



FEDERAL REGISTER

Vol. 82

Thursday,

No. 65

April 6, 2017

Pages 16725–16890

OFFICE OF THE FEDERAL REGISTER



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

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

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

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

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

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

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

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

How To Cite This Publication: Use the volume number and the page number. Example: 82 FR 12345.

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

SUBSCRIPTIONS AND COPIES

PUBLIC

Subscriptions:

Paper or fiche 202-512-1800
Assistance with public subscriptions 202-512-1806

General online information 202-512-1530; 1-888-293-6498

Single copies/back copies:

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

FEDERAL AGENCIES

Subscriptions:

Assistance with Federal agency subscriptions:

Email FRSubscriptions@nara.gov
Phone 202-741-6000



Contents

Federal Register

Vol. 82, No. 65

Thursday, April 6, 2017

Agency for Toxic Substances and Disease Registry

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 16832–16833

Agriculture Department

See Forest Service

See Procurement and Property Management Office, Agriculture Department

Bureau of Consumer Financial Protection

NOTICES

Supervisory Highlights:
Consumer Reporting Special Edition, 16808–16817

Centers for Disease Control and Prevention

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 16833–16843

Centers for Medicare & Medicaid Services

RULES

Medicare Program:

Hospital Outpatient Prospective Payment and Ambulatory Surgical Center Payment Systems and Quality Reporting Programs; etc., 16741–16742

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 16843–16846

Chemical Safety and Hazard Investigation Board

NOTICES

Meetings; Sunshine Act, 16784

Civil Rights Commission

NOTICES

Meetings:

Maine Advisory Committee, 16784
South Dakota Advisory Committee, 16784–16785

Coast Guard

RULES

Drawbridge Operations:

Atlantic Beach Bridge, Reynolds Channel, Lawrence, NY, 16735–16736

Yellow Mill Channel, Bridgeport, CT, 16735

PROPOSED RULES

Special Local Regulations and Safety Zones:

Recurring Marine Events and Fireworks Displays within Fifth Coast Guard District, 16746–16770

Commerce Department

See Economic Development Administration

See Foreign-Trade Zones Board

See Industry and Security Bureau

See International Trade Administration

See National Institute of Standards and Technology

See National Oceanic and Atmospheric Administration

Commodity Futures Trading Commission

NOTICES

Meetings; Sunshine Act, 16808

Defense Department

NOTICES

Meetings:

Department of Defense Military Family Readiness Council; Amendment, 16817

Economic Development Administration

NOTICES

Trade Adjustment Assistance Eligibility Petitions, 16785–16786

Energy Department

See Energy Efficiency and Renewable Energy Office

See Federal Energy Regulatory Commission

See National Nuclear Security Administration

See Southeastern Power Administration

Energy Efficiency and Renewable Energy Office

NOTICES

Meetings:

Executive Summit on Hydropower Research and Development, 16817–16818

Environmental Protection Agency

RULES

Mercury and Air Toxics Standards:

Electronic Reporting Requirements, 16736–16740

Reclassification of the Reclassification of the Sheboygan, Wisconsin Area To Moderate Nonattainment for the 2008 Ozone National Ambient Air Quality Standards; Correction, Wisconsin Area To Moderate Nonattainment for the 2008 Ozone National Ambient Air Quality Standards; Correction, 16740–16741

PROPOSED RULES

Air Quality State Implementation Plans; Approvals and Promulgations:

Connecticut; Reasonably Available Control Technology for the 2008 8-Hour Ozone National Ambient Air Quality Standards, 16772–16777

Montana; Administrative Rule Revisions, 16770–16772

NOTICES

Meetings:

National Advisory Council for Environmental Policy and Technology: Assumable Waters Subcommittee, 16830

Farm Credit Administration

NOTICES

Meetings; Sunshine Act, 16831

Federal Aviation Administration

RULES

Airworthiness Directives:

Embraer S.A. Airplanes, 16725–16728

General Electric Company Turbofan Engines, 16728–16730

NOTICES

Charter Renewals:

RTCA Federal Advisory Committee, 16873

Petitions for Exemption; Summaries:

The Boeing Co., 16872–16873

Federal Bureau of Investigation**NOTICES**

Meetings:

Compact Council for the National Crime Prevention and Privacy Compact, 16854–16855

Federal Communications Commission**PROPOSED RULES**

Updates Concerning Non-Geostationary, Fixed-Satellite Service System and Related Matters, 16777–16778

NOTICES

Meetings:

Broadband Deployment Advisory Committee, 16831–16832

Wireline Competition Bureau, E-Rate Inflation-Based Cap for Funding Year 2017, 16831

Federal Energy Regulatory Commission**NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 16823–16824

Applications:

Alabama Power Co., 16824–16825

Combined Filings, 16818–16819, 16825–16827

Environmental Impact Statements; Availability, etc.:

Mountain Valley Pipeline LLC, Equitrans LP, 16819

License Applications:

Erie Boulevard Hydropower, LP, 16821

Green Mountain Power Corp., 16821–16822

Preliminary Permit Applications:

Merchant Hydro Developers, LLC, 16820, 16822–16823

Staff Attendances, 16819–16820, 16827–16828

Federal Motor Carrier Safety Administration**NOTICES**

Meetings:

Post-Accident Reporting Advisory Committee, 16873–16874

Federal Retirement Thrift Investment Board**PROPOSED RULES**

Freedom of Information Act, 16744–16746

Fish and Wildlife Service**NOTICES**

Endangered and Threatened Species:

Proposed Low-Effect Habitat Conservation Plan, Lake County, FL, 16848–16849

Food and Drug Administration**RULES**

Sanitary Transportation of Human and Animal Food Rule:

Waivers from Requirements, 16733–16735

Foreign Assets Control Office**NOTICES**

Blocking or Unblocking of Persons and Properties, 16877–16878

Foreign-Trade Zones Board**NOTICES**

Production Activities:

Mead Johnson & Company, LLC, dba Mead Johnson

Nutritional, Subzone 43B, Zeeland, MI, 16786

Subzone Applications:

Expeditors International of Washington, Inc., Foreign-Trade Zone 37, Orange County, NY, 16786

Forest Service**NOTICES**

Environmental Impact Statements; Availability, etc.:

Revision of Land and Resource Management Plan for the Tonto National Forest; Counties of Coconino, Gila, Maricopa, Pinal, and Yavapai, AZ, 16779–16782

Health and Human Services Department

See Agency for Toxic Substances and Disease Registry

See Centers for Disease Control and Prevention

See Centers for Medicare & Medicaid Services

See Food and Drug Administration

See National Institutes of Health

Homeland Security Department

See Coast Guard

See U.S. Citizenship and Immigration Services

Indian Affairs Bureau**NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals:

Financial Assistance and Social Services, 16853

IDEIA Part B and C Child Count, 16854

Rate Adjustments for Indian Irrigation Projects, 16849–16853

Industry and Security Bureau**RULES**

Revisions to the Unverified List, 16730–16733

NOTICES

Denials of Export Privileges:

Amin Al-Baroudi a/k/a Abu al-Jud, 16788–16789

Juan Jose Estrada, 16787–16788

Sihai Cheng a/k/a Alex Cheng a/k/a Chun Hai Cheng, 16786–16787

Song II Kim a/k/a Kim Song II, 16789–16790

Interior Department

See Fish and Wildlife Service

See Indian Affairs Bureau

International Trade Administration**NOTICES**

Antidumping or Countervailing Duty Investigations, Orders, or Reviews:

Certain Cut-to-Length Carbon-Quality Steel Plate from India, Indonesia, and the Republic of Korea, 16790–16792

Certain Stainless Steel Wire Rods from India, 16795–16796

Circular Welded Carbon Steel Pipes and Tubes from Thailand, 16793–16795

Polyethylene Retail Carrier Bags from Malaysia, 16792–16793

Applications for Duty-Free Entry of Scientific Instruments, 16796–16797

Duty-Free Entry of Scientific Instruments; Applications:

Lafayette College, 16797

Rutgers University, et al., 16795

Subzone Status; Approvals:

Orgill, Inc., Post Falls, ID, 16796

Justice Department

See Federal Bureau of Investigation

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 16855–16856

Labor Department

See Occupational Safety and Health Administration
See Workers Compensation Programs Office

National Endowment for the Arts**NOTICES**

Agency Information Collection Activities; Proposals,
Submissions, and Approvals, 16859

National Foundation on the Arts and the Humanities

See National Endowment for the Arts

National Institute of Standards and Technology**NOTICES**

Meetings:

Manufacturing Extension Partnership Advisory Board,
16797–16798

National Institutes of Health**NOTICES**

Meetings:

National Institute of Allergy and Infectious Diseases,
16847

National Institute of Environmental Health Sciences,
16846–16847

National Institute on Aging, 16847
Office of the Director, 16846

National Nuclear Security Administration**NOTICES**

Charter Renewals:

Defense Programs Advisory Committee, 16818

National Oceanic and Atmospheric Administration**RULES**

Fisheries of the Exclusive Economic Zone Off Alaska:
Pollock in Statistical Area 610 in the Gulf of Alaska,
16742–16743

NOTICES

Meetings:

Fisheries of the South Atlantic, Gulf of Mexico, and
Caribbean Southeast Data, Assessment, and Review,
16798

Mid-Atlantic Fishery Management Council, 16798–16799
Science Advisory Board, 16799–16800

Takes of Marine Mammals Incidental to Specified
Activities:

Tidal Marsh Restoration Project, 16800–16808

National Science Foundation**NOTICES**

Requests for Nominations:

Directorate and Office Advisory Committees, 16859–
16860

Nuclear Regulatory Commission**NOTICES**

Agency Information Collection Activities; Proposals,
Submissions, and Approvals:

Safeguards on Nuclear Material: Implementation of
United States/International Atomic Energy Agency
Agreement, 16862–16863

License Renewals:

University of Florida, Training Reactor, 16860–16862

Occupational Safety and Health Administration**NOTICES**

Nationally Recognized Testing Laboratories:

Bay Area Compliance Laboratories Corp., 16856–16858

Pension Benefit Guaranty Corporation**NOTICES**

Agency Information Collection Activities; Proposals,
Submissions, and Approvals:
Multiemployer Plan Regulations, 16863–16865

Pipeline and Hazardous Materials Safety Administration**NOTICES**

Pipeline Safety:

Underground Natural Gas Storage Facility User Fee,
16874–16876

Special Permit Requests:

Bangor, ME, 16876

Postal Regulatory Commission**NOTICES**

New Postal Products, 16865

Presidential Documents**PROCLAMATIONS**

Special Observances:

National Crime Victims' Rights Week (Proc. 9587),
16887–16890

ADMINISTRATIVE ORDERS

Government Agencies and Employees:

National Security Council, Homeland Security Council,
and Subcommittees; Organization (Memorandum of
April 4, 2017), 16879–16885

**Procurement and Property Management Office,
Agriculture Department****NOTICES**

Agency Information Collection Activities; Proposals,
Submissions, and Approvals, 16783–16784

Securities and Exchange Commission**NOTICES**

Agency Information Collection Activities; Proposals,
Submissions, and Approvals, 16869

Orders:

Extending a Temporary Exemption from Compliance with
Rules under the Securities Exchange Act, 16867–
16868

Self-Regulatory Organizations; Proposed Rule Changes:
New York Stock Exchange LLC, 16865–16867

Social Security Administration**NOTICES**

Rescission of Social Security Rulings 96–2p, 96–5p, and
06–3p; Correction, 16869

Southeastern Power Administration**NOTICES**

Rate Adjustments:

Georgia-Alabama-South Carolina System of Projects,
16828–16830

State Department**NOTICES**

Environmental Impact Statements; Availability, etc.:

Foreign Missions Center at the Former Walter Reed Army
Medical Center, Washington, DC, 16870–16871

Intercountry Adoptions, 16869–16870

Meetings:

Advisory Committee on International Postal and Delivery
Services, 16871

Binational Bridges and Border Crossings Group, 16871–
16872

Surface Transportation Board**NOTICES**

Agency Information Collection Activities; Proposals,
Submissions, and Approvals:
Demurrage Liability Disclosure Requirements, 16872

Transportation Department

See Federal Aviation Administration
See Federal Motor Carrier Safety Administration
See Pipeline and Hazardous Materials Safety
Administration

Treasury Department

See Foreign Assets Control Office

U.S. Citizenship and Immigration Services**NOTICES**

Agency Information Collection Activities; Proposals,
Submissions, and Approvals:
Monthly Report on Naturalization Papers, 16847–16848

Workers Compensation Programs Office**NOTICES**

Agency Information Collection Activities; Proposals,
Submissions, and Approvals, 16858–16859

Separate Parts In This Issue**Part II**

Presidential Documents, 16879–16885

Part III

Presidential Documents, 16887–16890

Reader Aids

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

To subscribe to the Federal Register Table of Contents electronic mailing list, go to <https://public.govdelivery.com/accounts/USGPOOFR/subscriber/new>, enter your e-mail address, then follow the instructions to join, leave, or manage your subscription.

CFR PARTS AFFECTED IN THIS ISSUE

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

3 CFR**Proclamations:**

958716889

Administrative Orders:**Memorandums:****Memorandum of**

January 28, 2017

(Revoked by

Memorandum of

April 4, 2017)16881

Memorandum of April

4, 201716881

5 CFR**Proposed Rules:**

163116744

14 CFR39 (2 documents)16725,
16728**15 CFR**

74416730

21 CFR

116733

33 CFR

117 (2 documents)16735

Proposed Rules:

10016746

16516746

40 CFR

6316736

8116740

Proposed Rules:52 (2 documents)16770,
16772**42 CFR**

49516741

47 CFR**Proposed Rules:**

216777

2516777

50 CFR

67916742

Rules and Regulations

Federal Register

Vol. 82, No. 65

Thursday, April 6, 2017

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

The Code of Federal Regulations is sold by the Superintendent of Documents.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2014-0059; Directorate Identifier 2013-NM-075-AD; Amendment 39-18832; AD 2017-06-08]

RIN 2120-AA64

Airworthiness Directives; Embraer S.A. Airplanes

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

ACTION: Final rule.

SUMMARY: We are superseding Airworthiness Directive (AD) 2006-06-09, AD 2012-05-08, and AD 2012-07-08, for certain Embraer S.A. Model ERJ 170 airplanes. This AD requires revising the maintenance or inspection program, as applicable, to incorporate new airworthiness limitations. This AD was prompted by a determination that more restrictive airworthiness limitations are necessary. We are issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective May 11, 2017.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of May 11, 2017.

The Director of the Federal Register approved the incorporation by reference of this AD as of May 29, 2012 (77 FR 24342, April 24, 2012).

ADDRESSES: For service information identified in this final rule, contact Embraer S.A., Technical Publications Section (PC 060), Av. Brigadeiro Faria Lima, 2170-Putim-12227-901 São Jose dos Campos-SP-BRASIL; telephone +55 12 3927-5852 or +55 12 3309-0732; fax +55 12 3927-7546; email distrib@embraer.com.br; Internet <http://www.flyembraer.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-2014-0059.

Examining the AD Docket

You may examine the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2014-0059; 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 address for the Docket Office (telephone 800-647-5527) is 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 20590.

FOR FURTHER INFORMATION CONTACT: Ana Martinez Hueto, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA 98057-3356; telephone 425-227-1622; fax 425-227-1320.

SUPPLEMENTARY INFORMATION:

Discussion

We issued a supplemental notice of proposed rulemaking (SNPRM) to amend 14 CFR part 39 to supersede AD 2006-06-09, Amendment 39-14518 (71 FR 14365, March 22, 2006) (“AD 2006-06-06”); AD 2012-05-08, Amendment 39-16980 (77 FR 16155, March 20, 2012) (“AD 2012-05-08”); and AD 2012-07-08, Amendment 39-17014 (77 FR 24342, April 24, 2012) (“AD 2012-07-08”); which applied to all Embraer S.A. Model ERJ 170 airplanes.

The SNPRM published in the **Federal Register** on September 12, 2016 (81 FR 62668) (“the SNPRM”). We preceded the SNPRM with a notice of proposed rulemaking (NPRM) that published in the **Federal Register** on February 27, 2014 (79 FR 11013) (“the NPRM”). The NPRM was prompted by a determination that more restrictive maintenance requirements and

airworthiness limitations are necessary than those required by AD 2012-07-08. The NPRM proposed to require a revision to the maintenance or inspection program, as applicable, to incorporate new inspections. The SNPRM also proposed to revise the maintenance or inspection program, as applicable, to incorporate the new airworthiness limitations section of the maintenance review board report (MRBR), remove certain airplanes from the applicability, and supersede AD 2006-06-09, AD 2012-05-08, and AD 2012-07-08, which require tasks that are now included in the new revision of the MRBR.

We are issuing this AD to detect and correct fatigue cracking of various PSEs; such cracking could result in reduced structural integrity of the airplane. We are also issuing this AD to prevent safety-significant latent failures; such failures, in combination with one or more other specified failures or events, could result in a hazardous or catastrophic failure condition of avionics, hydraulic systems, fire detection systems, fuel systems, or other critical systems. We are also issuing this AD to prevent the potential for ignition sources inside fuel tanks caused by latent failures, alterations, repairs, or maintenance actions; such failures, in combination with flammable fuel vapors, could result in fuel tank explosions and consequent loss of the airplane.

The Agência Nacional de Aviação Civil (ANAC), which is the aviation authority for Brazil, has issued Brazilian Airworthiness Directive 2015-06-01, effective June 2, 2015 (referred to after this as the Mandatory Continuing Airworthiness Information, or “the MCAI”), to correct an unsafe condition on certain Embraer S.A. Model ERJ 170 airplanes. The MCAI states:

This [Brazilian] AD was prompted by a new revision to the airworthiness limitations of the Maintenance Review Board Report. This [Brazilian] AD is being issued to ensure that fatigue cracking of various principal structural elements is detected and corrected; such fatigue cracking, could adversely affect the structural integrity of these airplanes.

The required action is revising the maintenance or inspection program, as applicable, to incorporate the airworthiness limitations in Appendix A—Airworthiness Limitations to the EMBRAER 170/175 Maintenance

Review Board Report, MRB-1621, Revision 10, dated February 23, 2015, which is divided into four parts: Part 1—Certification Maintenance Requirements (CMR), Part 2—Airworthiness Limitation Inspections (ALI)—Structures, Part 3—Fuel System Limitation Items (FSL), and Part 4—Life Limited Items (LLI).

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-2014-0059.

Comments

We gave the public the opportunity to participate in developing this AD. The following presents the comment received on the SNPRM and the FAA’s response to that comment.

Request To Allow Use of Future Revisions of Service Information

SkyWest Airlines requested an allowance for future revisions of the EMBRAER 170/175 Maintenance Review Board Report, MRB-1621, (“MRB-1621”), to be used as long as the tasks, intervals, and requirements haven’t changed. The commenter stated that if the purpose of the SNPRM was to ensure that operators are using the new airworthiness limitations, it would seem that using later revisions of MRB-1621, as long as the tasks, intervals, and requirements haven’t changed would make it easier to comply with the proposed requirements, and with the airworthiness limitation revisions that come with newly delivered airplanes. The commenter explained that operators might have to divide their maintenance

and inspection program into groups of airplanes. For airplanes with the serial numbers identified in the SNPRM, operators would be required to use MRB-1621, Revision 10, and for newly delivered airplanes operators would be required to comply with the EMBRAER 170/175 Maintenance Review Board Report revision released when the new airplanes were delivered.

We agree with the commenter’s observation that operators might have to use two different revisions of MRB-1621, the revision required by this final rule and the revision that is released with newly delivered airplanes; however, in an AD we may not refer to any document that does not yet exist. Allowing the use of a “later revision” of a specific service document violates Office of the Federal Register (OFR) regulations for approval of materials “incorporated by reference,” as specified in 1 CFR 51.1(f).

Operators may request approval to use later revisions of a referenced document as an alternative method of compliance (AMOC) under the provisions specified in paragraph (k)(1) of this AD. The FAA routinely approves AMOCs that allow operators to incorporate later revisions of referenced ALI documents (issued after publication of the AD) into their maintenance or inspection programs instead of the revision required by an AD. This allows an operator to comply with both the AD, for affected airplanes, and the airplane’s type design for later delivered airplanes. We have not changed this AD regarding this issue.

Conclusion

We reviewed the available data, including the comment received, and determined that air safety and the public interest require adopting this AD as proposed, with minor editorial changes. We have determined that these changes:

- Are consistent with the intent that was proposed in the SNPRM for correcting the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the SNPRM.

Related Service Information Under 1 CFR Part 51

Embraer S.A. has issued Appendix A—Airworthiness Limitations to the EMBRAER 170/175 Maintenance Review Board Report, MRB-1621, Revision 10, dated February 23, 2015, which is divided into four parts. As noted in the titles of each of these parts, Appendix A addresses Certification Maintenance Requirements (CMRs), airworthiness limitation inspections (ALIs) for structures, fuel system limitation items (FSLs), and life-limited items (LLI), and includes established tasks and intervals.

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.

Costs of Compliance

We estimate that this AD affects 286 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
Revision of the maintenance or inspection program (retained action from AD 2012-07-08).	1 work-hour × \$85 per hour = \$85	\$0	\$85	\$24,310
Revision of the maintenance or inspection program (new action)	1 work-hour × \$85 per hour = \$85	0	85	24,310

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.

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:

■ a. Removing Airworthiness Directives (AD) 2006–06–09, Amendment 39–14518 (71 FR 14365, March 22, 2006); AD 2012–05–08, Amendment 39–16980 (77 FR 16155, March 20, 2012); and AD 2012–07–08, Amendment 39–17014 (77 FR 24342, April 24, 2012); and

■ b. Adding the following new AD:

2017–06–08 Embraer S.A.: Amendment 39–18832; Docket No. FAA–2014–0059; Directorate Identifier 2013–NM–075–AD.

(a) Effective Date

This AD is effective May 11, 2017.

(b) Affected ADs

This AD replaces the ADs specified in paragraphs (b)(1), (b)(2), and (b)(3) of this AD:

(1) AD 2006–06–09, Amendment 39–14518 (71 FR 14365, March 22, 2006) (“AD 2006–06–09”).

(2) AD 2012–05–08, Amendment 39–16980 (77 FR 16155, March 20, 2012) (“AD 2012–05–08”).

(3) AD 2012–07–08, Amendment 39–17014 (77 FR 24342, April 24, 2012) (“AD 2012–07–08”).

(c) Applicability

This AD applies to Embraer S.A. Model ERJ 170–100 LR, –100 STD, –100 SE, and –100 SU airplanes; and Model ERJ 170–200 LR, –200 SU, and –200 STD airplanes; certificated in any category; manufacturer serial numbers 17000002, 17000004 through 17000013 inclusive, and 17000015 through 17000453 inclusive.

(d) Subject

Air Transport Association (ATA) of America Codes 27, Flight controls; 28, Fuel; 52, Doors; 53, Fuselage; 54, Nacelles/pylons; 55, Stabilizers; 57, Wings; 71, Powerplant; and 78, Exhaust.

(e) Reason

This AD was prompted by a determination that more restrictive airworthiness

limitations are necessary. We are issuing this AD to detect and correct fatigue cracking of various principal structural elements (PSEs); such cracking could result in reduced structural integrity of the airplane. We are also issuing this AD to prevent safety-significant latent failures; such failures, in combination with one or more other specified failures or events, could result in a hazardous or catastrophic failure condition of avionics, hydraulic systems, fire detection systems, fuel systems, or other critical systems. We are also issuing this AD to prevent the potential for ignition sources inside fuel tanks caused by latent failures, alterations, repairs, or maintenance actions; such failures, in combination with flammable fuel vapors, could result in fuel tank explosions and consequent loss of the airplane.

(f) Compliance

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

(g) Retained Maintenance Program Revision, With No Changes

This paragraph restates the action required by paragraph (i) of AD 2012–07–08, with no changes.

(1) Within 60 days after May 29, 2012 (the effective date of AD 2012–07–08): Revise the maintenance program to incorporate the new or revised tasks specified in Part 2—Airworthiness Limitation Inspection (ALI)—Structures, of Appendix A, Airworthiness Limitations, to the EMBRAER 170 Maintenance Review Board Report (MRBR), MRB–1621, Revision 7, dated November 11, 2010; and EMBRAER Temporary Revision 7–1, dated February 11, 2011, to Part 2—Airworthiness Limitation Inspection (ALI)—Structures, of Appendix A, Airworthiness Limitations, to the EMBRAER 170 MRBR, MRB–1621, Revision 7, dated November 11, 2010; with the initial compliance times and intervals specified in these documents.

(2) The initial compliance times for the tasks start from the date of issuance of the original Brazilian airworthiness certificate or the date of issuance of the original Brazilian export certificate of airworthiness of the applicable airplane at the applicable time specified in the tasks, or within 600 flight cycles after revising the maintenance program, whichever occurs later. For certain tasks, the compliance times depend on the pre-modification and post-modification status of the actions specified in the associated service bulletin, as specified in the “Applicability” column of Part 2—Airworthiness Limitation Inspection (ALI)—Structures, of Appendix A, Airworthiness Limitations, to the EMBRAER 170 MRBR, MRB–1621, Revision 7, dated November 11, 2010; and EMBRAER Temporary Revision 7–1, dated February 11, 2011, to Part 2—Airworthiness Limitation Inspection (ALI)—Structures, of Appendix A, Airworthiness Limitations, to the EMBRAER 170 MRBR, MRB–1621, Revision 7, dated November 11, 2010.

(h) Retained No Alternative Actions Intervals, and/or Critical Design Configuration Control Limitations (CDCCLs), With New Exception

This paragraph restates the action required by paragraph (j) of AD 2012–07–08, with a new exception. Except as required by paragraph (i) of this AD, after accomplishing the revisions required by paragraph (g) of this AD, no alternative actions (e.g., inspections), intervals, and/or CDCCLs may be used other than those specified in Part 2—Airworthiness Limitation Inspection (ALI)—Structures, of Appendix A, Airworthiness Limitations, of the EMBRAER 170 MRBR, MRB–1621, Revision 7, dated November 11, 2010; and EMBRAER Temporary Revision 7–1, dated February 11, 2011, to Part 2—Airworthiness Limitation Inspection (ALI)—Structures, of Appendix A, Airworthiness Limitations, of the EMBRAER 170 MRBR, MRB–1621, Revision 7, dated November 11, 2010; unless the actions, intervals, and/or CDCCLs are approved as an alternative method of compliance (AMOC) in accordance with the procedures specified in paragraph (k)(1) of this AD.

(i) New Revision of Maintenance or Inspection Program

Within 12 months after the effective date of this AD, revise the maintenance or inspection program, as applicable, to incorporate the airworthiness limitations specified in Part 1—Certification Maintenance Requirements (CMR); Part 2—Airworthiness Limitation Inspections (ALI)—Structures; Part 3—Fuel System Limitation Items (FSL); and Part 4—Life Limited Items (LLI); of Appendix A—Airworthiness Limitations; of the EMBRAER 170/175 MRBR, MRB–1621, Revision 10, dated February 23, 2015. The initial compliance times and repetitive intervals are specified in the applicable part of the EMBRAER 170/175 MRBR, MRB–1621, Revision 10, dated February 23, 2015. Accomplishing the revision to the maintenance or inspection program required by this paragraph terminates the requirements of paragraph (g) of this AD.

(j) No Alternative Actions, Intervals, or CDCCLs

After accomplishing the revision required by paragraph (i) of this AD, no alternative actions (e.g., inspections), intervals, or CDCCLs may be used unless the actions, intervals, and CDCCLs are approved as an AMOC in accordance with the procedures specified in paragraph (k)(1) of this AD.

(k) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, International Branch, ANM–116, Transport Airplane Directorate, 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 International Branch, send it to ATTN:

Ana Martinez Hueto, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA 98057-3356; telephone 425-227-1622; fax 425-227-1320. Information may be emailed to: 9-ANM-116-AMOC-REQUESTS@faa.gov. 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.

(2) *Contacting the Manufacturer:* As of the effective date of this AD, 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 the Agência Nacional de Aviação Civil (ANAC); or ANAC's authorized Designee. If approved by the ANAC Designee, the approval must include the Designee's authorized signature.

(l) Related Information

Refer to Mandatory Continuing Airworthiness Information (MCAI) Brazilian Airworthiness Directive 2015-06-01, effective June 2, 2015, 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-2014-0059.

(m) 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.

(3) The following service information was approved for IBR on May 11, 2017.

(i) Appendix A—Airworthiness Limitations to the EMBRAER 170/175 Maintenance Review Board Report, MRB-1621, Revision 10, dated February 23, 2015.

(ii) Reserved.

(4) The following service information was approved for IBR on May 29, 2012 (77 FR 24342, April 24, 2012).

(i) Part 2—Airworthiness Limitation Inspection (ALI)—Structures, of Appendix A, Airworthiness Limitations, of the EMBRAER 170 Maintenance Review Board Report, MRB-1621, Revision 7, dated November 11, 2010. Only the title page of this document specifies the revision level.

(ii) EMBRAER Temporary Revision 7-1, dated February 11, 2011, to Part 2—Airworthiness Limitation Inspection (ALI)—Structures, of Appendix A, Airworthiness Limitations, of the EMBRAER 170 Maintenance Review Board Report, MRB-1621, Revision 7, dated November 11, 2010.

(5) For service information identified in this AD, contact Embraer S.A., Technical Publications Section (PC 060), Av. Brigadeiro Faria Lima, 2170—Putim—12227-901 São Jose dos Campos—SP—BRASIL; telephone +55 12 3927-5852 or +55 12 3309-0732; fax +55 12 3927-7546; email distrib@embraer.com.br; Internet <http://www.flyembraer.com>.

(6) 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.

(7) 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 March 10, 2017.

Michael Kaszycki,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2017-05373 Filed 4-5-17; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2013-0879; Directorate Identifier 2013-NE-30-AD; Amendment 39-18842; AD 2017-07-04]

RIN 2120-AA64

Airworthiness Directives; General Electric Company Turbofan Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; request for comments.

SUMMARY: We are superseding Airworthiness Directive (AD) 2013-24-17 for General Electric Company (GE) GE90-110B1 and GE90-115B turbofan engines with certain high-pressure compressor (HPC) rotor stage 2-5 spools installed. AD 2013-24-17 required removing these spools from service at times determined by a drawdown plan. This AD retains the same requirements as AD 2013-24-17. This AD also adds additional part number (P/N) HPC spools to the applicability. This AD was prompted by reports of cracking on these additional spools. We are issuing this AD to correct the unsafe condition on these products.

DATES: This AD is effective April 21, 2017.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of April 21, 2017.

We must receive any comments on this AD by May 22, 2017.

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 General Electric Company, One Neumann Way, Room 285, Cincinnati, OH; phone: 513-552-3272; email: geae.aoc@ge.com. You may view this service information at the FAA, Engine & Propeller Directorate, 1200 District Avenue, Burlington, MA. For information on the availability of this material at the FAA, call 781-238-7125. It is also available on the internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2013-0879.

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-2013-0879; 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: John Frost, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 1200 District Avenue, Burlington, MA 01803; phone: 781-238-7756; fax: 781-238-7199; email: john.frost@faa.gov.

SUPPLEMENTARY INFORMATION:

Discussion

On November 27, 2013, we issued AD 2013-24-17, Amendment 39-17694 (78 FR 76045, December 16, 2013), (“AD 2013-24-17”), for GE GE90-110B1 and GE90-115B turbofan engines with certain HPC rotor stage 2-5 spools installed. AD 2013-24-17 required removing these spools from service at times determined by a drawdown plan. AD 2013-24-17 resulted from reports of cracks in HPC rotor stage 2-5 spool aft

spacer arms. We issued AD 2013–24–17 to prevent failure of a critical life-limited rotating engine part, which could result in an uncontained engine failure and damage to the airplane.

Actions Since AD 2013–24–17 Was Issued

Since we issued AD 2013–24–17, GE found cracking on additional P/N HPC spools. These spools had not previously been thought to be affected by cracking because they had a revised coating applied in the seal teeth area. We also reviewed the risk assessment and determined that an installation prohibition was not needed, therefore, we eliminated that paragraph from this AD. In addition, GE revised its service material by issuing GE Service Bulletin (SB) GE90–100 SB 72–0659 R01, dated February 18, 2016, which we reference in the compliance section of this AD. We are issuing this AD to prevent failure of the HPC rotor stage 2–5 spools, uncontained spool release, damage to the engine, and damage to the airplane.

Related Service Information Under 1 CFR Part 51

We reviewed GE Service Bulletin (SB) GE90–100 SB 72–0659 R01, dated February 18, 2016. The SB describes procedures for identification and removal from service of the affected HPC 2–5 spools. The part numbers that

are listed in Appendix A of GE SB GE90–100 SB 72–0659 R01 are the original P/Ns. Spools that have been reworked may have a P/N other than that listed in Appendix A. 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.

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 removing certain HPC rotor stage 2–5 spools from service at times determined by a drawdown plan specified in the compliance section.

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 it requires compliance before further flight. 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 we did not provide you with notice and an opportunity to provide your comments before it becomes effective. 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 No. FAA–2013–0879 and Directorate Identifier 2013–NE–30–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 22 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
Replacement of HPC rotor stage 2–5 spool	0 work-hours × \$85 per hour = \$0	\$229,737	\$229,737	\$5,054,214

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 to the extent that it justifies making a regulatory distinction, and

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

List of Subjects in 14 CFR Part 39

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

Adoption of the Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA amends part 39 of the Federal Aviation Regulations (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 removing Airworthiness Directive (AD) 2013–24–17, Amendment 39–17694 (78 FR 76045, December 16, 2013), and adding the following new AD:

2017–07–04 General Electric Company:

Amendment 39–18842; Docket No. FAA–2013–0879; Directorate Identifier 2013–NE–30–AD.

(a) Effective Date

This AD is effective April 21, 2017.

(b) Affected ADs

This AD replaces AD 2013–24–17, Amendment 39–17694 (78 FR 76045, December 16, 2013) (“AD 2013–24–17”).

(c) Applicability

All GE90–110B1 and GE90–115B engines with high-pressure compressor (HPC) stage 2–5 spools, with:

(1) a part number (P/N) 351–103–106–0, 351–103–107–0, 351–103–108–0, 351–103–141–0, 351–103–142–0, 351–103–143–0, 351–103–144–0, 351–103–145–0, 351–103–146–0, 351–103–148–0, 351–103–149–0, 351–103–150–0, or 351–103–151–0; and

(2) a serial number listed in paragraph 4, Appendix A, of GE Service Bulletin (SB) GE90–100 SB 72–0659 R01, dated February 18, 2016.

(d) Subject

Joint Aircraft System Component (JASC) Code 7230, Turbine Engine Compressor Section.

(e) Unsafe Condition

This AD was prompted by reports of cracks in HPC rotor stage 2–5 spool aft spacer arms since AD 2013–24–17. We are issuing this AD to prevent failure of the HPC rotor stage 2–5 spools, uncontained spool release, damage to the engine, and damage to the airplane.

(f) Compliance

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

(2) Remove from service HPC rotor stage 2–5 spools listed in paragraph 4, Appendix A, of GE SB GE90–100 SB 72–0659 R01, dated February 18, 2016, as follows:

(i) For spools that have fewer than 4,500 flight cycles since new (CSN) on the effective date of this AD, remove before exceeding 5,000 CSN.

(ii) For spools that have 4,500 CSN or more but fewer than 5,200 CSN on the effective date of this AD, remove within 500 cycles in service (CIS) but not to exceed 5,500 CSN.

(iii) For spools that have 5,200 CSN or more but fewer than 5,600 CSN on the effective date of this AD, remove within 300 CIS but not to exceed 5,800 CSN.

(iv) For spools that have 5,600 CSN or more but fewer than 5,800 CSN on the effective date of this AD, remove within 200 CIS but not to exceed 5,850 CSN.

(v) For spools that have 5,800 CSN or more but fewer than 6,000 CSN on the effective

date of this AD, remove within 50 CIS but not to exceed 6,000 CSN.

(vi) For spools that have 6,000 CSN or more on the effective date of this AD, remove before the next flight.

(g) Alternative Methods of Compliance (AMOCs)

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

(h) Related Information

For more information about this AD, contact John Frost, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 1200 District Avenue, Burlington, MA 01803; phone: 781–238–7756; fax: 781–238–7199; email: john.frost@faa.gov.

(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) General Electric Company (GE) Service Bulletin GE90–100 SB 72–0659 R01, dated February 18, 2016.

(ii) Reserved.

(3) For GE service information identified in this AD, contact General Electric Company, GE-Aviation, Room 285, 1 Neumann Way, Cincinnati, OH 45215, phone: 513–552–3272; fax: 513–552–3329; email: geae.aoc@ge.com.

(4) You may view this service information at FAA, FAA, Engine & Propeller Directorate, 1200 District Avenue, Burlington, MA. For information on the availability of this material at the FAA, call 781–238–7125.

(5) You may view this service information 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 Burlington, Massachusetts, on March 24, 2017.

Carlos A. Pestana,

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

[FR Doc. 2017–06715 Filed 4–5–17; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

15 CFR Part 744

[Docket No. 170105022–7022–01]

RIN 0694–AH29

Revisions to the Unverified List (UVL)

AGENCY: Bureau of Industry and Security, Commerce.

ACTION: Final rule.

SUMMARY: The Bureau of Industry and Security (BIS) is amending the Export Administration Regulations (EAR) by adding six (6) persons to the Unverified List (the “Unverified List” or UVL); revising two addresses and adding an alternate name, or a.k.a., for one (1) person currently listed on the UVL; and revising three addresses, adding three additional addresses, and adding an alternate name, or a.k.a., for one (1) person currently listed on the UVL. The six persons are being added to the UVL on the basis that BIS could not verify their *bona fides* because an end-use check could not be completed satisfactorily for reasons outside the U.S. Government’s control. Two addresses are revised for one person currently listed on the UVL to add the official Hong Kong district name. In addition, this rule adds an alternate name for this person. This rule also revises three addresses for an additional person currently listed on the UVL to add the official Hong Kong district names and correct a previous error. Finally, this rule adds three additional addresses and an alternate name for this person, as BIS has determined this person is receiving U.S. exports at additional addresses and using an additional name.

DATES: *Effective date:* This rule is effective: April 6, 2017.

FOR FURTHER INFORMATION CONTACT: Kevin Kurland, Director, Office of Enforcement Analysis, Bureau of Industry and Security, Department of Commerce, Phone: (202) 482–4255 or by email at UVLRequest@bis.doc.gov.

SUPPLEMENTARY INFORMATION:

Background

The Unverified List, found in Supplement No. 6 to Part 744 to the EAR, contains the names and addresses of foreign persons who are or have been parties to a transaction, as that term is described in § 748.5 of the EAR, involving the export, reexport, or transfer (in-country) of items subject to the EAR, and whose *bona fides* BIS has been unable to verify through an end-use check. BIS may add persons to the UVL when BIS or federal officials acting on BIS’s behalf have been unable to verify a foreign person’s *bona fides* (i.e., legitimacy and reliability relating to the end use and end user of items subject to the EAR) because an end-use check, such as a pre-license check (PLC) or a post-shipment verification (PSV), cannot be completed satisfactorily for such purposes for reasons outside the U.S. Government’s control.

End-use checks cannot be completed for a number of reasons, including reasons unrelated to the cooperation of the foreign party subject to the end-use check. For example, BIS sometimes initiates end-use checks and cannot find a foreign party at the address indicated on export documents, and cannot locate the party by telephone or email. Additionally, BIS sometimes is unable to conduct end-use checks when host government agencies do not respond to requests to conduct end-use checks, are prevented from scheduling such checks by a party to the transaction other than the foreign party that is the proposed subject of the end-use check or refuse to schedule them in a timely manner. Under these circumstances, although BIS has an interest in informing the public of its inability to verify the foreign party's *bona fides*, there may not be sufficient information to add the foreign persons at issue to the Entity List under § 744.11 of the EAR (Criteria for revising the Entity List). In such circumstances, BIS may add the foreign persons to the UVL.

Furthermore, BIS sometimes conducts end-use checks but cannot verify the *bona fides* of a foreign party. For example, BIS may be unable to verify *bona fides* if during the conduct of an end-use check a recipient of items subject to the EAR is unable to produce those items for visual inspection or provide sufficient documentation or other evidence to confirm the disposition of those items. The inability of foreign persons subject to end-use checks to demonstrate their *bona fides* raises concerns about the suitability of such persons as participants in future exports, reexports, or transfers (in-country) of items subject to the EAR and indicates a risk that such items may be diverted to prohibited end uses and/or end users. However, BIS may not have sufficient information to establish that such persons are involved in activities described in part 744 of the EAR, preventing the placement of the persons on the Entity List. In such circumstances, the foreign persons may be added to the Unverified List.

As provided in § 740.2(a)(17) of the EAR, the use of license exceptions for exports, reexports, and transfers (in-country) involving a party or parties to the transaction who are listed on the UVL is suspended. Additionally, under § 744.15(b) of the EAR, there is a requirement for exporters, reexporters, and transferors to obtain (and keep a record of) a UVL statement from a party or parties to the transaction who are listed on the UVL before proceeding with exports, reexports, and transfers (in-country) to such persons, when the

exports, reexports and transfers (in-country) are not subject to a license requirement.

Requests for removal of a UVL entry must be made in accordance with § 744.15(d) of the EAR. Decisions regarding the removal or modification of UVL listings will be made by the Deputy Assistant Secretary for Export Enforcement, based on a demonstration by the listed person of its *bona fides*.

Changes to the EAR

Supplement No. 6 to Part 744 (“the Unverified List” or “UVL”)

This rule adds six (6) persons to the UVL by amending Supplement No. 6 to Part 744 of the EAR to include their names and addresses. BIS adds these persons in accordance with the criteria for revising the UVL set forth in § 744.15(c) of the EAR. The new entries consist of three persons located in China and one person located in each of the following countries or territories: Azerbaijan, Lebanon, and the United Arab Emirates. Each listing is grouped within the UVL by country with each party's name(s) listed in alphabetical order under the country; each entry includes available alias(es) and address(es), as well as the **Federal Register** citation and the date the person was added to the UVL. The UVL is included in the Consolidated Screening List, available at www.export.gov.

This rule also revises two addresses for one person currently listed on the UVL, Brilliance Technology Ltd., to add the official Hong Kong district name. In addition, BIS is adding an alternate name for Brilliance Technology Ltd., as BIS has determined this person is doing business as Brilliance Technology Group. Additionally, this rule revises two addresses for Ling Ao Electronic Technology Co., Ltd., which is currently listed on the UVL, to add the official Hong Kong district name. BIS is revising a third address for this person to correct a previous error in the street name and to add the name of the building in which this person is located. BIS is also adding three additional addresses for Ling Ao Electronic Technology Co., Ltd., as BIS has determined this person is receiving U.S. exports at these addresses. Finally, BIS is adding Xuan Qi Technology Co., Ltd. as an alternate name for Ling Ao Electronic Technology Co., Ltd.

Savings Clause

Shipments (1) removed from license exception eligibility or that are now subject to requirements in § 744.15 of the EAR as a result of this regulatory action; (2) eligible for export, reexport,

or transfer (in-country) without a license before this regulatory action; and (3) on dock for loading, on lighter, laden aboard an exporting carrier, or en route aboard a carrier to a port of export, on April 6, 2017, pursuant to actual orders, may proceed to that UVL listed person under the previous license exception eligibility or without a license so long as the items have been exported from the United States, reexported or transferred (in-country) before May 8, 2017. Any such items not actually exported, reexported or transferred (in-country) before midnight on May 8, 2017 are subject to the requirements in § 744.15 of the EAR in accordance with this regulation.

Export Administration Act

Since August 21, 2001, the Export Administration Act of 1979, as amended, has been in lapse. However, the President, through Executive Order 13222 of August 17, 2001, 3 CFR, 2001 Comp., p. 783 (2002), as amended by Executive Order 13637 of March 8, 2013, 78 FR 16129 (March 13, 2013), and as extended by the Notice of August 4, 2016, 81 FR 52587 (August 8, 2016) has continued the EAR in effect under the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*). BIS continues to carry out the provisions of the Export Administration Act, as appropriate and to the extent permitted by law, pursuant to Executive Order 13222 as amended by Executive Order 13637.

Rulemaking Requirements

1. Executive Orders 13563 and 12866 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This rule has not been designated a “significant regulatory action,” under section 3(f) of Executive Order 12866.

2. The provisions of the Administrative Procedure Act (5 U.S.C. 553) requiring notice of proposed rulemaking, the opportunity for public comment and a delay in effective date are inapplicable to this rule, which is adding 6 persons, revising 2 addresses and adding an alternate name, or a.k.a. for 1 person currently listed on the UVL, and revising 3 addresses, adding 3 new addresses, and adding an alternate

name, or a.k.a. for 1 other person currently listed on the UVL, because this regulation involves military or foreign affairs under 5 U.S.C. 553(a)(1). BIS implements this rule to protect U.S. national security or foreign policy interests by requiring a license or, where no license is required, a UVL statement for items being exported, reexported, or transferred (in country) involving a party or parties to the transaction who are listed on the UVL. If this rule were delayed to allow for notice and comment and a delay in effective date, the entities being added to the UVL by this action, the entities now operating under an alternate name, and the entities whose addresses were revised would continue to be able to receive items without additional oversight by BIS and to conduct activities contrary to the national security or foreign policy interests of the United States. In addition, publishing a proposed rule would give these parties notice of the U.S. Government's intention to place them on the UVL or amend their current entry on the UVL, and create an incentive for these persons to accelerate receiving items subject to the EAR in furtherance of activities contrary to the national security or foreign policy interests of the United States, and/or take steps to set up additional aliases, change addresses, and other measures to try to limit the impact of the listing once a final rule was published.

Further, no other law requires that a notice of proposed rulemaking and an opportunity for public comment be given for this rule. Because a notice of proposed rulemaking and an opportunity for public comment are not required to be given for this rule by 5 U.S.C. 553, or by any other law, the analytical requirements of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, are not applicable. Accordingly, no regulatory flexibility analysis is required and none has been prepared.

3. Notwithstanding any other provision of law, no person is required to respond to, nor is subject to a penalty for failure to comply with, a collection

of information, subject to the requirements of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) (PRA), unless that collection of information displays a currently valid Office of Management and Budget (OMB) Control Number. This regulation involves collections previously approved by OMB under the following control numbers: 0694–0088, 0694–0122, 0694–0134, and 0694–0137.

This rule slightly increases public burden in a collection of information approved by OMB under control number 0694–0088, which authorizes, among other things, export license applications. The removal of license exceptions for listed persons on the Unverified List will result in increased license applications being submitted to BIS by exporters. Total burden hours associated with the Paperwork Reduction Act and OMB control number 0694–0088 are expected to increase minimally, as the suspension of license exceptions will only affect transactions involving persons listed on the Unverified List and not all export transactions. Because license exceptions are restricted from use, this rule decreases public burden in a collection of information approved by OMB under control number 0694–0137 minimally, as this will only affect specific individual listed persons. The increased burden under 0694–0088 is reciprocal to the decrease of burden under 0694–0137, and results in no change of burden to the public. This rule also increases public burden in a collection of information under OMB control number 0694–0122, as a result of the exchange of UVL statements between private parties, and under OMB control number 0694–0134, as a result of appeals from persons listed on the UVL for removal of their listing. The total increase in burden hours associated with both of these collections is expected to be minimal, as they involve a limited number of persons listed on the UVL.

4. This rule does not contain policies with Federalism implications as that

term is defined in Executive Order 13132.

List of Subjects in 15 CFR Part 744

Exports, Reporting and recordkeeping requirements, Terrorism.

Accordingly, part 744 of the Export Administration Regulations (15 CFR parts 730 through 774) is amended as follows:

PART 744—[AMENDED]

■ 1. The authority citation for 15 CFR part 744 continues to read as follows:

Authority: 50 U.S.C. 4601 *et seq.*; 50 U.S.C. 1701 *et seq.*; 22 U.S.C. 3201 *et seq.*; 42 U.S.C. 2139a; 22 U.S.C. 7201 *et seq.*; 22 U.S.C. 7210; E.O. 12058, 43 FR 20947, 3 CFR, 1978 Comp., p. 179; E.O. 12851, 58 FR 33181, 3 CFR, 1993 Comp., p. 608; E.O. 12938, 59 FR 59099, 3 CFR, 1994 Comp., p. 950; E.O. 12947, 60 FR 5079, 3 CFR, 1995 Comp., p. 356; E.O. 13026, 61 FR 58767, 3 CFR, 1996 Comp., p. 228; E.O. 13099, 63 FR 45167, 3 CFR, 1998 Comp., p. 208; E.O. 13222, 66 FR 44025, 3 CFR, 2001 Comp., p. 783; E.O. 13224, 66 FR 49079, 3 CFR, 2001 Comp., p. 786; Notice of August 4, 2016, 81 FR 52587 (August 8, 2016); Notice of September 15, 2016, 81 FR 64343 (September 19, 2016); Notice of November 8, 2016, 81 FR 79379 (November 10, 2016); Notice of January 13, 2017, 82 FR 6165 (January 18, 2017).

■ 2. Supplement No. 6 to Part 744 is amended by:

- a. Adding one entry, in alphabetical order, for “Azerbaijan”;
- b. Adding three entries, in alphabetical order, under “China”;
- c. Revising the entries for “Brilliance Technology Ltd” and “Ling Ao Electronic Technology Co. Ltd.” under “Hong Kong”;
- d. Adding one entry, in alphabetical order, for “Lebanon”; and
- e. Adding one entry, in alphabetical order, under “United Arab Emirates”.

The additions and revisions read as follows:

Supplement No. 6 to Part 744—Unverified List

* * * * *

Country	Listed person and address	Federal Register citation and date of publication
AZERBAIJAN	Caspian Oil Montaj, Office 39, Block B, 30 Kaverochkin Street, Baku, Azerbaijan.	82 FR [INSERT Federal Register PAGE NUMBER] April 6, 2017.
* * * * *		
CHINA	ARI International, Ltd., Room 1208, Block B, Jiangsu Building, No. 6013 Yitian Road, Futian District, Shenzhen, China.	82 FR [INSERT Federal Register PAGE NUMBER] April 6, 2017.
* * * * *		
	Jiangsu HNH Equipment Co., Ltd., No. 9, Xiangtuo West Road, Yixing City, Jiangsu Province, China.	82 FR [INSERT Federal Register PAGE NUMBER] April 6, 2017.
	Shenzhen Winthought Tech, Room 223, Zhong Xing Industrial City, Chuangye Road, Nanshan District, Shenzhen, China.	82 FR [INSERT Federal Register PAGE NUMBER] April 6, 2017.

Country	Listed person and address	Federal Register citation and date of publication
HONG KONG	Brilliance Technology Ltd, a.k.a., Brilliance Technology Group, Flat A, 11/F, Adolfo Mansion, 114–116 Austin Road, Tsim Sha Tsui, Yau Tsim Mong, Hong Kong; and Rm. 1203, 12/F, Hip Kwan Commercial Bldg., 38 Pitt Street, Yau Ma Tei, Yau Tsim Mong, Hong Kong.	79 FR 34220, June 16, 2014. 82 FR [INSERT Federal Register PAGE NUMBER] April 6, 2017.
	Ling Ao Electronic Technology Co. Ltd., a.k.a. Voyage Technology (HK) Co. Ltd., a.k.a. Xuan Qi Technology Co., Ltd. Room 17, 7/F, Metro Centre Phase 1, No. 32 Lam Hing St., Kowloon Bay, Kwun Tong, Hong Kong; and 15B, 15/F, Cheuk Nang Plaza, 250 Hennessy Road, Wanchai, Hong Kong; and Flat C, 11/F, Block No. 2, Camelpaint Bldg. 62 Hoi Yuen Street, Kwun Tong, Kowloon, Hong Kong; and Room C1–D, 6/F, Wing Hing Industrial Building 14 Hing Yip Street, Kwun Tong, Kowloon, Hong Kong; and Flat/Rm. A30, 9/F Silvercorp International Tower, 707–713 Nathan Road, Mongkok, Kowloon, Hong Kong; and Room, 912A, 9/F. Witty Commercial Building, 1A–1L Tung Choi Street, Mongkok, Kowloon, Hong Kong; and Unit A, 7/F, King Yip Factory Bldg., 59 King Yip Street, Kwun Tong, Kowloon, Hong Kong.	80 FR 4779, January 29, 2015. 80 FR 60529, October 7, 2015. 82 FR [INSERT Federal Register PAGE NUMBER] April 6, 2017.
LEBANON	Al Ghayth Trade and Transport, 1st Floor, Bohsali Bldg., Beirut Port Street, Beirut, Lebanon.	82 FR [INSERT Federal Register PAGE NUMBER] April 6, 2017.
UNITED ARAB EMIRATES	Blue Wing General Trading, Damas Tower #506, Al Maktoum Road, Dubai, UAE.	82 FR [INSERT Federal Register PAGE NUMBER] April 6, 2017.

Dated: March 29, 2017.

Matthew S. Borman,

Deputy Assistant Secretary for Export Administration.

[FR Doc. 2017–06857 Filed 4–5–17; 8:45 am]

BILLING CODE 3510–33–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 1

[Docket No. FDA–2013–N–0013]

Waivers From Requirements of the Sanitary Transportation of Human and Animal Food Rule

AGENCY: Food and Drug Administration, HHS.

ACTION: Notification.

SUMMARY: The Food and Drug Administration (FDA, Agency, or we) is publishing three waivers from the requirements of the Sanitary Transportation of Human and Animal Food (the Sanitary Transportation rule). The Agency is taking this action in accord with the requirements of the

Federal Food, Drug, and Cosmetic Act (FD&C Act).

DATES: The waivers are effective as of April 6, 2017.

FOR FURTHER INFORMATION CONTACT: Michael Kashtock, Center for Food Safety and Applied Nutrition, Food and Drug Administration, 5001 Campus Dr., College Park, MD 20740, 240–402–2022, Michael.Kashtock@fda.hhs.gov.

SUPPLEMENTARY INFORMATION:

I. Background

In a proposed rule published on February 5, 2014 (79 FR 7006), entitled “Sanitary Transportation of Human and Animal Food,” the Agency announced that it had tentatively determined that, in accordance with the provisions of section 416 (21 U.S.C. 350e) of the FD&C Act,¹ it would be appropriate to waive the applicable provisions of the rule, if finalized as proposed, with

¹ Section 416(d) of the FD&C Act states that the Secretary of Health and Human Services may waive any requirement under this section, with respect to any class of persons, vehicles, food, or nonfood products, if the Secretary determines that the waiver will not result in the transportation of food under conditions that would be unsafe for human or animal health; and will not be contrary to the public interest.

respect to the following classes of persons:

- Shippers, carriers, and receivers who hold valid permits and are inspected under the National Conference on Interstate Milk Shipments Grade “A” Milk Safety Program, only when engaged in transportation operations involving Grade “A” milk and milk products and
- Food establishments holding valid permits, only when engaged in transportation operations as receivers, or as shippers and carriers in operations in which food is relinquished to consumers after transportation from the establishment.

We requested comment regarding whether these proposed waivers could result in the transportation of food under conditions that would be unsafe for human or animal health, or could be contrary to the public interest. We did not receive any comments with information indicating that these waivers would lead to these outcomes. We published the final rule on April 6, 2016 (81 FR 20091), and established an effective date of June 6, 2016, but did not finalize the proposed waivers at that time, stating that we intended to do so prior to the rule’s initial compliance

date of April 6, 2017 (81 FR 20091 at 20106). We are finalizing these waivers through this notification. These waivers are effective upon publication of this notification. In the final rule, we also stated that we would discuss, in a subsequent notice, our thinking on comments we received asking us to consider publishing an additional waiver for transportation operations for molluscan shellfish for entities that hold valid State permits under the National Shellfish Sanitation Program (NSSP) (81 FR 20091 at 20106).

In response to the proposed rule, we did receive comments requesting that we modify or expand the scope of these waivers beyond that which we discussed in the proposed rule. We received information from an organization representing institutional foodservice establishments that provided details about the operational practices of these establishments relevant to the scope of the proposed waiver.

We have evaluated the comments and information that we received to determine whether we should modify any of the waivers. We have modified the language of the waivers to clarify their applicability only to businesses subject to the requirements of 21 CFR part 1, subpart O. We have made a clarification to the Grade "A" milk waiver to specify that it applies to the transportation of bulk and finished Grade "A" milk products. We have also made clarifications to the food establishment waiver to better express the types of businesses within its scope, and to incorporate established definitions in 21 CFR 1.227 to describe the food establishments for which this waiver is available. We have also revised the language of this waiver to make clear that it applies to receiving and delivery operations of a food establishment that are part of the normal business operations of the establishment. In addition, we have modified the language of the food establishment waiver to recognize that State or local authorities may vary in the methods they use to authorize establishments to operate. We have included our analysis of these comments as a reference to this notice (Ref. 1). We also are making this document available at <https://www.fda.gov/Food/GuidanceRegulation/FSMA/ucm383763.htm>.

In addition, we have evaluated comments we received asking us to consider publishing an additional waiver for certain transportation operations for molluscan shellfish performed by persons that hold valid

State permits (meaning that they are appropriately certified) under the NSSP.

