

## V. Use of the Values as Swimming Advisories

EPA is also publishing these values for consideration by States and authorized Tribes for use as swimming advisories for notification purposes in recreational waters to protect the public. States and authorized Tribes could consider using the values as swimming advisories in making decisions whether to close, open, warn about concerns in recreational waters in a manner consistent or similar to their current recreational water advisory programs. The values in this 304(a) recommended criteria, even if used as swimming advisories, are not regulations, and thus, do not constitute legally binding requirements.

## VI. Solicitation of Scientific Views

EPA is soliciting additional scientific views, data, and information regarding the science and technical approach used in the derivation of the draft *Human Health Recreational Ambient Water Quality Criteria and/or Swimming Advisories for Microcystins and Cylindrospermopsin* document. EPA is proposing that these recommended criteria, if adopted by States or authorized Tribes as CWA section 303(c) WQS, be used for CWA section 303(d) assessment and listing purposes where the magnitude is not exceeded for more than 10 percent of days during a recreational season up to one calendar year as an indicator of long-term impairment from multiple short-term blooms. EPA is soliciting public comment on this 10 percent exceedance frequency as well as alternative exceedance frequencies. For swimming advisories, EPA is proposing that these recommended values could be used to trigger public notification whenever values are exceeded for one day. EPA is soliciting public comment on this recommended single day exceedance as well as alternative exceedance frequencies.

Dated: December 9, 2016.

### Joel Beauvais,

Deputy Assistant Administrator, Office of Water.

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OGC-2016-0642; FRL 9956-69-OGC]

### Proposed Settlement Agreement, Clean Air Act Citizen Suit

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of proposed settlement agreement; request for public comment.

**SUMMARY:** In accordance with section 113(g) of the Clean Air Act, as amended (“CAA”), notice is hereby given of a proposed settlement agreement to settle a lawsuit filed by American Chemistry Council (“Petitioner”), in the United States Court of Appeals for the D.C. Circuit: *American Chemistry Council v. EPA (Case Number 15-1146)*. On May 18, 2015, Petitioner and Eastman Chemical Company (“Eastman”) filed petitions for review of an EPA rule titled “National Emission Standards for Hazardous Air Pollutants for Major Sources: Off-Site Waste Recovery Operations,” published in the **Federal Register** on March 18, 2015 (the “Final Rule”). The proposed settlement agreement would establish deadlines for EPA to take specified actions.

**DATES:** Written comments on the proposed settlement agreement must be received by January 18, 2017.

**ADDRESSES:** Submit your comments, identified by Docket ID number EPA-HQ-OGC-2016-0642, online at [www.regulations.gov](http://www.regulations.gov). For comments submitted at [www.regulations.gov](http://www.regulations.gov), follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from [www.regulations.gov](http://www.regulations.gov). The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (“CBI”) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.* on the web, cloud, or other file sharing system). For additional submission methods, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on

making effective comments, please visit <http://www2.epa.gov/dockets/commenting-epa-dockets>.

### FOR FURTHER INFORMATION CONTACT:

Emily Seidman, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460; telephone: (202) 564-0906; fax number (202) 564-5603; email address: [seidman.emily@epa.gov](mailto:seidman.emily@epa.gov).

### SUPPLEMENTARY INFORMATION:

### I. Additional Information About the Proposed Settlement Agreement

On May 18, 2015, Petitioner and Eastman filed petitions for review of an EPA rule titled “National Emission Standards for Hazardous Air Pollutants for Major Sources: Off-Site Waste Recovery Operations,” published at 80 FR 14,248 (March 18, 2015) (the “Final Rule”). In addition, Petitioner and Eastman submitted to the EPA a Petition for Reconsideration of the Final Rule of two issues: (1) equipment leak detection provisions for connectors; and (2) monitoring requirements for pressure relief devices (“PRD”) on portable containers. The EPA granted the request for reconsideration of the Final Rule on the issue of PRD monitoring requirements for portable containers but denied the request for reconsideration of the equipment leak detection provisions for connectors. The EPA provided public notice of this denial through a **Federal Register** notice published on May 16, 2016 at 81 FR 30,182. On September 26, 2016, Eastman filed an unopposed motion for voluntary dismissal which the court granted.

The proposed settlement agreement would settle Petitioner’s lawsuit. Under the terms of the proposed settlement agreement, the EPA will reconsider the Final Rule’s provisions relating to PRDs and take an initial action no later than July 20, 2017 and a final action no later than January 18, 2018, as long as Petitioner provides the EPA with the requested data on PRDs identified in Appendix A of the settlement agreement by no later than October 28, 2016, or a later date, as provided for in the settlement agreement. Please review the settlement agreement for additional details, available in the public docket at EPA-HQ-OGC-2016-0642.

