers as the Chief Executive Officer may have designated, the parties have had an opportunity for a hearing prior to the imposition of the temporary cease and desist order, and an independent Hearing Panel has made findings that the standards for imposing a temporary cease and desist order have been met. Fourth, a party subject to a temporary cease and desist order may appeal to the SEC, and thereafter to a federal court of appeals.

The benefits that arise from the remaining portions of the proposed rule change primarily accrue from added efficiency in the application of the temporary cease and desist process and related processes. The proposed service provisions and other administrative changes impose no material costs on firms and permit the staff to expedite the process to preserve customer assets and stop inappropriate activities more quickly.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 45 days of the date of publication of this notice in the **Federal Register** or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

(A) By order approve or disapprove such proposed rule change, or

(B) institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–FINRA–2015–019 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–FINRA–2015–019. 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 20549–1090 on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing will also be available for inspection and copying at the principal office of FINRA. 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–FINRA–2015–019 and should be submitted on or before July 28, 2015.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[21]

Robert W. Errett,

Deputy Secretary.

[FR Doc. 2015–16543 Filed 7–6–15; 8:45 am]

BILLING CODE 8011–01–P

[21] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–75334; File No. SR–MIAX–2015–42]

Self-Regulatory Organizations; Miami International Securities Exchange LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Its Fee Schedule

June 30, 2015.

Pursuant to the provisions of Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on June 24, 2015, Miami International Securities Exchange LLC (''MIAX'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') a proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of the Substance of the Proposed Rule Change

The Exchange is filing a proposal to amend the MIAX Options Fee Schedule.

The text of the proposed rule change is available on the Exchange's Web site at *http://www.miaxoptions.com/filter/wotitle/rule_filing,* at MIAX's principal office, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend its current MIAX Market Maker[3] sliding scale for transaction fees to: (i) Modify the volume thresholds in tiers 3, 4;[4] (ii) increase the transaction fee for volume tier 2;[5] and (iii) increase the Priority Customer rebate incentive for tier 2.

The sliding scale for MIAX Market Maker transaction fees is based on the substantially similar fees of the Chicago Board Options Exchange, Incorporated (''CBOE'').[6] Specifically, the program reduces a MIAX Market Maker's per contract transaction fee based on percentages of total national Market Maker volume of any options classes that trade on the exchange during the calendar month, based on the following scale:

Tier	Percentage of national Market Maker volume	Per contract fee for penny classes	Per contract fee for non-penny classes
1	0.00%–0.05%	$0.25	$0.29
2	Above 0.05%–0.50%	0.19	0.23
3	Above 0.50%–1.00%	0.12	0.16
4	Above 1.00%–1.50%	0.07	0.11
5	Above 1.50%	0.05	0.09

The sliding scale would apply to all MIAX Market Makers for transactions in all products except mini-options. A MIAX Market Maker's initial $0.25 per contract rate in Penny Pilot classes and $0.29 per contract in non-Penny Pilot classes will be reduced if the MIAX Market Maker reaches the volume thresholds set forth in the sliding scale in a month. As a MIAX Market Maker's monthly volume increases, its per contract transaction fee would decrease. The Market Maker sliding scale will continue to apply to MIAX Market Maker (RMM, LMM, DLMM, PLMM, DPLMM) transaction fees in all products except mini-options. MIAX Market Makers will continue to be assessed a $0.02 per executed contract fee for transactions in mini-options.

The Exchange believes the proposed sliding scale is objective in that the fee reductions are based solely on reaching stated volume thresholds. The specific volume thresholds of the tiers were set based upon business determinations and an analysis of current volume levels. The specific volume thresholds and rates were set in order to encourage MIAX Market Makers to reach for higher tiers. The Exchange believes that the proposed changes to the tiered fee schedule may incent firms to display their orders on the Exchange and increase the volume of contracts traded here.

As mentioned above, the Exchange notes that the proposed sliding fee scale for MIAX Market Makers structured on contract volume thresholds is based on the substantially similar fees of the CBOE.[7] The Exchange also notes that a number of other exchanges have tiered fee schedules which offer different transaction fee rates depending on the monthly ADV of liquidity providing executions on their facilities.[8]

The Exchange also proposes to increase the rebate incentive for Priority Customer orders to correspond with the increase in the transaction fee for tier 2 of the MIAX Market Maker sliding scale. The Exchange offers MIAX Market Makers the opportunity to reduce transaction fees by $0.02 per contract in

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] ''MIAX Market Maker'' for purposes of the proposed sliding scale means any MIAX Market Maker including RMM, LMM, PLMM, DLMM, and DPLMM.

[4] The Commission notes that the Exchange proposes to change the Percentage Thresholds of National Market Maker Volume for tier 3 from ''Above 0.50%–0.80%'' to ''Above 0.50%–1.00%'' and for tier 4 from ''Above 0.80%–1.50%'' to ''Above 1.00%–1.50%.''

[5] The Commission notes that the Exchange proposes to increase the transaction fee for tier 2 from $0.17 to $0.19 for Penny Classes and from $0.21 to $0.23 for Non-Penny Classes.

[6] *See* Securities Exchange Act Release Nos. 55193 (January 30, 2007), 72 FR 5476 (February 6, 2007) (SR–CBOE–2006–111); 57191 (January 24, 2008), 73 FR 5611 (January 30, 2008); 58321 (August 6, 2008), 73 FR 46955 (SR–CBOE–2008–78). *See also* CBOE Fees Schedule, p. 3.

[7] *See* Securities Exchange Act Release Nos. 55193 (January 30, 2007), 72 FR 5476 (February 6, 2007) (SR–CBOE–2006–111); 58321 (August 6, 2008), 73 FR 46955 (SR–CBOE–2008–78); 71295 (January 14, 2014), 79 FR 3443 (January 21, 2014) (SR–CBOE–2013–129). The Exchange notes that CBOE does not charge market makers a differentiated transaction fee for non-Penny Pilot option classes.

[8] *See, e.g.,* International Securities Exchange, LLC, Schedule of Fees, Section IV, C; NASDAQ Options Market, Chapter XV, Section 2.

standard options if the Member or its affiliates of at least 75% common ownership between the firms as reflected on each firm's Form BD, Schedule A, qualifies in a given month for Priority Customer Rebate Program volume tiers 3, 4, or 5 in the Fee Schedule. The Exchange proposes to amend the rebate incentive for Priority Customer orders in order to increase the rebate incentive for tier 2 to correspond with the increase in transaction fees for volume tier 2 of the MIAX Market Maker sliding scale. As proposed, any Member or its affiliates of at least 75% common ownership between the firms as reflected on each firm's Form BD, Schedule A, that qualifies for Priority Customer Rebate Program volume tiers 3, 4, or 5 and is a MIAX Market Maker will be assessed $0.23 per contract for tier 1, $0.17 per contract for tier 2, $0.10 per contract for tier 3, $0.05 per contract for tier 4, and $0.03 per contract for tier 5 for transactions in standard options Penny Pilot classes in lieu of the applicable transaction fees in the Market Maker sliding scale. Any Member or its affiliates of at least 75% common ownership between the firms as reflected on each firm's Form BD, Schedule A, that qualifies for Priority Customer Rebate Program volume tiers 3, 4, or 5 will be assessed $0.27 per contract for tier 1, $0.21 per contract for tier 2, $0.14 per contract for tier 3, $0.09 per contract for tier 4, and $0.07 per contract for tier 5 for transactions in standard options in non-Penny Pilot classes in lieu of the applicable transaction fees in the Market Maker sliding scale. The Exchange believes that these incentives will encourage MIAX Market Makers to transact a greater number of orders on the Exchange.

The proposed changes will become operative on July 1, 2015.

2. Statutory Basis

The Exchange believes that its proposal to amend its fee schedule is consistent with Section 6(b) of the Act [9] in general, and furthers the objectives of Section 6(b)(4) of the Act [10] in particular, in that it is an equitable allocation of reasonable fees and other charges among Exchange members.

The proposed volume based discount fee structure is not discriminatory in that all MIAX Market Makers are eligible to submit (or not submit) liquidity, and may do so at their discretion in the daily volumes they choose during the course of the billing period. All similarly situated MIAX Market Makers are subject to the same fee structure, and access to the Exchange is offered on terms that are not unfairly discriminatory. Volume based discounts have been widely adopted by options and equities markets, and are equitable because they are open to all MIAX Market Makers on an equal basis and provide discounts that are reasonably related to the value of an exchange's market quality associated with higher volumes. The proposed fee levels and volume thresholds are reasonably designed to be comparable to those of other options exchanges employing similar fee programs, and also to attract additional liquidity and order flow to the Exchange.

The Exchange's proposal to provide MIAX Market Makers the opportunity to reduce transaction fees by $0.02 per contract in standard options, provided certain criteria are met, is reasonable because the Exchange desires to offer all such market participants an opportunity to lower their transaction fees. The Exchange's proposal to offer MIAX Market Makers the opportunity to reduce transaction fees by $0.02 per contract in standard options, provided certain criteria are met, is equitable and not unfairly discriminatory because the Exchange offers all market participants, excluding Priority Customers, a means to reduce transaction fees by qualifying for volume tiers in the Priority Customer Rebate Program. The Exchange believes that offering all such market participants the opportunity to lower transaction fees by incentivizing them to transact Priority Customer order flow in turn benefits all market participants.

The Exchange believes that its proposal to assess transaction fees in non-Penny Pilot options classes, which differs from Penny Pilot options classes, is consistent with other options markets that also assess different transaction fees for non-Penny Pilot options classes as compared to Penny Pilot options classes. The Exchange believes that establishing different pricing for non-Penny Pilot options and Penny Pilot options is reasonable, equitable, and not unfairly discriminatory because Penny Pilot options are more liquid options as compared to non-Penny Pilot options. Additionally, other competing options exchanges differentiate pricing in a similar manner today in other types of transaction fees.[11]

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. The Exchange 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 to attract order flow. The Exchange believes that the proposed rule change reflects this competitive environment because it modifies the Exchange's fees in a manner that encourages market participants to provide liquidity and to send order flow to the Exchange.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(ii) of the Act.[12] At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

[9] 15 U.S.C. 78f(b).

[10] 15 U.S.C. 78f(b)(4).

[11] *See* NASDAQ OMX PHLX LLC Pricing Schedule, Section II (assessing differentiated transaction fees for Penny Pilot and non-Penny Pilot options classes); NYSE Amex Options Fee Schedule, p. 6 (assessing differentiated transaction fees for Penny Pilot and non-Penny Pilot options classes); Chicago Board Options Exchange, Incorporated, Fee Schedule, p. 1 (assessing differentiated transaction fees for Penny Pilot and non-Penny Pilot options classes). See also Securities Exchange Act Release No. 68556 (January 2, 2013), 78 FR 1293 (January 8, 2013) (SR–BX–2012–074). Please note that neither of these exchanges currently has differentiated pricing for non-Penny Pilot options classes in a tiered volume scale for market makers.

[12] 15 U.S.C. 78s(b)(3)(A)(ii).

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–MIAX–2015–42 on the subject line.

Paper Comments

- Send paper comments in triplicate to Brent J. Fields, Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090.

All submissions should refer to File Number SR–MIAX–2015–42. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (*http://www.sec.gov/rules/sro.shtml*).

Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web site viewing and printing in the Commission's Public Reference Room, 100 F Street NE., Washington, DC 20549 on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of such filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–MIAX–2015–42, and should be submitted on or before July 28, 2015.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[13]

Robert W. Errett,

Deputy Secretary.

[FR Doc. 2015–16544 Filed 7–6–15; 8:45 am]

BILLING CODE 8011–01–P

[13] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–75339; File No. SR–FINRA–2015–021]

Self-Regulatory Organizations; Financial Industry Regulatory Authority, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Adopt Rule 7650A Relating to Debit Process for the Collection of FINRA/Nasdaq Trade Reporting Facility Fees

June 30, 2015.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'') [1] and Rule 19b–4 thereunder,[2] notice is hereby given that on June 23, 2015, Financial Industry Regulatory Authority, Inc. (''FINRA'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by FINRA. FINRA has designated the proposed rule change as constituting a ''non-controversial'' rule change under paragraph (f)(6) of Rule 19b–4 under the Act,[3] which renders the proposal effective upon receipt of this filing by the Commission. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of the Substance of the Proposed Rule Change

FINRA is proposing to adopt FINRA Rule 7650A (Collection of Fees) to require FINRA members that are FINRA/Nasdaq Trade Reporting Facility (''FINRA/Nasdaq TRF'') participants to provide a clearing account number for an account at the National Securities Clearing Corporation (''NSCC'') for purposes of permitting the FINRA/Nasdaq TRF to debit undisputed or final fees due and owing by the member under the Rule 7600A Series.

The text of the proposed rule change is available on FINRA's Web site at *http://www.finra.org*, at the principal office of FINRA 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, FINRA included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. FINRA has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The FINRA/Nasdaq TRF is a facility of FINRA that is operated by The NASDAQ OMX Group, Inc. (''NASDAQ OMX''). In connection with the establishment of the FINRA/Nasdaq TRF, FINRA and NASDAQ OMX entered into a limited liability company agreement (the ''LLC Agreement''). Under the LLC Agreement, FINRA, the ''SRO Member,'' has sole regulatory responsibility for the FINRA/Nasdaq TRF. NASDAQ OMX, the ''Business Member,'' is primarily responsible for the management of the FINRA/Nasdaq TRF's business affairs to the extent those affairs are not inconsistent with the regulatory and oversight functions of FINRA. As such, the Business Member establishes pricing for use of the FINRA/Nasdaq TRF, and such pricing is implemented pursuant to FINRA rules that must be filed with the SEC and be consistent with the Act. In addition, the Business Member is obligated to pay the cost of regulation and is entitled to the profits and losses, if any, derived from the operation of the FINRA/Nasdaq TRF.

Pursuant to the FINRA Rule 7600A Series, FINRA members that are FINRA/Nasdaq TRF participants are charged fees (Rule 7620A) and also may qualify for credits for trade reporting to the FINRA/Nasdaq TRF (Rule 7610A). These rules are administered by NASDAQ OMX, in its capacity as the ''Business Member'' and operator of the FINRA/Nasdaq TRF on behalf of FINRA,[4] and NASDAQ OMX collects all fees on behalf of the FINRA/Nasdaq TRF. FINRA is proposing to adopt Rule 7650A to require FINRA members that are FINRA/Nasdaq TRF participants to provide a clearing account number for an account at NSCC to the FINRA/Nasdaq TRF for purposes of permitting NASDAQ OMX, on behalf of the FINRA/Nasdaq TRF, to debit any undisputed or final fees due and owing under the FINRA Rule 7600A Series relating to the FINRA/Nasdaq TRF.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 17 CFR 240.19b–4(f)(6).

[4] FINRA's oversight of this function performed by the Business Member is conducted through a recurring assessment and review of TRF operations by an outside independent audit firm.

Specifically, Rules 7610A (Securities Transaction Credit), 7620A (FINRA/Nasdaq Trade Reporting Facility Reporting Fees) and 7630A (Aggregation of Activity of Affiliated Members) will be subject to proposed Rule 7650A.

The debit process under proposed Rule 7650A would operate in the same manner as the debit process under Nasdaq Rule 7007 (Collection of Exchange Fees and Other Claims).[5] Specifically, NASDAQ OMX would send a monthly invoice[6] to each FINRA/Nasdaq TRF participant on approximately the 3rd through 10th business day of the following month.[7] NASDAQ OMX would send a file to NSCC each month on approximately the 23rd of the following month to initiate the debit of the appropriate amount stated on the member's invoice for the prior month.[8] Because the member would receive an invoice well before any monies are debited (normally within two weeks), the member would have adequate time to contact the FINRA/Nasdaq TRF with any questions concerning its invoice.[9] If a member disagrees with the invoice, the debit will not commence until the dispute is resolved. Specifically, the disputed amount would not be included in the debit if the member has disputed the amount in writing to the FINRA/Nasdaq TRF by the 15th of the month, or the following business day if the 15th is not a business day, and the amount in dispute is at least $10,000 or greater.[10] Once NSCC receives the file, NSCC would proceed to debit the amounts indicated from the clearing member's account.

Where a FINRA/Nasdaq TRF participant clears through a clearing member, the estimated transaction fees are typically debited by the clearing member on a daily basis in order to ensure that adequate funds have been escrowed. NASDAQ OMX would debit any undisputed or final fees due and owing under the FINRA Rule 7600A Series. Thus, FINRA and NASDAQ OMX believe that the proposed debit process will significantly reduce the number of unpaid invoices because of the large amounts of capital held at NSCC by members.

FINRA believes that the proposed direct debit process would create an efficient and uniform method of collecting undisputed or final amounts due and owing from FINRA/Nasdaq TRF participants under the Rule 7600A Series.[11] FINRA further believes that the proposed direct debit process would reduce the cost of administrative processes associated with invoicing and collecting fees owed by FINRA/Nasdaq TRF participants and would help reduce the possibility of their accounts becoming overdue.

FINRA has filed the proposed rule change for immediate effectiveness and requested waiver of the 30-day operative delay. FINRA proposes that the proposed rule change will become operative on July 1, 2015. On August 24, 2015, NASDAQ OMX, as the Business Member on behalf of the FINRA/Nasdaq TRF, will debit July 2015 billing pursuant to the process described in the proposed rule change.[12] FINRA will notify its members of the proposed rule change to provide its members time to provide the FINRA/Nasdaq TRF with the information necessary for the direct debit and prepare for the change to the collection process.[13] NASDAQ OMX has represented that a member's primary NSCC account number will be used unless the member contacts the FINRA/Nasdaq TRF prior to July 24, 2015 with an alternate NSCC account number.

2. Statutory Basis

FINRA believes that the proposed rule change is consistent with the provisions of Section 15A(b)(6) of the Act,[14] which requires, among other things, that FINRA rules must be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, and, in general, to protect investors and the public interest. Consistent with SR–NASDAQ–2015–046, the proposed debit process would provide FINRA/Nasdaq TRF participants with an efficient process to pay undisputed or final fees due and owing to the FINRA/Nasdaq TRF. In addition, consistent with SR–NASDAQ–2015–046, the proposed debit process would ease FINRA/Nasdaq TRF participants' administrative burden in paying monthly invoices, avoid overdue balances and provide same day collection from all FINRA/Nasdaq TRF participants that owe monies to the FINRA/Nasdaq TRF. Finally, consistent with SR–NASDAQ–2015–046, the proposed debit process is equitable and not unfairly discriminatory because it would apply to all FINRA/Nasdaq TRF participants in a uniform manner.

B. Self-Regulatory Organization's Statement on Burden on Competition

FINRA does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. As described herein, and consistent with the LLC agreement, the proposed debit process is identical to the debit process NASDAQ OMX currently has in place for collection of fees and other amounts owed by NASDAQ Options Market LLC (''NOM'') participants under Nasdaq rules and is also identical to the debit process proposed by Nasdaq for collection of fees and other amounts owed by Nasdaq equity participants under Nasdaq Stock Market rules. As the Business Member, NASDAQ OMX has the obligation of assessing the potential impacts of the proposed debit process in its own rulemaking. FINRA notes that Nasdaq's debit process was subject to proposed rule changes filed by Nasdaq with the Commission.[15]

Consistent with SR–NASDAQ–2015–046, the proposed debit process would apply uniformly to all members that are FINRA/Nasdaq TRF participants, as it does today with NOM participants and as proposed for Nasdaq equity participants. In addition, consistent with SR–NASDAQ–2015–046, the proposed debit process would provide a cost savings to the FINRA/Nasdaq TRF, in that it would alleviate administrative

[5] *See* Securities Exchange Act Release No. 74823 (April 28, 2015), 80 FR 25353 (May 4, 2015) (Notice of Filing and Immediate Effectiveness of File No. SR–NASDAQ–2015–046).

[6] The monthly invoice will clearly indicate that the amount on the invoice will be directly debited from the designated NSCC account.

[7] Members may elect to receive invoices either electronically, by mail or by both methods.

[8] Each month, NASDAQ OMX will send a file to the member's clearing firm which will indicate the amount to be debited from that member's account. If a member is ''self-clearing,'' no such file would be sent as the member would receive the invoice, as noted above, which would indicate the amount to be debited.

[9] NASDAQ OMX has represented to FINRA that members generally would receive invoices well before the tenth business day of the month, and as such, would have ample time to dispute any fee before commencement of the debit process.

[10] NASDAQ OMX has represented to FINRA that it will attempt to resolve all disputes prior to debiting of the disputed amount from the member's account; however, where necessary, NASDAQ OMX would issue refunds or credits, as appropriate.

[11] Consistent with the debit process proposed under SR–NASDAQ–2015–046, NASDAQ OMX has represented to FINRA that it will not debit accounts for fees that are unusually large or for special circumstances. FINRA notes that the debit process under this proposed rule change is limited to FINRA Rules 7610A, 7620A and 7630A.

[12] The initial debit will include all undisputed outstanding fees through August 2015.

[13] FINRA notes that NASDAQ OMX has already provided notice relating to the proposed debit process under NASDAQ Rule 7007, and NASDAQ OMX has represented that FINRA/Nasdaq TRF participants would have received such notice. *See, e.g.*, Equity Trader Alert #2015–83 (June 3, 2015), available at *www.nasdaqtrader.com/TraderNews.aspx?id=ETA2015-83.*

[14] 15 U.S.C. 78*o*–3(b)(6).

[15] *See, e.g.*, Securities Exchange Act Release No. 74823 (April 28, 2015), 80 FR 25353 (May 4, 2015) (Notice of Filing and Immediate Effectiveness of File No. SR–NASDAQ–2015–046).

processes related to the collection of amounts owed by members for reporting to the FINRA/Nasdaq TRF, as it does today with NOM participants and as proposed for Nasdaq equity participants. Finally, consistent with SR–NASDAQ–2015–046, the proposed debit process would prevent FINRA/Nasdaq TRF participant accounts from becoming overdue.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing 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 for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act [16] and Rule 19b–4(f)(6) thereunder.[17]

A proposed rule change filed under Rule 19b–4(f)(6) normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b–4(f)(6)(iii),[18] the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest.

FINRA has asked the Commission to waive the 30-day operative delay. The Commission believes that waiving the 30-day operative delay is consistent with the protection of investors and the public interest. FINRA will implement the proposed rule change on July 1, 2015, and on August 24, 2015, NASDAQ OMX, as the Business Member on behalf of the FINRA/Nasdaq TRF, will debit July 2015 billing pursuant to the process described in the proposed rule change. FINRA will notify its members of the proposed rule change to provide its members time to provide the FINRA/Nasdaq TRF with the information necessary for the direct debit and prepare for the change to the collection process. NASDAQ OMX has represented that a member's primary NSCC account number will be used unless the member contacts the FINRA/Nasdaq TRF prior to July 24, 2015 with an alternate NSCC account number. The proposal presents no novel issues, and the Commission believes the terms of this implementation schedule are reasonable. Furthermore, the Commission finds no reason to delay implementation for 30 days, given the reduction of administrative burdens and costs inherent in the proposed rule change. Therefore, the Commission hereby waives the 30-day operative delay and designates the proposed rule change to be operative upon filing with the Commission.[19]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is: (i) Necessary or appropriate in the public interest; (ii) for the protection of investors; or (iii) otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–FINRA–2015–021 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–FINRA–2015–021. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web site viewing and printing in the Commission's Public Reference Room, 100 F Street NE., Washington, DC 20549 on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of such filing also will be available for inspection and copying at the principal offices of FINRA. 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–FINRA–2015–021, and should be submitted on or before July 28, 2015.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[20]

Robert W. Errett,

Deputy Secretary.

[FR Doc. 2015–16555 Filed 7–6–15; 8:45 am]

BILLING CODE 8011–01–P

[16] 15 U.S.C. 78s(b)(3)(A).

[17] 17 CFR 240.19b–4(f)(6).

[18] 17 CFR 240.19b–4(f)(6)(iii).

[19] For purposes only of waiving the operative delay for this proposal, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. See 15 U.S.C. 78c(f).

[20] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–75338; File No. SR–BATS–2015–50]

Self-Regulatory Organizations; BATS Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Extend the Penny Pilot Program

June 30, 2015.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the ''Act'') [1] and Rule 19b-4 thereunder,[2] notice is hereby given that on June 29, 2015, BATS Exchange, Inc. (the ''Exchange'' or ''BATS'') filed with the Securities and Exchange Commission (the ''SEC'' or ''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Exchange has designated this proposal as a ''non-controversial'' proposed rule change pursuant to Section 19(b)(3)(A) of the Act [3] and Rule 19b–4(f)(6)(iii) thereunder,[4] which renders it effective upon filing with the Commission. The Commission is publishing this notice to

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(3)(A).

[4] 17 CFR 240.19b–4(f)(6)(iii).

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 filed a proposal for the BATS Options Market (''BATS Options'') to extend through June 30, 2016, the Penny Pilot Program (''Penny Pilot'') in options classes in certain issues (''Pilot Program'') previously approved by the Commission.[5]

The text of the proposed rule change is available at the Exchange's Web site at *http://www.batstrading.com/,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in Sections A, B, and C below, of the most significant 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 purpose of this filing is to extend the Penny Pilot, which was previously approved by the Commission, through June 30, 2016, and to provide revised dates for adding replacement issues to the Pilot Program. The Exchange proposes that any Pilot Program issues that have been delisted may be replaced on the second trading day following July 1, 2015 and January 1, 2016. The replacement issues in each instance will be selected based on trading activity for the most recent six month period excluding the month immediately preceding the replacement (*i.e.,* beginning December 1, 2014, and ending May 31, 2015, and beginning June 1, 2015, and ending November 30, 2015).

The Exchange represents that the Exchange has the necessary system capacity to continue to support operation of the Penny Pilot. The Exchange believes the benefits to public customers and other market participants who will be able to express their true prices to buy and sell options have been demonstrated to outweigh the increase in quote traffic.

2. Statutory Basis

The Exchange believes that its proposal is consistent with the requirements of the Act and the rules and regulations thereunder that are applicable to a national securities exchange, and, in particular, with the requirements of Section 6(b) of the Act.[6] In particular, the proposal is consistent with Section 6(b)(5) of the Act,[7] because it would 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. The Exchange believes that the Pilot Program promotes just and equitable principles of trade by enabling public customers and other market participants to express their true prices to buy and sell options. Accordingly, the Exchange believes that the proposal is consistent with the Act because it will allow the Exchange to extend the Pilot Program prior to its expiration on June 30, 2015. The Exchange notes that this proposal does not propose any new policies or provisions that are unique or unproven, but instead relates to the continuation of an existing program that operates on a pilot basis.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. In this regard, the Exchange notes that the rule change is being proposed in order to continue the Pilot Program, which is a competitive response to analogous programs offered by other options exchanges. The Exchange believes this proposed rule change is necessary to permit fair competition among the options exchanges.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

The Exchange has not solicited, and does not intend to solicit, comments on this proposed rule change. The Exchange has not received any written comments from members or other interested parties.

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[8] and Rule 19b–4(f)(6) thereunder.[9] 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[10] and Rule 19b–4(f)(6)(iii) thereunder.

A proposed rule change filed under Rule 19b–4(f)(6) normally does not become operative prior to 30 days after the date of the filing.[11] However, pursuant to Rule 19b–4(f)(6)(iii),[12] the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposal may become operative immediately upon filing. The Commission believes that waiving the 30-day operative delay is consistent with the protection of investors and the public interest because doing so will allow the Pilot Program to continue without interruption in a manner that is consistent with the Commission's prior approval of the extension and expansion of the Pilot Program and will allow the Exchange and the Commission additional time to analyze the impact of

[5] The rules of BATS Options, including rules applicable to BATS Options' participation in the Penny Pilot, were approved on January 26, 2010. *See* Securities Exchange Act Release No. 61419 (January 26, 2010), 75 FR 5157 (February 1, 2010) (SR–BATS–2009–031). BATS Options commenced operations on February 26, 2010. The Penny Pilot was most recently extended for BATS Options through June 30, 2015. *See* Securities Exchange Act Release No. 73888 (December 19, 2014), 79 FR 78114 (December 29, 2014) (SR–BATS–2014–070).

[6] 15 U.S.C. 78f(b).

[7] 15 U.S.C. 78f(b)(5).

[8] 15 U.S.C. 78s(b)(3)(A)(iii).

[9] 17 CFR 240.19b–4(f)(6).

[10] 15 U.S.C. 78s(b)(3)(A).

[11] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6)(iii) requires the Exchange to give the Commission written notice of the Exchange's intent to file the proposed rule change along with a brief description and the text of 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 pre-filing requirement.

[12] 17 CFR 240.19b–4(f)(6)(iii).

the Pilot Program.[13] Accordingly, the Commission designates the proposed rule change as operative upon filing with the Commission.[14]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings under Section 19(b)(2)(B)[15] 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–BATS–2015–50 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–BATS–2015–50.* 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 the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number *SR–BATS–2015–50* and shouldbe submitted on or before July 28, 2015.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[16]

Robert W. Errett,

Deputy Secretary.

[FR Doc. 2015–16546 Filed 7–6–15; 8:45 am]

BILLING CODE 8011–01–P

[13] *See* Securities Exchange Act Release No. 61061 (November 24, 2009), 74 FR 62857 (December 1, 2009) (SR–NYSEArca–2009–44). *See also supra* note 5.

[14] For purposes only of waiving the operative delay for this proposal, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[15] 15 U.S.C. 78s(b)(2)(B).

[16] 17 CFR 200.30–3(a)(12).

SMALL BUSINESS ADMINISTRATION

Reporting and Recordkeeping Requirements Under OMB Review

AGENCY: Small Business Administration.

ACTION: 30-Day Notice.

SUMMARY: The Small Business Administration (SBA) is publishing this notice to comply with requirements of the Paperwork Reduction Act (PRA) (44 U.S.C. Chapter 35), which requires agencies to submit proposed reporting and recordkeeping requirements to OMB for review and approval, and to publish a notice in the **Federal Register** notifying the public that the agency has made such a submission. This notice also allows an additional 30 days for public comments.

DATES: Submit comments on or before August 6, 2015.

ADDRESSES: Comments should refer to the information collection by name and/or OMB Control Number and should be sent to: *Agency Clearance Officer,* Curtis Rich, Small Business Administration, 409 3rd Street SW., 5th Floor, Washington, DC 20416; and *SBA Desk Officer,* Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: Curtis Rich, Agency Clearance Officer, (202) 205–7030 *curtis.rich@sba.gov*

Copies: A copy of the Form OMB 83–1, supporting statement, and other documents submitted to OMB for review may be obtained from the Agency Clearance Officer.

SUPPLEMENTARY INFORMATION: SBA Form 2428 is used by Small Business Investment Companies (SBICs) requesting a determination of eligibility for SBA leverage in form of a deferred interest ''Energy Saving Debenture'' to be used only in making an ''Energy Saving Qualified Investment''. Eligibility is based on whether a Small Business to be financed with leverage proceeds is ''primarily engaged'' in Energy Savings Activities as defined in the SBIC program regulations. An SBIC must provide supporting evidence of Small Business eligibility, and the Small Business must certify the information is true and correct.

Solicitation of Public Comments:

Comments may be submitted on (a) whether the collection of information is necessary for the agency to properly perform its functions; (b) whether the burden estimates are accurate; (c) whether there are ways to minimize the burden, including through the use of automated techniques or other forms of information technology; and (d) whether there are ways to enhance the quality, utility, and clarity of the information.

Summary of Information Collections:

Title: Financing Eligibility Statement for Usage of Energy Saving Debenture.

Description of Respondents: Small Business Investment Companies.

Form Number: SBA Form 2428.

Estimated Annual Respondents: 5.

Estimated Annual Responses: 5.

Estimated Annual Hour Burden: 50.

Curtis B. Rich,

Management Analyst .

[FR Doc. 2015–16614 Filed 7–6–15; 8:45 am]

BILLING CODE 8025–01–P

SOCIAL SECURITY ADMINISTRATION

[Docket No: SSA–2015–0043]

Agency Information Collection Activities: Comment Request

The Social Security Administration (SSA) publishes a list of information collection packages requiring clearance by the Office of Management and Budget (OMB) in compliance with Public Law 104–13, the Paperwork Reduction Act of 1995, effective October 1, 1995. This notice includes revisions and one extension of OMB-approved

information collections, as well as one collection in use without an OMB number.

SSA is soliciting comments on the accuracy of the agency's burden estimate; the need for the information; its practical utility; ways to enhance its quality, utility, and clarity; and ways to minimize burden on respondents, including the use of automated collection techniques or other forms of information technology. Mail, email, or fax your comments and recommendations on the information collection(s) to the OMB Desk Officer and SSA Reports Clearance Officer at the following addresses or fax numbers.

(OMB), Office of Management and Budget, Attn: Desk Officer for SSA, Fax: 202–395–6974, Email address: *OIRA_Submission@omb.eop.gov.*

(SSA), Social Security Administration, OLCA, Attn: Reports Clearance Director, 3100 West High Rise, 6401 Security Blvd., Baltimore, MD 21235, Fax: 410–966–2830, Email address: *OR.Reports.Clearance@ssa.gov*.

Or you may submit your comments online through *www.regulations.gov,* referencing Docket ID Number [SSA–2015–0043].

SSA submitted the information collection below to OMB for clearance. Your comments regarding the information collection would be most useful if OMB and SSA receive them 30 days from the date of this publication. To be sure we consider your comments, we must receive them no later than August 6, 2015. Individuals can obtain copies of the OMB clearance package by writing to *OR.Reports.Clearance@ssa.gov.*

1. Authorization for the Social Security Administration to Obtain Personal Information—20 CFR 404.704; 404.820—404.823; 404.1926; 416.203; and 418.3001—0960—NEW. SSA requests respondents fill out Form SSA–8510, allowing SSA to contact a public or private custodian of records on behalf of an applicant or recipient of an SSA program to request evidence information, which may support a benefit application or payment continuation. We ask for evidence information such as the following:

- Age requirements (*e.g.* birth certificate, court documents)
- Insured status (*e.g.* earnings, employer verification)
- Marriage or divorce information
- Pension offsets
- Wages verification
- Annuities
- Property information
- Benefit verification from a State agency or third party
- Immigration status (rare instances)
- Income verification from public agencies or private individuals
- Unemployment benefits
- Insurance policies

If the custodian requires a signed authorization from the individual(s) whose information SSA requests, SSA may provide the custodian with a copy of the SSA–8510. Once the respondent completes the SSA–8510, either using the paper form, or using the Modernized Supplemental Security Income Claims System (MSSICS) version, SSA uses the form as the authorization to obtain personal information regarding the respondent from third parties until the authorizing person (respondent) revokes the permission of its usage. The collection is voluntary; however, failure to verify the individuals' eligibility can prevent SSA from making an accurate and timely decision for their benefits. The respondents are individuals who may file for, or currently receive, Social Security benefits, SSI payments, or Medicare part D subsidies.

Type of Request: Information Collection in Use Without an OMB Number.

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)
* SSA–8510—Medicare Subsidy Quality Review (paper version)	3,500	1	5	292
SSA–8510—Title II and Title XVI general evidence (paper version)	19,800	1	5	1,650
** SSA–8510—Title II and Title XVI general evidence (MSSICS version)	140,145	1	5	11,679
Totals	163,445			13,621

* Currently in use under OMB Number 0960–0707.
** New information collection, which SSA will implement upon OMB approval.

Dated: July 1, 2015.

Naomi R. Sipple,

Reports Clearance Officer, Social Security Administration.

[FR Doc. 2015–16612 Filed 7–6–15; 8:45 am]

BILLING CODE 4191–02–P

DEPARTMENT OF STATE

[Public Notice: 9181]

30-Day Notice of Proposed Information Collection; Affidavit of Relationship

ACTION: Notice of request for public comment and submission to OMB of proposed collection of information.

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 30 days for public comment.

DATES: Submit comments directly to the Office of Management and Budget (OMB) up to August 6, 2015.

ADDRESSES: Direct comments to the Department of State Desk Officer in the Office of Information and Regulatory Affairs at the Office of Management and Budget (OMB). You may submit comments by the following methods:

- *Email: oira_submission@omb.eop.gov.* You must include the DS form number, information collection title, and the OMB control number in the subject line of your message.
- *Fax:* 202–395–5806. Attention: Desk Officer for Department of State.

FOR FURTHER INFORMATION CONTACT: Direct requests for additional information regarding the collection listed in this notice, including requests for copies of the proposed collection instrument and supporting documents, to Sumitra Siram, Program Officer, PRM/Office of Admissions, 2025 E Street NW., Washington, DC 20522–0908, who may be reached on 202–453–9250 or at *SiramS@state.gov*.

SUPPLEMENTARY INFORMATION:

- *Title of Information Collection:* Affidavit of Relationship.
- *OMB Control Number:* 1405–0206.
- *Type of Request:* Extension of a Currently Approved Collection.

• *Originating Office:* Office of Admissions, Bureau of Population, Refugees and Migration (PRM/A).
• *Form Number:* DS–7656.
• *Respondents:* Persons admitted to the United States as refugees or granted asylum in the United States who are claiming a relationship with family members overseas (spouse, unmarried children under age 21, and/or parents) in order to assist the U.S. Government in determining whether those family members are qualified to apply for admission to the United States via the U.S. Refugee Admissions Program under the family reunification access priority.
• *Estimated Number of Respondents:* 2,500.
• *Estimated Number of Responses:* 2,500.
• *Average Time per Response:* 60 Minutes.
• *Total Estimated Burden Time:* 2,500.00 Hours.
• *Frequency:* On occasion.
• *Obligation to Respond:* Required to Obtain or Retain a Benefit.

We are soliciting public comments to permit the Department to:
• Evaluate whether the proposed information collection is necessary for the proper functions of the Department.
• Evaluate the accuracy of our estimate of the time and cost burden for this proposed collection, including the validity of the methodology and assumptions used.
• Enhance the quality, utility, and clarity of the information to be collected.
• Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Please note that comments submitted in response to this Notice are public record. Before including any detailed personal information, you should be aware that your comments as submitted, including your personal information, will be available for public review.

Abstract of Proposed Collection

The Affidavit of Relationship (AOR) will be required by the Department of State to establish qualifications for access to the Priority–3 (P–3) Family Reunification category of the United States Refugee Admissions Program (USRAP) by persons of certain nationalities who are family members of qualifying ''anchors'' (persons already admitted to the U.S. as refugees or who were granted asylum in the United States., including persons who may now be lawful permanent residents or U.S. citizens). Qualifying family members of U.S.-based anchors include spouse, unmarried children under age 21, and parents. Eligible nationalities are determined on an annual basis following careful review of several factors, including the United Nations High Commissioner for Refugees' annual assessment of refugees in need of resettlement, prospective or ongoing repatriation efforts, and U.S. foreign policy interests. The P–3 category, along with the other categories of cases that have access to USRAP, is outlined in the annual Proposed Refugee Admissions—Report to Congress, which is submitted on behalf of the President in fulfillment of the requirements of section 207(d) of the Immigration and Nationality Act (8 U.S.C. 1157), and authorized by the annual Presidential Determination for Refugee Admissions. Having an AOR filed on a potential applicant's behalf by an eligible anchor relative will be one of the criteria for access to this program. The AOR also informs the anchor relative that DNA evidence of all claimed parent-child relationships between the anchor relative and parents and/or unmarried children under 21 will be required as a condition of access to P–3 processing and that the costs will be borne by the anchor relative or his/her family members who may apply for access to refugee processing, or their derivative beneficiaries, as the case may be. Successful applicants may be eligible for reimbursement of DNA test costs.

Methodology

This information collection currently involves the limited use of electronic techniques. Anchors in the United States may visit any resettlement agency throughout the United States to complete the AOR. Resettlement agencies are organizations that work under a cooperative agreement with the Department of State. In order to file an AOR, an individual must be at least 18 years of age and have been admitted to the United States as a refugee or granted asylum in the United States no more than five years prior to the filing of the AOR. The DS–7656 form will be available electronically and responses will be completed electronically with the aid of resettlement agency staff. Completed AORs will be printed out for ink signature by the respondents and will be scanned and submitted electronically to the Refugee Processing Center (RPC) by the resettlement agencies for downloading into the Worldwide Refugee Admissions Processing System (WRAPS) for data entry and case processing. A signed paper copy of the AOR will remain with resettlement agencies.

Dated: June 24, 2015.

Simon Henshaw,

Principal Deputy Assistant Secretary, Bureau of Population, Refugees and Migration, Department of State.

[FR Doc. 2015–16615 Filed 7–6–15; 8:45 am]

BILLING CODE 4710–33–P

DEPARTMENT OF STATE

[Public Notice: 9182]

Advisory Committee on International Economic Policy; Notice of Open Meeting

The Advisory Committee on International Economic Policy (ACIEP) will meet between 2:00 and 5:00 p.m., on Thursday, July 23, 2015, in Room 4477 of the Harry S Truman Building at the U.S. Department of State, 2201 C Street NW., Washington, DC. The meeting will be hosted by the Assistant Secretary of State for Economic and Business Affairs, Charles H. Rivkin and Committee Chair Paul R. Charron. The ACIEP serves the U.S. government in a solely advisory capacity, and provides advice concerning topics in international economic policy. It is expected that the ACIEP subcommittees will provide updates on their work.

This meeting is open to public participation, though seating is limited. Entry to the building is controlled. To obtain pre-clearance for entry, members of the public planning to attend should no later than Tuesday, July 14, provide their full name, professional affiliation, valid government-issued ID number (*i.e.,* U.S. government ID, U.S. military ID, passport [country], or driver's license [state]), date of birth, and citizenship, to Melike Yetken by email: *YetkenMA@State.gov.* All persons wishing to attend the meeting must use the 21st Street entrance on 21st Street near Virginia Avenue. (Not the ''jogger's'' entrance or the C Street entrance) of the State Department. Because of escorting requirements, non-government attendees should plan to arrive no later than 15 minutes before the meeting begins. Requests for reasonable accommodation should be made to Melike Yetken before Tuesday, July 14. Requests made after that date will be considered, but might not be possible to fulfill.

Personal data is requested pursuant to Public Law 99–399 (Omnibus Diplomatic Security and Antiterrorism Act of 1986), as amended; Public Law 107–56 (USA PATRIOT Act); and E.O. 13356. The purpose of the collection is to validate the identity of individuals who enter Department facilities. The data will be entered into the Visitor

Access Control System (VACS–D) database. Please see the Security Records System of Records Notice (State–36) at *http://www.state.gov/documents/organization/103419.pdf* for additional information.

For additional information, contact Melike Yetken, Office of Economic Policy Analysis and Public Diplomacy, Bureau of Economic and Business Affairs, at (202) 647–2744, or *YetkenMA@state.gov*

Dated: June 29, 2015.

Melike A. Yetken,

Designated Federal Official, U.S. Department of State.

[FR Doc. 2015–16616 Filed 7–6–15; 8:45 am]

BILLING CODE 4710–08–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Emergency Locator Transmitters (ELTs)

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final notice recommending voluntary change to securing existing ELTs as specified in Technical Standard Order (TSO)–C126b, 406MHz Emergency Locator Transmitter.

SUMMARY: This notice summarizes the inadequacies of hook and loop fasteners as a means for securing automatic fixed (AF) and automatic potable (AP) ELTs, and avoids placing an undue burden on aircraft owners while acknowledging the voluntary efforts of ELT manufacturers to improve designs.

FOR FURTHER INFORMATION CONTACT: Ms. Charisse R. Green, AIR–131, Federal Aviation Administration, 470 L'Enfant Plaza, Suite 4102, Washington, DC 20024. Telephone (202) 267–8551, fax (202) 267–8589, email to: *Charisse.Green@faa.gov*.

SUPPLEMENTARY INFORMATION:

Background

On March 10, 2015, the Federal Aviation Administration (FAA) published in the **Federal Register**, (80 FR 12697 (2015)), a Notice announcing the recommendation of voluntary change to a metal strap type restraint method for securing ELTs. The FAA recommends voluntary changes to existing ELTs installed with hook and loop fasteners because of their tendency to become dislodged from their mounting trays on impact. The separation of those ELTs from their mounting trays caused their antenna connection to sever, thus rendering the ELTs to be ineffective and unable to perform their intended function. The FAA also evaluated the retention tests specified by TSO–C91a, TSO–C126, and TSO–C126a and determined these standards did not adequately address the use of hook and loop fasteners. Hook and loop fasteners were not an acceptable means of compliance to meet the mounting and retention requirements of the ELT TSOs. While the evaluation of installation approval using hook and loop fasteners may meet the TSO requirements for retention forces in laboratory conditions, accident investigations found these fasteners did not perform their intended function. Technical Standard Order TSO–C126b, 406 MHz Emergency Locator Transmitters, already excludes hook and loop fasteners as the primary method of ELT attachment.

FAA Concerns

The agency identified the following concerns after completing its evaluation of the use of hook and loop fasteners:

(1) Hook and loop fasteners fail to retain the ELT when insufficient tension is applied to close the fastener. There is no repeatable method for installation and no method to evaluate the tension of the hook and loop fastener. The allowance for pilots to secure ELTs to the aircraft when changing ELT batteries further increases the potential for inconsistent and unsatisfactory installations.

(2) Hook and loop fasteners closed with proper tension may stretch or loosen over time due to wear, fluids, vibration, and repeated use, leading to insufficient tension to retain the ELT.

(3) Hook and loop fasteners closed with proper tension do not provide stated retention capability due to debris which can contaminate the hooks and loops of the fastener.

(4) Hook and loop fasteners closed with proper tension degrade due to environmental factors such as repeated heating and cooling cycles, temperature extremes, and contamination resulting from location in equipment areas.

Comments

The FAA received one comment in response to the March 10, 2015, **Federal Register** Notice. The comment, by ELTA, stated that there is some potential confusion as to which ELTs were applicable under the FAA's proposed voluntary change from the use of hook and loop fasteners to metallic straps. Some customers could assume the **Federal Register** notice is applicable to all types of ELTs, including the survival type ELT.

The FAA acknowledges this comment. This final **Federal Register** notice clarifies the FAA recommends voluntary changes to the securing mechanisms for automatic fixed and automatic portable ELTs. Additionally, the requirements section of TSO–C126b specifies the use of hook and loop fasteners is not an acceptable means of attachment when showing compliance with the Crash Safety requirements of RTCA/DO–204A, section 2.2.5. Section 2.2.5 of this RTCA document applies only to AF and AP ELTs.

Conclusion

The FAA evaluated the mounting requirements and retention test and determined the standards do not adequately address the use of hook and loop fasteners. Upon completion of the evaluation, the FAA identified numerous concerns with the use of hook and loop fasteners and continues to recommend voluntary changes of securing mechanisms for existing ELTs which utilize hook and loop fasteners. The FAA also asks aircraft owners/operators with ELTs secured with hook and loop fasteners in their aircraft to voluntarily switch to a metal strap type restraint method.

Issued in Washington, DC, on June 30, 2015.

Susan J.M. Cabler,

Acting Manager, Design, Manufacturing, & Airworthiness Division, Aircraft Certification Service.

[FR Doc. 2015–16557 Filed 7–6–15; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Alaska: Fixed Wing Aircraft External Loads as a Restricted Category Special Purpose Flight Operation

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of availability and request for public comments.

SUMMARY: This notice announces the availability of and request comments on the proposed authorization of Alaska Fixed Wing External Loads (FWEL) as a new restricted category special purpose operation, pursuant to Title 14 of the Code of Federal Regulations (14 CFR) 21.25(b)(7), for operations within the State of Alaska.

DATES: Comments must be received on or before August 6, 2015.

FOR FURTHER INFORMATION CONTACT: Federal Aviation Administration, Design Manufacturing and

Airworthiness Division, Design Certification Section (AIR–111), 950 L'Enfant Plaza SW., Washington, DC 20024. ATTN: Mr. Graham Long. Telephone (202) 267–1624, fax 202–267–1813, email to: *graham.long@faa.gov.*

SUPPLEMENTARY INFORMATION: Pursuant to the Reauthorization Act of 1966 (110 Sat. 3213) SEC. 1205., *Regulations Affecting Intrastate Aviation in Alaska,* modifying regulations contained in Title 14 of the Code of Federal Regulations, in a manner affecting intrastate aviation in Alaska became law. The Administrator of the Federal Aviation Administration considered the extent to which Alaska is not served by transportation modes other than aviation, established such regulatory distinctions as deemed appropriate.

The Design, Manufacturing and Airworthiness Division (AIR–100) proposes Alaskan Fixed Wing External Loads (FWEL) as a recognized special purpose operation in the restricted category, under Title 14 of the Code of Federal Regulations (14 CFR) § 21.25(b)(7). Alaskan FWEL is the carriage of external loads temporarily attached to small, fixed-wing aircraft operating within the state of Alaska. This approval is issued with the following requirements:

1. Alaskan FWEL must be performed in conjunction with the procedures contained in FAA Notice N8900.272 (or its successor policy).

2. An airplane eligible for the carriage of external loads must:

a. Be a small propeller-driven airplane type-certificated in accordance with 14 CFR part 23 (or its predecessor regulations) in the normal, utility, or acrobatic category, and have a valid airworthiness certificate in that category.

b. Have a maximum certificated takeoff weight of 12,500 pounds or less.

3. The airworthiness limitations issued with the airworthiness certificate must include a requirement for training in the carriage of FWEL. The pilot must have sufficient knowledge of (1) external load attaching methods; (2) the airplane operating limitations issued for the external load operation; and (3) how the external load may affect the flight characteristics of the airplane.

Note: *Airplane Handling and Flight Characteristics:* When carrying external loads, aerodynamic forces and the weight of an external load change an airplane's handling and flight characteristics. These forces can negatively affect airplane performance (takeoff, climb, cruise, and landing), airplane stability, flight control effectiveness, vibration, fuel consumption, and engine cooling, among other characteristics. The operator must take care when selecting and mounting an external load and also exercise prudence to avoid operation outside the airplane's approved weight & balance envelope, and to avoid aerodynamic effects that make operations unsafe.

4. The aircraft must be operated in accordance with the gross weight and flight envelope limitations when in the restricted category.

5. No passengers are permitted on board when in restricted category. All persons onboard must be flight crew members, flight crew member trainees, persons who perform an essential function in connection with the special purpose operation, or persons necessary to accomplish the work activity directly associated with the special purpose operation.

Issued in Washington, DC, on June 30, 2015.

Susan J.M. Cabler,

Acting Manager, Design, Manufacturing and Airworthiness Division, Aircraft Certification Service.

[FR Doc. 2015–16558 Filed 7–6–15; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Advisory Circular (AC) 20–159, Obtaining Design and Production Approval of Airport Moving Map Display Applications Intended for Electronic Flight Bag Systems

AGENCY: Federal Aviation Administration (DOT).

ACTION: Notice of intent to cancel AC 20–159, Obtaining Design and Production Approval of Airport Moving Map Display Applications Intended for Electronic Flight Bag Systems.

SUMMARY: This notice announces the Federal Aviation Administration's (FAA) intent to cancel AC 20–159. This cancellation will result in no new approval of technical standard order authorizations (TSOA) for an ''incomplete system'' issued for Technical Standard Order (TSO) C–165, Electronic Map Display Equipment for Graphical Depiction of Aircraft Position. Therefore, the guidance contained in AC 20–159 allowing applicants to obtain a design and production approval using the software and database for an airport moving map display (AMMD) intended for use on a Class 2 electronic flight bag (EFB) for ground operations, will no longer be available. FAA AC 120–76C, Guidelines for the Certification, Airworthiness, and Operational Use of Electronic Flight Bags, dated May 9, 2014, replaces AC 20–159 and provides guidance for applicants seeking authorization to display an own-ship symbol limited to the airport surface as a Type B application for use on any EFB.

FOR FURTHER INFORMATION CONTACT: To obtain additional details, please contact: Mr. Brad Miller, AIR–130, Federal Aviation Administration, Aircraft Certification Service, Systems and Equipment Standards Branch, 470 L'Enfant Plaza Suite 4102, Washington, DC 20024, Telephone (202) 267–8533, FAX: (202) 267–267–8589, Email: *brad.miller@faa.gov.*

SUPPLEMENTARY INFORMATION:

Background

In mid-March 2007, the FAA Administrator directed FAA to publish guidance by the end of April 2007 to facilitate the use of an AMMD application on EFBs and to streamline the certification means to deploy this safety enhancement to address airport runway incursions. AC 20–159 provided EFB AMMD applicant guidance to obtain TSO–C165 software-only TSO authorization requiring the need to obtain a design or production approval. However, AC 120–76C later introduced guidance to necessitate only an operator-based evaluation submitted to an FAA inspector for EFB hardware and software application authorization. The FAA envisions all new authorizations for use of AMMD functionality on EFBs be obtained under AC 120–76C as a Type B application.

Issued in Washington, DC, on June 30, 2015.

Susan J.M. Cabler,

Acting Manager, Design, Manufacturing, & Airworthiness Division, Aircraft Certification Service.

[FR Doc. 2015–16556 Filed 7–6–15; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket No. FRA–2015–0007–N–18]

Agency Request for Emergency Processing of Collection of Information by the Office of Management and Budget

AGENCY: Federal Railroad Administration (FRA), United States Department of Transportation (USDOT).

ACTION: Notice.

SUMMARY: FRA hereby gives notice that it is submitting the following Information Collection request (ICR) to

the Office of Management and Budget (OMB) for emergency processing under the Paperwork Reduction Act of 1995. FRA requests that OMB authorize the collection of information identified below seven days after publication of this Notice for a period of 180 days.

FOR FURTHER INFORMATION CONTACT: A copy of this individual ICR, with applicable supporting documentation, may be obtained by telephoning FRA's Office of Safety Clearance Officer: Robert Brogan (tel. (202) 493–6292) or FRA's Office of Administration Clearance Officer: Kimberly Toone (tel. (202) 493–6132); these numbers are not toll-free; or by contacting Mr. Brogan via facsimile at (202) 493–6216 or Ms. Toone via facsimile at (202) 493–6497, or via email by contacting Mr. Brogan at *Robert.Broga@dot.gov;* or by contacting Ms. Toone at *Kim.Toone@dot.gov.* Comments and questions about the ICR identified below should be directed to OMB's Office of Information and Regulatory Affairs, Attn: FRA OMB Desk Officer.

SUPPLEMENTARY INFORMATION: On Tuesday, May 12, 2015, Amtrak passenger train 188 (Train 188) was traveling timetable east (northbound) from Washington, DC, to New York City. Aboard the train were five Amtrak crew members, three Amtrak employees, and 250 passengers. Train 188 consisted of a locomotive in the lead and seven passenger cars trailing. Shortly after 9:20 p.m., the train derailed while traveling through a curve at Frankford Junction in Philadelphia, Pennsylvania. As a result of the accident, eight persons were killed, and a significant number of persons were seriously injured.

The National Transportation Safety Board (NTSB) has taken the lead role conducting the investigation of this accident under its legal authority. 49 U.S.C. 1101 *et seq.;* 49 CFR 831.2(b). As is customary, FRA is participating in the NTSB's investigation and also investigating the accident under its own authority. While NTSB has not yet issued any formal findings, the information released to date indicates that train speed was a factor in the derailment. As Train 188 approached the curve from the west, it traveled over a straightaway with a maximum authorized passenger train speed of 80 mph. The maximum authorized passenger train speed for the curve was 50 mph. NTSB determined that the train was traveling approximately 106 mph within the curve's 50-mph speed restriction, exceeding the maximum authorized speed on the straightaway by 26 mph, and 56 mph over railroad's maximum authorized speed for the curve. FRA issued Emergency Order No. 31 (EO 31; 80 FR 30534, May 28, 2015) in response to this derailment. EO 31 requires Amtrak to take prescribed actions to ensure the safe operation of passenger trains on the Northeast Corridor.

In addition to the recent Amtrak passenger train derailment discussed above, in December 2013, a New York State Metropolitan Transportation Authority Metro-North Commuter Railroad Company (Metro-North) train derailed as it approached the Spuyten Duyvil Station in Bronx, New York. The train traveled over a straightaway with a maximum authorized passenger train speed of 70 mph before reaching a sharp curve in the track with a maximum authorized speed of 30 mph. NTSB's investigation of the Metro-North accident determined the train was traveling approximately 82 mph as it entered the curve's 30-mph speed restriction before derailing. That derailment resulted in four fatalities and at least 61 persons being injured. The Metro-North accident is similar to the recent Amtrak accident in that it involved a serious overspeed event in a sharp curve in the track. As a result of the derailment, FRA issued Emergency Order No. 29 (78 FR 75442, Dec. 11, 2013) requiring Metro-North to take certain actions to control passenger train speeds and also issued Safety Advisory 2013–08 to further enhance safety.