Participants in the NSSP include agencies from shellfish producing and non-producing States, FDA, the Environmental Protection Agency, the National Oceanic and Atmospheric Administration, and the shellfish industry. Under international agreements with FDA, foreign governments also participate in the NSSP. The purpose of the program is to promote and improve the sanitation of shellfish (oysters, clams, mussels, and scallops) moving in interstate commerce through Federal/State cooperation and uniformity of State shellfish programs. The NSSP uses as its basic standard the Guide for the Control of Molluscan Shellfish (GCMS), which incorporates a Model Ordinance and related materials (Ref. 2). The Model Ordinance provides readily adoptable standards and administrative practices necessary for the sanitary control of molluscan shellfish. Provisions of the GCMS and the NSSP address several aspects of the transportation of molluscan shellfish in interstate commerce including requirements for conveyances, containers used for holding product during transportation, sanitation and temperature control. Through their participation in the NSSP and membership in the Interstate Shellfish Sanitation Conference, states have agreed to enforce the Model Ordinance as the requirements which are minimally necessary for the sanitary control of molluscan shellfish.

The GCMS, and the state regulations modeled after it, specify that every shellstock shipper, *i.e.*, a dealer who grows, harvests, buys, or repacks and sells shellstock (live molluscan shellfish in the shell) shall be certified by a State shellfish control authority or its designated agents. Furthermore, when any requirement of the NSSP is violated, the shipper could be subject to decertification.

We have determined that waiving the requirements of part 1, subpart O, with respect to shippers, loaders, carriers, and receivers who are appropriately certified and inspected under the NSSP, would not result in the transportation of food under conditions that would be unsafe for human or animal health and would not be contrary to the public interest. Specifically, we have determined that shippers, loaders, carriers, and receivers who are appropriately certified and are inspected under the NSSP, and transport molluscan shellfish in vehicles that are permitted, or otherwise appropriately licensed by the State NSSP certification authority, by

complying with requirements that are based upon those set forth in the GCMS, are using sanitary transportation practices to ensure that molluscan shellfish are not transported under conditions that may render such products unsafe.

In accordance with the requirements of section 416 of the FD&C Act, by this notice we are waiving the following persons from the applicable requirements of the Sanitary Transportation rule:

- Businesses subject to the requirements of part 1, subpart O, that hold valid permits and are inspected under the National Conference on Interstate Milk Shipments' Grade "A" Milk Safety Program, only when engaged in transportation operations involving bulk and finished Grade "A" milk and milk products.
- Businesses subject to the requirements of part 1, subpart O, that are permitted or otherwise authorized by the regulatory authority to operate a food establishment that provides food directly to consumers (*i.e.*, restaurants, retail food establishments, and nonprofit food establishments as defined in 21 CFR 1.227), only when engaged in transportation operations as:
 - Receivers, whether the food is received at the establishment itself or at a location where the authorized establishment receives and immediately transports the food to the food establishment;
 - shippers and carriers in operations in which food is transported from the establishment as part of the normal business operations of a retail establishment, such as:
 - Delivery of the food directly to the consumer(s) by the authorized establishment or a third-party delivery service or;
 - delivery of the food to another location operated by the authorized establishment or an affiliated establishment where the food is to be sold or served directly to the consumer(s).
- Businesses subject to the requirements of part 1, subpart O, that are appropriately certified and are inspected under the requirements established by the Interstate Shellfish Sanitation Conference's NSSP, only when engaged in transportation operations involving molluscan shellfish in vehicles that are permitted by the State NSSP certification authority.

These waivers are effective upon publication of this notification. The issuance of these waivers is deregulatory in nature because they lessen the burden imposed on shippers,

receivers, loaders, and carriers engaged in transportation operations without impairing our ability to ensure the safety of food. The waivers will remove certain classes of persons from having to comply with the requirements of part 1, subpart O.

II. References

The following references are on display in the Division of Dockets Management (HFA-305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852, and are available for viewing by interested persons between 9 a.m. and 4 p.m., Monday through Friday; they are also available electronically at <https://www.regulations.gov>. FDA has verified the Web site addresses, as of the date this document publishes in the **Federal Register**, but Web sites are subject to change over time.

1. Food and Drug Administration Center for Food Safety and Applied Nutrition Analysis of Comments Submitted to Docket FDA 2013-N-0013 Regarding Waivers from the Requirements of 21 CFR part 1, subpart O—Sanitary Transportation of Human and Animal Food, March 2017. Available also at <https://www.fda.gov/Food/GuidanceRegulation/FSMA/ucm383763.htm>.

2. “National Shellfish Sanitation Program (NSSP) Guide for the Control of Molluscan Shellfish 2015 Revision”, available at: <http://www.fda.gov/downloads/Food/GuidanceRegulation/FederalStateFoodPrograms/UCM505093.pdf>.

Dated: April 3, 2017.

Leslie Kux,

Associate Commissioner for Policy.

[FR Doc. 2017-06854 Filed 4-5-17; 8:45 am]

BILLING CODE 4164-01-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG-2017-0147]

Drawbridge Operation Regulation; Yellow Mill Channel, Bridgeport, CT

AGENCY: Coast Guard, DHS.

ACTION: Notice of deviation from drawbridge regulation.

SUMMARY: The Coast Guard has issued a temporary deviation from the operating schedule that governs the Stratford Avenue Bridge across Yellow Mill Channel, mile 0.3 at Bridgeport,

Connecticut. This deviation is necessary to complete electrical repairs, install new rebar and concrete, repair/replace structural steel, and retrofit navigation lighting. This deviation allows the bridge to remain fully closed for two weeks followed by a two-week period during which the bridge will open for vessels upon 72 hours of advance notice.

DATES: This deviation is effective from 12:01 a.m. on April 1, 2017 to 12:01 a.m. on May 1, 2017.

ADDRESSES: The docket for this deviation, USCG-2017-0147, is available at <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 deviation.

FOR FURTHER INFORMATION CONTACT: If you have questions on this temporary deviation, call or email James M. Moore, Bridge Management Specialist, First District Bridge Branch, U.S. Coast Guard; telephone 212-514-4334, email james.m.moore2@uscg.mil.

SUPPLEMENTARY INFORMATION: The Connecticut Department of Transportation, the owner of the bridge, requested a temporary deviation to facilitate rehabilitation of the bridge and bascule leaves. The Stratford Avenue Bridge, across Yellow Mill Channel, mile 0.3 at Bridgeport, Connecticut is a double-leaf bascule bridge offering mariners a vertical clearance of 11 feet at mean high water and 17 feet at mean low water in the closed position. The existing drawbridge operating regulations are listed at 33 CFR 117.225.

The bulk of traffic utilizing the waterway is recreational in nature, requiring only occasional openings of the bridge in order to proceed.

Under this temporary deviation, the Stratford Avenue Bridge shall remain in the closed position from April 1, 2017 to April 15, 2017. Between April 15, 2017 and May 1, 2017, the span will open for the passage of vessels requiring an opening provided 72 hours of advance notice is furnished to the owner of the bridge.

Vessels that can pass under the bridge without an opening may do so at all times. The bridge will not be able to open for emergencies. There is no alternate route for vessels to pass.

The Coast Guard will also inform the users of the waterways through our Local and Broadcast Notices to Mariners of the change in operating schedule for the bridge so that vessel operators can arrange their transits to minimize any impact caused by the temporary deviation.

In accordance with 33 CFR 117.35(e), the drawbridge must return to its regular operating schedule immediately at the end of the effective period of this temporary deviation. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: March 31, 2017.

C.J. Bisignano,

Supervisory Bridge Management Specialist, First Coast Guard District.

[FR Doc. 2017-06818 Filed 4-5-17; 8:45 am]

BILLING CODE 9110-04-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG-2017-0048]

Drawbridge Operation Regulation; Atlantic Beach Bridge, Reynolds Channel, Lawrence, NY

AGENCY: Coast Guard, DHS.

ACTION: Notice of deviation from drawbridge regulation.

SUMMARY: The Coast Guard has issued a temporary deviation from the operating schedule that governs the Atlantic Beach Bridge across Reynolds Channel, mile 0.4 at Lawrence, New York. This action is necessary to recoat the superstructure and reconstruct the double-leaf bascule spans in three sequential two month stages within six months. The deviation will allow the bridge to open only one bascule span at a time in order to provide passage for vessels that require an opening.

DATES: This deviation is effective from 12:01 a.m. on April 17, 2017 to 11:59 p.m. on October 13, 2017.

ADDRESSES: The docket for this deviation, USCG-2017-0048 is available at <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 deviation.

FOR FURTHER INFORMATION CONTACT: If you have questions on this temporary deviation, call or email James M. Moore, Bridge Management Specialist, First District Bridge Branch, U.S. Coast Guard; telephone 212-514-4334, email james.m.moore2@uscg.mil.

SUPPLEMENTARY INFORMATION: The Nassau County Bridge Authority, the owner of the bridge, requested a temporary deviation in order to facilitate reconstruction of the bascule leaves. The Atlantic Beach Bridge across Reynolds Channel, mile 0.4 at

Lawrence, New York is a double-leaf bascule bridge offering mariners a vertical clearance of 25 feet at mean high water and 30 feet at mean low water in the closed position. Installation of a work platform underneath the bascule spans will reduce available vertical clearance in the closed position to 21.5 feet at mean high water. The existing drawbridge operating regulations are listed at 33 CFR 117.799(e).

The bridge generally opens four times per week allowing for routine passage of towing vessels with tank barges or dry cargo barges. The bulk of other vessel traffic is predominately recreational not requiring an opening in order to proceed through the draw.

The temporary deviation will allow the Atlantic Beach Bridge to open only one of the two bascule spans for bridge openings from 12:01 a.m. on April 17, 2017 to 11:59 p.m. on October 13, 2017.

Between April 17, 2017 and May 14, 2017 dual lift span operations will be permitted for commercial vessels and tug/barge units provided a 48 hour advance notice and 24 hour advance confirmation has been provided from 7 a.m. Monday through 6 p.m. Friday. Between April 17, 2017 and May 14, 2017, from 6 p.m. Friday through 7 a.m. Monday, dual bascule lift span operations will be offered for vessels requiring an opening every hour on the hour.

Between May 15, 2017 and October 13, 2017 single leaf bascule openings will be offered upon signal except that the draw need only be opened on the hour and half-hour between 4 p.m. and 7 p.m. Monday through Friday. Dual lift span operations will be permitted for commercial vessels and tug/barge units provided a 48 hour advance notice and 24 hour advance confirmation has been provided. Dual lift span operation will occur every hour on the hour and half-hour as needed on weekends from May 15, 2017 through October 13, 2017 from 7 p.m. Friday to 7 a.m. Monday in addition to Memorial Day, Independence Day (4th of July), and Labor Day.

Vessels that can pass under the bridge without an opening may do so at all times. The bridge will be able to open for emergencies and there is an alternate route for vessels unable to pass through the bridge when in the closed position.

The Coast Guard will also inform the users of the waterways through our Local and Broadcast Notices to Mariners of the change in operating schedule for the bridge so that vessel operators can arrange their transits to minimize any impact caused by this temporary deviation.

In accordance with 33 CFR 117.35(e), the drawbridge must return to its regular operating schedule immediately at the end of the effective period of this temporary deviation. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: March 31, 2017.

C.J. Bisignano,

*Supervisory Bridge Management Specialist,
First Coast Guard District.*

[FR Doc. 2017-06817 Filed 4-5-17; 8:45 am]

BILLING CODE 9110-04-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 63

[EPA-HQ-OAR-2009-0234; FRL-9958-30-OAR]

RIN 2060-AS75

Mercury and Air Toxics Standards (MATS) Electronic Reporting Requirements

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is amending the electronic reporting requirements for the National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units (also known as the Mercury and Air Toxics Standards (MATS)) to allow for the temporary submission, through June 30, 2018, of certain reports using the portable document file (PDF) format and to correct inadvertent errors. With this action owners or operators of Electric Utility Steam Generating Units (EGUs) will be able to continue to use temporarily a single electronic reporting system for MATS data submissions, to rely on correct language for mercury (Hg) relative accuracy test audit (RATA) requirements, and to rely on the correct acceptance criterion for ongoing quality assurance test requirements for Hg RATAs. This extension will allow the EPA the necessary time to develop, implement, and test the code necessary so that all MATS reports required to be submitted electronically can be submitted using the Emissions Collection and Monitoring Plan System (ECMPS) Client Tool.

DATES: This final rule is effective on April 6, 2017.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA-HQ-OAR-2009-0234. 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 electronically through <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: Mr. Barrett Parker, Sector Policies and Programs Division, Office of Air Quality Planning and Standards (D243-05), Environmental Protection Agency, Research Triangle Park, NC 27711; telephone number: (919) 541-5635; email address: parker.barrett@epa.gov.

SUPPLEMENTARY INFORMATION:
Organization of the document.

The information in this preamble is organized as follows:

- I. Why is the EPA issuing this final rule?
- II. General Information
 - A. Does this final rule apply to me?
 - B. What is the scope of these amendments?
 - C. What is the purpose of these amendments?
 - D. What action is the agency taking?
 - E. What are the incremental costs and benefits of this action?
 - F. Judicial Review and Administrative Reconsideration
 - G. What is the effective date of this rule?
- III. Statutory and Executive Orders 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
 - J. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations
 - K. Congressional Review Act (CRA)

I. Why is the EPA issuing this final rule?

As explained in the MATS Completion of Electronic Reporting Requirements proposal (see 81 FR 67062, September 29, 2016), the EPA proposed to amend the MATS electronic

reporting requirements by revising and streamlining the electronic data reporting requirements for owners and operators of EGUs that use performance stack testing or continuous monitoring to demonstrate compliance. Such an approach, based on the ECMPS Client Tool only, was requested by industry stakeholders and would increase data transparency by providing the public and regulatory authorities with enhanced access to MATS data. In addition to proposing a single electronic reporting submission system, the proposal identified associated regulatory text changes, proposed to correct inadvertent errors in appendix A of 40 CFR part 63, subpart UUUUU carried over from the final Technical Corrections rule (see 81 FR 20712, April 6, 2016), proposed to revise appendix B to facilitate use of hydrogen chloride continuous emission monitoring systems (CEMS) operating in accordance with newly-promulgated Performance Specification 18, proposed to add appendices C and D to identify reporting requirements for users of particulate matter (PM) CEMS and PM continuous parameter monitoring systems (CPMS), identified in appendix E the electronic data elements already required to be reported, and proposed to require quarterly—rather than semiannual—compliance reports. Based

on requests for additional time to prepare comments, the proposal’s comment period was extended for an additional 15 days (see 81 FR 75365, October 31, 2016).

Commenters generally supported the proposal. They also provided many ideas regarding merging the electronic submission systems. Many commenters suggested extending the interim regulatory deadline (April 16, 2017) that allows submission of non-ECMPS ready reports in PDF format. We originally established this deadline to allow temporary submission in PDF format while we make and implement the changes to the ECMPS Client Tool necessary for a single electronic reporting system. After considering the comments received and factoring in the time necessary to provide complete responses to all significant comments, we have decided to take final action on just a portion of the proposal. Specifically, we have decided to extend the interim submission regulatory deadline and make two corrections to appendix A. We may take final action on the other proposed changes in a separate rulemaking, which would be conducted later.

No comments were received in opposition to extending the interim submission regulatory deadline from April 16, 2017, to December 31, 2017.

However, a few commenters suggested replacing a date certain deadline with a fixed time period after promulgation, in order to provide a smooth transition to the single electronic reporting system. We may choose to adapt such an approach at a future date, but for now, we believe a deadline of June 30, 2018, will provide certainty to industry stakeholders, third party programmers, regulatory authorities, the public, and the EPA. We believe that date will give us adequate time to complete our review, respond to comments, and promulgate a separate final rule addressing the remaining issues in the September 29, 2016 proposal. In addition, we believe other important items, such as guidance and programming, will be well on their way to completion by that date. Moreover, that date coincides with the end of a reporting period.

No comments were received in opposition to making the two corrections to appendix A. As many owners and operators of EGUs currently rely on Hg CEMS for compliance purposes, we believe it important to make these corrections at this time.

II. General Information

A. Does this final rule apply to me?

Categories and entities potentially affected by this action include:

Category	NAICS code ¹	Examples of potentially regulated entities
Industry	221112	Fossil fuel-fired electric utility steam generating units.
Federal government	² 221122	Fossil fuel-fired electric utility steam generating units owned by the Federal government.
State/local/Tribal government	² 221122	Fossil fuel-fired electric utility steam generating units owned by municipalities.
	921150	Fossil fuel-fired electric utility steam generating units in Indian country.

¹ North American Industry Classification System.

² Federal, State, or local government-owned and operated establishments are classified according to the activity in which they are engaged.

This table is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be regulated by this action. This table lists the types of entities that the EPA is now aware could potentially be regulated by this action. Other types of entities not listed in the table could also be regulated. To determine whether an entity is regulated by this action, please examine the applicability criteria found in 40 CFR 63.9981 of the rule. For questions regarding the applicability of this action to a particular entity, consult either the air permitting authority for the entity or your EPA Regional representative as listed in 40 CFR 63.13.

B. What is the scope of these amendments?

This rule extends the interim PDF reporting process described in 40 CFR

63.10031(f) from April 16, 2017, to June 30, 2018. In addition, this rule amends the text in 40 CFR 63.10021(e)(9) and in 40 CFR 63.10031(f) related to this extension. Finally, this action clarifies instructions in section 4.1.1.5.2 of appendix A with regard to calculating Hg RATA results and conditions described in Table A–2 of appendix A for demonstrating compliance with ongoing Hg measurement instrument quality assurance requirements.

C. What is the purpose of these amendments?

As mentioned earlier, the purpose of these amendments is to extend through June 30, 2018, the temporary submission of certain reports using the PDF format and to correct inadvertent errors in appendix A. Without this action, owners or operators of EGUs

would have to use separate electronic reporting systems for MATS submissions, rely on incorrect language for Hg RATA requirements, or rely on an unclear acceptance criterion for ongoing quality assurance test requirements for Hg RATAs. This extension is intended to allow us the necessary time to develop, implement, and test the code necessary so that all MATS electronic reports can be submitted using the ECMPS Client Tool. The corrections to appendix A are intended to ensure that owners and operators of EGUs have clear and correct instructions with regard to calculating Hg RATA results and demonstrating compliance with ongoing Hg measurement instrument quality assurance requirements.

D. What action is the agency taking?

This action amends parts of 40 CFR part 63, subpart UUUUU. The amendments are discussed in the paragraphs below.

1. Revisions to Tune-Up Reporting Requirements in 40 CFR 63.10021

The tune-up reporting section of MATS, *i.e.*, 40 CFR 63.10021(e)(9), is amended to extend through June 30, 2018, the temporary submission of certain tune-up reports using the PDF format. Starting on and after July 1, 2018, the tune-up reports must be submitted as described in 40 CFR 63.10031(f).

2. Revisions to Reporting Requirements in 40 CFR 63.10031

The deadline for temporary submission of certain reports in PDF format using the ECMPs Client Tool, as described in 40 CFR 63.10031(f)(6), is amended to extend through June 30, 2018. On and after July 1, 2018, the performance test reports, CEMS performance evaluation test reports, quarterly reports for PM or hazardous air pollutant metals CEMS or PM CPMS, compliance reports, and notification of compliance status reports, as described in 40 CFR 63.10031(f), (f)(1), (f)(2), and (f)(4), must be submitted to the EPA's Compliance and Emissions Data Reporting Interface that is accessed through EPA's Central Data Exchange (www.epa.gov/cdx).

3. Revisions to Appendix A

This rule makes two corrections to the Hg monitoring provisions of appendix A.

First, in the MATS Technical Corrections rule package, which was published on April 6, 2016 (see 81 FR 20172, April 6, 2016), there is language in section 4.1.1.5.2 of appendix A describing an alternate way to calculate and interpret RATA results when Hg emissions are less than 50 percent of the standard. This language was inadvertently carried over from the MATS Technical Corrections proposed rule and conflicts with the alternate relative accuracy (RA) specification in Table A-1 of the final rule. That language is deleted.

Second, the MATS Technical Corrections final rule contains an inconsistency of the Hg RATA acceptance criteria in Table A-2 versus that in Table A-1. This final rule amends Table A-2 to make it consistent with Table A-1 so that the 20-percent RA specification in Table A-1 may be applied at any reference method concentration level and the alternate specification applies only when the

average reference method value (RM_{avg}) is < 2.5 micrograms per standard cubic meter ($\mu\text{g}/\text{scm}$).

E. What are the incremental costs and benefits of this action?

This action extends the deadline for temporary submission of certain reports using the PDF format and corrects inadvertent errors in appendix A. It does not promulgate substantive changes to the February 2012 final MATS rule (77 FR 9304). Therefore, there are no incremental costs and benefits associated with this final action. The costs and benefits associated with MATS are discussed in detail in the February 16, 2012, final MATS rule.

F. Judicial Review and Administrative Reconsideration

Under CAA section 307(b)(1), judicial review of this final action is available only by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit by June 5, 2017. Under CAA section 307(b)(2), the requirements established by these final rules may not be challenged separately in any civil or criminal proceedings brought by the EPA to enforce the requirements.

Section 307(d)(7)(B) of the CAA further provides that “[o]nly an objection to a rule or procedure which was raised with reasonable specificity during the period for public comment (including any public hearing) may be raised during judicial review.” This section also provides a mechanism for the EPA to reconsider the rule “[i]f the person raising an objection can demonstrate to the Administrator 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 should submit a Petition for Reconsideration to the Office of the Administrator, U.S. EPA, Room 3000, EPA WJC South 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.

G. What is the effective date of this rule?

We are making these amendments effective upon publication of this action.

This timeframe for the effective date is appropriate because the EPA is issuing this final rule under section 307(d) of the CAA. Section 553(d) of the Administrative Procedure Act (APA), 5 U.S.C. Chapter 5, generally provides that rules may not take effect earlier than 30 days after they are published in the **Federal Register**. CAA section 307(d)(1) clarifies that: “The provisions of section 553 through 557 * * * of Title 5 shall not, except as expressly provided in this section, apply to actions to which this subsection applies.” Thus, section 553(d) of the APA does not apply to this rule. Rather the effective date of this rule is governed by CAA Section 112(d)(10), which provides that “Emission standards or other regulations promulgated under this subsection shall be effective upon promulgation.” Accordingly, we are making this rule effective upon publication in the **Federal Register**. Additionally, making this rule effective upon publication in the **Federal Register** will allow the CFR to be updated more quickly, which will provide greater notice of these amendments to EGU owners or operators affected by this final action.

III. Statutory and Executive Orders Reviews

Additional information about these statutes and Executive Orders can be found at <http://www.epa.gov/laws-regulations/laws-and-executive-orders>.

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 Office of Management and Budget (OMB) for review.

B. Paperwork Reduction Act (PRA)

This action does not impose any new information collection burden under the PRA. OMB has previously approved the information collection activities contained in the existing regulations and has assigned OMB control number 2060-0567. The agency believes this action does not impose an information collection burden because it does not change the information collection requirements.

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. In making this determination, the impact of concern is any significant adverse economic impact on small entities. An agency may

certify that a rule will not have a significant economic impact on a substantial number of small entities if the rule relieves regulatory burden, has no net burden or otherwise has a positive economic effect on the small entities subject to the rule. These amendments create no new requirements or burdens, and no costs to small entities would be associated with these amendments. We have therefore concluded that this action will have no net regulatory burden for all directly regulated small entities.

D. Unfunded Mandates Reform Act (UMRA)

This action does not contain an unfunded mandate of \$100 million or more 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. The final amendments would impose no requirements on tribal governments. 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

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 does not have disproportionately high and adverse human health or environmental effects on minority, low-income, and/or indigenous peoples, as specified in Executive Order 12898 (59 FR 7629, February 16, 1994). This action does not affect the level of protection provided to human health or the environment. The final amendments are either alternate, temporary reporting instructions or corrections which will neither increase nor decrease environmental protection.

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 63

Environmental protection, Administrative practice and procedure, Air pollution control, Hazardous substances, Intergovernmental relations, Reporting and recordkeeping requirements.

Dated: March 29, 2017.

E. Scott Pruitt,
Administrator.

For the reasons set forth in the preamble, EPA amends 40 CFR part 63 as follows:

PART 63—NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR SOURCE CATEGORIES

■ 1. The authority citation for part 63 continues to read as follows:

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

Subpart UUUUU—National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units

■ 2. Section 63.10021 is amended by revising the first and second sentences of paragraph (e)(9) to read as follows:

§ 63.10021 How do I demonstrate continuous compliance with the emission limitations, operating limits, and work practice standards?

* * * * *

(e) * * *

(9) Report the dates of the initial and subsequent tune-ups in hard copy, as specified in § 63.10031(f)(5), through June 30, 2018. On or after July 1, 2018, report the date of all tune-ups electronically, in accordance with § 63.10031(f). * * *

* * * * *

■ 3. Section 63.10031 is amended by revising the first sentence of paragraphs (f) introductory text, (f)(1), (2), and (4), and (f)(6) introductory text.

The revised text reads as follows:

§ 63.10031 What reports must I submit and when?

* * * * *

(f) On or after July 1, 2018, within 60 days after the date of completing each performance test, you must submit the performance test reports required by this subpart to the EPA’s WebFIRE database by using the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through the EPA’s Central Data Exchange (CDX) (www.epa.gov/cdx). * * *

(1) On or after July 1, 2018, within 60 days after the date of completing each CEMS (SO₂, PM, HCl, HF, and Hg) performance evaluation test, as defined in § 63.2 and required by this subpart, you must submit the relative accuracy test audit (RATA) data (or, for PM CEMS, RCA and RRA data) required by this subpart to EPA’s WebFIRE database by using CEDRI that is accessed through EPA’s CDX (www.epa.gov/cdx). * * *

(2) On or after July 1, 2018, for a PM CEMS, PM CPMS, or approved alternative monitoring using a HAP metals CEMS, within 60 days after the reporting periods ending on March 31st, June 30th, September 30th, and December 31st, you must submit quarterly reports to the EPA’s WebFIRE database by using the CEDRI that is accessed through the EPA’s CDX (www.epa.gov/cdx). * * *

* * * * *

(4) On or after July 1, 2018, submit the compliance reports required under paragraphs (c) and (d) of this section and the notification of compliance status required under § 63.10030(e) to the EPA’s WebFIRE database by using the CEDRI that is accessed through the EPA’s CDX (www.epa.gov/cdx). * * *

* * * * *

(6) Prior to July 1, 2018, all reports subject to electronic submittal in paragraphs (f) introductory text, (f)(1),

(2), and (4) shall be submitted to the EPA at the frequency specified in those paragraphs in electronic portable document format (PDF) using the ECMP Client Tool. * * *

■ 4. Appendix A to Subpart UUUUU is amended by:

- a. Revising section 4.1.1.5.2; and
- b. Revising the entry “RATA” in Table A–2.

The revised text reads as follows:

Appendix A to Subpart UUUUU of Part 63—Hg Monitoring Provisions

* * * * *

4. Certification and Recertification Requirements

* * * * *

4.1.1.5.2 Calculation of RATA Results.

Calculate the relative accuracy (RA) of the monitoring system, on a µg/scm basis, as described in section 12 of Performance Specification (PS) 2 in appendix B to part 60 of this chapter (see Equations 2–3 through

2–6 of PS 2). For purposes of calculating the relative accuracy, ensure that the reference method and monitoring system data are on a consistent basis, either wet or dry. The CEMS must either meet the main performance specification or the alternative specification in Table A–1 of this appendix.

* * * * *

5. Ongoing Quality Assurance (QA) and Data Validation

* * * * *

TABLE A–2—ON-GOING QA TEST REQUIREMENTS FOR HG CEMS

Perform this type of QA test	At this frequency	With these qualifications and exceptions	Acceptance criteria
RATA	Annual ⁴	<ul style="list-style-type: none"> • Test deadline may be extended for “non-QA operating quarters,” up to a maximum of 8 quarters from the quarter of the previous test. • 720 operating hour grace period available 	≤20.0% RA or $|RM_{avg} - C_{avg}| + |CC| \leq 0.5 \mu\text{g}/\text{scm}$, if $RM_{avg} < 2.5 \mu\text{g}/\text{scm}$.

* * * * *

⁴“Annual” means once every four QA operating quarters.

* * * * *

* * * * *

[FR Doc. 2017–06884 Filed 4–5–17; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 81

[EPA–R05–OAR–2016–0277; FRL–9960–91–Region 5]

Reclassification of the Sheboygan, Wisconsin Area To Moderate Nonattainment for the 2008 Ozone National Ambient Air Quality Standards; Correction

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; correction.

SUMMARY: The Environmental Protection Agency (EPA) published a final rule in the *Federal Register* on December 19, 2016, revising its regulations entitled “Designation of Areas for Air Quality Planning Purposes” for the 2008 ozone National Ambient Air Quality Standards (NAAQS). An error in the table for the Wisconsin 2008 8-Hour Ozone NAAQS

is identified and corrected in this action.

DATES: This final rule is effective on April 6, 2017.

FOR FURTHER INFORMATION CONTACT: Kathleen D’Agostino, Environmental Scientist, Attainment Planning and Maintenance Section, Air Programs Branch (AR–18)), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886–1767, dagostino.kathleen@epa.gov.

SUPPLEMENTARY INFORMATION: EPA published a final rule document on December 19, 2016, (81 FR 91841) updating 40 CFR part 81, “Designation of Areas for Air Quality Planning Purposes” for the 2008 8-Hour Ozone NAAQS. This final rule included a revision to 40 CFR 81.350 reclassifying the Sheboygan, Wisconsin area (Sheboygan County) as “moderate” nonattainment for the 2008 ozone NAAQS. The entry for the Sheboygan County designated area in the Wisconsin-2008 8-Hour Ozone NAAQS (Primary and secondary) table erroneously indicated that the effective date of the classification is January 18, 2017 when, in fact, the effective date should have been December 19, 2016.

81 FR 91846. Therefore, the entry for the Sheboygan County area is being corrected to reflect the correct classification date.

List of Subjects in 40 CFR Part 81

Environmental protection, Air pollution control, National parks, Wilderness areas.

Dated: March 21, 2017.

Robert A. Kaplan,
Acting Regional Administrator, Region 5.

40 CFR part 81 is amended by the following correcting amendment:

PART 81—DESIGNATION OF AREAS FOR AIR QUALITY PLANNING PURPOSES

■ 1. The authority citation for part 81 continues to read as follows:

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

■ 2. In § 81.350, the table entitled “Wisconsin-2008 8-Hour Ozone NAAQS (Primary and secondary)” is amended by revising the entry for “Sheboygan County, WI:” to read as follows:

§ 81.350 Wisconsin.

* * * * *

WISCONSIN—2008 8-HOUR OZONE NAAQS
[Primary and secondary]

Designated area	Designation		Classification	
	Date ¹	Type	Date ¹	Type
* * * * * Sheboygan County, WI: ² Sheboygan County	*	Nonattainment	* 12/19/2016	* Moderate.
* * * * *	*	*	*	*

¹ This date is July 20, 2012, unless otherwise noted.
² Excludes Indian country located in each area, unless otherwise noted.

* * * * *
[FR Doc. 2017-06888 Filed 4-5-17; 8:45 am]
BILLING CODE 6560-50-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

42 CFR Part 495

[CMS-1656-F2]

RIN-0938-AS82

Medicare Program: Hospital Outpatient Prospective Payment and Ambulatory Surgical Center Payment Systems and Quality Reporting Programs; Organ Procurement Organization Reporting and Communication; Transplant Outcome Measures and Documentation Requirements; Electronic Health Record (EHR) Incentive Programs; Payment to Nonexcepted Off-Campus Provider-Based Department of a Hospital; Hospital Value-Based Purchasing (VBP) Program; Establishment of Payment Rates Under the Medicare Physician Fee Schedule for Nonexcepted Items and Services Furnished by an Off-Campus Provider-Based Department of a Hospital; Correcting Amendment

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

ACTION: Correcting amendment.

SUMMARY: In the November 14, 2016 issue of the **Federal Register** (81 FR 79562), we published a final rule with comment period entitled “Hospital Outpatient Prospective Payment and Ambulatory Surgical Center Payment Systems and Quality Reporting Programs; Organ Procurement Organization Reporting and Communication; Transplant Outcome Measures and Documentation Requirements; Electronic Health Record (EHR) Incentive Programs; Payment to Nonexcepted Off-Campus Provider-

Based Department of a Hospital; Hospital Value-Based Purchasing (VBP) Program; Establishment of Payment Rates under the Medicare Physician Fee Schedule for Nonexcepted Items and Services Furnished by an Off-Campus Provider-Based Department of a Hospital” that made changes to the demonstration of meaningful use criteria under § 495.40. This correcting amendment corrects a technical error in § 495.40 resulting from an error in that final rule with comment period.

DATES: This correcting amendment is effective on April 6, 2017.

FOR FURTHER INFORMATION CONTACT: Electronic Health Record (EHR) Incentive Programs, contact Kathleen Johnson (410) 786-3295 or Steven Johnson (410) 786-3332.

SUPPLEMENTARY INFORMATION:

I. Background

In FR Doc. 2016-26515 of November 14, 2016 (81 FR 79562), “Medicare Program: Hospital Outpatient Prospective Payment and Ambulatory Surgical Center Payment Systems and Quality Reporting Programs; Organ Procurement Organization Reporting and Communication; Transplant Outcome Measures and Documentation Requirements; Electronic Health Record (EHR) Incentive Programs; Payment to Certain Off-Campus Outpatient Departments of a Provider; Hospital Value-Based Purchasing (VBP) Program; Establishment of Payment Rates Under the Medicare Physician Fee Schedule for Nonexcepted Items and Services Furnished by an Off-Campus Provider-Based Department of a Hospital” (hereinafter referred to as the CY 2017 OPPS/ASC final rule with comment period), there was a technical error in the regulations text that is identified and corrected in this correcting amendment. The provisions of this correcting amendment are treated as if they had been included in the CY 2017 OPPS/ASC final rule with comment period.

II. Summary of Error in the Regulations Text

On page 79892 of the CY 2017 OPPS/ASC final rule with comment period, we made a technical error in an amendatory instruction. Accordingly, we are revising § 495.40(b)(2)(i)(G) to accurately reflect the language we previously included in the CY 2017 OPPS/ASC final rule with comment period (81 FR 79892), but which was not codified in the Code of Federal Regulations. Specifically, paragraph (b)(2)(i)(G) specifies that for CY 2018, an eligible hospital or critical access hospital (CAH) must satisfy certain required objectives and associated measures if an eligible hospital or CAH attests to CMS or to a State for the Medicaid Electronic Health Record (EHR) Incentive Program.

III. Waiver of Proposed Rulemaking and Delay in Effective Date

Under 5 U.S.C. 553(b) of the Administrative Procedure Act (APA), the agency is required to publish a notice of the proposed rule in the **Federal Register** before the provisions of a rule take effect. Similarly, section 1871(b)(1) of the Act requires the Secretary to provide for notice of the proposed rule in the **Federal Register** and provide a period of not less than 60 days for public comment. In addition, section 553(d) of the APA, and section 1871(e)(1)(B)(i) mandate a 30-day delay in effective date after issuance or publication of a rule. Sections 553(b)(B) and 553(d)(3) of the APA provide for exceptions from the notice and comment and delay in effective date APA requirements; in cases in which these exceptions apply, sections 1871(b)(2)(C) and 1871(e)(1)(B)(ii) of the Act provide exceptions from the notice and 60-day comment period and delay in effective date requirements of the Act as well. Section 553(b)(B) of the APA and section 1871(b)(2)(C) of the Act authorize an agency to dispense with normal rulemaking requirements for good cause if the agency makes a finding that the notice and comment

process are impracticable, unnecessary, or contrary to the public interest. In addition, both section 553(d)(3) of the APA and section 1871(e)(1)(B)(ii) of the Act allow the agency to avoid the 30-day delay in effective date where such delay is contrary to the public interest and an agency includes a statement of support.

We believe that this correcting document does not constitute a rulemaking that would be subject to these requirements. This correcting document corrects a technical error in the regulations text included in the CY 2017 OPPS/ASC final rule with comment period but does not make substantive changes to the policies that were adopted in the final rule with comment period. As a result, the corrections made through this correcting document are intended to ensure that the information in the CY 2017 OPPS/ASC final rule with comment period accurately reflects the policies adopted.

In addition, even if this were a rulemaking to which the notice and comment procedures and delayed effective date requirements applied, we find that there is good cause to waive such requirements. Undertaking further notice and comment procedures to incorporate the corrections in this document into the final rule with comment period or delaying the effective date would be contrary to the public interest because it is in the public's interest to ensure that the CY 2017 OPPS/ASC final rule with comment period accurately reflects our policies as of the date they take effect and are applicable.

Furthermore, such procedures would be unnecessary, as we are not altering our policies, but rather, we are simply correctly implementing the policies that we previously proposed, received comment on, and subsequently finalized. This correcting document is intended solely to ensure that the CY 2017 OPPS/ASC final rule with comment period accurately reflects these policies. For these reasons, we believe we have good cause to waive the notice and comment and effective date requirements.

List of Subjects in 42 CFR Part 495

Administrative practice and procedure, Health facilities, Health maintenance organizations (HMO), Health professions, Health records, Medicaid, Medicare, Penalties, Reporting and recordkeeping requirements.

Accordingly, 42 CFR part 495 is corrected by making the following correcting amendment:

PART 495—STANDARDS FOR THE ELECTRONIC HEALTH RECORD TECHNOLOGY INCENTIVE PROGRAM

- 1. The authority citation for part 495 continues to read as follows:

Authority: Secs. 1102 and 1871 of the Social Security Act (42 U.S.C. 1302 and 1395hh).

- 2. Amend § 495.40 by revising paragraph (b)(2)(i)(G) to read as follows:

§ 495.40 Demonstration of meaningful use criteria.

* * * * *

(b) * * *

(2) * * *

(i) * * *

(G) For CY 2018:

(1) For an eligible hospital or CAH attesting to CMS, satisfied the required objectives and associated measures under § 495.24(c) for meaningful use.

(2) For an eligible hospital or CAH attesting to a State for the Medicaid EHR Incentive Program, satisfied the required objectives and associated measures under § 495.24(d) for meaningful use.

* * * * *

Dated: April 3, 2017.

Ann C. Agnew,

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

[FR Doc. 2017-06903 Filed 4-5-17; 8:45 am]

BILLING CODE 4120-01-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 160920866-7167-02]

RIN 0648-XF339

Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 in the Gulf of Alaska

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Temporary rule; modification of closure.

SUMMARY: NMFS is opening directed fishing for pollock in Statistical Area 610 of the Gulf of Alaska (GOA). This action is necessary to fully use the B season allowance of the 2017 total allowable catch of pollock in Statistical Area 610 of the GOA.

DATES: Effective 1200 hours, Alaska local time (A.l.t.), April 4, 2017, through 1200 hours, A.l.t., May 31, 2017.

Comments must be received at the following address no later than 4:30 p.m., A.l.t., April 18, 2017.

ADDRESSES: You may submit comments on this document, identified by FDMS Docket Number NOAA-NMFS-2016-0127 by any of the following methods:

- **Electronic Submission:** Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2016-0127, click the "Comment Now!" icon, complete the required fields, and enter or attach your comments.

- **Mail:** Address written comments to Glenn Merrill, Assistant Regional Administrator, Sustainable Fisheries Division, Alaska Region NMFS, Attn: Ellen Sebastian. Mail comments to P.O. Box 21668, Juneau, AK 99802-1668.

Instructions: NMFS may not consider comments sent by any other method, or received after the end of the comment period. All comments received are a part of the public record and will generally be posted for public viewing on www.regulations.gov without change. All personal identifying information (e.g., name, address), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter "N/A" in the required fields if you wish to remain anonymous).

FOR FURTHER INFORMATION CONTACT: Josh Keaton, 907-586-7228.

SUPPLEMENTARY INFORMATION: NMFS manages the groundfish fishery in the GOA exclusive economic zone according to the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

The B season allowance of the 2017 total allowable catch (TAC) of pollock in Statistical Area 610 of the GOA is 2,232 metric tons (mt) as established by the final 2017 and 2018 harvest specifications for groundfish of the GOA (82 FR 12032, February 27, 2017).

NMFS closed directed fishing for pollock in Statistical Area 610 of the GOA under § 679.20(d)(1)(iii) on March 27, 2017 (82 FR 15164, March 27, 2017).

As of March 31, 2017, NMFS has determined that approximately 900 metric tons of pollock remain in the B season directed fishing allowance for

pollock in Statistical Area 610 of the GOA. Therefore, in accordance with § 679.25(a)(1)(i), (a)(2)(i)(C), and (a)(2)(iii)(D), and to fully utilize the B season allowance of the 2017 TAC of pollock in Statistical Area 610 of the GOA, NMFS is terminating the previous closure and is reopening directed fishing pollock in Statistical Area 610 of the GOA, effective 1200 hours, A.l.t., April 4, 2017.

The Administrator, Alaska Region (Regional Administrator) considered the following factors in reaching this decision: (1) The current catch of pollock in Statistical Area 610 of the GOA and, (2) the harvest capacity and stated intent on future harvesting patterns of vessels in participating in this fishery.

Classification

This action responds to the best available information recently obtained from the fishery. The Acting Assistant

Administrator for Fisheries, NOAA (AA), finds good cause to waive the requirement to provide prior notice and opportunity for public comment pursuant to the authority set forth at 5 U.S.C. 553(b)(B) as such requirement is impracticable and contrary to the public interest. This requirement is impracticable and contrary to the public interest as it would prevent NMFS from responding to the most recent fisheries data in a timely fashion and would delay the opening of directed fishing for pollock in Statistical Area 610 of the GOA. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became available as of March 31, 2017.

The AA also finds good cause to waive the 30-day delay in the effective date of this action under 5 U.S.C. 553(d)(3). This finding is based upon the reasons provided above for waiver of

prior notice and opportunity for public comment.

Without this inseason adjustment, NMFS could not allow the fishery for pollock in Statistical Area 610 of the GOA to be harvested in an expedient manner and in accordance with the regulatory schedule. Under § 679.25(c)(2), interested persons are invited to submit written comments on this action to the above address until April 18, 2017.

This action is required by § 679.25 and is exempt from review under Executive Order 12866.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: April 3, 2017.

Karen H. Abrams,

Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2017-06814 Filed 4-3-17; 4:15 pm]

BILLING CODE 3510-22-P

Proposed Rules

Federal Register

Vol. 82, No. 65

Thursday, April 6, 2017

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.

FEDERAL RETIREMENT THRIFT INVESTMENT BOARD

5 CFR Part 1631

Freedom of Information Act Regulations

AGENCY: Federal Retirement Thrift Investment Board.

ACTION: Proposed rule with request for comments.

SUMMARY: The Federal Retirement Thrift Investment Board (Board) is proposing to amend its Freedom of Information Act (FOIA) regulations to implement recommendations made by the National Archives and Records Administration's (NARA) Office of Government Information Services (OGIS) and reflect the amendments required by the FOIA Improvement Act of 2016.

DATES: Comments must be received on or before May 8, 2017.

ADDRESSES: You may submit comments using one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov> at Docket ID number FRTIB-2017-0001. Follow the Web site instructions for submitting comments.

- *Facsimile:* 202-942-1676.

- *Mail or Hand Deliver/Courier:* Office of General Counsel, Federal Retirement Thrift Investment Board, 77 K Street NE., Suite 1000, Washington, DC 20002.

FOR FURTHER INFORMATION CONTACT: Dharmesh Vashee, Deputy General Counsel, Federal Retirement Thrift Investment Board, Office of General Counsel, 77 K Street NE., Suite 1000, Washington, DC 20002, 202-639-4424. You may also contact Amanda Haas, FOIA Officer, Office of General Counsel, at the above address and by phone at 202-942-1660.

SUPPLEMENTARY INFORMATION: The Board administers the Thrift Savings Plan (TSP), which was established by the Federal Employees' Retirement System Act of 1986 (FERSA), Public Law 99-335, 100 Stat. 514. The TSP provisions

of FERSA are codified, as amended, largely at 5 U.S.C. 8351 and 8401-79. The TSP is a tax-deferred retirement savings plan for Federal civilian employees and members of the uniformed services. The TSP is similar to cash or deferred arrangements established for private-sector employees under section 401(k) of the Internal Revenue Code (26 U.S.C. 401(k)).

Regulatory Flexibility Act

I certify that this regulation will not have a significant economic impact on a substantial number of small entities. This regulation will affect Federal employees and members of the uniformed services who participate in the TSP.

Paperwork Reduction Act

I certify that these regulations do not require additional reporting under the criteria of the Paperwork Reduction Act.

Unfunded Mandates Reform Act of 1995

Pursuant to the Unfunded Mandates Reform Act of 1995, 2 U.S.C. 602, 632, 653, and 1501-1571, the effects of this regulation on state, local, and tribal governments and the private sector have been assessed. This regulation will not compel the expenditure in any one year of \$100 million or more by state, local, and tribal governments, in the aggregate, or by the private sector. Therefore, a statement under 2 U.S.C. 1532 is not required.

List of Subjects in 5 CFR Part 1631

Courts, Freedom of information, Government employees, Records.

For the reasons stated in the preamble, the Board proposes to amend 5 CFR part 1631 as follows:

PART 1631—AVAILABILITY OF RECORDS

■ 1. The authority citation for part 1631 continues to read as follows:

Authority: 5 U.S.C. 552.

■ 2. Amend § 1631.1 to add new paragraphs (j), (k), and (l) to read as follows:

§ 1631.1 Definitions.

* * * * *

(j) *FOIA Public Liaison* means the Board official who is responsible for assisting in reducing delays, increasing transparency and understanding of the

status of requests, and assisting in the resolution of disputes.

(k) *Requestor category* means one of the three categories that agencies place requesters in for the purpose of determining whether a requester will be charged fees for search, review, and/or duplication, including:

- (1) Commercial use requestors;
- (2) Non-commercial scientific or educational institutions or news media requestors; and
- (3) All other requestors.

(l) *Fee waiver* means the waiver or reduction of processing fees if a requester can demonstrate that certain statutory standards are satisfied including that the information is in the public interest and is not requested for a commercial interest.

■ 3. Amend § 1631.4 by revising the section heading and paragraph (a) to read as follows:

§ 1631.4 Proactive disclosure of Board records.

(a) Records that are required by the FOIA to be made available for public inspection and copying may be accessed through the Board's Web site at <https://www.frtib.gov>. The Board is responsible for determining which of its records are required to be made publicly available, as well as identifying additional records of interest to the public that are appropriate for public disclosure, and for posting and indexing such records. The Board shall ensure that its Web site of posted records and indices is reviewed and updated on an ongoing basis. The Board has a FOIA Public Liaison who can assist individuals in locating records particular to a component. The FOIA Public Liaison can be contacted at frtibfoialiaison@tsp.gov.

* * * * *

■ 4. Revise § 1631.5 to read as follows:

§ 1631.5 Records of other agencies.

Requests for records that originated in another agency and that are in the custody of the Board may, in appropriate circumstances, be referred to that agency for consultation or processing, and the requestor shall be notified of the part or parts of the request that have been referred and provided with a point of contact within the receiving agency.

■ 5. Amend § 1631.6 paragraphs (a)(1), (a)(2) and (a)(3) to remove the word "must" and add in its place the word

“should” and revise the last sentence in paragraph (e) to read as follows:

§ 1631.6 How to request records-form and content.

* * * * *

(e) * * * Any Board employee or official who receives an oral request for records shall inform the requestor that FOIA requires requests to be in writing according to the procedures set out herein.

* * * * *

■ 6. Amend § 1631.8 by revising paragraph (b) to read as follows:

§ 1631.8 Prompt response.

* * * * *

(b) The FOIA Officer will either approve or deny a reasonably descriptive request for records within 20 workdays after receipt of the request. Whenever the Board cannot meet the statutory time limit for processing a request because of “unusual circumstances,” as defined in the FOIA, and the Board extends the time limit on that basis, the Board must, before expiration of the 20-day period to respond, notify the requestor in writing of the unusual circumstances involved and of the date by which the Board estimates processing of the request will be completed. Where the extension exceeds 10 working days, the Board must, as described by the FOIA, provide the requestor with an opportunity to modify the request or arrange an alternative time period for processing the original or modified request through the Board’s FOIA Public Liaison or FOIA Officer.

* * * * *

■ 7. Amend § 1631.9 by revising the last sentence of paragraph (a), and paragraph (b)(5) to read as follows:

§ 1631.9 Responses-form and content.

(a) * * * The notification shall also provide the requestor with an estimated amount of fees assessed under § 1631.13 of this part, including a breakdown of the fees for search, review, and/or duplication.

(b) * * *

(5) A statement that the denial may be appealed to the Executive Director within 90 calendar days of receipt of the denial or partial denial, that the requestor has the option to contact the Agency’s FOIA Liaison at *frtibfoialiaison@tsp.gov*, and that the requestor has the option to contact the Office of Government Information Service (OGIS) as a non-exclusive alternative to litigation.

* * * * *

■ 8. Amend § 1631.10 by revising paragraph (a), adding two sentences to

the end of paragraph (e), and adding paragraphs (h) and (i) to read as follows:

§ 1631.10 Appeals to the Executive Director from initial denials.

(a) A requestor may appeal any adverse determinations to the Executive Director. The appeal must be made in writing and for it to be considered timely it must be postmarked, or in the case of electronic submissions, transmitted, within 90 calendar days of receipt of the denial or partial denial. The appeal should be addressed to the Executive Director, Federal Retirement Thrift Investment Board, 77 K Street NE., Suite 1000, Washington, DC 20002, and should be clearly labeled as a “Freedom of Information Act Appeal.”

* * * * *

(e) * * * The denial will also inform the requestor of the mediation services offered by the Office of Government Information Services (OGIS) of the National Archives and Records Administration as a non-exclusive alternative to litigation. If the FOIA Officer’s decision is remanded or modified on appeal, the requestor will be notified of that determination in writing.

* * * * *

(h) Seeking mediation and dispute resolution services through OGIS is a voluntary process. If the requestor chooses to use these services, the Board will work with OGIS to resolve disputes between requestors and the Board as a non-exclusive alternative to litigation.

(i) Before seeking review by a court of the FOIA Officer’s adverse determination, a requestor generally must first submit a timely administrative appeal to the Executive Director.

■ 9. Amend § 1631.11 by revising paragraph (a) introductory text, paragraphs (a)(1) through (a)(3), and the first sentence of paragraph (a)(4), and adding paragraph (d) to read as follows:

§ 1631.11 Fees to be charged-categories of requestors.

(a) In general, the Board will charge for processing requests under the FOIA in accordance with the provisions of this section and with the OMB Guidelines. For purposes of assessing fees there are three categories of FOIA requestors—commercial use requestors, non-commercial scientific or educational institutions or news media requestors, and all other requestors.

(1) Fees shall be limited to reasonable standard charges for document search, duplication, and review, when records are requested for commercial use. Commercial users are not entitled to two hours of free search time or 100 free

pages of reproduction of documents. The full allowable direct cost of searching for, and reviewing records will be charged even if there is ultimately no disclosure of records. A commercial use request is a request that asks for information for a use or a purpose that furthers a commercial, trade, or profit interest, which can include furthering those interests through litigation. The Board’s decision to place a requester in the commercial use category will be made on a case-by-case basis based on the requester’s intended use of the information. The Board will notify requestors of their placement in this category.

(2) Fees shall be limited to reasonable standard charges for document duplication when records are not sought for commercial use and the request is made by a representative of the news media. A representative of the news media is any person or entity that gathers information of potential interest to a segment of the public, uses its editorial skills to turn the raw materials into a distinct work, and distributes that work to an audience. The term “news” means information that is about current events or that would be of current interest to the public. The Board will advise requestors of their placement in this category.

(3) Fees shall be limited to reasonable standard charges for document duplication when records are not sought for commercial use and the request is made by an educational or noncommercial scientific institution, whose purpose is scholarly or scientific research. A noncommercial scientific institution is an institution that is not operated on a “commercial” basis, as defined in paragraph (a)(1) of this section and that is operated solely for the purpose of conducting scientific research the results of which are not intended to promote any particular product or industry. A requestor in this category must show that the request is authorized by and is made under the auspices of a qualifying institution and that the records are sought to further scientific research and are not for a commercial use. The Board will advise requestors of their placement in this category.

(4) For any request which does not meet the criteria contained in paragraphs (a)(1) through (3) of this section, fees shall be limited to reasonable standard charges for document search and duplication, except that the first 100 pages of reproduction and the first two hours of

search time will be furnished without charge. * * *

* * * * *

(d) Except as provided in paragraphs (d)(1) through (d)(3) of this section, the Board will not assess any search fees (or duplication fees for requesters under (a)(2) or (3) of this section) if the Board fails to comply with the time limits set forth in § 1631.8.

(1) If the Board determines that “unusual circumstances,” as defined in the FOIA, apply and the Board provided a timely written notice to the requester in accordance with § 1631.8, the Board is excused for an additional 10 days from the restrictions of this section.

(2) If the Board has determined that unusual circumstances apply and more than 5,000 pages are necessary to respond to the request, the Board may charge search fees (or duplication fees for requesters under (a)(2) or (3) of this section) if the Board provided a timely written notice to the requester in accordance with § 1631.8 and the Board has discussed with the requester, or made not less than 3 good-faith attempts to do so, how the requester could effectively limit the scope of the request.

(3) If a court has determined that exceptional circumstances exist, as defined in the FOIA, the Agency’s delay shall be excused in accordance with the court order.

■ 10. Amend § 1631.14 by revising the first sentence of paragraph (c)(3) to read as follows:

§ 1631.14 Fee schedule.

* * * * *

(c) * * *

(3) For copies prepared by computer, such as tapes, printouts, or CD’s the Board shall charge the actual cost, including operator time, of producing the tapes, printouts, or CD’s. * * *

* * * * *

■ 11. Amend § 1631.15 by adding a sentence at the end of paragraph (a), and revising paragraph (b)(1) to read as follows:

§ 1631.15 Information to be disclosed.

(a) * * * Nevertheless, the Board will consider whether partial disclosure of information is possible whenever full disclosure of the record is not and take reasonable steps to segregate and release nonexempt information.

(b) *Records from non-U.S.*

Government source. (1)(i) Board personnel will generally consider two of the nine exemptions in the FOIA in deciding whether to withhold from disclosure material from a non-U.S. Government source.

(1) (ii) Exemption 4 permits withholding of “trade secrets and

commercial or financial information obtained from a person as privileged or confidential.” The term “person” refers to individuals as well as to a wide range of entities, including corporations, banks, state governments, agencies of foreign governments, and Native American tribes or nations, who provide information to the government. Exemption 6 permits withholding certain information, the disclosure of which “would constitute a clearly unwarranted invasion of personal privacy.”

* * * * *

■ 12. Revise § 1631.17 to read as follows:

§ 1631.17 Deletion of exempted information.

Where requested records contain matters which are exempted under 5 U.S.C. 552(b) but which matters are reasonably segregable from the remainder of the records, they shall be disclosed by the Board with deletions. To each such record, the Board shall indicate, if technically feasible, the precise amount of information deleted and the exemption under which the deletion is made, at the place in the records where the deletion is made, unless including that indication would harm an interest protected by the exemption.

■ 13. Add § 1631.19 to subpart A to read as follows:

§ 1631.19 Preservation of records.

(a) The Board must preserve all correspondence pertaining to the requests that it receives as well as copies of all requested records, until disposition or destruction is authorized by the Board’s General Records Schedule of the National Archives and Records Administration (NARA) or other NARA-approved records retention schedule.

(b) Materials that are identified as responsive to a FOIA request will not be disposed of or destroyed while the request or a related appeal of lawsuit is pending. This is true even if they would otherwise be authorized for disposition under the Board’s General Records Schedule of NARA or other NARA-approved records schedule.

Dated: March 29, 2017.

Gregory T. Long,

Executive Director.

[FR Doc. 2017-06821 Filed 4-5-17; 8:45 am]

BILLING CODE 6760-01-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Parts 100 and 165

[Docket Number USCG-2017-0064]

RIN 1625-AA08, AA00

Special Local Regulations and Safety Zones; Recurring Marine Events and Fireworks Displays Within the Fifth Coast Guard District

AGENCY: Coast Guard, DHS.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to amend the regulations established for recurring marine events and fireworks displays that take place within the Fifth Coast Guard District area of responsibility. This proposed rule would revise the listing of events that informs the public of regularly scheduled marine parades, regattas, other organized water events, and fireworks displays that require additional safety measures provided by regulations. Through this rulemaking, the list of recurring marine events requiring special local regulations or safety zones would be updated with revisions, additional events, and removal of events that no longer take place in the Fifth Coast Guard District. When these regulations are enforced, certain restrictions are placed on marine traffic in specified areas. This rulemaking project promotes efficiency by eliminating the need to produce a separate rule for each individual recurring event, and serves to provide notice of the known recurring events requiring a special local regulation or safety zone throughout the year. This proposed rule would also remove regulations that are no longer effective or required. We invite your comments on this rulemaking.

DATES: Comments and related material must be received by the Coast Guard on or before May 8, 2017.

ADDRESSES: You may submit comments identified by docket number USCG-2017-0064 using the Federal eRulemaking Portal at <http://www.regulations.gov>. See the “Public Participation and Request for Comments” portion of the **SUPPLEMENTARY INFORMATION** section for further instructions on submitting comments.