For a period of 30 days following the date of publication of this notice, the Agency will receive written comments relating to the proposed settlement agreement from persons who were not named as parties or intervenors to the litigation in question. EPA or the Department of Justice may withdraw or withhold consent to the proposed

settlement agreement if the comments disclose facts or considerations that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act. Unless EPA or the Department of Justice determines that consent to the agreement should be withdrawn or withheld, the terms of the agreement will be affirmed.

## II. Additional Information About Commenting on the Proposed Settlement Agreement

### A. How can I get a copy of the proposed settlement agreement?

The official public docket for this action under Docket ID No. EPA-HQ-OGC-2016-0642 contains a copy of the proposed settlement agreement. The official public docket is available for public viewing at the Office of Environmental Information (OEI) Docket in the EPA Docket Center, EPA West, Room 3334, 1301 Constitution Ave. NW., Washington, DC. The EPA Docket Center 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 OEI Docket is (202) 566-1752.

An electronic version of the public docket is available through [www.regulations.gov](http://www.regulations.gov). You may use the [www.regulations.gov](http://www.regulations.gov) to submit or view public comments, access the index listing of the contents of the official public docket, and to access those documents in the public docket that are available electronically. Once in the system, key in the appropriate docket identification number then select "search".

It is important to note that EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing online at [www.regulations.gov](http://www.regulations.gov) without change, unless the comment contains copyrighted material, CBI, or other information whose disclosure is restricted by statute. Information claimed as CBI and other information whose disclosure is restricted by statute is not included in the official public docket or in the electronic public docket. EPA's policy is that copyrighted material, including copyrighted material contained in a public comment, will not be placed in EPA's electronic public docket but will be available only in printed, paper form in the official public docket. Although not all docket materials may be available electronically, you may still access any of the publicly available docket

materials through the EPA Docket Center.

### B. How and to whom do I submit comments?

You may submit comments as provided in the **ADDRESSES** section. Please ensure that your comments are submitted within the specified comment period. Comments received after the close of the comment period will be marked "late." EPA is not required to consider these late comments.

If you submit an electronic comment, EPA recommends that you include your name, mailing address, and an email address or other contact information in the body of your comment and with any disk or CD ROM you submit. This ensures that you can be identified as the submitter of the comment and allows EPA to contact you in case EPA cannot read your comment due to technical difficulties or needs further information on the substance of your comment. Any identifying or contact information provided in the body of a comment will be included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment.

Use of the [www.regulations.gov](http://www.regulations.gov) Web site to submit comments to EPA electronically is EPA's preferred method for receiving comments. The electronic public docket system is an "anonymous access" system, which means EPA will not know your identity, email address, or other contact information unless you provide it in the body of your comment. In contrast to EPA's electronic public docket, EPA's electronic mail (email) system is not an "anonymous access" system. If you send an email comment directly to the Docket without going through [www.regulations.gov](http://www.regulations.gov), your email address is automatically captured and included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket.

Dated: December 7, 2016.

**Lorie J. Schmidt,**

*Associate General Counsel.*

[FR Doc. 2016-30058 Filed 12-16-16; 8:45 am]

**BILLING CODE 6560-50-P**

## FEDERAL COMMUNICATIONS COMMISSION

[DA 16-1321]

### Order Declares Redes Modernas de la Frontera SA de CV Section 214 Authorization Terminated

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.

**SUMMARY:** In this document, the International Bureau of the Federal Communications Commission (Commission) declares the international section 214 authorization granted to Redes Modernas de la Frontera SA de CV (Redes) terminated given Redes' inability to comply with an express condition for holding the authorization. It also concludes that Redes failed to comply with those requirements of the Communications Act of 1934, as amended (the Act) and the Commission's rules that ensure that the Commission can contact and communicate with the authorization holder and verify Redes is still providing service, which failures have prevented any way of addressing Redes' inability to comply with the condition of its authorization.

#### FOR FURTHER INFORMATION CONTACT:

Veronica Garcia-Ulloa, Telecommunications and Analysis Division, International Bureau at (202) 418-0481 or [Veronica.Garcia-Ulloa@fcc.gov](mailto:Veronica.Garcia-Ulloa@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Order, DA 16-1321, adopted and released November 30, 2016.

#### Background

Section 214(a) of the Act prohibits any carrier from constructing, extending, acquiring, or operating any line, and from engaging in transmission through any such line, without first obtaining a certificate of authorization from the Commission. Under section 214(c) of the Act, the Commission "may attach to the issuance of the certificate such terms and conditions as in its judgment the public convenience and necessity may require." On July 27, 2007, the International Bureau granted Redes an international section 214 authorization to provide international global or limited global facilities-based authority, and global or limited global resale authority, in accordance with section 63.18(e)(1) and 63.18(e)(2) of the Commission's rules. The International Bureau granted the application on the express condition that Redes abide by the commitments and undertakings