FRA issued Safety Advisory 2015–03 on June 12, 2015 (*see* 80 FR 33585) to stress to passenger railroads and railroads that host passenger service and their employees the importance of compliance with Federal regulations and applicable railroad rules governing applicable passenger train speed limits. This safety advisory makes recommendations to these railroads to ensure that compliance with applicable passenger train speed limits is addressed by appropriate railroad operating policies and procedures and signal systems.

FRA is requesting Emergency processing approval seven days after publication of this **Federal Register** Notice because FRA cannot reasonably comply with normal clearance procedures on account of use of normal clearance procedures is reasonably likely to disrupt the collection of information. The associated collection of information is summarized below.

Title: Operational and Signal Modification for Compliance with Maximum Authorized Passenger Train Speeds and Other Speed Restrictions.

Reporting Burden:

Safety advisory 2015–03	Respondent universe	Total annual responses	Average time per response	Total annual burden hours
(1) RR Review of Circumstances of the Fatal May 12, 2015, Philadelphia Derailment with their Operating Employees.	28 Railroads	28 RR Bulletins ...	8 hours	224
(2) RR Survey of their Entire Systems or the Portions on Which Passenger Service is Operated and Identification of Main Track Locations where there is a Reduction of More than 20 mph from the Approach Speed to a Curve or Bridge and the Maximum Authorized Operating Speed for Passenger Trains at the Identified Location.	28 Railroads	28 Surveys/Lists ..	40 hours	1,120
(3) Communications between Locomotive Engineer and a Second Qualified Crew Member in the Body of the Train at Identified Locations.	28 Railroads	2,800 Messages/ Communications.	2 minutes	93
(4) RR Installation of Additional Wayside Signs throughout Its System or Portions on Which Passenger Service is Operated, with Special Emphasis at Identified Locations.	28 Railroads	3,024 Wayside Signs.	15.4839 minutes	780

Form Number(s): N/A.

Respondent Universe: 28 Railroads.

Frequency of Submission: One-time; on occasion.

Total Estimated Responses: 5,880.

Total Estimated Annual Burden: 2,217 hours.

Status: Emergency Review.

Pursuant to 44 U.S.C. 3507(a) and 5 CFR 320.5(b), 1320.8(b)(3)(vi), FRA informs all interested parties that it may not conduct or sponsor, and a respondent is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Authority: 44 U.S.C. 3501–3520.

Rebecca Pennington,

Chief Financial Officer.

[FR Doc. 2015–16607 Filed 7–6–15; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

Pilot Program for Expedited Project Delivery

AGENCY: Federal Transit Administration, DOT.

ACTION: Request for Expressions of Interest to Participate.

SUMMARY: The Federal Transit Administration (FTA) announces establishment of the Pilot Program for Expedited Project Delivery (Pilot Program) authorized by Section 20008 of the Moving Ahead for Progress in the 21st Century Act (MAP–21), Public Law 112–141, July 6, 2012, and solicits expressions of interest to participate. The Pilot Program is aimed at increasing innovation, improving efficiency and timeliness of project implementation, and encouraging new revenue streams for new fixed guideway projects and core capacity improvement projects. FTA plans to use the lessons learned from the Pilot Program to assist other project sponsors to develop more effective approaches to project planning, project development, finance, design, and construction. Additionally, FTA anticipates that the Pilot Program will help to identify impediments in current laws, regulations, and practices to the greater use of innovative project development and delivery methods or innovative financing arrangements.

Participants selected for the Pilot Program may receive enhanced technical assistance and expedited FTA reviews to speed up planning, development, and delivery of eligible Capital Investment Grant (CIG) program projects and ultimately receive Full Funding Grant Agreements under that program. Should legislation be enacted for the Pilot Program that would allow projects to proceed outside of the normal CIG program processes and criteria, participants also may be able to receive a Full Funding Grant Agreement under the terms of that legislation. Lastly, participants selected for the Pilot Program also may benefit from technical assistance provided by the Department of Transportation's Build America Transportation Investment Center (BATIC). This announcement is available on the FTA's Web site at: *www.fta.dot.gov.*

DATES: Expressions of interest to become one of the three selected participants in the Pilot Program for Expedited Project Delivery must be submitted to FTA by mail, email or facsimile by August 1, 2015. Mail submission must be addressed to the Office of Planning and Environment, Federal Transit Administration, 1200 New Jersey Avenue SE, Room E45–119, Washington, DC 20590 and postmarked no later than August 1, 2015. Email submissions must be sent to *ExpeditedProjectDevliery@fta.dot.gov* by 11:59 p.m. EDT on August 1, 2015. Facsimile submissions must be submitted to the attention of Expedited Project Delivery Pilot Program at 202–493–2478 by 11:59 p.m. EDT on August 1, 2015. If there are insufficient candidate projects that are able to meet the requirements of the Pilot Program, FTA may conduct additional application rounds in the future.

FOR FURTHER INFORMATION CONTACT: Brian Jackson, FTA Office of Planning and Environment, telephone (202) 366–8520 or email *Brian.Jackson@dot.gov.*

SUPPLEMENTARY INFORMATION:

1. Background

Each year FTA, together with its transit industry partners, invests billions of dollars in capital projects designed to improve public transportation by reinvesting in existing assets to expand capacity or by increasing the extent and quality of public transportation service by making new investments. These projects take considerable time to plan, develop, design, approve and deploy. While it is important for FTA to ensure that it selects only well-conceived projects for funding and that they are implemented in the most efficient and effective manner, too long a process delays the delivery of the intended benefits to the riding public.

2. Pilot Program

Section 20008(b) of MAP–21 establishes a Pilot Program for new fixed guideway or core capacity projects as defined under the Section 5309 Capital Investment Grant (CIG) program that demonstrate innovative project development and delivery methods or innovative financing arrangements. Section 20008(b) specifies that FTA must select three eligible projects for the Pilot Program: (1) at least one project must request greater than $100 million in Section 5309 CIG funds; (2) at least one project must request less than $100 million in CIG funds; and (3) a project that requests any amount of CIG funds. Section 20008(b) requires that the CIG share of the total cost of selected projects must not exceed 50 percent. It also specifies that projects already in receipt of an FFGA are not eligible.

Section 20008(b) requires that project sponsors applying to participate must submit: (1) information identifying the proposed eligible project; (2) a schedule and finance plan for the construction and operation of the project; (3) an analysis of the efficiencies of the proposed project development and delivery methods or innovative financing arrangements for the project; and (4) a certification that the project sponsor's existing public transportation system is in a state of good repair. FTA may not award a full funding grant agreement until after the project sponsor has completed necessary planning activities and the National Environmental Policy Act (NEPA) process, and the recipient has demonstrated the necessary legal, technical, and financial capacity to successfully complete the project.

The law requires participants in the program to develop a Before and After Study Report that describes and analyzes the impacts of the project on public transportation services and ridership, describes and analyzes the consistency of predicted and actual benefits and costs of the innovative project development and delivery or innovative financing, and identifies reasons for any differences between the predicted and actual outcomes. The law requires the project sponsor submit the Before and After Study Report to FTA not later than nine months after the initiation of revenue service of the project.

FTA recently issued Proposed CIG Interim Policy Guidance to fully implement the changes made by MAP–21 to the program, and expects to finalize this guidance shortly, thereby facilitating the implementation of this Pilot Program. At present, there is no separate funding for the Pilot Program. Instead, the projects in the Pilot Program must compete for CIG funding. In addition, the provisions of Section 20008(b) also do not provide for any exemption from the requirements of the CIG program, including the rating and evaluation of projects under the project

justification and local financial commitment criteria specified in law. In the absence of such an exemption, projects selected for the Pilot Program must meet the requirements of Section 5309 to be eligible for funding. If in the future, legislation is enacted that exempts projects in the Pilot Program from procedural and/or project evaluation requirements of the CIG program, participants in the Pilot Program could be eligible to receive a Full Funding Grant Agreement under the terms of the exemption.

FTA believes there may be alternative approaches sponsors could propose to expedite the delivery of CIG projects. Accordingly, FTA is soliciting expressions of interest to participate in the Pilot Program. Specifically, CIG project sponsors who are considering becoming a candidate for CIG funding by requesting entry into the Project Development phase or who are already in the Project Development or Engineering phases of the CIG process may request to be selected for the Pilot Program. Selected projects may: (1) receive enhanced technical assistance on aspects of developing and delivering CIG projects; and/or (2) be allowed alternative, expedited ways of proceeding through the steps required by law in the CIG project development process.

For example, the Department of Transportation has established the Build America Transportation Investment Center to provide technical assistance on innovative financing approaches, and participants selected for the Pilot Program may receive assistance from the Center. With respect to expediting ways projects selected for the Pilot Program may proceed through steps in the CIG process, FTA may be able to better tailor the requirements for Project Management Oversight to the scope of the project, its delivery method, and/or the characteristics of the project sponsor.

Project sponsors submitting information to FTA for consideration for the Pilot Program are invited to propose alternative ways that FTA might satisfy the requirements established by law for CIG projects. For example, FTA expects that it will be necessary to establish the cost, scope, and schedule for CIG projects to a reasonable level of confidence, which is now accomplished in a number of ways, such as risk assessments and other oversight reviews, at several steps in the process. However, there may be ways to achieve the same goals in a manner which may take less time and effort. Project sponsors submitting expressions of interest to the Pilot Program also may suggest alternate approaches to any other aspect of the CIG evaluation process that the sponsor believes will save time and effort, while still assuring compliance with the CIG program requirements outlined in law. FTA is particularly interested in receiving expressions of interest from project sponsors who are considering pursuing Value Capture techniques as part of their innovative project financing arrangements. FTA would like to explore what Value Capture mechanisms might be used, and how FTA could facilitate such arrangements.

3. Expression of Interest Submission Process

Project sponsors must submit the required information by mail, email or facsimile by August 1, 2015, as specified in the **DATES** section of this Notice above. FTA reserves the right to request additional clarifying information from any and all project sponsors before making a selection to participate in the Pilot Program.

Project sponsors wishing to participate in the Pilot Program must submit an expression of interest to FTA no longer than 20 pages in length including any supporting documentation. While there is no specific format that must be followed for the expression of interest, the narrative provided by the project sponsor to FTA should include the following information:

a. A description of the proposed project that provides sufficient information to demonstrate its eligibility for the CIG program;

b. The proposed project schedule and an outline of the proposed financing plan for the project, including the amount of CIG funding sought;

c. The proposed innovative project development and delivery method or innovative financing technique for the proposed project and an explanation of the efficiencies intended to be achieved by the proposed methods or techniques;

d. How the project sponsor intends to analyze the efficiencies of the proposed project development or delivery methods or innovative financing arrangements, in order to complete the Before and After Study required by Section 20008(b);

e. Evidence in support of the required certification that the project sponsor's existing public transportation system is in a state of good repair, including an explanation of how the sponsor expects to reach that conclusion;

f. Documentation that the project has completed the steps required by the Metropolitan Planning process to be included in the Metropolitan Transportation Plan and Transportation Improvement Program, or a schedule demonstrating the project will complete the process in the foreseeable future;

g. Documentation that the project has completed the NEPA process or a schedule demonstrating the project will complete the NEPA process in the foreseeable future.

4. Candidate Project Evaluation and Selection

FTA will evaluate the proposals to determine which proposed projects best meet the intent of Section 20008(b). FTA will select three projects from the submitted expressions of interest to be part of the Pilot Program: one seeking less than $100 million in CIG funds, one seeking more than $100 million in CIG funds, and one additional project. Before awarding a Full Funding Grant Agreement, planning and NEPA requirements must be completed, and FTA will evaluate the legal, technical, and financial capacity of the project sponsor to ensure that the project will be carried out successfully. Unless legislation is enacted that provides for an exemption from the other requirements of Section 5309 CIG program in the future, projects in the Pilot Program will be subject to the procedural and evaluation and rating requirements of the CIG program. FTA may announce final selections on its Web site and in the **Federal Register**.

Therese W. McMillan,

Acting Administrator.

[FR Doc. 2015–16515 Filed 7–6–15; 8:45 am]

BILLING CODE P

DEPARTMENT OF TRANSPORTATION

Office of the Secretary of Transportation

Notice of Funding Availability for the Small Business Transportation Resource Center Program

AGENCY: Office of Small and Disadvantaged Business Utilization (OSDBU), Office of the Secretary of Transportation (OST), Department of Transportation (DOT).

ACTION: Notice of Funding Availability for the Mid-Atlantic Region SBTRC.

SUMMARY: The Department of Transportation (DOT), Office of the Secretary (OST), Office of Small and Disadvantaged Business Utilization (OSDBU) announces the opportunity for; business centered community-based organizations; transportation-related trade associations; colleges and universities; community colleges or;

chambers of commerce, registered with the Internal Revenue Service as 501 C(6) or 501 C(3) tax-exempt organizations, to compete for participation in OSDBU's Small Business Transportation Resource Center (SBTRC) program in the Mid-Atlantic Region (Pennsylvania, New Jersey, Maryland and Delaware).

DATES: Complete Proposals must be electronically submitted to OSDBU via email on or before September 1, 2015, 6:00 p.m. Eastern Standard Time (EST). Proposals received after the deadline will be considered non-responsive and will not be reviewed. The applicant is advised to request delivery receipt notification for email submissions. DOT plans to give notice of award for the competed region on or before September 18, 2015, by 6:00 p.m. (EST).

ADDRESSES: Applications must be electronically submitted to OSDBU via email at *SBTRC@dot.gov* and the OSDBU Regional Assistance Division Manager, Michelle Harris, at *Michelle.Harris@dot.gov* (copied).

FOR FURTHER INFORMATION CONTACT: For further information concerning this notice, contact Mr. Adam Dorsey, Program Assistant, U.S. Department of Transportation, Office of Small and Disadvantaged Business Utilization, 1200 New Jersey Avenue SE., Washington, DC 20590. Telephone: (202) 366–1930. Email: *adam.dorsey.ctr@dot.gov*.

SUPPLEMENTARY INFORMATION: OSDBU will enter into Cooperative Agreements with these organizations to provide outreach to the small business community in their designated region and provide financial and technical assistance, business training programs, business assessment, management training, counseling, marketing and outreach, and the dissemination of information, to encourage and assist small businesses to become better prepared to compete for, obtain, and manage DOT funded transportation-related contracts and subcontracts at the federal, state and local levels. Throughout this notice, the term ''small business'' will refer to: 8(a), Small disadvantaged businesses (SDB), disadvantaged business enterprises (DBE), women owned small businesses (WOSB), HubZone, service disabled veteran owned businesses (SDVOB), and veteran owned small businesses (VOSB). Throughout this notice, ''transportation-related'' is defined as the maintenance, rehabilitation, restructuring, improvement, or revitalization of any of the nation's modes of transportation.

Funding Opportunity Number: USDOT–OST–OSDBU/SBTRCMIDATLANTIC–2015–1.

Catalog of Federal Domestic Assistance (CFDA) Number: 20.910 Assistance to Small and Disadvantaged Businesses.

Type of Award: Cooperative Agreement Grant.

Award Ceiling: $190,000.

Award Floor: $175,000.

Program Authority: DOT is authorized under 49 U.S.C. 332 (b)(4), (5) & (7) to design and carry out programs to assist small disadvantaged businesses in getting transportation-related contracts and subcontracts; develop support mechanisms, including management and technical services, that will enable small disadvantaged businesses to take advantage of those business opportunities; and to make arrangements to carry out the above purposes.

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1. Introduction

1.1 Background

The DOT established OSDBU in accordance with Public Law 95–507, an amendment to the Small Business Act and the Small Business Investment Act of 1958.

The mission of OSDBU at DOT is to ensure that the small and disadvantaged business policies and goals of the Secretary of Transportation are developed and implemented in a fair, efficient and effective manner to serve small and disadvantaged businesses throughout the country. The OSDBU also administers the provisions of Title 49, Section 332, the Minority Resource Center (MRC) which includes the duties of advocacy, outreach and financial services on behalf of small and disadvantaged business and those certified under 49 CFR parts 23 and or 26 as Disadvantaged Business Enterprises (DBE) and the development of programs to encourage, stimulate, promote and assist small businesses to become better prepared to compete for, obtain and manage transportation-related contracts and subcontracts.

The Regional Assistance Division of OSDBU, through the SBTRC program, allows OSDBU to partner with local organizations to offer a comprehensive delivery system of business training, technical assistance and dissemination of information, targeted towards small business transportation enterprises in their regions.

1.2 Program Description and Goals

The national SBTRC program utilizes Cooperative Agreements with chambers of commerce, trade associations, educational institutions and business-centered community based organizations to establish SBTRCs to provide business training, technical assistance and information to DOT grantees and recipients, prime contractors and subcontractors. In order to be effective and serve their target audience, the SBTRCs must be active in the local transportation community in order to identify and communicate opportunities and provide the required technical assistance. SBTRCs must already have, or demonstrate the ability to, establish working relationships with the state and local transportation agencies and technical assistance agencies (*i.e.*, The U.S. Department of Commerce's Minority Business Development Centers (MBDCs), Small Business Development Centers (SBDCs), and Procurement Technical Assistance Centers (PTACs), SCORE and State DOT highway supportive services contractors in their region.) Utilizing these relationships and their own expertise, the SBTRCs are involved in activities such as information dissemination, small business counseling, and technical assistance with small businesses currently doing business with public and private entities in the transportation industry.

Effective outreach is critical to the success of the SBTRC program. In order for their outreach efforts to be effective, SBTRCs must be familiar with DOT's Operating Administrations, its funding sources, and how funding is awarded to DOT grantees, recipients, contractors, subcontractors, and its financial assistance programs. SBTRCs must provide outreach to the regional small business transportation community to disseminate information and distribute DOT-published marketing materials, such as Short Term Lending Program (STLP) Information, Bonding Education

Program (BEP) information, SBTRC brochures and literature, DOT Procurement Forecasts; Contracting with DOT booklets, Women and Girls in Transportation Initiative (WITI) information, and any other materials or resources that DOT or OSDBU may develop for this purpose. To maximize outreach, the SBTRC may be called upon to participate in regional and national conferences and seminars. Quantities of DOT publications for on-hand inventory and dissemination at conferences and seminars will be available upon request from the OSDBU office.

1.3 Description of Competition

The purpose of this Request For Proposal (RFP) is to solicit proposals from transportation-related trade associations, chambers of commerce, community based entities, colleges and universities, community colleges, and any other qualifying transportation-related non-profit organizations with the desire and ability to partner with OSDBU to establish and maintain an SBTRC.

It is OSDBU's intent to award a Cooperative Agreement to one organization in the Mid-Atlantic Region, from herein referred to as ''region'', in this solicitation. However, if warranted, OSDBU reserves the option to make multiple awards to selected partners. OSDBU also reserves the right to modify geographical area covered by the Central Region SBTRC. Proposals submitted for a region must contain a plan to service the states throughout the Mid-Atlantic Region (Pennsylvania, New Jersey, Maryland and Delaware), not just the state or immediate local geographical area where the SBTRC is headquartered. The SBTRC headquarters must be established in one of the designated states within the Mid-Atlantic Region (Pennsylvania, New Jersey, Maryland and Delaware).

SBTRC Region Competed in This Solicitation:

Mid-Atlantic Region (Pennsylvania, New Jersey, Maryland and Delaware)

Program requirements and selection criteria, set forth in Sections 2 and 4 respectively, indicate that the OSDBU intends for the SBTRC to be multidimensional; that is, the selected organization must have the capacity to effectively access and provide supportive services to the broad range of small businesses within the respective geographical region. To this end, the SBTRC must be able to demonstrate that they currently have established relationships within each state in the geographic region with whom they may coordinate and establish effective networks with DOT grant recipients and local/regional technical assistance agencies to maximize resources.

Cooperative agreement awards will be distributed to the region(s) as follows:

Mid-Atlantic Region: Ceiling: $190,000 per year; Floor: $175,000 per year.

Cooperative agreement awards by region are based upon an analysis of DBEs, Certified Small Businesses, and US DOT transportation dollars in each region.

It is OSDBU's intent to maximize the benefits received by the small business transportation community through the SBTRC. Funding will reimburse an on-site Project Director for *100%* of salary plus fringe benefits, an on-site Executive Director up to 20% of salary plus fringe benefits, up to 100% of a Project Coordinator salary plus fringe benefits, the cost of designated SBTRC space, other direct costs, and all other general and administrative expenses. Selected SBTRC partners will be expected to provide in-kind administrative support. Submitted proposals must contain an alternative funding source with which the SBTRC will fund administrative support costs. Preference will be given to proposals containing in-kind contributions for the Project Director, the Executive Director, the Project Coordinator, cost of designated SBTRC space, other direct costs, and all other general and administrative expenses. The SBTRC will furnish all labor, facilities and equipment to perform the services described in this announcement.

1.4 Duration of Agreements

The cooperative agreement will be awarded for a period of 12 months (one year) with options for two (2) additional one year periods, at the discretion of OSDBU. OSDBU will notify the SBTRC of our intention to exercise an option year or not to exercise an option year 30 days in advance of expiration of the current year. Upon exercising the first year option year of the Cooperative Agreement, OSDBU will renew the SBTRC with a 3% funding increase. Upon exercising the second option year, OSDBU will renew the SBTRC with a 1% increase from the first option year.

Authority

DOT is authorized under 49 U.S.C. 332 (b)(4), (5) & (7) to design and carry out programs to assist small disadvantaged businesses in getting transportation-related contracts and subcontracts; develop support mechanisms, including management and technical services, that will enable small disadvantaged businesses to take advantage of those business opportunities; and to make arrangements to carry out the above purposes.

1.5 Eligibility Requirements

To be eligible, an organization must be an established, nonprofit, community-based organization, transportation-related trade association, chamber of commerce, college or university, community college, and any other qualifying transportation-related non-profit organization which has the documented experience and capacity necessary to successfully operate and administer a coordinated delivery system that provides access for small businesses to prepare and compete for transportation-related contracts. In addition, to be eligible, the applicant organization must:

(A) Be an established 501 C (3) or 501 C (6) tax-exempt organization and provide documentation as verification. No application will be accepted without proof of tax-exempt status;

(B) Have at least one year of documented and continuous experience prior to the date of application in providing advocacy, outreach, and technical assistance to small businesses within the region in which proposed services will be provided. Prior performance providing services to the transportation community is preferable, but not required; and

(C) Have an office physically located within the proposed city in the designated headquarters state in the region for which they are submitting the proposal that is readily accessible to the public.

2. Program Requirements

2.1 Recipient Responsibilities

(A) Assessments, Business Analyses

1. Conduct an assessment of small businesses in the SBTRC region to determine their training and technical assistance needs, and use information that is available at no cost to structure programs and services that will enable small businesses to become better prepared to compete for and receive transportation-related contract awards.

2. Contact other federal, state and local government agencies, such as the U.S. Small Business Administration (SBA), state and local highway agencies, state and local airport authorities, and transit authorities to identify relevant and current information that may support the assessment of the regional small business transportation community needs.

(B) General Management & Technical Training and Assistance

1. Utilize OSDBU's Intake Form to document each small business assisted by the SBTRC and type of service(s) provided. A complete list of businesses that have filled out the form shall be submitted as part of the SBTRC report, submitted via email to the Regional Assistance Division on a regular basis (using the SBTRC Report). This report will detail SBTRC activities and performance results. The data provided must be supported by the narrative (if asked).

2. Ensure that an array of information is made available for distribution to the small business transportation community that is designed to inform and educate the community on DOT/OSDBU services and opportunities.

3. Coordinate efforts with OSDBU in order to maintain an on-hand inventory of DOT/OSDBU informational materials for general dissemination and for distribution at transportation-related conferences and other events.

(C) Business Counseling

1. Collaborate with agencies, such as State, Regional, and Local Transportation Government Agencies, SBA, U.S. Department of Commerce's Minority Business Development Centers (MBDCs), Service Corps of Retired Executives (SCORE), Procurement Technical Assistance Centers (PTACs), and Small Business Development Centers (SBDCs), to offer a broad range of counseling services to transportation-related small business enterprises.

2. Create a technical assistance plan that will provide each counseled participant with the knowledge and skills necessary to improve the management of their own small business to expand their transportation-related contracts and subcontracts portfolio.

3. Provide a minimum of *20 hours* of individual or group counseling sessions to small businesses per month. This counseling includes in-person meetings or over the phone, and does not include any time taken to do email correspondence.

(D) Planning Committee

1. Establish a Regional Planning Committee consisting of at least 10 members that includes representatives from the regional community and federal, state, and local agencies. The highway, airport, and transit authorities for the SBTRC's headquarters state must have representation on the planning committee. This committee shall be established no later than 60 days after the execution of the Cooperative agreement between the OSDBU and the selected SBRTC.

2. Provide a forum for the federal, state, and local agencies to disseminate information about upcoming DOT procurements and SBTRC activities.

3. Hold either monthly or quarterly meetings at a time and place agreed upon by SBTRC and planning committee members (conference calls and/or video conferences are acceptable).

4. Use the initial session hosted by the SBTRC to explain the mission of the committee and identify roles of the staff and the members of the group.

5. Responsibility for the agenda and direction of the Planning Committee should be handled by the SBTRC Project Director or his/her designee.

(E) Outreach Services/Conference Participation

1. Utilize the services of the System for Award Management (SAM) and other sources to construct a database of regional small businesses that currently or may in the future participate in DOT direct and DOT funded transportation related contracts, and make this database available to OSDBU, upon request.

2. Utilize the database of regional transportation-related small businesses to match opportunities identified through the planning committee forum, FedBiz Opps (a web-based system for posting solicitations and other Federal procurement-related documents on the Internet), and other sources to eligible small businesses and inform the small business community about those opportunities.

3. Develop a ''targeted'' database of firms (100–150) that have the capacity and capabilities, and are ready, willing and able to participate in DOT contracts and subcontracts immediately. This control group will receive ample resources from the SBTRC, *i.e.*, access to working capital, bonding assistance, business counseling, management assistance and direct referrals to DOT agencies at the state and local levels, and to prime contractors as effective subcontractor firms.

4. Identify regional, state and local conferences where a significant number of small businesses, with transportation related capabilities, are expected to be in attendance. Maintain and submit a list of those events to the Regional Assistance Division for review and posting on the OSDBU Web site on a regular basis. Clearly identify the events designated for SBTRC participation and include recommendations for OSDBU participation. This information can be submitted as part of the SBTRC Report.

5. Conduct outreach and disseminate information to small businesses at regional transportation-related conferences, seminars, and workshops. In the event that the SBTRC is requested to participate in an event, the OSDBU will send DOT materials, the OSDBU banner and other information that is deemed necessary for the event.

6. Submit a conference summary report within the 'Events' section of the SBTRC Report. The conference summary report should summarize the activity, contacts made, outreach results, and recommendations for continued or discontinued participation in future similar events sponsored by that organization.

7. Upon request by OSDBU, coordinate efforts with DOT's grantees and recipients at the state and/or local levels to sponsor or cosponsor an OSDBU transportation related conference in the region (commonly referred to as ''Small Business Summits''.

8. Participate in the SBTRC monthly teleconference call, hosted by the OSDBU Regional Assistance.

(F) Short Term Lending Program (STLP)

1. Work with STLP participating banks and if not available, other lending institutions to deliver a minimum of five (5) seminars/workshops per year on the STLP, and/or other financial assistance programs, to the transportation-related small business community. Seminars/workshops must cover the entire STLP/loan process, from completion of STLP/loan applications and preparation of the loan package.

2. Provide direct support, technical support, and advocacy services to potential STLP applicants to increase the probability of STLP loan approval and generate a minimum of four (4) completed STLP applications per year.

3. Provide direct support, technical support, and advocacy services to Small and Disadvantaged Businesses interested in obtaining a loan from another type of Government Lending Program. Government Lending Programs include Federal, State, and Local level programs. The SBTRC will be required to generate a minimum of three (3) completed Government Lending Program applications per year.

(G) Bonding Education Program (BEP)

Work with OSDBU, bonding industry partners, local small business transportation stakeholders, and local bond producers/agents in your region to deliver a minimum of two (2) complete

Bonding Education Programs. The BEP consists of the following components; (1) the stakeholder's meeting; (2) the educational workshops component; (3) the bond readiness component; and (4) follow-on assistance to BEP participants to provide technical and procurement assistance based on the prescriptive plan determined by the BEP. For each BEP event, work with the local bond producers/agents in your region and the disadvantaged business participants to deliver a minimum of ten (10) disadvantaged business participants in the BEP with either access to bonding or an increase in bonding capacity. The programs will be funded separately and in addition to the amount listed in section 1.3 of this solicitation.

(H) Women and Girls in Transportation Initiative (WITI)

(A) Pursuant to Executive Order 13506, and 49 U.S.C. 332(b)(4) & (7), the SBTRC shall administer the WITI in their geographical region. The SBTRC shall implement the DOT WITI program as defined by the DOT WITI Policy. The WITI program is designed to identify, educate, attract, and retain women and girls from a variety of disciplines in the transportation industry. The SBTRC shall also be responsible for outreach activities in the implementation of this program and advertising the WITI program to all colleges and universities and transportation entities in their region. The WITI program shall be developed in conjunction with the skill needs of the USDOT, state and local transportation agencies and appropriate private sector transportation-related participants including, S/WOBs/DBEs, and women organizations involved in transportation. Emphasis shall be placed on establishing partnerships with transportation-related businesses. The SBTRC will be required to host 1 WITI event and attend at least 5 events where WITI is presented and marketed.

(B) Each region will establish a Women in Transportation Advisory Committee. The committee will provide a forum to identify and provide workable solutions to barriers that women-owned businesses encounter in transportation-related careers. The committee will have 5 members (including the SBTRC Project Director) with a 1 year membership. Meetings will be conducted on a quarterly basis at an agreeable place and time.

2.2 Office of Small and Disadvantaged Business Utilization (OSDBU) Responsibilities

(A) Provide consultation and technical assistance in planning, implementing and evaluating activities under this announcement.

(B) Provide orientation and training to the applicant organization.

(C) Monitor SBTRC activities, cooperative agreement compliance, and overall SBTRC performance.

(D) Assist SBTRC to develop or strengthen its relationships with federal, state, and local transportation authorities, other technical assistance organizations, and DOT grantees.

(E) Facilitate the exchange and transfer of successful program activities and information among all SBTRC regions.

(F) Provide the SBTRC with DOT/OSDBU materials and other relevant transportation related information for dissemination.

(G) Maintain effective communication with the SBTRC and inform them of transportation news and contracting opportunities to share with small businesses in their region.

(H) Provide all required forms to be used by the SBTRC for reporting purposes under the program.

(I) Perform an annual performance evaluation of the SBTRC. Satisfactory performance is a condition of continued participation of the organization as an SBTRC and execution of all option years.

3. Submission of Proposals

3.1 Format for Proposals

Each proposal must be submitted to DOT's OSDBU in the format set forth in the application form attached as Appendix A to this announcement.

3.2 Address; Number of Copies; Deadlines for Submission

Any eligible organization, as defined in Section 1.6 of this announcement, will submit only one proposal per region for consideration by OSDBU. Applications must be double spaced, and printed in a font size not smaller than 12 points. Applications will not exceed 35 single-sided pages, not including any requested attachments. All pages should be numbered at the top of each page. All documentation, attachments, or other information pertinent to the application must be included in a single submission. Proposal packages must be submitted electronically to OSDBU at *SBTRC@dot.gov* and to the Regional Assistance Division Manager, Michelle Harris, at *Michelle.Harris@dot.gov*.

The applicant is advised to turn on request delivery receipt notification for email submission. Proposals must be received by DOT/OSDBU no later than August 8, 2015, 6:00 p.m. Eastern Standard Time (EST).

4. Selection Criteria

4.1 General Criteria

OSDBU will award the cooperative agreement on a best value basis, using the following criteria to rate and rank applications: Applications will be evaluated using a point system (maximum number of points = 100);

- Approach and strategy (25 points)
- Linkages (25 points)
- Organizational Capability (25 points)
- Staff Capabilities and Experience (15 points)
- Cost Proposal (10 points)

(A) Approach and Strategy (25 Points)

The applicant must describe their strategy to achieve the overall mission of the SBTRC as described in this solicitation and service the small business community in their entire geographic regional area. The applicant must also describe how the specific activities outlined in Section 2.1 will be implemented and executed in the organization's regional area. OSDBU will consider the extent to which the proposed objectives are specific, measurable, time-specific, and consistent with OSDBU goals and the applicant organization's overall mission. OSDBU will give priority consideration to applicants that demonstrate innovation and creativity in their approach to assist small businesses to become successful transportation contractors and increase their ability to access DOT contracting opportunities and financial assistance programs. Applicants must also submit the estimated direct costs, other than labor, to execute their proposed strategy. OSDBU will consider the quality of the applicant's plan for conducting program activities and the likelihood that the proposed methods will be successful in achieving proposed objectives at the proposed cost.

(B) Linkages (25 Points)

The applicant must describe their established relationships within their geographic region and demonstrate their ability to coordinate and establish effective networks with DOT grant recipients and local/regional technical assistance agencies to maximize resources. OSDBU will consider innovative aspects of the applicant's approach and strategy to build upon their existing relationships and established networks with existing resources in their geographical area. The applicant should describe their strategy to obtain support and collaboration on SBTRC activities from DOT grantees and recipients, transportation prime contractors and subcontractors, the

SBA, U.S. Department of Commerce's Minority Business Development Centers (MBDCs), Service Corps of Retired Executives (SCORE), Procurement Technical Assistance Centers (PTACs), Small Business Development Centers (SBDCs), State DOTs, and State highway supportive services contractors. In rating this factor, OSDBU will consider the extent to which the applicant demonstrates ability to be multidimensional. The applicant must demonstrate that they have the ability to access a broad range of supportive services to effectively serve a broad range of transportation-related small businesses within their respective geographical region. Emphasis will also be placed on the extent to which the applicant identifies a clear outreach strategy related to the identified needs that can be successfully carried out within the period of this agreement and a plan for involving the Planning Committee in the execution of that strategy.

(C) Organizational Capability (25 Points)

The applicant must demonstrate that they have the organizational capability to meet the program requirements set forth in Section 2. The applicant organization must have sufficient resources and past performance experience to successfully provide outreach to the small business transportation resources in their geographical area and carry out the mission of the SBTRC. In rating this factor, OSDBU will consider the extent to which the applicant's organization has recent, relevant and successful experience in advocating for and addressing the needs of small businesses. Applicants will be given points for demonstrated past transportation-related performance. The applicant must also describe technical and administrative resources it plans to use in achieving proposed objectives. In their description, the applicant must describe their facilities, computer and technical facilities, ability to tap into volunteer staff time, and a plan for sufficient matching alternative financial resources to fund the general and administrative costs of the SBTRC. The applicant must also describe their administrative and financial management staff. It will be the responsibility of the successful candidate to not only provide the services outlined herein to small businesses in the transportation industry, but to also successfully manage and maintain their internal financial, payment, and invoicing process with their financial management offices. OSDBU will place an emphasis on capabilities of the applicant's financial management staff. Additionally, a site visit may be required prior to award for those candidates that are being strongly considered. If necessary, a member of the OSDBU team will contact those candidates to schedule the site visits prior to the award of the agreement.

(D) Staff Capability and Experience (15 Points)

The applicant organization must provide a list of proposed personnel for the project, with salaries, fringe benefit burden factors, educational levels and previous experience clearly delineated. The applicant's project team must be well-qualified, knowledgeable, and able to effectively serve the diverse and broad range of small businesses in their geographical region. The Executive Director and the Project Director shall be deemed key personnel. Detailed resumes must be submitted for all proposed key personnel and outside consultants and subcontractors. Proposed key personnel must have detailed demonstrated experience providing services similar in scope and nature to the proposed effort. The proposed Project Director will serve as the responsible individual for the program. 100% of the Project Director's time must be dedicated to the SBTRC. Both the Executive Director and the Project Director must be located on-site. In this element, OSDBU will consider the extent to which the applicant's proposed Staffing Plan; (a) clearly meets the education and experience requirements to accomplish the objectives of the cooperative agreement; (b) delineates staff responsibilities and accountability for all work required and; (c) presents a clear and feasible ability to execute the applicant's proposed approach and strategy.

(E) Cost Proposal (10 Points)

Applicants must submit the total proposed cost of establishing and administering the SBTRC in the applicant's geographical region for a 12 month period, inclusive of costs funded through alternative matching resources. The applicant's budget must be adequate to support the proposed strategy and costs must be reasonable in relation to project objectives. The portion of the submitted budget funded by OSDBU cannot exceed the ceiling outlined in Section 1.3: Description of Competition of this RFP per fiscal year. Applicants are encouraged to provide in-kind costs and other innovative cost approaches.

4.2 Scoring of Applications

A review panel will score each application based upon the evaluation criteria listed above. Points will be given for each evaluation criteria category, not to exceed the maximum number of points allowed for each category. Proposals which are deemed non-responsive, do not meet the established criteria, or incomplete at the time of submission will be disqualified.

OSDBU will perform a responsibility determination of the prospective awardee in the region, which may include a site visit, before awarding the cooperative agreement.

4.3 Conflicts of Interest

Applicants must submit signed statements by key personnel and all organization principals indicating that they, or members of their immediate families, do not have a personal, business or financial interest in any DOT-funded transportation project, nor any relationships with local or state transportation agencies that may have the appearance of a conflict of interest.

Appendix A

Format for Proposals for the Department of Transportation Office of Small and Disadvantaged Business Utilization's Small Business Transportation Resource Center (SBTRC) Program

Submitted proposals for the DOT, Office of Small and Disadvantaged Business Utilization's Small Business Transportation Resource Center Program must contain the following 12 sections and be organized in the following order:

1. Table of Contents

Identify all parts, sections and attachments of the application.

2. Application Summary

Provide a *summary overview* of the following:

- The applicant's proposed SBTRC region and city and key elements of the plan of action/strategy to achieve the SBTRC objectives.
- The applicant's relevant organizational experience and capabilities.

3. Understanding of the Work

Provide a narrative which contains specific project information as follows:

- The applicant will describe its understanding of the OSDBU's SBTRC program mission and the role of the applicant's proposed SBTRC in advancing the program goals.
- The applicant will describe specific outreach needs of transportation-related small businesses in the applicant's region and how the SBTRC will address the identified needs.

4. Approach and Strategy

• Describe the applicant's plan of action/strategy for conducting the program in terms of the tasks to be performed.

• Describe the specific services or activities to be performed and how these services/activities will be implemented.

• Describe innovative and creative approaches to assist small businesses to become successful transportation contractors and increase their ability to access DOT contracting opportunities and financial assistance programs.

• Estimated direct costs, other than labor, to execute the proposed strategy.

5. Linkages

• Describe established relationships within the geographic region and demonstrate the ability to coordinate and establish effective networks with DOT grant recipients and local/regional technical assistance agencies.

• Describe the strategy to obtain support and collaboration on SBTRC activities from DOT grantees and recipients, transportation prime contractors and subcontractors, the SBA, U.S. Department of Commerce's Minority Business Development Centers (MBDCs), Service Corps of Retired Executives (SCORE), Procurement Technical Assistance Centers (PTACs), Small Business Development Centers (SBDCs), State DOTs, and State highway supportive services contractors.

• Describe the outreach strategy related to the identified needs that can be successfully carried out within the period of this agreement and a plan for involving the Planning Committee in the execution of that strategy.

6. Organizational Capability

• Describe recent and relevant past successful performance in addressing the needs of small businesses, particularly with respect to transportation-related small businesses.

• Describe internal technical, financial management, and administrative resources.

• Propose a plan for sufficient matching alternative financial resources to fund the general and administrative costs of the SBTRC.

7. Staff Capability and Experience

• List proposed key personnel, their salaries and proposed fringe benefit factors.

• Describe the education, qualifications and relevant experience of key personnel. Attach detailed resumes.

• Proposed staffing plan. Describe how personnel are to be organized for the program and how they will be used to accomplish program objectives. Outline staff responsibilities, accountability and a schedule for conducting program tasks.

8. Cost Proposal

• Outline the total proposed cost of establishing and administering the SBTRC in the applicant's geographical region for a 12 month period, inclusive of costs funded through alternative matching resources. Clearly identify the portion of the costs funded by OSDBU.

• Provide a brief narrative linking the cost proposal to the proposed strategy.

9. Proof of Tax Exempt Status

10. Assurances Signature Form

Complete the attached Standard Form 424B ASSURANCES–NON–CONSTRUCTION PROGRAMS identified as Attachment 1.

11. Certification Signature Forms

Complete form DOTF2307–1 DRUG-FREE WORKPLACE ACT CERTIFICATION FOR a GRANTEE OTHER THAN AN INDIVIDUAL identified as attachment 2 and Form DOTF2308–1 CERTIFICATION REGARDING LOBBYING FOR CONTRACTS, GRANTS, LOANS, AND COOPERATIVE AGREEMENTS identified as Attachment 3.

Signed Conflict of Interest Statements

The statements must say that they, or members of their immediate families, do not have a personal, business or financial interest in any DOT-funded transportation projects, nor any relationships with local or state transportation agencies that may have the appearance of a conflict of interest.

12. Standard Form 424

Complete Standard Form 424 Application for Federal Assistance identified as Attachment 4.

PLEASE BE SURE THAT ALL FORMS HAVE BEEN SIGNED BY AN AUTHORIZED OFFICIAL WHO CAN LEGALLY REPRESENT THE ORGANIZATION.

Issued in Washington, DC, June 15, 2015.

Brandon Neal,

Director, Office of Small and Disadvantaged Business Utilization, Office of the Secretary, U.S. Department of Transportation.

[FR Doc. 2015–16183 Filed 7–6–15; 8:45 am]

BILLING CODE 4910–9X–P

DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

Agency Information Collection Activities: Information Collection Renewal; Comment Request; Procedures To Enhance the Accuracy and Integrity of Information Furnished to Consumer Reporting Agencies Under Section 312 of the Fair and Accurate Credit Transactions Act

AGENCY: Office of the Comptroller of the Currency, Treasury.

ACTION: Notice and request for comment.

SUMMARY: The OCC, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on a continuing information collection, as required by the Paperwork Reduction Act of 1995.

An agency may not conduct or sponsor, and a respondent is not required to respond to, an information collection unless it displays a currently valid OMB control number.

The OCC is soliciting comment concerning the renewal of its information collection titled, ''Procedures to Enhance the Accuracy and Integrity of Information Furnished to Consumer Reporting Agencies under Section 312 of the Fair and Accurate Credit Transactions Act (FACT Act).''

DATES: Comments must be received by September 8, 2015.

ADDRESSES: Because paper mail in the Washington, DC area and at the OCC is subject to delay, commenters are encouraged to submit comments by email, if possible. Comments may be sent to: Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, Attention: 1557–0238, 400 7th Street SW., Suite 3E–218, Mail Stop 9W–11, Washington, DC 20219. In addition, comments may be sent by fax to (571) 465–4326 or by electronic mail to *prainfo@occ.treas.gov*. You may personally inspect and photocopy comments at the OCC, 400 7th Street SW., Washington, DC 20219. For security reasons, the OCC requires that visitors make an appointment to inspect comments. You may do so by calling (202) 649–6700. Upon arrival, visitors will be required to present valid government-issued photo identification and submit to security screening in order to inspect and photocopy comments.

All comments received, including attachments and other supporting materials, are part of the public record and subject to public disclosure. Do not enclose any information in your comment or supporting materials that you consider confidential or inappropriate for public disclosure.

FOR FURTHER INFORMATION CONTACT: Shaquita Merritt, OCC Clearance Officer, (202) 649–5490, for persons who are deaf or hard of hearing, TTY, (202) 649–5597, Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, 400 7th Street, SW., Washington, DC 20219.

SUPPLEMENTARY INFORMATION: Under the PRA (44 U.S.C. 3501–3520), Federal agencies must obtain approval from OMB for each collection of information they conduct or sponsor. ''Collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) to include agency requests and requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA (44 U.S.C. 3506(c)(2)(A)) requires Federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of

information, including each proposed extension of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, the OCC is publishing notice of the proposed extension of this collection of information.

Title: Procedures to Enhance the Accuracy and Integrity of Information Furnished to Consumer Reporting Agencies under Section 312 of the Fair and Accurate Credit Transactions Act (FACT Act).

OMB Control No.: 1557–0238.

Description: Section 312 of the Fair and Accurate Credit Transactions Act of 2003 (FACT Act) required the issuance of guidelines for use by furnishers regarding the accuracy and integrity of the information about consumers that they furnish to consumer reporting agencies and to prescribe regulations requiring furnishers to establish reasonable policies and procedures for implementing the guidelines. Section 312 also required the issuance of regulations identifying the circumstances under which a furnisher must reinvestigate disputes about the accuracy of information contained in a consumer report based on a direct request from a consumer.

Twelve CFR 1022.42(a) requires furnishers to establish and implement reasonable written policies and procedures regarding the accuracy and integrity of consumer information that they provide to a consumer reporting agency (CRA).

Section 1022.43(a) permits consumers to initiate disputes directly with the furnishers in certain circumstances. Furnishers are required to have procedures to ensure that disputes received directly from consumers are handled in a substantially similar manner to those complaints received through CRAs.

Section 1022.43(f)(2) incorporates the statutory requirement that a furnisher must notify a consumer by mail or other means (if authorized by the consumer) not later than five business days after making a determination that a dispute is frivolous or irrelevant. Section 1022.43(f) incorporates the statute's content requirements for the notices.

Type of Review: Extension of a currently approved collection.

Affected Public: Businesses or other for-profit.

Estimated Number of Respondents: 1,464 respondents.

Estimated Total Annual Burden: 185,443 hours.

Comments submitted in response to this notice will be summarized, included in the request for OMB approval, and become a matter of public record. Comments are invited on:

(a) Whether the collection of information is necessary for the proper performance of the functions of the OCC, including whether the information has practical utility;

(b) The accuracy of the OCC's estimate of the burden of the collection of information;

(c) Ways to enhance the quality, utility, and clarity of the information to be collected;

(d) Ways to minimize the burden of the collection 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.

Dated: June 30, 2015.

Mary H. Gottlieb,

Regulatory Specialist, Legislative and Regulatory Activities Division.

[FR Doc. 2015–16538 Filed 7–6–15; 8:45 am]

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DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

[Docket ID: OCC–2015–0014]

Mutual Savings Association Advisory Committee

AGENCY: Office of the Comptroller of the Currency, Department of the Treasury.

ACTION: Notice of Federal Advisory Committee Meeting.

SUMMARY: The Office of the Comptroller of the Currency (OCC) announces a meeting of the Mutual Savings Association Advisory Committee (MSAAC).

DATES: A public meeting of the MSAAC will be held on Wednesday, July 22, 2015, beginning at 1:00 p.m. Eastern Daylight Time (EDT). Members of the public may submit written statements to the MSAAC. The OCC must receive written statements no later than Wednesday, July 15, 2015. Members of the public who plan to attend the meeting, and members of the public who may require auxiliary aids, should contact the OCC by 5:00 p.m. EDT on Wednesday, July 15, 2015, to inform the OCC of their interest in attending the meeting and to provide the information that will be required to facilitate aid.

ADDRESSES: The OCC will hold the July 22, 2015 meeting of the MSAAC at the OCC's offices at 400 7th Street SW., Washington, DC 20219. Members of the public may submit written statements to *MSAAC@occ.treas.gov* or by mailing them to Michael R. Brickman, Designated Federal Officer, Mutual Savings Association Advisory Committee, Office of the Comptroller of the Currency, 400 7th Street SW., Washington, DC 20219.

FOR FURTHER INFORMATION CONTACT: Michael R. Brickman, Deputy Comptroller for Thrift Supervision, (202) 649–5420, Office of the Comptroller of the Currency, Washington, DC 20219.

SUPPLEMENTARY INFORMATION: By this notice, the OCC is announcing that the MSAAC will convene a meeting on Wednesday, July 22, 2015, at the OCC's offices at 400 7th Street SW., Washington, DC 20219. The meeting is open to the public and will begin at 1:00 p.m. EDT. The purpose of the meeting is for the MSAAC to advise the OCC on the regulatory changes or other steps the OCC may be able to take to ensure the continued health and viability of mutual savings associations and other issues of concern to existing mutual savings associations. The agenda includes a discussion of current topics of interest to the industry.

Members of the public who plan to attend the meeting should contact the OCC by 5:00 p.m. EDT on Wednesday, July 15, 2015, to inform the OCC of their desire to attend the meeting and to provide information that will be required to facilitate entry into the meeting. Members of the public may contact the OCC via email at *MSAAC@OCC.treas.gov* or by telephone at (202) 649–5420. Attendees should provide their full name, email address, and organization, if any. For security reasons, attendees will be subject to security screening procedures and must present a valid government-issued identification to enter the building. Members of the public who are deaf or hard of hearing should call (202) 649–5597 (TTY) by 5:00 p.m. EDT Wednesday, July 15, 2015, to arrange auxiliary aids such as sign language interpretation for this meeting.

Dated: June 29, 2015.

Thomas J. Curry,

Comptroller of the Currency.

[FR Doc. 2015–16534 Filed 7–6–15; 8:45 am]

BILLING CODE 4810–33–P

DEPARTMENT OF THE TREASURY

Submission for OMB Review; Comment Request

June 30, 2015.

The Department of the Treasury will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, Public Law 104–13, on or after the date of publication of this notice.

DATES: Comments should be received on or before August 6, 2015 to be assured of consideration.

ADDRESSES: Send comments regarding the burden estimate, or any other aspect of the information collection, including suggestion for reducing the burden, to (1) Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for Treasury, New Executive Office Building, Room 10235, Washington, DC 20503, or email at *OIRA_Submission@OMB.EOP.GOV* and (2) Treasury PRA Clearance Officer, 1750 Pennsylvania Ave. NW., Suite 8140, Washington, DC 20220, or email at *PRA@treasury.gov.*

FOR FURTHER INFORMATION CONTACT: Copies of the submission(s) may be obtained by calling (202) 927–5331, email at *PRA@treasury.gov,* or the entire information collection request may be found at *www.reginfo.gov.*

Community Development Financial Institutions (CDFI) Fund

OMB Number: 1559–NEW.

Type of Review: Approval of a New Information Collection.

Title: Bank Enterprise Award Program Evaluation.

Abstract: The Bank Enterprise Award (BEA) Program is designed to support the CDFI Fund's overall mission to increase economic opportunity and provide community development investments in underserved populations and distressed communities within the United States.

This evaluation will assist the CDFI Fund to determine the effectiveness of the BEA Program. This online survey will evaluate the population of FDIC-insured financial institutions that applied for Bank Enterprise Awards during calendar years 2012, 2013 or 2014 (including award recipients and unsuccessful applicants).

Affected Public: Private Sector: Businesses or other for-profits.

Estimated Total Burden Hours: 65.

Robert Dahl,

Treasury PRA Clearance Officer.

[FR Doc. 2015–16533 Filed 7–6–15; 8:45 am]

BILLING CODE 4810–70–P

FEDERAL REGISTER

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No. 129 July 7, 2015

Part II

Federal Communications Commission

47 CFR Parts 1, 2 et al.

WRC–07 Implementation Report and Order and WRC–12 Order; Final Rule

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 1, 2, 25, 27, 74, 78, 80, 87, 90, 97, and 101

[ET Docket No. 12–338 and IB Docket No. 06–123; FCC 15–50]

WRC–07 Implementation Report and Order and WRC–12 Order

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In this document, the Commission implemented allocation changes from the World Radiocommunication Conference (Geneva, 2007) (WRC–07) and updated related service rules. The Commission took this action in order to conform its rules, to the extent practical, to the decisions that the international community made at WRC–07. This action will promote the advancement of new and expanded services and provide significant benefits to the American people. In addition, the Commission revised the International Table of Frequency Allocations within its rules to generally reflect the allocation changes made at the World Radiocommunication Conference (Geneva, 2012) (WRC–12).

DATES: Effective August 6, 2015.

FOR FURTHER INFORMATION CONTACT: Tom Mooring, Office of Engineering and Technology, 202–418–2450, *Tom.Mooring@fcc.gov*.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Report and Order* and *Order,* ET Docket No. 12–338 and IB Docket No. 06–123, FCC 15–50, adopted April 23, 2015, and released April 27, 2015. The full text of this document is available for inspection and copying during normal business hours in the FCC Reference Center (Room CY–A257), 445 12th Street SW., Washington, DC 20554. The full text may also be downloaded at: *www.fcc.gov*. 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), 202–418–0432 (tty).

Summary of Report and Order

On November 15, 2012, the Commission adopted a *Notice of Proposed Rulemaking and Order* (*WRC–07 NPRM*) in this proceeding, 77 FR 76250, December 27, 2012. In this *Report and Order* (*WRC–07 R&O*), the Commission amended the Table of Frequency Allocations (Allocation Table) in § 2.106 of its rules and a number of related service rules to implement certain radio frequency (RF) allocation decisions from the Final Acts of the World Radiocommunication Conference (Geneva, 2007) (*WRC–07 Final Acts*). In the *Order* (*WRC–12 Order*), the Commission updated the International Table portion of its Allocation Table to reflect the allocation decisions from the Final Acts of the World Radiocommunication Conference (Geneva, 2012) (*WRC–12 Final Acts*).

Background

In the *WRC–07 R&O,* the Commission implemented allocation decisions from the *WRC–07 Final Acts* and made certain related updates to its service rules, including those for the Amateur Radio Service, Aviation Services, passive sensors, and maritime Automatic Identification Systems (AIS). Specifically, the Commission:

- Allocated the 135.7–137.8 kHz band (2200 meter band) to the amateur service on a secondary basis.
- Raised the secondary amateur service allocation in the 1900–2000 kHz band to primary status, while providing for continued use by commercial fishing vessels of radio buoys on the ''open sea.''
- Allocated the 108–117.975 MHz and 960–1164 MHz bands to the aeronautical mobile (route) service (AM(R)S) on a primary basis for Federal and non-Federal use.
- Allocated the 5091–5150 MHz band to the aeronautical mobile service (AMS) on a primary basis for Federal and non-Federal use, limited to aeronautical mobile telemetry (AMT) for flight testing of aircraft and ''Aeronautical Mobile Airport Communications System'' (AeroMACS) networks.
- Removed non-Federal AMT allocations from the 2310–2320 MHz and 2345–2360 MHz bands and an unused radionavigation service allocation from the 24.75–25.05 GHz band.
- Revised part 87 of the Commission's rules to update and correct the aviation services rules.
- Extended AIS capability by allocating the 161.9625–161.9875 MHz (AIS 1) and 162.0125–162.0375 MHz (AIS 2) bands to the mobile-satellite service (MSS) (Earth-to-space) and the aeronautical mobile (off-route) service (AM(OR)S) on a primary basis for Federal and non-Federal use.
- Protected passive sensors in the 1400–1427 MHz, 10.6–10.68 GHz, 23.6–24 GHz, 31.3–31.8 GHz, 50.2–50.4 GHz, and 52.6–54.25 GHz bands from harmful interference by generally adopting WRC–07's unwanted emissions levels for active services in six adjacent bands (1390–1395 MHz, 1427–1452 MHz, 22.55–23.55 GHz, 49.7–50.2 GHz, 50.4–50.9 GHz, and 51.4–52.6 GHz) and its in-band sharing criteria for the 10.6–10.68 GHz and 36–37 GHz bands.
- Established Federal coordination areas in California and Guam for non-Federal terrestrial operations in the 17.7–19.7 GHz range.

A. Amateur Service Use of LF and MF Bands

2200 Meter Band (135.7–137.8 kHz). Previously, in the *WRC–07 NPRM* the Commission stated that it would add an amateur radio allocation to the 135.7–137.8 kHz band only if it was comfortable that amateur stations and power line carrier (PLC) systems could coexist. The Commission has now concluded that such sharing of the band is possible. Since the Commission last considered this issue, amateurs have successfully operated in the band under experimental licenses without reported PLC interference. The Commission was also encouraged by the fact that numerous fixed radionavigation beacons, which operate at much higher powers, share spectrum with PLC systems without reported interference. As discussed the exact scope of acceptable amateur operations in the band is a matter that warrants further examination.