FOR FURTHER INFORMATION CONTACT: If you have questions about this proposed rulemaking, call or email Dennis Sens, Fifth Coast Guard District Office of

Waterways Management, U.S. Coast Guard; telephone 757-398-6204, *Dennis.M.Sens@uscg.mil*.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

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

II. Background, Purpose, and Legal Basis

The Coast Guard regularly updates Special local regulations and Safety Zones established for recurring marine events and fireworks displays that take place either on or over the navigable waters of the United States. Under that rule, the list of recurring marine events requiring special local regulations or safety zones is updated with revisions, additional events, and removal of events that no longer take place within the Fifth Coast Guard District. The Fifth Coast Guard District area of responsibility is defined in 33 CFR 3.25. This rule would remove regulations no longer effective or required that continue to be listed in the CFR.

The Tables in the CFR that list annual and recurring special local regulations and safety zones for marine events and fireworks displays within Fifth Coast Guard District area of responsibility (AOR) are published under 33 CFR 100.501 and 165.506, respectively. These Tables were last amended September 14, 2016 through a previous rulemaking (81 FR 63075), and generated no adverse comments. Like this NPRM, the September 2016 rule added, removed, and revised the Tables to 33 CFR 100.501 and 33 CFR 165.506 for recurring marine events and fireworks displays requiring special local regulations and safety zones.

The purpose of this rulemaking is to ensure the safety of persons, vessels and the navigable waters within close proximity to marine events and or fireworks displays before, during, and after the scheduled event. Publishing these regulatory updates in a single rulemaking promotes administrative efficiency and reduces costs involved in producing a separate rule for each individual recurring event. This proposed action also provides the public with notice through publication in the **Federal Register** of future

recurring marine events and fireworks displays and their accompanying regulations, special local regulations and safety zones. This rule provides separate tables for each Coast Guard Sector within the Fifth Coast Guard District. The Coast Guard issues this rulemaking under authority in 33 U.S.C. 1231; 33 U.S.C. 1233; 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.

III. Discussion of Proposed Rule

Special Local Regulations

This proposed rule adds 3 new special local regulations for marine events, removes 1 regulation and revises 6 previously established regulations for marine events listed in the Table to § 100.501. Other than changes to the dates and locations of certain events, the other provisions in 33 CFR 100.501 remain unchanged.

The Coast Guard proposes to revise regulations at 33 CFR 100.501 by adding 3 new special local regulations. The special local regulations are listed in Table 1, including reference by section as printed in the Table to § 100.501.

TABLE 1

[Special local regulated areas added to 33 CFR 100.501]

Table to § 100.501 section	Location
1. (b.) 9	Chesapeake Bay, Chesapeake Bay Bridge, MD.
2. (c.) 10	James River, Midlothian, VA.
3. (d.) 4	Masonboro Inlet, Banks channel, Motts channel, Wrightsville Beach, NC.

The Coast Guard proposes to amend the regulations at 33 CFR 100.501 by disestablishing the special local regulation previously listed in section (b.) of Table to 100.501; marine event—Maryland Swim for Life, Chester River, MD. The basis for removal of this

marine event from regulatory enforcement includes limited vessel traffic in the area of the event, close proximity to shore, and shallow water depths.

This rule proposes to revise 6 preexisting special local regulations that

involve change to marine event date(s) and/or coordinates. These events are listed in Table 2, with reference by section as printed in the Table to § 100.501.

TABLE 2

[Changes to special local regulation date(s) and coordinates]

Table to § 100.501 section	Location	Revision (date/coordinates)
1. (b.) 2	Severn River, MD	dates.
2. (b.) 6	Upper Potomac River, Washington, DC	dates.
3. (b.) 18	Patuxent River, Solomons, MD	coordinates.
4. (b.) 19	North Atlantic Ocean, Ocean City, MD	dates.
5. (b.) 21	Hambrooks Bay, Choptank River, MD	dates.
6. (c.) 6	Mill Creek, Hampton, VA	dates

Based on the nature of marine events, large numbers of participants and spectators, and event locations, the Coast Guard has determined that the events listed in this rule could pose a

risk to participants or waterway users if normal vessel traffic were to interfere with the event. Possible hazards include risks of injury or death resulting from near or actual contact among participant

vessels and spectator vessels or mariners traversing through the regulated area. In order to protect the safety of all waterway users including event participants and spectators, this

rule would establish special local regulations for the time and location of each marine event.

This rule prevents vessels from entering, transiting, mooring or anchoring within areas specifically designated as regulated areas during the periods of enforcement unless authorized by the Captain of the Port (COTP), or designated Coast Guard Patrol Commander. The designated "Patrol Commander" includes a Coast

Guard commissioned, warrant, or petty officer who has been designated by the COTP to act on their behalf. On-scene patrol commanders may be augmented by local, State or Federal officials authorized to act in support of the Coast Guard.

Safety Zones

This rulemaking proposes to add 8 new safety zones, revise 15 previously established safety zones and remove 6 safety zones listed in the Table to

§ 165.506. Other than changes to the dates and locations of certain safety zones, the other provisions in 33 CFR 165.506 remain unchanged.

The Coast Guard proposes to revise the regulations at 33 CFR 165.506 by adding 8 new safety zone locations to the permanent regulations listed in this section. The new safety zones are listed in Table 3, including reference by section as printed in the Table to § 165.506.

TABLE 3

[Safety zones added to 33 CFR 165.506]

Table to § 165.506 section	Location
1. (a.) 19	Delaware River, Philadelphia, PA.
2. (a.) 20	Great Egg Harbor Bay, Rainbow channel, Ocean City, NJ.
3. (b.) 27	Severn River, Sherwood Forest, MD.
4. (b.) 28	Prospect Bay, Queen Anne's County, MD.
5. (c.) 24	James River and Appomattox River, Hopewell, VA.
6. (c.) 25	Chesapeake Bay, Inlet to Kings Creek, Cape Charles, VA.
7. (d.) 9	Pamlico Sound, Ocracoke, NC.
8. (d.) 14	Bath Creek, Bath, NC.

The rule proposes to revise 15 preexisting safety zones that involves changes to event date(s) and

coordinates. These revised safety zones are shown in Table 4, with reference by

section as printed in the Table to § 165.506.

TABLE 4

[Changes to safety zone date(s) and coordinates]

Table to § 165.506 section	Location	Revision (date/coordinates)
1. (b.) 1	Upper Potomac River, Washington channel, Washington, DC	dates.
2. (b.) 3	Chesapeake Bay, Seneca Creek, MD	dates/coordinates.
3. (b.) 6	Baltimore Inner Harbor, Patapsco River, MD	dates.
4. (b.) 7	Baltimore Inner Harbor, Patapsco River, MD	dates.
5. (b.) 9	Patuxent River, Solomons Island, MD	dates.
6. (b.) 10	Chesapeake Bay, Chesapeake Beach, MD	dates.
7. (b.) 13	Potomac River, National Harbor, MD	dates.
8. (b.) 19	Anacostia River, Washington, DC	coordinates.
9. (b.) 22	Isle of Wight Bay, Ocean City, MD	dates.
10. (b.) 24	Baltimore Inner Harbor, Patapsco River, MD	dates.
11. (b.) 26	Susquehanna River, Havre de Grace, MD	coordinates.
12. (c.) 5	Chesapeake Bay, Norfolk, VA	dates.
13. (c.) 8	John H. Kerr Reservoir, Clarksville, VA	dates.
14. (c.) 23	Elizabeth River Eastern Branch, Norfolk, VA	dates.
15. (d.) 15	Atlantic Intracoastal Waterway, Swansboro, NC	dates.

The Coast Guard proposes to amend regulations at 33 CFR 165.506 by

disestablishing the following 6 safety zones listed in Table 5.

TABLE 5

[Safety Zones removed from 33 CFR 165.506]

Date(s)	Event	Regulated area
1. May—last Saturday; July 4th	Fireworks display	Potomac River, Charles County, MD; vicinity east of Mount Vernon Estate.
2. October—1st Saturday	Fireworks display	Dukeharts Channel, Potomac River, MD.
3. July 4th	Fireworks display	Edenton Bay, Edenton, NC.
4. July 4th	Fireworks display	Pantego Creek, Belhaven, NC.
5. May—3rd Saturday	Fireworks display	Pasquotank River, Elizabeth City, NC.
6. October—2nd Saturday	Fireworks display	Atlantic Intracoastal Waterway, Bogue Inlet, Swansboro, NC.

Each year, organizations in the Fifth Coast Guard District sponsor fireworks displays in the same general location and time period. Each event uses a barge or an on-shore site near the shoreline as the fireworks launch platform. A safety zone is used to control vessel movement within a specified distance surrounding the launch platforms to ensure the safety of persons and property. Coast Guard personnel on scene may allow

boaters within the safety zone if conditions permit.

The enforcement period for these safety zones is from 5:30 p.m. to 1 a.m. local time. However, vessels may enter, remain in, or transit through these safety zones during this time frame if authorized by the COTP or designated Coast Guard patrol commander on scene, as provided for in 33 CFR 165.23. This rule provides for the safety of life on navigable waters during the events.

The regulatory text we are proposing appears at the end of this document.

Temporary Regulations

The Coast Guard proposes to amend regulations at 33 CFR 100.501 and 33 CFR 165.506 by removing the following 5 temporary sections listed in Table 6. These temporary sections are no longer effective but continue to appear in the CFR.

TABLE 6

[Special local regulated areas removed from 33 CFR 100.501 and safety zones removed from 33 CFR 165.506]

Temporary section	Citation	Regulation expired
1. 33 CFR 100.35T-05-0276	77 FR 39630, July 5, 2012	July 8, 2012.
2. 33 CFR 100.35T-05-0482	77 FR 47520, August 9, 2012	September 29, 2012.
3. 33 CFR 165.T05-0330	78 FR 56611, September 13, 2013	October 4, 2013.
4. 33 CFR 165.T05-0495	78 FR 39601, July 2, 2013	July 5, 2013.
5. 33 CFR 165.T05-0723	79 FR 51490, August 29, 2014	September 26, 2014.

The Coast Guard is removing 33 CFR 165.540 that was previously established to facilitate a large multi-year dredging project in the coastal Cape Fear River area. This project was completed by the U.S. Army Corps of Engineers and its contractors and accordingly a safety zone is no longer required for this purpose.

IV. Regulatory Analyses

We developed this proposed rule after considering numerous statutes and Executive orders related to rulemaking. Below we summarize our analyses based on a number of these statutes and Executive orders and we discuss First Amendment rights of protestors.

A. Regulatory Planning and Review

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This NPRM has not been designated a “significant regulatory action,” under Executive Order 12866. Accordingly, the NPRM has not been reviewed by the Office of Management and Budget.

This regulatory action determination is based on the short amount of time that vessels will be restricted from regulated areas, and the small size of these areas that are usually positioned away from high vessel traffic zones. Generally vessels would not be precluded from getting underway, or

mooring at any piers or marinas currently located in the vicinity of the regulated areas. Advance notifications would also be made to the local maritime community by issuance of Local Notice to Mariners, Broadcast Notice to Mariners, Marine information and facsimile broadcasts so mariners can adjust their plans accordingly. Notifications to the public for most events will typically be made by local newspapers, radio and TV stations. The Coast Guard anticipates that these special local regulated areas and safety zones will only be enforced one to three times per year.

B. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term “small entities” comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard certifies under 5 U.S.C. 605(b) that this proposed rule would not have a significant economic impact on a substantial number of small entities.

While some owners or operators of vessels intending to transit through a special local regulated area or safety zone may be small entities, for the reasons stated in section IV.A above, this proposed rule would not have a significant economic impact on any vessel owner or operator.

These special local regulated areas and safety zones will not have a significant economic impact on a

substantial number of small entities for the following reasons: The Coast Guard will ensure that small entities are able to operate in the areas where events are occurring to the extent possible while ensuring the safety of event participants and spectators. The enforcement period will be short in duration and, in many of the areas, vessels can transit safely around the regulated area. Generally, permission to enter, remain in, or transit through these regulated areas during the enforcement may be given, when deemed safe to do so by the Coast Guard patrol commander on scene. Before the enforcement period, we will issue maritime advisories widely.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this rule would have a significant economic impact on it, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and how and to what degree this rule would economically affect it.

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 proposed 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** section. The Coast Guard will not retaliate against small entities that question or complain about this proposed rule or any policy or action of the Coast Guard.

C. Collection of Information

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

D. Federalism and Indian Tribal Governments

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 proposed rule under that Order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive Order 13132.

Also, this proposed rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it would not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes. If you believe this proposed rule has implications for federalism or Indian tribes, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

E. 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 proposed rule would not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

F. Environment

We have analyzed this proposed rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.ID, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have made a preliminary determination that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment.

This proposed rule involves implementation of regulations within 33 CFR part 100 that apply to organized marine events on the navigable waters of the United States. Some marine events by their nature may introduce potential for adverse impact on the safety or other interest of waterway users or waterfront infrastructure within or close proximity to the event area. The category of water activities includes but is not limited to sail boat regattas, boat parades, power boat racing, swimming events, crew racing, and sail board racing. This section of the rule is categorically excluded from further review under paragraph 34(h) of Figure 2–1 of the Commandant Instruction M16475.ID. An environmental analysis checklist supporting this determination and a Categorical Exclusion Determination are not required for this section of the rule.

This proposed rule involves implementation of regulations at 33 CFR part 165 that establish safety zones on navigable waters of the United States for fireworks events. These safety zones are enforced for the duration of fireworks display events. The fireworks are generally launched from either a floating barge platform or immediately adjacent to navigable waters of the United States. The category of activities includes fireworks launched from barges or at the shoreline that generally rely on the use of navigable waters as a safety buffer. Fireworks displays may introduce potential hazards such as accidental discharge of fireworks, dangerous projectiles, and falling hot embers or other debris. This section of the rule is categorically excluded from further review under paragraph 34(g) of Figure 2–1 of the Commandant Instruction M16475.ID. A preliminary 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.

G. 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.

V. Public Participation and Request for Comments

We view public participation as essential to effective rulemaking, and will consider all comments and material received during the comment period. Your comment can help shape the outcome of this rulemaking. If you submit a comment, please include the docket number for this rulemaking, indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation.

We encourage you to submit comments through the Federal eRulemaking Portal at <http://www.regulations.gov>. If your material cannot be submitted using <http://www.regulations.gov>, contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions.

We accept anonymous comments. All comments received will be posted without change to <http://www.regulations.gov> and will include any personal information you have provided. For more about privacy and the docket, you may review a Privacy Act notice regarding the Federal Docket Management System in the March 24, 2005, issue of the **Federal Register** (70 FR 15086).

Documents mentioned in this NPRM as being available in the docket, and all public comments, will be in our online docket at <http://www.regulations.gov> and can be viewed by following that Web site's instructions. Additionally, if you go to the online docket and sign up for email alerts, you will be notified when comments are posted or a final rule is published.

List of Subjects

33 CFR Part 100

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

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 proposes to amend 33 CFR parts 100 and 165 as follows:

PART 100—SAFETY OF LIFE ON NAVIGABLE WATERS

■ 1. The authority citation for part 100 continues to read as follows:

Authority: 33 U.S.C. 1233.

§ 100.35T05–0276 [Removed]

- 2. Remove § 100.35T05–0276.

§ 100.35T05–0482 [Removed]

- 3. Remove § 100.35T05–0482.
- 4. Revise § 100.501 to read as follows:

§ 100.501 Special Local Regulations; Marine Events within the Fifth Coast Guard District.

The following regulations apply to the marine events listed in the Table to § 100.501. These regulations will be effective annually, for the duration of each event listed in the Table to § 100.501. Annual notice of the exact dates and times of the effective period of the regulation with respect to each event, the geographical area, and details concerning the nature of the event and the number of participants and type(s) of vessels involved will be published in Local Notices to Mariners and via Broadcast Notice to Mariners over VHF–FM marine band radio.

(a) *Definitions.* The following definitions apply to this section:

(1) *Coast Guard Patrol Commander.* A Patrol Commander (PATCOM) is a commissioned, warrant, or petty officer of the Coast Guard who has been designated by the respective Coast Guard Sector—Captain of the Port to enforce these regulations.

(2) *Official Patrol* means any vessel assigned or approved by the respective Captain of the Port with a commissioned, warrant, or petty officer on board and displaying a Coast Guard ensign.

(3) *Spectators.* All persons and vessels not registered with the event sponsor as participants or official patrol vessels.

(4) *Regulated area* as used in this section means an area where Special local regulations apply to a specific described waterway to include creeks, sounds, bays, rivers and oceans. Regulated areas include all waters of a specific body of water described with intent to define boundaries where the Coast Guard enforces Special local regulations. Boundaries may be described from shoreline to shoreline, reference bridges or other fixed structures, by points and lines defined by latitude and longitude. All coordinates reference Datum: NAD 1983.

(b) *Marine Event Patrol.* The Coast Guard will assign a marine event patrol, as described in § 100.40 of this part, to each regulated event listed in the table. Additionally, a PATCOM will be assigned to oversee the patrol. The marine event patrol and PATCOM may be contacted on VHF–FM Channel 16. (1) The PATCOM may terminate the event, or the operation of any vessel

participating in the marine event, at any time if deemed necessary for the protection of life or property. Only designated marine event participants and their vessels and official patrol vessels are authorized to enter the regulated area.

(c) *Special local regulations.* (1) The PATCOM or designated marine event patrol may forbid and control the movement of all vessels in the regulated area(s). When hailed or signaled by an official patrol vessel, a vessel in these areas shall immediately comply with the directions given. Failure to do so may result in expulsion from the area, citation for failure to comply, or both.

(2) The operator of any vessel in the regulated area shall:

(i) Stop the vessel immediately when directed to do so by any Official Patrol and then proceed only as directed.

(ii) All persons and vessels shall comply with the instructions of the Official Patrol.

(iii) Vessel operators may request permission to enter and transit through a regulated area by contacting the PATCOM on VHF–FM channel 16. When authorized to transit through the regulated area, vessels shall proceed at the minimum speed necessary to maintain a safe course that minimizes wake near the race course or marine event area.

(3) *Race Area.* This is an area described by a line bound by coordinates provided in latitude and longitude that outlines the boundary of a race area within the regulated area defined by this part. Only event sponsor designated participants or designated participating vessels and official patrol vessels are allowed to enter the race area. Persons or vessel operators may request authorization to enter and transit through the regulated area by contacting the PATCOM on VHF–FM Channel 16.

(4) *Spectator Area.* This is an area described by a line bound by coordinates provided in latitude and longitude that outlines the boundary of a spectator area within the regulated area defined by this part. Spectators are only allowed inside the regulated area if they remain within a designated spectator area. All spectator vessels shall be anchored or operate at a No Wake Speed within the designated spectator area. On scene designated PATCOM representatives will direct spectator vessels to the spectator area. Spectators shall contact the PATCOM to request permission to pass through the regulated area. If permission is granted, spectators must pass directly through the regulated area at safe speed and without loitering.

(5) *Buffer Area.* This is a neutral zone that surrounds the perimeter of a Race Area or Marine Event Area within the regulated area described by this part. The purpose of a buffer zone is to minimize potential collision conflicts with marine event participants or race boats and spectator vessels or nearby transiting vessels. This zone provides separation between a Race Area or Marine Event Area and a specified Spectator Area or other vessels that are operating in the vicinity of the Special local regulated area for marine event.

(6) Spectators are only allowed inside the regulated area if they remain within a designated spectator area. Spectators shall contact the PATCOM to request permission to either enter the Spectator Area or pass through the regulated area. If permission is granted, spectators may enter the Spectator Area or must pass directly through the regulated area as instructed by PATCOM at safe speed and without loitering.

(d) *Contact information.* Questions about marine events should be addressed to the local Coast Guard Captain of the Port for the area in which the marine event is occurring. Contact information is listed below. For a description of the geographical area of each Coast Guard Sector—Captain of the Port zone, please see subpart 3.25 of this chapter.

(1) Coast Guard Sector Delaware Bay—Captain of the Port Zone, Philadelphia, Pennsylvania: (215) 271–4940.

(2) Coast Guard Sector Maryland–National Capital Region—Captain of the Port Zone, Baltimore, Maryland: (410) 576–2525.

(3) Coast Guard Sector Hampton Roads—Captain of the Port Zone, Norfolk, Virginia: (757) 483–8567.

(4) Coast Guard Sector North Carolina—Captain of the Port Zone North Carolina: (877) 229–0770 or (910) 362–4015.

(e) *Application for marine events.* The application requirements of § 100.15 of this part apply to all marine events listed in the Table to § 100.501. For information on applying for a marine event permit, contact the Captain of the Port for the area in which the marine event will occur, at the phone numbers listed above.

(f) *Enforcement periods.* The enforcement periods for each of the Special local regulations listed in the Table to § 100.501 of this section are subject to change, but the duration of enforcement would remain the same or nearly the same total amount of time as stated in its table. In the event of a change, or for enforcement periods listed that do not allow a specific date

or dates to be determined, the Captain of the Port will provide notice by publishing a Notice of Enforcement in the **Federal Register**, as well as issuing a Broadcast Notice to Mariners.

(g) *Regulations for specific marine events.* (1) Marine event: (b.) 7, U.S. Naval Academy Blue Angels Air Show. Severn River spectator area; except for a vessel in an emergency situation, a vessel may not anchor or maintain station within the spectator area described in Table to 100.501 (b.) 7 without the permission of the Captain of the Port or designated PATCOM. The Captain of the Port has designated this spectator area for commercial small passenger vessel use. This area is closed except for commercial small passenger vessels holding a valid Certificate of Inspection regulated under 46 CFR subchapters K and T (46 CFR 114.110, and 175.110). Vessels that meet the requirements of this section may request access to the Severn River spectator area by contacting the City of Annapolis Harbormaster at (410) 263-7973 or email harbormaster@annapolis.gov to obtain a vessel spectator area application. Vessel spectator area applications shall be submitted no later than 7 calendar days prior to the event

date. Applicants will be notified by the Captain of the Port or representative regarding status of applications and further instructions. All vessels shall contact the PATCOM on VHF-FM channels 16 or 22A prior to transiting to the spectator area to confirm entry approval. Vessels approved for spectator area access shall follow the instructions issued by the PATCOM when entering the regulated area. The regulations for this event will restrict access to some of the anchorage grounds listed at 33 CFR 110.159, Annapolis Harbor, MD, specifically (2) Middle Ground Anchorage, (3) South Anchorage, and (4) Naval Anchorage for Small Craft.

(2) Marine event: (b.) 23, Baltimore Air Show. Patapsco River spectator area; except for a vessel in an emergency situation, a vessel may not anchor or hold station within the spectator area described in Table to 100.501 (b.) 23 without the permission of the Captain of the Port or designated PATCOM. The Captain of the Port has designated this spectator area for commercial small passenger vessel use. This area is closed except for commercial small passenger vessels holding a valid Certificate of Inspection regulated under 46 CFR subchapters K and T (46 CFR 114.110,

and 175.110). Vessels that meet the requirements of this section may request access to the Patapsco River spectator area by contacting the Sail Baltimore at (410) 522-7300 or email info@sailbaltimore.org to obtain a vessel spectator area application. Vessel spectator area applications shall be submitted no later than 10 calendar days prior to the event date. Applicants will be notified by the Captain of the Port or representative regarding status of applications and further instructions. All vessels shall contact the PATCOM on VHF-FM channels 16 or 22A prior to transiting to the spectator area to confirm entry approval. Vessels approved for spectator area access shall follow the instructions issued by the PATCOM when entering the regulated area. The regulations for this event will restrict access to some of the anchorage grounds listed at 33 CFR 110.158, Baltimore Harbor, MD. Specifically anchorage grounds: (1) Anchorage No. 1, general anchorage; (2) Anchorage No. 2, general anchorage; (3) Anchorage No. 3 Upper, general anchorage; and (4) Anchorage No. 3 Lower, general anchorage.

TABLE TO § 100.501

[All coordinates listed in the Table to § 100.501 reference Datum NAD 1983]

No.	Enforcement period(s) ¹	Event	Sponsor	Location/special local regulation area
(a.) Coast Guard Sector Delaware Bay—COTP Zone				
1	June—1st Sunday ...	Atlantic County Day at the Bay.	Atlantic County, New Jersey.	The waters of Great Egg Harbor Bay, adjacent to Somers Point, New Jersey, bounded by a line drawn along the following boundaries: the area is bounded to the north by the shoreline along John F. Kennedy Park and Somers Point, New Jersey; bounded to the east by the State Route 52 bridge; bounded to the south by a line that runs along latitude 39°18'00" N., and bounded to the west by a line that runs along longitude 074°37'00" W.
2	May—3rd Sunday; September—3rd Saturday.	Annual Escape from Fort Delaware Triathlon.	Escape from Fort Delaware Triathlon, Inc.	All waters of the Delaware River between Pea Patch Island and Delaware City, Delaware, bounded by a line connecting the following points: latitude 39°36'35.7" N., longitude 075°35'25.6" W., thence southeast to latitude 39°34'57.3" N., longitude 075°33'23.1" W., thence southwest to latitude 39°34'11.9" N., longitude 075°34'28.6" W., thence northwest to latitude 39°35'52.4" N., longitude 075°36'33.9" W., thence to point of origin.
3	June—last Saturday	Westville Parade of Lights.	Borough of Westville and Westville Power Boat.	All waters of Big Timber Creek in Westville, New Jersey from shoreline to shoreline bounded on the south from the Route 130 Bridge and to the north by the entrance of the Delaware River.
4	June—4th Sunday ...	OPA Atlantic City Grand Prix.	Offshore Performance Assn. (OPA).	Regulated enforcement area—All waters of the North Atlantic Ocean encompassed within the following areas: Race area: All waters of the North Atlantic Ocean bounded by a line connecting the following points: latitude 39°21'31" N., longitude 074°24'45" W., thence east to latitude 39°21'08" N., longitude 074°24'32" W., thence southwest to latitude 39°20'21.5" N., longitude 074°27'04.6" W., thence northwest to latitude 39°20'45.6" N., longitude 074°27'11.6" W., thence northeast parallel to shoreline to point of origin.

TABLE TO § 100.501—Continued

[All coordinates listed in the Table to § 100.501 reference Datum NAD 1983]

No.	Enforcement period(s) ¹	Event	Sponsor	Location/special local regulation area
5	July—on or about July 4th.	U.S. holiday celebrations.	City of Philadelphia ..	<p>Buffer area: All waters of the North Atlantic Ocean bounded by a line connecting the following points: latitude 39°21'46" N., longitude 074°24'35" W., thence east to latitude 39°21'06" N., longitude 074°24'06" W., thence southwest to latitude 39°20'06" N., longitude 074°27'20" W., thence northwest to latitude 39°20'40.6" N., longitude 074°27'31.5" W., thence northeast along the shoreline to point of origin.</p> <p>Spectator area: All waters of the North Atlantic Ocean bounded by a line connecting the following points: latitude 39°21'05.6" N., longitude 074°24'05.8" W., thence east to latitude 39°20'52.1" N., longitude 074°23'53.9" W., thence southeast to latitude 39°19'51.6" N., longitude 074°27'16.2" W., thence northwest to latitude 39°20'05.6" N., longitude 074°27'20" W., thence northeast to point of origin.</p> <p>The waters of the Delaware River, adjacent to Philadelphia, PA and Camden, NJ, from shoreline to shoreline, bounded on the south by the Walt Whitman Bridge and bounded on the north by the Benjamin Franklin Bridge.</p>
6	August—2nd Friday, Saturday and Sunday.	Point Pleasant OPA/ NJ Offshore Grand Prix.	Offshore Performance Association (OPA) and New Jersey Offshore Racing Assn.	<p>Regulated enforcement area—All waters of the North Atlantic Ocean encompassed within the following areas:</p> <p>Race area: All waters of the North Atlantic Ocean bounded by a line connecting the following points: latitude 39°59'41" N., longitude 074°03'20" W., thence east to latitude 39°59'28" N., longitude 074°02'15" W., thence southwest to latitude 39°56'41" N., longitude 074°02'55" W., thence west to latitude 39°56'45" N., longitude 074°03'52" W., thence north parallel to shoreline to point of origin.</p> <p>Buffer area: All waters of the North Atlantic Ocean bounded by a line connecting the following points: latitude 40°00'00" N., longitude 074°03'31" W., thence east to latitude 39°59'41" N., longitude 074°02'00" W., thence southwest to latitude 39°56'28" N., longitude 074°02'43" W., thence west to latitude 39°56'31" N., longitude 074°04'10" W., thence north along the shoreline to point of origin.</p> <p>Spectator area: All waters of the North Atlantic Ocean bounded by a line connecting the following points: latitude 39°59'41" N., longitude 074°01'59" W., thence east to latitude 39°59'39" N., longitude 074°01'48" W., thence southwest to latitude 39°56'27" N., longitude 074°02'29" W., thence west to latitude 39°56'28" N., longitude 074°02'43" W., thence north to point of origin.</p>
7	May—3rd weekend, Saturday and Sunday.	New Jersey Offshore Grand Prix.	Offshore Performance Assn. & New Jersey Offshore Racing Assn.	<p>Regulated enforcement area—All waters of the North Atlantic Ocean encompassed within the following areas:</p> <p>Race area: All waters of the North Atlantic Ocean bounded by a line connecting the following points: latitude 40°05'40" N., longitude 074°01'59" W., thence southeast to latitude 40°05'34" N., longitude 074°01'40" W., thence south to latitude 40°03'54" N., longitude 074°02'07" W., thence west to latitude 40°03'56" N., longitude 074°02'24" W., thence north and parallel to shoreline to point of origin.</p> <p>Buffer area: All waters of the North Atlantic Ocean bounded by a line connecting the following points: latitude 40°05'55" N., longitude 074°02'02" W., thence southeast to latitude 40°05'44" N., longitude 074°01'28" W., thence south to latitude 40°03'42" N., longitude 074°02'01" W., thence west to latitude 40°03'44" N., longitude 074°02'36" W., thence north along the shoreline to point of origin.</p> <p>Spectator area: All waters of the North Atlantic Ocean bounded by a line connecting the following points: latitude 40°05'44" N., longitude 074°01'27" W., thence east to latitude 40°05'42" N., longitude 074°01'20" W., thence southwest to latitude 40°03'42" N., longitude 074°01'55" W., thence west to latitude 40°03'42" N., longitude 074°02'01" W., thence north to point of origin.</p>

TABLE TO § 100.501—Continued

[All coordinates listed in the Table to § 100.501 reference Datum NAD 1983]

No.	Enforcement period(s) ¹	Event	Sponsor	Location/special local regulation area
8	August—3rd Tuesday and Wednesday.	Thunder Over the Boardwalk Air show.	Atlantic City Chamber of Commerce.	The waters of the North Atlantic Ocean, adjacent to Atlantic City, New Jersey, bounded by a line drawn between the following points: from a point along the shoreline at latitude 39°21'31" N., longitude 074°25'04" W., thence southeasterly to latitude 39°21'08" N., longitude 074°24'48" W., thence southwesterly to latitude 39°20'16" N., longitude 074°27'17" W., thence northwesterly to a point along the shoreline at latitude 39°20'44" N., longitude 074°27'31" W., thence northeasterly along the shoreline to latitude 39°21'31" N., longitude 074°25'04" W.
9	October—1st Monday (Columbus Day).	U.S. holiday celebrations.	City of Philadelphia ..	The waters of the Delaware River, adjacent to Philadelphia, PA and Camden, NJ, from shoreline to shoreline, bounded on the south by the Walt Whitman Bridge and bounded on the north by the Benjamin Franklin Bridge.
10	December 31st (New Year's Eve).	U.S. holiday celebrations.	City of Philadelphia ..	The waters of the Delaware River, adjacent to Philadelphia, PA and Camden, NJ, from shoreline to shoreline, bounded on the south by the Walt Whitman Bridge and bounded on the north by the Benjamin Franklin Bridge.
11	September—2nd, 3rd or 4th Sunday.	Ocean City Air Show	Ocean City, NJ	All waters of the New Jersey Intracoastal Waterway (ICW) bounded by a line connecting the following points; latitude 39°15'57" N., longitude 074°35'09" W., thence northeast to latitude 39°16'34" N., longitude 074°33'54" W., thence southeast to latitude 39°16'17" N., longitude 074°33'29" W., thence southwest to latitude 39°15'40" N., longitude 074°34'46" W., thence northwest to point of origin, near Ocean City, NJ.
12	June—4th Sunday and August—2nd or 3rd Sunday. September—2nd or 3rd Saturday and Sunday.	Atlantic City International Triathlon.	Atlantic City, NJ	All waters of the New Jersey Intracoastal Waterway (ICW) bounded by a line connecting the following points; latitude 39°21'20" N., longitude 074°27'18" W., thence northeast to latitude 39°21'27.47" N., longitude 074°27'10.31" W., thence northeast to latitude 39°21'33" N., longitude 074°26'57" W., thence northwest to latitude 39°21'37" N., longitude 074°27'03" W., thence southwest to latitude 39°21'29.88" N., longitude 074°27'14.31" W., thence south to latitude 39°21'19" N., longitude 074°27'22" W., thence east to latitude 39°21'18.14" N., longitude 074°27'19.25" W., thence north to point of origin, near Atlantic City, NJ.

(b.) Coast Guard Sector Maryland-National Capital Region—COTP Zone

1	March—4th or last Saturday; or April—1st Saturday.	USNA Safety at Sea Seminar.	U.S. Naval Academy	All waters of the Severn River from shoreline to shoreline, bounded to the northwest by the Naval Academy (SR-450) Bridge and bounded to the southeast by a line drawn from Triton Light at latitude 38°58'53.0" N., longitude 076°28'34.4" W., thence easterly to Carr Point, MD at latitude 38°58'58.7" N., longitude 076°27'38.9" W.
2	April—3rd, 4th and last Saturday and Sunday, and May—every Saturday and Sunday.	USNA Crew Races ..	U.S. Naval Academy	All waters of the Severn River from shoreline to shoreline, bounded to the northwest by a line drawn from the south shoreline at latitude 39°00'58" N., longitude 076°31'32" W., thence to the north shoreline at latitude 39°01'11" N., longitude 076°31'10" W. The regulated area is bounded to the southeast by a line drawn from U.S. Naval Academy Light at latitude 38°58'39.5" N., longitude 076°28'49" W., thence easterly to Carr Point, MD at latitude 38°58'58" N., longitude 076°27'41" W.
3	July—3rd, 4th or last Saturday, or Sunday.	Middle River Dinghy Poker Run.	Norris Trust Foundation.	The waters of Middle River, from shoreline to shoreline, within an area bounded to the north by a line drawn along latitude 39°19'33" N., and bounded to the south by a line drawn from latitude 39°17'24.4" N., longitude 076°23'53.3" W., thence east to latitude 39°18'06.4" N., longitude 076°23'10.9" W., including all western tributaries that join Middle River, including Dark Head Creek, Hopkins Creek, Norman Creek, Hogpen Creek and Sue Creek, located in Baltimore County, at Essex, MD.

TABLE TO § 100.501—Continued

[All coordinates listed in the Table to § 100.501 reference Datum NAD 1983]

No.	Enforcement period(s) ¹	Event	Sponsor	Location/special local regulation area
4	May—1st Sunday	Nanticoke River Swim and Triathlon.	Nanticoke River Swim and Triathlon, Inc.	All waters of the Nanticoke River, including Bivalve Channel and Bivalve Harbor, bounded by a line drawn from a point on the shoreline at latitude 38°18'38.8" N., longitude 075°53'31.8" W., thence westerly to latitude 38°18'39.8" N., longitude 075°55'00" W., thence northeasterly to latitude 38°19'57.7" N., longitude 075°53'47.7" W., thence easterly to latitude 38°19'42.3" N., longitude 075°52'59.4" W.
5	May—the Saturday before Memorial Day.	Chestertown Tea Party Re-enactment.	Chestertown Tea Party Festival.	All waters of the Chester River, within a line connecting the following positions: commencing at latitude 39°12'27" N., longitude 076°03'46" W., thence south to latitude 39°12'19" N., longitude 076°03'53" W., thence east to latitude 39°12'16" N., longitude 076°03'48" W., thence north to latitude 39°12'25" N., longitude 076°03'41" W., thence west to point of origin latitude 39°12'27" N., longitude 076°03'46" W., located at Chestertown, MD.
6	May—3rd Friday, Saturday and Sunday. June 2nd or 3rd Friday, Saturday and Sunday.	Washington, D.C. Dragon Boat Festival.	Taiwan—U.S. Cultural Association.	The waters of the Upper Potomac River, Washington, DC, from shoreline to shoreline, bounded upstream by the Francis Scott Key Bridge and downstream by the Roosevelt Memorial Bridge, located at Georgetown, Washington, DC.
7	May—Tuesday and Wednesday before Memorial Day (observed).	USNA Blue Angels Air Show.	U.S. Naval Academy	All waters of the Severn River from shoreline to shoreline, bounded to the northwest by a line drawn along the U.S. 50 fixed highway bridge. The regulated area is bounded to the southeast by a line drawn from U.S. Naval Academy Light at latitude 38°58'39.5" N., longitude 076°28'49" W., thence southeast to a point 1500 yards ESE of Chinks Point, MD at latitude 38°57'41" N., longitude 076°27'36" W., thence northeast to Greenbury Point at latitude 38°58'27.7" N., longitude 076°27'16.4" W. Spectator area: All waters of the Severn River bounded by a line commencing at latitude 38°58'38.2" N., longitude 076°27'56.9" W., thence southeast to latitude 38°58'24.9" N., longitude 076°27'47.6" W., thence west to latitude 38°58'22.3" N., longitude 076°27'54.5" W., thence northwest to latitude 38°58'28.3" N., longitude 076°28'11" W., thence east to point of origin. This area is located generally in the center portion of Middle Ground Anchorage, Severn River, MD. This spectator area is restricted to certain vessels as described in § 100.501 paragraph (g)(1).
8	June—2nd Sunday ..	The Great Chesapeake Bay Swim.	The Great Chesapeake Bay Swim, Inc.	The waters of the Chesapeake Bay between and adjacent to the spans of the William P. Lane Jr. Memorial Bridges from shoreline to shoreline, bounded to the north by a line drawn parallel and 500 yards north of the north bridge span that originates from the western shoreline at latitude 39°00'36.6" N., longitude 076°23'55" W., thence eastward to the eastern shoreline at latitude 38°59'14.2" N., longitude 076°19'57.3" W.; and bounded to the south by a line drawn parallel and 500 yards south of the south bridge span that originates from the western shoreline at latitude 39°00'18.4" N., longitude 076°24'28.2" W., thence eastward to the eastern shoreline at latitude 38°58'39.2" N., longitude 076°20'8.8" W.
9	April—last Saturday or Sunday.	Bay Bridge Paddle ...	ABC Events, Inc	The waters of the Chesapeake Bay between and adjacent to the spans of the William P. Lane Jr. Memorial Bridges from shoreline to shoreline, bounded to the north by a line drawn parallel and 500 yards north of the north bridge span that originates from the western shoreline at latitude 39°00'36" N., longitude 076°23'05" W., thence eastward to eastern shoreline at latitude 38°59'14" N., longitude 076°20'00" W.; and bounded to the south by a line drawn parallel and 500 yards south of the south bridge span that originates from the western shoreline at latitude 39°00'16" N., longitude 076°24'30" W., thence eastward to eastern shoreline at latitude 38°58'38" N., longitude 076°20'06" W., located between Sandy Point and Kent Island, MD.
10	June—last Saturday and Sunday or July—2nd Saturday and Sunday.	Bo Bowman Memorial—Sharptown Regatta.	Carolina Virginia Racing Assn.	Regulated enforcement area—All waters of the Nanticoke River encompassed within the following areas:

TABLE TO § 100.501—Continued

[All coordinates listed in the Table to § 100.501 reference Datum NAD 1983]

No.	Enforcement period(s) ¹	Event	Sponsor	Location/special local regulation area
				<p>Race area: All waters of the Nanticoke River commencing at a point at latitude 38°33'02" N., longitude 075°42'44" W., thence northwest to latitude 38°33'03" N., longitude 075°42'45" W., thence southwest to latitude 38°32'46" N., longitude 075°43'08" W., thence southeast to latitude 38°32'45" N., longitude 075°43'07" W., thence northeast to the point of origin.</p> <p>Race boat/participant access area: Located southwest and down river from the race area. From shoreline to shoreline and bound by a line commencing at latitude 38°32'37" N., longitude 075°43'14" W., thence northwest across the river to latitude 38°32'41.5" N., longitude 075°43'19.3" W., thence northeast to latitude 38°32'46" N., longitude 075°43'14" W., thence southeast along the Route 313 bridge to latitude 38°32'41.7" N., longitude 075°43'08.2" W., thence southwest to point of origin.</p> <p>Buffer area: All waters of the Nanticoke River bounded by a line connecting the following points: Commencing at latitude 38°33'02" N., longitude 075°42'39" W., thence southwest to latitude 38°32'42" N., longitude 075°43'07" W., thence northwest to latitude 38°32'47" N., longitude 075°43'13" W., thence northeast to latitude 38°33'07.5" N., longitude 75°42'46" W., thence southwest to the point of origin.</p> <p>Spectator area: All waters of the Nanticoke River bounded by the following points: Located northeast and up-river from the race area. From shoreline to shoreline and bound by a line commencing at latitude 38°33'08.5" N., longitude 075°42'33.6" W., thence southeasterly along the shoreline to latitude 38°33'02" N., longitude 075°42'39" W., thence across the river northwest to latitude 38°33'07.4" N., longitude 075°42'46" W., thence the northeast along the shoreline to latitude 38°33'13" N., longitude 075°42'41.5" W., thence southeast across the river to point of origin.</p>
11	May/June—Saturday and Sunday after Memorial Day (observed); and October—1st Saturday and Sunday.	Rock Hall and Waterman's Triathlon Swims.	Kinetic Endeavors, LLC.	The waters of Rock Hall Harbor from shoreline to shoreline, bounded by a line drawn from latitude 39°07'58.9" N., longitude 076°15'02" W., thence southeast and parallel along the harbor breakwall to latitude 39°07'50.1" N., longitude 076°14'41.7" W., located at Rock Hall, MD.
12	September—2nd Saturday or the Saturday after Labor Day. (biennial, even years).	Catholic Charities Dragon Boat Races.	Associated Catholic Charities, Inc.	The waters of the Patapsco River, within the Inner Harbor, from shoreline to shoreline, bounded on the east by a line drawn along longitude 076°36'30" W., located at Baltimore, MD.
13	June—3rd, 4th or last Saturday or Sunday.	Baltimore Dragon Boat Challenge.	Baltimore Dragon Boat Club.	The waters of Patapsco River, Northwest Harbor, in Baltimore, MD, from shoreline to shoreline, within an area bounded on the east by a line drawn along longitude 076°35'00" W. and bounded on the west by a line drawn along longitude 076°36'42" W.
14	May—2nd, 3rd 4th or last Saturday or Sunday. June—1st, 2nd or 3rd Saturday or Sunday.	Oxford-Bellevue Sharkfest Swim.	Enviro-Sports Productions Inc.	The waters of the Tred Avon River from shoreline to shoreline, within an area bounded on the east by a line drawn from latitude 38°42'25" N., longitude 076°10'45" W., thence south to latitude 38°41'37" N., longitude 076°10'26" W., and bounded on the west by a line drawn from latitude 38°41'58" N., longitude 076°11'04" W., thence south to latitude 38°41'25" N., longitude 076°10'49" W., thence east to latitude 38°41'25" N., longitude 076°10'30" W., located at Oxford, MD.
15	June—1st Sunday ...	Washington's Crossing: Swim Across the Potomac.	Wave One Swimming.	The waters of the Potomac River, from shoreline to shoreline, bounded to the north by a line drawn that originates at Jones Point Park, VA at the west shoreline latitude 38°47'35" N., longitude 077°02'22" W., thence east to latitude 38°47'12" N., longitude 077°00'58" W., at east shoreline near National Harbor, MD. The regulated area is bounded to the south by a line drawn originating at George Washington Memorial Parkway highway overpass and Cameron Run, west shoreline latitude 38°47'23" N., longitude 077°03'03" W., thence east to latitude 38°46'52" N., longitude 077°01'13" W., at east shoreline near National Harbor, MD.

TABLE TO § 100.501—Continued

[All coordinates listed in the Table to § 100.501 reference Datum NAD 1983]

No.	Enforcement period(s) ¹	Event	Sponsor	Location/special local regulation area
16	October—last Saturday; or November—1st or 2nd Saturday.	The MRE Tug of War.	Maritime Republic of Eastport.	The waters of Spa Creek from shoreline to shoreline, extending 400 feet from either side of a rope spanning Spa Creek from a position at latitude 38°58'36" N., longitude 076°29'04.7" W. at Annapolis City Dock, thence to a position at latitude 38°58'25" N., longitude 076°28'52.4" W., at Eastport, MD shoreline, near the foot of 2nd Street.
17	December—2nd Saturday or Sunday.	Eastport Yacht Club Lights Parade.	Eastport Yacht Club	All waters of Spa Creek and the Severn River, shoreline to shoreline, bounded on the east by a line drawn from Triton Light, at latitude 38°58'53.1" N., longitude 076°28'34.3" W., thence southwest to Horn Point, at 38°58'20.9" N., longitude 076°28'27.1" W., and bounded on the west by a line drawn along 076°30'00" W., that crosses the western end of Spa Creek, at Annapolis, MD.
18	Memorial Day weekend—Thursday, Friday, Saturday and Sunday; or Labor Day weekend—Thursday, Friday, Saturday and Sunday; or October—last Thursday, Friday, Saturday and Sunday.	NAS Patuxent River Air Expo.	NAS Patuxent River	All waters of lower Patuxent River, near Solomons, Maryland, located between Fishing Point and base of break wall marking the entrance to East Seaplane Basin at Naval Air Station Patuxent River (adjacent to approach for runway 14), within an area bounded by a line commencing near the shoreline at latitude 38°17'39" N., longitude 076°25'47" W., thence northwest to latitude 38°17'47" N., longitude 076°26'00" W., thence northeast to latitude 38°18'09" N., longitude 076°25'40" W., thence southeast to latitude 38°18'00" N., longitude 076°25'25" W., located near the shoreline at U.S. Naval Air Station Patuxent River, Maryland. All waters of Chesapeake Bay, located approximately 500 yards north of break wall marking entrance to Chesapeake Bay Basin, Naval Air Station Patuxent River (adjacent to approach for runway 32), within an area bounded by a line commencing near the shoreline at latitude 38°16'53.9" N., longitude 076°23'29.2" W., thence southeast to latitude 38°16'40" N., longitude 076°23'05" W., thence southwest to latitude 38°16'19" N., longitude 076°23'25" W., thence northwest to latitude 38°16'30.4" N., longitude 076°23'44.9" W., located near the shoreline at U.S. Naval Air Station Patuxent River, Maryland.
19	May—1st or 2nd Saturday and Sunday; September—2nd or 3rd, Saturday and Sunday.	Ocean City Grand Prix.	Offshore Powerboat Association.	<p>Regulated enforcement area: All waters of North Atlantic Ocean bounded within the following designated areas near Ocean City, MD.</p> <p>Race area: All waters of North Atlantic Ocean commencing at latitude 38°20'06.33" N., longitude 075°04'39.09" W., thence east to latitude 38°20'03.75" N., longitude 075°04'27.46" W., thence north and parallel to Ocean City, MD shoreline to latitude 38°21'32" N., longitude 075°03'46.57" W., thence west to shoreline at latitude 38°21'34.58" N., longitude 075°04'00.95" W., thence south to the point of origin.</p> <p>Buffer area: 500 yards in all directions surrounding the "Race area". All waters of North Atlantic Ocean commencing at a point near the shoreline at latitude 38°21'52" N., longitude 075°04'09" W., thence east to latitude 38°21'44" N., longitude 075°03'21" W., thence southwest and parallel to Ocean City, MD shoreline latitude 38°19'47" N., longitude 075°04'15" W., thence west to the shoreline at latitude 38°19'55" N., longitude 075°04'57" W.</p> <p>Spectator area: Vessel operation restricted to operate at No Wake Speed. All waters of North Atlantic Ocean commencing at latitude 38°20'01" N., longitude 075°04'08.4" W., thence east to latitude 38°19'58" N., longitude 075°03'57" W., thence north and parallel to Ocean City shoreline to latitude 38°21'26" N., longitude 075°03'16" W., thence west to shoreline at latitude 38°21'29" N., longitude 075°03'27.8" W., thence south to the point of origin.</p>

TABLE TO § 100.501—Continued

[All coordinates listed in the Table to § 100.501 reference Datum NAD 1983]

No.	Enforcement period(s) ¹	Event	Sponsor	Location/special local regulation area
20	June—1st, 2nd or 3rd Thursday, Friday, Saturday and Sunday.	Ocean City Air Show	Town of Ocean City, Maryland.	All waters of the North Atlanta Ocean within an area bounded by the following coordinates: Commencing at a point near the shoreline in vicinity of 33rd Street, Ocean City, MD, latitude 38°21'48.8" N., longitude 075°04'10" W., thence eastward to latitude 38°21'32" N., longitude 075°03'12" W., thence south to latitude 38°19'22.7" N., longitude 075°04'09.5" W., thence west to latitude 38°19'38.5" N., longitude 075°05'05.4" W., thence north along the shoreline to point of origin, located adjacent to Ocean City, MD.
21	May—2nd Saturday and Sunday; Memorial Day weekend (Saturday and Sunday). July—last Saturday and Sunday.	Cambridge Classic Powerboat Race.	Cambridge Power Boat Regatta Association.	<p>Regulated enforcement area: All waters within Hembrooks Bay and Choptank River west and south of a line commencing at Great Marsh Point, latitude 38°35'06" N., longitude 076°04'40.5" W., thence northeast to latitude 38°35'22.7" N., longitude 076°04'23.7" W., thence northwest to latitude 38°35'42.2" N., longitude 076°04'51.1" W. at Hembrooks Bar Light LLNR 24995, thence southwest to latitude 38°35'34.2" N., longitude 076°05'12.3" W., terminating at the Hembrooks Bay breakwall as it intersects the shoreline.</p> <p>Race area: Located within the waters of Hembrooks Bay and Choptank River, in an area bound to the north by the Hembrooks Bay breakwall and bounded to the east by a line drawn along longitude 076°04'42" W. The actual placement of the Race Area will be determined by the marine event sponsor within the designated boundaries described in this section.</p> <p>Buffer area: All waters within Hembrooks Bay and Choptank River (with the exception of the Race Area designated by the marine event sponsor) bound to the north by the breakwall and continuing along a line drawn from the east end of breakwall located at latitude 38°35'27.6" N., longitude 076°04'50.1" W., thence east to latitude 38°35'22.7" N., longitude 076°04'23.7" W., thence southwest to Great Marsh Point located at latitude 38°35'06" N., longitude 076°04'40.6" W.</p> <p>Spectator area: All waters of the Choptank River, eastward and outside of Hembrooks Bay breakwall, thence bound by line that commences at latitude 38°35'25" N., longitude 076°04'51" W., thence east to latitude 38°35'22" N., longitude 076°04'36" W., thence southeast to latitude 38°35'19" N., longitude 076°04'33" W., thence northeast to latitude 38°35'22.7" N., longitude 076°04'23.7" W.</p>
22	July—4th or last Saturday and Sunday.	Southern Maryland Boat Club Summer Regatta.	Southern Maryland Boat Club.	<p>All waters of Breton Bay, immediately adjacent to Leonardtown, MD shoreline, from shoreline to shoreline, within an area bounded to the east by a line drawn along latitude 38°16'43" N., and bounded to the west by a line drawn along longitude 076°38'29.5" W., located at Leonardtown, MD.</p> <p>Race area: The race area is rectangular in shape measuring approximately 200 yards by 870 yards. The area is bounded by a line commencing at position latitude 38°17'07.2" N., longitude 076°38'17.3" W., thence southeast to latitude 38°16'55.3" N., longitude 076°37'48" W., thence southwest to latitude 38°16'50.1" N., longitude 076°37'51.3" W., thence northwest to latitude 38°17'01.9" N., longitude 076°38'21" W., thence northeast to point of origin.</p> <p>Buffer area: The area surrounds the entire race area described in the preceding paragraph of this section. This area is rectangular in shape and provides a buffer of approximately 125 yards around the perimeter of the race area. The area is bounded by a line commencing at position latitude 38°17'12" N., longitude 076°38'19.6" W., thence southeast to latitude 38°16'57" N., longitude 076°37'40.5" W., thence southwest to latitude 38°16'44.8" N., longitude 076°37'48.2" W., thence northwest to latitude 38°17'00.2" N., longitude 076°38'27.8" W., thence northeast to point of origin.</p>

TABLE TO § 100.501—Continued

[All coordinates listed in the Table to § 100.501 reference Datum NAD 1983]

No.	Enforcement period(s) ¹	Event	Sponsor	Location/special local regulation area
23	October—Thursday, Friday, Saturday and Sunday after Columbus Day (observed). (biennial, even years).	Baltimore Air Show ..	Historic Ships in Baltimore, Inc.	<p>Spectator area: A. The area is bounded by a line commencing at position latitude 38°16'52.1" N., longitude 076°38'14.2" W., thence northeast to latitude 38°16'54" N., longitude 076°38'12.5" W., thence southeast to latitude 38°16'48.6" N., longitude 076°37'59.3" W., thence southwest to latitude 38°16'47.4" N., longitude 076°37'59.3" W., thence northwest along the shoreline to point of origin.</p> <p>B. The area is bounded by a line commencing at position latitude 38°16'59.1" N., longitude 076°37'45.6" W., thence southeast to latitude 38°16'57.1" N., longitude 076°37'40.2" W., thence southwest to latitude 38°16'54.3" N., longitude 076°37'41.9" W., thence southeast to latitude 38°16'51.8" N., longitude 076°37'36.4" W., thence northeast to latitude 38°16'55.2" N., longitude 076°37'34.2" W., thence northwest to latitude 38°16'59.2" N., longitude 076°37'37.2" W., thence west to latitude 38°17'01.7" N., longitude 076°37'43.7" W., thence south to point of origin.</p> <p>C. The area is bounded by a line commencing at position latitude 38°16'47.2" N., longitude 076°37'54.8" W., thence south to latitude 38°16'43.3" N., longitude 076°37'55.2" W., thence east to latitude 38°16'43.2" N., longitude 076°37'47.8" W., thence north to latitude 38°16'44.7" N., longitude 076°37'48.5" W., thence northwest to point of origin.</p> <p>Regulated area: All waters of the Patapsco River, within an area bounded by a line connecting position latitude 39°16'00" N., longitude 076°36'30" W., thence east to latitude 39°16'00" N., longitude 076°33'00" W., thence south to latitude 39°14'30" N., longitude 076°33'00" W., thence west to latitude 39°14'30" N., longitude 076°36'30" W., thence north to point of origin, located between Port Covington and Seagirt Marine Terminal, Baltimore, MD.</p> <p>Spectator Area: All waters of Patapsco River located between the northern boundary defined by a line drawn from the vicinity of North Locust Point Marine Terminal, Pier 1 thence east to Canton Industrial area, Pier 5; the south boundary is defined by a line drawn from vicinity of Whetstone Point thence east to Lazaretto Point. This area is located generally where Northwest Harbor, East Channel joins Patapsco River, Fort McHenry Channel, near Fort McHenry National Monument, Baltimore, MD. This area is bound by a line to the north commencing at position latitude 39°16'01" N., longitude 076°34'46" W., thence east to latitude 39°16'01" N., longitude 076°34'09" W., and bound by a line to the south commencing at position latitude 39°15'39" N., longitude 076°35'23" W., thence east to latitude 39°15'26" N., longitude 076°34'03" W. This spectator area is restricted to certain vessels as described in § 100.501 paragraph (g)(2).</p>

(c.) Coast Guard Sector Hampton Roads—COTP Zone

1	May—last Friday, Saturday and Sunday and/or June—1st Friday, Saturday and Sunday. October—3rd and 4th weekend.	Blackbeard Festival, Battle of Hampton.	City of Hampton	<p>The waters of Sunset Creek and Hampton River shoreline to shoreline bounded to the north by the I-64 Bridge over the Hampton River and bounded to the south by a line drawn from Hampton River Channel Light 16 (LL 10945), located at latitude 37°01'03" N., longitude 076°20'24" W., thence west across the Hampton River to finger pier at Bluewater Yacht Center, located at latitude 37°01'03" N., longitude 076°20'28" W.</p> <p>Spectator Vessel Anchorage Areas—Area A: Located in the upper reaches of the Hampton River, bounded to the south by a line drawn from the western shoreline at latitude 37°01'46.6" N., longitude 076°20'21.3" W., thence east across the river to latitude 37°01'42.6" N., longitude 076°20'12.3" W., and bounded to the north by the I-64 Bridge over the Hampton River. The anchorage area will be marked by orange buoys.</p>
---------	--	---	-----------------------	---

TABLE TO § 100.501—Continued

[All coordinates listed in the Table to § 100.501 reference Datum NAD 1983]

No.	Enforcement period(s) ¹	Event	Sponsor	Location/special local regulation area
2	June—1st Friday, Saturday and Sunday or 2nd Friday, Saturday and Sunday.	Norfolk Harborfest ...	Norfolk Festevents, Ltd.	<p>Area B: Located along the eastern side of the Hampton River channel, south of the route 60/143 bridge and Joy's Marina, and adjacent to the shoreline that fronts the Riverside Health Center. Bounded by the shoreline and a line drawn between the following points: latitude 37°01'27.6" N., longitude 076°20'23.1" W., thence south to latitude 37°01'22.9" N., longitude 076°20'26.1" W. The anchorage area will be marked by orange buoys.</p> <p>The waters of the Elizabeth River and its branches from shoreline to shoreline, bounded to the northwest by a line drawn across the Port Norfolk Reach section of the Elizabeth River between the north corner of the landing at Hospital Point, Portsmouth, Virginia, latitude 36°50'51.6" N., longitude 076°18'07.9" W., and the north corner of the City of Norfolk Mooring Pier at the foot of Brooks Avenue located at latitude 36°51'00.3" N., longitude 076°17'51" W.; bounded on the southwest by a line drawn from the southern corner of the landing at Hospital Point, Portsmouth, Virginia, at latitude 36°50'50.9" N., longitude 076°18'07.7" W., to the northern end of the eastern most pier at the Tidewater Yacht Agency Marina, located at latitude 36°50'33.6" N., longitude 076°17'54.1" W.; bounded to the south by a line drawn across the Lower Reach of the Southern Branch of the Elizabeth River, between the Portsmouth Lightship Museum located at the foot of London Boulevard, in Portsmouth, Virginia at latitude 36°50'13.2" N., longitude 076°17'44.8" W., and the northwest corner of the Norfolk Shipbuilding & Drydock, Berkley Plant, Pier No. 1, located at latitude 36°50'08.8" N., longitude 076°17'37.5" W.; and to the southeast by the Berkley Bridge which crosses the Eastern Branch of the Elizabeth River between Berkley at latitude 36°50'21.5" N., longitude 076°17'14.5" W., and Norfolk at latitude 36°50'35" N., longitude 076°17'10" W.</p>
3	June—2nd or 3rd Saturday.	Cock Island Race	Portsmouth Boat Club & City of Portsmouth, VA.	<p>The waters of the Elizabeth River and its branches from shoreline to shoreline, bounded to the northwest by a line drawn across the Port Norfolk Reach section of the Elizabeth River between the northern corner of the landing at Hospital Point, Portsmouth, Virginia, latitude 36°50'51.6" N., longitude 076°18'07.9" W. and the north corner of the City of Norfolk Mooring Pier at the foot of Brooks Avenue located at latitude 36°51'00.3" N., longitude 076°17'51" W.; bounded on the southwest by a line drawn from the southern corner of the landing at Hospital Point, Portsmouth, Virginia, at latitude 36°50'50.9" N., longitude 076°18'07.7" W., to the northern end of the eastern most pier at the Tidewater Yacht Agency Marina, located at latitude 36°50'50.9" N., longitude 076°17'54.1" W.; bounded to the south by a line drawn across the Lower Reach of the Southern Branch of the Elizabeth River, between the Portsmouth Lightship Museum located at the foot of London Boulevard, in Portsmouth, Virginia at latitude 36°50'13.2" N., longitude 076°17'44.8" W., and the northwest corner of the Norfolk Shipbuilding & Drydock, Berkley Plant, Pier No. 1, located at latitude 36°50'08.8" N., longitude 076°17'37.5" W.; and bounded to the southeast by the Berkley Bridge which crosses the Eastern Branch of the Elizabeth River between Berkley at latitude 36°50'21.5" N., longitude 076°17'14.5" W., and Norfolk at latitude 36°50'35" N., longitude 076°17'10" W.</p>
4	June—last Saturday or July—1st Saturday.	RRBA Spring Radar Shootout.	Rappahannock River Boaters Association (RRBA).	<p>All waters of Rappahannock River, adjacent to Layton, VA, from shoreline to shoreline, bounded on the west by a line running along longitude 076°58'30" W., and bounded on the east by a line running along longitude 076°56'00" W.</p> <p>Buffer area: The waters of Rappahannock River extending 200 yards outwards from east and west boundary lines described in this section.</p>

TABLE TO § 100.501—Continued

[All coordinates listed in the Table to § 100.501 reference Datum NAD 1983]

No.	Enforcement period(s) ¹	Event	Sponsor	Location/special local regulation area
5	July—last Wednesday and following Friday; or August—1st Wednesday and following Friday.	Pony Penning Swim	Chincoteague Volunteer Fire Department.	Spectator area: The regulated area cannot accommodate spectator vessels due to limitations posed by shallow water and insufficient waters to provide adequate separation between race course and other vessels. Spectators are encouraged to view the race from points along the adjacent shoreline. The waters of Assateague Channel from shoreline to shoreline, bounded to the east by a line drawn from latitude 37°55'01" N., longitude 075°22'40" W., thence south to latitude 37°54'50" N., longitude 075°22'46" W.; and to the southwest by a line drawn from latitude 37°54'54" N., longitude 075°23'00" W., thence east to latitude 37°54'49" N., longitude 075°22'49" W.
6	August 1st or 2nd Friday, Saturday and Sunday, September 4th Saturday and Sunday.	Hampton Cup Regatta.	Hampton Cup Regatta Boat Club.	Regulated enforcement area—All waters of Mill Creek, adjacent and north of Fort Monroe, Hampton, Virginia. The regulated area includes the following areas: Race area: All waters within the following boundaries: to the north, a line drawn along latitude 37°01'03" N., to the east a line drawn along longitude 076°18'30" W., to the south a line drawn parallel with the Fort Monroe shoreline, and west boundary is parallel with the Route 258—East Mercury Boulevard Bridge-causeway. Buffer area A: All waters bounded by a line connecting the following points: latitude 37°00'43" N., longitude 076°18'52" W., thence north along the causeway to latitude 37°01'03" N., longitude 076°18'52" W., thence southwest to latitude 37°01'00" N., longitude 076°18'54" W., thence south to Route 143 causeway at latitude 37°00'44" N., longitude 076°18'58" W., thence east along the shoreline to point of origin. Buffer area B: All waters bounded by a line connecting the following points: latitude 37°01'08" N., longitude 076°18'49" W., thence east to latitude 37°01'08" N., longitude 076°18'23" W., thence south to latitude 37°00'33" N., longitude 076°18'23" W., thence west to latitude 37°00'33" N., longitude 076°18'30" W., thence north to latitude 37°01'03" N., longitude 076°18'30" W., thence west to latitude 37°01'03" N., longitude 076°18'49" W., thence north to point of origin.
7	September 1st Friday, Saturday and Sunday or 2nd Friday, Saturday and Sunday.	Hampton Virginia Bay Days Festival.	Hampton Bay Days Inc.	Spectator area: All waters bounded by a line connecting the following points: latitude 37°01'08" N., longitude 076°18'23" W., thence east to latitude 37°01'08" N., longitude 076°18'14" W., thence south to latitude 37°00'54" N., longitude 076°18'14" W., thence southwest to latitude 37°00'37" N., longitude 076°18'23" W., thence north to point of origin. The waters of Sunset Creek and Hampton River shoreline to shoreline bounded to the north by the I-64 Bridge over the Hampton River and bounded to the south by a line drawn from Hampton River Channel Light 16 (LL 10945), located at latitude 37°01'03" N., longitude 076°20'24" W., thence west to the finger pier across the river at Bluewater Yacht Center, located at latitude 37°01'03" N., longitude 076°20'28" W.
8	September—last Sunday or October—1st or 2nd Sunday.	Poquoson Seafood Festival Workboat Races.	City of Poquoson	The waters of the Back River, Poquoson, Virginia. Race area: The area is bounded on the north by a line drawn along latitude 37°06'30" N., bounded on the south by a line drawn along latitude 37°06'15" N., bounded on the east by a line drawn along longitude 076°18'52" W. and bounded on the west by a line drawn along longitude 076°19'30" W. Buffer area: The waters of Back River extending 200 yards outwards from east and west boundary lines, and 100 yards outwards from the north and south boundary lines described in this section. Spectator area: Is located along the south boundary line of the buffer area described in this section and continues to the south for 300 yards.