The Commission was unconvinced by the claims of the Utilities Telecom Council (UTC) and electric utility commenters that coexistence of amateur stations and PLC systems is not possible. These claims largely rest on the assumption that amateur stations in the band would operate under the rules applicable to other amateur bands which, in general, permit mobile operations and operations at high power and with any type of antenna. The Commission determined that it will have to establish appropriate requirements to ensure compatibility with PLC systems. Such requirements will likely include limiting amateur operation to fixed locations that are suitably distant from the transmission lines upon which PLC systems operate, as well as imposing power limits and other technical rules to govern amateur operations. The Commission found that the existing record offers useful comments in this regard. For example, American Electric Power Company (AEP), while opposed to the proposed allocation, also acknowledged that amateur radio operations would likely have to ''include an extremely large

antenna or [be in] very close proximity to a transmission line'' to raise interference concerns. Amateur radio operator John H. Davis agreed with UTC's statement that the Commission's suggestion in the *WRC–07 NPRM* to limit antenna height ''would help to provide some basis upon which to further develop a coexistence mechanism for fixed amateur radio operations, but not for mobile.''

The Commission reached this decision because there are tangible benefits in providing for licensed amateur use in the 135.7–137.8 kHz band. Besides promoting harmonization with relevant WRC–07 decisions, the addition of a secondary amateur allocation provides amateur operators with new opportunities for experimentation with equipment, techniques, antennas, and propagation phenomena in a frequency range that is significantly different from all other bands allocated for this service. However, given that the band is of interest to the amateur community for its experimentation potential—in contrast to the routine and widespread communication activities among users that are common characteristics of other amateur bands—the Commission anticipates that the amateur interest in the band will continue to be limited and specialized.

The Commission also recognized the importance of PLC systems operating under § 15.113 of its rules. UTC and the utilities emphasized the continued importance of PLC systems to the reliability of electric service. AEP stated that PLC systems are used extensively because they are a cost-effective component of a power system protection scheme. According to UTC there are now almost 2,100 PLC transmitters operating in this frequency band. Great River Energy (GRE) stated that interference from amateur stations could potentially cause protective relaying equipment to fail to operate, which could result in damage to transformers and other equipment that cost millions of dollars, in addition to causing power outages to thousands of people. NextEra Energy, Inc. (NextEra) stated that it and other utilities are in fact being required to use the band more extensively to help ensure the reliability and security of electric service to the public. American Transmission Company LLC claimed that reallocation would require it and other electric utilities to abandon a large swath of already-crowded PLC spectrum for which there is no practical, cost- or time-effective substitute.

The amateur community made it clear that it has no intent to diminish or supplant PLC operations. Accordingly, the Commission took a measured and deliberate approach to the introduction of licensed amateur operations into the band. The secondary amateur allocation the Commission adopted does not by itself convey authority to amateur licensees to operate in the band. Rather, the Commission deferred consideration of the appropriate amateur rules for operation in the band to the accompanying *WRC–12 NPRM.* Amateur use will be governed by any future service rules that specify when, how, and under what conditions the Commission will permit amateur use of the 135.7–137.8 kHz band. The Commission intends to structure these service rules to promote compatible shared use of the band among amateurs and PLC systems, so that amateurs will not be able to use their allocation status to either force unlicensed PLC operations out of the band or impose costs on utilities to modify or abandon their existing PLC systems.

The Commission determined that taking steps to enhance efficient, shared use of the scarce spectrum resource both serves the public interest and promotes fundamental Commission spectrum management goals. The Commission recognized the relative public benefits of PLC and amateur radio, and it explicitly rejected the suggestion that it must choose one to the exclusion of the other, stating that its objective was to allocate spectrum on a secondary basis to amateur stations in a manner that is compatible with existing PLC systems. However, the Commission also anticipated that amateur operators would make use of the allocation in a manner that is less burdensome and more productive than they are currently afforded under the experimental authorization process.

In making this secondary amateur service allocation, the Commission acknowledged that it followed a different path than the Commission did in its *2003 Amateur Radio R&O.* However, the Commission's decision both recognized and built on the foundation the Commission laid in its *2003 Amateur Radio R&O.* The *2003 Amateur Radio R&O* implicitly assumed that amateur stations would not operate at fixed locations. The service rules that the Commission proposed include appropriate limitations, such as restricting amateur stations to fixed locations suitably distant from PLC operations, that it believes will permit shared use of the band. Moreover, the Commission observed that the spectrum management landscape has changed since 2003. The Commission has adopted spectrum sharing arrangements in a number of other bands, which makes it confident that a coexistence arrangement between amateur stations and PLC systems is possible. Advancements in geographic information system (GIS) technologies and mapping capabilities provide further assurances that mechanisms exist for maintaining sufficient distances between amateur sites and the transmission lines used by PLC systems.

For these reasons, the Commission concluded that it is in the public interest to add a secondary amateur service allocation to the non-Federal Table in the 135.7–137.8 kHz band. In accordance with the *WRC–07 Final Acts,* the Commission also restricted use of this secondary amateur service allocation to amateur stations transmitting a maximum equivalent isotropically radiated power (EIRP) of 1 watt, by adding a reference to RR 5.67A to the U.S Table for this band.

Raising the Amateur Service in the 1900–2000 kHz Band to Primary Status. The Commission allocated the 1900–2000 kHz (160 meter) band to the amateur service on a primary basis, and as described below, removed the primary radiolocation service (RLS) allocation from the U.S. Table. This action supported the increased spectrum use of the 160 meter band reported by commenters and provided spectrum support for the emergency communications that the amateur radio community provides. This action also provided the amateur service with the long-term security that primary status entails, to the benefit of those licensees who seek to operate in the 160 meter band. The National Telecommunications and Information Administration (NTIA) did not inform the Commission of any Federal RLS requirements in the 1900–2000 kHz band, and thus the Commission took no additional action in this regard.

Although the Commission had believed that there was no non-Federal RLS use of the 1900–2000 kHz band, the record indicated that there are maritime users, including the U.S. ''high seas'' migratory species fishing fleet, which make use of radio buoys in both the Atlantic and Pacific oceans as well as within 200 nautical miles of the coastline. The Commission did not identify these users in the *WRC–07 NPRM* because they did not appear in its licensing database. The Commission's part 90 rules allow any person engaged in commercial activity to obtain a license to use the 1900–2000 kHz band for radiolocation. ITM Marine (ITM) holds a Grant of Equipment Authorization issued under the authority of the Commission to sell

''radio buoys'' that operate in the 1900–1999 kHz band pursuant to its part 90 rules. Apparently, fishing vessels have operated radio buoys in U.S. waters under the belief that a ship station license issued under part 80 of the Commission's rules permits operation of the buoys. However, the Commission noted that a part 80 license applies only to stations in the maritime services and does not permit operation of radio stations that require a part 90 license, such as the radio buoys at issue here.

For purposes of updating and revising the Allocation Table, the Commission took account of radio buoy use on the open sea by continuing to provide for a significantly restricted use of the current RLS allocation in the 1900–2000 kHz band. Specifically, the Commission removed the primary RLS allocation from the U.S. Table and added new footnote NG92, which provides for radio buoy operations in the 1900–2000 kHz band on a primary basis in Region 2 and on a secondary basis in Region 3 (which is consistent with the existing primary/secondary Regional distinction for RLS), limited to operations on the open sea. In addition, the Commission amended the Radiolocation Service Frequency Table in § 90.103(b) of its rules by removing the 1900–2000 kHz band. By doing so, the Commission provided the amateur service with primary and exclusive use of the 1900–2000 kHz band on the land territory of the United States and its insular areas. Further, the Commission implemented its proposal to remove the 1900–2000 kHz segment from § 97.303(c), and consistent with ARRL's comments, to remove § 97.303(g) in its entirety from its rules.

The Commission nevertheless recognized the public benefit associated with the use of radio buoys by the U.S. commercial fishing fleet. In the companion *WRC–12 NPRM,* the Commission proposed revisions to the Commission's rules that would provide radio buoy operators a legitimate path to operate. In the meantime, the Commission adopted a waiver, on its own motion, of §§ 80.375 and 90.103 of the rules to allow operation of Commission-approved 1900–2000 kHz radio buoys on the open sea by commercial fishing vessels that have a valid ship station license under § 80.13 of its rules. The Commission concluded that grant of this waiver is in the public interest. Use of these radio buoys allows such commercial fishing vessels to locate their fishing lines and nets more quickly, which saves them fuel and time and reduces the likelihood that fishing lines and nets will be lost. Given that the radio buoys appear to use low power and narrow bandwidths, the Commission stated its belief that they can be accommodated with minimal impact on amateur users. Based on the information that the Commission received from ITM, it structured the waiver to authorize offshore radio buoy use by commercial fishing vessels. However, the Commission noted that, if there are commercial fishermen currently using radio buoys on the Great Lakes or inland waters, they may request waivers regarding their current operations. Lastly, the Commission granted this waiver pending the outcome of the *WRC–12 NPRM,* and without prejudice to enforcement regarding prior unauthorized radio buoy operations.

Finally, in their comments, Todd Carpenter and Ken Reid suggested that since few, if any, signals of any type are heard in the 2000–3300 kHz range, secondary amateur band privileges could be authorized in this band. James E. Whedbee requested that the Commission permit the amateur service to operate in the spectrum below 9 kHz on an unallocated basis. The Commission observed that these issues fall outside the scope of the *WRC–07 NPRM* and raise new technical and policy considerations. The Commission therefore declined to address these comments in this proceeding.

B. Aviation Services Use of VHF, UHF, and SHF Bands

Aeronautical Mobile (R) Service Allocation in the 108–117.975 MHz Band. In view of the Federal Aviation Administration's decision to not pursue its proposed frequency notification requirements for FM radio stations, the Commission implemented NTIA's recommended changes in the 108–117.975 MHz band. Specifically, the Commission added a reference to international footnote (RR) 5.197A in the 108–117.975 MHz band within the U.S. Table. By this action, the Commission allocated the 108–117.975 MHz band to the AM(R)S on a primary basis for Federal and non-Federal use, limited the use of this allocation to systems operating in accordance with recognized international aeronautical standards, required that such use be in accordance with Resolution 413 (Rev. WRC–12), and limited AM(R)S use of the 108–112 MHz sub-band to systems composed of ground-based transmitters and associated receivers that provide navigational information in support of air navigation functions. Because Differential-Global-Positioning-System (DGPS) stations in the 108–117.975 MHz band will be authorized under the AM(R)S allocation, now codified in RR 5.197A, the Commission revised footnote US343 to remove the reference to the 108–117.975 MHz band and renumber this footnote as US85.

Aeronautical Mobile Service Allocation in the 5091–5150 MHz Band. The Commission allocated the 5091–5150 MHz band to the AMS on a primary basis for Federal and non-Federal use, and limited the use of this allocation by adopting new footnote US444B. This footnote restricts the use of the AMS allocation to AM(R)S systems, limited to surface applications at airports that operate in accordance with international aeronautical standards and Resolution 748, and to AMT transmissions from aircraft stations that operate in accordance with Resolution 418. These use restrictions are based on the WRC–12 version of RR 5.444B.

In response to NTIA's request, the Commission expressly permitted aeronautical fixed communications that are an integral part of the AeroMACS system to be authorized on a primary basis for Federal and non-Federal use. The AeroMACS system has been designed to support both fixed and mobile applications, and is consistent with the intent of the U.S. Proposals and WRC–07's actions. These fixed applications will be part of a larger system of surface applications at airports. Adopting NTIA's request of extending primary status to these fixed applications does not undercut, nor does it fundamentally depart from, the Commission's initial proposal. This allocation, together with the AM(R)S allocation, is expected to support the introduction of applications and concepts in air traffic management that are data intensive. This decision is also codified in new footnote US444B.

The Commission also adopted its proposal to restrict AMT use of the 5091–5150 MHz band to the 52 flight test areas listed in proposed footnote US111 and to allow additional locations to be authorized for flight testing on a case-by-case basis. At the request of commenters, the Commission authorized the use of this AMT band at Boeing's new facility in Charleston, South Carolina as an additional location. Also, at the request of NTIA, the Commission urged operators of AM(R)S and AMT systems at the six requested airports to cooperate with each other and exchange information about planned deployments of their respective systems, noting that such cooperation will enhance the prospects for compatible sharing of the band. The Commission further noted that other airport locations may be addressed in a similar manner on a case-by-case basis. Finally, at NTIA's request, the

Commission provided airport surface wireless systems operating in the AM(R)S, *i.e.,* AeroMACS, with priority over AMT systems in the 5091–5150 MHz band.

The Commission took four additional actions. First, it implemented WRC–07's decision to reduce the amount of spectrum in which Microwave Landing System (MLS) requirements take precedence over other uses by removing the 5091–5150 MHz band from footnote US444. Second, the Commission extended the date after which no new assignments may be made to fixed-satellite service (FSS) earth stations providing feeder links for to non-geostationary satellite orbit systems in the mobile-satellite service to January 1, 2016 by revising footnote US444A. Third, with the concurrence of NTIA, the Commission declined to authorize aeronautical security transmissions in the 5091–5150 MHz band. These three actions conform these Commission's rules to the 2012 ITU *Radio Regulations.* Consistent with NTIA's WRC–12 Implementation Recommendations, the Commission codified these decisions by revising the text of footnotes US444 and US444A in the Allocation Table. Fourth, the Commission moved the portion of RR 5.367 that was deleted by WRC–12 into footnote US367. This action allows the Commission to update the International Table within § 2.106, while maintaining the *status quo* in the U.S. Table, until such time as it can consider any pertinent comments that may be filed in response to the *WRC–12 NRM.*

Deletion of the AMT Allocations from 2310–2320 MHz and 2345–2360 MHz. The Commission removed the non-Federal AMT allocation from the 2310–2320 MHz band and restricted the availability of the non-Federal AMT allocation in 2345–2360 MHz band to incumbent licensees. The Commission also removed the availability of two unused commercial launch frequencies. To provide for the orderly relocation of incumbent AMT operations from the 2345–2360 MHz band, the Commission established a transition period that will end on January 1, 2020. The Commission codified these decisions by modifying the text of footnote US339 and by renumbering the resultant text as footnote US100. Because the Commission adopted a transition plan that is consistent with AFTRCC's recommendation, it agreed with Boeing that there will likely be little to no adverse impact on AMT operations.

Deletion of the Radionavigation Service Allocation from 24.75–25.05 GHz. The Commission removed the radionavigation service (RNS) allocation in the 24.75–25.05 GHz band from the Federal and non-Federal Tables. As a result of this action, the 300 megahertz of RF spectrum contained within this band is allocated exclusively to the FSS (Earth-to-space) for non-Federal use. The Commission also expanded the permitted uses of this FSS allocation from BSS feeder links to all FSS uses. Consistent with the international use limitation contained in RR 5.535, the Commission provided broadcasting-satellite service (BSS) feeder links with ''priority'' over all other FSS uses, *i.e.,* all other FSS uses ''shall protect and shall not claim protection from existing and future'' BSS feeder link networks. The Commission codified this decision in the Allocation Table by revising the text of footnote NG167 to parallel the text of RR 5.535 for the 24.75–25.05 GHz band, and by renumbering the resulting footnote as NG535. In addition, the Commission removed the 24.75–25.05 GHz band from §§ 87.173(b) and 87.187(x) of the Commission's rules, and consequently, deleted the part 87 cross-reference for this band from the Allocation Table. While the Commission adopted in part the proposal from the Xanadoo Company and Spectrum Five LLC with respect to removal of the unused RNS allocation, it found that no further action on the other elements of their petition is warranted at this time. If, in the future, requests for licensing or other market developments suggest a demand exists for additional FSS uses of the 24.75–25.05 GHz band, the Commission will initiate a separate rulemaking proceeding to examine whether any specific rules are necessary to support such uses consistent with the priority afforded to BSS feeder links in this band.

Updates to Part 87 Aviation Services Rules. Consistent with the changes proposed to the Allocation Table in the *WRC–07 NPRM,* the Commission proposed to make amendments to nine rule sections in part 87 of its rules. In the *WRC–07 R&O,* the Commission adopted those proposals. Specifically, the Commission amended part 87 of its rules to bring the new AMT allocation in the 5091–5150 MHz band into immediate effect and to remove all references to the unused secondary AMT allocation in the 2310–2320 MHz band. The Commission also amended part 87 by removing all references to two previously deleted AMT bands (1525–1535 MHz and 2320–2345 MHz) and by listing a previously allocated AMT band (2390–2395 MHz, generally shown as part of the larger 2345–2395 MHz band) in all appropriate rule sections. As a result of this action, the correct AMT bands—1435–1525 MHz, 2345–2360 MHz (until the conclusion of the transition period), 2360–2395 MHz, and 5091–5150 MHz—are specified throughout part 87. In addition, the Commission amended part 87 of the Commission's rules as follows:

- Added the term ''flight telemetering mobile station'' to the list of definitions in § 87.5, used this term in the affected rules, clarified that five frequencies in the 1435–1525 MHz band (1444.5, 1453.5, 1501.5, 1515.5, and 1524.5 MHz) are shared with flight telemetering mobile stations ''on a co-equal basis'' with AMT operations, and renumbered footnote US78 as US343.
- Amended § 87.133(f) by specifying that the carrier frequency tolerance of all transmitters that operate in the 5091–5150 MHz band is 0.005 percent, and revised the existing text to specify that the carrier frequency tolerance of all transmitters that operate in the 1435–1525 MHz or 2345–2395 MHz band is 0.002 percent.
- Updated the AMT bands listed in § 87.137(a), note 8, § 87.139, and § 87.173(b).
- Amended § 87.173(b) by revising the entry for the ''5000–5250 MHz'' band to read ''5030–5150 MHz'' and by adding an entry for the ''24450–24650 MHz'' band in the frequency table. The Commission also specified that the 24450–24650 MHz band is available under Subpart F (Aircraft Stations) and Subpart Q (Stations in the Radiodetermination Service), restricted the use of this band to aircraft stations and radionavigation land stations, and listed aeronautical radionavigation under the ''Remarks'' heading.
- Update the AMT bands listed in § 87.187(p), by listing the 2360–2395 MHz (primary allocation) and 2345–2360 MHz (secondary allocation) bands and the three frequencies (2364.5 MHz, 2370.5 MHz, and 2382.5 MHz) that may be assigned for telemetry and associated telecommand operations of expendable and re-usable launch vehicles, whether or not such operations involve flight testing.
- Amended § 87.303(d) to make the 5091–5150 MHz band available for aeronautical mobile telemetry. Specifically, the Commission inserted introductory language listing the available bands; added new text to paragraph (d)(2) to specify use of the 5091–5150 MHz band and to cross-reference footnote US111; and moved and updated the text that is currently listed in paragraph (d)(2) to paragraph (d)(3).
- Amended § 87.475(b)(11) by revising the frequency band that can be used for microwave landing systems (MLS) from ''5000–5250 MHz'' to ''5030–5150 MHz'' and § 87.475(b)(14) by revising a frequency band that can be used for land-based radionavigation aids that operate with airborne radionavigation devices from ''24,250–25,250'' to ''24,450–24,650'' MHz.

The Commission observed that it certifies frequency coordinators, considers petitions seeking review of coordinator actions, and engages in oversight of coordinator actions and practices, and further observed that

AFTRCC is the ''frequency advisory committee'' specified in § 87.305(a)(1) of the Commission's rules. As a consequence of its actions in this proceeding, and at its explicit request, the Commission noted that AFTRCC's authority to act as the non-Federal coordinator for flight test frequencies now extends to the 1435–1525 MHz, 2360–2395 MHz, and 5091–5150 MHz bands, and until the conclusion of the transition period, to the 2345–2360 MHz band.

C. Protecting Passive Sensors From Unwanted Emissions and In-Band Active Services

WRC–07 adopted provisions to protect passive sensors from the interference caused by the operation of certain radiocommunication services that: (1) Transmit in two bands (10.6–10.68 GHz and 36–37 GHz) that are allocated to the Earth exploration-satellite service (EESS) (passive) (*i.e.,* in-band active services); and (2) transmit in frequency bands that are near or adjacent to five EESS (passive) bands (1400–1427 MHz, 23.6–24 GHz, 31.3–31.5 GHz, 50.2–50.4 GHz, and 52.6–54.25 GHz). Specifically, WRC–07 added RR 5.338A to the International Table and adopted Resolution 750. In this section, the Commission adopted new rules to protect passive sensors from certain non-Federal services that operate in the 1435–1452 MHz, 10.6–10.68 GHz, 22.55–23.55 GHz, and 31–31.3 GHz bands.

Aeronautical Mobile Telemetry in the 1435–1452 MHz Sub-band. The Commission adopted its proposal to add new footnote US338A to the Allocation Table. That footnote encourages operators of aeronautical telemetry stations in the 1435–1452 MHz sub-band to take all reasonable steps to ensure that their AMT transmitters' unwanted emissions power does not exceed −28 dBW/27 MHz in the 1400–1427 MHz band. In addition, the Commission required operators of AMT stations that do not meet WRC–07's recommended unwanted emissions level first attempt to operate in the 1452–1525 MHz sub-band before operating in the 1435–1452 MHz sub-band. Given that the record indicates that most AMT operations now meet the WRC–07 unwanted emissions level, the Commission observed that this requirement should not impact most AMT operations. The Commission also amended § 87.139 by adding paragraph (m) to reflect the text of footnote US338A.

Fixed Stations in the 10.6–10.68 GHz Band. The Commission adopted the proposed changes to footnote US265. Specifically, the Commission restricted the transmitter power delivered to the antenna to not more than −3 dBW, added WRC–07's recommended sharing criteria for fixed point-to-point systems (and explicitly restrict use of the 10.6–10.68 GHz band to fixed point-to-point systems), urge (but not require) the use of ATPC, and permitted licensees holding a valid authorization as of the effective date of this *Report and Order* to continue to operate as authorized. Based on the record, the Commission found that it should also restrict the elevation angle of the antenna main beam of fixed stations that transmit in the 10.6–10.68 GHz band to a maximum of 20°, instead of simply urging operators of fixed stations to apply this limit. The Commission found that doing so will ensure that EESS operations are afforded protection, without appearing to impose a significant burden on existing operations. The Commission did not adopt the other proposals that were discussed in the *WRC–07 NPRM.* Specifically, the Commission found that making ATPC use mandatory would impose costs that are unwarranted, given its decision to adopt a 20° elevation angle limit. The Commission also found compelling Comsearch's arguments about the burdens associated with requiring fixed stations using paired frequencies to transmit on frequencies in the 10.6–10.68 GHz band using the lower elevation angle. By contrast, the Commission's decision to adopt of a maximum 20° elevation angle limit will provide benefits to EESS operations with little or no effect on 10.6–10.68 GHz band licensees.

The Commission codified this decision by revising the text of footnote US265 and renumbering this footnote as US482. The Commission amended § 101.111 by adding new paragraph (d)(1) to reflect this decision in part 101 of its rules.

Inter-Satellite Links in the 22.55–23.55 GHz Band. In Resolution 750, WRC–07 adopted mandatory unwanted emissions limits of: (1) −36 dBW in any 200 megahertz of the 23.6–24 GHz EESS (passive) band for non-geostationary satellite orbit systems in the inter-satellite service (NGSO ISS) that operate in the 22.55–23.55 GHz band for which complete advance publication information is received by the ITU (*i.e.,* its Radiocommunication Bureau) before January 1, 2020; and (2) −46 dBW in any 200 megahertz of the 23.6–24 GHz EESS (passive) band for NGSO ISS systems that operate in the 22.55–23.55 GHz band for which complete advance publication information is received by the ITU on or after January 1, 2020.

The Commission implemented WRC–07's mandatory unwanted emissions limits in the 23.6–24 GHz band for all new NGSO ISS systems that will operate in the 22.55–23.55 GHz band. The Commission codified this decision by adding footnote US145 to the Allocation Table and by amending § 25.202 to reflect the text of footnote US145 in part 25 of the Commission's rules.

Fixed Stations in the 31–31.3 GHz Band. In Resolution 750, WRC–07 adopted a mandatory unwanted emissions limit of −38 dBW in any 100 megahertz (−38 dBW/100 MHz) of the 31.3–31.5 GHz EESS (passive) band for stations in the fixed service that operate in the 31–31.3 GHz band and are brought into use after January 1, 2012. The Commission adopted WRC–07's mandatory unwanted emissions limit for new fixed stations transmitting in the 31–31.3 GHz band. To ensure that equipment meeting this new requirement is designed, authorized, and manufactured in an orderly manner, the Commission delayed this rule from taking effect until three years from the effective date of this *Report and Order.* As such, this rule will not apply to previously constructed facilities or to new facilities authorized prior to that date. The Commission codified its decision by adding new footnote NG60 to the Allocation Table. The Commission also amended § 101.111 by adding paragraph (d)(2) in order to reflect the text of footnote NG60 in part 101 of the Commission's rules.

VHF Maritime Mobile Band (156–162 MHz)

In this section, the Commission implemented its proposed actions for the VHF maritime mobile band (156–162 MHz), except that, based on its review of the NTIA WRC–12 Implementation Recommendations, the Commission: (1) Declined to adopt two of the proposed changes, as discussed below; and (2) implemented the WRC–12 allocation changes in the two bands currently used by Automatic Identification Systems (AIS). By these actions, together with the proposals in the *WRC–12 NPRM,* the Commission fully addressed NTIA's recommendations for the VHF maritime mobile band.

156.2475–156.7625 MHz. In this sub-section, the Commission adopted the proposals regarding this band that it made in the *WRC–07 NPRM,* except as described below. First, the Commission amended the U.S. Table by: (1) Dividing the 156.2475–156.7625 MHz band into three bands (156.2475–156.5125 MHz, 156.5125–156.5375 MHz, and 156.5375–156.7625 MHz); (2) allocating the new 156.5125–156.5375 MHz band (channel 70 with the center frequency 156.525 MHz) to the maritime mobile service (MMS) on a primary basis for Federal and non-Federal use; (3) restricting the use of the MMS allocation in the 156.5125–156.5375 MHz band to distress, urgency, safety, and calling via digital selective calling (DSC); and (4) maintaining the existing primary MSS allocation for non-Federal use in the 156.2475–156.5125 MHz and 156.5375–156.7625 MHz bands.

Second, the Commission allocated the 156.4875–156.5125 MHz and 156.5375–156.5625 MHz bands (50 kilohertz in total) to the fixed and land mobile services on a primary basis for non-Federal use in VHF Public Coast Station Areas 10–42. In making these allocations, the Commission required that the use of these bands by the fixed and land mobile services not cause harmful interference to, nor claim protection from, the maritime mobile VHF radiocommunication service. The Commission codified these decisions by adding footnote US227 to the Allocation Table.

Third, the Commission made the frequencies 156.525 MHz (channel 70) and 156.800 MHz (channel 16) available for search and rescue (SAR) operations that involve manned space vehicles by adding references to RR 5.111 in the bands within the U.S. Table that contain these frequencies, *i.e.,* the 156.5125–156.5375 MHz and 156.7625–156.8375 MHz bands.

Fourth, the Commission re-inserted RR 5.226 (previously numbered as RR 5.227) into the U.S. Table and deleted footnote US226. Fifth, the Commission corrected two grammatical/typographical errors in the text of NG117 and renumbered that footnote as NG22.

Sixth, the Commission simplified the U.S. Table by combining the text from footnotes US77 (which specified that certain channels could be assigned to Federal stations in the MMS) and US106 (which specified the

frequency to be used for environmental communications) and numbered the resultant footnote as US52. The Commission also permitted aircraft stations to use the frequency 156.3 MHz for search and rescue operations and other safety-related communications. However, based on its review of the NTIA WRC–12 Implementation Recommendations, the Commission declined to adopt two of the proposed changes in new footnote US52 because those modifications would be inconsistent with NTIA's recommendations. Specifically, the Commission declined to adopt proposed paragraph (c), which pertains to MMS use of 156.775 (channel 75) and 156.825 MHz (channel 76), because WRC–12 designated these frequencies for AIS use. The Commission also declined to adopt proposed paragraph (a), which would have limited Federal use of the frequency 156.375 MHz to the lower Mississippi River.

Extending Automatic Identification System (AIS) Capabilities. In this sub-section, the Commission addressed NTIA's recommended restrictions on AIS operations, and codified its decision in new footnote US52. The Commission implemented the *WRC–12 Final Acts* in the two existing AIS bands as follows. First, consistent with both the *WRC–07 NPRM* and with the *U.S. Proposals for WRC–12,* the Commission allocated the AIS 1 and AIS 2 bands to the AM(OR)S and MSS (Earth-to-space) on a primary and co-equal basis with the MMS for Federal and non-Federal use, limited to the transmission of AIS emissions, and added a reference to RR 5.228C in the U.S. Table. This action provided the allocations that are necessary to support maritime safety requirements. Specifically, the primary AM(OR)S and MSS (Earth-to-space) allocations support the IMO's decision to include a distress alert notification within AIS Class A position report messages.

Second, the Commission revised the text of footnote US228 by applying the existing MMS restriction to AIS emissions to the new MSS (Earth-to-space) allocation. The Commission also restricted the use of these frequencies by the AM(OR)S to AIS emissions from search and rescue aircraft operations. The Commission also further simplified the grandfathering text that is currently in footnote US228. In doing so, the Commission retained the existing March 2, 2024 sunset date, by which all non-AIS operations must cease operations in the AIS 1 band. The Commission noted that RR 5.228D encourages it ''to make all practicable efforts to discontinue the use of these bands by the fixed and mobile services prior to the transition date.'' The Commission placed the revised text of US228 into new footnote US52 as new paragraph (a). Finally, the Commission declined to add a reference to RR 5.228D in the U.S. Table. The Commission did not list this international footnote in the U.S. Table because paragraph (a) of new footnote US52 will codify its decision to grandfather the only non-AIS uses in these bands.

The Commission also updated § 80.371(c) of its rules by removing the second and last sentences from note 3 (which conveys the same now-obsolete grandfathering information that was listed in paragraphs (a) and (c) of footnote US228).

Additional Federal Coordination Areas in the 17.7–20.2 GHz Range

The Commission adopted its proposal to add the San Miguel, California and Guam coordination areas to the Allocation Table and to §§ 1.924(e), 74.32, and 78.19(f) of its rules. The Commission also adopted its proposal to amend footnote US334 by limiting the primary allocation status of Federal earth stations to the Denver, Washington, DC, San Miguel, and Guam coordination areas; however, on its own motion, the Commission applied these geographic restrictions across the entire 17.8–20.2 GHz range (instead of the just 17.8–18.3 GHz and 19.3–19.7 GHz bands). In taking this action, the Commission did not preclude the consideration of a limited number of future Federal earth stations that would support critical national security requirements. The Commission stated that it expects that NTIA will carefully coordinate any future sites with the Commission to ensure minimal impact to fixed stations.

In order to simplify and clarify its decision in the Allocation Table, the Commission moved the coordination requirement for fixed stations that support Multichannel Video Programming Distributor (MVPD) operations in the 17.7–17.8 GHz band from footnote US401 to US334. By this action, the Commission required that if the station or proposed station is located in whole or in part within the Denver, Washington, DC, San Miguel, or Guam coordination area, any application for a new station license to provide MVPD operations in the 17.7–17.8 GHz band or to operate in the 17.8–19.7 GHz band for any service, or for modification of an existing station license in these bands that would change the frequency, power, emission, modulation, polarization, antenna height or directivity, or location of such a station, must be coordinated with NTIA before an authorization will be issued. The Commission stated that it is convinced that this action is necessary to support important national defense interests, as described by NTIA.

The Commission declined to make any of the coordination and authorization process changes suggested by Comsearch. The Commission agreed with NTIA that the existing procedures—in particular the Frequency Advisory Subcommittee (FAS) coordination process and its established standards for timely review—represent the most appropriate mechanism for accommodating the differing Federal/non-Federal interests in the band. The Commission observed that, currently, NTIA responds to an assignment request through the existing process within nine business days on average, unless the request is tabled for insufficient information. The approach that the Commission took to facilitate Federal/non-Federal shared use—coordination only in limited geographic areas—allowed it to balance the need to protect important national priorities with the interest in promoting robust commercial use. Additionally the Commission observed that there is nothing distinctive about the new San Miguel and Guam areas that would preclude the use of that approach there. While the Commission recognized that parties may logically differentiate between deciding to pursue licensing in spectrum requiring coordination with Federal government users versus spectrum that does not have such a pre-condition to use, it could not conclude that such differences warrant a departure from its present practices. The Commission stated that it believes that the most effective way to address Comsearch's concerns is to work to facilitate greater efficiencies within the existing coordination framework. NTIA noted that ''federal agencies have worked proactively and directly with fixed station applicants to develop plans to mitigate potential interference where predicted,'' and suggested that the Commission continue to promote such dialogue at the beginning stages of the coordination process. The Commission agreed and encouraged prospective licensees to engage in early discussions with the relevant federal agencies when they wish to apply for frequencies in the Denver, Washington, San Miguel, and Guam coordination areas.

Finally, the Commission took additional steps, consistent with the proposals set forth in the *WRC–07 NPRM,* to promote efficient use of the 17.7–19.7 GHz range and to otherwise improve its existing rules. Specifically, the Commission removed the unused circular area for Morrison, Colorado from § 78.19(f). The Commission also moved the revised text in paragraph (e) of § 1.924 to paragraph (f). The Commission amended footnote NG144 and renumbered this footnote as US139. The Commission also amended § 101.31(b)(1) by removing the 11.7–12.2 GHz and 18.3–19.3 GHz bands from the list of frequency bands eligible for conditional authorization. However, the Commission declined to make any changes to the coordination requirements for MVPD operations in § 74.32, or to references in § 1.924 to MVPD operations pursuant to parts 74 and 78. Because no commenter addressed the question raised in the *WRC–07 NPRM* regarding whether these references remain relevant, the Commission found no pressing need to address these rules at this time.

Rulemaking Proposals That Did Not Receive Any Specific Comments

In this section, the Commission considered proposals that it made in the *WRC–07 NPRM,* but that did not receive any specific comments. In the *WRC–07 NPRM,* the Commission set forth in detail why it believed each of the proposals discussed below would implement important U.S. policy goals and serve the public interest. As there is nothing in the record to give the Commission cause to revise or reconsider these proposals, it amended §§ 2.1, 2.100, and 2.106 of its rules, as described below.

Active Service Issues

Radiolocation Use of 420–450 MHz. The Commission amended the quiet zone rules in § 1.924(f) to reflect the areas listed in paragraph (a) of footnote US270, limit the applicability of this rule to radiolocation systems, and move the revised text from paragraph (f) to paragraph (e).

Mobile Meter Reading Use of 928–960 MHz. The Commission amended footnote NG120 by revising ''band 928–960 MHz'' and ''mobile operations'' to ''bands 928–929 MHz, 932–932.5 MHz, 941–941.5 MHz, and 952–960 MHz'' and ''associated mobile operations,'' respectively, and deleting the phrase ''as specified in 47 CFR part 101.'' The Commission codified this decision by renumbering the revised text from footnote NG120 as NG35 in the Allocation Table.

Aeronautical mobile (R) service allocation in the 960–1164 MHz band. The Commission allocated the 960–1164 MHz band to AM(R)S on a primary basis for Federal and non-Federal use, and restricted the use of this allocation by adding a reference to RR 5.327A in the U.S. Table. By adding RR 5.327A to the U.S. Table, the Commission required that any AM(R)S systems operating in the 960–1164 MHz band do so in accordance with recognized international aeronautical standards and with Resolution 417. In Resolution 417, WRC–12 resolved, *inter alia,* that any AM(R)S systems operating in the 960–1164 MHz band shall meet standards and recommended practices (SARPs) requirements published in Annex 10 to the Convention on International Civil Aviation; and that administrations intending to implement AM(R)S in the 960–1164 MHz band, in order not to cause harmful interference to the radionavigation-satellite service in the band 1164–1215 MHz, shall utilize the specified criteria. The Commission also removed footnote US400, which is now duplicative of the broader AM(R)S allocation, from the Allocation Table.

Feeder Link Allocations near 1.4 GHz. The Commission removed the non-Federal FSS allocations from the 1390–1392 MHz and 1430–1432 MHz bands and removed footnote US368 from the list of U.S. footnotes. As the Commission proposed in the *WRC–07 NPRM,* it also combined the text of footnote US37 and the portion of footnote US398 that prohibits airborne and space-to-Earth operations, and numbered the resulting footnote as US79. In addition, the Commission removed footnotes US37 and US398 from the list of U.S. footnotes and revised footnote US74 to remove the phrase ''(see US368).''

Radiolocation and Active Sensors in the 9–10 GHz Range. The Commission upgraded the secondary Federal radiolocation service allocation in the 9000–9200 MHz and 9300–9500 MHz bands to primary status, allocated the 9300–9500 MHz band to the EESS (active) and the space research service (SRS) (active) on a primary basis for Federal use, allocated the 9800–9900 MHz band to the EESS (active) and the SRS (active) on a secondary basis for Federal use, and removed footnotes US48 and US51 from the U.S. Table. In addition, the Commission added RR 5.473A to the Federal Table in the 9000–9200 MHz band, RR 5.475A and RR 5.475B to the Federal Table in the 9300–9500 MHz band, and footnote US476A to the U.S. Table in the 9300–9500 MHz band.

The Commission allocated the 9300–9500 MHz and 9800–9900 MHz bands to the EESS (active) and SRS (active) on a secondary basis for non-Federal use. The Commission merged the 9500–9800 MHz and 9800–9900 MHz bands to form the 9500–9900 MHz band in the non-Federal Table.

The Commission listed RR 5.475 to the right of the radionavigation service allocation in the 9300–9500 MHz band of the International Table, so that it is clear that RR 5.475 applies only to the aeronautical radionavigation service. To help simplify the U.S. Table, the Commission renumbered footnote US66 as US475.

Meteorological Satellite Use of 18–18.1 GHz. The Commission allocated the 18–18.1 GHz band to the meteorological satellite-service (space-to-Earth) (MetSat downlink) on a primary basis for Federal and non-Federal use. This action extended the existing 18 GHz MetSat downlink band (18.1–18.3 GHz) from 200 to 300 megahertz. The Commission codified this decision by amending footnote US519.

Passive Service Issues

Urging for 1.4 GHz Licensees. To protect passive sensors in the 1400–1427 MHz band from harmful interference, in Resolution 750, WRC–07 adopted non-mandatory unwanted emissions levels in the 1400–1427 MHz band for stations in the fixed service (FS) and mobile service (MS) that operate in the 1390–1395 MHz and 1427–1435 MHz bands. As proposed, the Commission urged licensees authorized under parts 27 and 90 of its rules that operate fixed point-to-point stations or stations in the mobile service in the 1390–1395 MHz and 1427–1435 MHz bands to take all reasonable steps to ensure that their stations' unwanted emissions power does not exceed the unwanted emissions levels specified in ITU Resolution 750 in the 1400–1427 MHz band. The Commission codified this decision by adding footnote NG338A to the Allocation Table. To reflect the text of footnote NG338A in parts 27 and 90 of the rules, the Commission amended § 27.53 by renumbering paragraph (j) as paragraph (j)(1) and adding paragraph (j)(2) and amended § 90.210 by adding paragraph (c)(4).

Radio Astronomy Observatories in the 4 and 14 GHz Bands. As proposed, the Commission updated the list of radio astronomy stations observing in the 4825–4835 MHz (4 GHz) and 14.47–14.5 GHz (14 GHz) bands by revising the text of footnote US203 and renumbering it as footnote US113.

Sharing Criteria in the 36–37 GHz Band. To protect passive sensors in the 36–37 GHz band from harmful interference, WRC–07 adopted Resolution 752, which has mandatory sharing criteria for the Earth exploration-satellite service (EESS) (passive), FS, and MS in that band. As proposed, the Commission required that future MS and FS stations operating in the 36–37 GHz band do so in accordance with ITU Resolution 752. The Commission codified this decision by adding footnote US550A to the Allocation Table. However, the Commission declined to reflect this decision in part 101 of the rules at this time because it appears to be more appropriate to consider this issue in the context of a service rule proceeding. The Commission also revised footnote US263 by removing the 36–37 GHz band. The Commission codified this decision by renumbering the revised text of footnote US263 as US532 in the Allocation Table.

Earth Station Restrictions in the 49.7–50.2 GHz and 50.4–50.9 GHz Band. To protect passive sensors in the 50.2–50.4 GHz band from harmful interference, WRC–07 adopted in Resolution 750 with mandatory unwanted emissions limits in the 50.2–50.4 GHz band for earth stations in the fixed-satellite service (FSS) (Earth-to-space) that transmit in the 49.7–50.2 GHz and 50.4–50.9 GHz sub-bands. As proposed, the Commission required that licensees of these FSS earth stations comply with the mandatory unwanted emissions limits in ITU Resolution 750 in the 50.2–50.4 GHz band. The Commission codified this decision in its rules by adding footnote US156 to the Allocation Table. To reflect the text of footnote US156 in part 25 of the Commission's rules, the Commission amended § 25.202 by revising paragraph (f) to provide for an exception to the general emission limitations and by adding the adopted emission limits to new paragraph (j).

Fixed Station Restrictions in the 51.4–52.6 GHz Band. To protect passive sensors in the 52.6–54.25 GHz band from harmful interference, WRC–07 adopted Resolution 750 with a mandatory unwanted emissions limit in the 52.6–54.25 GHz EESS (passive) band for fixed stations that operate in the 51.4–52.6 GHz band. As proposed, the Commission required that future licensees of fixed stations transmitting in the 51.4–52.6 GHz band comply with the unwanted emissions limit in ITU Resolution 750 in the 52.6–54.25 GHz band. The Commission codified this decision by adding footnote US157 to the Allocation Table. However, the Commission declined to reflect this decision in part 101 of the rules at this time because it appears to be more appropriate to consider this issue in the context of a service rule proceeding.

Radio Astronomy Observatories in the 81–95 GHz Range. As proposed, the Commission updated footnote US388 by removing the Five Colleges Radio Observatory, adding the Heinrich Hertz Submillimeter Observatory (located at Mount Graham, Arizona), simplifying the text, and renumbering this footnote as US161. As a result, all non-Federal applications within 150 kilometers of the coordinates of the Heinrich Hertz Submillimeter Observatory (32°42′06″ N, 109°53′28″ W.) must be coordinated with NTIA to protect radio astronomy observations in the 81–86 GHz, 92–94 GHz, and 94.1–95 GHz bands.

Other Matters

The Commission amended the definition of two terms currently in § 2.1 of the rules and updated § 2.100 of the rules. For the definition of Earth exploration-satellite service in Section 2.1, the Commission made minor changes so that it agrees with the definition in the ITU *Radio Regulations.* For the definition of equivalent isotropically radiated power in § 2.1, the Commission added the parenthetical statement ''(absolute or isotropic gain).''

The Commission amended § 2.100 of the rules to state that the ITU *Radio Regulations,* Edition of 2008, have been incorporated to the extent practicable in part 2, except that the International Table within § 2.106 has been updated to reflect the ITU *Radio Regulations,* Edition of 2012.

Order (WRC–12 Order)

In the *Order,* the Commission took several non-substantive, editorial actions to update the Commission's rules. None of the rule changes discussed in this *Order* require prior notice and an opportunity for comment under the Administrative Procedure Act (APA). Section 553(b)(B) of the APA provides exceptions to the notice-and-comment requirements for rulemakings when, among other things, the agency finds for good cause that the notice and comment procedures are ''impracticable, unnecessary, or contrary to the public interest'' with respect to the rules at issue. The changes the Commission made in the rules correct minor errors in the Allocation Table, implement revisions adopted in prior Commission orders, and otherwise entail non-substantive matters. As such, they constitute routine, ''clean-up'' matters that entail no substantive decisions of any consequence or significance to industry or the general public. Accordingly, the Commission found that it is ''unnecessary,'' within the meaning of § 553(b)(B), to provide notice and an opportunity for comment before adopting these rule revisions.

First, the Commission updated the International Table within § 2.106 of the rules to reflect Article 5, § IV of the ITU *Radio Regulations,* Edition of 2012, except as described herein. Because WRC–12 made substantive changes to RR 5.565, which is currently referenced in the U.S. Table, it was necessary for the Commission to create new footnote US565, which replicates the pre-WRC–12 text of this international footnote. This action allowed the Commission to update the International Table within § 2.106, while maintaining the *status quo* in the U.S. Table until such time as it can consider any pertinent comments that may be filed in response to the *WRC–12 NPRM.*

During its preparation of this *Order,* the Commission discovered several display errors in the International Table. Consistent with past practice, the Commission did not replicate typographical or other errors that convey misleading information or could potentially cause reader confusion. Accordingly, the Commission incorporated the following corrections and updates in the International Table in § 2.106 of the Commission's Rules: First, the Commission removed various references to international footnotes in the Region 1 Table (*i.e.,* RR 5.72 in the 283.5–415 kHz range, RR 5.101 in the 1810–1850 kHz band, RR 5.272 and/or RR 5.273 in the 430–440 MHz range, and RR 5.397 in the 2450–2483.5 MHz band) because WRC–12 suppressed these footnotes. Second, the Commission alphabetically listed (per the French spelling) the services in the Region 3 Table for the 24.25–24.45 GHz band. The Commission based these corrections and updates upon the format specified in the ITU *Radio Regulations.*

With regard to international footnotes, the Commission simplified ten of them (5.197A, 5.286AA, 5.351A, 5.353A, 5.384A, 5.388, 5.389A, 5.389C, 5.444A, and 5.547). Specifically, the Commission updated the cross-references to eight ITU Resolutions (Resolutions 75, 114, 222, 223, 224, 225, 413, and 716) in these footnotes to the version listed in Volume 3 of the 2012 Edition of the ITU *Radio Regulations.* The Commission added the notation ''(FCC)'' to the end of the footnotes that it simplified. In addition, the Commission added the abbreviation ''(WRC–12)'' to the end of the international footnotes that were added or revised at WRC–12 to signify the source of the current footnote text. As a result of this action, note 1 of the FCC Online Table will be revised to read as follows: The International Table (columns 1–3 of § 2.106) reflects Article 5, Section IV of the ITU *Radio Regulations,* Edition of 2012, except for the revisions listed below:

Band; Table	Action
283.5–415 kHz range; Region 1	References to 5.72 have been removed.
1810–1850 kHz; Region 1	Reference to 5.101 has been removed.
430–440 MHz range; Region 1	References to 5.272 and/or 5.273 have been removed.
2120-2170 MHz; Regions 1 & 3	The bands 2120–2160 and 2160–2170 MHz have been merged.
2450–2583.5 MHz; Region 1	Reference to 5.397 has been removed.
24.25–24.45 GHz; Region 3	The services are listed in alphabetical order according to the French language.
International Footnote	Action (The notation ''(FCC)'' has been added to the end of these footnote).
5.197A, 5.286AA, 5.345, 5.351A, 5.353A, 5.384A, 5.388, 5.389A, 5.389C, 5.396, 5.444A, 5.516B, 5.547.	The cross-references to ITU Resolutions 33, 75, 114, 143, 222, 223, 224, 225, 413, 528, and 716 have been updated to reflect the version listed in the *Radio Regulations.*
5.208B	Note is not shown.
5.462A	Reflect ITU staff's correction of a typographical error.

Second, The Commission reflected in the Allocation Table the reallocation of the 700 MHz D Block for use by public safety services. As background, the Middle Class Tax Relief and Job Creation Act of 2012 established the First Responder Network Authority (FirstNet) to oversee the construction and operation of a nationwide public safety broadband network as licensee of both the existing public safety broadband spectrum (763–768/793–798 MHz) and the spectrally adjacent 700 MHz D Block spectrum (758–763/788–793 MHz). Accordingly, the Commission amended the U.S. Table by revising the upper or lower frequency limits of four frequency bands (698–763 MHz, 763–775 MHz, 775–793 MHz, and 793–805 MHz) to shift the 700 MHz D Block spectrum from the 700 MHz Band Commercial Services bands to the 700 MHz Public Safety bands. In addition, the Commission amended footnote NG158 by revising the ''763–775 MHz and 793–805 MHz'' bands to read ''758–775 MHz and 788–805 MHz,'' and renumbered revised footnote NG158 as NG34.

Third, the Commission revised § 27.803(b)(4) to reflect two previous Commission actions. The *WRC–07 Table Clean-up Order* revised footnote US351 to remove the expired grandfathering provision which allowed Federal operations in the 1390–1400 MHz band at 17 sites on a fully protected basis, and combined the resultant text with footnote US352 in a single new footnote US37 (renumbered as footnote US79, *supra*). In the *WRC–07 Order,* the Commission amended footnote US361 to correct the name of a grandfathered site, to remove a different grandfathered site, and to simplify the text. The Commission renumbered that footnote as US83. The Commission updated § 27.803 to remove paragraph (b)(4)(i) because no protected sites are listed in footnote US37. In addition, the Commission combined the text of § 27.803(b)(4) with that of § 27.803(b)(4)(ii) and renumber it as § 27.803(b)(4).

Finally, the Commission revised § 2.106 to add missing cross-references to parts 15 and 25 of its rules and revised § 2.101(c) to reinsert the terms for the eight named frequency ranges.

Final Regulatory Flexibility Analysis

As required by the Regulatory Flexibility Act of 1980, as amended (RFA),[1] an Initial Regulatory Flexibility Analysis (IRFA) was incorporated in the *Notice of Proposed Rulemaking* in ET Docket No. 12–338 (*WRC–07 NPRM*).[2] The Commission sought written public comment on the proposals in the *WRC–07 NPRM,* including comment on the IRFA. This present Final Regulatory Flexibility Analysis (FRFA) conforms to the RFA.[3]

[1] *See* 5 U.S.C. 603. The RFA, *see* 5 U.S.C. 601–612, has been amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA), Public Law 104–121, Title II, 110 Stat. 857 (1996), and the Small Business Jobs Act of 2010, Public Law 111–240, 124 Stat. 2504 (2010).

[2] *See* Amendment of Parts 1, 2, 15, 74, 78, 87, 90, and 97 of the Commission's Rules Regarding Implementation of the Final Acts of the World Radiocommunication Conference (Geneva, 2007) (WRC–07), Other Allocation Issues, and Related Rule Updates, ET Docket No. 12–338, *Notice of Proposed Rulemaking and Order,* 27 FCC Rcd 14598 (2012) (*WRC–07 NPRM*).

[3] *See* 5 U.S.C. 604.

A. Need for, and Objectives of the Report and Order

In this *Report and Order,* the Commission amends parts 1, 2, 25, 27, 74, 78, 80, 87, 90, 97, and 101 of its rules to complete implementation of various allocation decisions from the Final Acts of the World Radiocommunications Conference (Geneva, 2007) (WRC–07) in the Commission's Table of Frequency Allocations, to revise certain other allocations in the Table, and to update certain related service rules. The decisions adopted in this *Report and Order* conform the Commission's rules, to the extent practical, to the decisions that the international community made at WRC–07 and will collectively promote the advancement of new and expanded services and provide significant benefits to the American public.

B. Summary of Significant Issues Raised by Public Comments in Response to the IRFA

No comments were filed in direct response to the IRFA.

C. Response to Comments by the Chief Counsel for Advocacy of the Small Business Administration

Pursuant to the Small Business Jobs Act of 2010, the Commission is required to respond to any comments filed by the Chief Counsel for Advocacy of the Small Business Administration (SBA), and to provide a detailed statement of any change made to the proposed rules as a result of those comments. The Chief Counsel did not file any comments in response to the proposed rules in this proceeding.

D. Description and Estimate of the Number of Small Entities to Which the Adopted Rules Will Apply

The RFA directs agencies to provide a description of and, where feasible, an estimate of the number of small entities that may be affected by the proposed rules, if adopted.[4] The RFA generally defines the term ''small entity'' as having the same meaning as the terms ''small business,'' ''small organization,'' and ''small governmental jurisdiction.'' In addition, the term ''small business'' has the same meaning as the term ''small business concern'' under the Small Business Act.[5] 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 SBA.[6]

Small Businesses, Small Organizations, and Small Governmental Jurisdictions. The Commission's action may, over time, affect small entities that are not easily categorized at present. The Commission therefore described here, at the outset, three comprehensive, statutory small entity size standards.[7] First, nationwide, there are a total of 28.2 million small businesses, according to the SBA.[8] In addition, a ''small organization'' is generally ''any not-for-profit enterprise which is independently owned and operated and is not dominant in its field.''[9] Nationwide, as of 2012, there were approximately 2,300,000 small organizations.[10] Finally, the term ''small governmental jurisdiction'' is defined generally as ''governments of cities, towns, townships, villages, school districts, or special districts, with a population of less than fifty thousand.''[11] Census Bureau data for 2012 indicate that there were 90,056 local governments in the United States.[12] Thus, the Commission estimated that most governmental jurisdictions are small.

Amateur Radio Service. Because ''small entities,'' as defined in the RFA, are not persons eligible for licensing in the amateur service, this rule does not apply to ''small entities.'' Rather, it applies exclusively to individuals who are the control operators of amateur radio stations.

Satellite Telecommunications and All Other Telecommunications. Two economic census categories address the satellite industry. Both of these categories have a small business size standard of $32.5 million or less in annual receipts under SBA rules.[13]

The category of Satellite Telecommunications ''comprises establishments primarily engaged in providing telecommunications services to other establishments in the telecommunications and broadcasting industries by forwarding and receiving communications signals via a system of satellites or reselling satellite telecommunications.''[14] Census Bureau data for 2007 show that 512 Satellite Telecommunications firms operated for that entire year.[15] Of this total, 464 firms had annual receipts of under $10 million, and 18 firms had receipts of $10 million to $24,999,999.[16] Consequently, the Commission estimates that the majority of Satellite Telecommunications firms are small entities that might be affected by its action.

The second category, *i.e.* ''All Other Telecommunications'' comprises ''establishments primarily engaged in providing specialized telecommunications services, such as satellite tracking, communications telemetry, and radar station operation. This industry also includes establishments primarily engaged in providing satellite terminal stations and associated facilities connected with one or more terrestrial systems and capable of Transmitting telecommunications to, and receiving telecommunications from, satellite systems. Establishments providing Internet services or voice over Internet protocol (VoIP) services via client-supplied telecommunications connections are also included in this industry.''[17] For this category, Census Bureau data for 2007 show that there were a total of 2,383 firms that operated for the entire year.[18] Of this total, 2,347 firms had annual receipts of under $25 million and 12 firms had annual receipts of $25 million to $49, 999,999.[19] Consequently, the Commission estimates that the majority of All Other Telecommunications firms are small entities.

Fixed Microwave Services. Fixed microwave services include common carrier,[20] private operational-fixed,[21] and broadcast auxiliary radio services.[22] At present, there are approximately 22,015 common carrier fixed licensees and 61,670 private operational-fixed licensees and broadcast auxiliary radio licensees in the microwave services. The Commission has not created a size standard for a small business specifically with respect to fixed microwave services. For purposes of this analysis, the Commission uses the SBA small business size standard for the category Wireless Telecommunications Carriers (except Satellite), which is 1,500 or fewer employees.[23] The Commission does not have data specifying the number of these licensees

[4] *Id.* at 603(b)(3).

[5] 5 U.S.C. 601(3) (incorporating by reference the definition of ''small business concern'' in 15 U.S.C. 632). Pursuant to the RFA, the statutory definition of a small business applies ''unless an agency, after consultation with the Office of Advocacy of the Small Business Administration and after opportunity for public comment, establishes one or more definitions of such term which are appropriate to the activities of the agency and publishes such definition(s) in the **Federal Register**.'' 5 U.S.C. 601(3).

[6] Small Business Act, 15 U.S.C. 632 (1996).

[7] *See* 5 U.S.C. 601(3)–(6).

[8] *See* SBA, Office of Advocacy, ''Frequently Asked Questions,'' *http://www.sba.gov/sites/default/files/FAQ_March_2014_0.pdf* (last visited May 2, 2014; figures are from 2011).

[9] 5 U.S.C. 601(4).

[10] National Center for Charitable Statistics, The Nonprofit Almanac (2012).

[11] 5 U.S.C. 601(5).

[12] U.S. Census Bureau, Government Organization Summary Report: 2012 (rel. Sep. 26, 2013), *http://www2.census.gov/govs/cog/g12_org.pdf* (last visited May 2, 2014).

[13] 13 CFR 121.201, North American Industry Classification System (''NAICS'') codes 517410 and 517919.

[14] U.S. Census Bureau, 2007 NAICS Definitions, ''517410 Satellite Telecommunications.''

[15] *See http://factfinder.census.gov/servlet/IBQTable?_bm=y&-geo_id=&-_skip=900&-ds_name=EC0751SSSZ4&-_lang=en.*

[16] *See http://factfinder.census.gov/servlet/IBQTable?_bm=y&-geo_id=&-_skip=900&-ds_name=EC0751SSSZ4&-_lang=en.*

[17] *http://www.census.gov/cgi-bin/sssd/naics/naicsrch?code=517919&search=2007%20NAICS%20Search.*

[18] *http://factfinder.census.gov/servlet/IBQTable?_bm=y&-geo_id=&-_skip=900&-ds_name=EC0751SSSZ4&-_lang=en.*

[19] *http://factfinder.census.gov/servlet/IBQTable?_bm=y&-geo_id=&-_skip=900&-ds_name=EC0751SSSZ4&-_lang=en.*

[20] *See* 47 CFR 101 *et seq.* for common carrier fixed microwave services (except Multipoint Distribution Service).

[21] Persons eligible under parts 80 and 90 of the Commission's Rules can use Private Operational-Fixed Microwave services. *See* 47 CFR parts 80 and 90. Stations in this service are called operational-fixed to distinguish them from common carrier and public fixed stations. Only the licensee may use the operational-fixed station and only for communications related to the licensee's commercial, industrial, or safety operations.

[22] Auxiliary Microwave Service is governed by part 74 of Title 47 of the Commission's rules. *See* 47 CFR part 74. This service is available to licensees of broadcast stations and to broadcast and cable network entities. Broadcast auxiliary microwave stations are used for relaying broadcast television signals from the studio to the transmitter, or between two points such as a main studio and an auxiliary studio. The service also includes mobile television pickups, which relay signals from a remote location back to the studio.

[23] 13 CFR 121.201, NAICS code 517210.

that have no more than 1,500 employees, and thus the Commission was unable at this time to estimate with greater precision the number of fixed microwave service licensees that would qualify as small business concerns under the SBA's small business size standard. Consequently, the Commission estimates that there are 22,015 or fewer common carrier fixed licensees and 61,670 or fewer private operational-fixed licensees and broadcast auxiliary radio licensees in the microwave services that may be small and may be affected by the rules and policies proposed herein. The Commission noted, however, that the common carrier microwave fixed licensee category includes some large entities.

Wireless Telecommunications Carriers (except satellite). This industry comprises establishments engaged in operating and maintaining switching and transmission facilities to provide communications via the airwaves. Establishments in this industry have spectrum licenses and provide services using that spectrum, such as cellular phone services, paging services, wireless Internet access, and wireless video services.[24] The appropriate size standard under SBA rules is for the category Wireless Telecommunications Carriers. The size standard for that category is that a business is small if it has 1,500 or fewer employees.[25] Under the present and prior categories, the SBA has deemed a wireless business to be small if it has 1,500 or fewer employees.[26] For this category, census data for 2007 show that there were 11,163 firms that operated for the entire year.[27] Of this total, 10,791 firms had employment of 999 or fewer employees and 372 had employment of 1,000 employees or more.[28] Thus under this category and the associated small business size standard, the Commission estimates that the majority of wireless telecommunications carriers (except satellite) are small entities that may be affected by its proposed action.[29]

Wireless Equipment Manufacturers. This industry is comprised of businesses primarily engaged in manufacturing radio, television broadcast, and wireless communications equipment. Examples of products made by these establishments are: transmitting and receiving antennas, cable television equipment, cordless phones, global positioning system (GPS) equipment, pagers, cellular phones, mobile communications equipment, and radio and television studio and broadcasting equipment.[30] In this category, the SBA has deemed a business manufacturing radio and television broadcasting equipment, wireless telecommunications equipment, or both, to be small if it has fewer than 750 employees.[31] For this category of manufacturing, Census data for 2007 show that there were 919 firms that operated that year. Of those establishments, 531 had between 1 and 19 employees; 240 had between 20 and 99 employees; and 148 had more than 100 employees.[32] Since 771 establishments had fewer than 100 employees, and since only 148 had more than 100 employees, the vast majority of manufacturers in this category would be considered small under applicable standards.

Frequency Coordinators. Neither the Commission nor the SBA has developed a small business size standard specifically applicable to spectrum frequency coordinators. Since 2007, the Census Bureau has placed wireless firms within the broad, economic census category of Wireless Telecommunications Carriers (except Satellite).[33] Under this category, the SBA has deemed a wireless business to be small if it has 1,500 or fewer employees.[34] Census data for 2007 show that there were 1,383 firms that operated that year. Of those, 1,368 had fewer than 100 employees, and 15 firms had more than 100 employees.[35] Thus, under this category and the associated small business standard, the majority of firms can be considered small.

E. Description of Projected Reporting, Recordkeeping and Other Compliance Requirements for Small Entities

The WRC–07 R&O did not establish any new reporting or recordkeeping requirements for small entities. The WRC–07 R&O established ''other'' compliance requirements for manufacturers of equipment, applicants/licensees, and frequency coordinators. Licensees are required to use equipment and operate licensed stations in a manner that complies with the Commission's existing and newly adopted rules. The compliance requirements established in the WRC–07 R&O are the same for small and large entities.

Manufacturers of aircraft stations transmitting telemetry in the 1435–1525 MHz, 2345–2395 MHz, or 5091–5150 MHz band must meet the following emissions limitations and frequency stability requirements:

• Except for emergency locator transmitters (ELTs) and when using single sideband (R3E, H3E, J3E), or frequency modulation (F9) or digital modulation (F9Y) for telemetry or telecommand in the 1435–1525 MHz, 2345–2395 MHz, or 5091–5150 MHz band or digital modulation (G7D) for differential GPS, the mean power of any emission must be attenuated below the mean power of the transmitter (pY) as follows: 1) When the frequency is removed from the assigned frequency by more than 50 percent up to and including 100 percent of the authorized bandwidth the attenuation must be at least 25 dB; 2) When the frequency is removed from the assigned frequency by more than 100 percent up to and including 250 percent of the authorized bandwidth the attenuation must be at least 35 dB; 3) When the frequency is removed from the assigned frequency by more than 250 percent of the authorized bandwidth the attenuation for aircraft station transmitters' emissions must be at least 40 dB; and the attenuation for aeronautical station transmitters' emissions must be at least $43 + 10 \log_{10}$ pY dB.

• When using frequency modulation or digital modulation for telemetry or telecommand in the 1435–1525 MHz, 2345–2395 MHz, or 5091–5150 MHz band with an authorized bandwidth equal to or less than 1 megahertz the emissions must be attenuated as follows: (1) On any frequency removed from the assigned frequency by more than 100 percent of the authorized bandwidth up to and including 100 percent plus 0.5 megahertz, the attenuation must be at least 60 dB, when measured in a 3.0 kilohertz bandwidth. This signal need not be attenuated more than 25 dB below 1 milliwatt. (2) On any frequency removed from the assigned frequency by more than 100 percent of the authorized bandwidth plus 0.5 megahertz, the attenuation must be at least $55 + 10 \log_{10}$ pY dB when measured in a 3.0 kilohertz bandwidth.

• When using frequency modulation or digital modulation for telemetry or telecommand in the 1435–1525 MHz, 2345–2395 MHz, or 5091–5150 MHz band with an authorized bandwidth greater than 1 megahertz, the emissions must be attenuated as follows: 1) On any frequency removed from the assigned frequency by more than 50 percent of the authorized bandwidth plus 0.5 megahertz up to and including 50 percent of the authorized bandwidth plus 1.0 megahertz, the attenuation must be 60 dB, when measured in a 3.0 kilohertz bandwidth. The signal need not be attenuated more than 25 dB below 1 milliwatt. 2) On any frequency removed from the assigned frequency by more than 50 percent of the authorized bandwidth plus 1.0 megahertz, the attenuation must be at least $55 + 10 \log_{10}$ pY dB, when measured in a 3.0 kilohertz bandwidth.

• The carrier frequency tolerance of all transmitters that operate in the 1435–1525 MHz or 2345–2395 MHz band is 0.002 percent. The carrier frequency tolerance of all transmitters that operate in the 5091–5150 MHz band is 0.005 percent.

In addition, manufacturers of equipment must meet the following requirements:

• The following unwanted emission power limits for non-geostationary satellites

[24] *See http://www.census.gov/cgi-bin/sssd/naics/naicsrch?code=517210&search=2007%20NAICS%20Search.*

[25] 13 CFR 121.201, NAICS code 517210.

[26] 13 CFR 121.201, NAICS code 517210. The now-superseded, pre-2007 CFR citations were 13 CFR 121.201, NAICS codes 517211 and 517212 (referring to the 2002 NAICS).

[27] U.S. Census Bureau, Subject Series: Information, Table 5, ''Establishment and Firm Size: Employment Size of Firms for the United States: 2007 NAICS Code 517210'' (issued Nov. 2010).

[28] Id. Available census data do not provide a more precise estimate of the number of firms that have employment of 1,500 or fewer employees; the largest category provided is for firms with ''100 employees or more.''

[29] *See http://factfinder2.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN_2007_US_51SSSZ2&prodType=table.*

[30] *http://www.census.gov/econ/industry/def/d334220.htm.*

[31] *See* 13 CFR 121.201, NAICS code 334220.

[32] *http://factfinder.census.gov/servlet/IBQTable?_bm=y&-geo_id=&-_skip=300&-ds_name+EC0731I1&-_lang=en.*

[33] U.S. Census Bureau, 2007 NAICS Definitions, ''517210 Wireless Telecommunications Categories (Except Satellite)''; *http://www.census.gov/naics/2007/def/ND517210.HTM#N517210.*

[34] 13 CFR 121.201, NAICS code 517210 (2007 NAICS).

[35] U.S. Census Bureau, 2007 Economic Census, Sector 51, 2007 NAICS cod 517210 (rel. Oct. 20, 2009), *http://factfinder.census.gov/servlet/IBQTable?_bm=y&-geo_id=&-fds_name=EC0700A1&-_skip=700&-ds_name=EC0751SSSZ5&-_lang=en.*

operating in the inter-satellite service that transmit in the 22.55–23.55 GHz band shall apply in any 200 megahertz of the 23.6–24 GHz passive band, based on the date that complete advance publication information is received by the ITU's Radiocommunication Bureau: For information received before January 1, 2020: −36 dBW/200 MHz. For information received on or after January 1, 2020: −46 dBW/200 MHz.

• For new fixed stations in the 31–31.3 GHz band authorized three years after the effective date of the WRC–07 R&O, the unwanted emission power in any 100 megahertz of the 31.3–31.5 GHz band shall be limited to −38 dBW (−38 dBW/100 MHz), as measured at the input to the antenna.

• For earth stations in the Fixed-Satellite Service (Earth-to-space) that transmit in the 49.7–50.2 GHz and 50.4–50.9 GHz bands, the unwanted emission power in the 50.2–50.4 GHz band shall not exceed −20 dBW/200 MHz (measured at the input of the antenna), except that the maximum unwanted emission power may be increased to −10 dBW/200 MHz for earth stations having an antenna gain greater than or equal to 57 dBi. These limits apply under clear-sky conditions. During fading conditions, the limits may be exceeded by earth stations when using uplink power control.

The following requirements apply to applicants/licensees or frequency coordinators:

• In the 1435–1452 MHz band, operators of aeronautical telemetry stations are encouraged to take all reasonable steps to ensure that unwanted emissions power level does not exceed −28 dBW/27 MHz in the 1400–1427 MHz band. Operators of aeronautical telemetry stations that do not meet this limit shall first attempt to operate in the 1452–1525 MHz band prior to operating in the 1435–1452 MHz band.

• In the 1435–1525 MHz, 2345–2360 MHz (only until January 1, 2020), 2360–2395 MHz, and 5091–5150 MHz bands, each application for a new station license, renewal or modification of an existing license concerning flight test frequencies, except as provided in paragraph (b) of § 87.305, must be accompanied by a statement from a frequency advisory committee. The committee must comment on the frequencies requested or the proposed changes in the authorized station and the probable interference to existing stations. The committee must consider all stations operating on the frequencies requested or assigned within 320 km (200 mi) of the proposed area of operation and all prior coordinations and assignments on the proposed frequency(ies). The committee must also recommend frequencies resulting in the minimum interference. The committee must coordinate in writing all requests for frequencies or proposed operating changes in the 1435–1525 MHz, 2345–2360 MHz (only until January 1, 2020), 2360–2395 MHz, and 5091–5150 MHz bands with the responsible Government Area Frequency Coordinators listed in the NTIA ''Manual of Regulations and Procedures for Federal Radio Frequency Management.'' In addition, committee recommendations may include comments on other technical factors and may contain recommended restrictions which it believes should appear on the license.

• New fixed stations in the 10.6–10.68 GHz band are restricted to point-to-point operations, with each station supplying not more than −3 dBW of transmitter power to the antenna, producing not more than 40 dBW of EIRP, and radiating at an antenna main beam elevation angle of 20° or less.

• Any application for a new station license to provide Multichannel Video Programming Distributors operations in the 17.7–17.8 GHz band or to operate in the 17.8–19.7 GHz band for any service, or for modification of an existing station license in these bands which would change the frequency, power, emission, modulation, polarization, antenna height or directivity, or location of such a station, be coordinated with the Federal Government by the Commission before an authorization will be issued, if the station or proposed station is located in whole or in part within any of the following areas: (1) *San Miguel, CA area:* Between latitudes 34°39′ N. and 34°00′ N. and between longitudes 118°52′ W. and 119°24′ W. or within 200 km of 35°44′ N., 120°45′ W.; and (2) *Guam area:* Within 100 km of 13°35′ N., 144°51′ E.

F. Steps Taken To Minimize Significant Economic Impact on Small Entities and Significant Alternatives Considered

The RFA requires an agency to describe any significant alternatives that it has considered in reaching its proposed approach, which may include the following four alternatives (among others): (1) the establishment of differing compliance or reporting requirements or timetables that take into account the resources available to small entities; (2) the clarification, consolidation, or simplification of compliance or reporting requirements under the rule for small entities; (3) the use of performance, rather than design, standards; and (4) an exemption from coverage of the rule, or any part thereof, for small entities.[36]

In the *WRC–07 NPRM,* the Commission proposed to delete the non-Federal radiolocation service (RLS) allocation from the 1900–2000 kHz band, stating that a review of its licensing database found that no one is licensed to use this allocation. In its reply comments to the *WRC–07 NPRM,* ITM Marine stated that the U.S.-based high seas migratory species fishing fleets operate radio buoys in the 1900–2000 kHz band. In order to remove the otherwise unused RLS allocation from the Allocation Table without affecting existing radio buoy use by U.S. commercial fishing vessels, the WRC–07 R&O added a new footnote to the Allocation Table (footnote NG92) that authorizes U.S. commercial fishing vessels to continue to use radio buoys on the open sea under a ship station license. This action is expected to have a positive non-burdensome impact on commercial fishing vessels, many of which are owned by small businesses, by authorizing these entities to operate radio buoys under a ship station license instead of obtaining separate licenses for the radio buoys.

The WRC–07 R&O delays the implementation of the unwanted emissions power limit for new fixed stations in the 31–31.3 GHz band. Because the Commission has delayed the implementation of this new requirement for 3 years, it appears that the economic impact of this requirement has been minimized to the extent practicable for all licensees, including small entities.

Report to Congress: The Commission will send a copy of the *Report and Order,* including this FRFA, in a report to Congress pursuant to the Congressional Review Act.[37] In addition, the Commission will send a copy of the *Report and Order,* including this FRFA, to the Chief Counsel for Advocacy of the SBA.

Paperwork Reduction Analysis

This document contains no new or modified information collection requirements 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).

Congressional Review Act

The Commission will send a copy of this *Report and Order, Order, and WRC–12 Notice of Proposed Rulemaking* to Congress and the Government Accountability Office pursuant to the Congressional Review Act, *see* 5 U.S.C. 801(a)(1)(A).

Ordering Clauses

Pursuant to section 1, 4, 301, 302, and 303 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154, 301, 302a, and 303, and § 553(b)(B) of the Administrative Procedure Act, 5 U.S.C. 553(b)(B), this *report and order* and *order* is hereby *adopted* and the Commission's rules *are amended* as set forth below.

Pursuant to § 1.3 of the Commission's rules, 47 CFR 1.3, that §§ 80.375 and 90.103 of the Commission's rules are *waived* to allow operation of FCC authorized radio buoys in the 1900–2000 kHz band on the open sea by commercial fishing vessels that have a valid ship station license or are licensed by rule under § 80.13 of the Commission's rules.

The Petition for Rulemaking of ARRL filed on Nov. 29, 2012 is *granted.*

The Joint Petition for Rulemaking of Xanadoo Company and Spectrum Five LLC in IB Docket No. 06–123 is *denied in part,* as described herein.

The Commission's Consumer and Governmental Affairs Bureau, Reference Information Center, SHALL SEND a copy of this *report and order* and *order,* including the Final Regulatory Flexibility Analysis, to the Chief Counsel for Advocacy of the Small Business Administration.

The rule amendments adopted herein *shall be effective* 30 days after date of **Federal Register** publication of the *report and order* and *order* and ET Docket No. 12–338 *shall be*

[36] 5 U.S.C. 603(c).

[37] *See* 5 U.S.C. 801(a)(1)(A).

terminated, unless one or more petitions for reconsideration are filed in response to the *report and order.*

It is further ordered that the Commission *shall send* a copy of this *report and order* and *order* in a report to be sent to Congress and the General Accounting Office pursuant to the Congressional Review Act, see 5 U.S.C. 801(a)(1)(A).

List of Subjects

Part 2

Radio, telecommunications.

Part 25

Radio, satellites.

Parts 1, 27, 74, 78, 80, 87, 90, 97, and 101

Recordkeeping requirements.

Federal Communications Commission.

Marlene H. Dortch,

Secretary.

For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR parts 1, 2, 25, 27, 74, 78, 80, 87, 90, 97, and 101 as follows:

PART 1—PRACTICE AND PROCEDURE

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

Authority: 15 U.S.C. 79 *et seq.;* 47 U.S.C. 151, 154(i), 154(j), 155, 157, 160, 201, 225, 227, 303, 309, 332, 1403, 1404, 1451, 1452, and 1455.

■ 2. Section 1.924 is amended by revising paragraphs (e) and (f) to read as follows:

§ 1.924 Quiet zones.

* * * * *

(e) *420–450 MHz band.* Applicants for pulse-ranging radiolocation systems operating in the 420–450 MHz band along the shoreline of the conterminous United States and Alaska, and for spread spectrum radiolocation systems operating in the 420–435 MHz sub-band within the conterminous United States and Alaska, should not expect to be accommodated if their area of service is within:

(1) Arizona, Florida, or New Mexico;

(2) Those portions of California and Nevada that are south of latitude 37°10′ N.;

(3) That portion of Texas that is west of longitude 104° W.; or

(4) The following circular areas:

(i) 322 kilometers (km) of 30°30′ N., 86°30′ W.

(ii) 322 km of 28°21′ N., 80°43′ W.

(iii) 322 km of 34°09′ N., 119°11′ W.

(iv) 240 km of 39°08′ N., 121°26′ W.

(v) 200 km of 31°25′ N., 100°24′ W.

(vi) 200 km of 32°38′ N., 83°35′ W.

(vii) 160 km of 64°17′ N., 149°10′ W.

(viii) 160 km of 48°43′ N., 97°54′ W.

(ix) 160 km of 41°45′ N., 70°32′ W.

(f) *17.7–19.7 GHz band.* The following exclusion areas and coordination areas are established to minimize or avoid harmful interference to Federal Government earth stations receiving in the 17.7–19.7 GHz band:

(1) No application seeking authority for fixed stations, under parts 74, 78, or 101 of this chapter, supporting the operations of Multichannel Video Programming Distributors (MVPD) in the 17.7–17.8 GHz band or to operate in the 17.8–19.7 GHz band for any service will be accepted for filing if the proposed station is located within 20 km (or within 55 km if the modification application is for an outdoor low power operation pursuant to § 101.147(r)(14) of this chapter) of Denver, CO (39°43′ N., 104°46′ W.) or Washington, DC (38°48′ N., 76°52′ W.).

(2) Any application for a new station license to provide MVPD operations in the 17.7–17.8 GHz band or to operate in the 17.8–19.7 GHz band for any service, or for modification of an existing station license in these bands which would change the frequency, power, emission, modulation, polarization, antenna height or directivity, or location of such a station, must be coordinated with the Federal Government by the Commission before an authorization will be issued, if the station or proposed station is located in whole or in part within any of the following areas:

(i) *Denver, CO area:*

(A) Between latitudes 41°30′ N. and 38°30′ N. and between longitudes 103°10′ W. and 106°30′ W.

(B) Between latitudes 38°30′ N. and 37°30′ N. and between longitudes 105°00′ W. and 105°50′ W.

(C) Between latitudes 40°08′ N. and 39°56′ N. and between longitudes 107°00′ W. and 107°15′ W.

(ii) *Washington, DC area:*

(A) Between latitudes 38°40′ N. and 38°10′ N. and between longitudes 78°50′ W. and 79°20′ W.

(B) Within 178 km of 38°48′ N., 76°52′ W.

(iii) *San Miguel, CA area:*

(A) Between latitudes 34°39′ N. and 34°00′ N. and between longitudes 118°52′ W. and 119°24′ W.

(B) Within 200 km of 35°44′ N., 120°45′ W.

(iv) *Guam area:* Within 100 km of 13°35′ N., 144°51′ E.

Note to § 1.924(f): The coordinates cited in this section are specified in terms of the ''North American Datum of 1983 (NAD 83).''

* * * * *

PART 2—FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

■ 3. The authority citation for part 2 continues to read as follows:

Authority: 47 U.S.C. 154, 302a, 303, and 336, unless otherwise noted.

■ 4. Section 2.1 is amended by revising the definitions of ''*Earth Exploration-Satellite Service*'' and ''*Equivalent Isotropically Radiated Power (e.i.r.p.)*'' in paragraph (c) to read as follows:

§ 2.1 Terms and definitions.

* * * * *

(c) * * *

Earth Exploration-Satellite Service. A radiocommunication service between earth stations and one or more space stations, which may include links between space stations, in which:

(1) Information relating to the characteristics of the Earth and its natural phenomena, including data relating to the state of the environment, is obtained from active sensors or passive sensors on Earth satellites;

(2) Similar information is collected from airborne or Earth-based platforms;

(3) Such information may be distributed to earth stations within the system concerned; and

(4) Platform interrogation may be included. This service may also include feeder links necessary for its operation. (RR)

* * * * *

Equivalent Isotropically Radiated Power (e.i.r.p.). The product of the power supplied to the antenna and the antenna gain in a given direction relative to an isotropic antenna (absolute or isotropic gain). (RR)

* * * * *

■ 5. Section 2.100 is revised to read as follows:

§ 2.100 International regulations in force.

The ITU *Radio Regulations,* Edition of 2008, have been incorporated to the extent practicable in this part, except that the International Table within § 2.106 has been updated to reflect the ITU *Radio Regulations,* Edition of 2012.

■ 6. Section 2.101 is amended by revising paragraph (c) to read as follows:

§ 2.101 Frequency and wavelength bands.

* * * * *

(c) In communications between administrations and the ITU, no names, symbols or abbreviations should be used for the various frequency bands other than those specified in this section.

Band No.	Symbols (terms) [2]	Frequency range (lower limit exclusive, upper limit inclusive)	Corresponding metric subdivision	Metric abbreviations for the bands
4	VLF (very low frequency)	3 to 30 kHz	Myriametric waves	B.Mam
5	LF (low frequency)	30 to 300 kHz	Kilometric waves	B.km
6	MF (medium frequency)	300 to 3,000 kHz	Hectometric waves	B.hm
7	HF (high frequency)	3 to 30 MHz	Decametric waves	B.dam
8	VHF (very high frequency)	30 to 300 MHz	Metric waves	B.m
9	UHF (ultra high frequency)	300 to 3,000 MHz	Decimetric waves	B.dm
10	SHF (super high frequency)	3 to 30 GHz	Centimetric waves	B.cm
11	EHF (extremely high frequency)	30 to 300 GHz	Millimetric waves	B.mm
12		300 to 3,000 GHz	Decimillimetric waves.	

NOTE 1: "Band N" (N = band number) extends from 0.3×10^N Hz to 3×10^N Hz.
NOTE 2: Prefix: k = kilo (10^3), M = mega (10^6), G = giga (10^9).

■ 7. Section 2.106, the Table of Frequency Allocations, is amended as follows:

■ a. The table is revised.

■ b. In the list of International Footnotes, footnotes 5.53, 5.54, 5.56, 5.67B, 5.68, 5.70, 5.77, 5.82, 5.87, 5.93, 5.98, 5.99, 5.107, 5.112, 5.114, 5.117, 5.128, 5.133, 5.140, 5.141, 5.141B, 5.142, 5.143A, 5.143B, 5.143C, 5.143D, 5.160, 5.162, 5.162A, 5.163, 5.164, 5.165, 5.166, 5.169, 5.171, 5.178, 5.179, 5.197, 5.197A, 5.201, 5.202, 5.211, 5.212, 5.214, 5.221, 5.231, 5.237, 5.259, 5.262, 5.274, 5.275, 5.276, 5.277, 5.286AA, 5.288, 5.290, 5.293, 5.294, 5.296, 5.300, 5.312, 5.313A, 5.314, 5.315, 5.316, 5.316A, 5.316B, 5.317A, 5.322, 5.323, 5.327A, 5.330, 5.331, 5.335, 5.338, 5.338A, 5.342, 5.351A, 5.352A, 5.353A, 5.355, 5.357A, 5.359, 5.362B, 5.362C, 5.367, 5.369, 5.371, 5.381, 5.382, 5.384A, 5.387, 5.388, 5.388A, 5.388B, 5.389A, 5.389C, 5.399, 5.410, 5.412, 5.418, 5.422, 5.428, 5.429, 5.430, 5.430A, 5.431A, 5.432B, 5.433A, 5.439, 5.440A, 5.443B, 5.444, 5.444A, 5.444B, 5.446, 5.446A, 5.446C, 5.447, 5.447A, 5.448, 5.450, 5.453, 5.454, 5.457B, 5.457C, 5.461B, 5.462A, 5.466, 5.468, 5.469, 5.471, 5.477, 5.481, 5.482, 5.483, 5.494, 5.495, 5.499, 5.500, 5.501, 5.504C, 5.505, 5.508, 5.508A, 5.509A, 5.511, 5.512, 5.514, 5.522C, 5.524, 5.536A, 5.536B, 5.536C, 5.537A, 5.542, 5.543A, 5.545, 5.546, 5.547, 5.549, 5.550, and 5.565 are revised; footnotes 5.54A, 5.54B, 5.54C, 5.80A, 5.80B, 5.132A, 5.132B, 5.133A, 5.145A, 5.145B, 5.149A, 5.158, 5.159, 5.161A, 5.161B, 5.225A, 5.228, 5.228A, 5.228B, 5.228C, 5.228D, 5.228E, 5.228F, 5.312A, 5.398A, 5.401, 5.443AA, 5.443C, 5.443D, 5.457, 5.511E, 5.511F, 5.530A, 5.530B, 5.530C, 5.530D, 5.532A, and 5.532B are added; and footnotes 5.72, 5.82A, 5.82B, 5.101, 5.138A, 5.139, 5.141C, 5.143E, 5.227A, 5.272, 5.273, 5.302, 5.397, 5.400, 5.405, and 5.530 are removed.

■ c. In the list of United States (US) Footnotes, footnotes US37, US48, US51, US66, US77, US78, US106, US203, US226, US228, US263, US265, US290, US339, US368, US388, US398, US400, and US401 are removed; footnotes US52, US79, US85, US100, US111, US113, US139, US145, US156, US157, US161, US227, US338A, US367, US444B, US475, US476A, US482, US532, US550A, and US565 are added; and footnotes US74, US334, US343, US444, US444A, and US519 are revised.

■ d. In the list of non-Federal Government (NG) Footnotes, footnotes NG22, NG34, NG35, NG60, NG92, NG338A, and NG535 are added; and footnotes NG117, NG120, NG144, NG158, and NG167 are removed.

The revisions and additions read as follows:

§ 2.106 Table of Frequency Allocations.

* * * * *

BILLING CODE 6712–01–P

[2] The terms are no longer shown in the ITU *Radio Regulations,* and thus, they should not be used in communications with the ITU.

Table of Frequency Allocations			0-137.8 kHz (VLF/LF)		Page 1
International Table			United States Table		FCC Rule Part(s)
Region 1 Table	Region 2 Table	Region 3 Table	Federal Table	Non-Federal Table	
Below 8.3 (Not Allocated) 5.53 5.54			Below 9 (Not Allocated) 5.53 5.54		
8.3-9 METEOROLOGICAL AIDS 5.54A 5.54B 5.54C					
9-11.3 METEOROLOGICAL AIDS 5.54A RADIONAVIGATION			9-14 RADIONAVIGATION US18		
11.3-14 RADIONAVIGATION			US2		
14-19.95 FIXED MARITIME MOBILE 5.57 5.55 5.56			14-19.95 FIXED MARITIME MOBILE 5.57 US2	14-19.95 Fixed US2	
19.95-20.05 STANDARD FREQUENCY AND TIME SIGNAL (20 kHz)			19.95-20.05 STANDARD FREQUENCY AND TIME SIGNAL (20 kHz) US2		
20.05-70 FIXED MARITIME MOBILE 5.57			20.05-59 FIXED MARITIME MOBILE 5.57 US2	20.05-59 FIXED US2	
			59-61 STANDARD FREQUENCY AND TIME SIGNAL (60 kHz) US2		
5.56 5.58			61-70 FIXED MARITIME MOBILE 5.57 US2	61-70 FIXED US2	
70-72 RADIONAVIGATION 5.60	70-90 FIXED MARITIME MOBILE 5.57 MARITIME RADIONAVIGATION 5.60 Radiolocation	70-72 RADIONAVIGATION 5.60 Fixed Maritime mobile 5.57 5.59	70-90 FIXED MARITIME MOBILE 5.57 Radiolocation	70-90 FIXED Radiolocation	Private Land Mobile (90)
72-84 FIXED MARITIME MOBILE 5.57 RADIONAVIGATION 5.60 5.56		72-84 FIXED MARITIME MOBILE 5.57 RADIONAVIGATION 5.60			
84-86 RADIONAVIGATION 5.60		84-86 RADIONAVIGATION 5.60 Fixed Maritime mobile 5.57 5.59			

86-90 FIXED MARITIME MOBILE 5.57 RADIONAVIGATION 5.56	5.61	86-90 FIXED MARITIME MOBILE 5.57 RADIONAVIGATION 5.60	US2	US2	
90-110 RADIONAVIGATION 5.62 Fixed 5.64			90-110 RADIONAVIGATION 5.62 US18 US2 US104		Aviation (87) Private Land Mobile (90)
110-112 FIXED MARITIME MOBILE RADIONAVIGATION 5.64	110-130 FIXED MARITIME MOBILE MARITIME RADIONAVIGATION 5.60 Radiolocation	110-112 FIXED MARITIME MOBILE RADIONAVIGATION 5.60 5.64	110-130 FIXED MARITIME MOBILE Radiolocation		Private Land Mobile (90)
112-115 RADIONAVIGATION 5.60		112-117.6 RADIONAVIGATION 5.60 Fixed Maritime mobile			
115-117.6 RADIONAVIGATION 5.60 Fixed Maritime mobile 5.64 5.66		5.64 5.65			
117.6-126 FIXED MARITIME MOBILE RADIONAVIGATION 5.60 5.64		117.6-126 FIXED MARITIME MOBILE RADIONAVIGATION 5.60 5.64			
126-129 RADIONAVIGATION 5.60		126-129 RADIONAVIGATION 5.60 Fixed Maritime mobile 5.64 5.65			
129-130 FIXED MARITIME MOBILE RADIONAVIGATION 5.60 5.64	5.61 5.64	129-130 FIXED MARITIME MOBILE RADIONAVIGATION 5.60 5.64	5.64 US2		
130-135.7 FIXED MARITIME MOBILE 5.64 5.67	130-135.7 FIXED MARITIME MOBILE 5.64	130-135.7 FIXED MARITIME MOBILE RADIONAVIGATION 5.64	130-135.7 FIXED MARITIME MOBILE 5.64 US2		Maritime (80)
135.7-137.8 FIXED MARITIME MOBILE Amateur 5.67A 5.64 5.67 5.67B	135.7-137.8 FIXED MARITIME MOBILE Amateur 5.67A 5.64	135.7-137.8 FIXED MARITIME MOBILE RADIONAVIGATION Amateur 5.67A 5.64 5.67B	135.7-137.8 FIXED MARITIME MOBILE 5.64 US2	135.7-137.8 FIXED MARITIME MOBILE Amateur 5.67A 5.64 US2	Maritime (80)

Table of Frequency Allocations — 137.8-1800 kHz (LF/MF) — Page 3

International Table			United States Table		FCC Rule Part(s)
Region 1 Table	Region 2 Table	Region 3 Table	Federal Table	Non-Federal Table	
137.8-148.5 FIXED MARITIME MOBILE 5.64 5.67	137.8-160 FIXED MARITIME MOBILE 5.64	137.8-160 FIXED MARITIME MOBILE RADIONAVIGATION 5.64	137.8-160 FIXED MARITIME MOBILE 5.64 US2		Maritime (80)
148.5-255 BROADCASTING	160-190 FIXED	160-190 FIXED Aeronautical radionavigation	160-190 FIXED MARITIME MOBILE US2	160-190 FIXED US2	
	190-200 AERONAUTICAL RADIONAVIGATION		190-200 AERONAUTICAL RADIONAVIGATION US18 US2		Aviation (87)
5.68 5.69 5.70	200-275 AERONAUTICAL RADIONAVIGATION Aeronautical mobile	200-285 AERONAUTICAL RADIONAVIGATION Aeronautical mobile	200-275 AERONAUTICAL RADIONAVIGATION US18 Aeronautical mobile US2		
255-283.5 BROADCASTING AERONAUTICAL RADIONAVIGATION 5.70 5.71	275-285 AERONAUTICAL RADIONAVIGATION Aeronautical mobile Maritime radionavigation (radiobeacons)		275-285 AERONAUTICAL RADIONAVIGATION Aeronautical mobile Maritime radionavigation (radiobeacons) US2 US18		
283.5-315 AERONAUTICAL RADIONAVIGATION MARITIME RADIONAVIGATION (radiobeacons) 5.73	285-315 AERONAUTICAL RADIONAVIGATION MARITIME RADIONAVIGATION (radiobeacons) 5.73		285-325 MARITIME RADIONAVIGATION (radiobeacons) 5.73 Aeronautical radionavigation (radiobeacons) US2 US18 US364		
5.74 315-325 AERONAUTICAL RADIONAVIGATION Maritime radionavigation (radiobeacons) 5.73 5.75	315-325 MARITIME RADIONAVIGATION (radiobeacons) 5.73 Aeronautical radionavigation	315-325 AERONAUTICAL RADIONAVIGATION MARITIME RADIONAVIGATION (radiobeacons) 5.73			
325-405 AERONAUTICAL RADIONAVIGATION	325-335 AERONAUTICAL RADIONAVIGATION Aeronautical mobile Maritime radionavigation (radiobeacons)	325-405 AERONAUTICAL RADIONAVIGATION Aeronautical mobile	325-335 AERONAUTICAL RADIONAVIGATION (radiobeacons) Aeronautical mobile Maritime radionavigation (radiobeacons) US2 US18		Aviation (87)
	335-405 AERONAUTICAL RADIONAVIGATION Aeronautical mobile		335-405 AERONAUTICAL RADIONAVIGATION (radiobeacons) US18 Aeronautical mobile US2		
405-415 RADIONAVIGATION 5.76	405-415 RADIONAVIGATION 5.76 Aeronautical mobile		405-415 RADIONAVIGATION 5.76 US18 Aeronautical mobile US2		Maritime (80) Aviation (87)
415-435 MARITIME MOBILE 5.79 AERONAUTICAL RADIONAVIGATION	415-472 MARITIME MOBILE 5.79 Aeronautical radionavigation 5.77 5.80		415-435 MARITIME MOBILE 5.79 AERONAUTICAL RADIONAVIGATION US2		

435-472 MARITIME MOBILE 5.79 Aeronautical radionavigation 5.77 5.82	5.78 5.82		435-495 MARITIME MOBILE 5.79 5.79A Aeronautical radionavigation 5.82 US2 US231	435-495 MARITIME MOBILE 5.79 5.79A 5.82 US2 US231	
472-479 MARITIME MOBILE 5.79 Amateur 5.80A Aeronautical radionavigation 5.77 5.80 5.80B 5.82					
479-495 MARITIME MOBILE 5.79 5.79A Aeronautical radionavigation 5.77 5.82	479-495 MARITIME MOBILE 5.79 5.79A Aeronautical radionavigation 5.77 5.80 5.82				
495-505 MARITIME MOBILE			495-505 MOBILE (distress and calling)		
505-526.5 MARITIME MOBILE 5.79 5.79A 5.84 AERONAUTICAL RADIONAVIGATION	505-510 MARITIME MOBILE 5.79	505-526.5 MARITIME MOBILE 5.79 5.79A 5.84 AERONAUTICAL RADIONAVIGATION Aeronautical mobile Land mobile	505-510 MARITIME MOBILE 5.79		Maritime (80)
	510-525 MARITIME MOBILE 5.79A 5.84 AERONAUTICAL RADIONAVIGATION		510-525 MARITIME MOBILE (ships only) 5.79A 5.84 AERONAUTICAL RADIONAVIGATION (radiobeacons) US18 US14 US225		Maritime (80) Aviation (87)
	525-535 BROADCASTING 5.86 AERONAUTICAL RADIONAVIGATION		525-535 MOBILE US221 AERONAUTICAL RADIONAVIGATION (radiobeacons) US18 US239		Aviation (87) Private Land Mobile (90)
526.5-1606.5 BROADCASTING		526.5-535 BROADCASTING Mobile 5.88			
	535-1605 BROADCASTING	535-1606.5 BROADCASTING	535-1605	535-1605 BROADCASTING NG1 NG5	Radio Broadcast (AM)(73) Private Land Mobile (90)
5.87 5.87A					
1606.5-1625 FIXED MARITIME MOBILE 5.90 LAND MOBILE 5.92	1605-1625 BROADCASTING 5.89 5.90	1606.5-1800 FIXED MOBILE RADIOLOCATION RADIONAVIGATION	1605-1615 MOBILE US221 G127	1605-1705 BROADCASTING 5.89	Radio Broadcast (AM)(73) Alaska Fixed (80) Private Land Mobile (90)
1625-1635 RADIOLOCATION 5.93	1625-1705 FIXED MOBILE BROADCASTING 5.89 Radiolocation 5.90		1615-1705 US299	US299 NG1 NG5	
1635-1800 FIXED MARITIME MOBILE 5.90 LAND MOBILE					
	1705-1800 FIXED MOBILE RADIOLOCATION AERONAUTICAL RADIONAVIGATION		1705-1800 FIXED MOBILE RADIOLOCATION US240		Alaska Fixed (80) Private Land Mobile (90)
5.92 5.96		5.91			Page 4

Table of Frequency Allocations		1800-3230 kHz (MF/HF)			Page 5
International Table			United States Table		FCC Rule Part(s)
Region 1 Table	Region 2 Table	Region 3 Table	Federal Table	Non-Federal Table	
1800-1810 RADIOLOCATION 5.93	1800-1850 AMATEUR	1800-2000 AMATEUR FIXED MOBILE except aeronautical mobile RADIONAVIGATION Radiolocation	1800-2000	1800-2000 AMATEUR NG92	Amateur Radio (97)
1810-1850 AMATEUR 5.98 5.99 5.100					
1850-2000 FIXED MOBILE except aeronautical mobile 5.92 5.96 5.103	1850-2000 AMATEUR FIXED MOBILE except aeronautical mobile RADIOLOCATION RADIONAVIGATION 5.102	5.97			
2000-2025 FIXED MOBILE except aeronautical mobile (R) 5.92 5.103	2000-2065 FIXED MOBILE		2000-2065 FIXED MOBILE US340	2000-2065 MARITIME MOBILE US340 NG7	Maritime (80) Private Land Mobile (90)
2025-2045 FIXED MOBILE except aeronautical mobile (R) Meteorological aids 5.104 5.92 5.103					
2045-2160 FIXED MARITIME MOBILE LAND MOBILE 5.92	2065-2107 MARITIME MOBILE 5.105 5.106		2065-2107 MARITIME MOBILE 5.105 US296 US340		Maritime (80)
2160-2170 RADIOLOCATION 5.93 5.107	2107-2170 FIXED MOBILE		2107-2170 FIXED MOBILE US340	2107-2170 FIXED MOBILE except aeronautical mobile US340 NG7	Maritime (80) Private Land Mobile (90)
2170-2173.5 MARITIME MOBILE			2170-2173.5 MARITIME MOBILE (telephony) US340	2170-2173.5 MARITIME MOBILE US340	Maritime (80)
2173.5-2190.5 MOBILE (distress and calling) 5.108 5.109 5.110 5.111			2173.5-2190.5 MOBILE (distress and calling) 5.108 5.109 5.110 5.111 US279 US340		Maritime (80) Aviation (87)
2190.5-2194 MARITIME MOBILE			2190.5-2194 MARITIME MOBILE (telephony) US340	2190.5-2194 MARITIME MOBILE US340	Maritime (80)

2194-2300 FIXED MOBILE except aeronautical mobile (R) 5.92 5.103 5.112	2194-2300 FIXED MOBILE 5.112	2194-2495 FIXED MOBILE US22 US340	2194-2495 FIXED MOBILE except aeronautical mobile US22 US340 NG7	Maritime (80) Private Land Mobile (90)
2300-2498 FIXED MOBILE except aeronautical mobile (R) BROADCASTING 5.113 5.103	2300-2495 FIXED MOBILE BROADCASTING 5.113			
2498-2501 STANDARD FREQUENCY AND TIME SIGNAL (2500 kHz)	2495-2501 STANDARD FREQUENCY AND TIME SIGNAL (2500 kHz)	2495-2505 STANDARD FREQUENCY AND TIME SIGNAL (2500 kHz)		
2501-2502 STANDARD FREQUENCY AND TIME SIGNAL Space research				
2502-2625 FIXED MOBILE except aeronautical mobile (R) 5.92 5.103 5.114	2502-2505 STANDARD FREQUENCY AND TIME SIGNAL	US1 US340		
2625-2650 MARITIME MOBILE MARITIME RADIONAVIGATION 5.92	2505-2850 FIXED MOBILE	2505-2850 FIXED MOBILE US285	2505-2850 FIXED MOBILE except aeronautical mobile US285	Maritime (80) Aviation (87) Private Land Mobile (90)
2650-2850 FIXED MOBILE except aeronautical mobile (R) 5.92 5.103		US22 US340	US22 US340	
2850-3025 AERONAUTICAL MOBILE (R) 5.111 5.115		2850-3025 AERONAUTICAL MOBILE (R) 5.111 5.115 US283 US340		Aviation (87)
3025-3155 AERONAUTICAL MOBILE (OR)		3025-3155 AERONAUTICAL MOBILE (OR) US340		
3155-3200 FIXED MOBILE except aeronautical mobile (R) 5.116 5.117		3155-3230 FIXED MOBILE except aeronautical mobile (R)		Maritime (80) Private Land Mobile (90)
3200-3230 FIXED MOBILE except aeronautical mobile (R) BROADCASTING 5.113 5.116		US22 US340		

International Table			United States Table		FCC Rule Part(s)
Region 1 Table	Region 2 Table	Region 3 Table	Federal Table	Non-Federal Table	
3.23-3.4 FIXED MOBILE except aeronautical mobile BROADCASTING 5.113 5.116 5.118			3.23-3.4 FIXED MOBILE except aeronautical mobile Radiolocation US340		Maritime (80) Aviation (87) Private Land Mobile (90)
3.4-3.5 AERONAUTICAL MOBILE (R)			3.4-3.5 AERONAUTICAL MOBILE (R) US283 US340		Aviation (87)
3.5-3.8 AMATEUR FIXED MOBILE except aeronautical mobile 5.92	3.5-3.75 AMATEUR 5.119	3.5-3.9 AMATEUR FIXED MOBILE	3.5-4 US340	3.5-4 AMATEUR US340	Amateur Radio (97)
3.8-3.9 FIXED AERONAUTICAL MOBILE (OR) LAND MOBILE	3.75-4 AMATEUR FIXED MOBILE except aeronautical mobile (R)				
3.9-3.95 AERONAUTICAL MOBILE (OR) 5.123		3.9-3.95 AERONAUTICAL MOBILE BROADCASTING			
3.95-4 FIXED BROADCASTING	5.122 5.125	3.95-4 FIXED BROADCASTING 5.126			
4-4.063 FIXED MARITIME MOBILE 5.127 5.126			4-4.063 FIXED MARITIME MOBILE US340		Maritime (80)
4.063-4.438 MARITIME MOBILE 5.79A 5.109 5.110 5.130 5.131 5.132 5.128			4.063-4.438 MARITIME MOBILE 5.79A 5.109 5.110 5.130 5.131 5.132 US82 US296 US340		Maritime (80) Aviation (87)
4.438-4.488 FIXED MOBILE except aeronautical mobile (R) Radiolocation 5.132A 5.132B	4.438-4.488 FIXED MOBILE except aeronautical mobile (R) RADIOLOCATION 5.132A	4.438-4.488 FIXED MOBILE except aeronautical mobile Radiolocation 5.132A	4.438-4.65 FIXED MOBILE except aeronautical mobile (R) US22 US340		Maritime (80) Aviation (87) Private Land Mobile (90)
4.488-4.65 FIXED MOBILE except aeronautical mobile (R)		4.488-4.65 FIXED MOBILE except aeronautical mobile			
4.65-4.7 AERONAUTICAL MOBILE (R)			4.65-4.7 AERONAUTICAL MOBILE (R) US282 US283 US340		Aviation (87)

4.7-4.75 AERONAUTICAL MOBILE (OR)			4.7-4.75 AERONAUTICAL MOBILE (OR) US340		
4.75-4.85 FIXED AERONAUTICAL MOBILE (OR) LAND MOBILE BROADCASTING 5.113	4.75-4.85 FIXED MOBILE except aeronautical mobile (R) BROADCASTING 5.113	4.75-4.85 FIXED BROADCASTING 5.113 Land mobile	4.75-4.85 FIXED MOBILE except aeronautical mobile (R) US340		Maritime (80) Private Land Mobile (90)
4.85-4.995 FIXED LAND MOBILE BROADCASTING 5.113			4.85-4.995 FIXED MOBILE US340	4.85-4.995 FIXED US340	Aviation (87) Private Land Mobile (90)
4.995-5.003 STANDARD FREQUENCY AND TIME SIGNAL (5 MHz)			4.995-5.005 STANDARD FREQUENCY AND TIME SIGNAL (5 MHz) US1 US340		
5.003-5.005 STANDARD FREQUENCY AND TIME SIGNAL Space research					
5.005-5.06 FIXED BROADCASTING 5.113			5.005-5.06 FIXED US22 US340		Aviation (87) Private Land Mobile (90)
5.06-5.25 FIXED Mobile except aeronautical mobile 5.133			5.06-5.45 FIXED US22 Mobile except aeronautical mobile US23 US212 US340		Maritime (80) Aviation (87) Private Land Mobile (90) Amateur Radio (97)
5.25-5.275 FIXED MOBILE except aeronautical mobile Radiolocation 5.132A 5.133A	5.25-5.275 FIXED MOBILE except aeronautical mobile RADIOLOCATION 5.132A	5.25-5.275 FIXED MOBILE except aeronautical mobile Radiolocation 5.132A			
5.275-5.45 FIXED MOBILE except aeronautical mobile					
5.45-5.48 FIXED AERONAUTICAL MOBILE (OR) LAND MOBILE	5.45-5.48 AERONAUTICAL MOBILE (R)	5.45-5.48 FIXED AERONAUTICAL MOBILE (OR) LAND MOBILE	5.45-5.68 AERONAUTICAL MOBILE (R) 5.111 5.115 US283 US340		Aviation (87)
5.48-5.68 AERONAUTICAL MOBILE (R) 5.111 5.115					
5.68-5.73 AERONAUTICAL MOBILE (OR) 5.111 5.115			5.68-5.73 AERONAUTICAL MOBILE (OR) 5.111 5.115 US340		
5.73-5.9 FIXED LAND MOBILE	5.73-5.9 FIXED MOBILE except aeronautical mobile (R)	5.73-5.9 FIXED Mobile except aeronautical mobile (R)	5.73-5.9 FIXED MOBILE except aeronautical mobile (R) US340		Maritime (80) Aviation (87) Private Land Mobile (90)

Table of Frequency Allocations			5.9-11.175 MHz (HF)		Page 9
International Table			United States Table		FCC Rule Part(s)
Region 1 Table	Region 2 Table	Region 3 Table	Federal Table	Non-Federal Table	
5.9-5.95 BROADCASTING 5.134 5.136			5.9-6.2 BROADCASTING 5.134 US136 US340		International Broadcast Stations (73F)
5.95-6.2 BROADCASTING					
6.2-6.525 MARITIME MOBILE 5.109 5.110 5.130 5.132 5.137			6.2-6.525 MARITIME MOBILE 5.109 5.110 5.130 5.132 US82 US296 US340		Maritime (80)
6.525-6.685 AERONAUTICAL MOBILE (R)			6.525-6.685 AERONAUTICAL MOBILE (R) US283 US340		Aviation (87)
6.685-6.765 AERONAUTICAL MOBILE (OR)			6.685-6.765 AERONAUTICAL MOBILE (OR) US340		
6.765-7 FIXED MOBILE except aeronautical mobile (R) 5.138			6.765-7 FIXED US22 MOBILE except aeronautical mobile (R) 5.138 US340		ISM Equipment (18) Private Land Mobile (90)
7-7.1 AMATEUR AMATEUR-SATELLITE 5.140 5.141 5.141A			7-7.2 US340	7-7.1 AMATEUR AMATEUR-SATELLITE US340	Amateur Radio (97)
7.1-7.2 AMATEUR 5.142 5.141A 5.141B				7.1-7.2 AMATEUR US340	
7.2-7.3 BROADCASTING	7.2-7.3 AMATEUR 5.142	7.2-7.3 BROADCASTING	7.2-7.3 US142 US340	7.2-7.3 AMATEUR US142 US340	International Broadcast Stations (73F) Amateur Radio (97)
7.3-7.4 BROADCASTING 5.134 5.143 5.143A 5.143B 5.143C 5.143D			7.3-7.4 BROADCASTING 5.134 US136 US340		International Broadcast Stations (73F) Maritime (80) Private Land Mobile (90)
7.4-7.45 BROADCASTING 5.143B 5.143C	7.4-7.45 FIXED MOBILE except aeronautical mobile (R)	7.4-7.45 BROADCASTING 5.143A 5.143C	7.4-7.45 FIXED MOBILE except aeronautical mobile (R) US142 US340		
7.45-8.1 FIXED MOBILE except aeronautical mobile (R) 5.144			7.45-8.1 FIXED US22 MOBILE except aeronautical mobile (R) US340		Maritime (80) Aviation (87) Private Land Mobile (90)

8.1-8.195 FIXED MARITIME MOBILE			8.1-8.195 FIXED MARITIME MOBILE US340		Maritime (80)
8.195-8.815 MARITIME MOBILE 5.109 5.110 5.132 5.145 5.111			8.195-8.815 MARITIME MOBILE 5.109 5.110 5.132 5.145 US82 5.111 US296 US340		Maritime (80) Aviation (87)
8.815-8.965 AERONAUTICAL MOBILE (R)			8.815-8.965 AERONAUTICAL MOBILE (R) US340		Aviation (87)
8.965-9.04 AERONAUTICAL MOBILE (OR)			8.965-9.04 AERONAUTICAL MOBILE (OR) US340		
9.04-9.305 FIXED	9.04-9.4 FIXED	9.04-9.305 FIXED	9.04-9.4 FIXED US340		Maritime (80) Private Land Mobile (90)
9.305-9.355 FIXED Radiolocation 5.145A 5.145B		9.305-9.355 FIXED Radiolocation 5.145A			
9.355-9.4 FIXED		9.355-9.4 FIXED			
9.4-9.5 BROADCASTING 5.134 5.146			9.4-9.9 BROADCASTING 5.134 US136 US340		International Broadcast Stations (73F)
9.5-9.9 BROADCASTING 5.147					
9.9-9.995 FIXED			9.9-9.995 FIXED US340		Private Land Mobile (90)
9.995-10.003 STANDARD FREQUENCY AND TIME SIGNAL (10 MHz) 5.111			9.995-10.005 STANDARD FREQUENCY AND TIME SIGNAL (10 MHz) 5.111 US1 US340		
10.003-10.005 STANDARD FREQUENCY AND TIME SIGNAL Space research 5.111					
10.005-10.1 AERONAUTICAL MOBILE (R) 5.111			10.005-10.1 AERONAUTICAL MOBILE (R) 5.111 US283 US340		Aviation (87)
10.1-10.15 FIXED Amateur			10.1-10.15 US247 US340	10.1-10.15 AMATEUR US247 US340	Amateur Radio (97)
10.15-11.175 FIXED Mobile except aeronautical mobile (R)			10.15-11.175 FIXED Mobile except aeronautical mobile (R) US340		Private Land Mobile (90)

Table of Frequency Allocations			11.175-15.1 MHz (HF)		Page 11
International Table			United States Table		FCC Rule Part(s)
Region 1 Table	Region 2 Table	Region 3 Table	Federal Table	Non-Federal Table	
11.175-11.275 AERONAUTICAL MOBILE (OR)			11.175-11.275 AERONAUTICAL MOBILE (OR) US340		
11.275-11.4 AERONAUTICAL MOBILE (R)			11.275-11.4 AERONAUTICAL MOBILE (R) US283 US340		Aviation (87)
11.4-11.6 FIXED			11.4-11.6 FIXED US340		Private Land Mobile (90)
11.6-11.65 BROADCASTING 5.134 5.146			11.6-12.1 BROADCASTING 5.134		International Broadcast Stations (73F)
11.65-12.05 BROADCASTING 5.147					
12.05-12.1 BROADCASTING 5.134 5.146			US136 US340		
12.1-12.23 FIXED			12.1-12.23 FIXED US340		Private Land Mobile (90)
12.23-13.2 MARITIME MOBILE 5.109 5.110 5.132 5.145			12.23-13.2 MARITIME MOBILE 5.109 5.110 5.132 5.145 US82 US296 US340		Maritime (80)
13.2-13.26 AERONAUTICAL MOBILE (OR)			13.2-13.26 AERONAUTICAL MOBILE (OR) US340		
13.26-13.36 AERONAUTICAL MOBILE (R)			13.26-13.36 AERONAUTICAL MOBILE (R) US283 US340		Aviation (87)
13.36-13.41 FIXED RADIO ASTRONOMY 5.149			13.36-13.41 RADIO ASTRONOMY US342 G115	13.36-13.41 RADIO ASTRONOMY US342	
13.41-13.45 FIXED Mobile except aeronautical mobile (R)			13.41-13.57 FIXED Mobile except aeronautical mobile (R)	13.41-13.57 FIXED	ISM Equipment (18) Private Land Mobile (90)