TABLE TO § 100.501—Continued

[All coordinates listed in the Table to § 100.501 reference Datum NAD 1983]

No.	Enforcement period(s) ¹	Event	Sponsor	Location/special local regulation area
9	June—3rd Saturday and Sunday or 4th Saturday and Sunday.	Mattaponi Drag Boat Race.	Mattaponi Volunteer Rescue Squad and Dive Team.	All waters of Mattaponi River immediately adjacent to Rainbow Acres Campground, King and Queen County, Virginia. The regulated area includes a section of the Mattaponi River approximately three-quarter mile long and bounded in width by each shoreline, bounded to the east by a line that runs parallel along longitude 076°52'43" W., near the mouth of Mitchell Hill Creek, and bounded to the west by a line that runs parallel along longitude 076°53'41" W. just north of Wakema, Virginia. Buffer area: The waters of Mattaponi River extending 200 yards outwards from east and west boundary lines described in this section. Spectator area: The regulated area cannot accommodate spectator vessels due to limitations posed by shallow water and insufficient waters to provide adequate separation between race course and other vessels. Spectators are encouraged to view the race from points along the adjacent shoreline.
10	June—2nd or 3rd Saturday or Sunday.	Virginia Boat Club (VBC) Sprints Regatta on the James River.	Virginia Boat Club, Richmond, VA.	All waters of the James River in the vicinity of Robious Landing Park, Midlothian, VA. The regulated area includes a section of the James River approximately 1300 yards long and bounded in width by each shoreline, bounded to the east by a line that runs parallel along longitude 077°38'04" W., and bounded to the west by a line that runs parallel along longitude 077°38'54" W., north of Robious Landing Park.

(d.) Coast Guard Sector North Carolina—COTP Zone

1	September—4th or last Saturday and or Sunday.	Swim the Loop and Motts Channel Sprint.	Without Limits Coaching, Inc.	All waters surrounding Harbor Island, NC including Intracoastal waterway, Lees Cut, Banks Channel and Motts Channel. Enforcement area extends approximately 100 yards from the shoreline of Harbor Island and is bounded by a line connecting the following points; latitude 34°12'55" N., longitude 077°48'59" W., thence northeast to latitude 34°13'16" N., longitude 077°48'39" W., thence southeast to latitude 34°13'06" N., longitude 077°48'18" W., thence east to latitude 34°13'12" N., longitude 077°47'41" W., thence southeast to latitude 34°13'06" N., longitude 077°47'33" W., thence south to latitude 34°12'31" N., longitude 077°47'47" W., thence southwest to latitude 34°12'11" N., longitude 077°48'01" W., thence northwest to latitude 34°12'29" N., longitude 077°48'29" W., thence north to latitude 34°12'44" N., longitude 077°48'32" W., thence northwest to point of origin.
2	September—3rd, 4th or last Saturday; October—last Saturday; November—1st and or 2nd Saturday.	Wilmington YMCA Triathlon.	Wilmington, NC, YMCA.	All waters of Motts Channel, from shoreline to shoreline and between Wrightsville Channel Day beacon 14 (LLNR 30220), located at latitude 34°12'17.8" N., longitude 077°48'09.1" W., thence westward to Wrightsville Channel Day beacon 25 (LLNR 30255), located at latitude 34°12'52.1" N., longitude 077°48'53.5" W.
3	August—2nd Saturday.	The Crossing	Organization to Support the Arts, Infrastructure, and Learning on Lake Gaston, AKA O'SAIL.	All waters of Lake Gaston, from shoreline to shoreline, directly under the length of Eaton Ferry Bridge (NC State Route 903), commencing at the southern bridge entrance at latitude 36°30'38" N., longitude 077°57'53" W., and extending to the northern bridge entrance at latitude 36°31'19" N., longitude 077°57'33" W., and bounded to the west by a line drawn parallel and 100 yards from and the western side of Eaton Ferry Bridge near Littleton, NC.
4	October—3rd, 4th or last Friday or Saturday.	PPD Ironman North Carolina.	Ironman, Wilmington, NC.	All waters of Masonboro Inlet, shoreline to shoreline starting at location latitude 34°11'13" N., longitude 077°48'53" W., thence north along Banks Channel to latitude 34°12'14" N., longitude 077°48'04" W., thence west to Motts channel, terminating at Sea Path Marina at latitude 34°12'44" N., longitude 077°48'25" W., Wrightsville Beach, NC.

¹ As noted in paragraph (f) of this section, the enforcement period for each of the listed special local regulations is subject to change.

* * * * *

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 5. 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, 160.5; Department of Homeland Security Delegation No. 0170.1.

§ 165.T05–0330 [Removed]

■ 6. Remove § 165.T05–0330.

§ 165.T05–0495 [Removed]

■ 7. Remove § 165.T05–0495.

§ 165.T05–0723 [Removed]

■ 8. Remove § 165.T05–0723.

§ 165.506 [Amended]

■ 9. Revise section 165.506 to read as follows:

§ 165.506 Safety Zones; Fireworks Displays in the Fifth Coast Guard District.

(a) *Regulations.* (1) The general regulations contained in 33 CFR 165.23 apply.

(2) The following regulations apply to the fireworks safety zones listed in the Table to § 165.506. These regulations will be enforced annually, for the duration of each fireworks event listed in the Table to § 165.506. In the case of inclement weather, the event may be conducted on the day following the date listed in the Table to § 165.506. Annual notice of the exact dates and times of the enforcement period of the regulation with respect to each safety zone, the geographical area, and other details concerning the nature of the fireworks event will be published in Local Notices to Mariners and via Broadcast Notice to Mariners over VHF–FM marine band radio.

(3) All persons and vessels shall comply with the instructions of the Coast Guard Captain of the Port, Coast Guard Patrol Commander or the

designated on-scene-patrol personnel. Those personnel are comprised of commissioned, warrant, and petty officers of the U.S. Coast Guard. Other Federal, State and local agencies may assist these personnel in the enforcement of the safety zone. Upon being hailed by a U.S. Coast Guard vessel by siren, radio, flashing light or other means, the operator of a vessel shall proceed as directed.

(b) *Notification.* (1) Fireworks barges and launch sites on land that operate within the regulated areas contained in the Table to § 165.506 will have a sign affixed to the port and starboard side of the barge or mounted on a post 3 feet above ground level when on land immediately adjacent to the shoreline and facing the water labeled “FIREWORKS—DANGER—STAY AWAY”. This will provide on scene notice that the safety zone will be enforced on that day. This notice will consist of a diamond shaped sign 4 feet by 4 feet with a 3-inch orange retro reflective border. The word “DANGER” shall be 10 inch black block letters centered on the sign with the words “FIREWORKS” and “STAY AWAY” in 6 inch black block letters placed above and below the word “DANGER” respectively on a white background.

(2) Coast Guard Captains of the Port in the Fifth Coast Guard District will notify the public of the enforcement of these safety zones by all appropriate means to affect the widest publicity among the affected segments of the public. Publication in the Local Notice to Mariners, marine information broadcasts, and facsimile broadcasts may be made for these events, beginning 24 to 48 hours before the event is scheduled to begin, to notify the public.

(c) *Contact information.* Questions about safety zones and related events should be addressed to the local Coast Guard Captain of the Port for the area in which the event is occurring. Contact

information is listed below. For a description of the geographical area of each Coast Guard Sector—Captain of the Port zone, please see 33 CFR 3.25.

(1) Coast Guard Sector Delaware Bay—Captain of the Port Zone, Philadelphia, Pennsylvania: (215) 271–4940.

(2) Coast Guard Sector Maryland–National Capital Region—Captain of the Port Zone, Baltimore, Maryland: (410) 576–2525.

(3) Coast Guard Sector Hampton Roads—Captain of the Port Zone, Norfolk, Virginia: (757) 483–8567.

(4) Coast Guard Sector North Carolina—Captain of the Port Zone, Wilmington, North Carolina: (877) 229–0770 or (910) 362–4015.

(d) *Enforcement periods.* The safety zones in the Table to § 165.506 will be enforced from 5:30 p.m. to 1 a.m. each day a barge with a “FIREWORKS—DANGER—STAY AWAY” sign on the port and starboard side is on-scene or a “FIREWORKS—DANGER—STAY AWAY” sign is posted on land adjacent to the shoreline, in a location listed in the Table to § 165.506. Vessels may not enter, remain in, or transit through the safety zones during these enforcement periods unless authorized by the Captain of the Port or designated Coast Guard patrol personnel on scene. The enforcement periods for each Safety Zone in the Table to § 165.506 of this section are subject to change, but the duration of enforcement would remain the same or nearly the same total amount of time as stated in its table. In the event of a change, or for enforcement periods listed that do not allow a specific date or dates to be determined, the Captain of the Port will provide notice by publishing a Notice of Enforcement in the **Federal Register**, as well as, issuing a Broadcast Notice to Mariners.

TABLE TO § 165.506

[All coordinates listed in the Table to § 165.506 reference Datum NAD 1983]

No.	Enforcement period(s) ¹	Location	Safety zone—regulated area
(a.) Coast Guard Sector Delaware Bay—COTP Zone			
1	July 2nd, 3rd, 4th or 5th	North Atlantic Ocean, Bethany Beach, DE; Safety Zone.	The waters of the North Atlantic Ocean within a 500 yard radius of the fireworks barge in approximate position latitude 38°32'08" N., longitude 075°03'15" W., adjacent to shoreline of Bethany Beach, DE.
2	Labor Day	Indian River Bay, DE; Safety Zone	All waters of the Indian River Bay within a 700 yard radius of the fireworks launch location on the pier in approximate position latitude 38°36'42" N., longitude 075°08'18" W.

TABLE TO § 165.506—Continued

[All coordinates listed in the Table to § 165.506 reference Datum NAD 1983]

No.	Enforcement period(s) ¹	Location	Safety zone—regulated area
3	July 2nd, 3rd or 4th	North Atlantic Ocean, Rehoboth Beach, DE; Safety Zone.	All waters of the North Atlantic Ocean within a 360 yard radius of the fireworks barge in approximate position latitude 38°43'01.2" N., longitude 075°04'21" W., approximately 400 yards east of Rehoboth Beach, DE.
4	July 2nd, 3rd, 4th or 5th	North Atlantic Ocean, Avalon, NJ; Safety Zone.	The waters of the North Atlantic Ocean within a 500 yard radius of the fireworks barge in approximate location latitude 39°06'19.5" N., longitude 074°42'02.15" W., in the vicinity of the shoreline at Avalon, NJ.
5	July 2nd, 3rd, or 4th, or September 1st—2nd Saturday.	Barnegat Bay, Barnegat Township, NJ; Safety Zone.	The waters of Barnegat Bay within a 500 yard radius of the fireworks barge in approximate position latitude 39°44'50" N., longitude 074°11'21" W., approximately 500 yards north of Conklin Island, NJ.
6	July 2nd, 3rd, 4th or 5th	North Atlantic Ocean, Cape May, NJ; Safety Zone.	The waters of the North Atlantic Ocean within a 500 yard radius of the fireworks barge in approximate location latitude 38°55'36" N., longitude 074°55'26" W., immediately adjacent to the shoreline at Cape May, NJ.
7	July 2nd, 3rd, 4th or 5th	Delaware Bay, North Cape May, NJ; Safety Zone.	All waters of the Delaware Bay within a 360 yard radius of the fireworks barge in approximate position latitude 38°58'00" N., longitude 074°58'30" W.
8	July 2nd, 3rd, 4th or 5th. August—3rd Sunday.	Great Egg Harbor Inlet, Margate City, NJ; Safety Zone.	All waters within a 500 yard radius of the fireworks barge in approximate location latitude 39°19'33" N., longitude 074°31'28" W., on the Intracoastal Waterway near Margate City, NJ.
9	July 2nd, 3rd, 4th or 5th. August every Thursday; September 1st Thursday.	Metedeconk River, Brick Township, NJ; Safety Zone.	The waters of the Metedeconk River within a 300 yard radius of the fireworks launch platform in approximate position latitude 40°03'24" N., longitude 074°06'42" W., near the shoreline at Brick Township, NJ.
10	July—2nd, 3rd, 4th or 5th	North Atlantic Ocean, Atlantic City, NJ; Safety Zone.	The waters of the North Atlantic Ocean within a 500 yard radius of the fireworks barge located at latitude 39°20'58" N., longitude 074°25'58" W., and within 500 yard radius of a fireworks barge located at latitude 39°21'12" N., longitude 074°25'06" W., near the shoreline at Atlantic City, NJ.
11	July 2nd, 3rd, 4th or 5th. October—1st or 2nd Saturday.	North Atlantic Ocean, Ocean City, NJ; Safety Zone.	The waters of the North Atlantic Ocean within a 500 yard radius of the fireworks barge in approximate location latitude 39°16'22" N., longitude 074°33'54" W., in the vicinity of the shoreline at Ocean City, NJ.
12	May—4th Saturday	Barnegat Bay, Ocean Township, NJ; Safety Zone.	All waters of Barnegat Bay within a 500 yard radius of the fireworks barge in approximate position latitude 39°47'33" N., longitude 074°10'46" W.
13	July 2nd, 3rd, 4th or 5th	Little Egg Harbor, Parker Island, NJ; Safety Zone.	All waters of Little Egg Harbor within a 500 yard radius of the fireworks barge in approximate position latitude 39°34'18" N., longitude 074°14'43" W., approximately 50 yards north of Parkers Island.
14	September—3rd Saturday ...	Delaware River, Chester, PA; Safety Zone	All waters of the Delaware River near Chester, PA just south of the Commodore Barry Bridge within a 250 yard radius of the fireworks barge located in approximate position latitude 39°49'43.2" N., longitude 075°22'42" W.
15	September—3rd Saturday ...	Delaware River, Essington, PA; Safety Zone.	All waters of the Delaware River near Essington, PA, west of Little Tincum Island within a 250 yard radius of the fireworks barge located in the approximate position latitude 39°51'18" N., longitude 075°18'57" W.
16	July 2nd, 3rd, 4th or 5th; Columbus Day; December 31st, January 1st.	Delaware River, Philadelphia, PA; Safety Zone.	All waters of Delaware River, adjacent to Penns Landing, Philadelphia, PA, bounded from shoreline to shoreline, bounded on the south by a line running east to west from points along the shoreline at latitude 39°56'31.2" N., longitude 075°08'28.1" W., thence to latitude 39°56'29.1" N., longitude 075°07'56.5" W., and bounded on the north by the Benjamin Franklin Bridge.
17	July 2nd, 3rd, 4th or 5th	N. Atlantic Ocean, Sea Isle City, NJ; Safety Zone.	All waters of N. Atlantic Ocean within a 350 yard radius of a fireworks barge located approximately at position latitude 39°08'49.5" N., longitude 074°41'25.1" W., near Sea Isle City, NJ.
18	April 8th; July 2nd, 3rd, 4th or 5th; December 31st.	Rehoboth Bay, DE; Safety Zone	All waters within a 500 yard radius of a fireworks barge located at position latitude 38°41'21" N., longitude 075°05'00" W., at Rehoboth Bay near Dewey Beach, DE.

TABLE TO § 165.506—Continued

[All coordinates listed in the Table to § 165.506 reference Datum NAD 1983]

No.	Enforcement period(s) ¹	Location	Safety zone—regulated area
19	May—1st Saturday	Delaware River, Philadelphia, PA; Safety Zone.	All waters of the Delaware River within a 300 yard radius of fireworks barge located at position latitude 39°57'39" N., longitude 075°07'45" W., located approximately 400 yards east of Pier 37 N, Philadelphia, PA.
20	July—2nd or 3rd Saturday ..	Great Egg Harbor Bay, Rainbow Channel, Ocean City, NJ; Safety Zone.	All waters of Great Egg Harbor Bay, Rainbow Channel within a 200 yard radius of fireworks barge located at position latitude 39°17'23" N., longitude 074°34'31" W., near Ocean City, NJ.

(b.) Coast Guard Sector Maryland-National Capital Region—COTP Zone

1	April—1st, 2nd or 3rd Saturday.	Washington Channel, Upper Potomac River, Washington, D.C.; Safety Zone.	All waters of the Upper Potomac River within 170 yards radius of the fireworks barge in approximate position latitude 38°52'20.3" N., longitude 077°01'17.5" W., located within the Washington Channel in Washington Harbor, DC.
2	July 4th; December—1st and 2nd Saturday; December 31st.	Severn River and Spa Creek, Annapolis, MD; Safety Zone.	All waters of the Severn River and Spa Creek within a 300 yard radius of the fireworks barge in approximate position latitude 38°58'41.76" N., longitude 076°28'34.2" W., located near the entrance to Spa Creek, Annapolis, MD.
3	July—4th, or Saturday or Sunday before or after Independence Day holiday.	Chesapeake Bay, Seneca Creek, Baltimore County, MD; Safety Zone.	All waters of the Chesapeake Bay, approach to Seneca Creek within a 200 yard radius of the fireworks barge in approximate position latitude 39°18'25.53" N., longitude 076°21'50.39" W., Seneca Creek, MD.
4	December 31st	Upper Potomac River, Washington, D.C.; Safety Zone.	All waters of the Upper Potomac River within a 300 yard radius of the fireworks barge in approximate position latitude 38°48'14" N., longitude 077°02'10" W., located near the waterfront (King Street) at Alexandria, Virginia.
5	June 14th; July 4th; September—2nd Saturday; December 31st.	Northwest Harbor (East Channel), Patapsco River, MD; Safety Zone.	All waters of the Patapsco River within a 300 yard radius of the fireworks barge in approximate position latitude 39°15'55" N., longitude 076°34'35" W., located adjacent to the East Channel of Northwest Harbor.
6	April—1st Tuesday; May—2nd or 3rd Thursday or Friday; July 4th; December 31st.	Baltimore Inner Harbor, Patapsco River, MD; Safety Zone.	All waters of the Patapsco River within a 100 yard radius of the fireworks barge in approximate position latitude 39°17'01" N., longitude 076°36'31" W., located at the entrance to Baltimore Inner Harbor, approximately 125 yards southwest of pier 3.
7	April—1st Tuesday; May—2nd or 3rd Thursday or Friday; July 4th December 31st.	Baltimore Inner Harbor, Patapsco River, MD; Safety Zone.	The waters of the Patapsco River within a 100 yard radius of approximate position latitude 39°17'04" N., longitude 076°36'36" W., located in Baltimore Inner Harbor, approximately 125 yards southeast of pier 1.
8	July 4th; December 31st	Northwest Harbor (West Channel) Patapsco River, MD; Safety Zone.	All waters of the Patapsco River within a 300 yard radius of the fireworks barge in approximate position latitude 39°16'21" N., longitude 076°34'38" W., located adjacent to the West Channel of Northwest Harbor.
9	July—4th, or Saturday before or Friday after Independence Day holiday.	Patuxent River, Calvert County, MD; Safety Zone.	All waters of the Patuxent River within a 200 yard radius of the fireworks barge located at latitude 38°19'17" N., longitude 076°27'45" W., approximately 800 feet from shore at Solomons Island, MD.
10	July 4th or Sunday before Independence Day holiday.	Chesapeake Bay, Chesapeake Beach, MD; Safety Zone.	All waters of the Chesapeake Bay within a 200 yard radius of the fireworks barge in approximate position latitude 38°41'36" N., longitude 076°31'30" W., and within a 200 yard radius of the fireworks barge in approximate position latitude 38°41'28" N., longitude 076°31'29" W., located near Chesapeake Beach, Maryland.
11	July 4th	Choptank River, Cambridge, MD; Safety Zone.	All waters of the Choptank River within a 300 yard radius of the fireworks launch site at Great Marsh Point, located at latitude 38°35'06" N., longitude 076°04'46" W.
12	July—2nd, 3rd or last Saturday.	Potomac River, Fairview Beach, Charles County, MD; Safety Zone.	All waters of the Potomac River within a 300 yard radius of the fireworks barge in approximate position latitude 38°19'57" N., longitude 077°14'40" W., located north of the shoreline at Fairview Beach, Virginia.

TABLE TO § 165.506—Continued

[All coordinates listed in the Table to § 165.506 reference Datum NAD 1983]

No.	Enforcement period(s) ¹	Location	Safety zone—regulated area
13	July—day before Independence Day holiday July 4th.	Potomac River, National Harbor, MD; Safety Zone.	All waters of the Potomac River within an area bound by a line drawn from the following points: latitude 38°47'13" N., longitude 077°00'58" W., thence to latitude 38°46'51" N., longitude 077°01'15" W., thence to latitude 38°47'25" N., longitude 077°01'33" W., thence to latitude 38°47'32" N., longitude 077°01'08" W., thence to the point of origin, located at National Harbor, Maryland.
14	Sunday before or after July 4th, July 4th.	Susquehanna River, Havre de Grace, MD; Safety Zone.	All waters of the Susquehanna River within a 300 yard radius of approximate position latitude 39°32'06" N., longitude 076°05'22" W., located on the island at Millard Tydings Memorial Park.
15	June and July—Saturday before Independence Day holiday.	Miles River, St. Michaels, MD; Safety Zone	All waters of the Miles River within a 200 yard radius of approximate position latitude 38°47'42" N., longitude 076°12'51" W., located at the entrance to Long Haul Creek.
16	July 3rd	Tred Avon River, Oxford, MD; Safety Zone	All waters of the Tred Avon River within a 150 yard radius of the fireworks barge in approximate position latitude 38°41'24" N., longitude 076°10'37" W., approximately 500 yards northwest of the waterfront at Oxford, MD.
17	July 3rd	Northeast River, North East, MD; Safety Zone.	All waters of the Northeast River within a 300 yard radius of the fireworks barge in approximate position latitude 39°35'26" N., longitude 075°57'00" W., approximately 400 yards south of North East Community Park.
18	July—1st, 2nd or 3rd Saturday.	Upper Potomac River, Washington, D.C.; Safety Zone.	All waters of the Upper Potomac River within a 300 yard radius of the fireworks barge in approximate position 38°48'38" N., 077°01'56" W., located east of Oronoco Bay Park at Alexandria, Virginia.
19	March through October, at the conclusion of evening MLB games at Washington Nationals Ball Park.	Anacostia River, Washington, D.C.; Safety Zone.	All waters of the Anacostia River within a 200 yard radius of the fireworks barge in approximate position latitude 38°52'12.7" N., longitude 077°00'14.1" W., located near the Washington Nationals Ball Park.
20	June—last Saturday or July—1st Saturday; July—3rd, 4th or last Saturday or September—Saturday before Labor Day (observed).	Potomac River, Prince William County, VA; Safety Zone.	All waters of the Potomac River within a 200 yard radius of the fireworks barge in approximate position latitude 38°34'09" N., longitude 077°15'32" W., located near Cherry Hill, Virginia.
21	July 4th	North Atlantic Ocean, Ocean City, MD; Safety Zone.	All waters of the North Atlantic Ocean in an area bound by the following points: latitude 38°19'39.9" N., longitude 075°05'03.2" W.; thence to latitude 38°19'36.7" N., longitude 075°04'53.5" W.; thence to latitude 38°19'45.6" N., longitude 075°04'49.3" W.; thence to latitude 38°19'49.1" N., longitude 075°05'00.5" W.; thence to point of origin. The size of the safety zone extends approximately 300 yards offshore from the fireworks launch area located at the high water mark on the beach.
22	July 4th and Sunday before Labor Day (observed).	Isle of Wight Bay, Ocean City, MD; Safety Zone.	All waters of Isle of Wight Bay within a 200 yard radius of the fireworks barge in approximate position latitude 38°22'31" N., longitude 075°04'34" W.
23	July 4th	Assawoman Bay, Fenwick Island—Ocean City, MD; Safety Zone.	All waters of Assawoman Bay within a 360 yard radius of the fireworks launch location on the pier at the West end of Northside Park, in approximate position latitude 38°25'55" N., longitude 075°03'53" W.
24	April—1st Tuesday. July 4th; December 31st.	Baltimore Harbor, Baltimore Inner Harbor, MD; Safety Zone.	All waters of Baltimore Harbor, Patapsco River, within a 280 yard radius of a fireworks barge in approximate position latitude 39°16'36.7" N., longitude 076°35'53.8" W., located northwest of the Domino Sugar refinery wharf at Baltimore, Maryland.
25	Thursday before July 4th (observed); and or July 4th.	Chester River, Kent Island Narrows, MD, Safety Zone.	All waters of Chester River, Kent Narrows North Approach, within a 300 yard radius of the fireworks launch site at Kent Island in approximate position latitude 38°58'44.4" N., longitude 076°14'51.7" W., in Queen Anne's County, MD.

TABLE TO § 165.506—Continued

[All coordinates listed in the Table to § 165.506 reference Datum NAD 1983]

No.	Enforcement period(s) ¹	Location	Safety zone—regulated area
26	Sunday before or after July 4th, July 4th.	Susquehanna River, Havre de Grace, MD; Safety Zone.	All waters of the Susquehanna River within a 200 yard radius of the fireworks barge in approximate position latitude 39°32'19" N., longitude 076°04'58.3" W., located east of Concord Point at Havre de Grace, MD.
27	July 3rd	Severn River, Sherwood Forest, MD, Safety Zone.	All waters of Severn River within a 200 yard radius of fireworks barge in approximate position latitude 39°01'54" N., longitude 076°32'41.8" W., located at end of Sherwood Forest Club main pier, Sherwood Forest, MD.
28	Thursday before July 4th (observed); and or July 4th.	Prospect Bay, Queen Anne's County, MD, Safety Zone.	All waters of Prospect Bay within a 300 yard radius of fireworks launch barge in approximate position latitude 38°57'49.8" N., longitude 076°14'58.5" W., located between Hog Island and Kent Island in Queen Anne's County, MD.

(c.) Coast Guard Sector Hampton Roads—COTP Zone

1	July 4th	Linkhorn Bay, Virginia Beach, VA, Safety Zone.	All waters of the Linkhorn Bay within a 400 yard radius of the fireworks display in approximate position latitude 36°52'20" N., longitude 076°00'38" W., located near the Cavalier Golf and Yacht Club, Virginia Beach, Virginia.
2	September—last Friday or October—1st Friday.	York River, West Point, VA, Safety Zone ..	All waters of the York River near West Point, VA within a 400 yard radius of the fireworks display located in approximate position latitude 37°31'25" N., longitude 076°47'19" W.
3	July 4th	York River, Yorktown, VA, Safety Zone	All waters of the York River within a 400 yard radius of the fireworks display in approximate position latitude 37°14'14" N., longitude 076°30'02" W., located near Yorktown, Virginia.
4	July 4th, July 5th, July 6th, or July 7th.	James River, Newport News, VA, Safety Zone.	All waters of the James River within a 325 yard radius of the fireworks barge in approximate position latitude 36°58'30" N., longitude 076°26'19" W., located in the vicinity of the Newport News Shipyard, Newport News, Virginia.
5	June—1st and 4th Friday; July—1st Friday; July 4th.	Chesapeake Bay, Norfolk, VA, Safety Zone.	All waters of the Chesapeake Bay within a 400 yard radius of the fireworks display located in position latitude 36°57'21" N., longitude 076°15'00" W., located near Ocean View Fishing Pier.
6	July 4 th or 5th	Chesapeake Bay, Virginia Beach, VA, Safety Zone.	All waters of the Chesapeake Bay 400 yard radius of the fireworks display in approximate position latitude 36°55'02" N., longitude 076°03'27" W., located at the First Landing State Park at Virginia Beach, Virginia.
7	July 4th; December 31st, January—1st.	Elizabeth River, Southern Branch, Norfolk, VA, Safety Zone.	All waters of the Elizabeth River Southern Branch in an area bound by the following points: latitude 36°50'54.8" N., longitude 076°18'10.7" W.; thence to latitude 36°51'7.9" N., longitude 076°18'01" W.; thence to latitude 36°50'45.6" N., longitude 076°17'44.2" W.; thence to latitude 36°50'29.6" N., longitude 076°17'23.2" W.; thence to latitude 36°50'7.7" N., longitude 076°17'32.3" W.; thence to latitude 36°49'58" N., longitude 076°17'28.6" W.; thence to latitude 36°49'52.6" N., longitude 076°17'43.8" W.; thence to latitude 36°50'27.2" N., longitude 076°17'45.3" W. thence to the point of origin.
8	July—3rd and or 4th Saturday.	John H. Kerr Reservoir, Clarksville, VA, Safety Zone.	All waters of John H. Kerr Reservoir within a 400 yard radius of approximate position latitude 36°37'51" N., longitude 078°32'50" W., located near the center span of the State Route 15 Highway Bridge.
9	June, July, August, and September—every Wednesday, Thursday, Friday, Saturday and Sunday. July 4th.	North Atlantic Ocean, Virginia Beach, VA, Safety Zone A.	All waters of the North Atlantic Ocean within a 1000 yard radius of the center located near the shoreline at approximate position latitude 36°51'12" N., longitude 075°58'06" W., located off the beach between 17th and 31st streets.
10	September—last Saturday or October—1st Saturday.	North Atlantic Ocean, VA Beach, VA, Safety Zone B.	All waters of the North Atlantic Ocean within a 350 yard radius of approximate position latitude 36°50'35" N., longitude 075°58'09" W., located on the 14th Street Fishing Pier.

TABLE TO § 165.506—Continued

[All coordinates listed in the Table to § 165.506 reference Datum NAD 1983]

No.	Enforcement period(s) ¹	Location	Safety zone—regulated area
11	Friday, Saturday and Sunday Labor Day Weekend.	North Atlantic Ocean, VA Beach, VA, Safety Zone C.	All waters of the North Atlantic Ocean within a 350 yard radius of approximate position latitude 36°49'55" N., longitude 075°58'00" W., located off the beach between 2nd and 6th streets.
12	July 4th	Nansemond River, Suffolk, VA, Safety Zone.	All waters of the Nansemond River within a 350 yard radius of approximate position latitude 36°44'27" N., longitude 076°34'42" W., located near Constant's Wharf in Suffolk, VA.
13	July 4th	Chickahominy River, Williamsburg, VA, Safety Zone.	All waters of the Chickahominy River within a 400 yard radius of the fireworks display in approximate position latitude 37°14'50" N., longitude 076°52'17" W., near Barrets Point, Virginia.
14	July—3rd, 4th and 5th	Great Wicomico River, Mila, VA, Safety Zone.	All waters of the Great Wicomico River located within a 140 yard radius of the fireworks display at approximate position latitude 37°50'31" N., longitude 076°19'42" W. near Mila, Virginia.
15	July—1st Friday, Saturday and Sunday.	Cockrell's Creek, Reedville, VA, Safety Zone.	All waters of Cockrell's Creek located within a 140 yard radius of the fireworks display at approximate position latitude 37°49'54" N., longitude 076°16'44" W. near Reedville, Virginia.
16	May—last Sunday	James River, Richmond, VA, Safety Zone	All waters of the James River located within a 140 yard radius of the fireworks display at approximate position latitude 37°31'13.1" N., longitude 077°25'07.84" W. near Richmond, Virginia.
17	June—last Saturday	Rappahannock River, Tappahannock, VA, Safety Zone.	All waters of the Rappahannock River located within a 140 yard radius of the fireworks display at approximate position latitude 37°55'12" N., longitude 076°49'12" W. near Tappahannock, Virginia.
18	July 4th, August—1st Friday, Saturday and Sunday, and December 31st.	Cape Charles Harbor, Cape Charles, VA, Safety Zone.	All waters of Cape Charles Harbor located within a 125 yard radius of the fireworks display at approximate position latitude 37°15'46.5" N., longitude 076°01'30.3" W. near Cape Charles, Virginia.
19	July 3rd or 4th	Pagan River, Smithfield, VA, Safety Zone	All waters of the Pagan River located within a 140 yard radius of the fireworks display at approximate position latitude 36°59'18" N., longitude 076°37'45" W. near Smithfield, Virginia.
20	July 4th	Sandbridge Shores, Virginia Beach, VA, Safety Zone.	All waters of Sandbridge Shores located within a 100 yard radius of the fireworks display at approximate position latitude 36°43'24.9" N., longitude 075°56'24.9" W. near Virginia Beach, Virginia.
21	July 4th, 5th or 6th	Chesapeake Bay, Virginia Beach, VA, Safety Zone.	All waters of Chesapeake Bay located within a 200 yard radius of the fireworks display at approximate position latitude 36°54'58.18" N., longitude 076°06'44.3" W. near Virginia Beach, Virginia.
22	July 3rd, 4th and 5th	Urbanna Creek, Urbanna, VA; Safety Zone	All waters of Urbanna Creek within a 120 yard radius of the fireworks launch site at latitude 37°38'09" N., longitude 076°34'03" W., located on land near the east shoreline of Urbanna Creek and south of Bailey Point.
23	April—August; every Wednesday, Thursday, Friday and Saturday; July 2nd, 3rd, 4th, or 5th; last Sunday in August; and Friday, Saturday and Sunday of Labor Day weekend..	Elizabeth River Eastern Branch, Norfolk, VA; Safety Zone.	All waters of Eastern Branch Elizabeth River within the area along the shoreline immediately adjacent to Harbor Park Stadium ball park and outward into the river bound by a line drawn from latitude 36°50'30" N., longitude 076°16'39.9" W., thence south to 36°50'26.6" N., longitude 076°16'39" W., thence northwest to 36°50'28.8" N., longitude 076°16'49.1" W., thence north to 36°50'30.9" N., longitude 076°16'48.6" W., thence east along the shoreline to point of origin.
24	July—1st Friday, Saturday or Sunday.	James River and Appomattox River, Hopewell, VA; Safety Zone.	All waters in the confluence of James River and Appomattox River located within a 700 yard radius of the fireworks display at approximate position latitude 37°19'27.74" N., longitude 077°16'45.22" W., near Hopewell, Virginia.
25	August—1st Saturday or Sunday.	Chesapeake Bay, Inlet to Kings Creek, Cape Charles, VA; Safety Zone.	All waters of the Chesapeake Bay and Inlet to Kings Creek located within a 125 yard radius of fireworks display at approximate position latitude 37°16'53" N., longitude 076°00'42" W., Cape Charles, Virginia.

TABLE TO § 165.506—Continued

[All coordinates listed in the Table to § 165.506 reference Datum NAD 1983]

No.	Enforcement period(s) ¹	Location	Safety zone—regulated area
(d.) Coast Guard Sector North Carolina—COTP Zone			
1	July 4th; October—1st Saturday.	Morehead City Harbor Channel, NC, Safety Zone.	All waters of the Morehead City Harbor Channel that fall within a 360 yard radius of latitude 34°43'01" N., longitude 076°42'59.6" W., a position located at the west end of Sugar Loaf Island, NC.
2	April—2nd Saturday; July 4th; August—3rd Monday; October—1st Saturday.	Cape Fear River, Wilmington, NC, Safety Zone.	All waters of the Cape Fear River within an area bound by a line drawn from the following points: latitude 34°13'54" N., longitude 077°57'06" W.; thence northeast to latitude 34°13'57" N., longitude 077°57'05" W.; thence north to latitude 34°14'11" N., longitude 077°57'07" W.; thence northwest to latitude 34°14'22" N., longitude 077°57'19" W.; thence east to latitude 34°14'22" N., longitude 077°57'06" W.; thence southeast to latitude 34°14'07" N., longitude 077°57'00" W.; thence south to latitude 34°13'54" N., longitude 077°56'58" W.; thence to the point of origin, located approximately 500 yards north of Cape Fear Memorial Bridge.
3	July 1st Saturday and July 4th.	Green Creek and Smith Creek, Oriental, NC, Safety Zone.	All waters of Green Creek and Smith Creek that fall within a 300 yard radius of the fireworks launch site at latitude 35°01'29.6" N., longitude 076°42'10.4" W., located near the entrance to the Neuse River in the vicinity of Oriental, NC.
4	July 4th	Pasquotank River, Elizabeth City, NC, Safety Zone.	All waters of the Pasquotank River within a 300 yard radius of the fireworks launch barge in approximate position latitude 36°17'47" N., longitude 076°12'17" W., located approximately 400 yards north of Cottage Point, NC.
5	July 4th, or July 5th	Currituck Sound, Corolla, NC, Safety Zone	All waters of the Currituck Sound within a 300 yard radius of the fireworks launch site in approximate position latitude 36°22'23.8" N., longitude 075°49'56.3" W., located near Whale Head Bay.
6	July 4th; November—3rd Saturday.	Middle Sound, Figure Eight Island, NC, Safety Zone.	All waters of the Figure Eight Island Causeway Channel from latitude 34°16'32" N., longitude 077°45'32" W., thence east along the marsh to latitude 34°16'19" N., longitude 077°44'55" W., thence south to the causeway at latitude 34°16'16" N., longitude 077°44'58" W., thence west along the shoreline to latitude 34°16'29" N., longitude 077°45'34" W., thence back to the point of origin.
7	June—2nd Saturday; July 4th.	Pamlico River, Washington, NC, Safety Zone.	All waters of Pamlico River and Tar River within a 300 yard radius of latitude 35°32'25" N., longitude 077°03'42" W., a position located on the southwest shore of the Pamlico River, Washington, NC.
8	July 4th	Neuse River, New Bern, NC, Safety Zone	All waters of the Neuse River within a 360 yard radius of the fireworks barge in approximate position latitude 35°06'07.1" N., longitude 077°01'35.8" W.; located 420 yards north of the New Bern, Twin Span, high-rise bridge.
9	July—1st Saturday or Sunday; July 4th.	Pamlico Sound, Ocracoke, NC, Safety Zone.	All waters of Pamlico Sound with a 170 yard radius of the National Park Service boat launch site at Ocracoke, NC at position latitude 35°07'07" N., longitude 075°59'16" W.
10	July 4th. November—Saturday following Thanksgiving Day.	Motts Channel, Banks Channel, Wrightsville Beach, NC, Safety Zone.	All waters of Motts Channel within a 500 yard radius of the fireworks launch site in approximate position latitude 34°12'29" N., longitude 077°48'27" W., approximately 560 yards south of Sea Path Marina, Wrightsville Beach, NC.
11	July 4th	Cape Fear River, Southport, NC, Safety Zone.	All waters of the Cape Fear River within a 600 yard radius of the fireworks barge in approximate position latitude 33°54'40" N., longitude 078°01'18" W., approximately 700 yards south of the waterfront at Southport, NC.
12	July 4th	Big Foot Slough, Ocracoke, NC, Safety Zone.	All waters of Big Foot Slough within a 300 yard radius of the fireworks launch site in approximate position latitude 35°06'54" N., longitude 075°59'24" W., approximately 100 yards west of the Silver Lake Entrance Channel at Ocracoke, NC.

TABLE TO § 165.506—Continued

[All coordinates listed in the Table to § 165.506 reference Datum NAD 1983]

No.	Enforcement period(s) ¹	Location	Safety zone—regulated area
13	August—1st Tuesday	New River, Jacksonville, NC, Safety Zone	All waters of the New River within a 300 yard radius of the fireworks launch site in approximate position latitude 34°44'45" N., longitude 077°26'18" W., approximately one half mile south of the Hwy 17 Bridge, Jacksonville, North Carolina.
14	May—3rd or 4th Saturday; July 4th.	Bath Creek, Bath, NC, Safety Zone	All waters on Bath Creek within a 300 yard radius of position 35°28'05" N., 076°48'56" W., Bath, NC.
15	July 4th. October—2nd Saturday.	Atlantic Intracoastal Waterway, Swansboro, NC, Safety Zone.	All waters of the Atlantic Intracoastal Waterway within a 300 yard radius of approximate position latitude 34°41'02" N., longitude 077°07'04" W., located on Pelican Island.
16	September—4th or last Saturday.	Shallowbag Bay, Manteo, NC; Safety Zone	All waters of Shallowbag Bay within a 200 yard radius of a fireworks barge anchored at latitude 35°54'31" N., longitude 075°39'42" W.

¹ As noted in paragraph (d) of this section, the enforcement period for each of the listed safety zones is subject to change.

* * * * *

§ 165.540 [Removed]

■ 10. Remove § 165.540.

Dated: March 10, 2017.

Meredith L. Austin,

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

[FR Doc. 2017-06728 Filed 4-5-17; 8:45 am]

BILLING CODE 9110-04-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R08-OAR-2016-0477; FRL-9960-70-Region 8]

Montana Administrative Rule Revisions: 17.8.334

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The EPA is proposing to fully approve a revision to Montana's State Implementation Plan (SIP). On July 6, 2016, the Governor of Montana submitted to the EPA a revision to the Montana SIP that removed one section of the Administrative Rules of Montana (ARM) pertaining to aluminum plants. In this action, the EPA is proposing to approve the removal of this section from the SIP because the provision is inconsistent with Clean Air Act (CAA) requirements, as explained in the EPA's June 12, 2015 startup, shutdown, and malfunction (SSM) SIP call for Montana. Removal of this provision will correct certain deficiencies related to the treatment of excess emissions from aluminum plants.

DATES: Written comments must be received on or before May 8, 2017.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-R08-OAR-2016-0477 at <http://www.regulations.gov>. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *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, 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:

Adam Clark, Air Program, U.S. Environmental Protection Agency (EPA), Region 8, Mail Code 8P-AR, 1595 Wynkoop Street, Denver, Colorado 80202-1129. (303) 312-7104, clark.adam@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

What should I consider as I prepare my comments for EPA?

1. *Submitting Confidential Business Information (CBI).* Do not submit CBI to the EPA through <http://www.regulations.gov> or email. Clearly mark the part or all of the information that you claim to be CBI. For CBI information on a disk or CD ROM that you mail to the EPA, mark the outside of the disk or CD ROM as CBI and then identify electronically within the disk or CD ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for preparing your comments.* When submitting comments, remember to:

- Identify the rulemaking by docket number and other identifying information (subject heading, **Federal Register** volume, date, and page number);
- Follow directions and organize your comments;
- Explain why you agree or disagree;
- Suggest alternatives and substitute language for your requested changes;
- Describe any assumptions and provide any technical information and/or data that you used;
- If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced;
- Provide specific examples to illustrate your concerns, and suggest alternatives;
- Explain your views as clearly as possible, avoiding the use of profanity or personal threats; and,
- Make sure to submit your comments by the comment period deadline identified.

II. Background

On June 30, 2011, the Sierra Club (the Petitioner) filed a petition for rulemaking with the EPA Administrator, asking the EPA to take action on specific provisions in the SIPs of 39 states. The petition included interrelated requests concerning state rule treatment of excess emissions by sources during periods of SSM. Exemptions from emission limitations during periods of SSM exist in a number of state rules, some of which were adopted and approved into SIPs by the EPA many years ago. The petition alleged that SSM exemptions undermine the emission limitations in SIPs and threaten states' abilities to achieve and maintain compliance with national ambient air quality standards, thereby threatening public health and public welfare. The Petitioner requested that the EPA either (i) notify the states of the substantial inadequacies in their SIPs and finalize a rule requiring them to revise their plans pursuant to CAA section 110(k)(5) (referred to as a "SIP call"), or (ii) determine that the EPA's action approving the implementation plan provisions was in error and revise those approvals so that the SIPs are brought into compliance with the requirements of the CAA pursuant to CAA section 110(k)(6). On February 22, 2013 (78 FR 12459), the EPA proposed an action that would either grant or deny the Sierra Club petition with respect to each of the SIP provisions alleged to be inconsistent with the CAA. That proposal summarizes the EPA's review of all of the provisions that were identified in the petition, providing a detailed analysis of each provision and explaining how each one either does or does not comply with the CAA with regard to excess emission events. For each SIP provision that appeared to be inconsistent with the CAA, the EPA proposed to find that the existing SIP provision was substantially inadequate to meet CAA requirements and thus proposed to issue a SIP call under CAA section 110(k)(5) of the CAA.

On May 22, 2015, the EPA Administrator signed the final SSM SIP action. That action responds to the Sierra Club petition by granting it with respect to the provisions determined to be deficient and denying it with respect to the others. The final action responds to all public comments received on the proposed action and calls for 36 states to submit corrective SIP revisions by November 22, 2016, to bring specified provisions into compliance with the CAA. In addition, the final action reiterates the EPA's interpretation of the CAA regarding excess emissions during SSM periods and clarifies the EPA's

longstanding SSM Policy as it applies to SIPs.

With regard to the Montana SIP, the Petitioner objected to ARM 17.8.334.¹ Specifically, the Petitioner argued that ARM 17.8.334 is inconsistent with the CAA and the EPA's interpretation of the CAA in the SSM Policy because it contained an automatic exemption for emissions during startup and shutdown events. ARM 17.8.334 stated, "Operations during startup and shutdown shall not constitute representative conditions for the purposes of determining compliance with this rule," and further specified that, "nor shall emissions in excess of the levels required in [two other ARM sections] during periods of startup and shutdown be considered a violation of [those sections]."

In accordance with the requirements of CAA section 110(a)(2)(A), SIPs must contain enforceable emission limitations that, in accordance with the definition of "emission limitation" in CAA section 302(k), limit emissions of air pollutants on a continuous basis. CAA section 304 generally provides that any person may bring a civil action against any person who is alleged to have violated or to be in violation of an "emission standard or limitation" under the CAA, including SIP emission limitations. The EPA can similarly enforce against violations of SIP emission limitations under CAA section 113. Thus, SIP emission limitations can be enforced in a section 304 action or under section 113 and so must be enforceable. SIP provisions that create exemptions such that excess emissions during SSM and other conditions are not violations of the applicable emission limitations are inconsistent with these fundamental requirements of the CAA with respect to emission limitations in SIPs.² Because ARM 17.8.334 exempts emissions occurring during periods of startup and shutdown from otherwise applicable SIP emission limitations, the EPA determined in its final SSM SIP action that this provision is inconsistent with CAA requirements.

Under CAA section 110(k)(5), Montana is required to revise the SIP as necessary to correct the inadequacies identified by the SSM SIP action within

a period specified by the Administrator (not to exceed eighteen months); the SSM SIP action set a deadline of November 22, 2016 for the corrective SIP revision. On July 6, 2016, the Governor of Montana submitted to the EPA for approval a SIP revision that would remove ARM 17.8.334 from the SIP.³

III. Montana Revision and EPA Analysis

Under CAA section 110(k), the EPA has the authority and responsibility to review SIP submissions to assure that they meet all applicable requirements. CAA section 110(l) prohibits the EPA from approving a SIP revision that would interfere with any applicable requirement of the CAA.

In this instance, the State has elected to bring its existing SIP into compliance with CAA requirements by removing a previously approved provision that created unlawful exemptions from otherwise applicable emission limitations in the SIP during periods of startup and shutdown. As noted, the State proposed removing this provision, ARM 17.8.334, from the Montana SIP in its July 6, 2016 submission.

We consider the removal of this provision sufficient to correct the inadequacies that the EPA's SSM SIP action identified in the Montana SIP.⁴ As a result of the removal from the SIP, the impermissible exemptions from emissions limitations contained within this provision will no longer be available to sources. As explained in the SSM SIP action, removal of an automatic exemption is an appropriate way to address the inadequacy. 80 FR at 33848. The EPA's proposed approval of this revision is consistent with CAA section 110(l) because approval will not interfere with any applicable requirement of the CAA. Specifically, by removing the unlawful exemptions created by ARM 17.8.334, the SIP is now more protective. Furthermore, this revision will render the revised

³ The State rulemaking that repealed ARM 17.8.334 also repealed two other sections of Montana's rules, including ARM 17.8.335, which allowed aluminum plants to exceed applicable limitations during maintenance periods. ARM 17.8.335 was never approved into Montana's SIP and correspondingly was not identified in the final SSM SIP Action as substantially inadequate. As indicated by the cover letter from the Governor of Montana for the July 6, 2016 submission, the only portion of the rulemaking submitted for approval is the removal of ARM 17.8.334 from the SIP. Today's proposed action, if finalized, will complete the EPA's action on the entirety of the July 6, 2016 submission.

⁴ For a more in-depth discussion on the inadequacies of ARM 17.8.334, see our proposed SSM SIP Action, 78 FR 12459, 12530-12531, February 22, 2013.

¹ 80 FR 33846 (June 12, 2015).

² For details regarding these legal requirements for SIP emission limitations, including EPA's interpretation of the cited CAA provisions and guidance for satisfying them, please see EPA's "State Implementation Plans: Response to Petition for Rulemaking; Findings of Substantial Inadequacy; and SIP Calls To Amend Provisions Applying To Excess Emissions During Periods of Startup, Shutdown, and Malfunction," (SSM SIP Action), 78 FR 12459 (Feb. 22, 2014) (proposal); 80 FR 33839 (June 12, 2015) (final).

emission limitations consistent with the CAA requirement that emission limitations in SIPs must be continuously applicable and enforceable. Therefore, we are proposing to approve the removal of this provision from the SIP. Because removal of this provision would fully address the inadequacies that the SSM SIP action identified in the Montana SIP, this proposed action, if finalized, will satisfy Montana's obligations pursuant to the EPA's SSM SIP action.

IV. The EPA's Proposed Action

We are proposing to fully approve Montana's July 6, 2016 SIP submission, which removes ARM 17.8.334 from the Montana SIP. If finalized, our approval of this submission will fully correct the inadequacies in Montana's SIP that were identified in the EPA's SSM SIP action.

V. Statutory and Executive Orders Review

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

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

The SIP is not approved to apply on any Indian reservation land or in any other area where the 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).

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.

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

Dated: January 30, 2017.

Debra H. Thomas,

Acting Regional Administrator, Region 8.

[FR Doc. 2017-06894 Filed 4-5-17; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R01-OAR-2014-0611; FRL-9960-69-Region 1]

Air Plan Approval; CT; Reasonably Available Control Technology for the 2008 8-Hour Ozone National Ambient Air Quality Standards

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing approval of State Implementation Plan (SIP) revisions submitted by the State of Connecticut for purposes of implementing the 2008 ozone National Ambient Air Quality Standards. The SIP

revisions consist of a demonstration that Connecticut meets the requirements of reasonably available control technology for the two precursors for ground-level ozone, oxides of nitrogen (NO_x) and volatile organic compounds (VOCs), set forth by the Clean Air Act with respect to the 2008 ozone standards.