13.45-13.55 FIXED Mobile except aeronautical mobile (R) Radiolocation 5.132A 5.149A	13.45-13.55 FIXED Mobile except aeronautical mobile (R) Radiolocation 5.132A			
13.55-13.57 FIXED Mobile except aeronautical mobile (R) 5.150		5.150 US340	5.150 US340	
13.57-13.6 BROADCASTING 5.134 5.151		13.57-13.87 BROADCASTING 5.134		International Broadcast Stations (73F)
13.6-13.8 BROADCASTING				
13.8-13.87 BROADCASTING 5.134 5.151		US136 US340		
13.87-14 FIXED Mobile except aeronautical mobile (R)		13.87-14 FIXED Mobile except aeronautical mobile (R) US340	13.87-14 FIXED US340	Private Land Mobile (90)
14-14.25 AMATEUR AMATEUR-SATELLITE		14-14.35	14-14.25 AMATEUR AMATEUR-SATELLITE US340	Amateur Radio (97)
14.25-14.35 AMATEUR 5.152		US340	14.25-14.35 AMATEUR US340	
14.35-14.99 FIXED Mobile except aeronautical mobile (R)		14.35-14.99 FIXED Mobile except aeronautical mobile (R) US340	14.35-14.99 FIXED US340	Private Land Mobile (90)
14.99-15.005 STANDARD FREQUENCY AND TIME SIGNAL (15 MHz) 5.111		14.99-15.01 STANDARD FREQUENCY AND TIME SIGNAL (15 MHz)		
15.005-15.01 STANDARD FREQUENCY AND TIME SIGNAL Space research		5.111 US1 US340		
15.01-15.1 AERONAUTICAL MOBILE (OR)		15.01-15.1 AERONAUTICAL MOBILE (OR) US340		Page 12

Table of Frequency Allocations			15.1-22.855 MHz (HF)		Page 13
International Table			United States Table		FCC Rule Part(s)
Region 1 Table	Region 2 Table	Region 3 Table	Federal Table	Non-Federal Table	
15.1-15.6 BROADCASTING			15.1-15.8 BROADCASTING 5.134		International Broadcast Stations (73F)
15.6-15.8 BROADCASTING 5.134 5.146			US136 US340		
15.8-16.1 FIXED 5.153			15.8-16.36 FIXED		Private Land Mobile (90)
16.1-16.2 FIXED Radiolocation 5.145A 5.145B	16.1-16.2 FIXED RADIOLOCATION 5.145A	16.1-16.2 FIXED Radiolocation 5.145A			
16.2-16.36 FIXED			US340		
16.36-17.41 MARITIME MOBILE 5.109 5.110 5.132 5.145			16.36-17.41 MARITIME MOBILE 5.109 5.110 5.132 5.145 US82 US296 US340		Maritime (80)
17.41-17.48 FIXED			17.41-17.48 FIXED US340		Private Land Mobile (90)
17.48-17.55 BROADCASTING 5.134 5.146			17.48-17.9 BROADCASTING 5.134		International Broadcast Stations (73F)
17.55-17.9 BROADCASTING			US136 US340		
17.9-17.97 AERONAUTICAL MOBILE (R)			17.9-17.97 AERONAUTICAL MOBILE (R) US283 US340		Aviation (87)
17.97-18.03 AERONAUTICAL MOBILE (OR)			17.97-18.03 AERONAUTICAL MOBILE (OR) US340		
18.030-18.052 FIXED			18.03-18.068 FIXED		Maritime (80) Private Land Mobile (90)
18.052-18.068 FIXED Space research			US340		
18.068-18.168 AMATEUR AMATEUR-SATELLITE 5.154			18.068-18.168 US340	18.068-18.168 AMATEUR AMATEUR-SATELLITE US340	Amateur Radio (97)
18.168-18.78 FIXED Mobile except aeronautical mobile			18.168-18.78 FIXED Mobile US340		Maritime (80) Private Land Mobile (90)

18.78-18.9 MARITIME MOBILE	18.78-18.9 MARITIME MOBILE US82 US296 US340		Maritime (80)
18.9-19.02 BROADCASTING 5.134 5.146	18.9-19.02 BROADCASTING 5.134 US136 US340		International Broadcast Stations (73F)
19.02-19.68 FIXED	19.02-19.68 FIXED US340		Private Land Mobile (90)
19.68-19.8 MARITIME MOBILE 5.132	19.68-19.8 MARITIME MOBILE 5.132 US340		Maritime (80)
19.8-19.99 FIXED	19.8-19.99 FIXED US340		Private Land Mobile (90)
19.99-19.995 STANDARD FREQUENCY AND TIME SIGNAL Space research 5.111	19.99-20.01 STANDARD FREQUENCY AND TIME SIGNAL (20 MHz) 5.111 US1 US340		
19.995-20.01 STANDARD FREQUENCY AND TIME SIGNAL (20 MHz) 5.111			
20.01-21 FIXED Mobile	20.01-21 FIXED Mobile US340	20.01-21 FIXED US340	Private Land Mobile (90)
21-21.45 AMATEUR AMATEUR-SATELLITE	21-21.45 US340	21-21.45 AMATEUR AMATEUR-SATELLITE US340	Amateur Radio (97)
21.45-21.85 BROADCASTING	21.45-21.85 BROADCASTING US340		International Broadcast Stations (73F)
21.85-21.87 FIXED 5.155A 5.155	21.85-21.924 FIXED US340		Aviation (87) Private Land Mobile (90)
21.87-21.924 FIXED 5.155B			
21.924-22 AERONAUTICAL MOBILE (R)	21.924-22 AERONAUTICAL MOBILE (R) US340		Aviation (87)
22-22.855 MARITIME MOBILE 5.132 5.156	22-22.855 MARITIME MOBILE 5.132 US82 US296 US340		Maritime (80)

Table of Frequency Allocations			22.855-27.41 MHz (HF)		Page 15
International Table			United States Table		FCC Rule Part(s)
Region 1 Table	Region 2 Table	Region 3 Table	Federal Table	Non-Federal Table	
22.855-23 FIXED 5.156			22.855-23 FIXED US340		Private Land Mobile (90)
23-23.2 FIXED Mobile except aeronautical mobile (R) 5.156			23-23.2 FIXED Mobile except aeronautical mobile (R) US340	23-23.2 FIXED US340	
23.2-23.35 FIXED 5.156A AERONAUTICAL MOBILE (OR)			23.2-23.35 AERONAUTICAL MOBILE (OR) US340		
23.35-24 FIXED MOBILE except aeronautical mobile 5.157			23.35-24.89 FIXED MOBILE except aeronautical mobile US340	23.35-24.89 FIXED US340	Private Land Mobile (90)
24-24.45 FIXED LAND MOBILE					
24.45-24.6 FIXED LAND MOBILE Radiolocation 5.132A 5.158	24.45-24.65 FIXED LAND MOBILE RADIOLOCATION 5.132A	24.45-24.6 FIXED LAND MOBILE Radiolocation 5.132A			
24.6-24.89 FIXED LAND MOBILE	24.65-24.89 FIXED LAND MOBILE	24.6-24.89 FIXED LAND MOBILE			
24.89-24.99 AMATEUR AMATEUR-SATELLITE			24.89-24.99 US340	24.89-24.99 AMATEUR AMATEUR-SATELLITE US340	Amateur Radio (97)
24.99-25.005 STANDARD FREQUENCY AND TIME SIGNAL (25 MHz)			24.99-25.01 STANDARD FREQUENCY AND TIME SIGNAL (25 MHz)		
25.005-25.01 STANDARD FREQUENCY AND TIME SIGNAL Space research			US1 US340		
25.01-25.07 FIXED MOBILE except aeronautical mobile			25.01-25.07 US340	25.01-25.07 LAND MOBILE US340 NG112	Private Land Mobile (90)
25.07-25.21 MARITIME MOBILE			25.07-25.21 MARITIME MOBILE US82 US281 US296 US340	25.07-25.21 MARITIME MOBILE US82 US281 US296 US340 NG112	Maritime (80) Private Land Mobile (90)

25.21-25.55 FIXED MOBILE except aeronautical mobile			25.21-25.33 US340	25.21-25.33 LAND MOBILE US340	Private Land Mobile (90)
			25.33-25.55 FIXED MOBILE except aeronautical mobile US340	25.33-25.55 US340	
25.55-25.67 RADIO ASTRONOMY 5.149			25.55-25.67 RADIO ASTRONOMY US74 US342		
25.67-26.1 BROADCASTING			25.67-26.1 BROADCASTING US25 US340		International Broadcast Stations (73F) Remote Pickup (74D)
26.1-26.175 MARITIME MOBILE 5.132			26.1-26.175 MARITIME MOBILE 5.132 US25 US340		Remote Pickup (74D) Low Power Auxiliary (74H) Maritime (80)
26.175-26.2 FIXED MOBILE except aeronautical mobile			26.175-26.48 US340	26.175-26.48 LAND MOBILE US340	Remote Pickup (74D) Low Power Auxiliary (74H)
26.2-26.35 FIXED MOBILE except aeronautical mobile Radiolocation 5.132A 5.133A	26.2-26.42 FIXED MOBILE except aeronautical mobile RADIOLOCATION 5.132A	26.2-26.35 FIXED MOBILE except aeronautical mobile Radiolocation 5.132A			
26.35-27.5 FIXED MOBILE except aeronautical mobile	26.42-27.5 FIXED MOBILE except aeronautical mobile	26.35-27.5 FIXED MOBILE except aeronautical mobile			
5.150	5.150	5.150	26.48-26.95 FIXED MOBILE except aeronautical mobile US340	26.48-26.95 US340	
			26.95-27.41 5.150 US340	26.95-26.96 FIXED 5.150 US340	ISM Equipment (18)
				26.96-27.23 MOBILE except aeronautical mobile 5.150 US340	ISM Equipment (18) Personal Radio (95)
				27.23-27.41 FIXED MOBILE except aeronautical mobile 5.150 US340	ISM Equipment (18) Private Land Mobile (90) Personal Radio (95)

International Table			United States Table		FCC Rule Part(s)
Region 1 Table	Region 2 Table	Region 3 Table	Federal Table	Non-Federal Table	
(See previous page)					
27.5-28 METEOROLOGICAL AIDS FIXED MOBILE			27.41-27.54 US340	27.41-27.54 FIXED LAND MOBILE US340	Private Land Mobile (90)
			27.54-28 FIXED MOBILE US298 US340	27.54-28 US298 US340	
28-29.7 AMATEUR AMATEUR-SATELLITE			28-29.7 US340	28-29.7 AMATEUR AMATEUR-SATELLITE US340	Amateur Radio (97)
29.7-30.005 FIXED MOBILE			29.7-29.89 US340	29.7-29.8 LAND MOBILE US340	Private Land Mobile (90)
				29.8-29.89 FIXED US340	
			29.89-29.91 FIXED MOBILE US340	29.89-29.91 US340	
			29.91-30 US340	29.91-30 FIXED US340	
30.005-30.01 SPACE OPERATION (satellite identification) FIXED MOBILE SPACE RESEARCH			30-30.56 FIXED MOBILE	30-30.56	
30.01-37.5 FIXED MOBILE			30.56-32	30.56-32 FIXED LAND MOBILE NG124	Private Land Mobile (90)
			32-33 FIXED MOBILE	32-33	
			33-34	33-34 FIXED LAND MOBILE NG124	Private Land Mobile (90)

			34-35 FIXED MOBILE	34-35	
			35-36	35-36 FIXED LAND MOBILE	Public Mobile (22) Private Land Mobile (90)
			36-37 FIXED MOBILE US220	36-37 US220	
			37-37.5	37-37.5 LAND MOBILE NG124	Private Land Mobile (90)
37.5-38.25 FIXED MOBILE Radio astronomy 5.149			37.5-38 Radio astronomy US342	37.5-38 LAND MOBILE Radio astronomy US342 NG59 NG124	
			38-38.25 FIXED MOBILE RADIO ASTRONOMY US81 US342	38-38.25 RADIO ASTRONOMY US81 US342	
38.25-39 FIXED MOBILE	38.25-39.986 FIXED MOBILE	38.25-39.5 FIXED MOBILE	38.25-39 FIXED MOBILE	38.25-39	
39-39.5 FIXED MOBILE Radiolocation 5.132A 5.159			39-40	39-40 LAND MOBILE NG124	Private Land Mobile (90)
39.5-39.986 FIXED MOBILE		39.5-39.986 FIXED MOBILE RADIOLOCATION 5.132A			
39.986-40.02 FIXED MOBILE Space research		39.986-40 FIXED MOBILE RADIOLOCATION 5.132A Space research			
		40-40.02 FIXED MOBILE Space research	40-42 FIXED MOBILE 5.150 US210 US220	40-42 5.150 US210 US220	ISM Equipment (18) Private Land Mobile (90) Page 18
40.02-40.98 FIXED MOBILE 5.150					

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International Table			United States Table		FCC Rule Part(s)
Region 1 Table	Region 2 Table	Region 3 Table	Federal Table	Non-Federal Table	
40.98-41.015 FIXED MOBILE Space research 5.160 5.161			(See previous page)		
41.015-42 FIXED MOBILE 5.160 5.161 5.161A					
42-42.5 FIXED MOBILE Radiolocation 5.132A 5.160 5.161B	42-42.5 FIXED MOBILE 5.161		42-46.6	42-43.69 FIXED LAND MOBILE NG124 NG141	Public Mobile (22) Private Land Mobile (90)
42.5-44 FIXED MOBILE 5.160 5.161 5.161A				43.69-46.6 LAND MOBILE NG124 NG141	Private Land Mobile (90)
44-47 FIXED MOBILE 5.162 5.162A			46.6-47 FIXED MOBILE	46.6-47	
47-68 BROADCASTING 5.162A 5.163 5.164 5.165 5.169 5.171	47-50 FIXED MOBILE	47-50 FIXED MOBILE BROADCASTING 5.162A	47-49.6	47-49.6 LAND MOBILE NG124	Private Land Mobile (90)
			49.6-50 FIXED MOBILE	49.6-50	
	50-54 AMATEUR 5.162A 5.166 5.167 5.167A 5.168 5.170		50-73	50-54 AMATEUR	Amateur Radio (97)
	54-68 BROADCASTING Fixed Mobile 5.172	54-68 FIXED MOBILE BROADCASTING 5.162A		54-72 BROADCASTING NG5 NG14 NG115 NG149	Broadcast Radio (TV)(73) LPTV, TV Translator/ Booster (74G) Low Power Auxiliary (74H)
68-74.8 FIXED MOBILE except aeronautical mobile	68-72 BROADCASTING Fixed Mobile 5.173	68-74.8 FIXED MOBILE			

	72-73 FIXED MOBILE			72-73 FIXED MOBILE NG3 NG49 NG56	Public Mobile (22) Maritime (80) Aviation (87) Private Land Mobile (90) Personal Radio (95)
	73-74.6 RADIO ASTRONOMY 5.178		73-74.6 RADIO ASTRONOMY US74 US246		
	74.6-74.8 FIXED MOBILE		74.6-74.8 FIXED MOBILE US273		Private Land Mobile (90)
5.149 5.175 5.177 5.179		5.149 5.176 5.179			
74.8-75.2 AERONAUTICAL RADIONAVIGATION 5.180 5.181			74.8-75.2 AERONAUTICAL RADIONAVIGATION 5.180		Aviation (87)
75.2-87.5 FIXED MOBILE except aeronautical mobile	75.2-75.4 FIXED MOBILE 5.179		75.2-75.4 FIXED MOBILE US273		Private Land Mobile (90)
	75.4-76 FIXED MOBILE	75.4-87 FIXED MOBILE	75.4-88	75.4-76 FIXED MOBILE NG3 NG49 NG56	Public Mobile (22) Maritime (80) Aviation (87) Private Land Mobile (90) Personal Radio (95)
	76-88 BROADCASTING Fixed Mobile 5.185	5.182 5.183 5.188 87-100 FIXED MOBILE BROADCASTING		76-88 BROADCASTING NG5 NG14 NG115 NG149	Broadcast Radio (TV)(73) LPTV, TV Translator/ Booster (74G) Low Power Auxiliary (74H)
5.175 5.179 5.187 87.5-100 BROADCASTING 5.190	88-100 BROADCASTING		88-108 US93	88-108 BROADCASTING NG2 US93 NG5	Broadcast Radio (FM)(73) FM Translator/Booster (74L)
100-108 BROADCASTING 5.192 5.194					
108-117.975 AERONAUTICAL RADIONAVIGATION 5.197 5.197A			108-117.975 AERONAUTICAL RADIONAVIGATION 5.197A US93		Aviation (87) Page 20

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International Table			United States Table		FCC Rule Part(s)
Region 1 Table	Region 2 Table	Region 3 Table	Federal Table	Non-Federal Table	
117.975-137 AERONAUTICAL MOBILE (R) 5.111 5.200 5.201 5.202			117.975-121.9375 AERONAUTICAL MOBILE (R) 5.111 5.200 US26 US28 US36		Aviation (87)
			121.9375-123.0875 US30 US31 US33 US80 US102 US213	121.9375-123.0875 AERONAUTICAL MOBILE US30 US31 US33 US80 US102 US213	
			123.0875-123.5875 AERONAUTICAL MOBILE 5.200 US32 US33 US112		
			123.5875-128.8125 AERONAUTICAL MOBILE (R) US26 US36		
			128.8125-132.0125	128.8125-132.0125 AERONAUTICAL MOBILE (R)	
			132.0125-136 AERONAUTICAL MOBILE (R) US26		
			136-137 US244	136-137 AERONAUTICAL MOBILE (R) US244	
137-137.025 SPACE OPERATION (space-to-Earth) METEOROLOGICAL-SATELLITE (space-to-Earth) MOBILE-SATELLITE (space-to-Earth) 5.208A 5.208B 5.209 SPACE RESEARCH (space-to-Earth) Fixed Mobile except aeronautical mobile (R) 5.204 5.205 5.206 5.207 5.208			137-137.025 SPACE OPERATION (space-to-Earth) METEOROLOGICAL-SATELLITE (space-to-Earth) MOBILE-SATELLITE (space-to-Earth) US319 US320 SPACE RESEARCH (space-to-Earth) 5.208		Satellite Communications (25)
137.025-137.175 SPACE OPERATION (space-to-Earth) METEOROLOGICAL-SATELLITE (space-to-Earth) SPACE RESEARCH (space-to-Earth) Fixed Mobile-satellite (space-to-Earth) 5.208A 5.208B 5.209 Mobile except aeronautical mobile (R) 5.204 5.205 5.206 5.207 5.208			137.025-137.175 SPACE OPERATION (space-to-Earth) METEOROLOGICAL-SATELLITE (space-to-Earth) SPACE RESEARCH (space-to-Earth) Mobile-satellite (space-to-Earth) US319 US320 5.208		
137.175-137.825 SPACE OPERATION (space-to-Earth) METEOROLOGICAL-SATELLITE (space-to-Earth) MOBILE-SATELLITE (space-to-Earth) 5.208A 5.208B 5.209 SPACE RESEARCH (space-to-Earth) Fixed Mobile except aeronautical mobile (R) 5.204 5.205 5.206 5.207 5.208			137.175-137.825 SPACE OPERATION (space-to-Earth) METEOROLOGICAL-SATELLITE (space-to-Earth) MOBILE-SATELLITE (space-to-Earth) US319 US320 SPACE RESEARCH (space-to-Earth) 5.208		

137.825-138 SPACE OPERATION (space-to-Earth) METEOROLOGICAL-SATELLITE (space-to-Earth) SPACE RESEARCH (space-to-Earth) Fixed Mobile-satellite (space-to-Earth) 5.208A 5.208B 5.209 Mobile except aeronautical mobile (R) 5.204 5.205 5.206 5.207 5.208			137.825-138 SPACE OPERATION (space-to-Earth) METEOROLOGICAL-SATELLITE (space-to-Earth) SPACE RESEARCH (space-to-Earth) Mobile-satellite (space-to-Earth) US319 US320 5.208		
138-143.6 AERONAUTICAL MOBILE (OR) 5.210 5.211 5.212 5.214	138-143.6 FIXED MOBILE RADIOLOCATION Space research (space-to-Earth)	138-143.6 FIXED MOBILE Space research (space-to-Earth) 5.207 5.213	138-144 FIXED MOBILE G30	138-144	
143.6-143.65 AERONAUTICAL MOBILE (OR) SPACE RESEARCH (space-to-Earth) 5.211 5.212 5.214	143.6-143.65 FIXED MOBILE RADIOLOCATION SPACE RESEARCH (space-to-Earth)	143.6-143.65 FIXED MOBILE SPACE RESEARCH (space-to-Earth) 5.207 5.213			
143.65-144 AERONAUTICAL MOBILE (OR) 5.210 5.211 5.212 5.214	143.65-144 FIXED MOBILE RADIOLOCATION Space research (space-to-Earth)	143.65-144 FIXED MOBILE Space research (space-to-Earth) 5.207 5.213			
144-146 AMATEUR AMATEUR-SATELLITE 5.216			144-148	144-146 AMATEUR AMATEUR-SATELLITE	Amateur Radio (97)
146-148 FIXED MOBILE except aeronautical mobile (R)	146-148 AMATEUR 5.217	146-148 AMATEUR FIXED MOBILE 5.217		146-148 AMATEUR	
148-149.9 FIXED MOBILE except aeronautical mobile (R) MOBILE-SATELLITE (Earth-to-space) 5.209 5.218 5.219 5.221	148-149.9 FIXED MOBILE MOBILE-SATELLITE (Earth-to-space) 5.209 5.218 5.219 5.221		148-149.9 FIXED MOBILE MOBILE-SATELLITE (Earth-to-space) US319 US320 US323 US325 5.218 5.219 G30	148-149.9 MOBILE-SATELLITE (Earth-to-space) US320 US323 US325 5.218 5.219 US319	Satellite Communications (25)
149.9-150.05 MOBILE-SATELLITE (Earth-to-space) 5.209 5.224A RADIONAVIGATION-SATELLITE 5.224B 5.220 5.222 5.223			149.9-150.05 MOBILE-SATELLITE (Earth-to-space) US319 US320 RADIONAVIGATION-SATELLITE 5.223		
150.05-153 FIXED MOBILE except aeronautical mobile RADIO ASTRONOMY 5.149	150.05-154 FIXED MOBILE 5.225		150.05-150.8 FIXED MOBILE US73 G30	150.05-150.8 US73	

International Table			United States Table		FCC Rule Part(s)
Region 1 Table	Region 2 Table	Region 3 Table	Federal Table	Non-Federal Table	
(See previous page)	(See previous page)		150.8-152.855 US73	150.8-152.855 FIXED LAND MOBILE NG4 NG51 NG112 US73 NG124	Public Mobile (22) Private Land Mobile (90) Personal Radio (95)
153-154 FIXED MOBILE except aeronautical mobile (R) Meteorological aids			152.855-156.2475	152.855-154 LAND MOBILE NG4 NG124	Remote Pickup (74D) Private Land Mobile (90)
154-156.4875 FIXED MOBILE except aeronautical mobile (R) 5.225A 5.226	154-156.4875 FIXED MOBILE 5.226	154-156.4875 FIXED MOBILE 5.225A 5.226		154-156.2475 FIXED LAND MOBILE NG112 5.226 NG22 NG124 NG148	Maritime (80) Private Land Mobile (90) Personal Radio (95)
156.4875-156.5625 MARITIME MOBILE (distress and calling via DSC) 5.111 5.226 5.227			156.2475-156.5125 5.226 US52 US227 US266	156.2475-156.5125 MARITIME MOBILE NG22 5.226 US52 US227 US266 NG124	Maritime (80) Aviation (87)
			156.5125-156.5375 MARITIME MOBILE (distress, urgency, safety and calling via DSC) 5.111 5.226 US266		
156.5625-156.7625 FIXED MOBILE except aeronautical mobile (R) 5.226	156.5625-156.7625 FIXED MOBILE 5.226		156.5375-156.7625 5.226 US52 US227 US266	156.5375-156.7625 MARITIME MOBILE 5.226 US52 US227 US266	
156.7625-156.7875 MARITIME MOBILE Mobile-satellite (Earth-to-space) 5.111 5.226 5.228	156.7625-156.7875 MARITIME MOBILE MOBILE-SATELLITE (Earth-to-space) 5.111 5.226 5.228	156.7625-156.7875 MARITIME MOBILE Mobile-satellite (Earth-to-space) 5.111 5.226 5.228	156.7625-156.8375 MARITIME MOBILE (distress, urgency, safety and calling) 5.111 5.226 US266		
156.7875-156.8125 MARITIME MOBILE (distress and calling) 5.111 5.226					
156.8125-156.8375 MARITIME MOBILE Mobile-satellite (Earth-to-space) 5.111 5.226 5.228	156.8125-156.8375 MARITIME MOBILE MOBILE-SATELLITE (Earth-to-space) 5.111 5.226 5.228	156.8125-156.8375 MARITIME MOBILE Mobile-satellite (Earth-to-space) 5.111 5.226 5.228			
156.8375-161.9625 FIXED MOBILE except aeronautical mobile	156.8375-161.9625 FIXED MOBILE		156.8375-157.0375 5.226 US52 US266	156.8375-157.0375 MARITIME MOBILE 5.226 US52 US266	
			157.0375-157.1875 MARITIME MOBILE US214 5.226 US266 G109	157.0375-157.1875 5.226 US214 US266	Maritime (80)

			157.1875-161.575	157.1875-157.45 MOBILE except aeronautical mobile US266 5.226 NG111	Maritime (80) Aviation (87) Private Land Mobile (90)
				157.45-161.575 FIXED LAND MOBILE NG28 NG111 NG112 5.226 NG6 NG70 NG124 NG148 NG155	Public Mobile (22) Remote Pickup (74D) Maritime (80) Private Land Mobile (90)
			161.575-161.625 5.226 US52	161.575-161.625 MARITIME MOBILE 5.226 US52 NG6 NG17	Public Mobile (22) Maritime (80)
			161.625-161.9625	161.625-161.775 LAND MOBILE NG6 5.226	Public Mobile (22) Remote Pickup (74D) Low Power Auxiliary (74H)
				161.775-161.9625 MOBILE except aeronautical mobile US266 NG6	Maritime (80) Private Land Mobile (90)
5.226	5.226		US266	5.226	
161.9625-161.9875 FIXED MOBILE except aeronautical mobile Mobile-satellite (Earth-to-space) 5.228F 5.226 5.228A 5.228B	161.9625-161.9875 AERONAUTICAL MOBILE (OR) MARITIME MOBILE MOBILE-SATELLITE (Earth-to-space) 5.228C 5.228D	161.9625-161.9875 MARITIME MOBILE Aeronautical mobile (OR) 5.228E Mobile-satellite (Earth-to-space) 5.228F 5.226	161.9625-161.9875 AERONAUTICAL MOBILE (OR) (AIS 1) MARITIME MOBILE (AIS 1) MOBILE-SATELLITE (Earth-to-space) (AIS 1) 5.228C US52		Maritime (80)
161.9875-162.0125 FIXED MOBILE except aeronautical mobile 5.226 5.229	161.9875-162.0125 FIXED MOBILE 5.226		161.9875-162.0125	161.9875-162.0125 MOBILE except aeronautical mobile 5.226	
162.0125-162.0375 FIXED MOBILE except aeronautical mobile Mobile-satellite (Earth-to-space) 5.228F 5.226 5.228A 5.228B 5.229	162.0125-162.0375 AERONAUTICAL MOBILE (OR) MARITIME MOBILE MOBILE-SATELLITE (Earth-to-space) 5.228C 5.228D	162.0125-162.0375 MARITIME MOBILE Aeronautical mobile (OR) 5.228E Mobile-satellite (Earth-to-space) 5.228F 5.226	162.0125-162.0375 AERONAUTICAL MOBILE (OR) (AIS 2) MARITIME MOBILE (AIS 2) MOBILE-SATELLITE (Earth-to-space) (AIS 2) 5.228C US52		
162.0375-174 FIXED MOBILE except aeronautical mobile	162.0375-174 FIXED MOBILE		162.0375-173.2 FIXED MOBILE US8 US11 US13 US73 US300 US312 G5	162.0375-173.2 US8 US11 US13 US73 US300 US312	Remote Pickup (74D) Private Land Mobile (90)
			173.2-173.4	173.2-173.4 FIXED Land mobile	Private Land Mobile (90)
			173.4-174 FIXED MOBILE	173.4-174	
5.226 5.229	5.226 5.230 5.231 5.232		G5		Page 24

Table of Frequency Allocations — 174-400.15 MHz (VHF/UHF) — Page 25

International Table			United States Table		FCC Rule Part(s)
Region 1 Table	Region 2 Table	Region 3 Table	Federal Table	Non-Federal Table	
174-223 BROADCASTING 5.235 5.237 5.243	174-216 BROADCASTING Fixed Mobile 5.234	174-223 FIXED MOBILE BROADCASTING 5.233 5.238 5.240 5.245	174-216	174-216 BROADCASTING NG5 NG14 NG115 NG149	Broadcast Radio (TV)(73) LPTV, TV Translator/ Booster (74G) Low Power Auxiliary (74H)
	216-220 FIXED MARITIME MOBILE Radiolocation 5.241 5.242		216-217 Fixed Land mobile US210 US241 G2	216-219 FIXED MOBILE except aeronautical mobile US210 US241 NG173	Maritime (80) Private Land Mobile (90) Personal Radio (95)
			217-220 Fixed Mobile US210 US241	219-220 FIXED MOBILE except aeronautical mobile Amateur NG152 US210 US241 NG173	Maritime (80) Private Land Mobile (90) Amateur Radio (97)
	220-225 AMATEUR FIXED MOBILE Radiolocation 5.241		220-222 FIXED LAND MOBILE US241 US242		Private Land Mobile (90)
223-230 BROADCASTING Fixed Mobile 5.243 5.246 5.247		223-230 FIXED MOBILE BROADCASTING AERONAUTICAL RADIONAVIGATION Radiolocation 5.250	222-225	222-225 AMATEUR	Amateur Radio (97)
	225-235 FIXED MOBILE		225-235 FIXED MOBILE G27	225-235	
230-235 FIXED MOBILE 5.247 5.251 5.252		230-235 FIXED MOBILE AERONAUTICAL RADIONAVIGATION 5.250			
235-267 FIXED MOBILE 5.111 5.252 5.254 5.256 5.256A			235-267 FIXED MOBILE 5.111 5.256 G27 G100	235-267 5.111 5.256	
267-272 FIXED MOBILE Space operation (space-to-Earth) 5.254 5.257			267-322 FIXED MOBILE	267-322	

272-273 SPACE OPERATION (space-to-Earth) FIXED MOBILE 5.254			
273-312 FIXED MOBILE 5.254			
312-315 FIXED MOBILE Mobile-satellite (Earth-to-space) 5.254 5.255			
315-322 FIXED MOBILE 5.254	G27 G100		
322-328.6 FIXED MOBILE RADIO ASTRONOMY 5.149	322-328.6 FIXED MOBILE US342 G27	322-328.6 US342	
328.6-335.4 AERONAUTICAL RADIONAVIGATION 5.258 5.259	328.6-335.4 AERONAUTICAL RADIONAVIGATION 5.258		Aviation (87)
335.4-387 FIXED MOBILE 5.254	335.4-399.9 FIXED MOBILE	335.4-399.9	
387-390 FIXED MOBILE Mobile-satellite (space-to-Earth) 5.208A 5.208B 5.254 5.255			
390-399.9 FIXED MOBILE 5.254	G27 G100		
399.9-400.05 MOBILE-SATELLITE (Earth-to-space) 5.209 5.224A RADIONAVIGATION-SATELLITE 5.222 5.224B 5.260 5.220	399.9-400.05 MOBILE-SATELLITE (Earth-to-space) US319 US320 RADIONAVIGATION-SATELLITE 5.260		Satellite Communications (25)
400.05-400.15 STANDARD FREQUENCY AND TIME SIGNAL-SATELLITE (400.1 MHz) 5.261 5.262	400.05-400.15 STANDARD FREQUENCY AND TIME SIGNAL-SATELLITE (400.1 MHz) 5.261		Page 26

International Table			United States Table		FCC Rule Part(s)
Region 1 Table	Region 2 Table	Region 3 Table	Federal Table	Non-Federal Table	
400.15-401 METEOROLOGICAL AIDS METEOROLOGICAL-SATELLITE (space-to-Earth) MOBILE-SATELLITE (space-to-Earth) 5.208A 5.208B 5.209 SPACE RESEARCH (space-to-Earth) 5.263 Space operation (space-to-Earth) 5.262 5.264			400.15-401 METEOROLOGICAL AIDS (radiosonde) US70 METEOROLOGICAL-SATELLITE (space-to-Earth) MOBILE-SATELLITE (space-to-Earth) US319 US320 US324 SPACE RESEARCH (space-to-Earth) 5.263 Space operation (space-to-Earth) 5.264	400.15-401 METEOROLOGICAL AIDS (radiosonde) US70 MOBILE-SATELLITE (space-to-Earth) US319 US320 US324 SPACE RESEARCH (space-to-Earth) 5.263 Space operation (space-to-Earth) 5.264	Satellite Communications (25)
401-402 METEOROLOGICAL AIDS SPACE OPERATION (space-to-Earth) EARTH EXPLORATION-SATELLITE (Earth-to-space) METEOROLOGICAL-SATELLITE (Earth-to-space) Fixed Mobile except aeronautical mobile			401-402 METEOROLOGICAL AIDS (radiosonde) US70 SPACE OPERATION (space-to-Earth) EARTH EXPLORATION-SATELLITE (Earth-to-space) METEOROLOGICAL-SATELLITE (Earth-to-space) US64 US384	401-402 METEOROLOGICAL AIDS (radiosonde) US70 SPACE OPERATION (space-to-Earth) Earth exploration-satellite (Earth-to-space) Meteorological-satellite (Earth-to-space) US64 US384	MedRadio (95I)
402-403 METEOROLOGICAL AIDS EARTH EXPLORATION-SATELLITE (Earth-to-space) METEOROLOGICAL-SATELLITE (Earth-to-space) Fixed Mobile except aeronautical mobile			402-403 METEOROLOGICAL AIDS (radiosonde) US70 EARTH EXPLORATION-SATELLITE (Earth-to-space) METEOROLOGICAL-SATELLITE (Earth-to-space) US64 US384	402-403 METEOROLOGICAL AIDS (radiosonde) US70 Earth exploration-satellite (Earth-to-space) Meteorological-satellite (Earth-to-space) US64 US384	
403-406 METEOROLOGICAL AIDS Fixed Mobile except aeronautical mobile			403-406 METEOROLOGICAL AIDS (radiosonde) US70 US64 G6	403-406 METEOROLOGICAL AIDS (radiosonde) US70 US64	
406-406.1 MOBILE-SATELLITE (Earth-to-space) 5.266 5.267			406-406.1 MOBILE-SATELLITE (Earth-to-space) 5.266 5.267		Maritime (EPIRBs) (80V) Aviation (ELTs) (87F) Personal Radio (95)
406.1-410 FIXED MOBILE except aeronautical mobile RADIO ASTRONOMY 5.149			406.1-410 FIXED MOBILE RADIO ASTRONOMY US74 US13 US117 G5 G6	406.1-410 RADIO ASTRONOMY US74 US13 US117	Private Land Mobile (90)
410-420 FIXED MOBILE except aeronautical mobile SPACE RESEARCH (space-to-space) 5.268			410-420 FIXED MOBILE SPACE RESEARCH (space-to-space) 5.268 US13 US64 G5	410-420 US13 US64	Private Land Mobile (90) MedRadio (95I)

420-430 FIXED MOBILE except aeronautical mobile Radiolocation 5.269 5.270 5.271			420-450 RADIOLOCATION G2 G129 5.286 US64 US87 US230 US269 US270 US397 G8	420-450 Amateur US270 5.282 5.286 US64 US87 US230 US269 US397	Private Land Mobile (90) MedRadio (95I) Amateur Radio (97)
430-432 AMATEUR RADIOLOCATION 5.271 5.274 5.275 5.276 5.277	430-432 RADIOLOCATION Amateur 5.271 5.276 5.277 5.278 5.279				
432-438 AMATEUR RADIOLOCATION Earth exploration-satellite (active) 5.279A 5.138 5.271 5.276 5.277 5.280 5.281 5.282	432-438 RADIOLOCATION Amateur Earth exploration-satellite (active) 5.279A 5.271 5.276 5.277 5.278 5.279 5.281 5.282				
438-440 AMATEUR RADIOLOCATION 5.271 5.274 5.275 5.276 5.277 5.283	438-440 RADIOLOCATION Amateur 5.271 5.276 5.277 5.278 5.279				
440-450 FIXED MOBILE except aeronautical mobile Radiolocation 5.269 5.270 5.271 5.284 5.285 5.286					
450-455 FIXED MOBILE 5.286AA 5.209 5.271 5.286 5.286A 5.286B 5.286C 5.286D 5.286E			450-454 5.286 US64 US87	450-454 LAND MOBILE 5.286 US64 US87 NG112 NG124	Remote Pickup (74D) Low Power Auxiliary (74H) Private Land Mobile (90) MedRadio (95I)
			454-456 US64	454-455 FIXED LAND MOBILE US64 NG32 NG112 NG148	Public Mobile (22) Maritime (80) MedRadio (95I)
455-456 FIXED MOBILE 5.286AA 5.209 5.271 5.286A 5.286B 5.286C 5.286E	455-456 FIXED MOBILE 5.286AA MOBILE-SATELLITE (Earth-to-space) 5.286A 5.286B 5.286C 5.209	455-456 FIXED MOBILE 5.286AA 5.209 5.271 5.286A 5.286B 5.286C 5.286E		455-456 LAND MOBILE US64	Remote Pickup (74D) Low Power Auxiliary (74H) MedRadio (95I)

Table of Frequency Allocations — 456-894 MHz (UHF) — Page 29

International Table			United States Table		FCC Rule Part(s)
Region 1 Table	Region 2 Table	Region 3 Table	Federal Table	Non-Federal Table	
456-459 FIXED MOBILE 5.286AA 5.271 5.287 5.288			456-459 5.287 US64 US288	456-460 FIXED LAND MOBILE 5.287 US64 US288 NG32 NG112 NG124 NG148	Public Mobile (22) Maritime (80) Private Land Mobile (90) MedRadio (95I)
459-460 FIXED MOBILE 5.286AA 5.209 5.271 5.286A 5.286B 5.286C 5.286E	459-460 FIXED MOBILE 5.286AA MOBILE-SATELLITE (Earth-to-space) 5.286A 5.286B 5.286C 5.209	459-460 FIXED MOBILE 5.286AA 5.209 5.271 5.286A 5.286B 5.286C 5.286E	459-460		
460-470 FIXED MOBILE 5.286AA Meteorological-satellite (space-to-Earth) 5.287 5.288 5.289 5.290			460-470 Meteorological-satellite (space-to-Earth) 5.287 US73 US209 US288 US289	460-462.5375 FIXED LAND MOBILE US209 US289 NG124	Private Land Mobile (90)
				462.5375-462.7375 LAND MOBILE US289	Personal Radio (95)
				462.7375-467.5375 FIXED LAND MOBILE 5.287 US73 US209 US288 US289 NG124	Maritime (80) Private Land Mobile (90)
				467.5375-467.7375 LAND MOBILE 5.287 US288 US289	Maritime (80) Personal Radio (95)
				467.7375-470 FIXED LAND MOBILE US73 US288 US289 NG124	Maritime (80) Private Land Mobile (90)
470-790 BROADCASTING	470-512 BROADCASTING Fixed Mobile 5.292 5.293	470-585 FIXED MOBILE BROADCASTING 5.291 5.298	470-608	470-512 FIXED LAND MOBILE BROADCASTING NG5 NG14 NG66 NG115 NG149	Public Mobile (22) Broadcast Radio (TV)(73) LPTV, TV Translator/Booster (74G) Low Power Auxiliary (74H) Private Land Mobile (90)
	512-608 BROADCASTING 5.297	585-610 FIXED MOBILE BROADCASTING RADIONAVIGATION 5.149 5.305 5.306 5.307		512-608 FIXED MOBILE BROADCASTING NG5 NG14 NG115 NG149	Wireless Communications (27) Broadcast Radio (TV)(73) LPTV, TV Translator/Booster (74G) Low Power Auxiliary (74H)
	608-614 RADIO ASTRONOMY Mobile-satellite except aeronautical mobile-satellite (Earth-to-space)	610-890 FIXED MOBILE 5.313A 5.317A BROADCASTING	608-614 LAND MOBILE (medical telemetry and medical telecommand) RADIO ASTRONOMY US74 US246		Personal Radio (95)

	614-698 BROADCASTING Fixed Mobile 5.293 5.309 5.311A		614-698	614-698 FIXED MOBILE BROADCASTING NG5 NG14 NG115 NG149	Wireless Communications (27) Broadcast Radio (TV)(73) LPTV, TV Translator/Booster (74G) Low Power Auxiliary (74H)
	698-806 MOBILE 5.313B 5.317A BROADCASTING Fixed		698-758	698-758 FIXED MOBILE BROADCASTING NG159	Wireless Communications (27) LPTV and TV Translator (74G)
			758-775	758-775 FIXED MOBILE NG34 NG159	Public Safety Land Mobile (90R)
5.149 5.291A 5.294 5.296 5.300 5.304 5.306 5.311A 5.312 5.312A			775-788	775-788 FIXED MOBILE BROADCASTING NG159	Wireless Communications (27) LPTV and TV Translator (74G)
790-862 FIXED MOBILE except aeronautical mobile 5.316B 5.317A BROADCASTING			788-805	788-805 FIXED MOBILE NG34 NG159	Public Safety Land Mobile (90R)
			805-806	805-806 FIXED MOBILE BROADCASTING NG159	Wireless Communications (27) LPTV and TV Translator (74G)
	5.293 5.309 5.311A				
	806-890 FIXED MOBILE 5.317A BROADCASTING		806-809	806-809 LAND MOBILE	Public Safety Land Mobile (90S)
			809-851	809-849 FIXED LAND MOBILE	Public Mobile (22) Private Land Mobile (90)
				849-851 AERONAUTICAL MOBILE	Public Mobile (22)
			851-854	851-854 LAND MOBILE	Public Safety Land Mobile (90S)
5.312 5.314 5.315 5.316 5.316A 5.319			854-890	854-894 FIXED LAND MOBILE	Public Mobile (22) Private Land Mobile (90)
862-890 FIXED MOBILE except aeronautical mobile 5.317A BROADCASTING 5.322					
5.319 5.323	5.317 5.318	5.149 5.305 5.306 5.307 5.311A 5.320		US116 US268	Page 30

Table of Frequency Allocations — 894-1400 MHz (UHF) — Page 31

International Table			United States Table		FCC Rule Part(s)
Region 1 Table	Region 2 Table	Region 3 Table	Federal Table	Non-Federal Table	
890-942 FIXED MOBILE except aeronautical mobile 5.317A BROADCASTING 5.322 Radiolocation	890-902 FIXED MOBILE except aeronautical mobile 5.317A Radiolocation 5.318 5.325	890-942 FIXED MOBILE 5.317A BROADCASTING Radiolocation	890-902 US116 US268 G2	(See previous page)	
				894-896 AERONAUTICAL MOBILE US116 US268	Public Mobile (22)
				896-901 FIXED LAND MOBILE US116 US268	Private Land Mobile (90)
				901-902 FIXED MOBILE US116 US268	Personal Communications (24)
	902-928 FIXED Amateur Mobile except aeronautical mobile 5.325A Radiolocation 5.150 5.325 5.326		902-928 RADIOLOCATION G59 5.150 US218 US267 US275 G11	902-928 5.150 US218 US267 US275	ISM Equipment (18) Private Land Mobile (90) Amateur Radio (97)
	928-942 FIXED MOBILE except aeronautical mobile 5.317A Radiolocation		928-932 US116 US268 G2	928-929 FIXED US116 US268 NG35	Public Mobile (22) Private Land Mobile (90) Fixed Microwave (101)
				929-930 FIXED LAND MOBILE US116 US268	Private Land Mobile (90)
				930-931 FIXED MOBILE US116 US268	Personal Communications (24)
				931-932 FIXED LAND MOBILE US116 US268	Public Mobile (22)
			932-935 FIXED US268 G2	932-935 FIXED US268 NG35	Public Mobile (22) Fixed Microwave (101)
			935-941 US116 US268 G2	935-940 FIXED LAND MOBILE US116 US268	Private Land Mobile (90)
				940-941 FIXED MOBILE US116 US268	Personal Communications (24)

5.323	5.325	5.327	941-944 FIXED US268 US301 G2	941-944 FIXED US268 US301 NG30 NG35	Public Mobile (22) Aural Broadcast Auxiliary (74E) Fixed Microwave (101)
942-960 FIXED MOBILE except aeronautical mobile 5.317A BROADCASTING 5.322 5.323	942-960 FIXED MOBILE 5.317A	942-960 FIXED MOBILE 5.317A BROADCASTING 5.320	944-960	944-960 FIXED NG35	Public Mobile (22) Aural Broadcast Auxiliary (74E) Low Power Auxiliary (74H) Fixed Microwave (101)
960-1164 AERONAUTICAL MOBILE (R) 5.327A AERONAUTICAL RADIONAVIGATION 5.328			960-1164 AERONAUTICAL MOBILE (R) 5.327A AERONAUTICAL RADIONAVIGATION 5.328 US224		Aviation (87)
1164-1215 AERONAUTICAL RADIONAVIGATION 5.328 RADIONAVIGATION-SATELLITE (space-to-Earth) (space-to-space) 5.328B 5.328A			1164-1215 AERONAUTICAL RADIONAVIGATION 5.328 RADIONAVIGATION-SATELLITE (space-to-Earth) (space-to-space) 5.328A US224		
1215-1240 EARTH EXPLORATION-SATELLITE (active) RADIOLOCATION RADIONAVIGATION-SATELLITE (space-to-Earth) (space-to-space) 5.328B 5.329 5.329A SPACE RESEARCH (active) 5.330 5.331 5.332			1215-1240 EARTH EXPLORATION-SATELLITE (active) RADIOLOCATION G56 RADIONAVIGATION-SATELLITE (space-to-Earth) (space-to-space) G132 SPACE RESEARCH (active) 5.332	1215-1240 Earth exploration-satellite (active) Space research (active)	
1240-1300 EARTH EXPLORATION-SATELLITE (active) RADIOLOCATION RADIONAVIGATION-SATELLITE (space-to-Earth) (space-to-space) 5.328B 5.329 5.329A SPACE RESEARCH (active) Amateur 5.282 5.330 5.331 5.332 5.335 5.335A			1240-1300 EARTH EXPLORATION-SATELLITE (active) RADIOLOCATION G56 SPACE RESEARCH (active) AERONAUTICAL RADIONAVIGATION 5.332 5.335	1240-1300 AERONAUTICAL RADIONAVIGATION Amateur Earth exploration-satellite (active) Space research (active) 5.282	Amateur Radio (97)
1300-1350 RADIOLOCATION AERONAUTICAL RADIONAVIGATION 5.337 RADIONAVIGATION-SATELLITE (Earth-to-space) 5.149 5.337A			1300-1350 AERONAUTICAL RADIONAVIGATION 5.337 Radiolocation G2 US342	1300-1350 AERONAUTICAL RADIONAVIGATION 5.337 US342	Aviation (87)
1350-1400 FIXED MOBILE RADIOLOCATION 5.149 5.338 5.338A 5.339	1350-1400 RADIOLOCATION 5.338A 5.149 5.334 5.339		1350-1390 FIXED MOBILE RADIOLOCATION G2 5.334 5.339 US342 US385 G27 G114	1350-1390 5.334 5.339 US342 US385	
			1390-1395 5.339 US79 US342 US385	1390-1395 FIXED MOBILE except aeronautical mobile 5.339 US79 US342 US385 NG338A	Wireless Communications (27)
			1395-1400 LAND MOBILE (medical telemetry and medical telecommand) 5.339 US79 US342 US385		Personal Radio (95)

International Table			United States Table		FCC Rule Part(s)
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1400-1427 EARTH EXPLORATION-SATELLITE (passive) RADIO ASTRONOMY SPACE RESEARCH (passive) 5.340 5.341			1400-1427 EARTH EXPLORATION-SATELLITE (passive) RADIO ASTRONOMY US74 SPACE RESEARCH (passive) 5.341 US246		
1427-1429 SPACE OPERATION (Earth-to-space) FIXED MOBILE except aeronautical mobile 5.338A 5.341			1427-1429.5 LAND MOBILE (medical telemetry and medical telecommand) US350 5.341 US79	1427-1429.5 LAND MOBILE (telemetry and telecommand) Fixed (telemetry) 5.341 US79 US350 NG338A	Private Land Mobile (90) Personal Radio (95)
1429-1452 FIXED MOBILE except aeronautical mobile 5.338A 5.341 5.342	1429-1452 FIXED MOBILE 5.343 5.338A 5.341		1429.5-1432 5.341 US79 US350	1429.5-1432 FIXED (telemetry and telecommand) LAND MOBILE (telemetry and telecommand) 5.341 US79 US350 NG338A	
			1432-1435 5.341 US83	1432-1435 FIXED MOBILE except aeronautical mobile 5.341 US83 NG338A	Wireless Communications (27)
1452-1492 FIXED MOBILE except aeronautical mobile BROADCASTING BROADCASTING-SATELLITE 5.208B 5.341 5.342 5.345	1452-1492 FIXED MOBILE 5.343 BROADCASTING BROADCASTING-SATELLITE 5.208B 5.341 5.344 5.345		1435-1525 MOBILE (aeronautical telemetry) US338A 5.341 US343		Aviation (87)
1492-1518 FIXED MOBILE except aeronautical mobile 5.341 5.342	1492-1518 FIXED MOBILE 5.343 5.341 5.344	1492-1518 FIXED MOBILE 5.341			
1518-1525 FIXED MOBILE except aeronautical mobile MOBILE-SATELLITE (space-to-Earth) 5.348 5.348A 5.348B 5.351A 5.341 5.342	1518-1525 FIXED MOBILE 5.343 MOBILE-SATELLITE (space-to-Earth) 5.348 5.348A 5.348B 5.351A 5.341 5.344	1518-1525 FIXED MOBILE MOBILE-SATELLITE (space-to-Earth) 5.348 5.348A 5.348B 5.351A 5.341			

1525-1530 SPACE OPERATION (space-to-Earth) FIXED MOBILE-SATELLITE (space-to-Earth) 5.208B 5.351A Earth exploration-satellite Mobile except aeronautical mobile 5.349 5.341 5.342 5.350 5.351 5.352A 5.354	1525-1530 SPACE OPERATION (space-to-Earth) MOBILE-SATELLITE (space-to-Earth) 5.208B 5.351A Earth exploration-satellite Fixed Mobile 5.343 5.341 5.351 5.354	1525-1530 SPACE OPERATION (space-to-Earth) FIXED MOBILE-SATELLITE (space-to-Earth) 5.208B 5.351A Earth exploration-satellite Mobile 5.349 5.341 5.351 5.352A 5.354	1525-1535 MOBILE-SATELLITE (space-to-Earth) US315 US380 5.341 5.351	Satellite Communications (25) Maritime (80)
1530-1535 SPACE OPERATION (space-to-Earth) MOBILE-SATELLITE (space-to-Earth) 5.208B 5.351A 5.353A Earth exploration-satellite Fixed Mobile except aeronautical mobile 5.341 5.342 5.351 5.354	1530-1535 SPACE OPERATION (space-to-Earth) MOBILE-SATELLITE (space-to-Earth) 5.208B 5.351A 5.353A Earth exploration-satellite Fixed Mobile 5.343 5.341 5.351 5.354			
1535-1559 MOBILE-SATELLITE (space-to-Earth) 5.208B 5.351A 5.341 5.351 5.353A 5.354 5.355 5.356 5.357 5.357A 5.359 5.362A			1535-1559 MOBILE-SATELLITE (space-to-Earth) US308 US309 US315 US380 5.341 5.351 5.356	Satellite Communications (25) Maritime (80) Aviation (87)
1559-1610 AERONAUTICAL RADIONAVIGATION RADIONAVIGATION-SATELLITE (space-to-Earth) (space-to-space) 5.208B 5.328B 5.329A 5.341 5.362B 5.362C			1559-1610 AERONAUTICAL RADIONAVIGATION RADIONAVIGATION-SATELLITE (space-to-Earth) (space-to-space) 5.341 US85 US208 US260	Aviation (87)
1610-1610.6 MOBILE-SATELLITE (Earth-to-space) 5.351A AERONAUTICAL RADIONAVIGATION 5.341 5.355 5.359 5.364 5.366 5.367 5.368 5.369 5.371 5.372	1610-1610.6 MOBILE-SATELLITE (Earth-to-space) 5.351A AERONAUTICAL RADIONAVIGATION RADIODETERMINATION-SATELLITE (Earth-to-space) 5.341 5.364 5.366 5.367 5.368 5.370 5.372	1610-1610.6 MOBILE-SATELLITE (Earth-to-space) 5.351A AERONAUTICAL RADIONAVIGATION Radiodetermination-satellite (Earth-to-space) 5.341 5.355 5.359 5.364 5.366 5.367 5.368 5.369 5.372	1610-1610.6 MOBILE-SATELLITE (Earth-to-space) US319 US380 AERONAUTICAL RADIONAVIGATION US260 RADIODETERMINATION-SATELLITE (Earth-to-space) 5.341 5.364 5.366 5.367 5.368 5.372 US208	Satellite Communications (25) Aviation (87)
1610.6-1613.8 MOBILE-SATELLITE (Earth-to-space) 5.351A RADIO ASTRONOMY AERONAUTICAL RADIONAVIGATION 5.149 5.341 5.355 5.359 5.364 5.366 5.367 5.368 5.369 5.371 5.372	1610.6-1613.8 MOBILE-SATELLITE (Earth-to-space) 5.351A RADIO ASTRONOMY AERONAUTICAL RADIONAVIGATION RADIODETERMINATION-SATELLITE (Earth-to-space) 5.149 5.341 5.364 5.366 5.367 5.368 5.370 5.372	1610.6-1613.8 MOBILE-SATELLITE (Earth-to-space) 5.351A RADIO ASTRONOMY AERONAUTICAL RADIONAVIGATION Radiodetermination-satellite (Earth-to-space) 5.149 5.341 5.355 5.359 5.364 5.366 5.367 5.368 5.369 5.372	1610.6-1613.8 MOBILE-SATELLITE (Earth-to-space) US319 US380 RADIO ASTRONOMY AERONAUTICAL RADIONAVIGATION US260 RADIODETERMINATION-SATELLITE (Earth-to-space) 5.341 5.364 5.366 5.367 5.368 5.372 US208 US342	
1613.8-1626.5 MOBILE-SATELLITE (Earth-to-space) 5.351A AERONAUTICAL RADIONAVIGATION Mobile-satellite (space-to-Earth) 5.208B 5.341 5.355 5.359 5.364 5.365 5.366 5.367 5.368 5.369 5.371 5.372	1613.8-1626.5 MOBILE-SATELLITE (Earth-to-space) 5.351A AERONAUTICAL RADIONAVIGATION RADIODETERMINATION-SATELLITE (Earth-to-space) Mobile-satellite (space-to-Earth) 5.208B 5.341 5.364 5.365 5.366 5.367 5.368 5.370 5.372	1613.8-1626.5 MOBILE-SATELLITE (Earth-to-space) 5.351A AERONAUTICAL RADIONAVIGATION Mobile-satellite (space-to-Earth) 5.208B Radiodetermination-satellite (Earth-to-space) 5.341 5.355 5.359 5.364 5.365 5.366 5.367 5.368 5.369 5.372	1613.8-1626.5 MOBILE-SATELLITE (Earth-to-space) US319 US380 AERONAUTICAL RADIONAVIGATION US260 RADIODETERMINATION-SATELLITE (Earth-to-space) Mobile-satellite (space-to-Earth) 5.341 5.364 5.365 5.366 5.367 5.368 5.372 US208	