Additionally, we are proposing approval of three related regulations that limit air emissions of these pollutants from sources within the State. This action is being taken in accordance with sections 172, 182, and 184 of the Clean Air Act.

DATES: Written comments must be received on or before May 8, 2017.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-R01-OAR-2014-0611, at <http://www.regulations.gov>. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *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, 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: Bob McConnell, Air Quality Planning Unit, U.S. Environmental Protection Agency, EPA New England Regional Office, 5 Post Office Square, Suite 100 (mail code: OEP05-2), Boston, MA 02109-3912, telephone number (617) 918-1046, fax number (617) 918-0046, email mcconnell.robert@epa.gov.

SUPPLEMENTARY INFORMATION:

Throughout this document whenever "we," "us," or "our" is used, we mean EPA. The following outline is provided to aid in locating information in this preamble.

- I. Background and Purpose
- II. Summary of Connecticut's SIP Revisions
- III. EPA's Evaluation of Connecticut's SIP Revisions
 - a. RACT Certification for the 2008 Ozone Standard

- b. Municipal Waste Combustor (MWC) Regulation
- c. NO_x Control Requirements for Major Sources
- d. NO_x Control Requirements for Non-Major Sources
- e. Compliance Date for Updated NO_x RACT Requirements
- f. Other Miscellaneous Revisions

IV. Proposed Action

V. Incorporation by Reference

VI. Statutory and Executive Order Reviews

I. Background and Purpose

On July 18, 2014, the Connecticut Department of Energy and Environmental Protection (CT DEEP) submitted a formal revision to its State Implementation Plan. The SIP revision consists of information documenting how Connecticut complied with the reasonably available control technology (RACT)¹ requirements for the 2008 8-hour ozone standard. On September 16, 2016, Connecticut submitted portions of an amended version of section 22a–174–38 of the Regulations of Connecticut State Agencies (RCSA) controlling emissions from municipal waste combustors (MWCs), and requested that these provisions be incorporated into the Connecticut SIP. Additionally, on January 24, 2017, Connecticut submitted to EPA as a SIP revision request RCSA section 22a–174–22e, a regulation limiting emissions of NO_x from major sources, and RCSA section 22a–174–22f, a regulation limiting NO_x emissions from non-major sources. The September 16, 2016 and January 24, 2017 submittals are related to Connecticut's demonstration that the State has complied with the RACT requirements for the 2008 8-hour ozone standard. Connecticut also included within the January 24, 2017 submittal, a request that its previous NO_x control regulation, RCSA section 22a–174–22, be withdrawn from the SIP effective June 1, 2018, because that regulation was superseded by the other submitted regulations which are more stringent.

Sections 172(c)(1) and 182(b)(2) of the Clean Air Act (CAA) require states to implement RACT in areas classified as moderate (and higher) non-attainment for ozone, while section 184(b)(1)(B) of the Act requires RACT in states located in the Ozone Transport Region (OTR). Specifically, these areas are required to implement RACT for all major VOC and NO_x emissions sources and for all sources covered by a Control Techniques Guideline (CTG). A CTG is

a document issued by EPA which establishes a “presumptive norm” for RACT for a specific VOC source category. A related set of documents, Alternative Control Techniques (ACT) documents, exists primarily for NO_x control requirements. States must submit rules, or negative declarations when no such sources exist for CTG source categories, but not for sources in ACT categories. However, RACT must be imposed on major sources of NO_x, and some of those major sources may be within a sector covered by an ACT document.

In 2008, EPA revised the health-based National Ambient Air Quality Standards (NAAQS, or standards) for ozone, setting it at 0.075 parts per million (ppm) averaged over an 8-hour time frame. EPA determined that the revised 8-hour standard would be more protective of human health, especially with regard to children and adults who are active outdoors and individuals with a pre-existing respiratory disease such as asthma.

On March 6, 2015 (80 FR 12264), EPA published a final rule in the **Federal Register** that outlined the obligations that areas found to be in nonattainment of the 2008 ozone standard needed to address. This rule, herein referred to as the “2008 ozone implementation rule,” contained, among other things, a description of EPA's expectations for states with RACT obligations. The 2008 ozone implementation rule indicated that states could meet RACT through the establishment of new or more stringent requirements that meet RACT control levels, through a certification that previously adopted RACT controls in their SIP approved by EPA under a prior ozone NAAQS represent adequate RACT control levels for attainment of the 2008 ozone NAAQS, or with a combination of these two approaches. In addition, a state must submit a negative declaration in instances where there are no CTG sources.

II. Summary of Connecticut's SIP Revisions

On July 18, 2014, Connecticut submitted a demonstration that its regulatory framework for stationary sources meets the criteria for RACT as defined in EPA's 2008 ozone implementation rule. The State conducted a public comment process on its demonstration which concluded on July 11, 2014. Connecticut's RACT submittal notes that its prior designation as a nonattainment area for the 1979 and 1997 ozone standards resulted in the adoption of stringent controls for major sources of VOC and NO_x, including RACT level controls. Therefore, as

allowed for within the 2008 ozone implementation rule, much of Connecticut's submittal consists of a review of RACT controls adopted under previous ozone standards and an indication of whether those previously adopted controls still represent RACT for the 2008 ozone NAAQS.

Additionally, Connecticut notes that as a member state of the Ozone Transport Commission (OTC), it works with that organization to identify and adopt, as deemed appropriate, regulations on additional VOC and NO_x categories beyond those for which EPA has issued CTGs or ACT documents.

The State's July 18, 2014 submittal identifies the specific control measures that had been previously adopted to control emissions from major sources of VOC emissions, reaffirms negative declarations for some CTG categories, and describes updates Connecticut intended at that time to make to existing rules to strengthen them so that they would continue to represent RACT. Table 4 of Connecticut's submittal contains a summary of the previously-adopted measures for each of the CTG categories that EPA issued prior to 2006. The table identifies the specific state rule, where relevant, that is in place, the date of state adoption, and the date that EPA approved the rule into the Connecticut SIP. Connecticut notes that RCSA sections 22a–174–20 and 22a–174–32, which are the principal regulations in Connecticut that apply to stationary sources of VOC emissions, generally cover sources emitting 25 or more tons of VOC per year in the area that was classified as a severe nonattainment area under the 1-hour ozone standard (portions of Fairfield and Litchfield counties; see 56 FR 56694; November 6, 1991) and those emitting 50 or more tons of VOC per year in the rest of the State. However, for some CTG categories such as surface coating sources, Connecticut's rules include lower applicability thresholds consistent with the relevant CTGs. Additionally, section IV. A. of Connecticut's submittal describes the State's response to EPA's issuance of new VOC RACT CTGs in 2006, 2007, and 2008, which included adoption of a number of new regulations, negative declarations, and for miscellaneous industrial adhesives, submittal of a demonstration of an equivalence level of control from an existing regulation. EPA approved the State's SIP revisions addressing the 2006, 2007, and 2008 CTGs on June 9, 2014 (79 FR 32873).

As required, Connecticut's submittal addresses NO_x emissions as well as VOC emissions. In particular, the submittal's Table 5 lists all major

¹ RACT is defined as “the lowest emission limitation that a particular source is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility.” (44 FR 53762 (1979))

sources of NO_x (and VOC) in the State, and identifies the NO_x control regulation governing each source. Connecticut notes that all facilities in the State with the potential to emit 50 tons or more of NO_x per year (or 25 tons in portions of Fairfield and Litchfield counties) are subject to RCSA section 22a-174-22, "Control of Nitrogen Oxide Emissions." In addition, RCSA section 22a-174-38, Municipal waste combustors, regulates NO_x emissions from Connecticut's six MWCs, which are currently the largest NO_x emitting sector in the State, surpassing emissions from the State's fossil fueled electric utilities. Connecticut reviewed these two regulations and determined that both should be updated in order to represent RACT for the 2008 ozone NAAQS. Accordingly, on September 16, 2016, Connecticut submitted a SIP revision including an updated version of 22a-174-38 that contains a tightened NO_x emission limit for mass burn waterwall refuse combustors. Additionally, on January 24, 2017, Connecticut submitted a SIP revision that includes a request to withdraw the State's existing NO_x control regulation, RCSA section 22a-174-22, from the SIP, and replace it with two NO_x control regulations, namely, RCSA section 22a-174-22e, which limits NO_x emissions from major sources, and 22a-174-22f, which limits NO_x emissions from non-major sources of NO_x.

Connecticut's review of its control program for major sources of VOC and NO_x thus concludes that upon completion of its intended updates to existing NO_x rules for MWCs and combustion sources, all major sources in the State will be subject to RACT meeting the RACT requirements of the 2008 ozone standard.

III. EPA's Evaluation of Connecticut's SIP Revisions

a. RACT Certification for the 2008 Ozone Standard

EPA has reviewed Connecticut's determination that it has adopted VOC and NO_x control regulations for stationary sources that constitute RACT, and determined that the set of regulations cited by the State within its July 18, 2014 RACT certification SIP submittal, along with the subsequent adoption of the NO_x control regulations cited below which we are proposing to approve within this action, constitute RACT for purposes of the 2008 ozone standard.

Connecticut's RACT certification submittal documents the State's VOC and NO_x control regulations that have been adopted to ensure that RACT level

controls are required in the State. These requirements include the following Regulations of Connecticut State Agencies: Section 22a-174-20, Control of Organic Compound Emissions; section 22a-174-22, Control of Nitrogen Oxide Emissions; section 22a-174-30, Dispensing of Gasoline/Stage I and Stage II Vapor Recovery;² section 22a-174-32, RACT for Organic Compound Emissions; and 22a-174-38, Municipal Waste Combustors. We note that section 22a-174-22, Control of Nitrogen Oxide Emissions, will sunset on June 1, 2018, and be replaced by sections 22a-174-22e, which controls NO_x emissions from major sources, and 22a-174-22f, which controls NO_x emissions from non-major sources. These updated NO_x control regulations are described further below, and will achieve more emission reductions than the rule they replace. Furthermore, Connecticut has adopted more stringent controls for some types of MWCs (also discussed further below), which will likewise further reduce NO_x emissions in the State. Connecticut's RACT certification submittal notes that it has adopted numerous single source RACT orders for major sources of VOC and NO_x that are not covered by one of EPA's CTGs or ACTs, and these orders have been submitted to EPA and incorporated into the SIP, as have individual orders providing for NO_x trading among facilities within the State as authorized by section 22a-174-22.

The State's submittal documents a substantial downward trend in ozone exceedance days between 1975 and 2013, much of which is attributable to the control measures put in place by Connecticut, upwind states, and federal control measures adopted in the early and mid-1990s pursuant to the Clean Air Act amendments of 1990. Connecticut's submittal also notes that VOC and NO_x emissions from stationary sources contribute a relatively small portion to total emissions of those pollutants. For example, the State's major VOC sources only emitted 880 tons in 2011, which amounts to approximately 1% of Connecticut's anthropogenic VOC emissions. Major sources of NO_x emissions emitted 5,902 tons in 2011, representing approximately 7.5% of total NO_x emissions in the State.

² Connecticut subsequently replaced this regulation with RCSA section 22a-174-30a, which contains the Stage I related provisions but does not contain the Stage II requirements in light of the widespread use of on-board vapor recovery. RCSA section 22a-174-30a was submitted to EPA for approval on September 14, 2015. EPA will take action on the new RCSA section 22a-174-30a in the near future.

We have reviewed Connecticut's RACT certification demonstration, and determined that the State's regulatory requirements and the resulting reduction in VOC and NO_x emissions from major sources that they accomplish, demonstrate that a RACT level of control for both pollutants will be in place given the State's modifications to existing NO_x regulations discussed below. Since we agree that the VOC and NO_x stationary source control regulations which Connecticut has cited as meeting RACT do meet RACT for the 2008 ozone standard, we are proposing to approve Connecticut's July 18, 2014 RACT certification SIP.

Our most recent approval of a RACT certification SIP for Connecticut is fairly recent, occurring on June 27, 2013 (78 FR 38587), with respect to the 1997 ozone standard. Since then, in 2014, Connecticut re-evaluated its RACT regulations and determined that a number of NO_x regulations, as described above, should be updated to be consistent with requirements in other states. Connecticut initiated a comprehensive stakeholder process with business, industry, and environmental advocates which resulted in the development of tighter NO_x limits for MWCs, boilers, turbines, and reciprocating internal combustion engine (RICE) units. We note that Connecticut's July 18, 2014 RACT certification also discusses updates to its existing consumer products and architectural and industrial maintenance coatings regulations to implement tightened VOC emission limits. CT DEEP has since proposed these updates but has not yet submitted them to EPA for approval. Although these rules will assist Connecticut in its efforts to attain the ozone standard, these updates are not necessary for EPA's approval of the RACT certification. These rules do not apply to major stationary sources and are not categories for which EPA has issued a CTG. Therefore, they are not necessary components of the State's RACT certification.

b. Municipal Waste Combustor (MWC) Regulation

On December 6, 2001 (66 FR 63311), EPA approved portions of Connecticut's regulation limiting emissions from MWCs. More recently, on September 16, 2016, Connecticut submitted portions of an amended version of the MWC regulation, which is found at RCSA section 22a-174-38, to EPA, and requested it be incorporated into the SIP. The portions submitted for inclusion into the SIP pertain to NO_x

emission limits and related regulatory provisions. The primary revision made within the amendments was a lowering of the NO_x emission limit for mass burn waterwall units from a range of between 177 to 200 parts per million (ppm) to 150 ppm, with an August 2, 2017 compliance date. The amendments also add an emission limit for ammonia, which will limit emissions of fine particulate matter (PM_{2.5}) for MWC units that use selective non-catalytic reduction (SNCR) to control NO_x emissions. Additionally, emission testing requirements, a schedule for testing emissions, and removal of provisions for use of NO_x trading as a compliance mechanism were among other items included with the amendments. We have reviewed Connecticut's amended MWC requirements and are proposing approval of them. The most significant change being made is to the NO_x emission limit for mass burn waterwall units, which is being lowered from an existing range of between 177 to 200 ppm, to a new limit of 150 ppm. Since the new limit is more stringent than the previously approved limit, the anti-back sliding requirements of section 110(l) of the CAA are met. Additionally, Connecticut's NO_x emission limits for MWCs are more stringent than the corresponding federal limits for new sources found at 40 CFR part 60, subparts Ea, Cb, and Eb, and also are more stringent than the corresponding federal limits for existing sources found at 40 CFR part 62, subpart FFF.

c. NO_x Control Requirements for Major Sources

EPA's most recent approval of Connecticut's regulation limiting NO_x emissions from sources in the State occurred on July 20, 2014 (79 FR 39322). On January 24, 2017, Connecticut submitted a SIP revision to EPA that consisted of a comprehensive update of its NO_x control requirements. Specifically, the revision included the regulatory revisions that Connecticut determined were necessary after evaluating the current state of RACT for boilers, turbines, and RICE engines. The submittal included two new regulations, RCSA 22a-174-22e, Control of nitrogen oxide emissions from fuel-burning equipment at major stationary sources of nitrogen oxides, and 22a-174-22f, High daily NO_x emitting units at non-major sources of NO_x. The two newly adopted regulations will reduce NO_x emissions beyond the level achieved by the State's existing NO_x control regulation, 22a-174-22, which will expire as of June 1, 2018. June 1, 2018 is also the effective date of the "Phase 1" control limits that

affect some equipment types, as further described below.

After examining the NO_x RACT limits in other states, in particular those in New York and New Jersey, Connecticut determined that some of its existing limits for boilers, turbines, and RICE units should be tightened. Therefore, in order to meet RACT for the 2008 ozone NAAQS, Connecticut adopted tighter limits, which it refers to as Phase 1 control limits, within section 22a-174-22e. This newly adopted regulation contains the following changes to 24-hour emission limits, with a June 1, 2018 compliance date for the new lower limits: for gas-fired cyclone boilers, rate reduced from 0.43 to 0.3 pounds per million British Thermal Unit (lbs/mmBTU); for coal-fired "other boilers,"³ rate reduced from 0.38 to 0.28 lbs/mmBTU; for combined cycle combustion turbines, rate reduced from 55 to 42 parts per million (ppm) for gas fired units, and from 75 to 65 ppm for oil fired units. The existing limit of 0.9 lb/mmBTU for turbines rated at less than 100 million BTU/hr will be eliminated upon the compliance date for the Phase 1 limits. Connecticut also added new ozone season limits for boilers serving electrical generating units (EGUs), industrial boilers, and for simple cycle turbines in Phase 1. Additionally, Connecticut included a tune-up requirement applicable to boilers and RICE units to its Phase 1 requirements, which was not previously required. Connecticut included within its submittal of 22a-174-22e an analysis of the regulation compared to the State's prior NO_x limits within 22a-174-22, which demonstrates that the newly adopted regulation accomplishes more emission reductions than the prior regulation, thereby meeting the requirements of section 110(l) of the CAA.

Regarding the strengthened NO_x limits, during the stakeholder process Connecticut was able to negotiate additional reductions in emission limits for boilers, turbines, and RICE units beyond those adopted in Phase 1, in part, by agreeing to a phased approach whereby the more stringent Phase 2 requirements would not need to be met until 2023. It should be noted that the Phase 2 requirements are *not* a necessary part of Connecticut's RACT certification for the 2008 ozone standard. The compliance date for Phase 1 controls is much sooner, occurring on June 1, 2018. Affected owners of NO_x emitting equipment supported this

approach because it provided valuable lead time to plan for the financial and logistical aspects of meeting the Phase 2 emission limits. Compliance dates are discussed further in section e. below.

d. NO_x Control Requirements for Non-Major Sources

Regarding newly adopted RCSA section 22a-174-22f, High daily NO_x emitting units at non-major sources of NO_x, this regulation requires owners of equipment at small- and medium-sized "non-major" sources to track daily emissions during the ozone season, and take steps to reduce emissions if they exceed a certain level of NO_x emissions. The rule's applicability levels are quite low, reaching as low as 3 mmBTU/hr for certain types of boilers, as low as 1 mmBTU/hr for RICE units, and as low as 6 mmBTU/hr for simple cycle and combined cycle turbines. Emission units subject to this rule are required to comply with various record keeping and reporting requirements, and in some circumstances, annual tune-up requirements. Moreover, the rule contains daily NO_x emission thresholds, which if exceeded, will trigger additional requirements for the emission unit. Once an emission unit triggers the applicable NO_x emission threshold, it must notify the State of this within 60 days, and thereafter meet the relevant emission rate contained in RCSA section 22a-174-22e within 270 days of the threshold being first exceeded. Connecticut is not specifically required to adopt a regulation for these sources to meet RACT since they are non-major sources and the CAA requires states to implement NO_x RACT for all major sources. The rule will, however, strengthen the State's overall regulatory program for sources of NO_x and help the State in its efforts to attain the ozone NAAQS. Connecticut included within its submittal of 22a-174-22f an analysis of the regulation compared to the State's prior NO_x limits within 22a-174-22, which demonstrates that the newly adopted regulation accomplishes more emission reductions than the prior regulation, thereby meeting the requirements of section 110(l) of the CAA. Therefore, for the above reasons, EPA is proposing to approve Connecticut's 22a-174-22f into the Connecticut SIP.

e. Compliance Date for Updated NO_x RACT Requirements

We have reviewed Connecticut's RACT certification for the 2008 ozone NAAQS and revised NO_x control regulations, and are proposing approval of them into the Connecticut SIP. One

³ This category of coal fired boilers is applicable to the State's only coal fired electric utility boiler, Bridgeport Harbor Station.

consideration we evaluated in determining our proposed action on Connecticut's RACT certification for the 2008 ozone NAAQS was how to address RCSA section 22a-174-22e's Phase 1 compliance date of June 1, 2018 and RCSA section 22a-174-38's compliance date of August 2, 2017. Our March 6, 2015 implementation rule required RACT level controls be in place by January 1, 2017. See 80 FR 12280. However, despite the compliance dates of June 1, 2018 and August 2, 2017, we believe other circumstances weigh in favor of and merit our proposed approval of their RACT certification. Our rationale is as follows.

First, we note that the majority of sources continue to be controlled under NO_x RACT requirements already contained in the SIP. The June 1, 2018 and August 2, 2017 compliance dates in question only apply to a subset of all of the facilities subject to RACT requirements, and those sources are already subject to controls approved into the SIP to meet RACT requirements, but will be more strictly controlled under section 22a-174-22e's Phase 1 requirements.

With regard to the new RACT requirements, given that January 1, 2017 has already passed, it is not possible to retroactively meet that date for compliance obligations. Connecticut completed its stakeholder process for 22a-174-22e with business, industry, and environmental advocates in 2016, and although its new NO_x regulations became effective December 22, 2016, the State did not feel it was reasonable to require immediate compliance, and so sources were given until June 1, 2018 to come into compliance with the Phase 1 limits. Likewise, Connecticut's tightened NO_x limits for MWCs became effective on August 2, 2016, and sources are required to comply with these limits within one year, *i.e.*, by August 2, 2017.

Additionally, Connecticut's adoption of RCSA sections 22a-174-22e and f contain a number of provisions that accomplish more NO_x reductions than what is required by RACT. For example, the requirements of 22a-174-22f, High daily NO_x emitting units at non-major sources of NO_x, as its name implies, applies to small- and medium-sized facilities that are not subject to RACT, but may, on any given day, emit significant amounts of NO_x. This can happen on high electrical demand days (HEDDs), when additional electrical generating capacity is needed to maintain service, as determined by the relevant electrical grid operator. Over the past decade, Connecticut and the other states in the Northeast have identified this phenomenon as a prime

concern because oftentimes these units, due to their infrequent use and low potential emissions on an annual basis, are not considered major sources and therefore not required to be equipped with air pollution controls. Connecticut's regulatory effort as embodied within 22a-174-22f directly targets this activity, and although not specifically required to meet the RACT requirements of the CAA, is something that EPA has encouraged states to address to help resolve their ozone air quality problems.

Another example of the stringency of Connecticut's recently adopted NO_x control regulations are the Phase 2 emission limits which will be, upon their enactment, among the most stringent limits any state has adopted. Although not considered necessary to meet RACT for the 2008 ozone NAAQS, Connecticut understands that it will need to perform another RACT certification once implementation of the 2015 ozone NAAQS is underway, and had the foresight to establish the NO_x emission limits that would likely be needed to demonstrate RACT under the more stringent 2015 ozone NAAQS. This course of action also provided businesses and industries in the State with sufficient lead time to accomplish the planning needed to meet the aggressive Phase 2 NO_x emission limits. For these reasons, we believe it is appropriate to propose approval of Connecticut's certification that a RACT level of control is in place for major sources of NO_x.

f. Other Miscellaneous Revisions

Additionally, in its January 24, 2017 SIP revision, Connecticut requested that a number of citations within other sections of its air pollution control regulations previously approved into the SIP be updated to reflect citations to the two new NO_x control regulations that are replacing the State's original regulation, RCSA section 22a-174-22. The sections affected are as follows: RCSA sections 22a-174-8(b)(2); 22a-174-18(j)(6); 22a-174-22c(g)(3); and 22a-174-38(b)(6). Connecticut's January 24, 2017 and September 16, 2016 submittals also include the following miscellaneous revisions (not related to the July 18, 2014 RACT certification) for which we are not proposing any action at this time: RCSA sections 22a-174-3b, subsections (a)(5) and (6); 22a-174-33(g)(1); 22a-174-42(a); 22a-354-1(34)(K); and certain non-NO_x related portions of 22a-174-38. Lastly, we are proposing approval of negative declarations Connecticut has made for the following CTG categories: Automobile coatings, Large petroleum

dry cleaners, Fiberglass boat manufacturing, Equipment leaks from natural gas and gasoline processing plants, Petroleum refineries, Control of refinery vacuum producing systems, wastewater separators, and process unit turnarounds, and Flatwood paneling coatings. Connecticut reviewed the inventory information, interviewed field staff, and searched telephone and internet Web pages, including other state government databases, to confirm that no facilities exist in the State that are covered by the above mentioned CTG categories.

IV. Proposed Action

EPA is proposing approval of Connecticut's July 18, 2014 SIP submittal that demonstrates, along with the other regulations proposed for approval in today's action, that the State has adopted air pollution control strategies that represent RACT for purposes of compliance with the 2008 ozone standard. In this notice, we are proposing approval of an update to an existing regulation limiting emissions from MWCs, and a new regulation limiting emissions from major sources of NO_x as representing RACT. We are also proposing approval of a new regulation limiting emissions from non-major sources of NO_x, and proposing approval of a number of minor edits made to existing parts of Connecticut's air pollution control regulations that were updated to make citations correctly reference the State's newly adopted regulations. Last, we are proposing approval of a number of negative declarations for CTG categories for which Connecticut asserts no facilities exist within its borders.

EPA is soliciting public comments on the issues discussed in this notice or on other relevant matters. These comments will be considered before taking final action. Interested parties may participate in the Federal rulemaking procedure by submitting written comments to the EPA New England Regional Office listed in the **ADDRESSES** section of this **Federal Register**.

V. Incorporation by Reference

In this rule, the EPA is proposing to include in a final EPA rule regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is proposing to incorporate by reference the following Regulations of Connecticut State Agencies: Section 22a-174-22e, Control of nitrogen oxide emissions from fuel-burning equipment at major stationary sources of nitrogen oxides, effective December 22, 2016; Section 22a-174-22f, High daily NO_x

emitting units at non-major sources of NO_x, effective December 22, 2016; Portions of section 22a–174–38, Municipal waste combustors, effective August 2, 2016; Section 22a–174–8(b)(2), effective December 22, 2016; Section 22a–174–18(j)(6), effective December 22, 2016; Section 22a–174–22c(g)(3), effective December 22, 2016; and Section 22a–174–38(b)(6), effective December 22, 2016. The EPA has made, and will continue to make, these documents generally available electronically through <http://www.regulations.gov> and/or in hard copy at the appropriate EPA office.

VI. 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 proposed 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 proposed 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).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

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

Dated: March 15, 2017.

Deborah A. Szaro,

Acting Regional Administrator, EPA Region 1.

[FR Doc. 2017–06891 Filed 4–5–17; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 2 and 25

[IB Docket No. 16–408; FCC 16–170]

Update Concerning Non-Geostationary, Fixed-Satellite Service System and Related Matters

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; extension of comment period.

SUMMARY: The Federal Communications Commission finds that a limited extension in this proceeding would be beneficial to the development of a complete record on the issues, and it grants a fourteen-day extension for filing reply comments in response to the Commission's notice of proposed rulemaking (NPRM) concerning non-geostationary, fixed-satellite service systems and related matters.

DATES: The comment period for the proposed rule published January 11, 2017 (82 FR 3258) is extended. Reply

comments may be filed on or before April 10, 2017.

ADDRESSES: You may submit reply comments, identified by IB Docket No. 16–408; FCC 16–170, by any of the following methods:

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

- *Federal Communications Commission's Web site:* <http://www.fcc.gov/cgb/ecfs/>. Follow the instructions for submitting comments.

- *Mail:* Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although the Commission continues to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- *People with Disabilities:* Contact the Commission to request reasonable accommodations (accessible format documents, sign language interpreters, CART, etc.) by email: fcc504@fcc.gov or phone: 202–418–0530 or TTY: 202–418–0432.

For detailed instructions for submitting comments and additional information on the rulemaking process, see the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT:

Stephen Duall, Satellite Division, International Bureau, at 202–418–1103 or via email at Stephen.Duall@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's document in IB Docket No. 16–408, DA 17–263, released on March 17, 2017. The full text of the document is available for public inspection and copying during business hours in the FCC Reference Information Center, Portals II, 445 12th Street SW., Room CY–A257, Washington, DC 20554. It also may be purchased from the Commission's duplicating contractor at Portals II, 445 12th Street SW., Room CY–B402, Washington, DC 20554. Additionally, the complete item is available on the Commission's Web site at <http://www.fcc.gov>.

In the document, the International Bureau, pursuant to delegated authority, extends the deadline for reply comments to be filed in response to a NPRM concerning potential changes to the U.S. Table of Frequency Allocations contained in part 2 of the Commission's rules and to part 25 of the Commission's rules governing satellite communications. Interested parties will now have until April 10, 2017 to file reply comments.

On March 13, 2017, Inmarsat, Inc., Intelsat Corporation, Iridium Satellite LLC, WorldVu Satellites Ltd. d/b/a OneWeb, SES Americom, Inc. and its subsidiary O3b Limited, Telesat Canada, and The Boeing Company (collectively, "Satellite Companies") filed a joint motion to extend the deadline for filing reply comments in IB Docket No. 16-408 by 14 days. Reply comments were originally due to be filed no later than March 27, 2017.

As set forth in section 1.46(a) of the Commission's rules, "it is the policy of the Commission that extensions of time shall not be routinely granted." However, in this case, we agree with the Satellite Companies that it is in the public interest to grant an extension to permit the parties to properly analyze the complex technical propositions raised by initial comments in the proceeding and to consider compromise approaches put forth on certain issues. It will also allow all interested to include their comments on the record at the reply comment deadline, as the Satellite Companies represents a large portion of part 25 entities affected by the proposed rules. This will ensure that Commission has a complete record and all parties can fully address the complicated issues raised in the public notice. A limited extension will not negatively affect existing operators or significantly delay Commission action on the proceeding.

This proceeding has been designated as a "permit-but-disclose" proceeding in accordance with the Commission's ex parte rules. Persons making ex parte presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral ex parte presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the ex parte

presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to that data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where the data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during ex parte meetings are deemed to be written ex parte presentations and must be filed consistent with § 1.1206(b) of the Commission's rules. In proceedings governed by § 1.49(f) or for which the Commission has made available a method of electronic filing, written ex parte presentations and memoranda summarizing oral ex parte presentations and all attachments to those documents must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (e.g., .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's ex parte rules.

Pursuant to sections 1.415 and 1.419 of the Commission's rules, 47 CFR 1.415, 1.419, interested parties may file reply comments on the NPRM on or before the date indicated on the first page of this document. All filings related to the NPRM should refer to IB Docket No. 16-408. Comments may be filed using: (1) The Commission's Electronic Comment Filing System (ECFS), (2) the Federal Government's eRulemaking Portal, or (3) by filing paper copies. See Electronic Filing of Documents in Rulemaking Proceedings, 63 FR 24121 (May 1, 1998).

- *Electronic Filers:* Comments may be filed electronically using the Internet by

accessing the ECFS: <http://fjallfoss.fcc.gov/ecfs2/>.

- *Paper Filers:* Parties who choose to file by paper must file an original and one copy of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th St. SW., Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.

- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.

- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street SW., Washington DC 20554.

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).

Federal Communications Commission.

Marlene Dortch,
Secretary.

[FR Doc. 2017-06483 Filed 4-5-17; 8:45 am]

BILLING CODE 6712-01-P

Notices

Federal Register

Vol. 82, No. 65

Thursday, April 6, 2017

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

Revision of Land and Resource Management Plan for the Tonto National Forest; Counties of Coconino, Gila, Maricopa, Pinal, and Yavapai, Arizona

AGENCY: Forest Service, USDA.

ACTION: Notice of intent to revise the Tonto National Forest Land and Resource Management Plan and prepare an associated Environmental Impact Statement.

SUMMARY: As directed by the National Forest Management Act, the USDA Forest Service is revising the existing Tonto National Forest's Land and Resource Management Plan (hereafter referred to as Forest Plan) through development of an associated National Environmental Policy Act (NEPA) Environmental Impact Statement (EIS). This notice describes the documents available for review and how to obtain them; summarizes the needs to change to the existing Forest Plan; provides information concerning public participation and collaboration, including the process for submitting comments; provides an estimated schedule for the planning process, including the time available for comments; and includes the names and addresses of agency contacts who can provide additional information.

DATES: Comments concerning the Need to Change and Proposed Action provided in this notice will be most useful in the development of the revised plan and draft EIS if received by May 22, 2017. The agency expects to release a draft revised plan and draft EIS, developed through a collaborative public engagement process by late Spring 2018 and a final revised plan and final EIS by Summer/Fall 2019.

ADDRESSES: Send written comments to: Tonto National Forest, Attn: Plan

Revision, 2324 East McDowell Road, Phoenix, AZ 85006. Comments may also be sent via email to tontoplan@fs.fed.us.

FOR FURTHER INFORMATION CONTACT: Kenna Belsky, Forest Planner, Tonto National Forest, 602-225-5378. More information on our forest plan revision process can be found on our Web site at www.tontoplan.org.

Individuals who use telecommunication devices for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8 a.m. and 8p.m., Eastern Time, Monday through Friday.

SUPPLEMENTARY INFORMATION: The National Forest Management Act (NFMA) of 1976 requires that every National Forest System (NFS) unit develop a forest plan. On April 9, 2012, the Forest Service finalized its land management planning rule (2012 Planning Rule, 36 CFR part 219), which describes requirements for the planning process and the content of the forest plans. Forest plans describe the strategic direction for management of forest resources for ten to fifteen years, and are adaptive and amendable as conditions change over time. Under the 2012 Planning Rule, the assessment of ecological, social, cultural, and economic conditions and trends is the first stage of the planning process (36 CFR 219.6). The second stage, formal plan revision, involves the development of our forest plan in conjunction with the preparation of an Environmental Impact Statement under the National Environmental Policy Act (NEPA). The third stage of the process is monitoring and feedback, which is ongoing over the life of the revised forest plans.

The Tonto National Forest has completed its assessment pursuant to 2012 Forest Planning Rule. The assessment was developed with public participation and includes an evaluation of existing information about relevant ecological, economic, cultural and social conditions, trends, and sustainability and their relationship to forest plans within the context of the broader landscape. The intent of the Tonto National Forest is that this information builds a common understanding prior to entering formal plan revision. With this notice, the Tonto National Forest is initiating formal plan revision and invites other governments, non-governmental parties, and the public to contribute. The intent

of public engagement is to inform development of the plan revision. We encourage contributors to share material that may be relevant to the planning process, including desired conditions for the Tonto National Forest. As we develop public engagement opportunities to assist with the plan revision phase, public announcements will be made and information will be posted on the Forest's Web site: www.tontoplan.org. If you would like to contribute to the process or for more information email tontoplan@fs.fed.us, or contact Kenna Belsky, Forest Planner, Tonto National Forest, 602-225-5378.

Name and Address of the Responsible Official

Neil Bosworth, Forest Supervisor, Tonto National Forest, 2324 E McDowell Road, Phoenix, Arizona 85006.

Nature of the Decision To Be Made

The Tonto National Forest is preparing an EIS to revise the existing forest plan. The EIS process is meant to inform the Forest Supervisor so he can decide which alternative best maintains and restores National Forest System terrestrial and aquatic resources while providing ecosystem services and multiple uses, as required by the National Forest Management Act and the Multiple Use Sustained Yield Act.

The revised forest plan will describe the strategic intent of managing the Forest for the next 10 to 15 years and will address the identified needs for change to the existing land management plans. The revised forest plan will provide management direction in the form of desired conditions, objectives, standards, guidelines, and suitability of lands. It will identify delineation of new management areas and possibly geographic areas across the Forest; identify the timber sale program quantity; make recommendations to Congress for Wilderness designation; and list rivers and streams eligible for inclusion in the National Wild and Scenic Rivers System. The revised forest plan will also provide a description of the plan area's distinctive roles and contributions within the broader landscape, identify watersheds that are a priority for maintenance or restoration, include a monitoring program, and contain information reflecting expected possible actions over the life of the plan.

It is also important to identify the types of decisions that will not be made within the revised forest plan. The revised forest plan will represent decisions that are strategic in nature, but will not make site-specific project decisions and will not dictate day-to-day administrative activities needed to carry on the Forest Service's internal operations. The authorization of project level activities will be based on the guidance/direction contained in the revised plan, but will occur through subsequent project specific NEPA analysis and decision-making.

The revised forest plan will provide broad, strategic guidance that is consistent with other laws and regulations. Though strategic guidance will be provided, no decisions will be made regarding the management of individual roads or trails, such as those might be associated with a Travel Management plan under 36 CFR part 212. Some issues (e.g., hunting regulations), although important, are beyond the authority or control of the National Forest System and will not be considered.

Purpose and Need (Needs for Change) and Proposed Action

According to the National Forest Management Act, forest plans are to be revised at least every 15 years. The purpose and need for revising the current forest plan are to: (1) Update the Forest Plan which was approved in 1985 and is over 30 years old, (2) reflect changes in economic, social, and ecological conditions, new policies and priorities, and new information based on monitoring and scientific research, and (3) address the preliminary identified needs for change to the existing plan, which are summarized below. Extensive public and employee involvement, along with science-based evaluations, have helped to identify these preliminary needs for change to the existing forest plan.

The proposed action is to revise the Forest Plan to address the identified needs for change to the existing Forest Plan. Alternatives to the Proposed Action will be developed to address significant issues that will be identified through scoping.

What follows is a summary of the preliminary identified needs for change. A more fully developed description of the preliminary needs for change, which has been organized into several resource and management topic sections, is available for review on the plan revision Web site at: www.tontoplan.org/public-involvement/needs-to-change.

Throughout the Plan

1. There is a need for plan components that incorporate best available scientific information (BASI).

2. There is a need to reduce the complexity of plan components related to management areas that fragment the landscape by their arrangement, boundaries, and differing management direction.

3. There is a need to remove plan components that require developing additional planning documents, many of which require updates on a regular cycle.

4. There is a need for plan components that are adaptable to changes in technology, tools, and communication style demands.

5. There is a need for management approaches that emphasize public education about the Tonto National Forest's diverse ecological, social, and economic resources, the multiple-use philosophy, public laws and regulations, and management strategies.

Monitoring

6. There is a need for a monitoring program that tracks progress toward desired conditions and allows for a responsive adaptive management program with available resources.

Collaboration and Partnerships

7. There is a need to include management approaches that strengthen existing relationships, promote new relationships, and incorporate strategies that prioritize partnerships (e.g. local, state, and federal agencies, tribal governments, law enforcement, permittees, recreation and forest user groups, environmental groups, users with historic ties to the forest, and youth groups).

8. There is a need for management approaches that promote seeking outside assistance in addition to working with partners and volunteers to manage resources and monitor activities.

9. There is a need for management approaches that emphasize better coordination and collaboration with other forests, local governments, and tribes to minimize conflict between local planning and zoning direction as a result of our decisions, while at the same time becoming more aware of how local regulation might enhance our own management goals, or alternatively, interfere with our own desired outcomes.

10. There is a need for management approaches that integrate forest restoration and tribal needs, for working across boundaries in partnership with

tribes to manage landscapes, and to address threats to tribal resources to meet common objectives.

Terrestrial Ecosystems

11. There is a need to develop desired conditions and other plan components that support heterogeneity and habitat diversity at multiple spatial scales.

12. There is a need to include plan components that focus on addressing the impacts of exotic and invasive species on terrestrial and aquatic ecosystems.

13. There is a need to develop desired conditions, standards, and guidelines that address terrestrial and aquatic habitat linkages and connectivity for species migration and movement across the landscape.

14. There is a need for plan components that incorporate adaptive management strategies that increase ecosystem resiliency to changing environmental conditions and stressors.

15. There is a need for standards or guidelines that prioritize use of native plant materials (the use of local and genetically appropriate seed sources) for revegetation, restoration and rehabilitation of native plant communities to provide for the conservation of ecosystem diversity and maintain healthy ecosystem function.

16. There is a need to add plan components that emphasize landscape scale restoration.

17. There is a need to develop desired conditions (at multiple scales) for vegetation structure by promoting a diversity of seral states, vegetation function, and species composition.

Frequent Fire Ecosystems

18. There is a need for plan components, including desired conditions and objectives that recognize fire-adapted ecosystems, the role of fire on the landscape (including wilderness), and its use as a management tool, including planned and unplanned ignitions.

Desert Ecosystems

19. There is a need for plan components, including desired conditions and standards and guidelines, to address current and foreseeable stressors in desert ecosystems (e.g., fire, exotic species, and other disturbances) and to better understand post-disturbance recovery of desert species.

Soils

20. There is a need to develop standards and guidelines that promote the maintenance, restoration and monitoring of soil condition and

function (e.g., hydrology, stability, and nutrient cycling) by improving and maintaining sufficient ground cover (biotic and abiotic components).

Riparian Ecosystems

21. There is a need for desired conditions that identify appropriate riparian characteristics (e.g., biodiversity, connectivity, water availability) that promote functionality and resiliency while taking into account multiple stressors.

22. There is a need for standards and guidelines that minimize ecological impacts of multiple uses in riparian areas.

Watersheds and Water Resources

23. There is a need for standards and guidelines that reduce pollutant runoff into streams.

24. There is a need for providing plan components on the sustainable management of groundwater and groundwater dependent ecosystems (springs, wetlands, riparian areas, perennial waters) and their interconnections.

25. There is a need to develop plan components for the long term health and sustainability of watersheds utilizing best available scientific information.

26. There is a need to develop plan components to ensure stream channels and floodplains are dynamic and resilient to disturbances.

At-Risk Species

27. There is a need to develop standards or guidelines to provide for the conservation and recovery of federally listed species, as well as maintain viable populations of species of conservation concern.

Climate Change

28. There is a need to include plan components that consider potential climate change impacts (e.g., increases in storm events, uncharacteristic wildfire, drought, flooding, and other extreme weather) to ecosystems and natural resources.

Social and Economic Conditions

29. There is a need to add plan components that recognize the Tonto National Forest's role in contributing to local economies, including service-based sectors such as recreation and tourism, timber, grazing, and other multiple-use related activities and products.

Ecosystems Services

30. There is a need to include plan components for key ecosystem services

identified in the Assessment including: Water for consumption; water for recreation; habitat for hunting, fishing, and watchable wildlife; sustainable and productive rangelands; and cultural heritage.

31. There is a need for updating plan components that provide for the management of sustainable water supply for multiple uses (e.g. wildlife, grazing, and recreation) including public water supplies.

Timber and Forest Products

32. There is a need for plan components to ensure the sustainability and availability of forest products such as firewood, medicinal and ceremonial plants, and edible plants.

33. There is a need for desired conditions that incorporate a wide range of silvicultural practices to promote forest health, resiliency, and sustainability.

Rangeland Resources

34. There is a need to add plan components for rangeland management that maintain or restore ecological integrity of rangelands.

35. There is a need for plan components to allow flexibility in rangeland management to prepare for changing conditions such as drought, fire, social and economic needs.

Recreation

36. There is a need to include plan components for sustainable recreation management to ensure that recreation resources are integrated into all resource management decisions.

37. There is a need for desired conditions to address the long-term sustainability of recreation infrastructure (e.g., trails, facilities, roads), maintenance, design, and improvement.

38. There is a need for management approaches to address changing trends in services, activities, and types of facilities desired by the public, while balancing those trends with other resources.

39. There is a need for plan components to address user conflicts (e.g., recreational shooting and hikers, equestrians and bicyclists, and motorized and non-motorized users).

Scenic Character

40. There is a need for plan components to incorporate scenery management with all forest management (e.g., restoration, habitat diversity, timber management) to further positive outcomes for all resources.

Renewable and Nonrenewable Energy Resources, Mineral Resources & Geologic Hazards

41. There is a need for desired conditions that address transmission corridors and renewable energy generation, including wind, solar, biomass, and geothermal, while protecting natural resources, heritage and sacred sites, traditional tribal activities, and scenery.

42. There is a need for plan components regarding the use of common variety mineral materials, such as commercial contracts, personal use, and free use permits.

43. There is a need for standards and guidelines for meteorite collection, rock hounding and mineral collection.

Infrastructure

44. There is a need for plan components that ensure sustainable infrastructure (e.g., roads, trails, recreation and administrative facilities, range improvements, maintenance backlog, etc.).

Cultural and Historic Resources and Tribal Uses

45. There is a need for plan components aimed at managing for Native American traditional cultural properties and sacred sites, and non-Native American traditional cultural properties, while conserving anonymity of such sites where appropriate.

46. There is a need for plan components that protect historic properties and tribal use areas at risk of damage or destruction during non-prescribed/unplanned fire.

47. There is a need to update plan components to protect areas that may be identified as a sacred site or part of an important cultural landscape by tribe.

48. There is a need for desired conditions in the plan that address the alignment of heritage resources management objectives (the management of historic properties and landscapes, sacred sites, contemporary uses) with other resource management objectives (ecosystem restoration, rangeland management, recreation).

Land Ownership, Status, Use, and Access

49. There is a need to develop, modify, or remove plan components to allow flexible and efficient management of special uses while balancing resource protection with public needs.

50. There is a need to develop plan components related to Forest Service lands acquisitions, disposals, and exchanges.

51. There is a need for plan components that encourage the

protection of existing public access and address the acquisition of new public access opportunities.

52. There is a need to include management approaches to develop a strategy to address issues related to known and suspected trespass and encroachment issues present on the forest.

Designated Areas

53. There is a need for the revised plan to identify and evaluate potential additions to the National Wilderness Preservation System and eligibility of rivers for inclusion in the National Wild and Scenic Rivers Systems, and potentially other types of designated areas.

54. There is a need to reevaluate designated and proposed special areas that no longer suite the original purpose for designation (*i.e.*, research natural areas, botanical areas, burro territories, etc.), excluding congressionally designated areas.

Public Involvement

A Notice of Initiation of the assessment phase of forest plan revision for the Tonto National Forest was published in the **Federal Register** on February 26, 2014 (79 FR 10763). Prior to the formal initiation of the assessment, the Tonto National Forest held four listening sessions in Scottsdale, Globe, Payson, and Mesa, Arizona. These listening sessions provided existing collaborative potential and limitations and helped the plan revision team organize the public participation efforts for forest plan revision. In March of 2014 the Tonto National Forest hosted two all-day workshops to solicit comments, input, and desires from the public, governmental entities, tribes, land grants, and nongovernmental organization for public participation through the forest plan revision process. Between May–July 2014, eight community forums provided an introduction to forest plan revision and an opportunity for the public to provide input for the assessment by expressing how they use and value the forest, and what trends or changes they have observed. In September and October 2016 the Tonto National Forest hosted seven Needs to Change Public Meetings to discuss key findings from the draft assessment and collaborate on needs to change. The discussion focused on eleven key themes that ranged from ecological sustainability; social, cultural, and economic sustainability; and forest-wide management. Discussions from these meetings helped to shape the Draft Needs to Change

document which was available for public review between December 15, 2016–January 11, 2017. Comments received from the public along with responses are posted to the Web site: www.tontoplan.org. The final needs to change statements are based on results from the assessment, input from a round of seven public meetings, and two rounds of public comment.

Additionally, the Tonto National Forest is utilizing internet based collaboration techniques to gather public input and engaging communities at a local level through presentations at meetings hosted by organizations, government groups and Tribes; informational booths at fairs and local community events; and presentations and field trips for local schools. Public information to the public was provided by a dedicated Forest Plan revision Web page and through mailings, flyers, news releases, Twitter, and radio interview. Detailed information, including dates and notes of specific events, can be found on the Tonto National Forest Plan Revision Web site: www.tontoplan.org. Any comments related to the Tonto National Forest's assessment report that are received following the publication of this Notice will be considered in the draft and final environmental impact statements.

Scoping Process

Written comments received in response to this notice will be analyzed to complete the identification of the needs for change to the existing plan, further develop the proposed action, and identify potential significant issues. Significant issues will, in turn, form the basis for developing alternatives to the proposed action. Comments on the preliminary needs for change and proposed action will be most valuable if received by May 23, 2017, and should clearly articulate the reviewer's opinions and concerns. Comments received in response to this notice, including the names and addresses of those who comment, will be part of the public record. Comments submitted anonymously will be accepted and considered in the NEPA process; however, anonymous comments will not provide the Agency with the ability to provide the respondent with subsequent environmental documents, nor will anonymous comments provide standing to the commenter for the eventual Objection process. See the below Objection process material, particularly the requirements for filing an objection, for how anonymous comments are handled during the objection process. Refer to the Forest's plan revision Web site

(www.tontoplan.org) for information on when public meetings will be scheduled for refining the proposed action and identifying possible alternatives to the proposed action.

Applicable Planning Rule

Preparation of the revised forest plan for the Tonto National Forest began with the publication of a Notice of Assessment Initiation in the **Federal Register** on February 26, 2014 (79 FR 10763) and was initiated under the planning procedures contained in the 2012 Forest Service planning rule (36 CFR part 219 (2012)).

Permits or Licenses Required To Implement the Proposed Action

No permits or licenses are needed for the development or revision of a forest plan.

Decisions Will Be Subject To Objection

The decision to approve the revised forest plan for the Tonto National Forest will be subject to the objection process identified in 36 CFR part 219 subpart B (219.50 to 219.62). According to 36 CFR 219.53(a), those who may file an objection are individuals and entities who have submitted substantive formal comments related to plan revision during the opportunities provided for public comment during the planning process.

Documents Available for Review

The Needs for Change documentation, Assessment Report including specialist reports, summaries of the public meetings and public meeting materials, and public comments are posted on the Forest's Web site at: www.tontoplan.org. As necessary or appropriate, the material available on this site will be further adjusted as part of the planning process using the provisions of the 2012 planning rule.

Authority: 16 U.S.C. 1600–1614; 36 CFR part 219 [77 FR 21260–21273].

Dated: March 20, 2017.

Jeanne M. Higgins,

Associate Deputy Chief, National Forest System.

[FR Doc. 2017–06788 Filed 4–5–17; 8:45 am]

BILLING CODE 3411–15–P

DEPARTMENT OF AGRICULTURE**Office of Procurement and Property Management****Notice of Request for Comments on Extension of a Currently Approved Information Collection**

AGENCY: Departmental Management, Office of Procurement and Property Management, USDA.

ACTION: Notice and request for comments.

SUMMARY: This notice announces the Department of Agriculture, Departmental Management, Office of Procurement and Property Management's intention to request an extension and a revision to a currently approved information collection, Voluntary Labeling Program for Biobased Products for Federal Biobased Products Preferred Procurement Program.

DATES: Comments on this notice must be received by June 5, 2017 to be assured of consideration.

ADDRESSES: The Office of Procurement and Property Management invites interested persons to submit comments on this notice. Comments may be submitted by one of the following methods:

- *Federal eRulemaking Portal:* This Web site provides the ability to type short comments directly into the comment field on this Web page or attach a file for lengthier comments. Go to <http://www.regulations.gov>. Follow the instructions for submitting comments.

- *Email: biopreferred_support@amecfw.com.* Include "Notice on Request for Comments on Extension of a Currently Approved Information Collection" on the subject line. Please include your name and address in your message.

- *Mail/commercial/hand delivery:* Mail or deliver your comments to: Karen Zhang, USDA, Office of Procurement and Property Management, 1400 Independence Ave. SW., Washington, DC 20250.

Instructions: All items submitted by mail or electronic mail must include the Agency name (Office of Procurement and Property Management). Comments received in response to this notice will be made available for public inspection and posted without change, including any personal information, to <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT:

Karen Zhang, USDA, Office of Procurement and Property Management,

1400 Independence Ave. SW., Washington, DC 20250.

SUPPLEMENTARY INFORMATION: In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), this notice announces the intention of the USDA, Office of Procurement and Property Management, to request approval for an extension of an existing collection.

Title: Voluntary Labeling Program for Biobased Products for Federal Biobased Products Preferred Procurement Program.

OMB Control Number: 0503-0020.

Expiration Date of Approval: July 31, 2017.

Type of Request: Extension and revision of a currently approved information collection.

Abstract: Section 9002(h) of the Farm Security and Rural Investment Act (FSRIA) of 2002 (the 2002 Farm Bill), as amended by the Food, Conservation, and Energy Act (FCEA) of 2008 (the 2008 Farm Bill) and the Agricultural Act of 2014 (the 2014 Farm Bill), requires the Secretary of Agriculture to implement a voluntary labeling program that would enable qualifying biobased products to be labeled with a "USDA Certified Biobased Product" label. USDA subsequently published the terms and conditions for voluntary use of the label. These terms and conditions can be found in the Code of Federal Regulations (CFR) at 7 CFR part 3202. To implement the statutory requirements of FSRIA, USDA will gather relevant product information on biobased products for which manufacturers and vendors seek certification to use the label. Participation in the voluntary labeling program is entirely voluntary. The information collected will enable USDA to evaluate the qualifications of biobased products to carry the USDA Certified Biobased Product label and to ensure that the label is used properly and in accordance with the requirements specified in 7 CFR part 3202. To the extent feasible, the information sought by USDA can be transmitted electronically using the Web site <http://www.biopreferred.gov>. If electronic transmission of information is not practical for some applicants, USDA will provide technical assistance to support the transmission of information to USDA.

Estimate of Burden: Public reporting burden for this collection of information is estimated to average 3 hours per response.

Respondents: Manufacturers and vendors who wish to apply the "USDA Certified Biobased Product" label to

their biobased products. Participation is entirely voluntary.

Estimated Annual Number of Respondents: 150.

Estimated Number of Responses per Respondent: 3. One response is required for each stand-alone product or product family for which certification is sought. The average number of stand-alone products or product families that each respondent is expected to apply for certification is three. A stand-alone product is one that is marketed or sold under a single product name, while a product family is a group of products that share the same formulation and biobased content (within 3%) yet are marketed differently depending on factors such as brand names or uses.

Estimated Total Annual Burden on Respondents: 1,350 hours, one time only. Manufacturers and vendors are only required to respond once for each stand-alone product or product family for which they wish to receive certification. Therefore, there is no ongoing annual paperwork burden on respondents unless they wish to apply to label additional stand-alone products or product families. Furthermore, their participation in the voluntary labeling program is entirely voluntary.

Comments are invited on: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to 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. Comments may be sent to Karen Zhang, USDA, Office of Procurement and Property Management, 1400 Independence Ave. SW., Washington, DC 20250. All comments received will be available for public inspection during regular business hours at the same address.

All responses to this notice will be summarized and included in the request for OMB (Office of Management and Budget) approval. All comments will become a matter of public record.

Dated: March 24, 2017.

Malcom A. Shorter,

*Acting Assistant Secretary for
Administration, U.S. Department of
Agriculture.*

[FR Doc. 2017-06856 Filed 4-5-17; 8:45 am]

BILLING CODE 3410-93-P

**CHEMICAL SAFETY AND HAZARD
INVESTIGATION BOARD**

Sunshine Act Meeting

Time and Dates: April 13, 2017, 1:00 p.m. EDT.

Place: U.S. Chemical Safety Board, 1750 Pennsylvania Ave. NW., Suite 910, Washington, DC 20006.

Status: Open to the public.

Matters to be Considered: The Chemical Safety and Hazard Investigation Board (CSB) will convene a public meeting on April 13, 2017, starting at 1:00 p.m. EDT in Washington, DC, at the CSB offices located at 1750 Pennsylvania Avenue NW., Suite 910. The Board will discuss open investigations, the status of audits from the Office of the Inspector General, financial and organizational updates, and a review of the agency's action plan. An opportunity for public comment will be provided.

Additional Information

The meeting is free and open to the public. If you require a translator or interpreter, please notify the individual listed below as the "Contact Person for Further Information," at least three business days prior to the meeting.

A conference call line will be provided for those who cannot attend in person. Please use the following dial-in number to join the conference: (888) 466-9863 Confirmation Number 8378825#.

The CSB is an independent federal agency charged with investigating accidents and hazards that result, or may result, in the catastrophic release of extremely hazardous substances. The agency's Board Members are appointed by the President and confirmed by the Senate. CSB investigations look into all aspects of chemical accidents and hazards, including physical causes such as equipment failure as well as inadequacies in regulations, industry standards, and safety management systems.

Public Comment

The time provided for public statements will depend upon the number of people who wish to speak. Speakers should assume that their presentations will be limited to three

minutes or less, but commenters may submit written statements for the record.

Contact Person for Further Information

Hillary Cohen, Communication Manager, at public@csb.gov or (202) 446-8094. Further information about this public meeting can be found on the CSB Web site at: www.csb.gov.

Dated: April 3, 2017.

Kara A. Wenzel,

Acting General Counsel, Chemical Safety and Hazard Investigation Board.

[FR Doc. 2017-06981 Filed 4-4-17; 4:15 pm]

BILLING CODE 6350-01-P

COMMISSION ON CIVIL RIGHTS

**Agenda and Notice of Public Meeting
of the Maine Advisory Committee**

AGENCY: Commission on Civil Rights.

ACTION: Announcement of monthly planning 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 (FACA) that a meeting of the Maine Advisory Committee to the Commission will convene by conference call at 1:30 p.m. (EDT) on Tuesday, April 18, 2017. The purpose of the meeting is to discuss potential panelists for the briefing on its project regarding the criminalization of the mentally ill and other details related to its briefing to be held in Lewiston in June 2017.

DATES: Tuesday, April 18, 2017, from 1:30 p.m. to 3:00 p.m. EDT.

Public Call-In Information:

Conference call number: 1-888-359-3627 and conference call ID: 5355775.

FOR FURTHER INFORMATION CONTACT: Ivy L. Davis, at ero@usccr.gov or by phone at 202-376-7533.

SUPPLEMENTARY INFORMATION: Interested members of the public may listen to the discussion by calling the following toll-free conference call number: 1-888-359-3627 and conference call ID: 5355775. Please be advised that before placing them into the conference call, the conference call operator will ask callers to provide their names, their organizational affiliations (if any), and email addresses (so that callers may be notified of future meetings). 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 herein.

Persons with hearing impairments may also follow the discussion by first calling the Federal Relay Service at 1-888-364-3109 and providing the operator with the toll-free conference call number: 1-888-684-1264 and conference call ID: 9702460.

Members of the public are invited to submit written comments; the comments must be received in the regional office approximately 30 days after each scheduled meeting. Written comments may be mailed to the Eastern Regional Office, U.S. Commission on Civil Rights, 1331 Pennsylvania Avenue, Suite 1150, Washington, DC 20425, faxed to (202) 376-7548, or emailed to Evelyn Bohor at ero@usccr.gov. Persons who desire additional information may contact the Eastern Regional Office at (202) 376-7533.

Records and documents discussed during the meeting will be available for public viewing as they become available at <https://database.faca.gov/committee/meetings.aspx?cid=252>; click the "Meeting Details" and "Documents" links. Records generated from this meeting may also be inspected and reproduced at the Eastern Regional Office, as they become available, both before and after the meeting. Persons interested in the work of this advisory committee are advised to go to the Commission's Web site, www.usccr.gov, or to contact the Eastern Regional Office at the above phone number, email or street address.

Agenda

- I. Roll Call
- II. Update on HQ Activities
- III. Planning Meeting
 - Discuss Potential Panelists
- IV. Other Business
- V. Adjournment

Dated: March 31, 2017.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2017-06780 Filed 4-5-17; 8:45 am]

BILLING CODE P

COMMISSION ON CIVIL RIGHTS

**Agenda and Notice of Public Meeting
of the South Dakota Advisory
Committee**

AGENCY: Commission on Civil Rights.

ACTION: Announcement of meetings.

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 (FACA), that an orientation and planning meeting of the South Dakota Advisory Committee to the Commission will convene at 2:00 p.m. (MST) on Thursday, April 20, 2017, via teleconference. The purpose of the meeting is a discussion, post-briefing, on the topic, "The Subtle Effects of Racism in South Dakota" that was held in Aberdeen, SD, on Friday, March 24, 2017. The committee will also discuss which city and approximate date they would like to hold their second of three briefings throughout the state on the topic of the subtle effects of racism.

DATES: Thursday, April 20, 2017, at 2:00 p.m. (MST)

ADDRESSES: To be held via teleconference: Conference Call Toll-Free Number: 1-800-967-7188, Conference ID: 2292231. TDD: Dial Federal Relay Service 1-800-977-8339 and give the operator the above conference call number and conference ID.

FOR FURTHER INFORMATION CONTACT: Malee V. Craft, DFO, mcraft@usccr.gov, 303-866-1040.

SUPPLEMENTARY INFORMATION: Members of the public may listen to the discussion by dialing the following Conference Call Toll-Free Number: 1-800-967-7188; Conference ID: 2292231. Please be advised that before being placed into the conference call, the operator will ask callers to provide their names, their organizational affiliations (if any), and an email address (if available) 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 phone number.

Persons with hearing impairments may also follow the discussion by first calling the Federal Relay Service (FRS) at 1-800-977-8339 and provide the FRS operator with the Conference Call Toll-Free Number: 1-800-967-7188, Conference ID: 2292231. Members of the public are invited to submit written comments; the comments must be received in the regional office by Monday, May 22, 2017. Written comments may be mailed to the Rocky Mountain Regional Office, U.S. Commission on Civil Rights, 1961 Stout Street, Suite 13-201, Denver, CO 80294, faxed to (303) 866-1050, or emailed to Evelyn Bohor at ebohor@usccr.gov. Persons who desire additional information may contact the Rocky Mountain Regional Office at (303) 866-1040.

Records and documents discussed during the meeting will be available for public viewing as they become available at <https://database.faca.gov/committee/meetings.aspx?cid=274> and clicking on the "Meeting Details" and "Documents" links. Records generated from this meeting may also be inspected and reproduced at the Rocky Mountain Regional Office, as they become available, both before and after the meeting. Persons interested in the work of this advisory committee are advised to go to the Commission's Web site, www.usccr.gov, or to contact the Rocky Mountain Regional Office at the above phone number, email or street address.

Agenda

- Welcome and Roll-call Malee V. Craft, Regional Director, Rocky Mountain Regional Office (RMRO)
- Brief update on Commission and Regional Activities Malee V. Craft

- Discuss briefing meeting held in Aberdeen, SD, on March 24, 2017, Dr. Richard Braunstein, Chair, South Dakota Advisory Committee
- Discuss which city (and date) in SD to hold second of three briefings SD SAC
- Next Steps

Dated: April 3, 2017.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2017-06852 Filed 4-5-17; 8:45 am]

BILLING CODE P

DEPARTMENT OF COMMERCE

Economic Development Administration

Notice of Petitions by Firms for Determination of Eligibility To Apply for Trade Adjustment Assistance

AGENCY: Economic Development Administration, Department of Commerce.

ACTION: Notice and Opportunity for Public Comment.

Pursuant to Section 251 of the Trade Act 1974, as amended (19 U.S.C. 2341 *et seq.*), the Economic Development Administration (EDA) has received petitions for certification of eligibility to apply for Trade Adjustment Assistance from the firms listed below. Accordingly, EDA has initiated investigations to determine whether increased imports into the United States of articles like or directly competitive with those produced by each of these firms contributed importantly to the total or partial separation of the firm's workers, or threat thereof, and to a decrease in sales or production of each petitioning firm.

LIST OF PETITIONS RECEIVED BY EDA FOR CERTIFICATION ELIGIBILITY TO APPLY FOR TRADE ADJUSTMENT ASSISTANCE [3/24/2017 through 4/2/2017]

Firm name	Firm address	Date accepted for investigation	Product(s)
Auburn Manufacturing, Inc	P.O. Box 220, Mechanic Falls, ME 04256.	3/27/2017	The firm manufactures high performance coated textiles and composite fabrics for extreme temperature applications.
Clemco Industries Corporation	1 Cable Car Drive, Washington, MO 63090.	3/28/2017	The firm manufactures air powered blast equipment for outdoor use.
Masterclock, Inc	2484 West Clay Street, Saint Charles, MO 63301.	3/28/2017	The firm manufactures precise timing equipment.

Any party having a substantial interest in these proceedings may request a public hearing on the matter. A written request for a hearing must be submitted to the Trade Adjustment Assistance for Firms Division, Room

71030, Economic Development Administration, U.S. Department of Commerce, Washington, DC 20230, no later than ten (10) calendar days following publication of this notice. Please follow the requirements set forth in EDA's regulations at 13 CFR

315.9 for procedures to request a public hearing. The Catalog of Federal Domestic Assistance official number and title for the program under which

these petitions are submitted is 11.313, Trade Adjustment Assistance for Firms.

Miriam Kearse,

Lead Program Analyst.

[FR Doc. 2017-06815 Filed 4-5-17; 8:45 am]

BILLING CODE 3510-WH-P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B-20-2017]

Foreign-Trade Zone (FTZ) 43—Battle Creek, Michigan Notification of Proposed Production Activity, Mead Johnson & Company, LLC, dba Mead Johnson Nutritional, Subzone 43B, (Infant Formula/Nutritional Products), Zeeland, Michigan

Mead Johnson & Company, LLC, dba Mead Johnson Nutritional (Mead Johnson) submitted a notification of proposed production activity to the FTZ Board for its facilities in Zeeland, Michigan, within Subzone 43B. The notification conforming to the requirements of the regulations of the FTZ Board (15 CFR 400.22) was received on March 27, 2017.

Mead Johnson already has authority to produce within Subzone 43B infant formula/nutritional products subject to a restriction requiring all foreign-origin dairy products admitted to the subzone to be re-exported (sugar is of domestic origin). The current request would add a foreign-status material (lactose) to the scope of authority. Pursuant to 15 CFR 400.14(b), additional FTZ authority would be limited to the specific foreign-status material described in the submitted notification (as described below) and subsequently authorized by the FTZ Board.

Production under FTZ procedures could exempt Mead Johnson from customs duty payments on the foreign-status lactose used in export production. On its domestic sales, Mead Johnson would be able to choose the duty rates during customs entry procedures that apply to infant formula/nutritional products (duty rates range between 6.4% - \$1.035/kg + 14.9%) authorized by the FTZ Board for the foreign-status lactose (6.4%). Customs duties also could possibly be deferred or reduced on foreign-status production equipment.

Public comment is invited from interested parties. Submissions shall be addressed to the FTZ Board's Executive Secretary at the address below. The closing period for their receipt is May 16, 2017.

A copy of the notification will be available for public inspection at the

Office of the Executive Secretary, Foreign-Trade Zones Board, Room 21013, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230-0002, and in the "Reading Room" section of the FTZ Board's Web site, which is accessible via www.trade.gov/ftz.

For further information, contact Diane Finver at Diane.Finver@trade.gov or (202) 482-1367.

Dated: April 3, 2017.

Andrew McGilvray,

Executive Secretary.

[FR Doc. 2017-06834 Filed 4-5-17; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[S-51-2017]

Foreign-Trade Zone 37—Orange County, New York; Application for Subzone; Expeditors International of Washington, Inc.; Inwood, New York

An application has been submitted to the Foreign-Trade Zones Board (the Board) by the County of Orange, grantee of FTZ 37, requesting subzone status for the facility of Expeditors International of Washington, Inc., located in Inwood, New York. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a-81u), and the regulations of the Board (15 CFR part 400). It was formally docketed on April 3, 2017.

The proposed subzone (10 acres) is located at 245 Roger Avenue, Inwood, Nassau County. No authorization for production activity has been requested at this time. The proposed subzone would be subject to the existing activation limit of FTZ 37.

In accordance with the Board's regulations, Elizabeth Whiteman of the FTZ Staff is designated examiner to review the application and make recommendations to the Executive Secretary.

Public comment is invited from interested parties. Submissions shall be addressed to the Board's Executive Secretary at the address below. The closing period for their receipt is May 16, 2017. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period to May 31, 2017.

A copy of the application will be available for public inspection at the Office of the Executive Secretary, Foreign-Trade Zones Board, Room

21013, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230-0002, and in the "Reading Room" section of the Board's Web site, which is accessible via www.trade.gov/ftz.

For further information, contact Elizabeth Whiteman at Elizabeth.Whiteman@trade.gov or (202) 482-0473.

Dated: April 3, 2017.

Andrew McGilvray,

Executive Secretary.

[FR Doc. 2017-06833 Filed 4-5-17; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

In the Matter of: Sihai Cheng, a/k/a Alex Cheng, a/k/a Chun Hai Cheng, Inmate Number: 96454-038, FCI Terminal Island, Federal Correctional Institution, P.O. Box 3007, San Pedro, CA 90733; Order Denying Export Privileges

On January 27, 2016, in the U.S. District Court, District of Massachusetts, Sihai Cheng, a/k/a Alex Cheng, a/k/a Chu Hai Cheng ("Cheng") was convicted of violating the International Emergency Economic Powers Act (50 U.S.C. 1701, *et seq.* (2012)) ("IEEPA"). Specifically, Cheng knowingly and willfully conspired, combined and confederated and agreed with other persons known and unknown to export and cause the export of U.S. origin goods, that is, MKS pressure transducers (manometer types 722A and 722B), from the United States to the Islamic Republic of Iran without first having obtained the required licenses and authorizations from the United States Department of Treasury, Office of Foreign Assets Control. Cheng was sentenced to nine years in prison and an assessment of \$600.00.

Section 766.25 of the Export Administration Regulations ("EAR" or "Regulations")¹ provides, in pertinent part, that "[t]he Director of the Office of Exporter Services, in consultation with the Director of the Office of Export Enforcement, may deny the export privileges of any person who has been convicted of a violation of the Export

¹ 50 U.S.C. 4601-4623 (Supp. III 2015) (available at <http://uscode.house.gov>). Since August 21, 2001, the Act has been in lapse and the President, through Executive Order 13222 of August 17, 2001 (3 CFR, 2001 Comp. 783 (2002)), which has been extended by successive Presidential Notices, the most recent being that of August 4, 2016 (81 FR 52,587 (Aug. 8, 2016)), has continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. 1701, *et seq.* (2012)).

Administration Act (“EAA”), the EAR, or any order, license or authorization issued thereunder; any regulation, license, or order issued under the International Emergency Economic Powers Act (50 U.S.C. 1701–1706); 18 U.S.C. 793, 794 or 798; section 4(b) of the Internal Security Act of 1950 (50 U.S.C. 783(b)), or section 38 of the Arms Export Control Act (22 U.S.C. 2778).” 15 CFR 766.25(a); *see also* Section 11(h) of the EAA, 50 U.S.C. 4610(h). The denial of export privileges under this provision may be for a period of up to 10 years from the date of the conviction. 15 CFR 766.25(d); *see also* 50 U.S.C. 4610(h). In addition, Section 750.8 of the Regulations states that the Bureau of Industry and Security’s Office of Exporter Services may revoke any Bureau of Industry and Security (“BIS”) licenses previously issued in which the person had an interest in at the time of his conviction.

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

Based upon my review and consultations with BIS’s Office of Export Enforcement, including its Director, and the facts available to BIS, I have decided to deny Cheng’s export privileges under the Regulations for a period of 10 years from the date of Cheng’s conviction. I have also decided to revoke all licenses issued pursuant to the Act or Regulations in which Cheng had an interest at the time of his conviction.

Accordingly, *it is hereby Ordered:*

First, from the date of this Order until January 27, 2026, Sihai Cheng, a/k/a Alex Cheng, a/k/a Chun Hai Cheng, with a last known address of Inmate Number: 96454–038, FCI Terminal Island, Federal Correctional Institution, P.O. Box 3007, San Pedro, CA 90733, and when acting for or on his behalf, his successors, assigns, employees, agents or representatives (the “Denied Person”), may not, directly or indirectly, participate in any way in any transaction involving any commodity, software or technology (hereinafter collectively referred to as “item”) exported or to be exported from the United States that is subject to the Regulations, including, but not limited to:

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

B. Carrying on negotiations concerning, or ordering, buying,

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

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

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

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

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

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

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

E. Engage in any transaction to service any item subject to the Regulations that has been or will be exported from the United States and which is owned, possessed or controlled by the Denied Person, or service any item, of whatever origin, that is owned, possessed or controlled by the Denied Person if such service involves the use of any item subject to the Regulations that has been or will be exported from the United States. For purposes of this paragraph, servicing means installation, maintenance, repair, modification or testing.

Third, after notice and opportunity for comment as provided in Section 766.23 of the Regulations, any other person, firm, corporation, or business organization related to Cheng by ownership, control, position of responsibility, affiliation, or other connection in the conduct of trade or business may also be made subject to

the provisions of this Order in order to prevent evasion of this Order.

Fourth, in accordance with part 756 of the Regulations, Cheng may file an appeal of this Order with the Under Secretary of Commerce for Industry and Security. The appeal must be filed within 45 days from the date of this Order and must comply with the provisions of Part 756 of the Regulations.

Fifth, a copy of this Order shall be delivered to the Cheng. This Order shall be published in the **Federal Register**.

Sixth, this Order is effective immediately and shall remain in effect until January 27, 2026.

Dated: Issued this 31st day of March, 2017.

Hillary Hess,

Acting Director, Office of Exporter Services.

[FR Doc. 2017–06811 Filed 4–5–17; 8:45 am]

BILLING CODE P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

In the Matter of: Juan Jose Estrada, Inmate Number: 53358–379, Big Spring, Correctional Institution, 2001 Rickabaugh Drive, Big Spring, TX 79720; Order Denying Export Privileges

On July 25, 2014, in the U.S. District Court for the Southern District of Texas, Juan Jose Estrada (“Estrada”), was convicted of violating Section 38 of the Arms Export Control Act (22 U.S.C. § 2778 (2012)) (“AECA”). Specifically, Estrada knowingly and intentionally conspired and agreed to knowingly and willfully export, attempt to export, and cause to be exported into Mexico from the United States a defense article, that is: A Browning Model 1919, .30 caliber, semi-automatic rifle, which was designated as a defense article on the United States Munitions List, without having first obtained from the Department of State a license for such export or written authorization for such export. Estrada was sentenced 46 months in prison, one year of supervised release, and a \$100 assessment.

Section 766.25 of the Export Administration Regulations (“EAR” or “Regulations”)¹ provides, in pertinent

¹ The Regulations are currently codified in the Code of Federal Regulations at 15 CFR parts 730–774 (2016). The Regulations issued pursuant to the Export Administration Act (50 U.S.C. §§ 4601–4623 (Supp. III 2015)) (available at <http://uscode.house.gov>). Since August 21, 2001, the Act has been in lapse and the President, through Executive Order 13222 of August 17, 2001 (3 CFR, 2001 Comp. 783 (2002)), which has been extended

part, that “[t]he Director of the Office of Exporter Services, in consultation with the Director of the Office of Export Enforcement, may deny the export privileges of any person who has been convicted of a violation of the Export Administration Act (“EAA”), the EAR, or any order, license or authorization issued thereunder; any regulation, license, or order issued under the International Emergency Economic Powers Act (50 U.S.C. § 1701–1706); 18 U.S.C. §§ 793, 794 or 798; section 4(b) of the Internal Security Act of 1950 (50 U.S.C. § 783(b)), or section 38 of the Arms Export Control Act (22 U.S.C. § 2778).” 15 CFR § 766.25(a); *see also* Section 11(h) of the EAA, 50 U.S.C. § 4610(h). The denial of export privileges under this provision may be for a period of up to 10 years from the date of the conviction. 15 CFR § 766.25(d); *see also* 50 U.S.C. § 4610(h). In addition, Section 750.8 of the Regulations states that the Bureau of Industry and Security’s Office of Exporter Services may revoke any Bureau of Industry and Security (“BIS”) licenses previously issued in which the person had an interest in at the time of his conviction.

BIS has received notice of Estrada’s conviction for violating the AECA, and has provided notice and an opportunity for Estrada to make a written submission to BIS, as provided in Section 766.25 of the Regulations. BIS has received a submission from Estrada.

Based upon my review and consultations with BIS’s Office of Export Enforcement, including its Director, and the facts available to BIS, I have decided to deny Estrada’s export privileges under the Regulations for a period of 10 years from the date of Estrada’s conviction. I have also decided to revoke all licenses issued pursuant to the Act or Regulations in which Estrada had an interest at the time of his conviction.

Accordingly, *it is hereby ordered:*

First, from the date of this Order until July 25, 2024, Juan Jose Estrada, with a last known address of Inmate Number: 53358–379, Big Spring, Correctional Institution, 2001 Rickabaugh Drive, Big Spring, TX 79720, and when acting for or on his behalf, his successors, assigns, employees, agents or representatives (the “Denied Person”), may not, directly or indirectly, participate in any way in any transaction involving any

commodity, software or technology (hereinafter collectively referred to as “item”) exported or to be exported from the United States that is subject to the Regulations, including, but not limited to:

- A. Applying for, obtaining, or using any license, License Exception, or export control document;
- B. Carrying on negotiations concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding, transporting, financing, or otherwise servicing in any way, any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or in any other activity subject to the Regulations; or
- C. Benefitting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or in any other activity subject to the Regulations.

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

- A. Export or reexport to or on behalf of the Denied Person any item subject to the Regulations;
- B. Take any action that facilitates the acquisition or attempted acquisition by the Denied Person of the ownership, possession, or control of any item subject to the Regulations that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby the Denied Person acquires or attempts to acquire such ownership, possession or control;
- C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from the Denied Person of any item subject to the Regulations that has been exported from the United States;
- D. Obtain from the Denied Person in the United States any item subject to the Regulations with knowledge or reason to know that the item will be, or is intended to be, exported from the United States; or
- E. Engage in any transaction to service any item subject to the Regulations that has been or will be exported from the United States and which is owned, possessed or controlled by the Denied Person, or service any item, of whatever origin, that is owned, possessed or controlled by the Denied Person if such service involves the use of any item subject to the Regulations that has been or will be exported from the United States. For purposes of this paragraph, servicing means installation,

maintenance, repair, modification or testing.

Third, after notice and opportunity for comment as provided in Section 766.23 of the Regulations, any other person, firm, corporation, or business organization related to Estrada by ownership, control, position of responsibility, affiliation, or other connection in the conduct of trade or business may also be made subject to the provisions of this Order in order to prevent evasion of this Order.

Fourth, in accordance with part 756 of the Regulations, Estrada may file an appeal of this Order with the Under Secretary of Commerce for Industry and Security. The appeal must be filed within 45 days from the date of this Order and must comply with the provisions of part 756 of the Regulations.

Fifth, a copy of this Order shall be delivered to the Estrada. This Order shall be published in the **Federal Register**.

Sixth, this Order is effective immediately and shall remain in effect until July 25, 2024.

Issued this 31st day of March, 2017.

Hillary Hess,

Acting Director, Office of Exporter Services.

[FR Doc. 2017–06819 Filed 4–5–17; 8:45 am]

BILLING CODE P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

In the Matter of: Amin Al-Baroudi, a/k/a Abu al-Jud, Inmate Number: 87450–083, FCI Victorville Medium II, Federal Correctional Institution, P.O. Box 3850, Adelanto, CA 92301; Order Denying Export Privileges

On June 13, 2016, in the U.S. District Court for the Eastern District of Virginia, Amin Al-Baroudi, a/k/a Abu al-Jud (“Al-Baroudi”) was convicted of violating the International Emergency Economic Powers Act (50 U.S.C. 1701, *et seq.* (2012)) (“IEEPA”). Specifically, Al-Baroudi willfully combined, conspired, confederated, and agreed with other U.S. and non U.S. persons to export and cause to be exported goods from the United States to Syria in violating of the sanctions imposed on Syria by the United States without having first obtained the required authorization from the United States Department of Commerce. Baroudi was sentenced to 32 months in prison, with credit for time served, two years of supervised release, and a special assessment of \$100.00.

by successive Presidential Notices, the most recent being that of August 4, 2016 (81 FR 52,587 (Aug. 8, 2016)), has continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. § 1701, *et seq.* (2006 & Supp. IV 2010)).

Section 766.25 of the Export Administration Regulations (“EAR” or “Regulations”)¹ provides, in pertinent part, that “[t]he Director of the Office of Exporter Services, in consultation with the Director of the Office of Export Enforcement, may deny the export privileges of any person who has been convicted of a violation of the Export Administration Act (“EAA”), the EAR, or any order, license or authorization issued thereunder; any regulation, license, or order issued under the International Emergency Economic Powers Act (50 U.S.C. 1701–1706); 18 U.S.C. 793, 794 or 798; section 4(b) of the Internal Security Act of 1950 (50 U.S.C. 783(b)), or section 38 of the Arms Export Control Act (22 U.S.C. 2778).” 15 CFR 766.25(a); *see also* Section 11(h) of the EAA, 50 U.S.C. 4610(h). The denial of export privileges under this provision may be for a period of up to 10 years from the date of the conviction. 15 CFR 766.25(d); *see also* 50 U.S.C. 4610(h). In addition, Section 750.8 of the Regulations states that the Bureau of Industry and Security’s Office of Exporter Services may revoke any Bureau of Industry and Security (“BIS”) licenses previously issued in which the person had an interest in at the time of his conviction.

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

Based upon my review and consultations with BIS’s Office of Export Enforcement, including its Director, and the facts available to BIS, I have decided to deny Al-Baroudi’s export privileges under the Regulations for a period of 10 years from the date of Al-Baroudi’s conviction. I have also decided to revoke all licenses issued pursuant to the Act or Regulations in which Al-Baroudi had an interest at the time of his conviction.

Accordingly, *it is hereby ordered*:

First, from the date of this Order until June 13, 2026, Amin Al-Baroudi, with a last known address of Inmate Number: 87450–083, FCI Victorville Medium II, Federal Correctional Institution, P.O.

Box 3850, Adelanto, CA 92301, and when acting for or on his behalf, his successors, assigns, employees, agents or representatives (the “Denied Person”), may not, directly or indirectly, participate in any way in any transaction involving any commodity, software or technology (hereinafter collectively referred to as “item”) exported or to be exported from the United States that is subject to the Regulations, including, but not limited to:

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

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

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

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

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

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

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

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

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

controlled by the Denied Person if such service involves the use of any item subject to the Regulations that has been or will be exported from the United States. For purposes of this paragraph, servicing means installation, maintenance, repair, modification or testing.

Third, after notice and opportunity for comment as provided in Section 766.23 of the Regulations, any other person, firm, corporation, or business organization related to Al-Baroudi by ownership, control, position of responsibility, affiliation, or other connection in the conduct of trade or business may also be made subject to the provisions of this Order in order to prevent evasion of this Order.

Fourth, in accordance with part 756 of the Regulations, Al-Baroudi may file an appeal of this Order with the Under Secretary of Commerce for Industry and Security. The appeal must be filed within 45 days from the date of this Order and must comply with the provisions of part 756 of the Regulations.

Fifth, a copy of this Order shall be delivered to the Al-Baroudi. This Order shall be published in the **Federal Register**.

Sixth, this Order is effective immediately and shall remain in effect until June 13, 2026.

Issued this 31st day of March, 2017.

Hillary Hess,

Acting Director, Office of Exporter Services.

[FR Doc. 2017–06810 Filed 4–5–17; 8:45 am]

BILLING CODE – P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

In the Matter of: Song Il Kim, a/k/a Kim Song Il, Inmate Number—07778–122, Moshannon Valley, Correctional Institution, 555 Geo Drive, Philipsburg, PA 16866; Order Denying Export Privileges

On February 29, 2016, in the U.S. District Court for the District of Utah, Song Il Kim, a/k/a Kim Song Il (“Kim”), was convicted of violating Section 38 of the Arms Export Control Act (22 U.S.C. 2778 (2012)) (“AECA”). Specifically, Kim willfully attempted to export or caused to be exported from the United States, defense articles listed on the United States Munitions List, to wit: PVS–7 and PVVS–14 Night Vision Optics and a THOR 320 Thermal Imaging Weapons Sight, without having first obtained from the Department of State, Directorate of Defense Trade

¹ 50 U.S.C. 4601–4623 (Supp. III 2015) (available at <http://uscode.house.gov>). Since August 21, 2001, the Act has been in lapse and the President, through Executive Order 13222 of August 17, 2001 (3 CFR, 2001 Comp. 783 (2002)), which has been extended by successive Presidential Notices, the most recent being that of August 4, 2016 (81 FR 52,587 (Aug. 8, 2016)), has continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. 1701, *et seq.* (2012)).

Controls, a license or written authorizations for such export. Kim was sentenced 40 months in prison, with credit for time served, 36 months of supervised release, and a \$100 assessment.

Section 766.25 of the Export Administration Regulations (“EAR” or “Regulations”) ¹ provides, in pertinent part, that “[t]he Director of the Office of Exporter Services, in consultation with the Director of the Office of Export Enforcement, may deny the export privileges of any person who has been convicted of a violation of the Export Administration Act (“EAA”), the EAR, or any order, license or authorization issued thereunder; any regulation, license, or order issued under the International Emergency Economic Powers Act (50 U.S.C. 1701–1706); 18 U.S.C. 793, 794 or 798; section 4(b) of the Internal Security Act of 1950 (50 U.S.C. 783(b)), or section 38 of the Arms Export Control Act (22 U.S.C. 2778).” 15 CFR 766.25(a); *see also* Section 11(h) of the EAA, 50 U.S.C. 4610(h). The denial of export privileges under this provision may be for a period of up to 10 years from the date of the conviction. 15 CFR 766.25(d); *see also* 50 U.S.C. 4610(h). In addition, Section 750.8 of the Regulations states that the Bureau of Industry and Security’s Office of Exporter Services may revoke any Bureau of Industry and Security (“BIS”) licenses previously issued in which the person had an interest in at the time of his conviction.

BIS has received notice of Kim’s conviction for violating the AECA, and has provided notice and an opportunity for Kim to make a written submission to BIS, as provided in Section 766.25 of the Regulations. BIS has not received a submission from Kim.

Based upon my review and consultations with BIS’s Office of Export Enforcement, including its Director, and the facts available to BIS, I have decided to deny Kim’s export privileges under the Regulations for a period of 10 years from the date of Kim’s conviction. I have also decided to revoke all licenses issued pursuant to the Act or Regulations in which Kim

had an interest at the time of his conviction.

Accordingly, *it is hereby ordered:*

First, from the date of this Order until February 28, 2026, Song II Kim, a/k/a Kim Song II, with a last known address of Inmate Number—07778–122, Moshannon Valley, Correctional Institution, 555 Geo Drive, Philipsburg, PA 16866, and when acting for or on his behalf, his successors, assigns, employees, agents or representatives (the “Denied Person”), may not, directly or indirectly, participate in any way in any transaction involving any commodity, software or technology (hereinafter collectively referred to as “item”) exported or to be exported from the United States that is subject to the Regulations, including, but not limited to:

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

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

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

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

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

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

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

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

intended to be, exported from the United States; or

E. Engage in any transaction to service any item subject to the Regulations that has been or will be exported from the United States and which is owned, possessed or controlled by the Denied Person, or service any item, of whatever origin, that is owned, possessed or controlled by the Denied Person if such service involves the use of any item subject to the Regulations that has been or will be exported from the United States. For purposes of this paragraph, servicing means installation, maintenance, repair, modification or testing.

Third, after notice and opportunity for comment as provided in Section 766.23 of the Regulations, any other person, firm, corporation, or business organization related to Kim by ownership, control, position of responsibility, affiliation, or other connection in the conduct of trade or business may also be made subject to the provisions of this Order in order to prevent evasion of this Order.

Fourth, in accordance with part 756 of the Regulations, Kim may file an appeal of this Order with the Under Secretary of Commerce for Industry and Security. The appeal must be filed within 45 days from the date of this Order and must comply with the provisions of part 756 of the Regulations.

Fifth, a copy of this Order shall be delivered to the Kim. This Order shall be published in the **Federal Register**.

Sixth, this Order is effective immediately and shall remain in effect until February 28, 2026.

Issued this 31st day of March, 2017.

Hillary Hess,

Acting Director, Office of Exporter Services.

[FR Doc. 2017–06812 Filed 4–5–17; 8:45 am]

BILLING CODE P

DEPARTMENT OF COMMERCE

International Trade Administration

[C–533–818, C–560–806, C–580–837]

Certain Cut-to-Length Carbon-Quality Steel Plate From India, Indonesia, and the Republic of Korea: Final Results of Expedited Third Sunset Reviews of Countervailing Duty Orders

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The Department of Commerce (Department) finds that revocation of the countervailing duty (CVD) orders on certain cut-to-length carbon-quality steel

¹ The Regulations are currently codified in the Code of Federal Regulations at 15 CFR parts 730–774 (2016). The Regulations issued pursuant to the Export Administration Act (50 U.S.C. 4601–4623 (Supp. III 2015) (<http://uscdoe.house.gov>)). Since August 21, 2001, the Act has been in lapse and the President, through Executive Order 13222 of August 17, 2001 (3 CFR, 2001 Comp. 783 (2002)), which has been extended by successive Presidential Notices, the most recent being that of August 4, 2016 (81 FR 52,587 (Aug. 8, 2016)), has continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. 1701, *et seq.* (2006 & Supp. IV 2010)).

plate from India, Indonesia, and the Republic of Korea (Korea) would be likely to lead to continuation or recurrence of a countervailable subsidy at the levels indicated in the "Final Results of Reviews" section of this notice.

DATES: Effective April 6, 2017.

FOR FURTHER INFORMATION CONTACT: John Conniff, AD/CVD Operations, Office III, Enforcement & Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230; telephone: 202-482-1009.

SUPPLEMENTARY INFORMATION:

Background

On December 1, 2016, the Department initiated sunset reviews of the CVD orders on certain cut-to-length carbon-quality steel plate from India, Indonesia and Korea pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act).¹ The Department received a notice of intent to participate in each of these reviews from the following domestic interested parties: Nucor Corporation, ArcelorMittal USA, and SSAB Enterprises LLC (collectively, domestic interested parties) within the deadline specified in 19 CFR 351.218(d)(1)(i). The domestic interested parties claimed interested party status under section 771(9)(C) of the Act.

The Department received adequate substantive responses collectively from the domestic interested parties within the 30-day deadline specified in 19 CFR 351.218(d)(3)(i). However, the Department did not receive a substantive response from any government or respondent interested party to these proceedings. As a result, pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2), the Department conducted expedited reviews of these CVD orders.

Scope of the Orders

The products covered by the countervailing duty orders are certain hot-rolled carbon-quality steel: (1) Universal mill plates (*i.e.*, flat-rolled products rolled on four faces or in a closed box pass, of a width exceeding 150 mm but not exceeding 1250 mm, and of a nominal or actual thickness of not less than 4 mm, which are cut-to-length (not in coils) and without patterns in relief), of iron or non-alloy-quality steel; and (2) flat-rolled products, hot-rolled, of a nominal or actual thickness of 4.75 mm or more and of a width which exceeds 150 mm and

measures at least twice the thickness, and which are cut-to-length (not in coils).

Steel products to be included in the scope are of rectangular, square, circular or other shape and of rectangular or non-rectangular cross-section where such non-rectangular cross-section is achieved subsequent to the rolling process (*i.e.*, products which have been "worked after rolling")—for example, products which have been beveled or rounded at the edges. Steel products that meet the noted physical characteristics that are painted, varnished or coated with plastic or other non-metallic substances are included within the scope. Also, specifically included in the scope are high strength, low alloy (HSLA) steels. HSLA steels are recognized as steels with micro-alloying levels of elements such as chromium, copper, niobium, titanium, vanadium, and molybdenum.

Steel products to be included in the scope, regardless of Harmonized Tariff Schedule of the United States (HTSUS) definitions, are products in which: (1) Iron predominates, by weight, over each of the other contained elements, (2) the carbon content is two percent or less, by weight, and (3) none of the elements listed below is equal to or exceeds the quantity, by weight, respectively indicated: 1.80 percent of manganese, or 1.50 percent of silicon, or 1.00 percent of copper, or 0.50 percent of aluminum, or 1.25 percent of chromium, or 0.30 percent of cobalt, or 0.40 percent of lead, or 1.25 percent of nickel, or 0.30 percent of tungsten, or 0.10 percent of molybdenum, or 0.10 percent of niobium, or 0.41 percent of titanium, or 0.15 percent of vanadium, or 0.15 percent zirconium. All products that meet the written physical description, and in which the chemistry quantities do not equal or exceed any one of the levels listed above, are within the scope unless otherwise specifically excluded. The following products are specifically excluded from the orders: (1) Products clad, plated, or coated with metal, whether or not painted, varnished or coated with plastic or other non-metallic substances; (2) SAE grades (formerly AISI grades) of series 2300 and above; (3) products made to ASTM A710 and A736 or their proprietary equivalents; (4) abrasion-resistant steels (*i.e.*, USS AR 400, USS AR 500); (5) products made to ASTM A202, A225, A514 grade S, A517 grade S, or their proprietary equivalents; (6) ball bearing steels; (7) tool steels; and (8) silicon manganese steel or silicon electric steel. The merchandise subject to the orders is currently classifiable in the HTSUS under subheadings: 7208.40.3030,

7208.40.3060, 7208.51.0030, 7208.51.0045, 7208.51.0060, 7208.52.0000, 7208.53.0000, 7208.90.0000, 7210.70.3000, 7210.90.9000, 7211.13.0000, 7211.14.0030, 7211.14.0045, 7211.90.0000, 7212.40.1000, 7212.40.5000, 7212.50.0000, 7225.40.3050, 7225.40.7000, 7225.50.6000, 7225.99.0090, 7226.91.5000, 7226.91.7000, 7226.91.8000, 7226.99.0000.

Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise subject to the orders is dispositive.

Analysis of Comments Received

All issues raised in these reviews are addressed in the Issues and Decision Memorandum² and are listed in Appendix I attached to this notice. The issues discussed in the Issues and Decision Memorandum include the likelihood of continuation or recurrence of a countervailable subsidy and the net countervailable subsidy likely to prevail if the orders were revoked. Parties can find a complete discussion of all issues raised in these expedited sunset reviews and the corresponding recommendations in this public memorandum, which is on file electronically *via* the Enforcement and Compliance Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <https://access.trade.gov> and to all parties in the Central Records Unit, Room B8024 of the main Department of Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly on the Internet at <http://enforcement.trade.gov/frn/index.html>. The signed Issues and Decision Memorandum and the electronic versions of the Issues and Decision Memorandum are identical in content.

Final Results of Reviews

The Department determines that revocation of the CVD orders would be likely to lead to continuation or recurrence of a countervailable subsidy at the rates listed below:

² See Memorandum from Gary Taverman, Associate Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Ronald K. Lorentzen, Acting Assistant Secretary for Enforcement and Compliance, dated concurrently with and hereby adopted by this notice (Issues and Decision Memorandum).

¹ See Initiation of Five-Year (Sunset) Reviews 81 FR 86697, (December 1, 2016).

Producers/exporters	Net countervailable subsidy rates (percent)
<i>India</i>	
Steel Authority of India (SAIL)	12.82
All Others	12.82
<i>Indonesia</i>	
P.T. Krakatau Steel	47.71
All Others ³	15.90
<i>Korea</i>	
Dongkuk Steel Mill, Ltd.	1.39
All Others ⁴	1.39

Notification Regarding Administrative Protective Order

This notice serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305. Timely notification of return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

We are issuing and publishing these results and this notice in accordance with sections 751(c), 752, and 777(i)(1) of the Act.

Dated: March 31, 2017.

Ronald K. Lorentzen,

Acting Assistant Secretary for Enforcement and Compliance.

Appendix I

List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. History of the Orders
- III. Discussion of the Issues
 - A. Continuation of Recurrence of a Countervailable Subsidy
 - B. Net Countervailable Subsidy Likely to Prevail
 - C. Nature of the Subsidy
- IV. Final Results of Review

³ P.T. Gunawan Steel and P.T. Jaya Pari were excluded from the Indonesia order on the basis of a *de minimis* net subsidy. See *Notice of Amended Final Determinations: Certain Cut-to-Length Carbon-Quality Steel Plate from India and the Republic of Korea; and Notice of Countervailing Duty Orders: Certain Cut-To-Length Carbon-Quality Steel Plate From France, India, Indonesia, Italy, and the Republic of Korea*, 65 FR 6587 (February 10, 2000) [CVD Orders].

⁴ Pohang Iron & Steel Co., Ltd. was excluded from the Korea order on the basis of a *de minimis* net subsidy. See *CVD Orders*.

VI. Recommendation

[FR Doc. 2017-06832 Filed 4-5-17; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[A-557-813]

Polyethylene Retail Carrier Bags From Malaysia: Preliminary Results of Antidumping Duty Administrative Review; 2015-2016

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 Polyethylene Retail Carrier Bags (“PRCBs”) from Malaysia, covering the period of review (“POR”) August 1, 2015, through July 31, 2016. The review covers one producer/exporter of subject merchandise, Euro SME Sdn Bhd (“Euro SME”). The Department preliminarily determines that Euro SME did not have reviewable entries during the POR. We invite interested parties to comment on these preliminary results.

DATES: Effective April 6, 2017.

FOR FURTHER INFORMATION CONTACT: Alex Rosen, AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-7814.

SUPPLEMENTARY INFORMATION:

Background

On August 5, 2016, the Department published a notice of opportunity to request an administrative review of the antidumping duty order on PRCBs from Malaysia for the POR.¹ On August 31, 2016, in response to a timely request from Petitioners,² and in accordance with section 751(a) of the Tariff Act of 1930, as amended (the “Act”), and 19 CFR 351.221(c)(1)(i), the Department initiated an administrative review of the antidumping duty order on PRCBs from Malaysia with respect to Euro SME.³

¹ See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review*, 81 FR 51850 (August 5, 2016).

² See Letter from Polyethylene Retail Bags Committee and its individual members Hilex Poly Co., LLC and Superbag Corp. (“Petitioners”), “Polyethylene Retail Carrier Bags from Malaysia: Request for Administrative Review,” dated August 31, 2016.

³ See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 81 FR 71061 (October 14, 2016).

Scope of the Order

The merchandise subject to this antidumping duty order is polyethylene retail carrier bags (PRCBs), which also may be referred to as t-shirt sacks, merchandise bags, grocery bags, or checkout bags. The subject merchandise is defined as non-sealable sacks and bags with handles (including drawstrings), without zippers or integral extruded closures, with or without gussets, with or without printing, of polyethylene film having a thickness no greater than 0.035 inch (0.889 mm) and no less than 0.00035 inch (0.00889 mm), and with no length or width shorter than 6 inches (15.24 cm) or longer than 40 inches (101.6 cm). The depth of the bag may be shorter than 6 inches (15.24 cm) but not longer than 40 inches (101.6 cm).

PRCBs are typically provided without any consumer packaging and free of charge by retail establishments, *e.g.*, grocery, drug, convenience, department, specialty retail, discount stores, and restaurants to their customers to package and carry their purchased products. The scope of this antidumping duty order excludes (1) PRCBs that are not printed with logos or store names and that are closeable with drawstrings made of polyethylene film and (2) PRCBs that are packed in consumer packaging with printing that refers to specific end-uses other than packaging and carrying merchandise from retail establishments, *e.g.*, garbage bags, lawn bags, trash-can liners.

Imports of merchandise included within the scope of this antidumping duty order are currently classifiable under statistical category 3923.21.0085 of the Harmonized Tariff Schedule of the United States (“HTSUS”). This subheading may also cover products that are outside the scope of this antidumping duty order. Although the HTSUS subheading is provided for convenience and customs purposes, the written description of the scope of this antidumping duty order is dispositive.

Preliminary Determination of No Shipments

Subsequent to the initiation of this administrative review, the Department received a timely submission from Euro SME certifying that it did not have sales, shipments, or exports of subject merchandise to the United States during the POR.⁴ On October 16, 2016, the Department requested entry data from U.S. Customs and Border Protection (“CBP”) for subject merchandise

⁴ See Letter from Euro SME, “Polyethylene Retail Carrier Bags from Malaysia: No Shipment Certification,” dated October 18, 2016.

exported by Euro SME and imported into the United States during the POR.⁵ This query returned no entries during the POR.⁶ Further, the Department transmitted a “no-shipments” inquiry to CBP requesting that it provide any information to the contrary, should such information exist.⁷ On November 7, 2016, the Department was notified by CBP that there were no shipments of PRCBs from Malaysia during the POR.⁸ Consistent with our practice, we preliminarily determine that Euro SME had no shipments and, therefore, no reviewable entries during the POR. In addition, we find it is not appropriate to rescind the review with respect to Euro SME but, rather, to complete the review and issue appropriate instructions to CBP based on the final results of the review, consistent with our practice.⁹

Public Comment

Interested parties may submit case briefs to the Department no later than 30 days after the date of publication of this notice. Rebuttal briefs, limited to issues raised in the case briefs, may be filed no later than five days after the time limit for filing case briefs.¹⁰ Parties who submit case briefs or rebuttal briefs in this proceeding are encouraged to submit with each argument: (1) A statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.¹¹ Case and rebuttal briefs should be filed using ACCESS.¹²

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, filed electronically via ACCESS. An electronically-filed document must be received successfully in its entirety by ACCESS by 5 p.m. Eastern Time within 30 days after the date of publication of this notice.¹³ Hearing requests should contain: (1) The

party’s name, address, and telephone number; (2) the number of participants; and (3) a list of issues to be discussed. Issues raised in the hearing will be limited to issues raised in the briefs. 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, 1401 Constitution Avenue NW., Washington, DC 20230.¹⁴

The Department intends to issue the final results of this administrative review, including the results of its analysis of the issues raised in any written briefs, no later than 120 days after the date of publication of this notice, pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h), unless this deadline is extended.

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.¹⁵ In accordance with the Department’s practice, for entries of subject merchandise during the POR for which Euro SME did not know that the merchandise was destined for the United States, we will instruct CBP to liquidate such entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.¹⁶ We intend to issue assessment instructions to CBP 15 days after the publication date of the final results of this review.

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 of the final results of review, as provided for by section 751(a)(2)(C) of the Act: (1) For Euro SME, which claimed no shipments, the cash deposit rate will remain unchanged from the rate assigned to Euro SME in the most recently completed review of the company; (2) for previously investigated or reviewed companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the less-than-fair-value investigation, but the manufacturer is, the cash deposit rate

will be the rate established for the most recent period for the manufacturer of the merchandise; and (4) the cash deposit rate for all other manufacturers or exporters is 2.40 percent. 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)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this period. Failure to comply with this requirement may 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 results in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.213(h) and 351.221(b)(4).

Dated: March 30, 2017.

Ronald K. Lorentzen,

Acting Assistant Secretary For Enforcement and Compliance.

[FR Doc. 2017-06822 Filed 4-5-17; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[A-549-502]

Circular Welded Carbon Steel Pipes and Tubes From Thailand: Preliminary Results of Antidumping Duty Administrative Review and Preliminary Finding of No Shipments; 2015–2016

AGENCY: Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce.

SUMMARY: The Department of Commerce (the Department) is conducting an administrative review of the antidumping duty order on circular welded carbon steel pipes and tubes (pipes and tubes) from Thailand, covering the period of review (POR) March 1, 2015, through February 29, 2016. This review covers two manufacturers/exporters of the subject merchandise, Saha Thai Steel Pipe (Public) Company, Ltd. (Saha Thai) and Pacific Pipe Public Company Limited (Pacific Pipe). The Department preliminarily determines that Saha Thai sold subject merchandise at less than normal value (NV) during the POR and that Pacific Pipe had no shipments during the POR. Interested parties are

⁵ See Memorandum to the File, “U.S. Customs and Border Protection—No Shipment Inquiry Data,” dated October 19, 2016.

⁶ *Id.*

⁷ See CBP message 6295302, dated October 21, 2016.

⁸ See Memorandum to the File “U.S. Customs and Border Protection—No Shipment Inquiry Data,” dated November 7, 2016.

⁹ See e.g., *Certain Frozen Warmwater Shrimp from Thailand; Preliminary Results of Antidumping Duty Administrative Review, Partial Rescission of Review, Preliminary Determination of No Shipments; 2012–2013*, 79 FR 15951, 15952 (March 24, 2014), unchanged in *Certain Frozen Warmwater Shrimp from Thailand: Final Results of Antidumping Duty Administrative Review, Final Determination of No Shipments, and Partial Rescission of Review; 2012–2013*, 79 FR 51306 (August 28, 2014).

¹⁰ See 19 CFR 351.309(d).

¹¹ See 19 CFR 351.309(c)(2) and (d)(2).

¹² See 19 CFR 351.303.

¹³ See 19 CFR 351.310(c).

¹⁴ *Id.*

¹⁵ See 19 CFR 351.212(b).

¹⁶ See *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

invited to comment on these preliminary results.

DATES: Effective April 6, 2017.

FOR FURTHER INFORMATION CONTACT: Toni Page, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-1398.

Scope of the Order

The products covered by the antidumping order are certain circular welded carbon steel pipes and tubes from Thailand. The subject merchandise has an outside diameter of 0.375 inches or more, but not exceeding 16 inches. For a full description of the scope of this order, please see the accompanying Preliminary Decision Memorandum.¹

Methodology

The Department is conducting this review in accordance with section 751(a)(2) of the Tariff Act of 1930, as amended (the Act). Export price is calculated in accordance with section 772 of the Act. NV is calculated in accordance with section 773 of the Act.

For a full description of the methodology underlying these preliminary results, see the Preliminary Decision Memorandum, which is hereby adopted by this notice. A list of the topics discussed in the Preliminary Decision Memorandum is attached as an appendix to this notice. 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 is available to all parties in the Central Records Unit, Room B8024 of the main Department of Commerce building. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly on the internet at <http://enforcement.trade.gov/frn/>. The signed Preliminary Decision Memorandum and the electronic versions of the Preliminary Decision Memorandum are identical in content.

¹ See Memorandum to Ronald K. Lorentzen, Acting Assistant Secretary Enforcement and Compliance from Gary Taverman, Associate Deputy Assistant Secretary, "Circular Welded Carbon Steel Pipes and Tubes from Thailand: Decision Memorandum for the Preliminary Results of Antidumping Duty Administrative Review; 2015-2016" (dated concurrently with this Federal Register notice) (Preliminary Decision Memorandum).

Preliminary Determination of No Shipments

Pacific Pipe timely filed a "no shipment" certification stating that it had no entries of subject merchandise during the POR.² Consistent with its practice, the Department asked CBP to conduct a query of potential shipments made by Pacific Pipe. Based on the certification of Pacific Pipe and the fact that CBP has not provided any contradictory information, we preliminarily determine that Pacific Pipe had no shipments during the POR. However, the Department finds that it is not appropriate to rescind the review with respect to Pacific Pipe, but rather to complete the review with respect to Pacific Pipe and issue appropriate instructions to CBP based on the final results of this review.³

Preliminary Results of Review

The Department preliminarily determines that the following weighted-average dumping margin exists for the period March 1, 2015, through February 29, 2016:

Producer/exporter	Weighted-average dumping margin (percent)
Saha Thai Steel Pipe (Public) Company, Ltd	1.50
Pacific Pipe Company Limited ...	(*)

*No shipments or sales subject to this review. The company has an individual rate from a prior segment of the proceeding in which the firm had shipments or sales.

Disclosure, Public Comment and Opportunity To Request a Hearing

The Department intends to disclose the calculations used in our analysis to parties in this review within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b).

Interested parties may submit written comments (case briefs) no later than 30 days after the date of publication of these preliminary results of review, pursuant to 19 CFR 351.309(c)(ii) and rebuttal comments (rebuttal briefs) within five days after the time limit for filing case briefs, pursuant to 19 CFR 351.309(d)(1). Pursuant to 19 CFR 351.309(d)(2), rebuttal briefs must be

² For a full explanation of the Department's analysis, see the Preliminary Decision Memorandum.

³ See, e.g., *Magnesium Metal from the Russian Federation: Preliminary Results of Antidumping Duty Administrative Review*, 75 FR 26922, 26923 (May 13, 2010), unchanged in *Magnesium Metal from the Russian Federation: Final Results of Antidumping Duty Administrative Review*, 75 FR 56989 (September 17, 2010); see also "Assessment Rates" section below.

limited to issues raised in the case briefs. Parties who submit arguments 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. See 19 CFR 351.303 (for general filing requirements). All electronically filed documents must be received successfully in its entirety by the Department's electronic records system, ACCESS.

Pursuant to 19 CFR 351.310, any interested party may request a hearing within 30 days of publication of this notice. 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 case and rebuttal briefs. If a party requests a hearing, the Department will inform parties of the scheduled date for the hearing which will be held at the U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230, at a time and location to be determined. Parties should confirm by telephone the date, time, and location of the hearing.

The Department intends to issue the final results of this review, including the results of its analysis of the issues raised in any written briefs, not later than 120 days after the date of publication of this notice, pursuant to section 751(a)(3)(A) of the Act.

Assessment Rates

Upon completion of this administrative review, the Department shall determine and U.S. Customs and Border Protection (CBP) shall assess antidumping duties on all appropriate entries. If a respondent's weighted-average dumping margin is not zero or *de minimis* (i.e., less than 0.5 percent) in the final results of this review, we will calculate importer-specific *ad valorem* assessment rates on the basis of the ratio of the total amount of dumping calculated for an importer's examined sales and the total entered value of such sales in accordance with 19 CFR 351.212(b)(1). Where either the respondent's weighted-average dumping margin is zero or *de minimis* within the meaning of 19 CFR 351.106(c), or an importer-specific rate is zero or *de minimis*, we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

The Department clarified its "automatic assessment" regulation on May 6, 2003.⁴ This clarification applies

⁴ For a full discussion of this clarification, see *Antidumping and Countervailing Duty Proceedings:*

to entries of subject merchandise during the POR produced by a respondent for which it did not know its merchandise was destined for the United States. In such instances, 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.

We intend to issue instructions to CBP 15 days after publication of the final results of this review.

Cash Deposit Requirements

The following cash deposit requirements will be effective for all shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this administrative review, as provided for by section 751(a)(2)(C) of the Act: (1) The cash deposit rate for the companies under review will be equal to the weighted-average dumping margin established in the final results of this review (except, if that rate is *de minimis*, then the cash deposit rate will be zero); (2) for previously reviewed or investigated companies not listed above in the Preliminary Results of Review, including those for which the Department may determine had no shipments during the POR, 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 or another completed segment of this proceeding, but the manufacturer is, then the cash deposit rate will be the rate established for the most recently completed segment of this proceeding for the manufacturer of the merchandise; and (4) if neither the exporter nor the manufacturer is a firm covered in this or any previously completed segment of this proceeding, then the cash deposit rate will be the "all-others" rate of 15.67 percent established in the less-than-fair-value investigation.⁵ These deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice serves as a preliminary 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 Department's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

We are issuing and publishing these preliminary results in accordance with sections 751(a)(1) and 777(i) of the Act, and 19 CFR 351.213(h) and 351.221(b)(4).

Dated: March 31, 2017.

Ronald K. Lorentzen,

Acting Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Preliminary Finding of No Shipments
- V. Comparison to Normal Value
- VI. Product Comparisons
- VII. Discussion of Methodology
 - A. Determination of Comparison Method
 - B. Results of the Differential Pricing Analysis
 - C. Date of Sale
 - D. Export Price
 - E. Normal Value
 - F. Currency Conversion
- VIII. Recommendation

[FR Doc. 2017-06849 Filed 4-5-17; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

Rutgers University, et al.; Notice of Consolidated Decision on Applications for Duty-Free Entry of Electron Microscope

This is a decision consolidated pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, as amended by Pub. L. 106-36; 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 a.m. and 5:00 p.m. in Room 3720, U.S. Department of Commerce, 14th and Constitution Avenue NW., Washington, DC.

Docket Number: 16-005. *Applicant:* Rutgers University, Piscataway, NJ 08854-8076. *Instrument:* Electron Microscope. *Manufacturer:* FEI Company, the Netherlands. *Intended Use:* See notice at 81 FR 71702-03, October 18, 2016.

Docket Number: 16-014. *Applicant:* Iowa State University, Ames, IA 50011-3616. *Instrument:* Electron Microscope. *Manufacturer:* FEI Company, the Netherlands. *Intended Use:* See notice at 81 FR 71703, October 18, 2016.

Docket Number: 16-016. *Applicant:* State University of New York at Stony Brook, Stony Brook, NY 117964-6000. *Instrument:* Cryo-Electron Microscope. *Manufacturer:* FEI Company, the Netherlands. *Intended Use:* See notice at 81 FR 71703, October 18, 2016.

Docket Number: 16-019. *Applicant:* University of Nebraska-Lincoln, Lincoln, NE 68588. *Instrument:* Electron Microscope. *Manufacturer:* Elmitec, Germany. *Intended Use:* See notice at 81 FR 89434, December 12, 2016.

Comments: None received. *Decision:* Approved. No instrument of equivalent scientific value to the foreign instrument, for such purposes as this instrument is intended to be used, is being manufactured in the United States at the time the instrument was ordered. *Reasons:* Each foreign instrument is an electron microscope and is intended for research or scientific educational uses requiring an electron microscope. We know of no electron microscope, or any other instrument suited to these purposes, which was being manufactured in the United States at the time of order of each instrument.

Dated: March 31, 2017.

Gregory W. Campbell,

Director, Subsidies Enforcement Office, Enforcement and Compliance.

[FR Doc. 2017-06823 Filed 4-5-17; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[A-533-808]

Certain Stainless Steel Wire Rods From India: Final Results of the Expedited Fourth Sunset Review of the Antidumping Duty Order

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: As a result of this review, the Department of Commerce (the Department) finds that revocation of the antidumping duty (AD) order on certain stainless steel wire rods from India (wire rods) would likely lead to a continuation or recurrence of dumping at the margins identified in the "Final Results of Review" section of this notice.

DATES: Effective April 6, 2017.

FOR FURTHER INFORMATION CONTACT: Andre Gziryan or Mino Hatten, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230; telephone:

Assessment of Antidumping Duties, 68 FR 23954 (May 6, 2003) (*Assessment Policy Notice*).

⁵ See *Antidumping Duty Order: Circular Welded Carbon Steel Pipes and Tubes from Thailand*, 51 FR 8341 (March 11, 1986).

(202) 482-2201 and (202) 482-1690, respectively.

SUPPLEMENTARY INFORMATION:

Background

On December 1, 1993, the Department published the AD order on wire rods from India.¹ On December 1, 2016, the Department published the notice of initiation of the fourth sunset review of the AD order on wire rods,² pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act).

On December 13, 2016, the Department received a notice of intent to participate on behalf of Carpenter Technology Corporation, North American Stainless, and Universal Stainless & Alloy Products, Inc. (collectively, the domestic interested parties) within the 15-day period specified in 19 CFR 351.218(d)(1)(i). The domestic interested parties claimed interested party status under section 771(9)(C) of the Act as manufacturers in the United States of a domestic like product for the proceeding.

On January 3, 2017, the Department received a complete substantive response to the *Notice of Initiation* from the domestic interested parties within the 30-day period, specified in 19 CFR 351.218(d)(3)(i).³ We received no substantive responses from any respondent interested parties. As a result, pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2), the Department conducted an expedited (120-day) sunset review of the AD order on wire rods from India.

Scope of the Order

The merchandise covered by the AD order is certain stainless steel wire rods from India, which are hot-rolled or hot-rolled annealed and/or pickled rounds, squares, octagons, hexagons or other shapes, in coils. The wire rods subject to this order are currently classifiable under subheadings 7221.00.0005, 7221.00.0017, 7221.00.0018, 7221.00.0030, 7221.00.0045, and 7221.00.0075 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the

merchandise subject to the order is dispositive.⁴

Analysis of Comments Received

All issues raised in this sunset review, including the likelihood of continuation or recurrence of dumping and the magnitude of the margins likely to prevail if the order is revoked, are addressed in the Issues and Decision Memorandum, which is hereby adopted by this notice.⁵ The Issues and 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 to all parties in the Central Records Unit, Room B8024 of the main Department of Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly on the Internet at <http://enforcement.trade.gov/frn>.