International Table			United States Table		FCC Rule Part(s)
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1626.5-1660 MOBILE-SATELLITE (Earth-to-space) 5.351A 5.341 5.351 5.353A 5.354 5.355 5.357A 5.359 5.362A 5.374 5.375 5.376			1626.5-1660 MOBILE-SATELLITE (Earth-to-space) US308 US309 US315 US380 5.341 5.351 5.375		Satellite Communications (25) Maritime (80) Aviation (87)
1660-1660.5 MOBILE-SATELLITE (Earth-to-space) 5.351A RADIO ASTRONOMY 5.149 5.341 5.351 5.354 5.362A 5.376A			1660-1660.5 MOBILE-SATELLITE (Earth-to-space) US308 US309 US380 RADIO ASTRONOMY 5.341 5.351 US342		Satellite Communications (25) Aviation (87)
1660.5-1668 RADIO ASTRONOMY SPACE RESEARCH (passive) Fixed Mobile except aeronautical mobile 5.149 5.341 5.379 5.379A			1660.5-1668.4 RADIO ASTRONOMY US74 SPACE RESEARCH (passive) 5.341 US246		
1668-1668.4 MOBILE-SATELLITE (Earth-to-space) 5.351A 5.379B 5.379C RADIO ASTRONOMY SPACE RESEARCH (passive) Fixed Mobile except aeronautical mobile 5.149 5.341 5.379 5.379A					
1668.4-1670 METEOROLOGICAL AIDS FIXED MOBILE except aeronautical mobile MOBILE-SATELLITE (Earth-to-space) 5.351A 5.379B 5.379C RADIO ASTRONOMY 5.149 5.341 5.379D 5.379E			1668.4-1670 METEOROLOGICAL AIDS (radiosonde) RADIO ASTRONOMY US74 5.341 US99 US342		
1670-1675 METEOROLOGICAL AIDS FIXED METEOROLOGICAL-SATELLITE (space-to-Earth) MOBILE MOBILE-SATELLITE (Earth-to-space) 5.351A 5.379B 5.341 5.379D 5.379E 5.380A			1670-1675 5.341 US211 US362	1670-1675 FIXED MOBILE except aeronautical mobile 5.341 US211 US362	Wireless Communications (27)
1675-1690 METEOROLOGICAL AIDS FIXED METEOROLOGICAL-SATELLITE (space-to-Earth) MOBILE except aeronautical mobile 5.341			1675-1695 METEOROLOGICAL AIDS (radiosonde) METEOROLOGICAL-SATELLITE (space-to-Earth) US88 5.341 US211 US289		
1690-1700 METEOROLOGICAL AIDS METEOROLOGICAL-SATELLITE (space-to-Earth) Fixed Mobile except aeronautical mobile 5.289 5.341 5.382	1690-1700 METEOROLOGICAL AIDS METEOROLOGICAL-SATELLITE (space-to-Earth) 5.289 5.341 5.381		1695-1710 METEOROLOGICAL-SATELLITE (space-to-Earth) US88	1695-1710 FIXED MOBILE except aeronautical mobile	Wireless Communications (27)

1700-1710 FIXED METEOROLOGICAL-SATELLITE (space-to-Earth) MOBILE except aeronautical mobile 5.289 5.341		1700-1710 FIXED METEOROLOGICAL-SATELLITE (space-to-Earth) MOBILE except aeronautical mobile 5.289 5.341 5.384	5.341	5.341 US88	
1710-1930 FIXED MOBILE 5.384A 5.388A 5.388B 5.149 5.341 5.385 5.386 5.387 5.388			1710-1761 5.341 US91 US378 US385	1710-1780 FIXED MOBILE 5.341 US91 US378 US385	
			1761-1780 SPACE OPERATION (Earth-to-space) G42 US91		
			1780-1850 FIXED MOBILE SPACE OPERATION (Earth-to-space) G42	1780-1850	
1930-1970 FIXED MOBILE 5.388A 5.388B 5.388	1930-1970 FIXED MOBILE 5.388A 5.388B Mobile-satellite (Earth-to-space) 5.388	1930-1970 FIXED MOBILE 5.388A 5.388B 5.388	1850-2025	1850-2000 FIXED MOBILE	RF Devices (15) Personal Communications (24) Wireless Communications (27) Fixed Microwave (101)
1970-1980 FIXED MOBILE 5.388A 5.388B 5.388					
1980-2010 FIXED MOBILE MOBILE-SATELLITE (Earth-to-space) 5.351A 5.388 5.389A 5.389B 5.389F					
2010-2025 FIXED MOBILE 5.388A 5.388B 5.388	2010-2025 FIXED MOBILE MOBILE-SATELLITE (Earth-to-space) 5.388 5.389C 5.389E	2010-2025 FIXED MOBILE 5.388A 5.388B 5.388		2000-2020 FIXED MOBILE MOBILE-SATELLITE (Earth-to-space)	Satellite Communications (25) Wireless Communications (27)
				2020-2025 FIXED MOBILE	
2025-2110 SPACE OPERATION (Earth-to-space) (space-to-space) EARTH EXPLORATION-SATELLITE (Earth-to-space) (space-to-space) FIXED MOBILE 5.391 SPACE RESEARCH (Earth-to-space) (space-to-space) 5.392			2025-2110 SPACE OPERATION (Earth-to-space) (space-to-space) EARTH EXPLORATION-SATELLITE (Earth-to-space) (space-to-space) SPACE RESEARCH (Earth-to-space) (space-to-space) FIXED MOBILE 5.391 5.392 US90 US92 US222 US346 US347	2025-2110 FIXED NG118 MOBILE 5.391 5.392 US90 US92 US222 US346 US347	TV Auxiliary Broadcasting (74F) Cable TV Relay (78) Local TV Transmission (101J)

International Table			United States Table		FCC Rule Part(s)
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2110-2120 FIXED MOBILE 5.388A 5.388B SPACE RESEARCH (deep space) (Earth-to-space) 5.388			2110-2120 US252	2110-2120 FIXED MOBILE US252	Public Mobile (22) Wireless Communications (27) Fixed Microwave (101)
2120-2170 FIXED MOBILE 5.388A 5.388B 5.388	2120-2160 FIXED MOBILE 5.388A 5.388B Mobile-satellite (space-to-Earth) 5.388 2160-2170 FIXED MOBILE MOBILE-SATELLITE (space-to-Earth) 5.388 5.389C 5.389E	2120-2170 FIXED MOBILE 5.388A 5.388B 5.388	2120-2200	2120-2180 FIXED MOBILE NG41	
2170-2200 FIXED MOBILE MOBILE-SATELLITE (space-to-Earth) 5.351A 5.388 5.389A 5.389F				2180-2200 FIXED MOBILE MOBILE-SATELLITE (space-to-Earth)	Satellite Communications (25)
2200-2290 SPACE OPERATION (space-to-Earth) (space-to-space) EARTH EXPLORATION-SATELLITE (space-to-Earth) (space-to-space) FIXED MOBILE 5.391 SPACE RESEARCH (space-to-Earth) (space-to-space) 5.392			2200-2290 SPACE OPERATION (space-to-Earth) (space-to-space) EARTH EXPLORATION-SATELLITE (space-to-Earth) (space-to-space) FIXED (line-of-sight only) MOBILE (line-of-sight only including aeronautical telemetry, but excluding flight testing of manned aircraft) 5.391 SPACE RESEARCH (space-to-Earth) (space-to-space) 5.392 US303	2200-2290 US303	
2290-2300 FIXED MOBILE except aeronautical mobile SPACE RESEARCH (deep space) (space-to-Earth)			2290-2300 FIXED MOBILE except aeronautical mobile SPACE RESEARCH (deep space) (space-to-Earth)	2290-2300 SPACE RESEARCH (deep space) (space-to-Earth)	
2300-2450 FIXED MOBILE 5.384A Amateur Radiolocation	2300-2450 FIXED MOBILE 5.384A RADIOLOCATION Amateur		2300-2305 G122	2300-2305 Amateur	Amateur Radio (97)
			2305-2310 US97 G122	2305-2310 FIXED MOBILE except aeronautical mobile RADIOLOCATION Amateur US97	Wireless Communications (27) Amateur Radio (97)

		2310-2320 Fixed Mobile US100 Radiolocation G2 US97 US327	2310-2320 FIXED MOBILE BROADCASTING-SATELLITE RADIOLOCATION 5.396 US97 US100 US327	Wireless Communications (27)
		2320-2345 Fixed Radiolocation G2 US327	2320-2345 BROADCASTING-SATELLITE 5.396 US327	Satellite Communications (25)
		2345-2360 Fixed Mobile US100 Radiolocation G2 US327	2345-2360 FIXED MOBILE US100 BROADCASTING-SATELLITE RADIOLOCATION 5.396 US327	Wireless Communications (27)
		2360-2390 MOBILE US276 RADIOLOCATION G2 G120 Fixed US101	2360-2390 MOBILE US276 US101	Aviation (87) Personal Radio (95)
		2390-2395 MOBILE US276 US101	2390-2395 AMATEUR MOBILE US276 US101	Aviation (87) Personal Radio (95) Amateur Radio (97)
		2395-2400 US101 G122	2395-2400 AMATEUR US101	Personal Radio (95) Amateur Radio (97)
		2400-2417 5.150 G122	2400-2417 AMATEUR 5.150 5.282	ISM Equipment (18) Amateur Radio (97)
5.150 5.282 5.395	5.150 5.282 5.393 5.394 5.396	2417-2450 Radiolocation G2 5.150	2417-2450 Amateur 5.150 5.282	
2450-2483.5 FIXED MOBILE Radiolocation 5.150	2450-2483.5 FIXED MOBILE RADIOLOCATION 5.150	2450-2483.5 5.150 US41	2450-2483.5 FIXED MOBILE Radiolocation 5.150 US41	ISM Equipment (18) TV Auxiliary Broadcasting (74F) Private Land Mobile (90) Fixed Microwave (101)

International Table			United States Table		FCC Rule Part(s)
Region 1 Table	Region 2 Table	Region 3 Table	Federal Table	Non-Federal Table	
2483.5-2500 FIXED MOBILE MOBILE-SATELLITE (space-to-Earth) 5.351A RADIODETERMINATION-SATELLITE (space-to-Earth) 5.398 Radiolocation 5.398A 5.150 5.399 5.401 5.402	2483.5-2500 FIXED MOBILE MOBILE-SATELLITE (space-to-Earth) 5.351A RADIOLOCATION RADIODETERMINATION-SATELLITE (space-to-Earth) 5.398 5.150 5.402	2483.5-2500 FIXED MOBILE MOBILE-SATELLITE (space-to-Earth) 5.351A RADIOLOCATION RADIODETERMINATION-SATELLITE (space-to-Earth) 5.398 5.150 5.401 5.402	2483.5-2500 MOBILE-SATELLITE (space-to-Earth) US319 US380 US391 RADIODETERMINATION-SATELLITE (space-to-Earth) 5.398 5.150 5.402 US41	2483.5-2495 MOBILE-SATELLITE (space-to-Earth) US380 RADIODETERMINATION-SATELLITE (space-to-Earth) 5.398 5.150 5.402 US41 US319 NG147	ISM Equipment (18) Satellite Communications (25)
				2495-2500 FIXED MOBILE except aeronautical mobile MOBILE-SATELLITE (space-to-Earth) US380 RADIODETERMINATION-SATELLITE (space-to-Earth) 5.398 5.150 5.402 US41 US319 US391 NG147	ISM Equipment (18) Satellite Communications (25) Wireless Communications (27)
2500-2520 FIXED 5.410 MOBILE except aeronautical mobile 5.384A 5.412	2500-2520 FIXED 5.410 FIXED-SATELLITE (space-to-Earth) 5.415 MOBILE except aeronautical mobile 5.384A 5.404	2500-2520 FIXED 5.410 FIXED-SATELLITE (space-to-Earth) 5.415 MOBILE except aeronautical mobile 5.384A MOBILE-SATELLITE (space-to-Earth) 5.351A 5.407 5.414 5.414A 5.404 5.415A	2500-2655 5.339 US205	2500-2655 FIXED US205 MOBILE except aeronautical mobile 5.339	Wireless Communications (27)
2520-2655 FIXED 5.410 MOBILE except aeronautical mobile 5.384A BROADCASTING-SATELLITE 5.413 5.416 5.339 5.412 5.417C 5.417D 5.418B 5.418C	2520-2655 FIXED 5.410 FIXED-SATELLITE (space-to-Earth) 5.415 MOBILE except aeronautical mobile 5.384A BROADCASTING-SATELLITE 5.413 5.416 5.339 5.417C 5.417D 5.418B 5.418C	2520-2535 FIXED 5.410 FIXED-SATELLITE (space-to-Earth) 5.415 MOBILE except aeronautical mobile 5.384A BROADCASTING-SATELLITE 5.413 5.416 5.403 5.414A 5.415A 2535-2655 FIXED 5.410 MOBILE except aeronautical mobile 5.384A BROADCASTING-SATELLITE 5.413 5.416 5.339 5.417A 5.417B 5.417C 5.417D 5.418 5.418A 5.418B 5.418C			
2655-2670 FIXED 5.410 MOBILE except aeronautical mobile 5.384A BROADCASTING-SATELLITE 5.208B 5.413 5.416 Earth exploration-satellite (passive) Radio astronomy Space research (passive) 5.149 5.412	2655-2670 FIXED 5.410 FIXED-SATELLITE (Earth-to-space) (space-to-Earth) 5.415 MOBILE except aeronautical mobile 5.384A BROADCASTING-SATELLITE 5.413 5.416 Earth exploration-satellite (passive) Radio astronomy Space research (passive) 5.149 5.208B	2655-2670 FIXED 5.410 FIXED-SATELLITE (Earth-to-space) 5.415 MOBILE except aeronautical mobile 5.384A BROADCASTING-SATELLITE 5.413 5.416 Earth exploration-satellite (passive) Radio astronomy Space research (passive) 5.149 5.208B 5.420	2655-2690 Earth exploration-satellite (passive) Radio astronomy US385 Space research (passive)	2655-2690 FIXED US205 MOBILE except aeronautical mobile Earth exploration-satellite (passive) Radio astronomy Space research (passive)	

2670-2690 FIXED 5.410 MOBILE except aeronautical mobile 5.384A Earth exploration-satellite (passive) Radio astronomy Space research (passive) 5.149 5.412	2670-2690 FIXED 5.410 FIXED-SATELLITE (Earth-to-space) (space-to-Earth) 5.208B 5.415 MOBILE except aeronautical mobile 5.384A Earth exploration-satellite (passive) Radio astronomy Space research (passive) 5.149	2670-2690 FIXED 5.410 FIXED-SATELLITE (Earth-to-space) 5.415 MOBILE except aeronautical mobile 5.384A MOBILE-SATELLITE (Earth-to-space) 5.351A 5.419 Earth exploration-satellite (passive) Radio astronomy Space research (passive) 5.149	US205	US385	
2690-2700 EARTH EXPLORATION-SATELLITE (passive) RADIO ASTRONOMY SPACE RESEARCH (passive) 5.340 5.422			2690-2700 EARTH EXPLORATION-SATELLITE (passive) RADIO ASTRONOMY US74 SPACE RESEARCH (passive) US246		
2700-2900 AERONAUTICAL RADIONAVIGATION 5.337 Radiolocation 5.423 5.424			2700-2900 METEOROLOGICAL AIDS AERONAUTICAL RADIONAVIGATION 5.337 US18 Radiolocation G2 5.423 G15	2700-2900 5.423 US18	Aviation (87)
2900-3100 RADIOLOCATION 5.424A RADIONAVIGATION 5.426 5.425 5.427			2900-3100 RADIOLOCATION 5.424A G56 MARITIME RADIONAVIGATION 5.427 US44 US316	2900-3100 MARITIME RADIONAVIGATION Radiolocation US44 5.427 US316	Maritime (80) Private Land Mobile (90)
3100-3300 RADIOLOCATION Earth exploration-satellite (active) Space research (active) 5.149 5.428			3100-3300 RADIOLOCATION G59 Earth exploration-satellite (active) Space research (active) US342	3100-3300 Earth exploration-satellite (active) Space research (active) Radiolocation US342	Private Land Mobile (90)
3300-3400 RADIOLOCATION 5.149 5.429 5.430	3300-3400 RADIOLOCATION Amateur Fixed Mobile 5.149	3300-3400 RADIOLOCATION Amateur 5.149 5.429	3300-3500 RADIOLOCATION US108 G2	3300-3500 Amateur Radiolocation US108	Private Land Mobile (90) Amateur Radio (97)
3400-3600 FIXED FIXED-SATELLITE (space-to-Earth) Mobile 5.430A Radiolocation 5.431	3400-3500 FIXED FIXED-SATELLITE (space-to-Earth) Amateur Mobile 5.431A Radiolocation 5.433 5.282	3400-3500 FIXED FIXED-SATELLITE (space-to-Earth) Amateur Mobile 5.432B Radiolocation 5.433 5.282 5.432 5.432A	US342	5.282 US342	

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65-66 EARTH EXPLORATION-SATELLITE FIXED INTER-SATELLITE MOBILE except aeronautical mobile SPACE RESEARCH 5.547			65-66 EARTH EXPLORATION-SATELLITE FIXED MOBILE except aeronautical mobile SPACE RESEARCH	65-66 EARTH EXPLORATION-SATELLITE FIXED INTER-SATELLITE MOBILE except aeronautical mobile SPACE RESEARCH	Satellite Communications (25)
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81-84 FIXED 5.338A FIXED-SATELLITE (Earth-to-space) MOBILE MOBILE-SATELLITE (Earth-to-space) RADIO ASTRONOMY Space research (space-to-Earth) 5.149 5.561A	81-84 FIXED FIXED-SATELLITE (Earth-to-space) US297 MOBILE MOBILE-SATELLITE (Earth-to-space) RADIO ASTRONOMY Space research (space-to-Earth) US161 US342 US389		RF Devices (15) Fixed Microwave (101)
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92-94 FIXED 5.338A MOBILE RADIO ASTRONOMY RADIOLOCATION 5.149			92-94 FIXED MOBILE RADIO ASTRONOMY RADIOLOCATION US161 US342			RF Devices (15) Fixed Microwave (101)
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151.5-155.5 FIXED MOBILE RADIO ASTRONOMY RADIOLOCATION 5.149			151.5-155.5 FIXED MOBILE RADIO ASTRONOMY RADIOLOCATION US342		
155.5-158.5 EARTH EXPLORATION-SATELLITE (passive) FIXED MOBILE RADIO ASTRONOMY SPACE RESEARCH (passive) 5.562B 5.149 5.562F 5.562G			155.5-158.5 EARTH EXPLORATION-SATELLITE (passive) FIXED MOBILE RADIO ASTRONOMY SPACE RESEARCH (passive) 5.562B 5.562F 5.562G US342		

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164-167 EARTH EXPLORATION-SATELLITE (passive) RADIO ASTRONOMY SPACE RESEARCH (passive) 5.340	164-167 EARTH EXPLORATION-SATELLITE (passive) RADIO ASTRONOMY US74 SPACE RESEARCH (passive) US246	
167-174.5 FIXED FIXED-SATELLITE (space-to-Earth) INTER-SATELLITE MOBILE 5.558 5.149 5.562D	167-174.5 FIXED FIXED-SATELLITE (space-to-Earth) INTER-SATELLITE MOBILE 5.558 US211 US342	
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190-191.8 EARTH EXPLORATION-SATELLITE (passive) SPACE RESEARCH (passive) 5.340	190-191.8 EARTH EXPLORATION-SATELLITE (passive) SPACE RESEARCH (passive) US246	
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226-231.5 EARTH EXPLORATION-SATELLITE (passive) RADIO ASTRONOMY SPACE RESEARCH (passive) 5.340			226-231.5 EARTH EXPLORATION-SATELLITE (passive) RADIO ASTRONOMY SPACE RESEARCH (passive) US246		
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235-238 EARTH EXPLORATION-SATELLITE (passive) FIXED-SATELLITE (space-to-Earth) SPACE RESEARCH (passive) 5.563A 5.563B			235-238 EARTH EXPLORATION-SATELLITE (passive) FIXED-SATELLITE (space-to-Earth) SPACE RESEARCH (passive) 5.563A 5.563B		
238-240 FIXED FIXED-SATELLITE (space-to-Earth) MOBILE RADIOLOCATION RADIONAVIGATION RADIONAVIGATION-SATELLITE			238-240 FIXED FIXED-SATELLITE (space-to-Earth) MOBILE RADIOLOCATION RADIONAVIGATION RADIONAVIGATION-SATELLITE		

240-241 FIXED MOBILE RADIOLOCATION	240-241 FIXED MOBILE RADIOLOCATION		
241-248 RADIO ASTRONOMY RADIOLOCATION Amateur Amateur-satellite 5.138 5.149	241-248 RADIO ASTRONOMY RADIOLOCATION 5.138 US342	241-248 RADIO ASTRONOMY RADIOLOCATION Amateur Amateur-satellite 5.138 US342	ISM Equipment (18) Amateur Radio (97)
248-250 AMATEUR AMATEUR-SATELLITE Radio astronomy 5.149	248-250 Radio astronomy US342	248-250 AMATEUR AMATEUR-SATELLITE Radio astronomy US342	Amateur Radio (97)
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International Footnotes

5.53 Administrations authorizing the use of frequencies below 8.3 kHz shall ensure that no harmful interference is caused to services to which the bands above 8.3 kHz are allocated. (WRC–12)

5.54 Administrations conducting scientific research using frequencies below 8.3 kHz are urged to advise other administrations that may be concerned in order that such research may be afforded all practicable protection from harmful interference. (WRC–12)

5.54A Use of the 8.3–11.3 kHz frequency band by stations in the meteorological aids service is limited to passive use only. In the band 9–11.3 kHz, meteorological aids stations shall not claim protection from stations of the radionavigation service submitted for notification to the Bureau prior to 1 January 2013. For sharing between stations of the meteorological aids service and stations in the radionavigation service submitted for notification after this date, the most recent version of Recommendation ITU–R RS.1881 should be applied. (WRC–12)

5.54B *Additional allocation:* In Algeria, Saudi Arabia, Egypt, the United Arab Emirates, the Russian Federation, Iraq, Lebanon, Morocco, Qatar, the Syrian Arab Republic, Sudan and Tunisia, the frequency band 8.3–9 kHz is also allocated to the radionavigation, fixed and mobile services on a primary basis. (WRC–12)

5.54C *Additional allocation:* In China, the frequency band 8.3–9 kHz is also allocated to the maritime radionavigation and maritime mobile services on a primary basis. (WRC–12)

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5.56 The stations of services to which the bands 14–19.95 kHz and 20.05–70 kHz and in Region 1 also the bands 72–84 kHz and 86–90 kHz are allocated may transmit standard frequency and time signals. Such stations shall be afforded protection from harmful interference. In Armenia, Azerbaijan, Belarus, the Russian Federation, Georgia, Kazakhstan, Kyrgyzstan, Tajikistan and Turkmenistan, the frequencies 25 kHz and 50 kHz will be used for this purpose under the same conditions. (WRC–12)

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5.67B The use of the band 135.7–137.8 kHz in Algeria, Egypt, Iran (Islamic Republic of), Iraq, Lebanon, Syrian Arab Republic, Sudan, South Sudan and Tunisia is limited to the fixed and maritime mobile services. The amateur service shall not be used in the above-mentioned countries in the band 135.7–137.8 kHz, and this should be taken into account by the countries authorizing such use. (WRC–12)

5.68 *Alternative allocation:* In Angola, Congo (Rep. of the), the Dem. Rep. of the Congo and South Africa, the band 160–200 kHz is allocated to the fixed service on a primary basis. (WRC–12)

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5.70 *Alternative allocation:* In Angola, Botswana, Burundi, the Central African Rep., Congo (Rep. of the), Ethiopia, Kenya, Lesotho, Madagascar, Malawi, Mozambique, Namibia, Nigeria, Oman, the Dem. Rep. of the Congo, South Africa, Swaziland, Tanzania, Chad, Zambia and Zimbabwe, the band 200–283.5 kHz is allocated to the aeronautical radionavigation service on a primary basis. (WRC–12)

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5.77 *Different category of service:* In Australia, China, the French overseas communities of Region 3, Korea (Rep. of), India, Iran (Islamic Republic of), Japan, Pakistan, Papua New Guinea and Sri Lanka, the allocation of the frequency band 415–495 kHz to the aeronautical radionavigation service is on a primary basis. In Armenia, Azerbaijan, Belarus, the Russian Federation, Kazakhstan, Latvia, Uzbekistan and Kyrgyzstan, the allocation of the frequency band 435–495 kHz to the aeronautical radionavigation service is on a primary basis. Administrations in all the aforementioned countries shall take all practical steps necessary to ensure that aeronautical radionavigation stations in the frequency band 435–495 kHz do not cause interference to reception by coast stations of transmissions from ship stations on frequencies designated for ship stations on a worldwide basis. (WRC–12)

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5.80A The maximum equivalent isotropically radiated power (e.i.r.p.) of stations in the amateur service using frequencies in the band 472–479 kHz shall not exceed 1 W. Administrations may increase this limit of e.i.r.p. to 5 W in portions of their territory which are at a distance of over 800 km from the borders of Algeria, Saudi Arabia, Azerbaijan, Bahrain, Belarus, China, Comoros, Djibouti, Egypt, United Arab Emirates, the Russian Federation, Iran (Islamic Republic of), Iraq, Jordan, Kazakhstan, Kuwait, Lebanon, Libya, Morocco, Mauritania, Oman, Uzbekistan, Qatar, Syrian Arab Republic, Kyrgyzstan, Somalia, Sudan, Tunisia, Ukraine and Yemen. In this frequency band, stations in the amateur service shall not cause harmful interference to, or claim protection from, stations of the aeronautical radionavigation service. (WRC–12)

5.80B The use of the frequency band 472–479 kHz in Algeria, Saudi Arabia, Azerbaijan, Bahrain, Belarus, China, Comoros, Djibouti, Egypt, United Arab Emirates, the Russian Federation, Iraq, Jordan, Kazakhstan, Kuwait, Lebanon, Libya, Mauritania, Oman, Uzbekistan, Qatar, Syrian Arab Republic, Kyrgyzstan, Somalia, Sudan, Tunisia and Yemen is limited to the maritime mobile and aeronautical radionavigation services. The amateur service shall not be used in the above-mentioned countries in this frequency band, and this should be taken into account by the countries authorizing such use. (WRC–12)

5.82 In the maritime mobile service, the frequency 490 kHz is to be used exclusively for the transmission by coast stations of navigational and meteorological warnings and urgent information to ships, by means of narrow-band direct-printing telegraphy. The conditions for use of the frequency 490 kHz are prescribed in Articles 31 and 52. In using the frequency band 415–495 kHz for the aeronautical radionavigation service, administrations are requested to ensure that no harmful interference is caused to the frequency 490 kHz. In using the frequency band 472–479 kHz for the amateur service, administrations shall ensure that no harmful interference is caused to the frequency 490 kHz. (WRC–12)

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5.87 *Additional allocation:* In Angola, Botswana, Lesotho, Malawi, Mozambique, Namibia, Niger and Swaziland, the band 526.5–535 kHz is also allocated to the mobile service on a secondary basis. (WRC–12)

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5.93 *Additional allocation:* In Angola, Armenia, Azerbaijan, Belarus, the Russian Federation, Georgia, Hungary, Kazakhstan, Latvia, Lithuania, Mongolia, Nigeria, Uzbekistan, Poland, Kyrgyzstan, Slovakia, Tajikistan, Chad, Turkmenistan and Ukraine, the bands 1625–1635 kHz, 1800–1810 kHz and 2160–2170 kHz are also allocated to the fixed and land mobile services on a primary basis, subject to agreement obtained under No. 9.21. (WRC–12)

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5.98 *Alternative allocation:* In Angola, Armenia, Azerbaijan, Belarus, Belgium, Cameroon, Congo (Rep. of the), Denmark, Egypt, Eritrea, Spain, Ethiopia, the Russian Federation, Georgia, Greece, Italy, Kazakhstan, Lebanon, Lithuania, the Syrian Arab Republic, Kyrgyzstan, Somalia, Tajikistan, Tunisia, Turkmenistan, Turkey and Ukraine, the band 1810–1830 kHz is allocated to the fixed and mobile, except aeronautical mobile, services on a primary basis. (WRC–12)

5.99 *Additional allocation:* In Saudi Arabia, Austria, Iraq, Libya, Uzbekistan, Slovakia, Romania, Slovenia, Chad, and Togo, the band 1810–1830 kHz is also allocated to the fixed and mobile, except aeronautical mobile, services on a primary basis. (WRC–12)

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5.107 *Additional allocation:* In Saudi Arabia, Eritrea, Ethiopia, Iraq, Libya, Somalia and Swaziland, the band 2160–2170 kHz is also allocated to the fixed and mobile, except aeronautical mobile (R), services on a primary basis. The mean power of stations in these services shall not exceed 50 W. (WRC–12)

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5.112 *Alternative allocation:* In Denmark and Sri Lanka, the band 2194–2300 kHz is allocated to the fixed and mobile, except aeronautical mobile, services on a primary basis. (WRC–12)

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5.114 *Alternative allocation:* In Denmark and Iraq, the band 2502–2625 kHz is allocated to the fixed and mobile, except aeronautical mobile, services on a primary basis. (WRC–12)

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5.117 *Alternative allocation:* In Côte d'Ivoire, Denmark, Egypt, Liberia, Sri Lanka and Togo, the band 3155–3200 kHz is allocated to the fixed and mobile, except aeronautical mobile, services on a primary basis. (WRC–12)

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5.128 Frequencies in the bands 4063–4123 kHz and 4130–4438 kHz may be used exceptionally by stations in the fixed service, communicating only within the boundary of the country in which they are located, with a mean power not exceeding 50 W, on condition that harmful interference is not caused to the maritime mobile service. In addition, in Afghanistan, Argentina, Armenia, Azerbaijan, Belarus, Botswana, Burkina Faso, the Central African Rep., China, the Russian Federation, Georgia, India, Kazakhstan, Mali, Niger, Pakistan, Kyrgyzstan, Tajikistan, Chad, Turkmenistan and Ukraine, in the bands 4063–4123 kHz, 4130–4133 kHz and 4408–4438 kHz, stations in the fixed service, with a mean power not exceeding 1 kW, can be operated on condition that they are situated at least 600 km from the coast and that harmful interference is not caused to the maritime mobile service. (WRC–12)

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5.132A Stations in the radiolocation service shall not cause harmful interference to, or claim protection from, stations operating in the fixed or mobile services. Applications of the radiolocation service are limited to oceanographic radars operating in accordance with Resolution 612 (Rev. WRC–12). (WRC–12)

5.132B *Alternative allocation:* In Armenia, Austria, Belarus, Moldova, Uzbekistan and Kyrgyzstan, the frequency band 4438–4488 kHz is allocated to the fixed and mobile, except aeronautical mobile (R), services on a primary basis. (WRC–12)

5.133 *Different category of service:* In Armenia, Azerbaijan, Belarus, the Russian Federation, Georgia, Kazakhstan, Latvia, Lithuania, Niger, Uzbekistan, Kyrgyzstan, Tajikistan, Turkmenistan and Ukraine, the allocation of the band 5130–5250 kHz to the mobile, except aeronautical mobile, service is on a primary basis (see No. 5.33). (WRC–12)

5.133A *Alternative allocation:* In Armenia, Austria, Belarus, Moldova, Uzbekistan and Kyrgyzstan, the frequency bands 5250–5275 kHz and 26200–26350 kHz are allocated to the fixed and mobile, except aeronautical mobile, services on a primary basis. (WRC–12)

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5.140 *Additional allocation:* In Angola, Iraq, Kenya, Somalia and Togo, the band 7000–7050 kHz is also allocated to the fixed service on a primary basis. (WRC–12)

5.141 *Alternative allocation:* In Egypt, Eritrea, Ethiopia, Guinea, Libya, Madagascar and Niger, the band 7000–7050 kHz is allocated to the fixed service on a primary basis. (WRC–12)

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5.141B *Additional allocation:* In Algeria, Saudi Arabia, Australia, Bahrain, Botswana, Brunei Darussalam, China, Comoros, Korea (Rep. of), Diego Garcia, Djibouti, Egypt, United Arab Emirates, Eritrea, Indonesia, Iran (Islamic Republic of), Japan, Jordan, Kuwait, Libya, Morocco, Mauritania, Niger, New Zealand, Oman, Papua New Guinea, Qatar, the Syrian Arab Republic, Singapore, Sudan, South Sudan, Tunisia, Viet Nam and Yemen, the band 7100–7200 kHz is also allocated to the fixed and the mobile, except aeronautical mobile (R), services on a primary basis. (WRC–12)

5.142 The use of the band 7200–7300 kHz in Region 2 by the amateur service shall not impose constraints on the broadcasting service intended for use within Region 1 and Region 3. (WRC–12)

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5.143A In Region 3, frequencies in the band 7350–7450 kHz may be used by stations in the fixed service on a primary basis and land mobile service on a secondary basis, communicating only within the boundary of the country in which they are located, on condition that harmful interference is not caused to the broadcasting service. When using frequencies for these services, administrations are urged to use the minimum power required and to take account of the seasonal use of frequencies by the broadcasting service published in accordance with the Radio Regulations. (WRC–12)

5.143B In Region 1, frequencies in the band 7350–7450 kHz may be used by stations in the fixed and land mobile services communicating only within the boundary of the country in which they are located on condition that harmful interference is not caused to the broadcasting service. The total radiated power of each station shall not exceed 24 dBW. (WRC–12)

5.143C *Additional allocation:* In Algeria, Saudi Arabia, Bahrain, Comoros, Djibouti, Egypt, United Arab Emirates, Iran (Islamic Republic of), Jordan, Kuwait, Libya, Morocco, Mauritania, Niger, Oman, Qatar, the Syrian Arab Republic, Sudan, South Sudan, Tunisia and Yemen, the bands 7350–7400 kHz and 7400–7450 kHz are also allocated to the fixed service on a primary basis. (WRC–12)

5.143D In Region 2, frequencies in the band 7350–7400 kHz may be used by stations in the fixed service and in the land mobile service, communicating only within the boundary of the country in which they are located, on condition that harmful interference is not caused to the broadcasting service. When using frequencies for these services, administrations are urged to use the minimum power required and to take account of the seasonal use of frequencies by the broadcasting service published in accordance with the Radio Regulations. (WRC–12)

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5.145A Stations in the radiolocation service shall not cause harmful interference to, or claim protection from, stations operating in the fixed service. Applications of the radiolocation service are limited to oceanographic radars operating in accordance with Resolution 612 (Rev. WRC–12). (WRC–12)

5.145B *Alternative allocation:* in Armenia, Austria, Belarus, Moldova, Uzbekistan and Kyrgyzstan, the frequency bands 9305–9355 kHz and 16100–16200 kHz are allocated to the fixed service on a primary basis. (WRC–12)

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5.149A *Alternative allocation:* In Armenia, Austria, Belarus, Moldova, Uzbekistan and Kyrgyzstan, the frequency band 13450–13550 kHz is allocated to the fixed service on a primary basis and to the mobile, except aeronautical mobile (R), service on a secondary basis. (WRC–12)

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5.158 *Alternative allocation:* In Armenia, Austria, Belarus, Moldova, Uzbekistan and Kyrgyzstan, the frequency band 24450–24600 kHz is allocated to the fixed and land mobile services on a primary basis. (WRC–12)

5.159 *Alternative allocation:* In Armenia, Austria, Belarus, Moldova, Uzbekistan and Kyrgyzstan, the frequency band 39–39.5 MHz is allocated to the fixed and mobile services on a primary basis. (WRC–12)

5.160 *Additional allocation:* In Botswana, Burundi, Dem. Rep. of the Congo and Rwanda, the band 41–44 MHz is also allocated to the aeronautical radionavigation service on a primary basis. (WRC–12)

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5.161A *Additional allocation:* In Korea (Rep. of) and the United States, the frequency bands 41.015–41.665 MHz and 43.35–44 MHz are also allocated to the radiolocation service on a primary basis. Stations in the radiolocation service shall not cause harmful interference to, or claim protection from, stations operating in the fixed or mobile services. Applications of the radiolocation service are limited to oceanographic radars operating in accordance with Resolution 612 (Rev. WRC–12). (WRC–12)

5.161B *Alternative allocation:* In Albania, Germany, Armenia, Austria, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Cyprus, Vatican, Croatia, Denmark, Spain, Estonia, Finland, France, Greece, Hungary, Ireland, Iceland, Italy, Latvia, The Former Yugoslav Rep. of Macedonia, Liechtenstein, Lithuania, Luxembourg, Malta, Moldova, Monaco, Montenegro, Norway, Uzbekistan, Netherlands, Poland, Portugal, Kyrgyzstan, Slovakia, Czech Rep., Romania, United Kingdom, San Marino, Slovenia, Sweden, Switzerland, Turkey and Ukraine, the frequency band 42–42.5 MHz is allocated to the fixed and mobile services on a primary basis. (WRC–12)

5.162 *Additional allocation:* In Australia, the band 44–47 MHz is also allocated to the broadcasting service on a primary basis. (WRC–12)

5.162A *Additional allocation:* In Germany, Austria, Belgium, Bosnia and Herzegovina, China, Vatican, Denmark, Spain, Estonia, the Russian Federation, Finland, France, Ireland, Iceland, Italy, Latvia, The Former Yugoslav Republic of Macedonia, Liechtenstein, Lithuania, Luxembourg, Monaco, Montenegro, Norway, the Netherlands, Poland, Portugal, the Czech Rep., the United Kingdom, Serbia, Slovenia, Sweden and Switzerland the band 46–68 MHz is also allocated to the radiolocation service on a secondary basis. This use is limited to the operation of wind profiler radars in accordance with Resolution 217 (WRC–97). (WRC–12)

5.163 *Additional allocation:* In Armenia, Belarus, the Russian Federation, Georgia, Hungary, Kazakhstan, Latvia, Moldova, Uzbekistan, Kyrgyzstan, Tajikistan, Turkmenistan and Ukraine, the bands 47–48.5 MHz and 56.5–58 MHz are also allocated to the fixed and land mobile services on a secondary basis. (WRC–12)

5.164 *Additional allocation:* In Albania, Algeria, Germany, Austria, Belgium, Bosnia and Herzegovina, Botswana, Bulgaria, Côte d'Ivoire, Denmark, Spain, Estonia, Finland, France, Gabon, Greece, Ireland, Israel, Italy, Jordan, Lebanon, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Mali, Malta, Morocco, Mauritania, Monaco, Montenegro, Nigeria, Norway, the Netherlands, Poland, Syrian Arab Republic, Slovakia, Czech Rep., Romania, the United Kingdom, Serbia, Slovenia, Sweden, Switzerland, Swaziland, Chad, Togo, Tunisia and Turkey, the band 47–68 MHz, in South Africa the band 47–50 MHz, and in Latvia the band 48.5–56.5 MHz, are also allocated to the land mobile service on a primary basis. However, stations of the land mobile service in the countries mentioned in connection with each band referred to in this footnote shall not cause harmful interference to, or claim protection from, existing or planned broadcasting stations of countries other than those mentioned in connection with the band. (WRC–12)

5.165 *Additional allocation:* In Angola, Cameroon, Congo (Rep. of the), Madagascar, Mozambique, Niger, Somalia, Sudan, South Sudan, Tanzania and Chad, the band 47–68 MHz is also allocated to the fixed and mobile, except aeronautical mobile, services on a primary basis. (WRC–12)

5.166 *Alternative allocation:* In New Zealand, the band 50–51 MHz is allocated to the fixed and mobile services on a primary basis; the band 53–54 MHz is allocated to the fixed and mobile services on a primary basis. (WRC–12)

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5.169 *Alternative allocation:* In Botswana, Lesotho, Malawi, Namibia, the Dem. Rep. of the Congo, Rwanda, South Africa, Swaziland, Zambia and Zimbabwe, the band 50–54 MHz is allocated to the amateur service on a primary basis. In Senegal, the band 50–51 MHz is allocated to the amateur service on a primary basis. (WRC–12)

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5.171 *Additional allocation:* In Botswana, Lesotho, Malawi, Mali, Namibia, Dem. Rep. of the Congo, Rwanda, South Africa, Swaziland, Zambia and Zimbabwe, the band 54–68 MHz is also allocated to the fixed and mobile, except aeronautical mobile, services on a primary basis. (WRC–12)

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5.178 *Additional allocation:* In Colombia, Cuba, El Salvador, Guatemala, Guyana, Honduras and Nicaragua, the band 73–74.6 MHz is also allocated to the fixed and mobile services on a secondary basis. (WRC–12)

5.179 *Additional allocation:* In Armenia, Azerbaijan, Belarus, China, the Russian Federation, Georgia, Kazakhstan, Lithuania, Mongolia, Kyrgyzstan, Tajikistan, Turkmenistan and Ukraine, the bands 74.6–74.8 MHz and 75.2–75.4 MHz are also allocated to the aeronautical radionavigation service, on a primary basis, for ground-based transmitters only. (WRC–12)

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5.197 *Additional allocation:* In the Syrian Arab Republic, the band 108–111.975 MHz is also allocated to the mobile service on a secondary basis, subject to agreement obtained under No. 9.21. In order to ensure that harmful interference is not caused to stations of the aeronautical radionavigation service, stations of the mobile service shall not be introduced in the band until it is no longer required for the aeronautical radionavigation service by any administration which may be identified in the application of the procedures invoked under No. 9.21. (WRC–12)

5.197A *Additional allocation:* The band 108–117.975 MHz is also allocated on a primary basis to the aeronautical mobile (R) service, limited to systems operating in accordance with recognized international aeronautical standards. Such use shall be in accordance with Resolution 413 (Rev.WRC–12). The use of the band 108–112 MHz by the aeronautical mobile (R) service shall be limited to systems composed of ground-based transmitters and associated receivers that provide navigational information in support of air navigation functions in accordance with recognized international aeronautical standards. (FCC)

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5.201 *Additional allocation:* In Angola, Armenia, Azerbaijan, Belarus, Bulgaria, Estonia, the Russian Federation, Georgia, Hungary, Iran (Islamic Republic of), Iraq (Republic of), Japan, Kazakhstan, Latvia, Moldova, Mongolia, Mozambique, Uzbekistan, Papua New Guinea, Poland, Kyrgyzstan, Romania, Tajikistan, Turkmenistan and Ukraine, the band 132–136 MHz is also allocated to the aeronautical mobile (OR) service on a primary basis. In assigning frequencies to stations of the aeronautical mobile (OR) service, the administration shall take account of the frequencies assigned to stations in the aeronautical mobile (R) service. (WRC–12)

5.202 *Additional allocation:* In Saudi Arabia, Armenia, Azerbaijan, Belarus, Bulgaria, the United Arab Emirates, the Russian Federation, Georgia, Iran (Islamic Republic of), Jordan, Latvia, Oman, Uzbekistan, Poland, the Syrian Arab Republic, Kyrgyzstan, Romania, Tajikistan, Turkmenistan and Ukraine, the band 136–137 MHz is also allocated to the aeronautical mobile (OR) service on a primary basis. In assigning frequencies to stations of the aeronautical mobile (OR) service, the administration shall take account of the frequencies assigned to stations in the aeronautical mobile (R) service. (WRC–12)

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5.211 *Additional allocation:* In Germany, Saudi Arabia, Austria, Bahrain, Belgium, Denmark, the United Arab Emirates, Spain, Finland, Greece, Ireland, Israel, Kenya, Kuwait, The Former Yugoslav Republic of Macedonia, Lebanon, Liechtenstein, Luxembourg, Mali, Malta, Montenegro, Norway, the Netherlands, Qatar, Slovakia, the United Kingdom, Serbia, Slovenia, Somalia, Sweden, Switzerland, Tanzania, Tunisia and Turkey, the band 138–144 MHz is also allocated to the maritime mobile and land mobile services on a primary basis. (WRC–12)

5.212 *Alternative allocation:* In Angola, Botswana, Cameroon, the Central African Rep., Congo (Rep. of the), Gabon, Gambia, Ghana, Guinea, Iraq, Jordan, Lesotho, Liberia, Libya, Malawi, Mozambique, Namibia, Niger, Oman, Uganda, Syrian Arab Republic, the Dem. Rep. of the Congo, Rwanda, Sierra Leone, South Africa, Swaziland, Chad, Togo, Zambia and Zimbabwe, the band 138–144 MHz is allocated to the fixed and mobile services on a primary basis. (WRC–12)

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5.214 *Additional allocation:* In Eritrea, Ethiopia, Kenya, The Former Yugoslav Republic of Macedonia, Montenegro, Serbia, Somalia, Sudan, South Sudan and Tanzania, the band 138–144 MHz is also allocated to the fixed service on a primary basis. (WRC–12)

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5.221 Stations of the mobile-satellite service in the band 148–149.9 MHz shall not cause harmful interference to, or claim protection from, stations of the fixed or mobile services operating in accordance with the Table of Frequency Allocations in the following countries: Albania, Algeria, Germany, Saudi Arabia, Australia, Austria, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bosnia and Herzegovina, Botswana, Brunei Darussalam, Bulgaria, Cameroon, China, Cyprus, Congo (Rep. of the), Korea (Rep. of), Côte d'Ivoire, Croatia, Cuba, Denmark, Djibouti, Egypt, the United Arab Emirates, Eritrea, Spain, Estonia, Ethiopia, the Russian Federation, Finland, France, Gabon, Ghana, Greece, Guinea, Guinea Bissau, Hungary, India, Iran (Islamic Republic of), Ireland, Iceland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, The Former Yugoslav Republic of Macedonia, Lesotho, Latvia, Lebanon, Libya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Mali, Malta, Mauritania, Moldova, Mongolia, Montenegro, Mozambique, Namibia, Norway, New Zealand, Oman, Uganda, Uzbekistan, Pakistan, Panama, Papua New Guinea, Paraguay, the Netherlands, the Philippines, Poland, Portugal, Qatar, the Syrian Arab Republic, Kyrgyzstan, Dem. People's Rep. of Korea, Slovakia, Romania, the United Kingdom, Senegal, Serbia, Sierra Leone, Singapore, Slovenia, Sudan, Sri Lanka, South Africa, Sweden, Switzerland, Swaziland, Tanzania, Chad, Thailand, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Ukraine, Viet Nam, Yemen, Zambia and Zimbabwe. (WRC–12)

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5.225A *Additional allocation:* In Algeria, Armenia, Azerbaijan, Belarus, China, the Russian Federation, France, Iran (Islamic Republic of), Kazakhstan, Uzbekistan, Kyrgyzstan, Tajikistan, Turkmenistan, Ukraine and Viet Nam, the frequency band 154–156 MHz is also allocated to the radiolocation service on a primary basis. The usage of the frequency band 154–156 MHz by the radiolocation service shall be limited to space-object detection systems operating from terrestrial locations. The operation of stations in the radiolocation service in the frequency band 154–156 MHz shall be subject to agreement obtained under No. 9.21. For the identification of potentially affected administrations in Region 1, the instantaneous field-strength value of 12 dB(μV/m) for 10% of the time produced at 10

m above ground level in the 25 kHz reference frequency band at the border of the territory of any other administration shall be used. For the identification of potentially affected administrations in Region 3, the interference-to-noise ratio ($I/$ -161 dBW/4 kHz), or -10 dB for applications with greater protection requirements, such as public protection and disaster relief (PPDR ($N = -161$ dBW/4 kHz)), for 1% of the time produced at 60 m above ground level at the border of the territory of any other administration shall be used. In the frequency bands 156.7625–156.8375 MHz, 156.5125–156.5375 MHz, 161.9625–161.9875 MHz, 162.0125–162.0375 MHz, out-of-band e.i.r.p. of space surveillance radars shall not exceed -16 dBW. Frequency assignments to the radiolocation service under this allocation in Ukraine shall not be used without the agreement of Moldova. (WRC–12)

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5.228 The use of the frequency bands 156.7625–156.7875 MHz and 156.8125–156.8375 MHz by the mobile-satellite service (Earth-to-space) is limited to the reception of automatic identification system (AIS) emissions of long-range AIS broadcast messages (Message 27, see the most recent version of Recommendation ITU–R M.1371). With the exception of AIS emissions, emissions in these frequency bands by systems operating in the maritime mobile service for communications shall not exceed 1 W. (WRC–12)

5.228A The frequency bands 161.9625–161.9875 MHz and 162.0125–162.0375 MHz may be used by aircraft stations for the purpose of search and rescue operations and other safety-related communications. (WRC–12)

5.228B The use of the frequency bands 161.9625–161.9875 MHz and 162.0125–162.0375 MHz by the fixed and land mobile services shall not cause harmful interference to, or claim protection from, the maritime mobile service. (WRC–12)

5.228C The use of the frequency bands 161.9625–161.9875 MHz and 162.0125–162.0375 MHz by the maritime mobile service and the mobile-satellite (Earth-to-space) service is limited to the automatic identification system (AIS). The use of these frequency bands by the aeronautical mobile (OR) service is limited to AIS emissions from search and rescue aircraft operations. The AIS operations in these frequency bands shall not constrain the development and use of the fixed and mobile services operating in the adjacent frequency bands. (WRC–12)

5.228D The frequency bands 161.9625–161.9875 MHz (AIS 1) and 162.0125–162.0375 MHz (AIS 2) may continue to be used by the fixed and mobile services on a primary basis until 1 January 2025, at which time this allocation shall no longer be valid. Administrations are encouraged to make all practicable efforts to discontinue the use of these bands by the fixed and mobile services prior to the transition date. During this transition period, the maritime mobile service in these frequency bands has priority over the fixed, land mobile and aeronautical mobile services. (WRC–12)

5.228E The use of the automatic identification system in the frequency bands 161.9625–161.9875 MHz and 162.0125–162.0375 MHz by the aeronautical mobile (OR) service is limited to aircraft stations for the purpose of search and rescue operations and other safety-related communications. (WRC–12)

5.228F The use of the frequency bands 161.9625–161.9875 MHz and 162.0125–162.0375 MHz by the mobile-satellite service (Earth-to-space) is limited to the reception of automatic identification system emissions from stations operating in the maritime mobile service. (WRC–12)

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5.231 *Additional allocation:* In Afghanistan and China, the band 167–174 MHz is also allocated to the broadcasting service on a primary basis. The introduction of the broadcasting service into this band shall be subject to agreement with the neighbouring countries in Region 3 whose services are likely to be affected. (WRC–12)

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5.237 *Additional allocation:* In Congo (Rep. of the), Egypt, Eritrea, Ethiopia, Gambia, Guinea, Libya, Mali, Sierra Leone, Somalia and Chad, the band 174–223 MHz is also allocated to the fixed and mobile services on a secondary basis. (WRC–12)

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5.259 *Additional allocation:* In Egypt and the Syrian Arab Republic, the band 328.6–335.4 MHz is also allocated to the mobile service on a secondary basis, subject to agreement obtained under No. 9.21. In order to ensure that harmful interference is not caused to stations of the aeronautical radionavigation service, stations of the mobile service shall not be introduced in the band until it is no longer required for the aeronautical radionavigation service by any administration which may be identified in the application of the procedure invoked under No. 9.21. (WRC–12)

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5.262 *Additional allocation:* In Saudi Arabia, Armenia, Azerbaijan, Bahrain, Belarus, Botswana, Colombia, Cuba, Egypt, the United Arab Emirates, Ecuador, the Russian Federation, Georgia, Hungary, Iran (Islamic Republic of), Iraq, Israel, Jordan, Kazakhstan, Kuwait, Liberia, Malaysia, Moldova, Oman, Uzbekistan, Pakistan, the Philippines, Qatar, the Syrian Arab Republic, Kyrgyzstan, Singapore, Somalia, Tajikistan, Chad, Turkmenistan and Ukraine, the band 400.05–401 MHz is also allocated to the fixed and mobile services on a primary basis. (WRC–12)

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5.274 *Alternative allocation:* In Denmark, Norway, Sweden and Chad, the bands 430–432 MHz and 438–440 MHz are allocated to the fixed and mobile, except aeronautical mobile, services on a primary basis. (WRC–12)

5.275 *Additional allocation:* In Croatia, Estonia, Finland, Libya, The Former Yugoslav Republic of Macedonia, Montenegro, Serbia and Slovenia, the bands 430–432 MHz and 438–440 MHz are also allocated to the fixed and mobile, except aeronautical mobile, services on a primary basis. (WRC–07)

5.276 *Additional allocation:* In Afghanistan, Algeria, Saudi Arabia, Bahrain, Bangladesh, Brunei Darussalam, Burkina Faso, Djibouti, Egypt, the United Arab Emirates, Ecuador, Eritrea, Ethiopia, Greece, Guinea, India, Indonesia, Iran (Islamic Republic of), Iraq, Israel, Italy, Jordan, Kenya, Kuwait, Libya, Malaysia, Niger, Nigeria, Oman, Pakistan, the Philippines, Qatar, the Syrian Arab Republic, the Dem. People's Rep. of Korea, Singapore, Somalia, Sudan, Switzerland, Tanzania, Thailand, Togo, Turkey and Yemen, the band 430–440 MHz is also allocated to the fixed service on a primary basis and the bands 430–435 MHz and 438–440 MHz are also allocated to the mobile, except aeronautical mobile, service on a primary basis. (WRC–12)

5.277 *Additional allocation:* In Angola, Armenia, Azerbaijan, Belarus, Cameroon, Congo (Rep. of the), Djibouti, the Russian Federation, Georgia, Hungary, Israel, Kazakhstan, Mali, Mongolia, Uzbekistan, Poland, the Dem. Rep. of the Congo, Kyrgyzstan, Slovakia, Romania, Rwanda, Tajikistan, Chad, Turkmenistan and Ukraine, the band 430–440 MHz is also allocated to the fixed service on a primary basis. (WRC–12)

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5.286AA The band 450–470 MHz is identified for use by administrations wishing to implement International Mobile Telecommunications (IMT). See Resolution 224 (Rev.WRC–12). This identification does not preclude the use of this band by any application of the services to which it is allocated and does not establish priority in the Radio Regulations. (FCC)

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5.288 In the territorial waters of the United States and the Philippines, the preferred frequencies for use by on-board communication stations shall be 457.525 MHz, 457.550 MHz, 457.575 MHz and 457.600 MHz paired, respectively, with 467.750 MHz, 467.775 MHz, 467.800 MHz and 467.825 MHz. The characteristics of the equipment used shall conform to those specified in Recommendation ITU–R M.1174–2. (WRC–03)

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5.290 *Different category of service:* In Afghanistan, Azerbaijan, Belarus, China, the Russian Federation, Japan, Kyrgyzstan, Tajikistan and Turkmenistan, the allocation of the band 460–470 MHz to the meteorological-satellite service (space-to-Earth) is on a primary basis (see No. 5.33), subject to agreement obtained under No. 9.21. (WRC–12)

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5.293 *Different category of service:* In Canada, Chile, Cuba, the United States, Guyana, Honduras, Jamaica, Mexico, Panama and Peru, the allocation of the bands 470–512 MHz and 614–806 MHz to the fixed service is on a primary basis (see No. 5.33), subject to agreement obtained under No. 9.21. In Canada, Chile, Cuba, the United States, Guyana, Honduras, Jamaica, Mexico, Panama and Peru, the allocation of the bands 470–512 MHz and 614–698 MHz to the mobile service is on a primary basis (see No. 5.33), subject to agreement obtained under No. 9.21. In

Argentina and Ecuador, the allocation of the band 470–512 MHz to the fixed and mobile services is on a primary basis (see No. 5.33), subject to agreement obtained under No. 9.21. (WRC–12)

5.294 *Additional allocation:* In Saudi Arabia, Cameroon, Côte d'Ivoire, Egypt, Ethiopia, Israel, Kenya, Libya, the Syrian Arab Republic, South Sudan, Chad and Yemen, the band 470–582 MHz is also allocated to the fixed service on a secondary basis. (WRC–12)

5.296 *Additional allocation:* In Albania, Germany, Saudi Arabia, Austria, Bahrain, Belgium, Benin, Bosnia and Herzegovina, Burkina Faso, Cameroon, Congo (Rep. of the), Côte d'Ivoire, Croatia, Denmark, Djibouti, Egypt, United Arab Emirates, Spain, Estonia, Finland, France, Gabon, Ghana, Iraq, Ireland, Iceland, Israel, Italy, Jordan, Kuwait, Latvia, The Former Yugoslav Republic of Macedonia, Libya, Liechtenstein, Lithuania, Luxembourg, Mali, Malta, Morocco, Moldova, Monaco, Niger, Norway, Oman, the Netherlands, Poland, Portugal, Qatar, the Syrian Arab Republic, Slovakia, the Czech Republic, the United Kingdom, Sudan, Sweden, Switzerland, Swaziland, Chad, Togo, Tunisia and Turkey, the band 470–790 MHz, and in Angola, Botswana, Lesotho, Malawi, Mauritius, Mozambique, Namibia, Nigeria, South Africa, Tanzania, Zambia and Zimbabwe, the band 470–698 MHz are also allocated on a secondary basis to the land mobile service, intended for applications ancillary to broadcasting. Stations of the land mobile service in the countries listed in this footnote shall not cause harmful interference to existing or planned stations operating in accordance with the Table in countries other than those listed in this footnote. (WRC–12)

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5.300 *Additional allocation:* In Saudi Arabia, Cameroon, Egypt, United Arab Emirates, Israel, Jordan, Libya, Oman, Qatar, the Syrian Arab Republic, Sudan and South Sudan, the band 582–790 MHz is also allocated to the fixed and mobile, except aeronautical mobile, services on a secondary basis. (WRC–12)

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5.312 *Additional allocation:* in Armenia, Azerbaijan, Belarus, the Russian Federation, Georgia, Kazakhstan, Uzbekistan, Kyrgyzstan, Tajikistan, Turkmenistan and Ukraine, the band 645–862 MHz, in Bulgaria the bands 646–686 MHz, 726–758 MHz, 766–814 MHz and 822–862 MHz, in Romania the band 830–862 MHz, and in Poland, the band 830–860 MHz until 31 December 2012 and the band 860–862 MHz until 31 December 2017, are also allocated to the aeronautical radionavigation service on a primary basis. (WRC–12)

5.312A In Region 1, the use of the band 694–790 MHz by the mobile, except aeronautical mobile, service is subject to the provisions of Resolution 232 (WRC–12). See also Resolution 224 (Rev. WRC–12). (WRC–12)

5.313A The band, or portions of the band 698–790 MHz, in Bangladesh, China, Korea (Rep. of), India, Japan, New Zealand, Pakistan, Papua New Guinea, Philippines and Singapore are identified for use by these administrations wishing to implement International Mobile Telecommunications (IMT). This identification does not preclude the use of these bands by any application of the services to which they are allocated and does not establish priority in the Radio Regulations. In China, the use of IMT in this band will not start until 2015. (WRC–12)

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5.314 *Additional allocation:* in Austria, Italy, Moldova, Uzbekistan, Kyrgyzstan and the United Kingdom, the band 790–862 MHz is also allocated to the land mobile service on a secondary basis. (WRC–12)

5.315 *Alternative allocation:* in Greece, the band 790–838 MHz is allocated to the broadcasting service on a primary basis. (WRC–12)

5.316 *Additional allocation:* in Germany, Saudi Arabia, Bosnia and Herzegovina, Burkina Faso, Cameroon, Côte d'Ivoire, Croatia, Denmark, Egypt, Finland, Greece, Israel, Jordan, Kenya, Libya, The Former Yugoslav Republic of Macedonia, Liechtenstein, Mali, Monaco, Montenegro, Norway, the Netherlands, Portugal, the United Kingdom, the Syrian Arab Republic, Serbia, Sweden and Switzerland, the band 790–830 MHz, and in these same countries and in Spain, France, Gabon and Malta, the band 830–862 MHz, are also allocated to the mobile, except aeronautical mobile, service on a primary basis. However, stations of the mobile service in the countries mentioned in connection with each band referred to in this footnote shall not cause harmful interference to, or claim protection from, stations of services operating in accordance with the Table in countries other than those mentioned in connection with the band. This allocation is effective until 16 June 2015. (WRC–07)

5.316A *Additional allocation:* in Spain, France, Gabon and Malta, the band 790–830 MHz, in Albania, Angola, Bahrain, Benin, Botswana, Burundi, Congo (Rep. of the), Egypt, United Arab Emirates, Estonia, Gambia, Ghana, Guinea, Guinea-Bissau, Hungary, Iraq, Kuwait, Lesotho, Latvia, Lebanon, Lithuania, Luxembourg, Malawi, Morocco, Mauritania, Mozambique, Namibia, Niger, Nigeria, Oman, Uganda, Poland, Qatar, Slovakia, Czech Rep., Romania, Rwanda, Senegal, Sudan, South Sudan, South Africa, Swaziland, Tanzania, Chad, Togo, Yemen, Zambia, Zimbabwe and French overseas departments and communities of Region 1, the band 790–862 MHz and in Georgia, the band 806–862 MHz are also allocated to the mobile, except aeronautical mobile, service on a primary basis subject to the agreement by the administrations concerned obtained under No. 9.21 and under the GE06 Agreement, as appropriate, including those administrations mentioned in No. 5.312 where appropriate. See Resolutions 224 (Rev. WRC–12) and 749 (Rev. WRC–12). This allocation is effective until 16 June 2015. (WRC–12)

5.316B In Region 1, the allocation to the mobile, except aeronautical mobile, service on a primary basis in the frequency band 790–862 MHz shall come into effect from 17 June 2015 and shall be subject to agreement obtained under No. 9.21 with respect to the aeronautical radionavigation service in countries mentioned in No. 5.312. For countries party to the GE06 Agreement, the use of stations of the mobile service is also subject to the successful application of the procedures of that Agreement. Resolutions 224 (Rev. WRC–12) and 749 (Rev. WRC–12) shall apply, as appropriate. (WRC–12)

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5.317A Those parts of the band 698–960 MHz in Region 2 and the band 790–960 MHz in Regions 1 and 3 which are allocated to the mobile service on a primary basis are identified for use by administrations wishing to implement International Mobile Telecommunications (IMT)—see Resolutions 224 (Rev. WRC–12) and 749 (Rev. WRC–12), as appropriate. This identification does not preclude the use of these bands by any application of the services to which they are allocated and does not establish priority in the Radio Regulations. (WRC–12)

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5.322 In Region 1, in the band 862–960 MHz, stations of the broadcasting service shall be operated only in the African Broadcasting Area (see Nos. 5.10 to 5.13) excluding Algeria, Burundi, Egypt, Spain, Lesotho, Libya, Morocco, Malawi, Namibia, Nigeria, South Africa, Tanzania, Zimbabwe and Zambia, subject to agreement obtained under No. 9.21. (WRC–12)

5.323 *Additional allocation:* in Armenia, Azerbaijan, Belarus, the Russian Federation, Kazakhstan, Uzbekistan, Kyrgyzstan, Tajikistan, Turkmenistan and Ukraine, the band 862–960 MHz, in Bulgaria the bands 862–890.2 MHz and 900–935.2 MHz, in Poland the band 862–876 MHz until 31 December 2017, and in Romania the bands 862–880 MHz and 915–925 MHz, are also allocated to the aeronautical radionavigation service on a primary basis. Such use is subject to agreement obtained under No. 9.21 with administrations concerned and limited to ground-based radiobeacons in operation on 27 October 1997 until the end of their lifetime. (WRC–12)

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5.327A The use of the frequency band 960–1164 MHz by the aeronautical mobile (R) service is limited to systems that operate in accordance with recognized international aeronautical standards. Such use shall be in accordance with Resolution 417 (Rev. WRC–12). (WRC–12)

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5.330 *Additional allocation:* in Angola, Saudi Arabia, Bahrain, Bangladesh, Cameroon, China, Djibouti, Egypt, the United Arab Emirates, Eritrea, Ethiopia, Guyana, India, Indonesia, Iran (Islamic Republic of), Iraq, Israel, Japan, Jordan, Kuwait, Nepal, Oman, Pakistan, the Philippines, Qatar, the Syrian Arab Republic, Somalia, Sudan, South Sudan, Chad, Togo and Yemen, the band 1215–1300 MHz is also allocated to the fixed and mobile services on a primary basis. (WRC–12)

5.331 *Additional allocation:* in Algeria, Germany, Saudi Arabia, Australia, Austria, Bahrain, Belarus, Belgium, Benin, Bosnia and Herzegovina, Brazil, Burkina Faso, Burundi, Cameroon, China, Korea (Rep. of), Croatia, Denmark, Egypt, the United Arab Emirates, Estonia, the Russian Federation, Finland, France, Ghana, Greece, Guinea, Equatorial

Guinea, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Jordan, Kenya, Kuwait, The Former Yugoslav Republic of Macedonia, Lesotho, Latvia, Lebanon, Liechtenstein, Lithuania, Luxembourg, Madagascar, Mali, Mauritania, Montenegro, Nigeria, Norway, Oman, Pakistan, the Netherlands, Poland, Portugal, Qatar, the Syrian Arab Republic, Dem. People's Rep. of Korea, Slovakia, the United Kingdom, Serbia, Slovenia, Somalia, Sudan, South Sudan, Sri Lanka, South Africa, Sweden, Switzerland, Thailand, Togo, Turkey, Venezuela and Viet Nam, the band 1215–1300 MHz is also allocated to the radionavigation service on a primary basis. In Canada and the United States, the band 1240–1300 MHz is also allocated to the radionavigation service, and use of the radionavigation service shall be limited to the aeronautical radionavigation service. (WRC–12)

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5.335 In Canada and the United States in the band 1240–1300 MHz, active spaceborne sensors in the Earth exploration-satellite and space research services shall not cause interference to, claim protection from, or otherwise impose constraints on operation or development of the aeronautical radionavigation service.