Final Results of Sunset Review

Pursuant to sections 751(c)(1) and 752(c)(1) and (3) of the Act, the Department determines that revocation of the AD order on wire rods from India would be likely to lead to continuation or recurrence of dumping, and that the margins likely to prevail would be weighted-average margins up to 48.80 percent.

Notification Regarding Administrative Protective Order

This notice serves as the only reminder to the parties subject to administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305. 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 violation subject to sanction.

We are issuing and publishing the final results and notice in accordance with sections 751(c), 752(c), and 777(i)(1) of the Act and 19 CFR 351.221(c)(5)(ii).

¹ Antidumping Duty Order: Certain Stainless Steel Wire Rods from India, 58 FR 63335 (December 1, 1993).

² See *Initiation of Five-Year ("Sunset") Review*, 81 FR 86697 (December 1, 2016) (*Notice of Initiation*).

³ See Letter from domestic interested parties regarding "Five-Year (Sunset) Review of the Antidumping Duty Order on Stainless Steel Wire Rod From India—Petitioners' Substantive Response," dated January 3, 2017.

⁴ See Memorandum from Associate Deputy Assistant Secretary Gary Taverman to Acting Assistant Secretary Ronald K. Lorentzen entitled, "Issues and Decision Memorandum for the Final Results of the Expedited Sunset Review of the Antidumping Duty Order on Certain Stainless Steel Wire Rods from India," dated concurrently with this notice (Issues and Decision Memorandum), at 2, for a full description of the scope of the order.

⁵ See Issues and Decision Memorandum.

Dated: March 30, 2017.

Ronald K. Lorentzen,

Acting Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2017-06828 Filed 4-5-17; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[S-17-2017]

Approval of Subzone Status; Orgill, Inc.; Post Falls, Idaho

On February 9, 2017, the Executive Secretary of the Foreign-Trade Zones (FTZ) Board docketed an application submitted by the Southwest Idaho Manufacturers' Alliance, grantee of FTZ 280, requesting subzone status subject to the existing activation limit of FTZ 280, on behalf of Orgill, Inc., in Post Falls, Idaho.

The application was processed in accordance with the FTZ Act and Regulations, including notice in the **Federal Register** inviting public comment (82 FR 10742-10743, February 15, 2017). The FTZ staff examiner reviewed the application and determined that it meets the criteria for approval. Pursuant to the authority delegated to the FTZ Board Executive Secretary (15 CFR 400.36(f)), the application to establish Subzone 280B is approved, subject to the FTZ Act and the Board's regulations, including Section 400.13, and further subject to FTZ 280's 2,000-acre activation limit.

Dated: March 30, 2017.

Andrew McGilvray,

Executive Secretary.

[FR Doc. 2017-06831 Filed 4-5-17; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

Application(s) for Duty-Free Entry of Scientific Instruments

Pursuant to Section 6(c) of the Educational, Scientific and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, as amended by Pub. L. 106-36; 80 Stat. 897; 15 CFR part 301), we invite comments on the question of whether instruments of equivalent scientific value, for the purposes for which the instruments shown below are intended to be used, are being manufactured in the United States.

Comments must comply with 15 CFR 301.5(a)(3) and (4) of the regulations and be postmarked on or before April 26,

2017. Address written comments to Statutory Import Programs Staff, Room 3720, U.S. Department of Commerce, Washington, DC 20230. Applications may be examined between 8:30 a.m. and 5:00 p.m. at the U.S. Department of Commerce in Room 3720.

Docket Number: 16–023. *Applicant:* Princeton University, 701 Carnegie Center, Princeton, NJ 08540. *Instrument:* Electron Microscope. *Manufacturer:* FEI Company, Czech Republic. *Intended Use:* The instrument will be used for room temperature imaging, quantitative chemical analysis/mapping, and electron diffraction. *Justification for Duty-Free Entry:* There are no instruments of the same general category manufactured in the United States. *Application accepted by Commissioner of Customs:* November 30, 2016.

Docket Number: 16–027. *Applicant:* Yale University, 333 Cedar St., New Haven, CT 06510. *Instrument:* OneFive Laser System Katana-08 HP. *Manufacturer:* Onefive, Switzerland. *Intended Use:* The instrument will be used as a depletion source to saturate STED depletion profile in samples containing both endogenously expressed fluorescent proteins as well as antibody labeled organic dyes. The experiments require a high power pulsed depletion source at a wavelength of 775 nm to saturate the depletion profile in STED microscopy to achieve resolution below the diffraction limit. The picosecond pulse profile is needed to synchronize the depletion pulse with the excitation pulse. Minimal after pulse tail and sub 100 ps pulse width are also required. *Justification for Duty-Free Entry:* There are no instruments of the same general category manufactured in the United States. *Application accepted by Commissioner of Customs:* December 16, 2016.

Docket Number: 17–001. *Applicant:* Barnard College, 3009 Broadway, New York, NY 10027. *Instrument:* Positioner for a prototype Schwarzschild Couder Telescope (pSCT). *Manufacturer:* DESY-DeutschesElektronen-Synchrotron, Germany. *Intended Use:* The instrument will be used to point the pSCT at astrophysical gamma-ray sources to detect and measure optical Cherenkov light flashes produced in the Earth's atmosphere by very high energy gamma ray photons. The instrument is a unique piece constructed as part of a design project called the Cherenkov Telescope Array (CTA), which is being developed by the international astronomical community. DESY is the only company who builds an instrument of this kind. *Justification for Duty-Free Entry:* There

are no instruments of the same general category manufactured in the United States. *Application accepted by Commissioner of Customs:* January 10, 2017.

Dated: March 31, 2017.

Gregory W. Campbell,
Director of Subsidies Enforcement,
Enforcement and Compliance.
[FR Doc. 2017–06825 Filed 4–5–17; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

Lafayette College; Notice of Decision on Application for Duty-Free Entry of Scientific Instruments

This is a decision pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89–651, as amended by Pub. L. 106–36; 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 a.m. and 5:00 p.m. in Room 3720, U.S. Department of Commerce, 14th and Constitution Ave NW., Washington, DC.

Docket Number: 16–020. *Applicant:* Lafayette College, Easton, PA 18042. *Instrument:* High Power Q-Switched Diode-Pumped Solid State Laser. *Manufacturer:* EdgeWave GMBH, Germany. *Intended Use:* See notice at 81 FR 89434, December 12, 2016. *Comments:* None received. *Decision:* Approved. We know of no instruments of equivalent scientific value to the foreign instruments described below, for such purposes as this is intended to be used, that was being manufactured in the United States at the time of order. *Reasons:* The instrument will be used to study time-dependent finite chemical rate and mixing effects in turbulent combustion and the investigation of coherent structures in turbulent boundary layers. The instrument is approximately 10 times more powerful than any other high-repetition diode-pumped solid state available from a U.S. manufacturer. Techniques to be performed include Planar Laser Induced Fluorescence imaging, exploiting the high-repetition rate and tenability features of the instrument.

Dated: March 31, 2017.

Gregory W. Campbell,
Director, Subsidies Enforcement Office,
Enforcement and Compliance.
[FR Doc. 2017–06824 Filed 4–5–17; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

Manufacturing Extension Partnership Advisory Board

AGENCY: National Institute of Standards and Technology, Commerce.

ACTION: Notice of open meeting.

SUMMARY: The National Institute of Standards and Technology (NIST) announces that the Manufacturing Extension Partnership (MEP) Advisory Board will hold an open meeting on April 30, 2017.

DATES: The meeting will be held Sunday, April 30, 2017, from 8:00 a.m. to 5:30 p.m. Eastern Time.

ADDRESSES: The meeting will be held at the Hyatt Regency Denver at the Colorado Convention Center, 650 15th St. Denver, CO 80202. Please note admittance instructions in the **SUPPLEMENTARY INFORMATION** section below.

FOR FURTHER INFORMATION CONTACT: Cheryl L. Gendron, Manufacturing Extension Partnership, National Institute of Standards and Technology, 100 Bureau Drive, Mail Stop 4800, Gaithersburg, Maryland 20899–4800, telephone number (301) 975–2785, email: Cheryl.Gendron@nist.gov.

SUPPLEMENTARY INFORMATION: The MEP Advisory Board is authorized under Section 3003(d) of the America COMPETES Act (Pub. L. 110–69), as amended by the American Innovation and Competitiveness Act, Public Law 114–329 sec. 501 (2017), and codified at 15 U.S.C. 278k(m), in accordance with the provisions of the Federal Advisory Committee Act, as amended, 5 U.S.C. App. The Hollings MEP Program (Program) is a unique program, consisting of centers in each state and Puerto Rico with partnerships at the state, federal, and local levels. By statute, the MEP Advisory Board provides the NIST Director with: (1) Advice on the activities, plans, and policies of the Program; (2) assessments of the soundness of the plans and strategies of the Program; and (3) assessments of current performance against the plans of the Program.

Background information on the MEP Advisory Board is available at <http://www.nist.gov/mep/about/advisory-board.cfm>.

Pursuant to the Federal Advisory Committee Act, as amended, 5 U.S.C. App., notice is hereby given that the MEP Advisory Board will hold an open meeting on Sunday, April 30, 2017,

from 8:00 a.m. to 5:30 p.m. Eastern Time. This meeting will focus on several topics and is being held in conjunction with a workshop for MEP Center Board members. The MEP Advisory Board agenda will include an information exchange between the two groups. The MEP Advisory Board will receive an update on Hollings MEP programmatic operations, as well as provide guidance and advice to Hollings MEP senior management on the development of the 2017–2022 Strategic Plan. The MEP Advisory Board will also provide input to Hollings MEP on developing protocols that will connect user facilities, research, and technologies at NIST and other federal laboratories with the help of the Hollings MEP national network to support small and mid-size manufacturers, and make recommendations on the establishment of a Hollings MEP Learning Organization. This encompasses an effort to strengthen connections by sharing best practices and building Working Groups and Communities of Practice for furtherance of the Hollings MEP Program's mission. The final agenda will be posted on the MEP Advisory Board Web site at <http://www.nist.gov/mep/about/advisory-board.cfm>. Admittance Instructions: Anyone wishing to attend the MEP Advisory Board meeting must submit their name, email address and phone number to Cheryl Gendron (Cheryl.Gendron@nist.gov or 301–975–2785) no later than Monday, April 24, 2017, 5:00 p.m. Eastern Time.

Individuals and representatives of organizations who would like to offer comments and suggestions related to the MEP Advisory Board's business are invited to request a place on the agenda. Approximately 15 minutes will be reserved for public comments at the end of the meeting. Speaking times will be assigned on a first-come, first-served basis. The amount of time per speaker will be determined by the number of requests received but is likely to be no more than three to five minutes each. The exact time for public comments will be included in the final agenda that will be posted on the MEP Advisory Board Web site at <http://www.nist.gov/mep/about/advisory-board.cfm>. Questions from the public will not be considered during this period. Speakers who wish to expand upon their oral statements, those who had wished to speak but could not be accommodated on the agenda, or those who were unable to attend in person are invited to submit written statements to the MEP Advisory Board, National Institute of Standards

and Technology, 100 Bureau Drive, Mail Stop 4800, Gaithersburg, Maryland 20899–4800, via fax at (301) 963–6556, or electronically by email to Cheryl.Gendron@nist.gov.

Phillip A. Singerman,

Associate Director for Innovations and Industry Services.

[FR Doc. 2017–06776 Filed 4–5–17; 8:45 am]

BILLING CODE 3510–13–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XF337

Fisheries of the South Atlantic, Gulf of Mexico, and Caribbean; Southeast Data, Assessment, and Review (SEDAR); Public Meeting

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of a public meeting.

SUMMARY: The SEDAR Steering Committee will meet via webinar to discuss the SEDAR assessment schedule, progress on SEDAR projects, and the research track approach. See **SUPPLEMENTARY INFORMATION**.

DATES: The SEDAR Steering Committee will meet from 9 a.m. to 12 p.m., Friday, May 5, 2017.

ADDRESSES:

Meeting address: The Steering Committee meeting will be held via webinar. The webinar is open to members of the public. Those interested in participating should contact John Carmichael at SEDAR (see **FOR FURTHER INFORMATION CONTACT**) at least 24 hours in advance to request webinar access information.

SEDAR address: South Atlantic Fishery Management Council, 4055 Faber Place Drive, Suite 201, N. Charleston, SC 29405; www.sedarweb.org.

FOR FURTHER INFORMATION CONTACT: John Carmichael, Deputy Director for Science and Statistics, 4055 Faber Place Drive, Suite 201, North Charleston, SC 29405; phone: (843) 571–4366 or toll free (866) SAFMC–10; fax: (843) 769–4520; email: john.carmichael@safmc.net.

SUPPLEMENTARY INFORMATION: The items of discussion are as follows:

1. Review and consideration of ongoing SEDAR projects.
2. Review and consideration of the proposed research track process, including guidance on applying the process to 2018 assessments.

3. Review and consideration of the SEDAR assessment schedule including future priority assessment projects.

Although non-emergency issues not contained on this agenda may come before this group for discussion, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically identified in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the intent to take final action to address the emergency.

Special Accommodations

This meeting is accessible to people with disabilities. Requests for auxiliary aids should be directed to the SAFMC office (see **ADDRESSES**) at least 10 business days prior to the meeting.

Note: The times and sequence specified in this agenda are subject to change.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: April 3, 2017.

Tracey L. Thompson,

Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2017–06806 Filed 4–5–17; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XF338

Mid-Atlantic Fishery Management Council (MAFMC); Public Meeting

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice; public hearings and comment period.

SUMMARY: The Mid-Atlantic Fishery Management Council will hold nine public hearings in April and May 2017 to solicit public input on an amendment to the Atlantic Mackerel, Squid, and Butterfish Fishery Management Plan. The amendment focuses on the plan's longfin squid and *Illex* squid fisheries. The Council is also soliciting written comments on the amendment through May 18, 2017.

DATES: The public hearings will be held between April 24, 2017 and May 11, 2017. The dates and times of each hearing are listed in **SUPPLEMENTARY INFORMATION**. The comment period closes 11:59 p.m. on May 18, 2017.

ADDRESSES: See **SUPPLEMENTARY INFORMATION** for locations of the hearings.

Council address: Mid-Atlantic Fishery Management Council, 800 N. State Street, Suite 201, Dover, DE 19901; telephone: (302) 674-2331; Web site: www.mafmc.org.

FOR FURTHER INFORMATION CONTACT: Christopher M. Moore, Ph.D., Executive Director, Mid-Atlantic Fishery Management Council, telephone: (302) 526-5255.

SUPPLEMENTARY INFORMATION: The Council will hold nine public hearings:

1. *April 24, 2017, 5-7 p.m.:* The Greater Ocean City Chamber of Commerce, 12320 Ocean Gateway, Ocean City, MD 21842, phone: (410) 213-0144.

2. *April 25, 2017, 5-7 p.m.:* Holiday Inn by the Bay, 88 Spring St., Portland, ME 04101, phone: (207) 775-2311.

3. *April 26, 2017, 5-7 p.m.:* Massachusetts Division of Marine Fisheries, Annisquam River Marine Fisheries Station, 30 Emerson Ave., Gloucester, MA 01930, phone: (978) 282-0308.

4. *May 2, 2017, 5-7 p.m.:* Congress Hall, 200 Congress Place, Cape May, NJ 08204, phone: (609) 884-8421.

5. *May 3, 2017, 5-7 p.m.:* DoubleTree by Hilton Tinton Falls, 700 Hope Road, Tinton Falls, NJ 07724, phone: (732) 544-9300.

6. *May 4, 2017, 6-8 p.m.:* Webinar, <http://mafmc.adobeconnect.com/squid2017/> phone: (800) 832-0736, Rm: *7833942#. A listening station will be available at Virginia Marine Resources Commission, 2600 Washington Avenue, 3rd Floor, Newport News, VA 23607, phone: (757) 247-2200.

7. *May 8, 2017, 5-8 p.m.:* University of Rhode Island, Corless Auditorium, Watkins Building, 218 Ferry Rd., Narragansett, RI 0411-874-6222.

8. *May 9, 2017, 4:30-7 p.m.:* Doubletree by Hilton Cape Cod—Hyannis, 287 Iyannough Rd., Hyannis, MA 02601, 508-771-1700.

9. *May 11, 2017, 5-7 p.m.:* Hyatt Place Long Island/East End, 431 East Main St., Riverhead, NY 11901, 631-208-0002.

Addresses for written comments: Written comments may be sent through mail, email, fax, or online through 11:59 p.m. on Thursday, May 18, 2017.

—Mail to Dr. Chris Moore, Executive Director, Mid-Atlantic Fishery Management Council, 800 North State Street, Suite 201, Dover, DE 19901 (please write “Squid Amendment Comments” on the outside of the envelope);

—Fax to Dr. Chris Moore, Executive Director, Mid-Atlantic Fishery

Management Council at 302-674-5399 (please include “Squid Amendment Comments” in the subject line);

—Email to squid@mafmc.org;

—Online at <http://www.mafmc.org/comments/squid-amendment-public-comments>.

The purpose of the meetings and comment period is gather input from the public on the alternatives in the amendment. The objectives of this action are to:

A. Consider the appropriate number of vessels in the directed longfin squid and *Illex* squid fisheries and design appropriate management measures for permitted vessels. The Council is considering this action because there is considerable latent effort in both fisheries—a relatively small portion of vessels with limited access (“moratorium”) squid permits account for the majority of landings in most years. The Council is concerned that activation of latent permits in the squid fisheries could lead to excessive fishing effort (shortening seasons) on these semeparous, sub-annual species, and increased catch of non-target species.

B. Re-evaluate the management of longfin squid in Trimester 2. The Council is considering this action because the productivity of the longfin squid stock may be negatively impacted if excessive fishing effort in T2, which occurs on the inshore spawning grounds, does not allow sufficient spawning and/or hatching from egg mops. Additional information and relevant background documents are available on the Council’s Web site at <http://www.mafmc.org/actions/squid-capacity-amendment>. The public hearing document, which describes and analyzes the alternatives, will be posted there by April 18, 2017.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aid should be directed to M. Jan Saunders, (302) 526-5251, at least 5 days prior to any meeting date.

Dated: April 3, 2017.

Tracey L. Thompson,

Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2017-06807 Filed 4-5-17; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Science Advisory Board (SAB); Notice of Open Meeting

AGENCY: Office of Oceanic and Atmospheric Research (OAR), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

ACTION: Notice of open meeting.

SUMMARY: The Science Advisory Board (SAB) was established by a Decision Memorandum dated September 25, 1997, and is the only Federal Advisory Committee with responsibility to advise the Under Secretary of Commerce for Oceans and Atmosphere on strategies for research, education, and application of science to operations and information services. SAB activities and advice provide necessary input to ensure that National Oceanic and Atmospheric Administration (NOAA) science programs are of the highest quality and provide optimal support to resource management.

Time and Date: The meeting will be held Monday, April 24, 2017 from 9:45 a.m. EDT to 5:45 p.m. EDT and on Tuesday, April 25, 2017 from 9:00 a.m. EDT to 12:00 p.m. EDT. These times and the agenda topics described below are subject to change. Please refer to the Web page www.sab.noaa.gov/SABMeetings.aspx for the most up-to-date meeting times and agenda.

Place: The meeting will be held at The DoubleTree by Hilton, 8727 Colesville Road, Silver Spring, MD, 20910.

Status: The meeting will be open to public participation with a 15-minute public comment period on April 25th from 10:45-11:00 a.m. EDT (check Web site to confirm time). The SAB expects that public statements presented at its meetings will not be repetitive of previously submitted verbal or written statements. In general, each individual or group making a verbal presentation will be limited to a total time of two (2) minutes. Individuals or groups planning to make a verbal presentation should contact the SAB Executive Director by April 17, 2017 to schedule their presentation. Written comments should be received in the SAB Executive Director’s Office by April 17, 2017, to provide sufficient time for SAB review. Written comments received by the SAB Executive Director after April 17, 2017, will be distributed to the SAB, but may not be reviewed prior to the meeting date. Seating at the meeting will be available on a first-come, first-served basis.

Special Accommodations: These meetings are physically accessible to people with disabilities. Requests for special accommodations may be directed no later than 12:00 p.m. on April 17, 2017, to Dr. Cynthia Decker, SAB Executive Director, SSMC3, Room 11230, 1315 East-West Highway, Silver Spring, MC 20910; Email: Cynthia.Decker@noaa.gov.

Matters to be Considered: The meeting will include the following topics: (1) Draft Report on Indigenous and Local Ecological Knowledge and NOAA; (2) Proposal for Creation of a High Performance Computing Standing Working Group; (3) Discussion of the Process to Review SAB Standing Working Groups; (4) Discussion of Short-Term Topics for the SAB; (5) Discussion on SAB Transition Materials; and (6) Updates from the Acting NOAA Administrator and Acting Chief Scientist.

FOR FURTHER INFORMATION CONTACT: Dr. Cynthia Decker, Executive Director, Science Advisory Board, NOAA, Room 11230, 1315 East-West Highway, Silver Spring, MD 20910. Email: Cynthia.Decker@noaa.gov; or visit the NOAA SAB Web site at <http://www.sab.noaa.gov>.

Dated: March 31, 2017.

Paul Johnson,

Acting Deputy Chief Financial Officer/CAO, Office of Oceanic and Atmospheric Research, National Oceanic and Atmospheric Administration.

[FR Doc. 2017-06858 Filed 4-5-17; 8:45 am]

BILLING CODE 3510-KD-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XE687

Takes of Marine Mammals Incidental To Specified Activities; Taking Marine Mammals Incidental to a Tidal Marsh Restoration Project

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice; issuance of an incidental harassment authorization.

SUMMARY: In accordance with the regulations implementing the Marine Mammal Protection Act (MMPA) as amended, notification is hereby given that NMFS has issued an incidental harassment authorization (IHA) to the California Department of Fish and Wildlife—Central Region (CADFW) to

incidentally harass, by Level B harassment only, marine mammals during construction activities associated with the tidal marsh restoration project within the Minhoto-Hester Marsh in Elkhorn Slough (Monterey, CA).

DATES: This Authorization is in effect for one year beginning August 1, 2017.

FOR FURTHER INFORMATION CONTACT: Stephanie Egger, Office of Protected Resources, NMFS, (301) 427-8401.

SUPPLEMENTARY INFORMATION:

Availability

An electronic copy of the CADFW's application and supporting documents, as well as a list of the references cited in this document, may be obtained online at: www.nmfs.noaa.gov/pr/permits/incidental/construction.htm. In case of problems accessing these documents, please call the contact listed above.

National Environmental Policy Act

In accordance with the National Environmental Policy Act (NEPA) (42 U.S.C. 4321 *et seq.*), NMFS prepared a Supplemental Environmental Assessment (SEA) titled "*Final Supplemental Environmental Assessment for the Minhoto-Hester Marsh Restoration Project, Elkhorn Slough, Monterey County, California.*" A Finding of No Significant Impact (FONSI) was signed on November 15, 2016. NMFS considered comments submitted in response to our **Federal Register** notice of the proposed IHA (81 FR 67297; September 30, 2016) and CADFW's application as part of the process. All documents are available at the aforementioned Web site.

Background

Sections 101(a)(5)(D) of the MMPA (16 U.S.C. 1361 *et seq.*) direct the Secretary of Commerce to allow, upon request by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings are made and either regulations are issued or, if the taking is limited to harassment, a notice of a proposed authorization was provided to the public for review.

Authorization for incidental takings shall be granted if NMFS finds that the taking will have a negligible impact on the species or stock(s), will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses (where relevant), and if the permissible methods of taking and requirements pertaining to the mitigation, monitoring and reporting of such takings are set forth. NMFS has

defined "negligible impact" in 50 CFR 216.103 as ". . . an impact resulting from the specified activity that cannot be reasonably expected to, and is not reasonably likely to, adversely affect the species or stock through effects on annual rates of recruitment or survival."

Section 101(a)(5)(D) of the MMPA established an expedited process by which citizens of the U.S. can apply for an authorization to incidentally take small numbers of marine mammals by harassment. Section 101(a)(5)(D) establishes a 45-day time limit for NMFS review of an application followed by a 30-day public notice and comment period on any proposed authorizations for the incidental harassment of marine mammals. Within 45 days of the close of the comment period, NMFS must either issue or deny the authorization. Except with respect to certain activities not pertinent here, the MMPA defines "harassment" as "any act of pursuit, torment, or annoyance which (i) has the potential to injure a marine mammal or marine mammal stock in the wild (Level A harassment); or (ii) has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering (Level B harassment)."

Summary of Requests

On June 2, 2016, we received an application from the CADFW for authorization to take marine mammals incidental to construction activities associated with a 47-acre tidal marsh restoration project within the Minhoto-Hester Marsh in Elkhorn Slough (Monterey, CA) (Phase 1). The overall Elkhorn Slough Tidal Marsh Restoration Project will restore a total of 147 acres, however, future phases are not part of this application as they are currently unfunded and present some additional technical challenges. Another IHA request will be made prior to implementation of any proposed future phases. The CADFW submitted revised versions of the application on July 13, 2016, August 2, 2016, August 29, 2016, and a final application on September 6, 2016 which we deemed adequate and complete.

The activity will begin August 1, 2017 and last approximately 11 months with built in buffers for adverse weather and other conditions when work is not possible. Pacific harbor seal (*Phoca vitulina richardii*) and southern sea otters (*Enhydra lutris nereis*) are expected to be present during the work. Southern sea otters are managed by the U.S. Fish and Wildlife Service and will

not be considered further in this IHA. Construction activities are expected to produce noise and visual disturbance that have the potential to result in behavioral harassment of harbor seals.

Description of the Specified Activities

A detailed description of the project is provided in the **Federal Register** notice for the proposed IHA (81 FR 67297; September 30, 2016). Since that time, no changes have been made to the planned construction activities. Therefore, a detailed description is not provided here. Please refer to that **Federal Register** notice for the description of the specific activity.

The CADFW proposes to restore approximately 47 acres of tidal marsh within the Minhoto-Hester Marsh in

Elkhorn Slough (Monterey, CA) and additional tidal marsh, upland ecotone, native grasslands restoration within a buffer area (Phase 1). The CADFW intends to restore tidal marsh to reduce tidal erosion, improve water quality, provide sea-level rise resilience, increase carbon sequestration, and improve ecosystem function that have been altered by past land use practices. Under the planned action, 132 days of construction activities and four days of vibratory pile driving (total 136 days of project activities) related to the tidal marsh restoration will occur over an 11-month period.

Comments and Responses

A notice of NMFS’s proposal to issue an IHA to CADFW was published in the

Federal Register on September 30, 2016 (81 FR 67297). That notice described, in detail, CADFW’s activity, the marine mammal species that may be affected by the activity, and the anticipated effects on marine mammals. During the 30-day public comment period, NMFS received comments from the Marine Mammal Commission. The Marine Mammal Commission recommended that NMFS issue the IHA, and concurred with the planned mitigation, monitoring, and reporting measures.

Description of Marine Mammals in the Area of the Specified Activity

The marine mammal species under NMFS jurisdiction occurring in the project area is the Pacific harbor seal (see Table 1).

TABLE 1—HARBOR SEAL STATUS INFORMATION

Species	Stock	ES)/MMPA status; strategic (Y/N) ¹	Stock abundance (CV, N _{min} , most recent abundance survey) ²	PBR ³	Annual M/ SI ⁴	Relative occurrence in Elkhorn Slough; season of occurrence
Family Phocidae (earless seals)						
Harbor seal	California	-; N	30,968 (n/a; 27,348; 2012)	1,641	42.8	Common; year-round

¹ Endangered Species Act (ESA) status: Endangered (E), Threatened (T)/MMPA status: Depleted (D). A dash (-) indicates that the species is not listed under the ESA or designated as depleted under the MMPA. Under the MMPA, a strategic stock is one for which the level of direct human-caused mortality exceeds PBR (see footnote 3) or which is determined to be declining and likely to be listed under the ESA within the foreseeable future. Any species or stock listed under the ESA is automatically designated under the MMPA as depleted and as a strategic stock.

² CV is coefficient of variation; N_{min} is the minimum estimate of stock abundance. In some cases, CV is not applicable. For certain stocks of pinnipeds, abundance estimates are based upon observations of animals (often pups) ashore multiplied by some correction factor derived from knowledge of the species (or similar species) life history to arrive at a best abundance estimate; therefore, there is no associated CV. In these cases, the minimum abundance may represent actual counts of all animals ashore. The most recent abundance survey that is reflected in the abundance estimate is presented; there may be more recent surveys that have not yet been incorporated into the estimate.

³ Potential biological removal, defined by the MMPA as the maximum number of animals, not including natural mortalities, that may be removed from a marine mammal stock while allowing that stock to reach or maintain its optimum sustainable population size (OSP).

⁴ These values, found in NMFS’ SARs, represent annual levels of human-caused mortality plus serious injury from all sources combined (e.g., commercial fisheries, subsistence hunting, ship strike). Annual M/SI often cannot be determined precisely and is in some cases presented as a minimum value. All values presented here are from the final 2015 Pacific SAR. (<http://www.nmfs.noaa.gov/pr/sars/region.htm>).

A detailed description of the harbor seal likely to be affected by the restoration project, including a brief introduction to the species and relevant stock as well as available information regarding population trends and threats, and information regarding local occurrence, were provided in the **Federal Register** notice for the proposed IHA (81 FR 67297; September 30, 2016); since that time, we are not aware of any changes in the status of this species and stock; therefore, detailed descriptions are not provided here. Please refer to that **Federal Register** notice for these descriptions. Please also refer to NMFS’ Web site (<http://www.fisheries.noaa.gov/pr/species/mammals/seals/harbor-seal.html>) for the generalized harbor seal account and see NMFS’ Stock Assessment Reports (SAR), available at www.nmfs.noaa.gov/pr/sars, for more detailed accounts of the harbor seal stocks’ status and abundance. The harbor seal is assessed in the Pacific SAR (Carretta *et al.*, 2016).

Potential Effects of the Specified Activity on Marine Mammals

The effects of noise and visual disturbance from construction activities for the project have the potential to result in behavioral harassment of marine mammals in the vicinity of the action area. The **Federal Register** notice for the proposed IHA (81 FR 67297; September 30, 2016) included a discussion of the effects of anthropogenic noise on marine mammals; therefore, that information is not repeated here.

In summary, harbor seals that use the four haul out sites, just beyond the footprint of the construction, area and in other nearby areas may potentially experience behavioral disruption rising to the level of harassment (Level B) from construction activities, which may include visual disturbance due to the presence and activity of heavy equipment and construction workers, airborne noise from the equipment, and

from underwater noise during the brief period of sheet pile installation. Disturbed seals are likely to experience any or all of these stimuli, and take may occur due to any of these in isolation or in combination with the others.

Anticipated Potential Effects on Marine Mammal Habitat

The main impact to marine mammal habitat associated with the CADFW’s restoration project is the temporary exclusion from the accustomed haul out areas. During the restoration, the inability of seals to use suitable habitat within the footprint of the construction area will temporarily remove less than two percent of the potential haul out areas in the Slough (see Figure 4–4 of the application). Although the action will permanently alter habitat within the footprint of the construction area, harbor seals haul out in many locations throughout the estuary, and the activities are not expected to have any habitat-related effects that could cause

significant or long-term consequences for individual harbor seals or their population. Potential effects to marine mammal habitat are discussed in detail in the **Federal Register** notice for the proposed IHA (81 FR 67297; September 30, 2016), therefore that information is not repeated here; please refer to that **Federal Register** notice for that information.

Mitigation

In order to issue an IHA under section 101(a)(5)(D) of the MMPA, NMFS must set forth the permissible methods of taking pursuant to such activity, and other means of effecting the least practicable impact on such species or stock and its habitat, paying particular attention to rookeries, mating grounds, and areas of similar significance, and on the availability of such species or stock for taking for certain subsistence uses (where relevant). CADFW shall implement the following mitigation measures:

Timing Restrictions

Construction work shall occur only during daylight hours when visual monitoring of marine mammals can be implemented. No in-water work will be conducted at night.

Construction Activities

After sheet piles are installed, it will be unlikely that harbor seals will be able to access the construction area and will temporarily be displaced from using the four haul outs within the footprint of the construction area. Should seals attempt to enter the construction area, they will need to traverse a minimum 7ft high berm into an area without water. If a seal enters the construction area after installation of barriers, CADFW shall use a government official to flush any such seals from the area for purposes of protection/welfare of the animals (as allowed through section 109(h) of the MMPA). The NMFS' West Coast Regional Office and The Marine Mammal Center (Rescue and Response) will be available should this occur. In addition, to reduce the risk of potentially startling marine mammals with a sudden intensive sound, the contractor shall begin construction activities gradually each day by moving around the project area and starting heavy equipment one at a time.

Pupping Season

While CADFW does not anticipate any pupping within the project area, should a pup less than one week old (neonate) come within 20 m of where heavy machinery is working, construction activities in that area will

be delayed until the pup has left the area. In the event that a pup less than one week old remains within those 20 m, NMFS will be consulted to determine the appropriate course of action.

Vibratory Pile Driving

An exclusion zone of 15 m shall be established during the 4 days of pile driving to prevent the unlikely potential for physical injury of harbor seals due to close approach to construction equipment. Pile extraction or driving shall not commence (or re-commence following a shutdown) until marine mammals are not sighted within the exclusion zone for a 15-minute period. If a marine mammal enters the exclusion zone during sheet pile work, work shall stop until the animal leaves the exclusion zone or is not observed for a minimum of 15 minutes.

Based on our evaluation of the mitigation measures, as well as any other potential measures that may be relevant to the specified activity, we have determined that the mitigation measures provide the means of effecting the least practicable impact on marine mammal species or stocks and their habitat, paying particular attention to rookeries, mating grounds, and areas of similar significance.

Monitoring and Reporting

In order to issue an IHA for an activity, section 101(a)(5)(D) of the MMPA states that NMFS must set forth "requirements pertaining to the monitoring and reporting of such taking". The MMPA implementing regulations at 50 CFR 216.104(a)(13) indicate that requests for incidental take authorizations must include the suggested means of accomplishing the necessary monitoring and reporting that will result in increased knowledge of the species and of the level of taking or impacts on populations of marine mammals that are expected to be present in the action area.

Any monitoring requirement we prescribe should improve our understanding of one or more of the following:

- Occurrence of marine mammal species in the action area (*e.g.*, presence, abundance, distribution, density).
- Nature, scope, or context of likely marine mammal exposure to potential stressors/impacts (individual or cumulative, acute or chronic), through better understanding of: (1) Action or environment (*e.g.*, source characterization, propagation, ambient noise); (2) Affected species (*e.g.*, life history, dive patterns); (3) Co-

occurrence of marine mammal species with the action; or (4) Biological or behavioral context of exposure (*e.g.*, age, calving or feeding areas).

- Individual responses to acute stressors, or impacts of chronic exposures (behavioral or physiological).
- How anticipated responses to stressors impact either: (1) Long-term fitness and survival of an individual; or (2) Population, species, or stock.
- Effects on marine mammal habitat and resultant impacts to marine mammals.
- Mitigation and monitoring effectiveness.

Monitoring—Visual Marine Mammal Observations

Qualified Protected Species Observers (PSO) (a NMFS approved biologist) shall be used to detect, document, and minimize impacts to marine mammals. Monitoring shall be conducted before, during, and after construction activities. In addition, PSOs shall record all incidents of marine mammal occurrence, regardless of distance from activity, and document any behavioral reactions in concert with distance from construction activities.

Important qualifications for PSOs for visual monitoring include:

- Visual acuity in both eyes (correction is permissible) sufficient for discernment of harbor seals on land or in the water with ability to estimate target size and distance; use of binoculars may be necessary to correctly identify the target;
 - Advanced education in biological science or related field (undergraduate degree or higher required);
 - Experience and ability to conduct field observations and collect data according to assigned protocols (this may include academic experience);
 - Experience or training in the field identification of marine mammals, including the identification of behaviors;
 - Sufficient training, orientation, or experience with the construction operation to provide for personal safety during observations;
 - Writing skills sufficient to prepare a report of observations including but not limited to the number and species of marine mammals observed; dates and times when construction activities were conducted; dates and times when construction activities were suspended, if necessary; and marine mammal behavior; and
 - Ability to communicate orally, by radio or in person, with project personnel to provide real-time information on marine mammals observed in the area as necessary.

PSOs shall be placed at the best vantage point(s) (e.g., Yampah Island, see Figure 2 of the monitoring plan in the application) practicable to monitor for marine mammals. PSOs shall also conduct mandatory biological resources awareness training for construction personnel. The awareness training shall be provided to brief construction personnel on marine mammals (inclusive of identification as needed, e.g., neonates) and the need to avoid and minimize impacts to marine mammals. If new construction personnel are added to the project, the contractor shall ensure that the personnel receive the mandatory training before starting work. The PSO shall have the authority to stop construction if marine mammals appear distressed (evasive maneuvers, rapid breathing, inability to flush) or in danger of injury.

CADFW developed a monitoring plan based on discussions between the CADFW and NMFS. CADFW shall collect sighting data and behavioral responses to construction activities for marine mammal species observed in the region of activity during the period of activity. All PSOs shall be trained in marine mammal identification and

behaviors and are required to have no other construction-related tasks while conducting monitoring.

The monitoring plan involves PSOs surveying and conducting visual counts beginning prior to construction activities (beginning at least 30 minutes prior to construction activities), hourly monitoring during construction activities, and post-activity monitoring (continuing for at least 30 minutes after construction activities have ended). PSOs shall conduct monitoring from a vantage point in the marsh (e.g., Yampah Island) such that all seal haul outs (see Figure 2 of the monitoring plan in the application) are in full view. During construction activities, monitoring shall assess behavior and potential behavioral responses to noise and visual disturbance due to the activities. To document disturbance and possible incidental take during construction activities, the monitoring protocols shall be implemented at *all times* when work is occurring either (1) in-water, (2) north of a line starting at 36°48'38.91 N, 121°45'08.03 W, and ending 36°48'38.91 N, 121°45'27.11 W. (see Figure 1 of the monitoring plan in the application), or (3) within 30.5 m (100 ft) of tidal waters. When work is

occurring in other areas, monitoring shall occur for the first three days of construction and anytime there is a significant change in activities or location of construction activities within the project area. If disturbance is noted at any time, then monitoring shall continue until there are three successive days of no disturbance. If there is a gap in construction activities of more than one week, the monitoring protocols shall again be implemented for the first three days that construction resumes.

Counts shall be performed for harbor seals hauled out and observed in the water. Total counts, sex, and age (adult, juvenile, pup) shall be recorded. Behavioral monitoring shall be conducted for the duration of the construction activities to document any behavioral responses to visual (or other) disturbance, according to the disturbance scale shown in Table 2 below. When responses are observed, the degree of response (i.e., alert and flush, movement of more than one m, or change in direction of movement) and the assumed cause (whether related to construction activities or not) will be noted. Only responses at Level 2 and 3 are considered to be take under the MMPA.

TABLE 2—SEAL RESPONSE TO DISTURBANCE

Level	Type of response	Definition
1	Alert	Seal head orientation or brief movement in response to disturbance, which may include turning head towards the disturbance, craning head and neck while holding the body rigid in a u-shaped position, changing from a lying to a sitting position, or brief movement of less than twice the animal's body length. Alerts will be recorded, but not counted as a 'take'.
2	Movement	Movements away from the source of disturbance, ranging from short withdrawals at least twice the animal's body length to longer retreats, or if already moving a change of direction of greater than 90 degrees. These movements will be recorded and counted as a 'take'.
3	Flush	All retreats (flushes) to the water. Flushing into the water will be recorded and counted as a 'take'.

Additional parameters shall be recorded including: Atmospheric conditions, cloud cover, visibility conditions, air and water temperature, tide height, and any other disturbance (visual or noise) that may be noted. We require that PSOs use approved data forms. Among other pieces of information, CADFW shall record detailed information about any implementation of shutdowns, including the distance of animals to construction activities and description of specific actions that ensued and resulting behavior of the animal, if any. In addition, CADFW shall attempt to distinguish between the number of individual animals taken and the number of incidents of take. Additional requirements of PSOs include:

- (1) The PSO shall be selected prior to construction activities;
- (2) The PSO shall attend the project site prior to, during, and after construction activities cease each day that the construction activities occur (as outlined in the monitoring plan);
- (3) The PSO shall search for marine mammals on the seal haul outs, other suitable haul out habitat, and within the waters of this area from the observation site. PSOs shall use binoculars and the naked eye to search continuously for marine mammals;
- (4) The PSO shall be present during construction activities to observe for the presence of marine mammals in the vicinity of the specified activity (as outlined in the monitoring plan). All such activity will occur during daylight hours. If inclement weather limits

visibility within the area of effect, the PSO will perform visual scans to the extent conditions allow. For pile driving activities, if the 15 m area around the pile driving is obscured by fog or poor lighting conditions, pile driving shall not be initiated until that area is visible;

(5) If marine mammals are sighted by the PSO, the PSO shall record the number of marine mammals and the duration of their presence while the construction activity is occurring. The PSO shall also note whether the marine mammals appeared to respond to the noise/visual disturbance and, if so, the nature of that response. The PSO shall record the following information; date and time of initial sighting, tidal stage, weather conditions, species, behavior (e.g., foraging, mating, etc.), group cohesiveness, direction and speed of

travel, etc., number, tagged animals, whether the animal(s) are in the water or hauled out, group composition, distance between construction activities and marine mammal(s), number of animals impacted, location, construction activities occurring at time of sighting (earth moving equipment, construction personnel walking/talking, pile driving etc.), and monitoring and mitigation measures implemented or not implemented). The observations shall be reported to NMFS; and

(6) A final report shall be submitted summarizing all effects from construction activities and marine mammal monitoring during the time of the authorization.

A written log of dates and times of monitoring activity shall be kept. The log shall report the following information:

- Time of PSO arrival on site;
- Time of the commencement of construction activities;
- Distances to all marine mammals relative to the disturbance;
- Observations, notes on marine mammal behavior during construction activities, as described above, and on the number and distribution observed in the project vicinity;
- For observations of all other marine mammals (if observed) the time and duration of each animal's presence in the project vicinity; the number of animals observed; the behavior of each animal, including any response to construction activities;
- Time of the cessation of construction activities; and
- Time of PSO departure from site.

Individuals implementing the monitoring protocol shall assess its effectiveness using an adaptive approach. PSOs shall use their best professional judgment throughout implementation and seek improvements to these methods when deemed appropriate. Any modifications to protocol shall be coordinated between NMFS and the CADFW.

Reporting

A draft report shall be submitted to NMFS within 90 days of the completion of marine mammal monitoring, or sixty

days prior to the issuance of any subsequent IHA for this project (if required), whichever comes first. The report shall include marine mammal observations pre-activity, during-activity, and post-activity of construction, and will also provide descriptions of any behavioral responses by marine mammals due to disturbance from construction activities and a complete description of total take estimate based on the number of marine mammals observed during the course of construction. A final report shall be submitted within thirty days following resolution of comments on the draft report.

Estimated Take by Incidental Harassment

Except with respect to certain activities not pertinent here, section 3(18) of the MMPA defines "harassment" as: ". . . any act of pursuit, torment, or annoyance which (i) has the potential to injure a marine mammal or marine mammal stock in the wild (Level A harassment); or (ii) has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering (Level B harassment)."

All anticipated takes will be by Level B harassment resulting from construction activities involving temporary changes in behavior. It is unlikely that injurious or lethal takes will occur even in the absence of the planned mitigation and monitoring measures. Further, the mitigation and monitoring measures are expected to minimize the possibility of take by Level A harassment, such that it is considered discountable.

Given the many uncertainties in predicting the quantity and types of impacts of sound or visual disturbance on marine mammals, it is common practice to estimate how many animals are likely to be present within a particular distance of a given activity, or exposed to a particular level of sound or visual disturbance. In practice, depending on the amount of information available to characterize

daily and seasonal movement and distribution of affected marine mammals, it can be difficult to distinguish between the number of individuals harassed and the instances of harassment and, when duration of the activity is considered, it can result in a take estimate that overestimates the number of individuals harassed. In particular, for stationary activities, it is more likely that some smaller number of individuals may accrue a number of incidences of harassment per individual than for each incidence to accrue to a new individual, especially if those individuals display some degree of residency or site fidelity and the impetus to use the site (*e.g.*, because of foraging opportunities) is stronger than the deterrence presented by the harassing activity.

In order to estimate the potential incidents of take that may occur incidental to the specified activity, we must first estimate the area subject to the disturbance that may be produced by the construction activities and then consider in combination information about harbor seals present and the number of days animals will be disturbed during the project. We then provide information to estimate potential incidents of take from disturbance as related to construction activities.

Introduction to Acoustic Criteria

We use generic sound exposure thresholds to determine when an activity that produces sound might result in impacts to a marine mammal such that a take by harassment might occur. To date, no studies have been conducted that explicitly examine impacts to marine mammals from pile driving sounds or from which empirical sound thresholds have been established. The generic thresholds described below (Table 3) are used to estimate when harassment may occur (*i.e.*, when an animal is exposed to levels equal to or exceeding the relevant criterion) in specific contexts. However, useful contextual information that may inform our assessment of effects is typically lacking and we consider these thresholds as step functions.

TABLE 3—CURRENT ACOUSTIC EXPOSURE CRITERIA FOR PINNIPEDS

Criterion	Definition	Threshold
Level B harassment (underwater)	Behavioral disruption	120 dB (non-impulse, continuous source, <i>i.e.</i> , vibratory pile driving) (rms)
Level B harassment (airborne)	Behavioral disruption	90 dB (harbor seals)

Sound Produced From Construction Activities

Any underwater noise produced during pile driving in Minhoto-Hester Marsh will attenuate according to the shoreline topography. In a narrow and relatively shallow slough, bends and topographic changes in the bottom will act to reflect sound and attenuate sound levels. Seals within the project area, from the sound source (vibratory pile driving) to the north bank of the main channel of Elkhorn Slough (approximately 525–600 m; see Figure 6–4 in the application), may be impacted by noise and were used as the area to define Level B take estimates. Seals may be exposed to underwater noise that could cause behavioral harassment (*i.e.*, above NMFS' 120–dB (rms re 1 μ Pa) behavioral harassment criterion) only within a small area (see Figure 6–4 of the application). This small section of channel defines the extent of the potential Level B harassment zone for underwater noise.

Restoration activities will produce airborne noise that could potentially harass harbor seals that are hauled out near the activities. For example, airborne noise produced from earth moving equipment (*i.e.*, backhoes, front end loaders) for construction, may produce sound levels at 80–90 dB at 15.24 m (Federal Highway Administration, 2015). However, disturbance resulting from use of heavy equipment or other aspects of the work could occur due to visual stimuli or airborne noise, and the likely range within which seals may be disturbed will be larger than the range to the 90–dB airborne noise disturbance criterion. Therefore, we do not evaluate takes specifically due to exposure to airborne noise and do not discuss airborne noise further in this document.

Description of Take Calculation

The following sections are descriptions of how take was determined for impacts to harbor seals from noise and visual disturbance related to construction activities.

Incidental take is calculated for each species by estimating the likelihood of a marine mammal being present within the project area during construction activities. Expected marine mammal presence is determined by past observations and general abundance during the construction window. For this project, the take requests were estimated using local marine mammal data sets, and information from state and federal agencies.

The calculation for marine mammal exposures is estimated by:

Exposure estimate = N (number of animals in the area) * 132 days of construction activities or 4 days of pile driving activity

All estimates by the applicant and accepted by NMFS, are considered conservative. Construction activities will occur in sections, and some sections (*e.g.*, M1) are further away from seal haul outs (approximately 420 m and greater). Noise from construction activities in more southern sections of the footprint of the construction area may cause fewer disturbances to seals. Not all seals that previously used the haul outs within the footprint of the construction area will use the haul outs just outside the project. The channel is small and the available habitat will likely not be able to support all 100 seals of the Minhoto-Hester Marsh Complex. Some seals may seek alternative haul out habitat in other parts of Elkhorn Slough. Pile driving will only occur for a short duration (four days) and will not be continuous during the day (daylight hours only). Using this approach, a summary of estimated takes of harbor seals incidental the project activities are provided in Table 4. Estimates include Level B harassment as a result of exposure to noise and visual disturbance during construction activities.

The best scientific information available was considered for use in the harbor seal take assessment calculations. It is difficult to estimate the number of harbor seals that could be affected by construction activities because the animals are mainly either in the project area or venture near the project area to haul out during the day when the tide is low. Once the tidal channel is blocked and four haul out sites (Small Island, M2 North, M3 North and M3 East) are inaccessible, some seals will be able to use the alternative four hauls outs (M5 Northeast, M5 Southeast, Yampah Northwest and Yampah Southwest). Seals that use these alternative four haul outs may be potentially impacted from noise and visual disturbance from construction activities of the tidal marsh restoration, but seals that normally use areas in the interior tidal channel may use haul outs that are outside the expected area of influence of the construction activity.

Various types of construction equipment (in addition to pile drivers) will be utilized for project activities such as dozers, loaders, and backhoes that may generate sound that can cause both noise and visual disturbance to harbor seals. Although the exact distance of all noise disturbances from construction activities is unknown, it is

anticipated that the disturbance area for airborne noise will be small as earth moving equipment (*i.e.*, backhoes, front end loaders) produce sound levels at 80–90 dB at 15.24 m and vibratory driving of sheet piles at 90 dBA at 30 m (dBA can be defined as dB with A-weighting designed to match the average frequency response of human hearing and enables comparison of the intensity of noise with different frequency characteristics). The closest haul outs that will be available to seals are 43–131 m outside the footprint of the construction area. If seals are in the water near the project or on available haul outs there is a chance that seals could be exposed to noise and/or visual disturbance from the construction activities. Construction activities may impact seals using haul outs M5 Northeast, M5 Southeast, Yampah Northwest and Yampah Southwest.

We assume that an average of 50 harbor seals will potentially occupy the alternate haul outs based on the size of the haul out habitat that is available. Four haul outs (out of eight) will be temporarily inaccessible during the construction; therefore, half of the seals (approximately 50 out of the 100 seals) of the Minhoto-Hester Marsh Complex will likely use the alternate four haul outs and experience disturbance from construction activities. It is presumed that the other half of the seals (50 seals) of the Minhoto-Hester Marsh Complex will utilize other suitable haul out habitat within Elkhorn Slough and are not considered available to be “taken” during construction activities (Monique Fountain, Elkhorn Slough National Estuarine Research Reserve, pers. comm. 2016). We multiply this estimate of the number of harbor seals potentially available to be taken by the total number of days (132 days) the applicant expects construction activities to occur. Therefore, NMFS authorizes 132 instances of takes for 50 harbor seals (total of 6,600 instances) by Level B harassment incidental to construction activities (airborne noise and visual disturbance) over the course of the action if all of the estimated harbor seals present are taken by incidental harassment each day (Table 4). Note: NMFS does not assume that the 50 seals will be the same individuals taken during each of the 132 days of construction; rather some seals in the area may be taken more times than others if they stay in the area and do not utilize other parts of the Slough.

While the pile driving activities are planned to take place during slack tide to the extent possible (when harbor seals are less likely to be present), and only for a short duration, there may still

be animals exposed to disturbance from pile driving even if the number of individual harbor seals expected to be encountered is very low. There are approximately 100 harbor seals that utilize Minhoto-Hester Marsh Complex that may be disturbed during pile driving activities. Additionally, there is some potential that an additional 100 harbor seals that occur in the adjacent Parson's Slough Complex and Yampah Marsh and 50 harbor seals that may be present in the main channel of Elkhorn Slough could also be disturbed. NMFS authorizes four instances of take for 250 harbor seals (total of 1,000 instances) by Level B harassment incidental to pile driving activities over the course of the action if all of the estimated harbor seals present are taken by incidental harassment each day. This is an estimate based on the average number of harbor seals that potentially occupy the project area (and surrounding areas) (250 seals) multiplied by the total number of days (four days) the applicant expects pile driving activities to occur (Table 4). Note: NMFS does not assume

that the 250 seals will be the same individuals taken during each of the four days of construction; rather some seals in the area may be taken more times than others if they stay in the area and do not utilize other parts of the Slough. This is a very conservative estimate, as not all the seals are likely in or near the project area at the same time, some of which are due to environmental variables such as tide level and the time of day. In the Minhoto-Hester Marsh Complex, a maximum daily average of 40 seals were present in the project area (on Small Island, M2 North, M3 North, and M3 East haul out sites) and 41 seals outside the project area (on M5 Northeast, M5 Southeast, Yampah Northwest and Yampah Southwest haul out sites) during the 2013 surveys, which is slightly less than the 100 seals that may be taken. In addition, noise attenuates quickly due to shallow water, tidal influence and sinewy channels of Elkhorn Slough. NMFS considers this to be a conservative estimate by the applicant for the following reasons: (1)

It will be unlikely that all 250 seals will be in the vicinity of the project area daily as there are other areas of the Slough that they likely use to haul out (see Figure 4–4 of the application); (2) as mentioned above, the haul out sites within the footprint of the construction area will be inaccessible to harbor seals and NMFS do not expect harbor seals to be affected by pile driving activities during the days/times when pile driving and high tide events co-occur; (3) harbor seals begin to leave the project area at night when they are likely foraging in Monterey Bay and will not be exposed to sound generated during pile driving that may take place during early evening hours; and, (4) based on previous survey effort conducted for the adjacent Parson's Slough project, some harbor seals moved out of the disturbance area when construction activities were initiated and moved west (downstream) towards Seal Bend or other areas of suitable habitat along the main channel of Elkhorn Slough (see Figure 4–4 of the application).

TABLE 4—SUMMARY OF THE AUTHORIZED INCIDENTAL TAKE BY LEVEL B HARASSMENT OF HARBOR SEALS FROM PILE DRIVING AND CONSTRUCTION ACTIVITIES

Species	Estimated number of seals taken per day of activity (seals)	Take authorization (number of exposures from construction activities—132 days)	Abundance (California stock)	Approximate percentage of estimated stock (takes authorized/population) (%)	Population trend
Pacific harbor seal	50	6,600	30,968	19.37	Increased in California 1981 to 2004.
Species		Take authorization (number of exposures from pile driving—4 days)	Abundance		Population trend
Pacific harbor seal	250	1,000	30,968	3.2	Increased in California 1981 to 2004.
Total	300	7,600		24.54	

No takes by Level A harassment, serious injury, or mortality are expected from the disturbance associated with the construction activities. It is unlikely adult seals will flush into the water injuring or abandoning any pups. No pupping is expected within the footprint of the construction area as most pups are found along the main channel of Elkhorn Slough. Pacific harbor seals have been hauling out in the project area and within the greater Elkhorn Slough throughout the year for many years (including during pupping season and while females are pregnant) while being exposed to anthropogenic

sound sources such as recreational vessel traffic, UPRR, and other stimuli from human presence. The number of harbor seals disturbed will likely also fluctuate depending on time day and tidal stage. Fewer harbor seals will be present in the early morning and approaching evening hours as seals leave the haul out site to feed and they are also not present when the tide is high and the haul out is inundated.

The following assumptions are made when estimating potential incidences of take:

- All marine mammal individuals potentially available are assumed to be

present within the relevant area, and thus incidentally taken;

- An individual can only be taken once during a 24-h period;
- There were will be 136 total days of activity for project (four days of pile driving and 132 construction activities); and
- Exposures to sound levels at or above the relevant thresholds equate to take, as defined by the MMPA.

Analyses and Determinations

Negligible Impact Analysis

NMFS has defined “negligible impact” in 50 CFR 216.103 as “. . . an

impact resulting from the specified activity that cannot be reasonably expected to, and is not reasonably likely to, adversely affect the species or stock through effects on annual rates of recruitment or survival." A negligible impact finding is based on the lack of likely adverse effects on annual rates of recruitment or survival (*i.e.*, population-level effects). An estimate of the number of Level B harassment takes alone is not enough information on which to base an impact determination. In addition to considering estimates of the number of marine mammals that might be "taken" through behavioral harassment, we consider other factors, such as the likely nature of any responses (*e.g.*, intensity, duration), the context of any responses (*e.g.*, critical reproductive time or location, migration), as well as the number and nature of estimated Level A harassment takes, the number of estimated mortalities, and effects on habitat.

Construction activities associated with this project have the potential to disturb or displace marine mammals. No serious injury or mortality is expected at all, and with mitigation we expect to avoid any potential for Level A harassment as a result of the Minihoto-Hester Marsh construction activities, and none are authorized by NMFS. The specified activities may result in take, in the form of Level B harassment (behavioral disturbance) only, from visual disturbance and/or noise from construction activities. The project area is within a portion of the local habitat for harbor seals of the greater Elkhorn Slough and seals are present year-round. Behavioral disturbances that could result from anthropogenic sound or visual disturbance associated with these activities are expected to affect only a small amount of the total population (*i.e.*, likely maximum of 250 seals), although those effects could be recurring over the life of the project if the same individuals remain in the project vicinity. Harbor seals may avoid the area or halt any behaviors (*e.g.*, resting) when exposed to anthropogenic noise or visual disturbance. Due to the abundance of suitable haul out habitat available in the greater Elkhorn Slough, the short-term displacement of resting harbor seals is not expected to affect the overall fitness of any individual animal.