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5.338 In Kyrgyzstan, Slovakia and Turkmenistan, existing installations of the radionavigation service may continue to operate in the band 1350–1400 MHz. (WRC–12)

5.338A In the bands 1350–1400 MHz, 1427–1452 MHz, 22.55–23.55 GHz, 30–31.3 GHz, 49.7–50.2 GHz, 50.4–50.9 GHz, 51.4–52.6 GHz, 81–86 GHz and 92–94 GHz, Resolution 750 (Rev. WRC–12) applies. (WRC–12)

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5.342 *Additional allocation:* in Armenia, Azerbaijan, Belarus, the Russian Federation, Uzbekistan, Kyrgyzstan and Ukraine, the band 1429–1535 MHz, and in Bulgaria the band 1525–1535 MHz, are also allocated to the aeronautical mobile service on a primary basis exclusively for the purposes of aeronautical telemetry within the national territory. As of 1 April 2007, the use of the band 1452–1492 MHz is subject to agreement between the administrations concerned. (WRC–12)

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5.351A For the use of the bands 1518–1544 MHz, 1545–1559 MHz, 1610–1645.5 MHz, 1646.5–1660.5 MHz, 1668–1675 MHz, 1980–2010 MHz, 2170–2200 MHz, 2483.5–2520 MHz and 2670–2690 MHz by the mobile-satellite service, see Resolutions 212 (Rev. WRC–07) and 225 (Rev. WRC–12). (FCC)

5.352A In the band 1525–1530 MHz, stations in the mobile-satellite service, except stations in the maritime mobile-satellite service, shall not cause harmful interference to, or claim protection from, stations of the fixed service in Algeria, Saudi Arabia, Egypt, France and French overseas communities of Region 3, Guinea, India, Israel, Italy, Jordan, Kuwait, Mali, Morocco, Mauritania, Nigeria, Oman, Pakistan, the Philippines, Qatar, Syrian Arab Republic, Tanzania, Viet Nam and Yemen notified prior to 1 April 1998. (WRC–12)

5.353A In applying the procedures of Section II of Article 9 to the mobile-satellite service in the bands 1530–1544 MHz and 1626.5–1645.5 MHz, priority shall be given to accommodating the spectrum requirements for distress, urgency and safety communications of the Global Maritime Distress and Safety System (GMDSS). Maritime mobile-satellite distress, urgency and safety communications shall have priority access and immediate availability over all other mobile satellite communications operating within a network. Mobile-satellite systems shall not cause unacceptable interference to, or claim protection from, distress, urgency and safety communications of the GMDSS. Account shall be taken of the priority of safety-related communications in the other mobile-satellite services. (The provisions of Resolution 222 (Rev. WRC–12) shall apply.) (FCC)

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5.355 *Additional allocation:* in Bahrain, Bangladesh, Congo (Rep. of the), Djibouti, Egypt, Eritrea, Iraq, Israel, Kuwait, Qatar, Syrian Arab Republic, Somalia, Sudan, South Sudan, Chad, Togo and Yemen, the bands 1540–1559 MHz, 1610–1645.5 MHz and 1646.5–1660 MHz are also allocated to the fixed service on a secondary basis. (WRC–12)

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5.357A In applying the procedures of Section II of Article 9 to the mobile-satellite service in the frequency bands 1545–1555 MHz and 1646.5–1656.5 MHz, priority shall be given to accommodating the spectrum requirements of the aeronautical mobile-satellite (R) service providing transmission of messages with priority 1 to 6 in Article 44. Aeronautical mobile-satellite (R) service communications with priority 1 to 6 in Article 44 shall have priority access and immediate availability, by pre-emption if necessary, over all other mobile-satellite communications operating within a network. Mobile-satellite systems shall not cause unacceptable interference to, or claim protection from, aeronautical mobile-satellite (R) service communications with priority 1 to 6 in Article 44. Account shall be taken of the priority of safety-related communications in the other mobile-satellite services. (The provisions of Resolution 222 (Rev. WRC–12) shall apply.) (WRC–12)

5.359 *Additional allocation:* in Germany, Saudi Arabia, Armenia, Austria, Azerbaijan, Belarus, Benin, Cameroon, the Russian Federation, France, Georgia, Greece, Guinea, Guinea-Bissau, Jordan, Kazakhstan, Kuwait, Lithuania, Mauritania, Uganda, Uzbekistan, Pakistan, Poland, the Syrian Arab Republic, Kyrgyzstan, the Dem. People's Rep. of Korea, Romania, Tajikistan, Tanzania, Tunisia, Turkmenistan and Ukraine, the bands 1550–1559 MHz, 1610–1645.5 MHz and 1646.5–1660 MHz are also allocated to the fixed service on a primary basis. Administrations are urged to make all practicable efforts to avoid the implementation of new fixed-service stations in these bands. (WRC–12)

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5.362B *Additional allocation:* The band 1559–1610 MHz is also allocated to the fixed service on a secondary basis in Algeria, Saudi Arabia, Armenia, Azerbaijan, Belarus, Benin, Cameroon, Russian Federation, Gabon, Georgia, Guinea, Guinea-Bissau, Jordan, Kazakhstan, Libya, Lithuania, Mali, Mauritania, Nigeria, Uzbekistan, Pakistan, Poland, the Syrian Arab Republic, Kyrgyzstan, Dem. People's Rep. of Korea, Romania, Senegal, Tajikistan, Tanzania, Tunisia, Turkmenistan and Ukraine until 1 January 2015, at which time this allocation shall no longer be valid. Administrations are urged to take all practicable steps to protect the radionavigation-satellite service and the aeronautical radionavigation service and not authorize new frequency assignments to fixed-service systems in this band. (WRC–12)

5.362C *Additional allocation:* in Congo (Rep. of the), Eritrea, Iraq, Israel, Jordan, Qatar, the Syrian Arab Republic, Somalia, Sudan, South Sudan, Chad, Togo and Yemen, the band 1559–1610 MHz is also allocated to the fixed service on a secondary basis until 1 January 2015, at which time this allocation shall no longer be valid. Administrations are urged to take all practicable steps to protect the radionavigation-satellite service and not authorize new frequency assignments to fixed-service systems in this band. (WRC–12)

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5.367 *Additional allocation:* The frequency band 1610–1626.5 MHz is also allocated to the aeronautical mobile-satellite (R) service on a primary basis, subject to agreement obtained under No. 9.21. (WRC–12)

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5.369 *Different category of service:* in Angola, Australia, China, Eritrea, Ethiopia, India, Iran (Islamic Republic of), Israel, Lebanon, Liberia, Madagascar, Mali, Pakistan, Papua New Guinea, Syrian Arab Republic, the Dem. Rep. of the Congo, Sudan, South Sudan, Togo and Zambia, the allocation of the band 1610–1626.5 MHz to the radiodetermination-satellite service (Earth-to-space) is on a primary basis (see No. 5.33), subject to agreement obtained under No. 9.21 from countries not listed in this provision. (WRC–12)

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5.371 *Additional allocation:* in Region 1, the band 1610–1626.5 MHz (Earth-to-space) is also allocated to the radiodetermination-satellite service on a secondary basis, subject to agreement obtained under No. 9.21. (WRC–12)

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5.381 *Additional allocation:* in Afghanistan, Cuba, India, Iran (Islamic Republic of) and Pakistan, the band 1690–1700 MHz is also allocated to the fixed and mobile, except aeronautical mobile, services on a primary basis. (WRC–12)

5.382 *Different category of service:* in Saudi Arabia, Armenia, Azerbaijan, Bahrain, Belarus, Congo (Rep. of the), Egypt, the United Arab Emirates, Eritrea, Ethiopia, the Russian Federation, Guinea, Iraq, Israel, Jordan, Kazakhstan, Kuwait, the Former Yugoslav Republic of Macedonia, Lebanon, Mauritania, Moldova, Mongolia, Oman, Uzbekistan, Poland, Qatar, the Syrian Arab Republic, Kyrgyzstan, Somalia, Tajikistan, Tanzania, Turkmenistan, Ukraine and

Yemen, the allocation of the band 1690–1700 MHz to the fixed and mobile, except aeronautical mobile, services is on a primary basis (see No. 5.33), and in the Dem. People's Rep. of Korea, the allocation of the band 1690–1700 MHz to the fixed service is on a primary basis (see No. 5.33) and to the mobile, except aeronautical mobile, service on a secondary basis. (WRC–12)

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5.384A The bands, or portions of the bands, 1710–1885 MHz, 2300–2400 MHz and 2500–2690 MHz, are identified for use by administrations wishing to implement International Mobile Telecommunications (IMT) in accordance with Resolution 223 (Rev. WRC–12). This identification does not preclude the use of these bands by any application of the services to which they are allocated and does not establish priority in the Radio Regulations. (FCC)

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5.387 *Additional allocation:* in Belarus, Georgia, Kazakhstan, Kyrgyzstan, Romania, Tajikistan and Turkmenistan, the band 1770–1790 MHz is also allocated to the meteorological-satellite service on a primary basis, subject to agreement obtained under No. 9.21. (WRC–12)

5.388 The bands 1885–2025 MHz and 2110–2200 MHz are intended for use, on a worldwide basis, by administrations wishing to implement International Mobile Telecommunications (IMT). Such use does not preclude the use of these bands by other services to which they are allocated. The bands should be made available for IMT in accordance with Resolution 212 (Rev. WRC–07). (See also Resolution 223 (Rev. WRC–12).) (WRC–12) (FCC)

5.388A In Regions 1 and 3, the bands 1885–1980 MHz, 2010–2025 MHz and 2110–2170 MHz and, in Region 2, the bands 1885–1980 MHz and 2110–2160 MHz may be used by high altitude platform stations as base stations to provide International Mobile Telecommunications (IMT), in accordance with Resolution 221 (Rev. WRC–07). Their use by IMT applications using high altitude platform stations as base stations does not preclude the use of these bands by any station in the services to which they are allocated and does not establish priority in the Radio Regulations. (WRC–12)

5.388B In Algeria, Saudi Arabia, Bahrain, Benin, Burkina Faso, Cameroon, Comoros, Côte d'Ivoire, China, Cuba, Djibouti, Egypt, United Arab Emirates, Eritrea, Ethiopia, Gabon, Ghana, India, Iran (Islamic Republic of), Israel, Jordan, Kenya, Kuwait, Libya, Mali, Morocco, Mauritania, Nigeria, Oman, Uganda, Pakistan, Qatar, the Syrian Arab Republic, Senegal, Singapore, Sudan, South Sudan, Tanzania, Chad, Togo, Tunisia, Yemen, Zambia and Zimbabwe, for the purpose of protecting fixed and mobile services, including IMT mobile stations, in their territories from co-channel interference, a high altitude platform station (HAPS) operating as an IMT base station in neighbouring countries, in the bands referred to in No. 5.388A, shall not exceed a co-channel power flux-density of -127 dB(W/(m^2 · MHz)) at the Earth's surface outside a country's borders unless explicit agreement of the affected administration is provided at the time of the notification of HAPS. (WRC–12)

5.389A The use of the bands 1980–2010 MHz and 2170–2200 MHz by the mobile-satellite service is subject to coordination under No. 9.11A and to the provisions of Resolution 716 (Rev. WRC–12). (FCC)

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5.389C The use of the bands 2010–2025 MHz and 2160–2170 MHz in Region 2 by the mobile-satellite service is subject to coordination under No. 9.11A and to the provisions of Resolution 716 (Rev. WRC–12). (FCC)

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5.398A *Different category of service:* In Armenia, Azerbaijan, Belarus, the Russian Federation, Kazakhstan, Uzbekistan, Kyrgyzstan, Tajikistan and Ukraine, the band 2483.5–2500 MHz is allocated on a primary basis to the radiolocation service. The radiolocation stations in these countries shall not cause harmful interference to, or claim protection from, stations of the fixed, mobile and mobile-satellite services operating in accordance with the Radio Regulations in the frequency band 2483.5–2500 MHz. (WRC–12)

5.399 Except for cases referred to in No. 5.401, stations of the radiodetermination-satellite service operating in the frequency band 2483.5–2500 MHz for which notification information is received by the Bureau after 17 February 2012, and the service area of which includes Armenia, Azerbaijan, Belarus, the Russian Federation, Kazakhstan, Uzbekistan, Kyrgyzstan, Tajikistan and Ukraine, shall not cause harmful interference to, and shall not claim protection from stations of the radiolocation service operating in these countries in accordance with No. 5.398A. (WRC–12)

5.401 In Angola, Australia, Bangladesh, Burundi, China, Eritrea, Ethiopia, India, Iran (Islamic Republic of), Lebanon, Liberia, Libya, Madagascar, Mali, Pakistan, Papua New Guinea, Syrian Arab Republic, Dem. Rep. of the Congo, Sudan, Swaziland, Togo and Zambia, the band 2483.5–2500 MHz was already allocated on a primary basis to the radiodetermination-satellite service before WRC–12, subject to agreement obtained under No. 9.21 from countries not listed in this provision. Systems in the radiodetermination-satellite service for which complete coordination information has been received by the Radiocommunication Bureau before 18 February 2012 will retain their regulatory status, as of the date of receipt of the coordination request information. (WRC–12)

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5.410 The band 2500–2690 MHz may be used for tropospheric scatter systems in Region 1, subject to agreement obtained under No. 9.21. No. 9.21 does not apply to tropospheric scatter links situated entirely outside Region 1. Administrations shall make all practicable efforts to avoid developing new tropospheric scatter systems in this band. When planning new tropospheric scatter radio-relay links in this band, all possible measures shall be taken to avoid directing the antennas of these links towards the geostationary-satellite orbit. (WRC–12)

5.412 *Alternative allocation:* in Kyrgyzstan and Turkmenistan, the band 2500–2690 MHz is allocated to the fixed and mobile, except aeronautical mobile, services on a primary basis. (WRC–12)

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5.418 *Additional allocation:* in Korea (Rep. of), India, Japan and Thailand, the band 2535–2655 MHz is also allocated to the broadcasting-satellite service (sound) and complementary terrestrial broadcasting service on a primary basis. Such use is limited to digital audio broadcasting and is subject to the provisions of Resolution 528 (Rev. WRC–03). The provisions of No. 5.416 and Table 21–4 of Article 21, do not apply to this additional allocation. Use of non-geostationary-satellite systems in the broadcasting-satellite service (sound) is subject to Resolution 539 (Rev. WRC–03). Geostationary broadcasting-satellite service (sound) systems for which complete Appendix 4 coordination information has been received after 1 June 2005 are limited to systems intended for national coverage. The power flux-density at the Earth's surface produced by emissions from a geostationary broadcasting-satellite service (sound) space station operating in the band 2630–2655 MHz, and for which complete Appendix 4 coordination information has been received after 1 June 2005, shall not exceed the following limits, for all conditions and for all methods of modulation:

-130 dB (W/(m^2 · MHz)) for $0° \leq \theta \leq 5°$

$-130 + 0.4\ (\theta - 5)$ dB (W/(m^2 · MHz)) for $5° < \theta \leq 25°$

-122 dB (W/(m^2 · MHz)) for $25° < \theta \leq 90°$

where θ is the angle of arrival of the incident wave above the horizontal plane, in degrees. These limits may be exceeded on the territory of any country whose administration has so agreed. As an exception to the limits above, the pfd value of -122 dB(W/(m^2 · MHz)) shall be used as a threshold for coordination under No. 9.11 in an area of 1500 km around the territory of the administration notifying the broadcasting-satellite service (sound) system.

In addition, an administration listed in this provision shall not have simultaneously two overlapping frequency assignments, one under this provision and the other under No. 5.416 for systems for which complete Appendix 4 coordination information has been received after 1 June 2005. (WRC–12)

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5.422 *Additional allocation:* in Saudi Arabia, Armenia, Azerbaijan, Bahrain, Belarus, Brunei Darussalam, Congo (Rep. of the), Côte d'Ivoire, Cuba, Djibouti, Egypt, the United Arab Emirates, Eritrea, Ethiopia, Gabon, Georgia, Guinea, Guinea-Bissau, Iran (Islamic Republic of), Iraq, Israel, Jordan, Kuwait, Lebanon, Mauritania, Mongolia, Montenegro, Nigeria, Oman, Pakistan, the Philippines, Qatar, Syrian Arab Republic, Kyrgyzstan, the Dem. Rep. of the Congo, Romania, Somalia, Tajikistan, Tunisia, Turkmenistan, Ukraine and Yemen, the band 2690–2700 MHz is also allocated to the fixed and mobile, except aeronautical mobile, services on a primary basis. Such use is limited to equipment in operation by 1 January 1985. (WRC–12)

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5.428 *Additional allocation:* in Azerbaijan, Mongolia, Kyrgyzstan and

Turkmenistan, the band 3100–3300 MHz is also allocated to the radionavigation service on a primary basis. (WRC–12)

5.429 *Additional allocation:* in Saudi Arabia, Bahrain, Bangladesh, Brunei Darussalam, Cameroon, China, Congo (Rep. of the), Korea (Rep. of), Côte d'Ivoire, Egypt, the United Arab Emirates, India, Indonesia, Iran (Islamic Republic of), Iraq, Israel, Japan, Jordan, Kenya, Kuwait, Lebanon, Libya, Malaysia, Oman, Uganda, Pakistan, Qatar, the Syrian Arab Republic, the Dem. Rep. of the Congo, the Dem. People's Rep. of Korea and Yemen, the band 3300–3400 MHz is also allocated to the fixed and mobile services on a primary basis. The countries bordering the Mediterranean shall not claim protection for their fixed and mobile services from the radiolocation service. (WRC–12)

5.430 *Additional allocation:* In Azerbaijan, Mongolia, Kyrgyzstan and Turkmenistan, the band 3300–3400 MHz is also allocated to the radionavigation service on a primary basis. (WRC–12)

5.430A *Different category of service:* In Albania, Algeria, Germany, Andorra, Saudi Arabia, Austria, Azerbaijan, Bahrain, Belgium, Benin, Bosnia and Herzegovina, Botswana, Bulgaria, Burkina Faso, Cameroon, Cyprus, Vatican, Congo (Rep. of the), Côte d'Ivoire, Croatia, Denmark, Egypt, Spain, Estonia, Finland, France and French overseas departments and communities in Region 1, Gabon, Georgia, Greece, Guinea, Hungary, Ireland, Iceland, Israel, Italy, Jordan, Kuwait, Lesotho, Latvia, The Former Yugoslav Republic of Macedonia, Liechtenstein, Lithuania, Malawi, Mali, Malta, Morocco, Mauritania, Moldova, Monaco, Mongolia, Montenegro, Mozambique, Namibia, Niger, Norway, Oman, Netherlands, Poland, Portugal, Qatar, the Syrian Arab Republic, the Dem. Rep. of the Congo, Slovakia, Czech Rep., Romania, United Kingdom, San Marino, Senegal, Serbia, Sierra Leone, Slovenia, South Africa, Sweden, Switzerland, Swaziland, Chad, Togo, Tunisia, Turkey, Ukraine, Zambia and Zimbabwe, the band 3400–3600 MHz is allocated to the mobile, except aeronautical mobile, service on a primary basis subject to agreement obtained under No. 9.21 with other administrations and is identified for International Mobile Telecommunications (IMT). This identification does not preclude the use of this band by any application of the services to which it is allocated and does not establish priority in the Radio Regulations. At the stage of coordination the provisions of Nos. 9.17 and 9.18 also apply. Before an administration brings into use a (base or mobile) station of the mobile service in this band, it shall ensure that the power flux-density (pfd) produced at 3 m above ground does not exceed -154.5 dB(W/(m^2 · 4 kHz)) for more than 20% of time at the border of the territory of any other administration. This limit may be exceeded on the territory of any country whose administration has so agreed. In order to ensure that the pfd limit at the border of the territory of any other administration is met, the calculations and verification shall be made, taking into account all relevant information, with the mutual agreement of both administrations (the administration responsible for the terrestrial station and the administration responsible for the earth station), with the assistance of the Bureau if so requested. In case of disagreement, the calculation and verification of the pfd shall be made by the Bureau, taking into account the information referred to above. Stations of the mobile service in the band 3400–3600 MHz shall not claim more protection from space stations than that provided in Table 21–4 of the Radio Regulations (Edition of 2004). This allocation is effective from 17 November 2010. (WRC–12)

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5.431A *Different category of service:* In Argentina, Brazil, Chile, Costa Rica, Cuba, French overseas departments and communities in Region 2, Dominican Republic, El Salvador, Guatemala, Mexico, Paraguay, Suriname, Uruguay and Venezuela, the band 3400–3500 MHz is allocated to the mobile, except aeronautical mobile, service on a primary basis, subject to agreement obtained under No. 9.21. Stations of the mobile service in the band 3400–3500 MHz shall not claim more protection from space stations than that provided in Table 21–4 of the Radio Regulations (Edition of 2004). (WRC–12)

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5.432B *Different category of service:* In Bangladesh, China, French overseas communities of Region 3, India, Iran (Islamic Republic of), New Zealand and Singapore, the band 3400–3500 MHz is allocated to the mobile, except aeronautical mobile, service on a primary basis, subject to agreement obtained under No. 9.21 with other administrations and is identified for International Mobile Telecommunications (IMT). This identification does not preclude the use of this band by any application of the services to which it is allocated and does not establish priority in the Radio Regulations. At the stage of coordination the provisions of Nos. 9.17 and 9.18 also apply. Before an administration brings into use a (base or mobile) station of the mobile service in this band it shall ensure that the power flux-density (pfd) produced at 3 m above ground does not exceed -154.5 dB(W/(m^2 · 4 kHz)) for more than 20% of time at the border of the territory of any other administration. This limit may be exceeded on the territory of any country whose administration has so agreed. In order to ensure that the pfd limit at the border of the territory of any other administration is met, the calculations and verification shall be made, taking into account all relevant information, with the mutual agreement of both administrations (the administration responsible for the terrestrial station and the administration responsible for the earth station) with the assistance of the Bureau if so requested. In case of disagreement, the calculation and verification of the pfd shall be made by the Bureau, taking into account the information referred to above. Stations of the mobile service in the band 3400–3500 MHz shall not claim more protection from space stations than that provided in Table 21–4 of the Radio Regulations (Edition of 2004). This allocation is effective from 17 November 2010. (WRC–12)

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5.433A In Bangladesh, China, French overseas communities of Region 3, Korea (Rep. of), India, Iran (Islamic Republic of), Japan, New Zealand and Pakistan, the band 3500–3600 MHz is identified for International Mobile Telecommunications (IMT). This identification does not preclude the use of this band by any application of the services to which it is allocated and does not establish priority in the Radio Regulations. At the stage of coordination the provisions of Nos. 9.17 and 9.18 also apply. Before an administration brings into use a (base or mobile) station of the mobile service in this band it shall ensure that the power flux-density (pfd) produced at 3 m above ground does not exceed -154.5 dB (W/(m^2 · 4 kHz)) for more than 20% of time at the border of the territory of any other administration. This limit may be exceeded on the territory of any country whose administration has so agreed. In order to ensure that the pfd limit at the border of the territory of any other administration is met, the calculations and verification shall be made, taking into account all relevant information, with the mutual agreement of both administrations (the administration responsible for the terrestrial station and the administration responsible for the earth station), with the assistance of the Bureau if so requested. In case of disagreement, the calculation and verification of the pfd shall be made by the Bureau, taking into account the information referred to above. Stations of the mobile service in the band 3500–3600 MHz shall not claim more protection from space stations than that provided in Table 21–4 of the Radio Regulations (Edition of 2004). (WRC–12)

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5.439 *Additional allocation:* In Iran (Islamic Republic of), the band 4200–4400 MHz is also allocated to the fixed service on a secondary basis. (WRC–12)

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5.440A In Region 2 (except Brazil, Cuba, French overseas departments and communities, Guatemala, Paraguay, Uruguay and Venezuela), and in Australia, the band 4400–4940 MHz may be used for aeronautical mobile telemetry for flight testing by aircraft stations (see No. 1.83). Such use shall be in accordance with Resolution 416 (WRC–07) and shall not cause harmful interference to, nor claim protection from, the fixed-satellite and fixed services. Any such use does not preclude the use of this band by other mobile service applications or by other services to which this band is allocated on a co-primary basis and does not establish priority in the Radio Regulations. (WRC–07)

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5.443AA In the frequency bands 5000–5030 MHz and 5091–5150 MHz, the aeronautical mobile-satellite (R) service is subject to agreement obtained under No. 9.21. The use of these bands by the aeronautical mobile-satellite (R) service is limited to internationally standardized aeronautical systems. (WRC–12)

5.443B In order not to cause harmful interference to the microwave landing system operating above 5030 MHz, the aggregate power flux-density produced at the Earth's surface in the band 5030–5150 MHz by all

the space stations within any radionavigation-satellite service system (space-to-Earth) operating in the band 5010–5030 MHz shall not exceed –124.5 dB(W/m²) in a 150 kHz band. In order not to cause harmful interference to the radio astronomy service in the band 4990–5000 MHz, radionavigation-satellite service systems operating in the band 5010–5030 MHz shall comply with the limits in the band 4990–5000 MHz defined in Resolution 741 (Rev. WRC–12). (WRC–12)

5.443C The use of the frequency band 5030–5091 MHz by the aeronautical mobile (R) service is limited to internationally standardized aeronautical systems. Unwanted emissions from the aeronautical mobile (R) service in the frequency band 5030–5091 MHz shall be limited to protect RNSS system downlinks in the adjacent 5010–5030 MHz band. Until such time that an appropriate value is established in a relevant ITU–R Recommendation, the e.i.r.p. density limit of −75 dBW/MHz in the frequency band 5010–5030 MHz for any AM(R)S station unwanted emission should be used. (WRC–12)

5.443D In the frequency band 5030–5091 MHz, the aeronautical mobile-satellite (R) service is subject to coordination under No. 9.11A. The use of this frequency band by the aeronautical mobile-satellite (R) service is limited to internationally standardized aeronautical systems. (WRC–12)

5.444 The frequency band 5030–5150 MHz is to be used for the operation of the international standard system (microwave landing system) for precision approach and landing. In the frequency band 5030–5091 MHz, the requirements of this system shall have priority over other uses of this band. For the use of the frequency band 5091–5150 MHz, No. 5.444A and Resolution 114 (Rev. WRC–12) apply. (WRC–12)

5.444A *Additional allocation:* The band 5091–5150 MHz is also allocated to the fixed-satellite service (Earth-to-space) on a primary basis. This allocation is limited to feeder links of non-geostationary satellite systems in the mobile-satellite service and is subject to coordination under No. 9.11A.

In the band 5091–5150 MHz, the following conditions also apply:

—prior to 1 January 2018, the use of the band 5091–5150 MHz by feeder links of non-geostationary-satellite systems in the mobile-satellite service shall be made in accordance with Resolution 114 (Rev. WRC–12);

—after 1 January 2016, no new assignments shall be made to earth stations providing feeder links of non-geostationary mobile-satellite systems;

—after 1 January 2018, the fixed-satellite service will become secondary to the aeronautical radionavigation service. (FCC)

5.444B The use of the frequency band 5091–5150 MHz by the aeronautical mobile service is limited to:

—systems operating in the aeronautical mobile (R) service and in accordance with international aeronautical standards, limited to surface applications at airports. Such use shall be in accordance with Resolution 748 (Rev. WRC–12);

—aeronautical telemetry transmissions from aircraft stations (see No. 1.83) in accordance with Resolution 418 (Rev. WRC–12). (WRC–12)

5.446 *Additional allocation:* In the countries listed in No. 5.369, the band 5150–5216 MHz is also allocated to the radiodetermination-satellite service (space-to-Earth) on a primary basis, subject to agreement obtained under No. 9.21. In Region 2, the band is also allocated to the radiodetermination-satellite service (space-to-Earth) on a primary basis. In Regions 1 and 3, except those countries listed in Nos. 5.369 and Bangladesh, the band is also allocated to the radiodetermination-satellite service (space-to-Earth) on a secondary basis. The use by the radiodetermination-satellite service is limited to feeder links in conjunction with the radiodetermination-satellite service operating in the bands 1610–1626.5 MHz and/or 2483.5–2500 MHz. The total power flux-density at the Earth's surface shall in no case exceed –159 dB (W/m²) in any 4 kHz band for all angles of arrival. (WRC–12)

5.446A The use of the bands 5150–5350 MHz and 5470–5725 MHz by the stations in the mobile, except aeronautical mobile, service shall be in accordance with Resolution 229 (Rev. WRC–12). (WRC–12)

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5.446C *Additional allocation:* In Region 1 (except in Algeria, Saudi Arabia, Bahrain, Egypt, United Arab Emirates, Jordan, Kuwait, Lebanon, Morocco, Oman, Qatar, Syrian Arab Republic, Sudan, South Sudan and Tunisia) and in Brazil, the band 5150–5250 MHz is also allocated to the aeronautical mobile service on a primary basis, limited to aeronautical telemetry transmissions from aircraft stations (see No. 1.83), in accordance with Resolution 418 (Rev. WRC–12). These stations shall not claim protection from other stations operating in accordance with Article 5. No. 5.43A does not apply. (WRC–12)

5.447 *Additional allocation:* In Côte d'Ivoire, Egypt, Israel, Lebanon, the Syrian Arab Republic and Tunisia, the band 5150–5250 MHz is also allocated to the mobile service, on a primary basis, subject to agreement obtained under No. 9.21. In this case, the provisions of Resolution 229 (Rev. WRC–12) do not apply. (WRC–12)

5.447A The allocation to the fixed-satellite service (Earth-to-space) in the band 5150–5250 MHz is limited to feeder links of non-geostationary-satellite systems in the mobile-satellite service and is subject to coordination under No. 9.11A.

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5.448 *Additional allocation:* In Azerbaijan, Kyrgyzstan, Romania and Turkmenistan, the band 5250–5350 MHz is also allocated to the radionavigation service on a primary basis. (WRC–12)

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5.450 *Additional allocation:* In Austria, Azerbaijan, Iran (Islamic Republic of), Kyrgyzstan, Romania, Turkmenistan and Ukraine, the band 5470–5650 MHz is also allocated to the aeronautical radionavigation service on a primary basis. (WRC–12)

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5.453 *Additional allocation:* In Saudi Arabia, Bahrain, Bangladesh, Brunei Darussalam, Cameroon, China, Congo (Rep. of the), Korea (Rep. of), Côte d'Ivoire, Djibouti, Egypt, the United Arab Emirates, Gabon, Guinea, Equatorial Guinea, India, Indonesia, Iran (Islamic Republic of), Iraq, Israel, Japan, Jordan, Kenya, Kuwait, Lebanon, Libya, Madagascar, Malaysia, Niger, Nigeria, Oman, Uganda, Pakistan, the Philippines, Qatar, the Syrian Arab Republic, the Dem. People's Rep. of Korea, Singapore, Sri Lanka, Swaziland, Tanzania, Chad, Thailand, Togo, Viet Nam and Yemen, the band 5650–5850 MHz is also allocated to the fixed and mobile services on a primary basis. In this case, the provisions of Resolution 229 (Rev. WRC–12) do not apply. (WRC–12)

5.454 *Different category of service:* In Azerbaijan, the Russian Federation, Georgia, Kyrgyzstan, Tajikistan and Turkmenistan, the allocation of the band 5670–5725 MHz to the space research service is on a primary basis (see No. 5.33). (WRC–12)

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5.457 In Australia, Burkina Faso, Côte d'Ivoire, Mali and Nigeria, the allocation to the fixed service in the bands 6440–6520 MHz (HAPS-to-ground direction) and 6560–6640 MHz (ground-to-HAPS direction) may also be used by gateway links for high-altitude platform stations (HAPS) within the territory of these countries. Such use is limited to operation in HAPS gateway links and shall not cause harmful interference to, and shall not claim protection from, existing services, and shall be in compliance with Resolution 150 (WRC–12). Existing services shall not be constrained in future development by HAPS gateway links. The use of HAPS gateway links in these bands requires explicit agreement with other administrations whose territories are located within 1000 kilometres from the border of an administration intending to use the HAPS gateway links. (WRC–12)

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5.457B In the bands 5925–6425 MHz and 14–14.5 GHz, earth stations located on board vessels may operate with the characteristics and under the conditions contained in Resolution 902 (WRC–03) in Algeria, Saudi Arabia, Bahrain, Comoros, Djibouti, Egypt, United Arab Emirates, Jordan, Kuwait, Libya, Morocco, Mauritania, Oman, Qatar, the Syrian Arab Republic, Sudan, South Sudan, Tunisia and Yemen, in the maritime mobile-satellite service on a secondary basis. Such use shall be in accordance with Resolution 902 (WRC–03). (WRC–12)

5.457C In Region 2 (except Brazil, Cuba, French overseas departments and communities, Guatemala, Paraguay, Uruguay and Venezuela), the band 5925–6700 MHz may be used for aeronautical mobile telemetry for flight testing by aircraft stations (see No. 1.83). Such use shall be in accordance with Resolution 416 (WRC–07) and shall not cause harmful interference to, nor claim protection from, the fixed-satellite and fixed services. Any such use does not preclude the use of this band by other mobile service applications or by other services to which this band is allocated on a co-primary basis and does not establish priority in the Radio Regulations. (WRC–07)

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5.461B The use of the band 7750–7900 MHz by the meteorological-satellite service

(space-to-Earth) is limited to non-geostationary satellite systems. (WRC–12)

5.462A In Regions 1 and 3 (except for Japan), in the band 8025–8400 MHz, the Earth exploration-satellite service using geostationary satellites shall not produce a power flux-density in excess of the following values for angles of arrival (θ), without the consent of the affected administration:

—135 dB (W/m²) in a 1 MHz band for $0° \leq \theta < 5°$

—$135 + 0.5 (\theta - 5)$ dB (W/m²) in a 1 MHz band for $5° \leq \theta < 25°$

—125 dB (W/m²) in a 1 MHz band for $25° \leq \theta \leq 90°$ (WRC–12) (FCC)

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5.466 *Different category of service:* In Singapore and Sri Lanka, the allocation of the band 8400–8500 MHz to the space research service is on a secondary basis (see No. 5.32). (WRC–12)

5.468 *Additional allocation:* In Saudi Arabia, Bahrain, Bangladesh, Brunei Darussalam, Burundi, Cameroon, China, Congo (Rep. of the), Costa Rica, Djibouti, Egypt, the United Arab Emirates, Gabon, Guyana, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lebanon, Libya, Malaysia, Mali, Morocco, Mauritania, Nepal, Nigeria, Oman, Uganda, Pakistan, Qatar, Syrian Arab Republic, the Dem. People's Rep. of Korea, Senegal, Singapore, Somalia, Sudan, Swaziland, Tanzania, Chad, Togo, Tunisia and Yemen, the band 8500–8750 MHz is also allocated to the fixed and mobile services on a primary basis. (WRC–12)

5.469 *Additional allocation:* In Armenia, Azerbaijan, Belarus, the Russian Federation, Georgia, Hungary, Lithuania, Mongolia, Uzbekistan, Poland, Kyrgyzstan, the Czech Rep., Romania, Tajikistan, Turkmenistan and Ukraine, the band 8500–8750 MHz is also allocated to the land mobile and radionavigation services on a primary basis. (WRC–12)

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5.471 *Additional allocation:* In Algeria, Germany, Bahrain, Belgium, China, Egypt, the United Arab Emirates, France, Greece, Indonesia, Iran (Islamic Republic of), Libya, the Netherlands, Qatar, Sudan and South Sudan, the bands 8825–8850 MHz and 9000–9200 MHz are also allocated to the maritime radionavigation service, on a primary basis, for use by shore-based radars only. (WRC–12)

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5.477 *Different category of service:* In Algeria, Saudi Arabia, Bahrain, Bangladesh, Brunei Darussalam, Cameroon, Djibouti, Egypt, the United Arab Emirates, Eritrea, Ethiopia, Guyana, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Japan, Jordan, Kuwait, Lebanon, Liberia, Malaysia, Nigeria, Oman, Pakistan, Qatar, Syrian Arab Republic, the Dem. People's Rep. of Korea, Singapore, Somalia, Sudan, South Sudan, Trinidad and Tobago, and Yemen, the allocation of the band 9800–10000 MHz to the fixed service is on a primary basis (see No. 5.33). (WRC–12)

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5.481 *Additional allocation:* In Germany, Angola, Brazil, China, Costa Rica, Côte d'Ivoire, El Salvador, Ecuador, Spain, Guatemala, Hungary, Japan, Kenya, Morocco, Nigeria, Oman, Uzbekistan, Pakistan, Paraguay, Peru, the Dem. People's Rep. of Korea, Romania, Tanzania, Thailand and Uruguay, the band 10.45–10.5 GHz is also allocated to the fixed and mobile services on a primary basis. (WRC–12)

5.482 In the band 10.6–10.68 GHz, the power delivered to the antenna of stations of the fixed and mobile, except aeronautical mobile, services shall not exceed −3 dBW. This limit may be exceeded, subject to agreement obtained under No. 9.21. However, in Algeria, Saudi Arabia, Armenia, Azerbaijan, Bahrain, Bangladesh, Belarus, Egypt, United Arab Emirates, Georgia, India, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kazakhstan, Kuwait, Lebanon, Libya, Morocco, Mauritania, Moldova, Nigeria, Oman, Uzbekistan, Pakistan, Philippines, Qatar, Syrian Arab Republic, Kyrgyzstan, Singapore, Tajikistan, Tunisia, Turkmenistan and Viet Nam, this restriction on the fixed and mobile, except aeronautical mobile, services is not applicable. (WRC–07)

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5.483 *Additional allocation:* In Saudi Arabia, Armenia, Azerbaijan, Bahrain, Belarus, China, Colombia, Korea (Rep. of), Costa Rica, Egypt, the United Arab Emirates, Georgia, Iran (Islamic Republic of), Iraq, Israel, Jordan, Kazakhstan, Kuwait, Lebanon, Mongolia, Qatar, Kyrgyzstan, the Dem. People's Rep. of Korea, Tajikistan, Turkmenistan and Yemen, the band 10.68–10.7 GHz is also allocated to the fixed and mobile, except aeronautical mobile, services on a primary basis. Such use is limited to equipment in operation by 1 January 1985. (WRC–12)

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5.494 *Additional allocation:* In Algeria, Angola, Saudi Arabia, Bahrain, Cameroon, the Central African Rep., Congo (Rep. of the), Côte d'Ivoire, Djibouti, Egypt, the United Arab Emirates, Eritrea, Ethiopia, Gabon, Ghana, Guinea, Iraq, Israel, Jordan, Kuwait, Lebanon, Libya, Madagascar, Mali, Morocco, Mongolia, Nigeria, Oman, Qatar, the Syrian Arab Republic, the Dem. Rep. of the Congo, Somalia, Sudan, South Sudan, Chad, Togo and Yemen, the band 12.5–12.75 GHz is also allocated to the fixed and mobile, except aeronautical mobile, services on a primary basis. (WRC–12)

5.495 *Additional allocation:* In France, Greece, Monaco, Montenegro, Uganda, Romania, Tanzania and Tunisia, the band 12.5–12.75 GHz is also allocated to the fixed and mobile, except aeronautical mobile, services on a secondary basis. (WRC–12)

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5.499 *Additional allocation:* In Bangladesh and India, the band 13.25–14 GHz is also allocated to the fixed service on a primary basis. In Pakistan, the band 13.25–13.75 GHz is allocated to the fixed service on a primary basis. (WRC–12)

5.500 *Additional allocation:* In Algeria, Angola, Saudi Arabia, Bahrain, Brunei Darussalam, Cameroon, Egypt, the United Arab Emirates, Gabon, Indonesia, Iran (Islamic Republic of), Iraq, Israel, Jordan, Kuwait, Lebanon, Madagascar, Malaysia, Mali, Morocco, Mauritania, Niger, Nigeria, Oman, Qatar, the Syrian Arab Republic, Singapore, Sudan, South Sudan, Chad and Tunisia, the band 13.4–14 GHz is also allocated to the fixed and mobile services on a primary basis. In Pakistan, the band 13.4–13.75 GHz is also allocated to the fixed and mobile services on a primary basis. (WRC–12)

5.501 *Additional allocation:* In Azerbaijan, Hungary, Japan, Kyrgyzstan, Romania and Turkmenistan, the band 13.4–14 GHz is also allocated to the radionavigation service on a primary basis. (WRC–12)

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5.504C In the band 14–14.25 GHz, the power flux-density produced on the territory of the countries of Saudi Arabia, Botswana, Côte d'Ivoire, Egypt, Guinea, India, Iran (Islamic Republic of), Kuwait, Nigeria, Oman, the Syrian Arab Republic and Tunisia by any aircraft earth station in the aeronautical mobile-satellite service shall not exceed the limits given in Annex 1, Part B of Recommendation ITU–R M.1643, unless otherwise specifically agreed by the affected administration(s). The provisions of this footnote in no way derogate the obligations of the aeronautical mobile-satellite service to operate as a secondary service in accordance with No. 5.29. (WRC–12)

5.505 *Additional allocation:* In Algeria, Angola, Saudi Arabia, Bahrain, Botswana, Brunei Darussalam, Cameroon, China, Congo (Rep. of the), Korea (Rep. of), Djibouti, Egypt, the United Arab Emirates, Gabon, Guinea, India, Indonesia, Iran (Islamic Republic of), Iraq, Israel, Japan, Jordan, Kuwait, Lebanon, Malaysia, Mali, Morocco, Mauritania, Oman, the Philippines, Qatar, the Syrian Arab Republic, the Dem. People's Rep. of Korea, Singapore, Somalia, Sudan, South Sudan, Swaziland, Tanzania, Chad, Viet Nam and Yemen, the band 14–14.3 GHz is also allocated to the fixed service on a primary basis. (WRC–12)

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5.508 *Additional allocation:* In Germany, France, Italy, Libya, The Former Yugoslav Rep. of Macedonia and the United Kingdom, the band 14.25–14.3 GHz is also allocated to the fixed service on a primary basis. (WRC–12)

5.508A In the band 14.25–14.3 GHz, the power flux-density produced on the territory of the countries of Saudi Arabia, Botswana, China, Côte d'Ivoire, Egypt, France, Guinea, India, Iran (Islamic Republic of), Italy, Kuwait, Nigeria, Oman, the Syrian Arab Republic, the United Kingdom and Tunisia by any aircraft earth station in the aeronautical mobile-satellite service shall not exceed the limits given in Annex 1, Part B of Recommendation ITU–R M.1643, unless otherwise specifically agreed by the affected administration(s). The provisions of this footnote in no way derogate the obligations of the aeronautical mobile-satellite service to operate as a secondary service in accordance with No. 5.29. (WRC–12)

5.509A In the band 14.3–14.5 GHz, the power flux-density produced on the territory of the countries of Saudi Arabia, Botswana, Cameroon, China, Côte d'Ivoire, Egypt, France, Gabon, Guinea, India, Iran (Islamic

Republic of), Italy, Kuwait, Morocco, Nigeria, Oman, the Syrian Arab Republic, the United Kingdom, Sri Lanka, Tunisia and Viet Nam by any aircraft earth station in the aeronautical mobile-satellite service shall not exceed the limits given in Annex 1, Part B of Recommendation ITU–R M.1643, unless otherwise specifically agreed by the affected administration(s). The provisions of this footnote in no way derogate the obligations of the aeronautical mobile-satellite service to operate as a secondary service in accordance with No. 5.29. (WRC–12)

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5.511 *Additional allocation:* In Saudi Arabia, Bahrain, Cameroon, Egypt, the United Arab Emirates, Guinea, Iran (Islamic Republic of), Iraq, Israel, Kuwait, Lebanon, Oman, Pakistan, Qatar, the Syrian Arab Republic and Somalia, the band 15.35–15.4 GHz is also allocated to the fixed and mobile services on a secondary basis. (WRC–12)

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5.511E In the frequency band 15.4–15.7 GHz, stations operating in the radiolocation service shall not cause harmful interference to, or claim protection from, stations operating in the aeronautical radionavigation service. (WRC–12)

5.511F In order to protect the radio astronomy service in the frequency band 15.35–15.4 GHz, radiolocation stations operating in the frequency band 15.4–15.7 GHz shall not exceed the power flux-density level of -156 dB(W/m^2) in a 50 MHz bandwidth in the frequency band 15.35–15.4 GHz, at any radio astronomy observatory site for more than 2 per cent of the time. (WRC–12)

5.512 *Additional allocation:* In Algeria, Angola, Saudi Arabia, Austria, Bahrain, Bangladesh, Brunei Darussalam, Cameroon, Congo (Rep. of the), Costa Rica, Egypt, El Salvador, the United Arab Emirates, Eritrea, Finland, Guatemala, India, Indonesia, Iran (Islamic Republic of), Jordan, Kenya, Kuwait, Lebanon, Libya, Malaysia, Mali, Morocco, Mauritania, Montenegro, Nepal, Nicaragua, Niger, Oman, Pakistan, Qatar, Syrian Arab Republic, the Dem. Rep. of the Congo, Serbia, Singapore, Somalia, Sudan, South Sudan, Tanzania, Chad, Togo and Yemen, the band 15.7–17.3 GHz is also allocated to the fixed and mobile services on a primary basis. (WRC–12)

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5.514 *Additional allocation:* In Algeria, Angola, Saudi Arabia, Bahrain, Bangladesh, Cameroon, El Salvador, the United Arab Emirates, Guatemala, India, Iran (Islamic Republic of), Iraq, Israel, Italy, Japan, Jordan, Kuwait, Libya, Lithuania, Nepal, Nicaragua, Nigeria, Oman, Uzbekistan, Pakistan, Qatar, Kyrgyzstan, Sudan and South Sudan, the band 17.3–17.7 GHz is also allocated to the fixed and mobile services on a secondary basis. The power limits given in Nos. 21.3 and 21.5 shall apply. (WRC–12)

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5.522C In the band 18.6–18.8 GHz, in Algeria, Saudi Arabia, Bahrain, Egypt, the United Arab Emirates, Jordan, Lebanon, Libya, Morocco, Oman, Qatar, the Syrian Arab Republic, Tunisia and Yemen, fixed-service systems in operation at the date of entry into force of the Final Acts of WRC–2000 are not subject to the limits of No. 21.5A.

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5.524 *Additional allocation:* In Afghanistan, Algeria, Angola, Saudi Arabia, Bahrain, Brunei Darussalam, Cameroon, China, Congo (Rep. of the), Costa Rica, Egypt, the United Arab Emirates, Gabon, Guatemala, Guinea, India, Iran (Islamic Republic of), Iraq, Israel, Japan, Jordan, Kuwait, Lebanon, Malaysia, Mali, Morocco, Mauritania, Nepal, Nigeria, Oman, Pakistan, the Philippines, Qatar, the Syrian Arab Republic, the Dem. Rep. of the Congo, the Dem. People's Rep. of Korea, Singapore, Somalia, Sudan, South Sudan, Tanzania, Chad, Togo and Tunisia, the band 19.7–21.2 GHz is also allocated to the fixed and mobile services on a primary basis. This additional use shall not impose any limitation on the power flux-density of space stations in the fixed-satellite service in the band 19.7–21.2 GHz and of space stations in the mobile-satellite service in the band 19.7–20.2 GHz where the allocation to the mobile-satellite service is on a primary basis in the latter band. (WRC–12)

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5.530A Unless otherwise agreed between the administrations concerned, any station in the fixed or mobile services of an administration shall not produce a power flux-density in excess of -120.4 dB(W/(m^2 · MHz)) at 3 m above the ground of any point of the territory of any other administration in Regions 1 and 3 for more than 20% of the time. In conducting the calculations, administrations should use the most recent version of Recommendation ITU–R P.452 (see Recommendation ITU–R BO.1898). (WRC–12)

5.530B In the band 21.4–22 GHz, in order to facilitate the development of the broadcasting-satellite service, administrations in Regions 1 and 3 are encouraged not to deploy stations in the mobile service and are encouraged to limit the deployment of stations in the fixed service to point-to-point links. (WRC–12)

5.530C The use of the band 21.4–22 GHz is subject to the provisions of Resolution 755 (WRC–12). (WRC–12)

5.530D See Resolution 555 (WRC–12). (WRC–12)

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5.532A The location of earth stations in the space research service shall maintain a separation distance of at least 54 km from the respective border(s) of neighbouring countries to protect the existing and future deployment of fixed and mobile services unless a shorter distance is otherwise agreed between the corresponding administrations. Nos. 9.17 and 9.18 do not apply. (WRC–12)

5.532B Use of the band 24.65–25.25 GHz in Region 1 and the band 24.65–24.75 GHz in Region 3 by the fixed-satellite service (Earth-to-space) is limited to earth stations using a minimum antenna diameter of 4.5 m. (WRC–12)

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5.536A Administrations operating earth stations in the Earth exploration-satellite service or the space research service shall not claim protection from stations in the fixed and mobile services operated by other administrations. In addition, earth stations in the Earth exploration-satellite service or in the space research service should be operated taking into account the most recent version of Recommendation ITU–R SA.1862. (WRC–12)

5.536B In Saudi Arabia, Austria, Belgium, Brazil, Bulgaria, China, Korea (Rep. of), Denmark, Egypt, United Arab Emirates, Estonia, Finland, Hungary, India, Iran (Islamic Republic of), Ireland, Israel, Italy, Jordan, Kenya, Kuwait, Lebanon, Libya, Liechtenstein, Lithuania, Moldova, Norway, Oman, Uganda, Pakistan, the Philippines, Poland, Portugal, the Syrian Arab Republic, Dem. People's Rep. of Korea, Slovakia, the Czech Rep., Romania, the United Kingdom, Singapore, Sweden, Switzerland, Tanzania, Turkey, Viet Nam and Zimbabwe, earth stations operating in the Earth exploration-satellite service in the band 25.5–27 GHz shall not claim protection from, or constrain the use and deployment of, stations of the fixed and mobile services. (WRC–12)

5.536C In Algeria, Saudi Arabia, Bahrain, Botswana, Brazil, Cameroon, Comoros, Cuba, Djibouti, Egypt, United Arab Emirates, Estonia, Finland, Iran (Islamic Republic of), Israel, Jordan, Kenya, Kuwait, Lithuania, Malaysia, Morocco, Nigeria, Oman, Qatar, Syrian Arab Republic, Somalia, Sudan, South Sudan, Tanzania, Tunisia, Uruguay, Zambia and Zimbabwe, earth stations operating in the space research service in the band 25.5–27 GHz shall not claim protection from, or constrain the use and deployment of, stations of the fixed and mobile services. (WRC–12)

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5.537A In Bhutan, Cameroon, Korea (Rep. of), the Russian Federation, India, Indonesia, Iran (Islamic Republic of), Iraq, Japan, Kazakhstan, Malaysia, Maldives, Mongolia, Myanmar, Uzbekistan, Pakistan, the Philippines, Kyrgyzstan, the Dem. People's Rep. of Korea, Sudan, Sri Lanka, Thailand and Viet Nam, the allocation to the fixed service in the band 27.9–28.2 GHz may also be used by high altitude platform stations (HAPS) within the territory of these countries. Such use of 300 MHz of the fixed-service allocation by HAPS in the above countries is further limited to operation in the HAPS-to-ground direction and shall not cause harmful interference to, nor claim protection from, other types of fixed-service systems or other co-primary services. Furthermore, the development of these other services shall not be constrained by HAPS. See Resolution 145 (Rev. WRC–12). (WRC–12)

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5.542 *Additional allocation:* In Algeria, Saudi Arabia, Bahrain, Brunei Darussalam, Cameroon, China, Congo (Rep. of the), Egypt, the United Arab Emirates, Eritrea, Ethiopia, Guinea, India, Iran (Islamic Republic of), Iraq, Japan, Jordan, Kuwait, Lebanon, Malaysia, Mali, Morocco, Mauritania, Nepal, Oman, Pakistan, Philippines, Qatar, the Syrian Arab Republic, the Dem. People's Rep. of Korea, Somalia, Sudan, South Sudan, Sri Lanka and Chad, the band 29.5–31 GHz is also allocated to the fixed and mobile services on a secondary basis. The power

limits specified in Nos. 21.3 and 21.5 shall apply. (WRC–12)

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5.543A In Bhutan, Cameroon, Korea (Rep. of), the Russian Federation, India, Indonesia, Iran (Islamic Republic of), Iraq, Japan, Kazakhstan, Malaysia, Maldives, Mongolia, Myanmar, Uzbekistan, Pakistan, the Philippines, Kyrgyzstan, the Dem. People's Rep. of Korea, Sudan, Sri Lanka, Thailand and Viet Nam, the allocation to the fixed service in the band 31–31.3 GHz may also be used by systems using high altitude platform stations (HAPS) in the ground-to-HAPS direction. The use of the band 31–31.3 GHz by systems using HAPS is limited to the territory of the countries listed above and shall not cause harmful interference to, nor claim protection from, other types of fixed-service systems, systems in the mobile service and systems operated under No. 5.545. Furthermore, the development of these services shall not be constrained by HAPS. Systems using HAPS in the band 31–31.3 GHz shall not cause harmful interference to the radio astronomy service having a primary allocation in the band 31.3–31.8 GHz, taking into account the protection criterion as given in Recommendation ITU–R RA.769. In order to ensure the protection of satellite passive services, the level of unwanted power density into a HAPS ground station antenna in the band 31.3–31.8 GHz shall be limited to −106 dB(W/MHz) under clear-sky conditions, and may be increased up to −100 dB(W/MHz) under rainy conditions to mitigate fading due to rain, provided the effective impact on the passive satellite does not exceed the impact under clear-sky conditions. See Resolution 145 (Rev. WRC–12). (WRC–12)

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5.545 *Different category of service:* In Armenia, Georgia, Kyrgyzstan, Tajikistan and Turkmenistan, the allocation of the band 31–31.3 GHz to the space research service is on a primary basis (see No. 5.33). (WRC–12)

5.546 *Different category of service:* In Saudi Arabia, Armenia, Azerbaijan, Belarus, Egypt, the United Arab Emirates, Spain, Estonia, the Russian Federation, Georgia, Hungary, Iran (Islamic Republic of), Israel, Jordan, Lebanon, Moldova, Mongolia, Oman, Uzbekistan, Poland, the Syrian Arab Republic, Kyrgyzstan, Romania, the United Kingdom, South Africa, Tajikistan, Turkmenistan and Turkey, the allocation of the band 31.5–31.8 GHz to the fixed and mobile, except aeronautical mobile, services is on a primary basis (see No. 5.33). (WRC–12)

5.547 The bands 31.8–33.4 GHz, 37–40 GHz, 40.5–43.5 GHz, 51.4–52.6 GHz, 55.78–59 GHz and 64–66 GHz are available for high-density applications in the fixed service (see Resolution 75 (WRC–12)). Administrations should take this into account when considering regulatory provisions in relation to these bands. Because of the potential deployment of high-density applications in the fixed-satellite service in the bands 39.5–40 GHz and 40.5–42 GHz (see No. 5.516B), administrations should further take into account potential constraints to high-density applications in the fixed service, as appropriate. (FCC)

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5.549 *Additional allocation:* In Saudi Arabia, Bahrain, Bangladesh, Egypt, the United Arab Emirates, Gabon, Indonesia, Iran (Islamic Republic of), Iraq, Israel, Jordan, Kuwait, Lebanon, Libya, Malaysia, Mali, Morocco, Mauritania, Nepal, Nigeria, Oman, Pakistan, the Philippines, Qatar, the Syrian Arab Republic, the Dem. Rep. of the Congo, Singapore, Somalia, Sudan, South Sudan, Sri Lanka, Togo, Tunisia and Yemen, the band 33.4–36 GHz is also allocated to the fixed and mobile services on a primary basis. (WRC–12)

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5.550 *Different category of service:* In Armenia, Azerbaijan, Belarus, the Russian Federation, Georgia, Kyrgyzstan, Tajikistan and Turkmenistan, the allocation of the band 34.7–35.2 GHz to the space research service is on a primary basis (see No. 5.33). (WRC–12)

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5.565 The following frequency bands in the range 275–1000 GHz are identified for use by administrations for passive service applications:

—Radio astronomy service: 275–323 GHz, 327–371 GHz, 388–424 GHz, 426–442 GHz, 453–510 GHz, 623–711 GHz, 795–909 GHz and 926–945 GHz;

—Earth exploration-satellite service (passive) and space research service (passive): 275–286 GHz, 296–306 GHz, 313–356 GHz, 361–365 GHz, 369–392 GHz, 397–399 GHz, 409–411 GHz, 416–434 GHz, 439–467 GHz, 477–502 GHz, 523–527 GHz, 538–581 GHz, 611–630 GHz, 634–654 GHz, 657–692 GHz, 713–718 GHz, 729–733 GHz, 750–754 GHz, 771–776 GHz, 823–846 GHz, 850–854 GHz, 857–862 GHz, 866–882 GHz, 905–928 GHz, 951–956 GHz, 968–973 GHz and 985–990 GHz.

The use of the range 275–1000 GHz by the passive services does not preclude use of this range by active services. Administrations wishing to make frequencies in the 275–1000 GHz range available for active service applications are urged to take all practicable steps to protect these passive services from harmful interference until the date when the Table of Frequency Allocations is established in the above-mentioned 275–1000 GHz frequency range.

All frequencies in the range 1000–3000 GHz may be used by both active and passive services. (WRC–12)

United States (US) Footnotes

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US52 In the VHF maritime mobile band (156–162 MHz), the following provisions shall apply:

(a) Except as provided for below, the use of the bands 161.9625–161.9875 MHz (AIS 1 with center frequency 161.975 MHz) and 162.0125–162.0375 MHz (AIS 2 with center frequency 162.025 MHz) by the maritime mobile and mobile-satellite (Earth-to-space) services is restricted to Automatic Identification Systems (AIS). The use of these bands by the aeronautical mobile (OR) service is restricted to AIS emissions from search and rescue aircraft operations. Frequencies in the AIS 1 band may continue to be used by non-Federal base, fixed, and land mobile stations until March 2, 2024.

(b) The frequency 156.3 MHz may also be used by aircraft stations for the purpose of search and rescue operations and other safety-related communications.

(c) Federal stations in the maritime mobile service may also be authorized as follows:

(1) Vessel traffic services under the control of the U.S. Coast Guard on a simplex basis by coast and ship stations on the frequencies 156.25, 156.55, 156.6 and 156.7 MHz;

(2) Inter-ship use of the frequency 156.3 MHz on a simplex basis;

(3) Navigational bridge-to-bridge and navigational communications on a simplex basis by coast and ship stations on the frequencies 156.375 and 156.65 MHz;

(4) Port operations use on a simplex basis by coast and ship stations on the frequencies 156.6 and 156.7 MHz;

(5) Environmental communications on the frequency 156.75 MHz in accordance with the national plan; and

(6) Duplex port operations use of the frequencies 157 MHz for ship stations and 161.6 MHz for coast stations.

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US74 In the bands 25.55–25.67, 73–74.6, 406.1–410, 608–614, 1400–1427, 1660.5–1670, 2690–2700, and 4990–5000 MHz, and in the bands 10.68–10.7, 15.35–15.4, 23.6–24.0, 31.3–31.5, 86–92, 100–102, 109.5–111.8, 114.25–116, 148.5–151.5, 164–167, 200–209, and 250–252 GHz, the radio astronomy service shall be protected from unwanted emissions only to the extent that such radiation exceeds the level which would be present if the offending station were operating in compliance with the technical standards or criteria applicable to the service in which it operates. Radio astronomy observations in these bands are performed at the locations listed in US385.

US79 In the bands 1390–1400 MHz and 1427–1432 MHz, the following provisions shall apply:

(a) Airborne and space-to-Earth operations are prohibited.

(b) Federal operations (except for devices authorized by the FCC for the Wireless Medical Telemetry Service) are on a non-interference basis to non-Federal operations and shall not constrain implementation of non-Federal operations.

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US85 Differential-Global-Positioning-System (DGPS) Stations, limited to ground-based transmitters, may be authorized on a primary basis in the band 1559–1610 MHz for the specific purpose of transmitting DGPS information intended for aircraft navigation.

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US100 The following provisions shall apply to the bands 2310–2320 MHz and 2345–2360 MHz:

(a) The bands 2310–2320 and 2345–2360 MHz are available for Federal aeronautical telemetering and associated telecommand operations for flight testing of manned or unmanned aircraft, missiles, or major components thereof, on a secondary basis to the Wireless Communications Service (WCS).

The frequencies 2312.5 MHz and 2352.5 MHz are shared on a co-equal basis by Federal stations for telemetering and associated telecommand operations of expendable and reusable launch vehicles, irrespective of whether such operations involve flight testing. Other Federal mobile telemetering uses may be provided in the bands 2310–2320 and 2345–2360 MHz on a non-interference basis to all other uses authorized pursuant to this footnote.

(b) The band 2345–2360 MHz is available for non-Federal aeronautical telemetering and associated telecommand operations for flight testing of manned or unmanned aircraft, missiles, or major components thereof, on a secondary basis to the WCS until January 1, 2020. The use of this allocation is restricted to non-Federal licensees in the Aeronautical and Fixed Radio Service holding a valid authorization on April 23, 2015.

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US111 In the band 5091–5150 MHz, aeronautical mobile telemetry operations for flight testing are conducted at the following locations. Flight testing at additional locations may be authorized on a case-by-case basis.

Location	Test sites	Lat. (N)	Long. (W)
Gulf Area Ranges Complex (GARC)	Eglin AFB, Tyndall AFB, FL; Gulfport ANG Range, MS; Ft. Rucker, Redstone, NASA Marshall Space Flight Center, AL.	30° 28′	86° 31′
Utah Ranges Complex (URC)	Dugway PG; Utah Test & Training Range (Hill AFB), UT	40° 57′	113° 05′
Western Ranges Complex (WRC)	Pacific Missile Range; Vandenberg AFB, China Lake NAWS, Pt. Mugu NAWS, Edwards AFB, Thermal, Nellis AFB, Ft. Irwin, NASA Dryden Flight Research Center, Victorville, CA.	35° 29′	117° 16′
Southwest Ranges Complex (SRC)	Ft. Huachuca, Tucson, Phoenix, Mesa, Yuma, AZ	31° 33′	110° 18′
Mid-Atlantic Ranges Complex (MARC).	Patuxent River, Aberdeen PG, NASA Langley Research Center, NASA Wallops Flight Facility, MD.	38° 17′	76° 24′
New Mexico Ranges Complex (NMRC).	White Sands Missile Range, Holloman AFB, Albuquerque, Roswell, NM; Amarillo, TX.	32° 11′	106° 20′
Colorado Ranges Complex (CoRC)	Alamosa, Leadville, CO	37° 26′	105° 52′
Texas Ranges Complex (TRC)	Dallas/Ft. Worth, Greenville, Waco, Johnson Space Flight Center/Ellington Field, TX.	32° 53′	97° 02′
Cape Ranges Complex (CRC)	Cape Canaveral, Palm Beach-Dade, FL	28° 33′	80° 34′
Northwest Range Complex (NWRC)	Seattle, Everett, Spokane, Moses Lake, WA; Klamath Falls, Eugene, OR	47° 32′	122° 18′
St. Louis	St Louis, MO	38° 45′	90° 22′
Wichita	Wichita, KS	37° 40′	97° 26′
Marietta	Marietta, GA	33° 54′	84° 31′
Glasgow	Glasgow, MT	48° 25′	106° 32′
Wilmington/Ridley	Wilmington, DE/Ridley, PA	39° 49′	75° 26′
San Francisco Bay Area (SFBA)	NASA Ames Research Center, CA	37° 25′	122° 03′
Charleston	Charleston, SC	32° 52′	80° 02′

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US113 Radio astronomy observations of the formaldehyde line frequencies 4825–4835 MHz and 14.47–14.5 GHz may be made at certain radio astronomy observatories as indicated below:

BANDS TO BE OBSERVED

4 GHz	14 GHz	Observatory
X		National Astronomy and Ionosphere Center (NAIC), Arecibo, PR
X	X	National Radio Astronomy Observatory (NRAO), Green Bank, WV
X	X	NRAO, Socorro, NM
X		Allen Telescope Array (ATA), Hat Creek, CA
X	X	Owens Valley Radio Observatory (OVRO), Big Pine, CA
X	X	NRAO's ten Very Long Baseline Array (VLBA) stations (see US131)
X	X	University of Michigan Radio Astronomy Observatory, Stinchfield Woods, MI
X		Pisgah Astronomical Research Institute, Rosman, NC

Every practicable effort will be made to avoid the assignment of frequencies to stations in the fixed or mobile services in these bands. Should such assignments result in harmful interference to these observations, the situation will be remedied to the extent practicable.

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US139 Fixed stations authorized in the band 18.3–19.3 GHz under the provisions of 47 CFR 74.502(c), 74.602(g), 78.18(a)(4), and 101.147(r) may continue operations consistent with the provisions of those sections.

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US145 The following unwanted emissions power limits for non-geostationary satellites operating in the inter-satellite service that transmit in the band 22.55–23.55 GHz shall apply in any 200 MHz of the passive band 23.6–24 GHz, based on the date that complete advance publication information is received by the ITU's Radiocommunication Bureau:

(a) For information received before January 1, 2020: –36 dBW/200 MHz.

(b) For information received on or after January 1, 2020: –46 dBW/200 MHz.

US156 In the bands 49.7–50.2 GHz and 50.4–50.9 GHz, for earth stations in the fixed-satellite service (Earth-to-space), the unwanted emissions power in the band 50.2–50.4 GHz shall not exceed –20 dBW/200 MHz (measured at the input of the antenna), except that the maximum unwanted emissions power may be increased to –10 dBW/200 MHz for earth stations having an antenna gain greater than or equal to 57 dBi. These limits apply under clear-sky conditions. During fading conditions, the limits may be exceeded by earth stations when using uplink power control.

US157 In the band 51.4–52.6 GHz, for stations in the fixed service, the unwanted emissions power in the band 52.6–54.25 GHz shall not exceed –33 dBW/100 MHz (measured at the input of antenna).

US161 In the bands 81–86 GHz, 92–94 GHz, and 94.1–95 GHz and within the coordination distances indicated below, assignments to allocated services shall be coordinated with the following radio

astronomy observatories. New observatories shall not receive protection from fixed stations that are licensed to operate in the one hundred most populous urbanized areas as defined by the U.S. Census Bureau for the year 2000.

(a) Within 25 km of the National Radio Astronomy Observatory's (NRAO's) Very Long Baseline Array (VLBA) Stations:

State	VLBA station	Lat. (N)	Long. (W)
AZ	Kitt Peak	31° 57′ 23″	111° 36′ 45″
CA	Owens Valley	37° 13′ 54″	118° 16′ 37″
HI	Mauna Kea	19° 48′ 05″	155° 27′ 20″
IA	North Liberty	41° 46′ 17″	091° 34′ 27″
NH	Hancock	42° 56′ 01″	071° 59′ 12″
NM	Los Alamos	35° 46′ 30″	106° 14′ 44″
NM	Pie Town	34° 18′ 04″	108° 07′ 09″
TX	Fort Davis	30° 38′ 06″	103° 56′ 41″
VI	Saint Croix	17° 45′ 24″	064° 35′ 01″
WA	Brewster	48° 07′ 52″	119° 41′ 00″

(b) Within 150 km of the following observatories:

State	Telescope and site	Lat. (N)	Long. (W)
AZ	Heinrich Hertz Submillimeter Observatory, Mt. Graham	32° 42′ 06″	109° 53′ 28″
AZ	University of Arizona 12-m Telescope, Kitt Peak	31° 57′ 12″	111° 36′ 53″
CA	Caltech Telescope, Owens Valley	37° 13′ 54″	118° 17′ 36″
CA	Combined Array for Research in Millimeter-wave Astronomy (CARMA)	37° 16′ 43″	118° 08′ 32″
HI	James Clerk Maxwell Telescope, Mauna Kea	19° 49′ 33″	155° 28′ 47″
MA	Haystack Observatory, Westford	42° 37′ 24″	071° 29′ 18″
NM	NRAO's Very Large Array, Socorro	34° 04′ 44″	107° 37′ 06″
WV	NRAO's Robert C. Byrd Telescope, Green Bank	38° 25′ 59″	079° 50′ 23″

NOTE: Satisfactory completion of the coordination procedure utilizing the automated mechanism, see 47 CFR 101.1523, will be deemed to establish sufficient separation from radio astronomy observatories, regardless of whether the distances set forth above are met.

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US227 The bands 156.4875–156.5125 MHz and 156.5375–156.5625 MHz are also allocated to the fixed and land mobile services on a primary basis for non-Federal use in VHF Public Coast Station Areas 10–42. The use of these bands by the fixed and land mobile services shall not cause harmful interference to, nor claim protection from, the maritime mobile VHF radiocommunication service.

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US334 In the bands between 17.7 GHz and 20.2 GHz, the following provisions shall apply:

(a) In the bands between 17.8 GHz and 20.2 GHz, Federal space stations in both geostationary (GSO) and non-geostationary satellite orbits (NGSO) and associated earth stations in the fixed-satellite service (FSS) (space-to-Earth) may be authorized on a primary basis. For a Federal GSO FSS network to operate on a primary basis, the space station shall be located outside the arc, measured from east to west, 70–120° West longitude. Coordination between Federal FSS systems and non-Federal space and terrestrial systems operating in accordance with the United States Table of Frequency Allocations is required.

(b) In the bands between 17.8 GHz and 20.2 GHz, Federal earth stations operating with Federal space stations shall be authorized on a primary basis only in the following areas: Denver, Colorado; Washington, DC; San Miguel, California; and Guam. Prior to the commencement of non-Federal terrestrial operations in these areas, the FCC shall coordinate with NTIA all applications for new stations and modifications to existing stations as specified in 47 CFR 1.924(f), 74.32, and 78.19(f). In the band 17.7–17.8 GHz, the FCC shall also coordinate with NTIA all applications for new stations and modifications to existing stations that support the operations of Multichannel Video Programming Distributors (MVPD) in these areas, as specified in the aforementioned regulations.

(c) In the bands between 17.8 GHz and 19.7 GHz, the power flux-density (pfd) at the surface of the Earth produced by emissions from a Federal GSO space station or from a Federal space station in a NGSO constellation of 50 or fewer satellites, for all conditions and for all methods of modulation, shall not exceed the following values in any 1 MHz band:

(1) -115 dB(W/m^2) for angles of arrival above the horizontal plane (δ) between 0° and 5°,

(2) $-115 + 0.5(\delta - 5)$ dB(W/m^2) for δ between 5° and 25°, and

(3) -105 dB(W/m^2) for δ between 25° and 90°.

(d) In the bands between 17.8 GHz and 19.3 GHz, the pfd at the surface of the Earth produced by emissions from a Federal space station in an NGSO constellation of 51 or more satellites, for all conditions and for all methods of modulation, shall not exceed the following values in any 1 MHz band:

(1) $-115 - X$ dB(W/m^2) for δ between 0° and 5°,

(2) $-115 - X + ((10 + X)/20)(\delta - 5)$ dB(W/m^2) for δ between 5° and 25°, and

(3) -105 dB(W/m^2) for δ between 25° and 90°; where X is defined as a function of the number of satellites, n, in an NGSO constellation as follows:

For $n \leq 288$, $X = (5/119)(n - 50)$ dB; and

For $n > 288$, $X = (1/69)(n + 402)$ dB.

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US338A In the band 1435–1452 MHz, operators of aeronautical telemetry stations are encouraged to take all reasonable steps to ensure that the unwanted emissions power does not exceed -28 dBW/27 MHz in the band 1400–1427 MHz. Operators of aeronautical telemetry stations that do not meet this limit shall first attempt to operate in the band 1452–1525 MHz prior to operating in the band 1435–1452 MHz.

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US343 In the mobile service, the frequencies between 1435 and 1525 MHz will be assigned for aeronautical telemetry and associated telecommand operations for flight testing of manned or unmanned aircraft and missiles, or their major components. Permissible usage includes telemetry associated with launching and reentry into the Earth's atmosphere as well as any incidental orbiting prior to reentry of manned objects undergoing flight tests. The following frequencies are shared on a co-equal basis with flight telemetering mobile stations: 1444.5, 1453.5, 1501.5, 1515.5, and 1524.5 MHz.

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US367 The band 5000–5150 MHz is also allocated to the aeronautical mobile-satellite (R) service on a primary basis, subject to agreement obtained under No. 9.21 of the ITU *Radio Regulations.*

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US444 The frequency band 5030–5150 MHz is to be used for the operation of the international standard system (microwave landing system) for precision approach and landing. In the frequency band 5030–5091 MHz, the requirements of this system shall have priority over other uses of this band. For the use of the frequency band 5091–5150 MHz, US444A and Resolution 114 (Rev.WRC–12) of the ITU *Radio Regulations* apply.

US444A The band 5091–5150 MHz is also allocated to the fixed-satellite service (Earth-to-space) on a primary basis for non-Federal use. This allocation is limited to feeder links of non-geostationary satellite systems in the mobile-satellite service and is subject to coordination under No. 9.11A of the ITU *Radio Regulations.* In the band 5091–5150 MHz, the following conditions also apply:

(a) Prior to January 1, 2018, the use of the band 5091–5150 MHz by feeder links of non-geostationary-satellite systems in the mobile-satellite service shall be made in accordance with Resolution 114 (Rev.WRC–12);

(b) After January 1, 2016, no new assignments shall be made to earth stations providing feeder links of non-geostationary mobile-satellite systems; and

(c) After January 1, 2018, the fixed-satellite service will become secondary to the aeronautical radionavigation service.

US444B In the band 5091–5150 MHz, the following provisions shall apply to the aeronautical mobile service:

(a) Use is restricted to:

(1) Systems operating in the aeronautical mobile (R) service (AM(R)S) in accordance with international aeronautical standards, limited to surface applications at airports, and in accordance with Resolution 748 (Rev. WRC–12) (*i.e.,* AeroMACS); and

(2) Aeronautical telemetry transmissions from aircraft stations (AMT) in accordance with Resolution 418 (Rev. WRC–12).

(b) Consistent with Radio Regulation No. 4.10, airport surface wireless systems operating in the AM(R)S have priority over AMT systems in the band.

(c) Operators of AM(R)S and AMT systems at the following airports are urged to cooperate with each other in the exchange of information about planned deployments of their respective systems so that the prospects for compatible sharing of the band are enhanced:

(1) Boeing Field/King County Intl Airport, Seattle, WA;

(2) Lambert-St. Louis Intl Airport, St. Louis, MO;

(3) Charleston AFB/Intl Airport, Charleston, SC;

(4) Wichita Dwight D. Eisenhower National Airport, Wichita, KS;

(5) Roswell Intl Air Center Airport, Roswell, NM; and

(6) William P. Gwinn Airport, Jupiter, FL. Other airports may be addressed on a case-by-case basis.

(d) Aeronautical fixed communications that are an integral part of the AeroMACS system authorized in paragraph (a)(1) are also authorized on a primary basis.

US475 The use of the band 9300–9500 MHz by the aeronautical radionavigation service is limited to airborne radars and associated airborne beacons. In addition, ground-based radar beacons in the aeronautical radionavigation service are permitted in the band 9300–9320 MHz on the condition that harmful interference is not caused to the maritime radionavigation service.

US476A In the band 9300–9500 MHz, Federal stations in the Earth exploration-satellite service (active) and space research service (active) shall not cause harmful interference to, nor claim protection from, stations of the radionavigation and Federal radiolocation services.

US482 In the band 10.6–10.68 GHz, the following provisions and urgings apply:

(a) Non-Federal use of the fixed service shall be restricted to point-to-point stations, with each station supplying not more than ∧3 dBW of transmitter power to the antenna, producing not more than 40 dBW of EIRP, and radiating at an antenna main beam elevation angle of 20° or less. Licensees holding a valid authorization on August 6, 2015 to operate in this band may continue to operate as authorized, subject to proper license renewal.

(b) In order to minimize interference to the Earth exploration-satellite service (passive) receiving in this band, licensees of stations in the fixed service are urged to:

(1) Limit the maximum transmitter power supplied to the antenna to −15 dBW; and

(2) Employ automatic transmitter power control (ATPC).

The maximum transmitter power supplied to the antenna of stations using ATPC may be increased by a value corresponding to the ATPC range, up to a maximum of −3 dBW.

US519 The band 18–18.3 GHz is also allocated to the meteorological-satellite service (space-to-Earth) on a primary basis. Its use is limited to geostationary satellites and shall be in accordance with the provisions of Article 21, Table 21–4 of the ITU *Radio Regulations.*

US532 In the bands 21.2–21.4 GHz, 22.21–22.5 GHz, and 56.26–58.2 GHz, the space research and Earth exploration-satellite services shall not receive protection from the fixed and mobile services operating in accordance with the Table of Frequency Allocations.

US550A In the band 36–37 GHz, the following provisions shall apply:

(a) For stations in the mobile service, the transmitter power supplied to the antenna shall not exceed −10 dBW, except that the maximum transmitter power may be increased to ∧3 dBW for stations used for public safety and disaster management.

(b) For stations in the fixed service, the elevation angle of the antenna main beam shall not exceed 20° and the transmitter power supplied to the antenna shall not exceed:

(1) −5 dBW for hub stations of point-to-multipoint systems; or

(2) −10 dBW for all other stations, except that the maximum transmitter power of stations using automatic transmitter power control (ATPC) may be increased by a value corresponding to the ATPC range, up to a maximum of −7 dBW.

US565 The frequency band 275–1000 GHz may be used by administrations for experimentation with, and development of, various active and passive services. In this band a need has been identified for the following spectral line measurements for passive services:

—radio astronomy service: 275–323 GHz, 327–371 GHz, 388–424 GHz, 426–442 GHz, 453–510 GHz, 623–711 GHz, 795–909 GHz and 926–945 GHz;

—Earth exploration-satellite service (passive) and space research service (passive): 275–277 GHz, 294–306 GHz, 316–334 GHz, 342–349 GHz, 363–365 GHz, 371–389 GHz, 416–434 GHz, 442–444 GHz, 496–506 GHz, 546–568 GHz, 624–629 GHz, 634–654 GHz, 659–661 GHz, 684–692 GHz, 730–732 GHz, 851–853 GHz and 951–956 GHz.

Future research in this largely unexplored spectral region may yield additional spectral lines and continuum bands of interest to the passive services. Administrations are urged to take all practicable steps to protect these passive services from harmful interference until the date when the allocation Table is established in the above-mentioned frequency band.

Non-Federal Government (NG) Footnotes

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NG22 The frequencies 156.050 and 156.175 MHz may be assigned to stations in the maritime mobile service for commercial and port operations in the New Orleans Vessel Traffic Service (VTS) area and the frequency 156.250 MHz may be assigned to stations in the maritime mobile service for port operations in the New Orleans and Houston VTS areas.

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NG34 The bands 758–775 MHz and 788–805 MHz are available for assignment to the public safety services, as described in 47 CFR part 90.

NG35 Frequencies in the bands 928–929 MHz, 932–932.5 MHz, 941–941.5 MHz, and 952–960 MHz may be assigned for multiple address systems and associated mobile operations on a primary basis.

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NG60 In the band 31–31.3 GHz, for stations in the fixed service authorized after August 6, 2018, the unwanted emissions power in any 100 MHz of the 31.3–31.5 GHz Earth exploration-satellite service (passive) band shall be limited to ∧38 dBW (∧38 dBW/100 MHz), as measured at the input to the antenna.

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NG92 The band 1900–2000 kHz is also allocated to the radiolocation service on a primary basis in Region 2 and on a secondary basis in Region 3. This use is restricted to radio buoy operations on the open sea.

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NG338A In the bands 1390–1395 MHz and 1427–1435 MHz, licensees are encouraged to take all reasonable steps to ensure that unwanted emissions power does not exceed the following levels in the band 1400–1427 MHz:

(a) For stations of point-to-point systems in the fixed service: −45 dBW/27 MHz.

(b) For stations in the mobile service (except for devices authorized by the FCC for

the Wireless Medical Telemetry Service): −60 dBW/27 MHz.

NG535 The following provisions shall apply to the use of the 24.75–25.25 GHz range by the fixed-satellite service (Earth-to-space):

(a) In the band 24.75–25.05 GHz, feeder links to stations of the broadcasting-satellite service have priority over other uses. Such other uses must protect and may not claim protection from existing and future operating feeder-link networks to such broadcasting satellite stations.

(b) The use of the band 25.05–25.25 GHz is restricted to feeder links for the broadcasting-satellite service.

PART 25—SATELLITE COMMUNICATIONS

■ 8. The authority citation for part 25 continues to read as follows:

Authority: Interprets or applies sections 4, 301, 302, 303, 307, 309, 319, 332, 705, and 721 of the Communications Act, as amended, 47 U.S.C. 154, 301, 302, 303, 307, 309, 319, 332, 605, and 721, unless otherwise noted.

■ 9. Section 25.202 is amended by revising paragraph (f) introductory text and adding paragraphs (i) and (j) to read as follows:

§ 25.202 Frequencies, frequency tolerance and emission limitations.

* * * * *

(f) *Emission limitations.* Except for SDARS terrestrial repeaters and as provided for in paragraph (i), the mean power of emissions shall be attenuated below the mean output power of the transmitter in accordance with the schedule set forth in paragraphs (f)(1) through (f)(4) of this section. The out-of-band emissions of SDARS terrestrial repeaters shall be attenuated in accordance with the schedule set forth in paragraph (h) of this section.

* * * * *

(i) The following unwanted emissions power limits for non-geostationary satellites operating in the inter-satellite service that transmit in the 22.55–23.55 GHz band shall apply in any 200 MHz of the 23.6–24 GHz passive band, based on the date that complete advance publication information is received by the ITU's Radiocommunication Bureau:

(1) For information received before January 1, 2020: −36 dBW.

(2) For information received on or after January 1, 2020: −46 dBW.

(j) For earth stations in the Fixed-Satellite Service (Earth-to-space) that transmit in the 49.7–50.2 GHz and 50.4–50.9 GHz bands, the unwanted emission power in the 50.2–50.4 GHz band shall not exceed −20 dBW/200 MHz (measured at the input of the antenna), except that the maximum unwanted emission power may be increased to −10 dBW/200 MHz for earth stations having an antenna gain greater than or equal to 57 dBi. These limits apply under clear-sky conditions. During fading conditions, the limits may be exceeded by earth stations when using uplink power control.

PART 27—MISCELLANEOUS WIRELESS COMMUNICATIONS SERVICES

■ 10. The authority citation for part 27 continues to read as follows:

Authority: 47 U.S.C. 154, 301, 302a, 303, 307, 309, 332, 336, 337, 1403, 1404, 1451, and 1452, unless otherwise noted.

■ 11. Section 27.53 is amended by revising paragraph (j) to read as follows:

§ 27.53 Emission limits.

* * * * *

(j)(1) For operations in the unpaired 1390–1392 MHz band and the paired 1392–1395 MHz and 1432–1435 MHz bands, the power of any emission outside the licensee's frequency band(s) of operation shall be attenuated below the transmitter power (P) by at least 43 + 10 log (P) dB. Compliance with these provisions is based on the procedures described in paragraph (a)(4) of this section.

(2) In the 1390–1395 MHz and 1432–1435 MHz bands, licensees are encouraged to take all reasonable steps to ensure that unwanted emission power does not exceed the following levels in the band 1400–1427 MHz:

(i) For stations of point-to-point systems in the fixed service: −45 dBW/27 MHz.

(ii) For stations in the mobile service: −60 dBW/27 MHz.

* * * * *

■ 12. Section 27.803 is amended by revising paragraph (b)(4) to read as follows:

§ 27.803 Coordination requirements.

* * * * *

(b) * * *

* * * * *

(4) That requires approval of the Frequency Advisory Subcommittee (FAS) of the Interdepartment Radio Advisory Committee (IRAC). Licensees in the 1432–1435 MHz band must receive FAS approval, prior to operation of fixed sites or mobile units within the NTIA recommended protection radii of the Government sites listed in footnote US83 of § 2.106 of this chapter.

* * * * *

PART 74—EXPERIMENTAL RADIO, AUXILIARY, SPECIAL BROADCAST AND OTHER PROGRAM DISTRIBUTIONAL SERVICES

■ 13. The authority citation for part 74 continues to read as follows:

Authority: 47 U.S.C. 154, 302a, 303, 307, 309, 336 and 554.

■ 14. Section 74.32 is revised to read as follows:

§ 74.32 Operation in the 17.7–17.8 GHz and 17.8–19.7 GHz bands.

The following exclusion areas and coordination areas are established to minimize or avoid harmful interference to Federal Government earth stations receiving in the 17.7–19.7 GHz band:

(a) No application seeking authority for fixed stations supporting the operations of Multichannel Video Programming Distributors (MVPD) in the 17.7–17.8 GHz band or to operate in the 17.8–19.7 GHz band for any service will be accepted for filing if the proposed station is located within 20 km of Denver, CO (39°43′ N., 104°46′ W.) or Washington, DC (38°48′ N., 76°52′ W.).

(b) Any application for a new station license to provide MVPD operations in the 17.7–17.8 GHz band or to operate in the 17.8–19.7 GHz band for any service, or for modification of an existing station license in these bands which would change the frequency, power, emission, modulation, polarization, antenna height or directivity, or location of such a station, must be coordinated with the Federal Government by the Commission before an authorization will be issued, if the station or proposed station is located in whole or in part within any of the following areas:

(1) *Denver, CO area:*

(i) Between latitudes 41°30′ N. and 38°30′ N. and between longitudes 103°10′ W. and 106°30′ W.

(ii) Between latitudes 38°30′ N. and 37°30′ N. and between longitudes 105°00′ W. and 105°50′ W.

(iii) Between latitudes 40°08′ N. and 39°56′ N. and between longitudes 107°00′ W. and 107°15′ W.

(2) *Washington, DC area:*

(i) Between latitudes 38°40′ N. and 38°10′ N. and between longitudes 78°50′ W. and 79°20′ W.

(ii) Within 178 km of 38°48′ N, 76°52′ W.

(3) *San Miguel, CA area:*

(i) Between latitudes 34°39′ N. and 34°00′ N. and between longitudes 118°52′ W. and 119°24′ W.

(ii) Within 200 km of 35°44′ N., 120°45′ W.

(4) *Guam area:* Within 100 km of 13°35′ N., 144°51′ E.

Note to § 74.32: The coordinates cited in this section are specified in terms of the ''North American Datum of 1983 (NAD 83).''

PART 78—CABLE TELEVISION RELAY SERVICE

■ 15. The authority citation for part 78 continues to read as follows:

Authority: Secs. 2, 3, 4, 301, 303, 307, 308, 309, 48 Stat., as amended, 1064, 1065, 1066, 1081, 1082, 1083, 1084, 1085; 47 U.S.C. 152, 153, 154, 301, 303, 307, 308, 309.

■ 16. Section 78.19 is amended by revising paragraph (f) to read as follows:

§ 78.19 Interference.

* * * * *

(f) *17.7–19.7 GHz band.* The following exclusion areas and coordination areas are established to minimize or avoid harmful interference to Federal Government earth stations receiving in the 17.7–19.7 GHz band:

(1) No application seeking authority to operate in the 17.7–19.7 GHz band will be accepted for filing if the proposed station is located within 50 km of Denver, CO (39°43′ N., 104°46′ W.) or Washington, DC (38°48′ N., 76°52′ W.).

(2) Any application seeking authority for a new fixed station license supporting the operations of Multichannel Video Programming Distributors (MVPD) in the 17.7–17.8 GHz band or to operate in the 17.8–19.7 GHz band for any service, or for modification of an existing station license in these bands which would change the frequency, power, emission, modulation, polarization, antenna height or directivity, or location of such a station, must be coordinated with the Federal Government by the Commission before an authorization will be issued, if the station or proposed station is located in whole or in part within any of the following areas:

(i) *Denver, CO area:*

(A) Between latitudes 41°30′ N. and 38°30′ N. and between longitudes 103°10′ W. and 106°30′ W.

(B) Between latitudes 38°30′ N. and 37°30′ N. and between longitudes 105°00′ W. and 105°50′ W.

(C) Between latitudes 40°08′ N. and 39°56′ N. and between longitudes 107°00′ W. and 107°15′ W.

(ii) *Washington, DC area:*

(A) Between latitudes 38°40′ N. and 38°10′ N. and between longitudes 78°50′ W. and 79°20′ W.

(B) Within 178 km of 38°48′ N, 76°52′ W.

(iii) *San Miguel, CA area:*

(A) Between latitudes 34°39′ N. and 34°00′ N. and between longitudes 118°52′ W. and 119°24′ W.

(B) Within 200 km of 35°44′ N., 120°45′ W.

(iv) *Guam area:* Within 100 km of 13°35′ N., 144°51′ E.

NOTE TO § 78.19(f): The coordinates cited in this section are specified in terms of the ''North American Datum of 1983 (NAD 83).''

* * * * *

PART 80—STATIONS IN THE MARITIME SERVICES

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

Authority: Secs. 4, 303, 307(e), 309, and 332, 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303, 307(e), 309, and 332, unless otherwise noted. Interpret or apply 48 Stat. 1064–1068, 1081–1105, as amended; 47 U.S.C. 151–155, 301–609; 3 UST 3450, 3 UST 4726, 12 UST 2377.

■ 18. Section 80.371 is amended by revising note 3 to the table in paragraph (c) to read as follows:

§ 80.371 Public correspondence frequencies.

* * * * *

(c) * * *

* * * * *

[3] The frequency 161.975 MHz is available only for Automatic Identification System communications. In VPCSAs 10–42, site-based stations licensed to operate on frequency 161.975 MHz prior to March 2, 2009 may continue to operate on a co-primary basis on that frequency until March 2, 2024.

* * * * *

PART 87—AVIATION SERVICES

■ 19. The authority citation for part 87 continues to read as follows:

Authority: 47 U.S.C. 154, 303 and 307(e), unless otherwise noted.

■ 20. Section 87.5 is amended by adding a definition of ''Flight telemetering mobile station'' in alphabetical order to read as follows:

§ 87.5 Definitions.

* * * * *

Flight telemetering mobile station. A telemetering mobile station used for transmitting data from an airborne vehicle, excluding data related to airborne testing of the vehicle itself (or major components thereof).

* * * * *

■ 21. Section 87.133 is amended by revising paragraph (f) to read as follows:

§ 87.133 Frequency stability.

* * * * *

(f) The carrier frequency tolerance of all transmitters that operate in the 1435–1525 MHz or 2345–2395 MHz band is 0.002 percent. The carrier frequency tolerance of all transmitters that operate in the 5091–5150 MHz band is 0.005 percent.

* * * * *

■ 22. Section 87.137 is amended by revising note 8 to the table in paragraph (a) to read as follows:

§ 87.137 Types of emission.

(a) * * *

Notes: * * *

[8] The authorized bandwidth is equal to the necessary bandwidth for frequency or digitally modulated transmitters used in aeronautical telemetering and associated aeronautical telemetry or telecommand stations that operate in the 1435–1525 MHz, 2345–2395 MHz, or 5091–5150 MHz band. The necessary bandwidth must be computed in accordance with part 2 of this chapter.

* * * * *

■ 23. Section 87.139 is amended by revising paragraph (a) introductory text, paragraph (d), paragraph (e) introductory text, and paragraph (f) introductory text and by adding paragraph (m) to read as follows:

§ 87.139 Emission limitations.

(a) Except for ELTs and when using single sideband (R3E, H3E, J3E), or frequency modulation (F9) or digital modulation (F9Y) for telemetry or telecommand in the 1435–1525 MHz, 2345–2395 MHz, or 5091–5150 MHz band or digital modulation (G7D) for differential GPS, the mean power of any emissions must be attenuated below the mean power of the transmitter (pY) as follows:

* * * * *

(d) Except for telemetry in the 1435–1525 MHz band, when the frequency is removed from the assigned frequency by more than 250 percent of the authorized bandwidth for aircraft stations above 30 MHz and all ground stations the attenuation must be at least 43+10 $\log_{10}$pY dB.

(e) When using frequency modulation or digital modulation for telemetry or telecommand in the 1435–1525 MHz, 2345–2395 MHz, or 5091–5150 MHz band with an authorized bandwidth equal to or less than 1 MHz the emissions must be attenuated as follows:

* * * * *

(f) When using frequency modulation or digital modulation for telemetry or telecommand in the 1435–1525 MHz, 2345–2395 MHz, or 5091–5150 MHz band with an authorized bandwidth

greater than 1 MHz, the emissions must be attenuated as follows:

* * * * *

(m) In the 1435–1452 MHz band, operators of aeronautical telemetry stations are encouraged to take all reasonable steps to ensure that unwanted emissions power does not exceed −28 dBW/27 MHz in the 1400–1427 MHz band. Operators of aeronautical telemetry stations that do not meet this limit shall first attempt to operate in the 1452–1525 MHz band prior to operating in the 1435–1452 MHz band.

■ 24. Section 87.173 is amended in the frequency table in paragraph (b) as follows:

■ a. The entries for the 2310–2320 MHz band and the 24750–25050 MHz band are removed.

■ b. The entry for the 5000–5250 MHz band is removed and an entry for the 5030–5150 MHz band is added in its place.

■ c. Entries for the 5091–5150 MHz and 24450–24650 MHz bands are added in numerical order.

The additions read as follows:

§ 87.173 Frequencies.

* * * * *

(b) Frequency table:

Frequency or frequency band	Subpart	Class of station	Remarks
*	*	*	*
5030–5150 MHz	Q	MA, RLW	Microwave landing systems.
*	*	*	*
5031.000 MHz	Q	RLT	
5091–5150 MHz	J	MA, FAT	Aeronautical telemetry.
*	*	*	*
24450–24650 MHz	F, Q	MA, RL	Aeronautical radionavigation.
*	*	*	*

* * * * *

■ 25. Section 87.187 is amended by revising paragraph (p), Note to paragraph (p) and paragraph (x) to read as follows:

§ 87.187 Frequencies.

* * * * *

(p) The 1435–1525 MHz and 2360–2395 MHz bands are available on a primary basis, and the 2345–2360 MHz band is available on a secondary basis (the latter band only until January 1, 2020), for telemetry and telecommand associated with the flight testing of aircraft, missiles, or related major components. This includes launching into space, reentry into the Earth's atmosphere and incidental orbiting prior to reentry. In the 1435–1525 MHz band, the following frequencies are shared on a co-equal basis with flight telemetering mobile stations: 1444.5, 1453.5, 1501.5, 1515.5, and 1524.5 MHz. In the 2360–2395 MHz band, the following frequencies may be assigned for telemetry and associated telecommand operations of expendable and re-usable launch vehicles, whether or not such operations involve flight testing: 2364.5, 2370.5 and 2382.5 MHz. *See* § 87.303(d).

Note to paragraph (p): Aeronautical telemetry operations must protect Miscellaneous Wireless Communications Services operating in the 2345–2360 MHz band.

* * * * *

(x) The frequency bands 24450–24650 MHz and 32300–33400 MHz are available for airborne radionavigation devices.

* * * * *

■ 26. Section 87.303 is amended by revising paragraph (d) to read as follows:

§ 87.303 Frequencies.

* * * * *

(d) Aeronautical mobile telemetry (AMT) operations are conducted in the 1435–1525 MHz, 2345–2395 MHz, and 5091–5150 MHz bands on a co-equal basis with U.S. Government stations.

(1) Frequencies in the 1435–1525 MHz and 2360–2395 MHz bands are assigned in the mobile service primarily for aeronautical telemetry and associated telecommand operations for flight testing of aircraft and missiles, or their major components. Until January 1, 2020, the 2345–2360 MHz band is also available to licensees holding a valid authorization on April 23, 2015 for these purposes on a secondary basis. Permissible uses of these bands include telemetry and associated telecommand operations associated with the launching and reentry into the Earth's atmosphere, as well as any incidental orbiting prior to reentry, of objects undergoing flight tests. In the 1435–1525 MHz band, the following frequencies are shared on a co-equal basis with flight telemetering mobile stations: 1444.5, 1453.5, 1501.5, 1515.5, and 1524.5 MHz. In the 2360–2395 MHz band, the following frequencies may be assigned for telemetry and associated telecommand operations of expendable and re-usable launch vehicles, whether or not such operations involve flight testing: 2364.5, 2370.5 and 2382.5 MHz. All other mobile telemetry uses of the 2360–2395 MHz band shall be on a non-interfering and unprotected basis to the above uses.

(2) Frequencies in the 5091–5150 MHz band are assigned in the aeronautical mobile service on a primary basis for flight testing of aircraft. AMT use of these frequencies is restricted to aircraft stations transmitting to aeronautical stations (AMT ground stations) in the flight test areas listed in 47 CFR 2.106, footnote US111.

(3) The authorized bandwidths for stations that operate in the 1435–1525 MHz, 2345–2395 MHz, or 5091–5150 MHz bands are normally 1, 3 or 5 MHz. Applications for greater bandwidths will be considered in accordance with the provisions of § 87.135. Each assignment will be centered on a frequency between 1435.5 MHz and 1524.5 MHz, between 2345.5 MHz and 2394.5 MHz, or between 5091.5 MHz and 5149.5 MHz, with 1 MHz channel spacing.

* * * * *

■ 27. Section 87.305 is amended by revising paragraph (a)(1) to read as follows:

§ 87.305 Frequency coordination.

(a)(1) Each application for a new station license, renewal or modification of an existing license concerning flight test frequencies, except as provided in paragraph (b) of this section, must be accompanied by a statement from a frequency advisory committee. The committee must comment on the frequencies requested or the proposed changes in the authorized station and the probable interference to existing stations. The committee must consider all stations operating on the frequencies requested or assigned within 320 km (200 mi) of the proposed area of operation and all prior coordinations and assignments on the proposed frequency(ies). The committee must also recommend frequencies resulting in the minimum interference. The committee must coordinate in writing all requests for frequencies or proposed operating changes in the 1435–1525 MHz, 2345–2360 MHz (only until January 1, 2020), 2360–2395 MHz, and 5091–5150 MHz bands with the responsible Government Area Frequency Coordinators listed in the NTIA ''Manual of Regulations and Procedures for Federal Radio Frequency Management.'' In addition, committee recommendations may include comments on other technical factors and may contain recommended restrictions which it believes should appear on the license.

* * * * *

■ 28. Section 87.475 is amended by adding paragraphs (b)(11) and (b)(14) to read as follows:

§ 87.475 Frequencies.

* * * * *

(b) * * *

(11) 5030–5150 MHz: This band is to be used for the operation of the international standard system (microwave landing system).

* * * * *

(14) 24,450–24,650 MHz and 32,300–33,400 MHz: In these bands, land-based radionavigation aids are permitted where they operate with airborne radionavigation devices.

* * * * *

PART 90—PRIVATE LAND MOBILE RADIO SERVICES

■ 29. 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, 126 Stat. 156.

■ 30. Section 90.103 is amended by removing and reserving paragraphs (c)(25) through (28) and by revising the Kilohertz portion of the Radiolocation Service Frequency Table in paragraph (b) to read as follows:

§ 90.103 Radiolocation Service.

* * * * *

(b) * * *

RADIOLOCATION SERVICE FREQUENCY TABLE

Frequency or band	Class of station(s)	Limitation
Kilohertz		
70 to 90	Radiolocation land or mobile.	1
90 to 110	Radiolocation land.	2
110 to 130	Radiolocation land or mobile.	1
1705 to 1715	do	4, 5, 6
1715 to 1750	do	5, 6
1750 to 1800	do	5, 6

RADIOLOCATION SERVICE FREQUENCY TABLE—Continued

Frequency or band	Class of station(s)	Limitation
3230 to 3400	do	6, 8
*	*	*

* * * * *

■ 31. Section 90.210 is amended by adding paragraph (c)(4) to read as follows:

§ 90.210 Emission masks.

* * * * *

(c) * * *

(4) In the 1427–1432 MHz band, licensees are encouraged to take all reasonable steps to ensure that unwanted emissions power does not exceed the following levels in the 1400–1427 MHz band:

(i) For stations of point-to-point systems in the fixed service: −45 dBW/27 MHz.

(ii) For stations in the mobile service: −60 dBW/27 MHz.

* * * * *

PART 97—AMATEUR RADIO SERVICE

■ 32. The authority citation for part 97 continues to read as follows:

Authority: 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303. Interpret or apply 48 Stat. 1064–1068, 1081–1105, as amended; 47 U.S.C. 151–155, 301–609, unless otherwise noted.

■ 33. Section 97.301 is amended by revising the entries for ''160 m'' in the tables in paragraphs (b), (c), and (d) to read as follows:

§ 97.301 Authorized frequency bands.

* * * * *

(b) * * *

Wavelength band	ITU Region 1	ITU Region 2	ITU Region 3	Sharing requirements see § 97.303 (Paragraph)
MF 160 m	kHz 1810–1850	kHz 1800–2000	kHz. 1800–2000	(a)
*	*	*	*	*

(c) * * *

Wavelength band	ITU Region 1	ITU Region 2	ITU Region 3	Sharing requirements see § 97.303 (Paragraph)
MF 160 m	kHz 1810–1850	kHz 1800–2000	kHz. 1800–2000	(a)
*	*	*	*	*

(d) * * *

Wavelength band	ITU Region 1	ITU Region 2	ITU Region 3	Sharing requirements see § 97.303 (Paragraph)
MF 160 m	kHz 1810–1850	kHz 1800–2000	kHz. 1800–2000	(a)
*	*	*	*	*

* * * * *

■ 34. Section 97.303 is amended by removing and reserving paragraph (g) and by revising paragraph (c) to read as follows:

§ 97.303 Frequency sharing requirements.

* * * * *

(c) Amateur stations transmitting in the 76–77.5 GHz segment, the 78–81 GHz segment, the 136–141 GHz segment, or the 241–248 GHz segment must not cause harmful interference to, and must accept interference from, stations authorized by the United States Government, the FCC, or other nations in the radiolocation service.

* * * * *

PART 101—FIXED MICROWAVE SERVICES

■ 35. The authority citation for part 101 continues to read as follows:

Authority: 47 U.S.C. 154, 303.

■ 36. Section 101.31 is amended by revising paragraph (b)(1) introductory text to read as follows:

§ 101.31 Temporary and conditional authorizations.

* * * * *

(b) *Conditional authorization.* (1) An applicant for a new point-to-point microwave radio station(s) or a modification of an existing station(s) in the 952.95–956.15 and 956.55–959.75 MHz band segments; the 3700–4200, 5925–6425, 6525–6875, and 6875–7125 MHz bands; the 10.550–10.680, 10.700–11.700, 12.700–13.150, 13.200–13.250, 17.700–18.300, and 19.300–19.700 GHz bands; and the 21.800–22.000 and 23.000–23.200 GHz band segments (see § 101.147(s)(8) for specific service usage) may operate the proposed station(s) during the pendency of its applications(s) upon the filing of a properly completed formal application(s) that complies with subpart B of this part, if the applicant certifies that the following conditions are satisfied:

* * * * *

■ 37. Section 101.111 is amended by adding paragraph (d) to read as follows:

§ 101.111 Emission limitations.

* * * * *

(d) *Interference to passive sensors.* These limitations are necessary to minimize the probability of harmful interference to reception in the 10.6–10.68 GHz and 31–31.3 GHz bands onboard space stations in the Earth exploration-satellite service (passive).

(1) *10.6–10.68 GHz.* (i) Fixed stations are restricted to point-to-point operations, with each station supplying not more than ∧3 dBW of transmitter power to the antenna, producing not more than 40 dBW of EIRP, and radiating at an antenna main beam elevation angle of 20° or less. Licensees holding a valid authorization on August 6, 2015 to operate in this band may continue to operate as authorized, subject to proper license renewal. Licensees are urged to:

(A) Limit the maximum transmitter power supplied to the antenna to ∧15 dBW; and

(B) Employ automatic transmitter power control (ATPC).

(ii) The maximum transmitter power supplied to the antenna of stations using ATPC may be increased by a value corresponding to the ATPC range, up to a maximum of − 3 dBW.

(2) *31–31.3 GHz.* For fixed stations authorized after August 6, 2018, the unwanted emissions power in any 100 MHz of the 31.3–31.5 GHz band shall be limited to − 38 dBW (− 38 dBW/100 MHz), as measured at the input to the antenna.

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