Effects on individuals that are taken by Level B harassment, on the basis of reports in the literature as well as monitoring from other similar activities, will likely be limited to reactions such as displacement from the area or disturbance during resting. The construction activities analyzed here are similar to, or less impactful than for

Parson's Slough (and other projects) which have taken place with no reported injuries or mortality to marine mammals, and no known long-term adverse consequences from behavioral harassment. Repeated exposures of individuals to levels of noise or visual disturbance that may cause Level B harassment are unlikely to result in hearing impairment or to significantly disrupt foraging behavior. Many animals perform vital functions, such as feeding, resting, traveling, and socializing, on a diel cycle (*i.e.*, 24 hour cycle). Behavioral reactions (such as disruption of critical life functions, displacement, or avoidance of important habitat) are more likely to be significant if they last more than one diel cycle or recur on subsequent days (Southall *et al.*, 2007). However, Pacific harbor seals have been hauling out at Elkhorn Slough during the year for many years (including during pupping season and while females are pregnant) while being exposed to anthropogenic sound and visual sources such as vessel traffic, UPRR trains, and human voices from kayaking. Harbor seals have repeatedly hauled out to rest (inside and outside the project area) or pup (outside of the project area) despite these potential stimuli. The activities are not expected to result in the alteration of reproductive or feeding behaviors. No births have been documented in the project area and it is not likely that neonates will be in the project area as females prefer to keep their pups along the main channel of Elkhorn Slough, which is outside the area expected to be impacted by project activities. Seals are primarily foraging outside of Elkhorn Slough and at night in Monterey Bay, outside the project area, and during times when construction activities are not occurring.

Pacific harbor seals, as the potentially affected marine mammal species under NMFS jurisdiction in the action area, are not listed as threatened or endangered under the ESA and NMFS SARs for this stock have shown that the population is increasing and is considered stable (Carretta *et al.*, 2016). Even repeated Level B harassment of some small subset of the overall stock is unlikely to result in any significant realized decrease in viability for the affected individuals, and thus will not result in any adverse impact to the stock as a whole. The restoration of the marsh habitat will have no adverse effect on marine mammal habitat, but possibly a long-term beneficial effect on harbor seals by improving ecological function of the slough, inclusive of higher species diversity, increased species

abundance, larger fish, and improved habitat.

In summary, this negligible impact analysis is founded on the following factors: (1) The possibility of injury, serious injury, or mortality may reasonably be considered discountable; (2) the anticipated incidents of Level B harassment consist of, at worst, temporary modifications in behavior; (3) primary foraging and reproductive habitat are outside of the project area and the construction activities are not expected to result in the alteration of habitat important to these behaviors or substantially impact the behaviors themselves; (4) there is alternative haul out habitat just outside the footprint of the construction area, along the main channel of Elkhorn Slough, and in Parson's Slough that will be available for seals while some of the haul outs are inaccessible; (5) restoration of the marsh habitat will have no adverse effect on marine mammal habitat, but possibly a long-term beneficial effect; (6) and the presumed efficacy of the mitigation measures in reducing the effects of the specified activity to the level of least practicable impact. In addition, these stocks are not listed under the ESA or considered depleted under the MMPA. In combination, we believe that these factors, as well as the available body of evidence from other similar activities, demonstrate that the potential effects of the specified activities will have only short-term effects on individuals. The specified activities are not expected to impact rates of recruitment or survival and will therefore not result in population-level impacts.

Based on the analysis contained herein of the likely effects of the specified activity on marine mammals and their habitat, and taking into consideration the implementation of the monitoring and mitigation measures, we preliminarily find that the total marine mammal take from the construction activities will have a negligible impact on the affected marine mammal species or stocks.

Small Numbers Analyses

The number of incidents of take authorized for harbor seals is considered small relative to the relevant stock and populations (see Table 4) even if each estimated taking occurred to a new individual. This is an extremely unlikely scenario as, for pinnipeds in estuarine/inland waters, there is likely to be some overlap in individuals present day-to-day. As noted above, we assume that a maximum of 250 seals will be impacted during the course of this specified activity. While we cannot say that the same 250 individual seals

would be affected, we believe that there is a minimal exchange of individuals over time and that the number of individuals would not be appreciably larger than this. We preliminarily find that small numbers of marine mammals will be taken relative to the populations of the affected species or stocks.

Impact on Availability of Affected Species for Taking for Subsistence Uses

There are no relevant subsistence uses of marine mammals implicated by these actions. Therefore, we have determined that the total taking of harbor seals will not have an unmitigable adverse impact on the availability of such species or stocks for taking for subsistence purposes.

Endangered Species Act (ESA)

No ESA-listed marine mammal species under NMFS' jurisdiction are expected to be affected by these activities. Therefore, NMFS has determined that a section 7 consultation under the ESA is not required.

National Environmental Policy Act

NMFS prepared an SEA and analyzed the potential impacts to marine mammals that will result from the project. After reviewing the project, NMFS determined the Minhoto-Hester Marsh restoration fell within the scope and effects of activities analyzed in the NOAA Restoration Center, Southwest Region Community-Based Restoration Program's (CRP) August 2010 Targeted SEA (TSEA) for the Parson's Slough Project (the adjoining salt marsh to the Minhoto-Hester Marsh and also within Elkhorn Slough), as well as the February 6, 2002 Programmatic EA (PEA) for the CRP Implementation Plan and the June 23, 2006 Supplemental PEA the CRP Implementation Plan (SPEA). The impacts to ESA listed species and marine mammals under the MMPA were analyzed in the TSEA, PEA, and SPEA; however, updated as is relevant for this SEA. The SEA level of review was conducted in accordance with the implementation procedures described in the SPEA (specifically for Sediment Removal and Materials Placement in the tidal wetlands environment) and appropriately focused on consideration of effects to species listed under the ESA and protected under the MMPA (e.g., noise, displacement, habitat quality/quantity). Beyond consideration of site-specific effects to these species, our review of the action did not reveal any substantial changes in the action or new potentially significant adverse effects to other elements of the human environment which would require additional review in the SEA. NMFS

considered comments submitted in response to our **Federal Register** notice of the proposed IHA and the CADFW application as part of the process. The FONSI was signed on November 15, 2016.

Authorization

As a result of these determinations, NMFS has issued an IHA to CADFW for the harassment of small numbers of harbor seals incidental to the Minhoto-Hester Marsh restoration project in Elkhorn Slough, Monterey, California, effective for one year beginning August 1, 2017, provided the previously mentioned mitigation, monitoring and reporting requirements are incorporated.

Dated: March 31, 2017.

Donna S. Wieting,

*Director, Office of Protected Resources,
National Marine Fisheries Services.*

[FR Doc. 2017-06791 Filed 4-5-17; 8:45 am]

BILLING CODE 3510-22-P

COMMODITY FUTURES TRADING COMMISSION

Sunshine Act Meetings

FEDERAL REGISTER CITATION OF PREVIOUS ANNOUNCEMENT: 82 FR 15699, March 30, 2017.

PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING: 11:00 a.m., Thursday, April 6, 2017.

CHANGES IN THE MEETING: The meeting has been cancelled.

CONTACT PERSON FOR MORE INFORMATION: Christopher Kirkpatrick, 202-418-5964.

Christopher J. Kirkpatrick,

Secretary of the Commission.

[FR Doc. 2017-07023 Filed 4-4-17; 4:15 pm]

BILLING CODE 6351-01-P

BUREAU OF CONSUMER FINANCIAL PROTECTION

Supervisory Highlights: Consumer Reporting Special Edition

AGENCY: Bureau of Consumer Financial Protection.

ACTION: Supervisory Highlights; notice.

SUMMARY: The Bureau of Consumer Financial Protection (CFPB) is issuing its fourteenth edition of its Supervisory Highlights. In this issue of *Supervisory Highlights*, we report examination findings in the area of consumer reporting. These observations include findings from examinations at consumer reporting companies and at companies that furnish information to consumer reporting companies.

DATES: The Bureau released this edition of the Supervisory Highlights on its Web site on March 2, 2017.

FOR FURTHER INFORMATION CONTACT: Alice Hrdy, Deputy Assistant Director, Office of Supervision Policy, 1700 G Street NW., 20552, (202) 435-7129.

SUPPLEMENTARY INFORMATION:

1. Introduction

Credit reporting plays a critical role in consumers' financial lives, a role that most consumers do not recognize because it is usually not very visible to them. Credit reports on a consumer's financial behavior can determine a consumer's eligibility for credit cards, car loans, and home mortgage loans—and they often affect how much a consumer is going to pay for that loan. Federal law provides an important framework to ensure the players in the consumer reporting system receive the benefits of our risk-based credit economy.

The Consumer Financial Protection Bureau (CFPB) is the first Federal agency to have supervisory authority over many of the key institutions in the consumer reporting system. First are the creditors and others that supply the information about consumers' financial behavior, referred to as furnishers, including banks, mortgage servicers, student loan servicers, and debt collectors. Second are the consumer reporting companies (CRCs), including the largest consumer reporting companies, consumer report resellers, and specialty consumer reporting companies. CRCs sell the information in the form of consumer reports to creditors and other users and provide them to consumers. Third are those that use the information for credit decisions as well as employment, insurance, and other decisions. The CFPB's jurisdiction over the major players in each of these categories is unique and has allowed the Bureau to take an integrated approach to improving the accuracy of information across the system.

We prioritized this market for oversight to promote our vision of a consumer reporting system: A system where furnishers provide and CRCs maintain and distribute data that are accurate, supplemented by an effective and efficient dispute management and resolution process for consumers.

The CFPB's vision is rooted in the obligations and rights set forth in the Fair Credit Reporting Act (FCRA) and Regulation V.¹ In the last two years, we identified failings in compliance management systems and violations of

¹ 15 U.S.C. 1681, *et seq.* and 12 CFR 1022.

law both at CRCs and at furnishers. As a result, we have directed specific improvements in data accuracy and dispute resolution at one or more CRCs, including:

- Stepped-up oversight of incoming data from furnishers;
- institution of quality control programs of compiled consumer reports;
- monitoring of furnisher dispute metrics to identify and correct root causes;
- enhanced oversight of third-party public records service providers;
- enforced independent obligation to reinvestigate consumer disputes, including review of relevant information provided by consumers; and
- improved communication to consumers of dispute results.

We directed both bank and nonbank furnishers to develop reasonable written policies and procedures regarding accuracy of the information they furnish and to take corrective action when they furnished inaccurate information. In addition, we took significant steps to ensure furnishers' dispute handling processes comply with the law in response to failures either to conduct investigations or to send results of dispute investigations to consumers.

This Special Edition of *Supervisory Highlights* details these most recent supervisory observations in the consumer reporting market. In sum, our work is producing an entirely different approach to ensuring compliance at the major consumer reporting companies: One of proactive attention to compliance, as opposed to a defensive, reactive approach in response to consumer disputes and lawsuits. This

proactive approach to compliance management will reap benefits for consumers—and the lenders that use consumer reports—for many years to come.

2. Supervisory Observations at Consumer Reporting Companies

The CFPB's supervisory authority over CRCs extends to those that are larger participants in the consumer reporting market.² Participants in this market include nationwide consumer reporting companies, consumer report resellers, and specialty consumer reporting companies.³ Recent supervisory reviews of CRCs have evaluated the compliance management system (CMS) for assuring the accuracy throughout the lifecycle of the data the CRC collects, maintains, and uses to prepare consumer reports.⁴ Recent reviews also evaluated whether the CRCs comply with the FCRA's requirements regarding consumer dispute processes.⁵

Overall, and as a result of these reviews, CRCs have made significant advances to promote greater accuracy,

² Larger participants in the consumer reporting market are defined in 12 CFR 1090.104.

³ The term "consumer reporting company" means the same as "consumer reporting agency," as defined in the Fair Credit Reporting Act, 15 U.S.C. 1681a(f), including nationwide consumer reporting agencies as defined in section 1681a(p) and nationwide specialty consumer reporting agencies as defined in section 1681a(x).

⁴ These reviews have evaluated CMS to ensure compliance with 15 U.S.C. 1681e(b), which requires CRCs to "follow reasonable procedures to assure maximum possible accuracy of the information [included in a consumer report] concerning the individual about whom the report relates."

⁵ The FCRA's dispute process requirements applicable to CRCs are detailed at 15 U.S.C. 1681i.

the oversight of furnishers, and enhancements to the dispute resolution function. Continued improvements are necessary in these and other areas. Supervision has directed many CRCs to take actions in these areas and will monitor closely the progress by these CRCs.

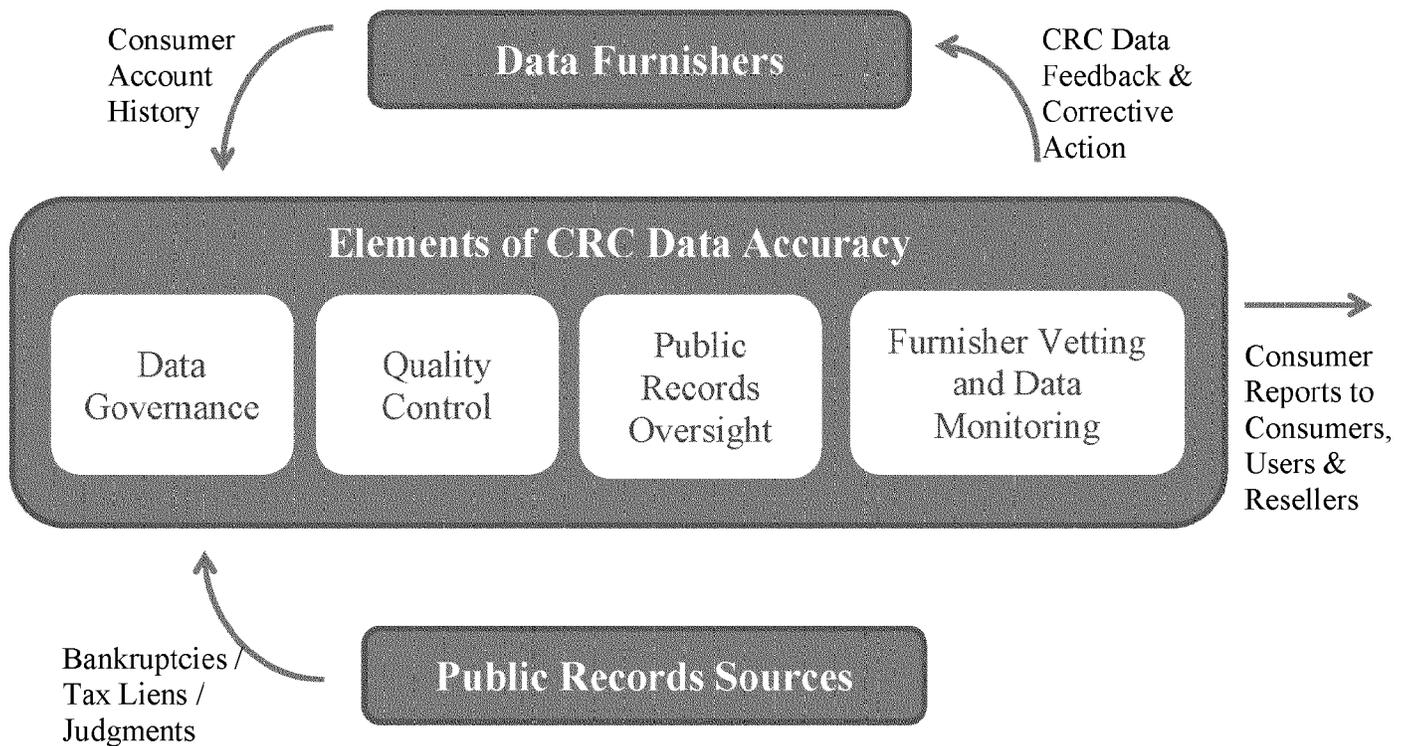
Data Accuracy

The accuracy of the data maintained by the CRCs is the backbone on which our credit-based economy relies. Consumers depend on the accuracy of the credit reporting data to obtain credit and to realize their financial goals. Similarly, financial institutions and other industries (for example, mortgage and auto lending) that are heavily dependent on credit markets also rely on the accuracy of data in these reports to calibrate the appropriate risk-based credit to offer consumers.

Initial accuracy reviews indicated that CRC(s)' data governance functions were decentralized and had undefined responsibilities. They lacked quality control policies and procedures to test compiled consumer reports for accuracy, had inconsistent practices for vetting furnishers and providing data quality feedback to them, and had insufficient monitoring and oversight of furnishers once approved to provide data. The following sections detail improvements CRC(s) are implementing to remedy these deficiencies.

To demonstrate some of the data accuracy enhancements that Supervision has directed many CRCs to undertake, Supervision created this diagram:

FIGURE 1: CONSUMER REPORT DATA ACCURACY LIFECYCLE



Source: CFPB 2017.

2.1 Data Governance

Data governance systems are crucial to accuracy and data integrity obligations of the CRCs. Effective data governance policies establish and clearly document the company's system of decision rights and accountabilities for handling consumer information and managing any changes that may affect such information.

One or more CRCs have improved their data governance policies and procedures and formalized a data governance program. As an example, one or more CRCs established data governance structures with personnel authorized and directed to:

- Oversee policies, procedures, data quality metrics, and trends;
- approve policies and procedures, as well as escalate decisions to higher authorities within the CRC(s);
- oversee furnisher monitoring, law and policy, and procedures;
- take actions against furnishers that fail to comply with the established requirements, including ceasing to accept data furnished from noncompliant furnishers;

- review and track metrics relating to data governance on a regular basis; and
- oversee a centralized repository of data definitions, business rules, and data quality rules.

2.2 Quality Control Programs To Assess the Accuracy and Integrity of Consumer Reports, Including Oversight of Third-Party Public Records Providers

Creation of Quality Control Programs That Assess the Accuracy and Integrity of Data Included in Consumer Reports

In a prior issue of *Supervisory Highlights*, we explained that, following the initial reviews of accuracy programs, examiners found that one or more CRCs lacked quality control policies and procedures to test compiled consumer reports for accuracy.⁶

In follow-up reviews at one or more CRCs, examiners found the following improvements:

⁶ CFPB, *Supervisory Highlights*, 2.1.2 (Summer 2015) (explaining that "[w]hile processes existed to analyze and improve the quality of incoming data, there was no post-compilation report review or sampling to test the accuracy of [compiled] consumer reports.").

- Establishment of robust quality control programs that regularly assess the accuracy of information included in consumer reports;

- as part of the quality control program, development of tests to identify whether consumer reports are produced regarding the wrong consumer and whether consumer reports contain mixed file data, and development of systems designed to measure the accuracy of consumer reports and identify patterns and trends in errors; and

- utilization of the results of the quality control program to take corrective action by identifying the source of identified inaccuracies and making necessary system improvements to prevent the recurrence of such errors.

Enhancements in Oversight of Third-Party Public Records Providers

Examiners have also noted improvements in the oversight of public records providers at one or more CRCs. In the initial accuracy reviews, examiners noted that one or more CRCs did not adequately oversee the accuracy or integrity procedures at third-party

providers of public records data.⁷ In follow-up reviews, examiners concluded that one or more CRCs improved oversight in this area by:

- Enhancing the CRC(s)' standards for the public records data that will be accepted, including greater frequency of updates and stricter identity-matching criteria; and
- increasing the frequency and scope of audits of its third-party public records provider, thereby strengthening the CRC(s)' ability to identify potential sources of inaccuracy and identity-matching errors.

We will continue to monitor the status of these system improvements.

2.3 Furnisher Oversight and Data Monitoring by CRCs

Furnisher Vetting

In a previous issue of *Supervisory Highlights*, we noted that one or more CRCs initially vetted new furnishers to ensure reliability of and adherence to furnisher membership requirements.⁸ However, the reviews also noted that there was insufficient ongoing monitoring, or re-vetting, of furnishers once a furnisher passed the initial vetting.⁹ In recent follow-up reviews, we determined that these policies and procedures have improved. One or more CRCs established and implemented enhanced controls to re-vet furnishers on a risk basis to ensure furnishers continue to meet initial and ongoing requirements. Such controls include:

- The review of an existing furnisher's ability to maintain minimum data security standards;
- the re-vetting of furnishers where the furnisher's management changes could impact its capacity to meet membership requirements; and
- a process to temporarily cease accepting data from identified furnishers that fail re-vetting until required improvements are made by the furnisher, during which time trade line information reported by the furnisher is suppressed, and the furnisher must then demonstrate compliance with the reporting requirements before its furnished data will again be included in consumer reports.

One or more CRCs established policies and procedures to monitor and identify furnishers who do not meet data submission and quality requirements and to take corrective action where appropriate. Examiners found that the improved monitoring program(s) include:

- Actively monitoring for inactive data furnishers, notifying furnishers when monthly data submissions are missed, and ceasing to accept data from furnishers who fail to furnish updated data for a number of consecutive months;
- monitoring for furnishers that do not comply with the CRC(s)' data submission thresholds establishing the maximum number of times a furnisher's data can be rejected by the CRC(s); and
- alerting furnishers when anomalies are detected in furnished data to identify and correct potential sources of inaccuracy.

Monitoring of Furnisher Dispute Data

We also reviewed one or more CRCs' policies and procedures to monitor furnisher dispute data as a component of their data accuracy programs. For example, data indicating that particular furnishers receive a higher rate of disputes from consumers under the FCRA, or respond to disputes in ways that indicate the furnisher is not investigating disputes, can be useful to CRCs in identifying sources of data inaccuracy. Examiners found that one or more CRCs:

- Monitored furnisher responses to consumer disputes to identify furnishers with response rates and other patterns potentially indicating that they are not meeting their reinvestigation requirements, for example because the furnisher does not respond to consumer disputes;
- identified furnishers with particular response rates that are higher in one area than expected and notified the identified furnishers of the CRC(s)' concerns;
- requested the furnisher to investigate the cause of the anomaly and correct its practices where needed; and
- for any furnisher that does not respond and correct its practices, the CRC(s) took further action, including ceasing to accept data from the furnisher.

At one or more CRCs, examiners observed that these new procedures improved furnishers' dispute response levels, for example by eliminating data provided by furnishers that refuse to reasonably investigate disputes and, for those furnishers that wish to continue furnishing, increasing the rate at which the furnishers investigate and respond to disputes within the time periods required under the FCRA.

However, examiners also noted that one or more CRCs had not yet implemented policies or procedures to monitor furnisher dispute data. Based on these findings, Supervision directed the CRC(s) to develop and implement

internal processes to monitor furnisher dispute responses and to detect furnishers with dispute rates or dispute responses that may indicate risk of inaccurate consumer data or other consumer harm. Directives included:

- Establishing the necessary employee training and escalation guidelines for reporting furnisher monitoring issues to senior management;
- instituting procedures for monitoring furnisher dispute data; and
- establishing adequate corrective action measures designed to minimize the risk of reporting inaccurate data.

Providing Data Quality Reports to Furnishers

In a prior issue of *Supervisory Highlights*, we noted one or more CRCs lacked systematic or consistent policies and procedures for providing feedback to furnishers regarding the quality of data furnished.¹⁰ For example, these reviews identified that the CRC(s) designed reports that would identify for each furnisher whether its data had been rejected and what kind of formatting errors were identified. This information could be helpful to the furnisher to improve its data quality, but the examiners found that one or more CRCs relied on furnishers to request the reports or, in some cases, imposed a fee before the reports were provided to furnishers.¹¹

In follow-up reviews, examiners found that one or more CRCs improved furnisher access to data quality reports. The CRC(s) made receipt of certain data-quality reports mandatory for all data furnishers at no cost, thereby resulting in increased visibility and availability of such reports to furnishers on a regular basis.

2.4 Resold Merged Reports

Examiners also evaluated the accuracy and dispute handling procedures at one or more reseller CRCs.¹² In these reviews, we found that the reseller(s) lacked reasonable procedures to assure maximum possible accuracy because the reseller(s) used systems with known programming errors that introduced inaccuracies in consumer report data when the reseller(s) merged consumer report data they had purchased from multiple CRCs. In light of these findings, the reseller(s) conducted a comprehensive review to determine the full impact on consumers. Additionally, examiners

⁷ CFPB, *Supervisory Highlights*, 2.1.1 (Summer 2015).

⁸ *Id.*

⁹ *Id.*

¹⁰ CFPB, *Supervisory Highlights*, 2.1.1 (Summer 2015).

¹¹ *Id.*

¹² The term "reseller" is defined in 15 U.S.C. 1681a(u).

directed the reseller(s) to enhance accuracy procedures to prevent similar data-merge errors.

Dispute Handling and Resolution

Supervision also continued its focus on CRCs' compliance with the FCRA's requirements to process and investigate consumer disputes. When a consumer believes there is inaccurate information in his or her consumer report, the FCRA enables consumers to dispute the information. The consumer may provide relevant supporting information with the dispute, such as a cancelled check to demonstrate payment or a document to demonstrate that the consumer is not liable for the credit account or debt.

Once a determination regarding the dispute is made, timely and clear notification to the consumer of the results of the dispute helps ensure the consumer understands whether a change was made and the reason for the

decision. A well-functioning dispute resolution process is critical to promoting confidence in the consumer reporting system and in empowering consumers to take charge of their financial lives. A strong system that efficiently and clearly resolves consumer disputes so that consumers do not needlessly re-dispute information benefits CRCs and furnishers as well.

In previous issues of *Supervisory Highlights*, we discussed earlier CFPB reviews of the dispute handling procedures in place at one or more CRCs and the subsequent improvements in those processes:¹³

- Consumers now are able to use online portals to submit disputes and upload attachments of supporting documentation;
- CRC(s) have implemented systems to forward to furnishers relevant dispute documents submitted by consumers;

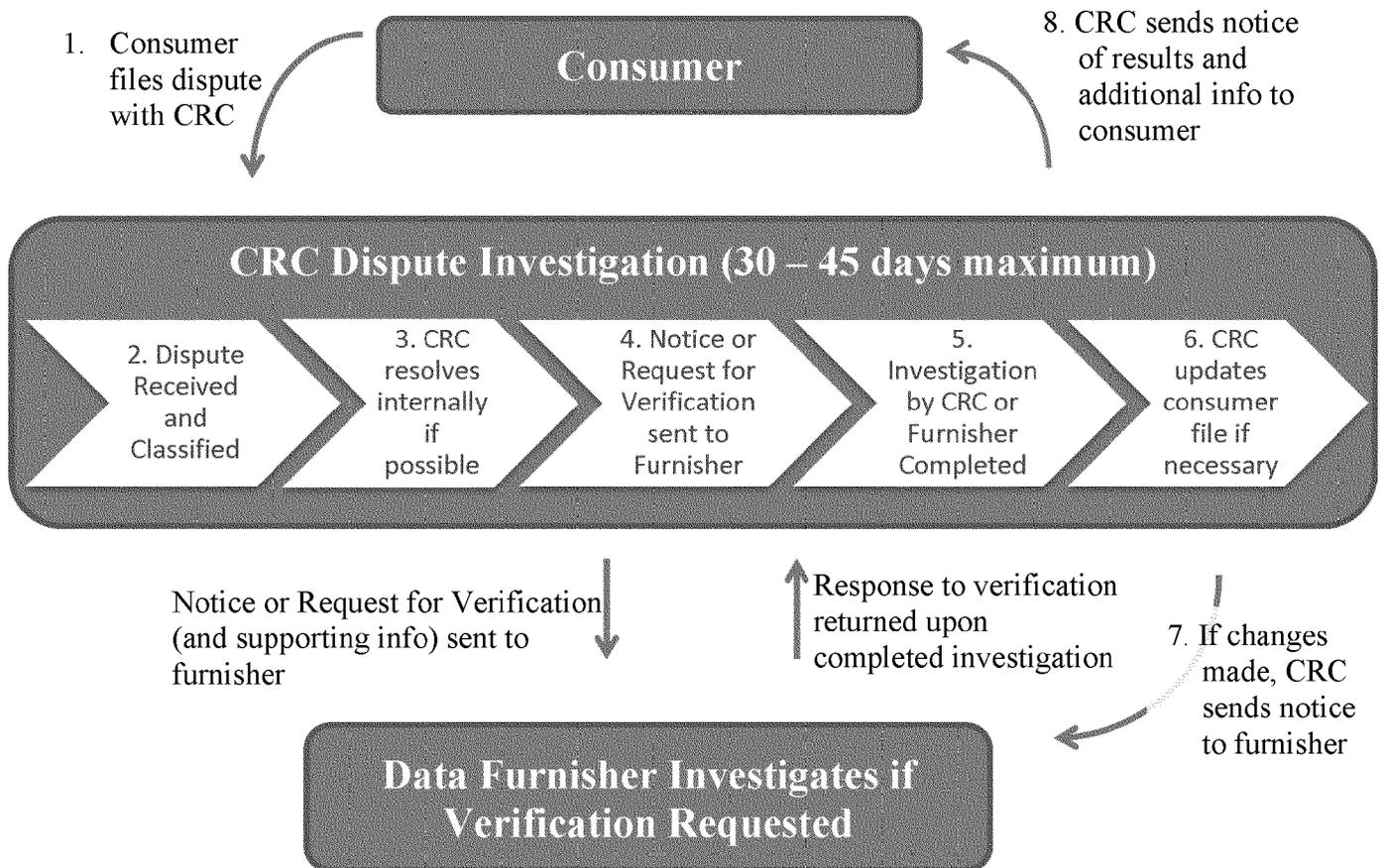
- CRC(s) have made improvements to call center scripts and training regarding solicitation of relevant information from consumers with disputes; and

- CRC(s) no longer require that consumers obtain or purchase a recent consumer report before the CRC(s) accept disputes filed online or by telephone.

Building on these improvements, subsequent reviews at one or more CRCs have focused on the dispute resolution procedures in place to conduct a reasonable investigation of consumer disputes and communicate the results of the investigation adequately to the consumer.

To aid in our description of the dispute process, Supervision created the following simplified diagram depicting a number of key steps taken by CRC(s) when processing, investigating, and responding to consumer disputes:

FIGURE 2: DISPUTE INVESTIGATION AND RESOLUTION PROCESS



Source: CFPB 2017.

¹³ CFPB, *Supervisory Highlights*, 2.1 (Fall 2014) (initial dispute handling reviews); CFPB,

Supervisory Highlights, 2.1 (Winter 2015) (dispute handling follow-up reviews).

2.5 Reasonable Reinvestigation of Disputes and Consideration of Relevant Information

The FCRA requires that, when a consumer disputes the completeness or accuracy of any item contained in his or her consumer file with the CRC, the CRC must conduct a reasonable reinvestigation to determine whether the disputed item is inaccurate and record the current status of the disputed information or delete the item from the file.¹⁴ As part of the CRC's reasonable reinvestigation, the CRC is required to review and consider all relevant information submitted by the consumer.¹⁵

Examiners found that one or more CRCs did not comply with this obligation in certain circumstances. For example, in cases where consumers submitted certain categories of documentary evidence in support of a dispute, one or more CRCs failed to review and consider the attached documentation and relied entirely on the furnisher to investigate the dispute. To correct this violation, examiners directed the CRC(s) to revise policies and procedures regarding dispute reinvestigations to ensure appropriate and reasonable review and consideration of consumer proof documents.

2.6 Notice to Furnishers of Disputes

When a consumer files a dispute with a CRC, the FCRA requires the CRC to provide notification of the dispute within five business days to the furnisher who provided the information that is in dispute.¹⁶ At one or more CRCs, examiners found instances where the required notice was not provided because the furnishers' contact information was no longer valid at the time of the consumers' disputes. As a result, examiners required the CRC(s) to implement changes to comply with the FCRA's dispute handling requirements, including ensuring that contact information with furnishers remains current for the purpose of providing required dispute notifications.

The FCRA also requires that, following a dispute investigation, the CRC must provide prompt notice of any modification or deletion to the furnisher.¹⁷ Examiners found that one or more CRCs failed in certain circumstances to provide this required notice. Supervision directed the CRC(s) to develop processes to ensure that data furnisher notifications of deletions or

modifications are provided to the furnisher in all instances required by the FCRA.

2.7 Notice to Consumers of Dispute Results

The FCRA requires that, upon completion of the reasonable reinvestigation, the CRC must provide written notice of the results to the consumer not later than five business days after completion of the reinvestigation.¹⁸

Examiners found that one or more CRCs sent dispute notices to consumers that did not report the results of the reinvestigation. In particular, at one or more CRCs, examiners identified consumer dispute notices that failed to articulate clearly the results of the dispute investigation to the consumer as required by the FCRA. The notices, instead, simply indicated that the dispute investigation was complete but did not state the result of that investigation. To correct this violation, examiners directed one or more CRCs to describe more precisely the result of the investigation, such as whether changes were made as a result of the dispute investigation.

3. Supervisory Observations at Furnishers

Furnishers of information play a crucial role in the accuracy and integrity of consumer reports when they provide information to CRCs. Inaccurate information from furnishers can lead to inaccurate reports and consequent harm to consumers and the market. For example, inaccurate information on a consumer report can affect a consumer's ability to obtain credit, housing, or employment. Moreover, furnishers have an important role in the dispute process when consumers dispute the accuracy of information on their consumer reports. Consumers may dispute information that appears on their consumer report directly to furnishers ("direct disputes") or indirectly through CRCs ("indirect disputes"), and furnishers are required to investigate both types of consumer disputes to verify the accuracy of the information furnished.¹⁹

A timely and responsive reply to a consumer dispute may reduce the impact that inaccurate negative information on a consumer report may have on the consumer. The FCRA and Regulation V set forth requirements for furnishers concerning both accuracy and dispute handling. To ensure

compliance with these requirements, Supervision has conducted a number of reviews at a variety of furnishers subject to its supervisory authority.

Supervision found CMS weaknesses and numerous violations of the FCRA and Regulation V that required corrective action by furnisher(s).

3.1 CMS/Data Governance

As the CFPB has emphasized, we expect institutions subject to our supervisory authority to structure their CMS in a manner sufficient to comply with Federal consumer financial laws and appropriately address associated risks of harm to consumers.²⁰ This expectation includes ensuring the furnisher implements and maintains a CMS sufficient to ensure compliance with furnisher obligations required under the FCRA, as appropriate.

In one or more reviews of furnisher(s), examiners found several weaknesses in CMS, including the following:

- Weak oversight by management and the Board of Directors over furnishing practices;
- no formal data governance program;
- failure to update policies and procedures;
- weak training of employees who conduct furnishing and dispute handling operations; and
- weak monitoring and corrective action, including failure to conduct follow up testing on consumer account files submitted to and rejected by one or more CRAs.

Supervision directed the furnisher(s) to take appropriate action to address these weaknesses in their CMS programs as they relate to their actions in furnishing information to CRCs.

3.2 Reasonable Written Policies and Procedures Requirement

Regulation V requires furnishers to establish and implement reasonable written policies and procedures regarding the accuracy and integrity of the information relating to consumers that they provide to CRCs.²¹ Such policies and procedures must be appropriate to the nature, size, complexity, and scope of each furnisher's activities.²² Supervision found that one or more furnisher(s) failed to meet this requirement by failing to have policies and procedures:

- For handling and investigating direct disputes from consumers;
- for the creation and retention of documentation to substantiate final dispute decisions;

¹⁴ 15 U.S.C. 1681i(a).

¹⁵ 15 U.S.C. 1681i(a)(4).

¹⁶ 15 U.S.C. 1681i(a)(2)(A).

¹⁷ 15 U.S.C. 1681i(a)(5)(A)(ii).

¹⁸ 15 U.S.C. 1681i(a)(6)(A).

¹⁹ 15 U.S.C. 1681s-2(a)(8) and 15 U.S.C. 1681s-2(b). 12 CFR 1022.43.

²⁰ CFPB, *Supervisory Highlights*, 2.1 (Summer 2013).

²¹ 12 CFR 1022.42(a).

²² *Id.*

- to prevent duplicative or mixed file reporting;

- to instruct how to conduct reasonable investigations of consumer disputes, including directing dispute-handling agents to compare the disputed information to all available information in all systems of record that could contain information relevant to a consumer's dispute;

- to prevent dispute-handling agents from responding "verified" immediately upon receipt of a dispute, instead of ensuring a reasonable reinvestigation was completed timely; and

- for the third-party service providers conducting the furnishing on behalf of the furnisher(s).

For furnishing consumer deposit account information, Supervision found that furnisher(s):

- Had enterprise-wide FCRA policies, but the policies were inadequate to address furnishing activity for consumer deposit accounts;

- failed to establish, implement, and maintain reasonable written policies and procedures consistent with Regulation V regarding the accuracy and integrity of consumer deposit account information furnished;

- had policies for furnishing consumer deposit account information that were overly broad and not supplemented with sufficiently-detailed operating procedures and guidance for consumer deposit-related furnishing;

- had procedures that did not address the requirement to notify a consumer of the results of a dispute investigation; and

- had procedures that failed to address the requirement to update and correct inaccurate consumer deposit information.

Supervision directed the furnisher(s) to correct the deficiencies.

3.3 Guidelines for Furnishers in Appendix E of Regulation V

Regulation V requires furnishers, as they create policies and procedures, to consider and incorporate, as appropriate, the guidelines of Appendix E to Regulation V.²³ These guidelines address key business functions, such as record retention, training, third-party oversight, and receipt of feedback from CRCs and others that contribute to a furnisher's ability to ensure the accuracy and integrity of the data furnished to CRCs. In the past year, examiners evaluated furnishers' consideration and incorporation of the Appendix E guidelines as appropriate to each institution. As a result of the reviews, examiners observed the

following failures of furnisher(s) to meet this requirement of Regulation V and required the corrective actions described below.

Accuracy With Respect to Transferred Accounts (Date of First Delinquency)

Appendix E of Regulation V states that a furnisher's policies and procedures should be reasonably designed to promote furnishing information that is accurate, which includes furnishing information that reflects the terms of and liability for accounts, as well as consumers' performance on such accounts.²⁴ Appendix E also states that a furnisher's policies and procedures should address furnishing information about consumers following transfers of accounts in a manner that prevents re-aging of accounts and other problems that may affect the accuracy or integrity of the information furnished.²⁵

Examiners found that one or more furnishers' written policies and procedures for furnishing did not address situations where information is absent on incoming loan servicing data transfers. Specifically, if a transferor's servicer did not provide the date of first delinquency (DOFD), the policies and procedures did not require follow-up to obtain and accurately report the DOFD. The DOFD affects consumers because the FCRA directs that certain negative information not be included on consumer reports for longer than a specified period of time.²⁶ If the DOFD date is incorrect, the negative information associated with the specific tradeline may persist in the consumer file longer than legally permissible. The policies and procedures of the furnisher(s) directed agents to furnish information about such accounts even though the DOFD was not known. Supervision directed furnisher(s) to revise their written policies and procedures to ensure the DOFD from the transferor servicer was obtained and the furnishing of payments received on charged-off loans was updated accordingly.

Maintaining Records

In developing its policies and procedures, a furnisher should address how to "maintain[] records for a reasonable period of time, not less than any applicable recordkeeping requirement, in order to substantiate the accuracy of any information about

consumers it furnishes that is subject to a direct dispute."²⁷

Examiners found at one or more furnishers that the policies and procedures for handling direct and indirect disputes required only the retention of certain documents. Examiners found that the retained documents did not substantiate the accuracy of the furnishers' decision as to the dispute. Deficient documentation included the failure to memorialize what the agent reviewed or the logic of the agent's investigation. Examiners attributed these failures to the weak policies and procedures and the failure to conduct monitoring or a compliance audit to identify the inadequate record retention. Examiners also found that when furnisher(s) processed an indirect dispute, they did not retain a copy of the attachments submitted by consumers to the CRC in connection with the dispute. By not retaining attachments, a furnisher compromises its ability to conduct ongoing quality checks of its dispute investigations. Supervision directed furnisher(s) to retain attachments submitted with indirect disputes for a reasonable amount of time.

Additionally, examiners found that furnisher(s) did not have adequate written policies and procedures in place to properly identify and track direct disputes. Accordingly, examiners were unable to verify that the furnisher(s) undertook a reasonable reinvestigation within the legally required timeframe. Supervision directed the furnisher(s) to ensure records related to disputes are maintained for a reasonable amount of time. Supervision made this direction to rectify the furnisher(s)' failure to consider the guidelines as required by Regulation V in developing their policies and procedures.

Feedback From Consumer Reporting Companies

In establishing and implementing its policies and procedures, a furnisher should consider any feedback received from CRCs, consumers, or other appropriate parties.²⁸ The feedback may indicate compliance gaps or persistent violations that the furnisher should address.²⁹ Examiners found instances where furnisher(s) failed to:

- Have policies or procedures for the handling of feedback received from CRCs related to data quality;
- review exception reports or identify, correct, and resubmit invalid

²⁴ 12 CFR 1022.42, Appendix E, I(b)(1).

²⁵ 12 CFR 1022.42, Appendix E, III(g).

²⁶ 15 U.S.C. 1681c(a).

²⁷ 12 CFR 1022.42, Appendix E, III(c).

²⁸ 12 CFR 1022.42, Appendix E, II(a)(3).

²⁹ *Id.*

²³ 12 CFR 1022.42(b).

data identified by the exception reports; and

- have policies and procedures that provide sufficient guidance to dispute-handling agents on how to proceed when the information provided by the consumer is inconsistent with the information contained in the furnisher's system.

Oversight of Service Providers

Furnishers' policies and procedures should address appropriate and effective oversight of relevant service providers whose activities may affect the accuracy and integrity of information furnished to CRCs.³⁰ Examiners found that furnisher(s)' policies and procedures failed to ensure appropriate oversight of their service provider(s). The lack of policies and procedures resulted in the improper sale to one or more debt buyers of consumer deposit accounts that were erroneously charged off. Supervision directed the furnisher(s) to ensure that the written policies and procedures consider and address, as appropriate, the oversight of service providers and other guidance provided in Appendix E of Regulation V.

Quality Control

Appendix E of Regulation V states that a furnisher, in developing its policies and procedures, should specify how it will establish and implement appropriate internal controls for the accuracy of information furnished. These controls can include implementing standard procedures and verifying random samples of information provided to CRCs.³¹ Internal controls can identify data accuracy issues early on and lead to appropriate corrective action to address such issues.

In one or more reviews, examiners found the following deficiencies in quality control:

- Failure to perform quality checks on the data furnished to CRCs;
- failure to test for the accuracy of the information after it is furnished, such as whether the amount furnished as charged off is correct or whether the name or other identifying information of the account holder is correct;
- failure to conduct ongoing periodic evaluations or audits of furnishing practices, or data furnished to CRCs; and
- failure to conduct audits of dispute information to identify and correct root causes of any inaccurate furnishing.

Reasonable Investigations of Disputes

Appendix E of Regulation V provides that furnishers' policies and procedures should be reasonably designed to promote reasonable investigations of consumer disputes and take appropriate action based on the outcome of such investigations.³² Examiners found that one or more furnishers' policies and procedures failed to promote reasonable investigations of disputes.

Training of Staff

In developing their policies and procedures, furnishers should address how they will train the staff that participates in activities related to the furnishing of information on how to implement the policies and procedures.³³ A well-trained staff is a key component of a strong compliance management system. Examiners found that one or more furnishers established policies and procedures that failed to address training related to furnishing. At one or more furnishers of consumer deposit account data, examiners also found no evidence that furnisher(s) provided training to employees related specifically to furnishing of consumer deposit-related data or dispute handling and resolution. Supervision directed one or more furnishers to update and conduct training to ensure adequate handling of direct and indirect disputes of consumer deposit account information.

Periodically Review and Update Furnishing Policies and Procedures

Regulation V requires furnishers to review their policies and procedures "periodically and update them as necessary to ensure their continued effectiveness."³⁴ CFPB examiners found that furnisher(s) did not review and update their furnishing policies and procedures as necessary for compliance with this requirement. Supervision directed furnisher(s) to update and implement revisions to their policies in accordance with Regulation V.

3.4 Data Accuracy Requirements of Furnishers

Reporting Information With Actual Knowledge of Errors

Inaccurate reporting undermines the central purpose of consumer reports, which is to predict, among other factors, the potential creditworthiness of consumers. Section 623(a)(1)(A) of the FCRA requires that a furnisher shall not furnish any information relating to a

consumer to any CRC if the furnisher knows or has reasonable cause to believe that the information is inaccurate.³⁵

Examiners found one or more furnishers provided consumer information to CRCs while knowing or having reasonable cause to believe that the information was inaccurate because the information furnished did not accurately reflect the information in the furnisher(s)' systems. The types of information inaccurately furnished included that:

- Consumers were delinquent;
- consumers had no payment history;
- consumers had a "\$0" actual payment amount;
- consumers had an unpaid charged-off balance when consumers had, in fact, settled the account in full; and
- amounts past due and bankruptcy status.

A furnisher is not subject to Section 623(a)(1)(A) if the furnisher clearly and conspicuously specifies an address for consumers to provide notice that they dispute specific information as inaccurate.³⁶ However, the FCRA does not require a furnisher to specify such an address.³⁷ Supervision determined that one or more furnishers did not clearly and conspicuously specify such an address to consumers.

Date of First Delinquency

The date of first delinquency is important for CRCs, creditors, and consumers because it determines when information on a consumer report becomes obsolete and may no longer be reported.³⁸ The FCRA requires furnishers of information regarding delinquent accounts to report the date of delinquency to the CRC within 90 days.³⁹ In one or more reviews, furnisher(s) failed to report accurate dates of first delinquency on accounts when consumers who had been delinquent filed for bankruptcy. Specifically, one or more furnishers updated the date of delinquency when consumers filed for bankruptcy to reflect the date of bankruptcy filing as the date of first delinquency. Supervision directed furnisher(s) to re-evaluate the accounts with bankruptcy,

³⁵ 15 U.S.C. 1681s-2(a)(1)(A).

³⁶ 15 U.S.C. 1681s-2(a)(1)(C).

³⁷ *Id.*

³⁸ 15 U.S.C. 1681c(a)-(b). Information may be reported if certain exceptions specified in the statute apply.

³⁹ 15 U.S.C. 1681s-2(a)(5)(A). This provision applies to accounts placed for collection, charged to profit or loss, or subjected to similar action. The date of delinquency is the month and year of the commencement of the delinquency on the account that that immediately preceded the action (e.g., placement of the account for collection).

³⁰ 12 CFR 1022.42, Appendix E, III(f).

³¹ 12 CFR 1022.42, Appendix E, III(d).

³² 12 CFR 1022.42, Appendix E, I(b)(3).

³³ 12 CFR 1022.42(b), Appendix E, II(e).

³⁴ 12 CFR 1022.42(c).

charge-off, and other applicable post-delinquency statuses to confirm the date of first delinquency was reported accurately and to promptly correct and update the dates of first delinquency with the CRCs, as necessary.

Failure To Update and Correct Inaccurate Information

When furnishers become aware of inaccurate information previously furnished to a CRC, the furnisher must inform the CRC that the previously furnished information is incorrect and promptly update the information.⁴⁰ Examiners found that one or more furnishers violated this requirement in the following ways:

- Failing to promptly update the information provided to CRCs after determining that consumer information was not complete or accurate;
- failing to promptly update payment information for charged-off accounts when consumers made payments under payment plans;
- lacking oversight of the furnisher's service providers, who delayed updating incomplete or inaccurate consumer information from a range of 190 days up to 337 days; and
- failing to update reports to reflect delinquencies that had been cured when a consumer had a qualifying deferment during the period of delinquency.

Supervision directed the furnisher(s) to correct these violations to ensure prompt updating and correcting of inaccurate or incomplete information.

3.5 Dispute Handling Requirements

Notice That Dispute Is Frivolous or Irrelevant

Notifications to consumers regarding action, or inaction, taken on disputes by furnishers play an important function in the dispute process. Regulation V requires furnishers to conduct a reasonable investigation of a direct dispute and report the results of the investigation to the consumer.⁴¹ There are exceptions to this requirement, including where a furnisher is unable to investigate the dispute due to the consumer not providing sufficient

information, or providing substantially the same information as a previously submitted dispute, when the furnisher can make a reasonable determination that the dispute is frivolous or irrelevant.⁴² In those instances, the furnisher must notify the consumer of the determination no later than five business days after making the determination.⁴³ The notice must include the reasons for such determination and identify any information required to investigate the disputed information.⁴⁴ In one or more reviews, furnishers decided not to investigate consumer disputes, having determined that certain consumers did not provide sufficient information to investigate the disputed information. When the furnisher(s) made this determination, they failed to provide proper notice to consumers of a reasonable determination that a dispute was frivolous or irrelevant, in violation of Regulation V. Supervision directed furnisher(s) to provide proper notice to consumers of a frivolous or irrelevant dispute determination.

Failure To Report the Results of Direct Dispute Investigations to Consumers

The FCRA and Regulation V require furnishers to complete their investigations of direct disputes received from consumers and to report the results to the consumer before the applicable expiration period.⁴⁵ Examiners found that one or more furnisher(s) conducted an investigation of disputes and sent the consumers response letters, but the letters did not adequately address the actual substance of the disputes. For example, if a consumer disputed that the furnisher(s) had reported the consumer as delinquent during a particular time frame, the furnisher(s) sent a form letter in response that contained only a payment history of the account, including for the time period at issue in the dispute. Supervision determined that the furnisher(s)' policies and procedures did not provide sufficient guidance on the content of resolution letters for disputes and directed the furnisher(s) to evaluate and improve the clarity of dispute resolution letters to ensure the results are more clearly reported to consumers.

Examiners also found that furnisher(s) failed to provide the results of direct dispute investigations to consumers in bankruptcy. Examiners determined that

the furnisher(s) had system errors, which misinterpreted the automatic stay provision of the bankruptcy code and suppressed result letters to consumers. Supervision directed furnisher(s) to rectify these issues.

Failure To Comply With Indirect Dispute Handling Requirements

Furnishers are required, after receiving notice of a dispute of the completeness or accuracy of any information from a CRC, to conduct an investigation with respect to the disputed information.⁴⁶ This includes a review of all relevant information provided by the CRC and reporting the results of the investigation to the CRC within required time periods.⁴⁷ Examiners found that furnisher(s) failed to complete their dispute investigations within the time periods required by the FCRA. Examiners found that furnisher(s), in order to meet the timing requirements, responded to notice of disputes from CRCs by verifying the information when, in fact, the furnisher(s) had not completed the investigations and had not determined the accuracy of the information disputed by the consumer. Supervision directed furnisher(s) to investigate such disputes in compliance with the FCRA, which requires furnishers to complete an investigation and provide the results of that investigation to the consumer and to the CRCs.

Examiners also found that one or more furnishers failed to conduct an investigation of indirect disputes. Supervision directed furnishers to update and implement dispute handling policies and procedures to ensure disputes are handled in accordance with the requirements of the FCRA.

3.6 Permissible Purpose

The FCRA prohibits a person from obtaining a consumer report unless the consumer report is obtained for a purpose authorized by the FCRA.⁴⁸ This prohibition protects the privacy of consumers and prevents the potential negative impact of certain inquiries. Examiners found that one or more institutions obtained consumers' consumer reports by falsely representing to CRCs that those consumers had applied for a loan and that the institution(s) thus had permissible purposes to obtain the reports. Supervision directed the institution(s) to:

- Establish and implement effective policies and procedures to ensure the

⁴⁰ 15 U.S.C. 1681s-2(a)(2). The FCRA requires a person who (A) regularly and in the ordinary course of business furnishes information to one or more CRCs about the person's transactions or experiences with any consumer; and (B) has furnished to a CRC information that the person determines is not complete or accurate, to promptly notify the CRC of that determination and provide to the company any corrections to that information, or any additional information, that is necessary to make the information provided by the person to the company complete and accurate, and to not thereafter furnish to the company any of the information that remains incomplete or inaccurate.

⁴¹ 12 CFR 1022.43(e).

⁴² 12 CFR 1022.43(f)(1).

⁴³ 12 CFR 1022.43(f)(2).

⁴⁴ 12 CFR 1022.43(f)(3).

⁴⁵ 15 U.S.C. 1681s-2(a)(8)(E)(iii) and 12 CFR 1022.43(e)(3).

⁴⁶ 15 U.S.C. 1681s-2(b)(1)(A).

⁴⁷ 15 U.S.C. 1681s-2(b)(1)(B)-(D).

⁴⁸ 15 U.S.C. 1681b(f).

consumer's report is not obtained without a permissible purpose;

- strengthen the monitoring and testing function to respond to agent violations more quickly; and
- report to the board quarterly on the number of complaints and disputes involving consumer reports obtained without a permissible purpose.

4. Conclusion

Supervision's work in the consumer reporting market is ongoing and remains a high priority. Consumer reporting companies and furnishers have an obligation to maintain the accuracy of consumer data, but experience indicates that they lack incentives and underinvest in accuracy. Indeed, these most recent supervisory findings underscore Supervision's concern about the lack of resources that furnishers in particular have devoted to this important function and the resulting violations of law.

We have targeted substantial resources to improve the accuracy of consumer information, and we will continue to do so. We have observed steady progress at consumer reporting companies to improve data governance. However, we also observed that one or more CRCs have not yet finalized the development of data governance programs as required by Supervision, although such improvements are reported to be in the implementation phase. As to furnisher monitoring programs, Supervision found one or more CRCs made significant progress in leveraging furnisher dispute data as part of an accuracy program. But Supervision also observed that one or more programs require additional development and formalization of the corrective actions taken for furnishers that have been identified through the monitoring program. Overall, we are satisfied with the steady pace of progress in addressing weaknesses identified in Supervision's first round of accuracy and dispute resolution reviews and will continue to work with supervised companies to ensure that they invest the necessary resources to solve compliance challenges.

Supervision will continue to conduct reviews at a wide range of furnishers subject to our authority and expects furnishers to evaluate carefully their entire operations as they relate to their furnishing practices in light of the FCRA and Regulation V's requirements. We are encouraged by some positive trends. For example, at one or more large furnishers, Supervision observed a special emphasis on evaluating, on an enterprise-wide basis, the furnisher's FCRA compliance management system. In addition, furnisher(s) proactively

established action plans for recordkeeping and taking inventory of dispute resolution letters that they will more clearly communicate the results of investigations to consumers.

Supervision will continue to prioritize new and existing FCRA areas based on insights from a robust number of data sources that help us to identify areas where the risk of consumer harm is greatest.

Dated: March 22, 2017.

Richard Cordray,

Director, Bureau of Consumer Financial Protection.

[FR Doc. 2017-06904 Filed 4-5-17; 8:45 am]

BILLING CODE 4810-AM-P

DEPARTMENT OF DEFENSE

Office of the Secretary

Department of Defense Military Family Readiness Council; Notice of Federal Advisory Committee Meeting; Amendment

AGENCY: Under Secretary of Defense for Personnel and Readiness, Department of Defense.

ACTION: Notice of meeting; amendment.

SUMMARY: On Friday, March 17, 2017 (82 FR 14211-14212), the Department of Defense published a notice to announce a Federal Advisory Committee meeting of the Department of Defense Military Family Readiness Council (MFRC) to be held on April 27, 2017. Subsequent to the publication of this notice, the meeting purpose statement and agenda items changed. All other information in the March 17, 2017 notice remains the same.

DATES: Open to the public Thursday, April 27, 2017 from 1:00 p.m. to 3:00 p.m.

ADDRESSES: Pentagon Library & Conference Center, Room B6. Escorts will be provided from the Pentagon Visitors Center waiting area (Pentagon Metro entrance) upon request.

FOR FURTHER INFORMATION CONTACT: Ms. Melody McDonald or Dr. Randy Eltringham, Office of the Deputy Assistant Secretary of Defense (Military Community & Family Policy), Office of Family Readiness Policy, 4800 Mark Center Drive, Alexandria, VA 22350-2300, Room 3G15. Telephones (571) 372-0880; (571) 372-5315 or email: OSD Pentagon OUSD P-R Mailbox Family Readiness Council, osd.pentagon.ousd-p-r.mbx.family-readiness-council@mail.mil.

SUPPLEMENTARY INFORMATION: This meeting is being held under the

provisions of the Federal Advisory Committee Act (FACA) of 1972 (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 102-3.140 and 102-3.150.

Purpose of the Meeting: The purpose of this meeting is to receive information related to community collaboratives that connect servicemembers and their families to the information, resources and support services they need throughout their mobile military lifecycle.

Agenda

Welcome & Administrative Remarks.
Making Military Family Connections through High Tech-High Touch Community Collaboratives.

Minnesota's Beyond the Yellow Ribbon Program: Support for the National Guard and Reserve.

Military OneSource: Creating an Integrated I&R-Counseling System to Build Community Capacity to Serve.

Best Practice Collaboratives with Military Support Organizations.
Military Service Best Practice Spotlights: Demonstrating the Positive Impacts of Sharing Information and Connecting Military Families to Needed Resources.

Closing Remarks.

Note: Exact order may vary.

Dated: April 3, 2017.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2017-06855 Filed 4-5-17; 8:45 am]

BILLING CODE 5001-06-P

DEPARTMENT OF ENERGY

Office of Energy Efficiency and Renewable Energy

Executive Summit on Hydropower Research and Development

AGENCY: Water Power Technologies Office, Office of Energy Efficiency and Renewable Energy, U.S. Department of Energy.

ACTION: Notice of the Executive Summit for Hydropower Research and Development.

SUMMARY: This notice serves to announce that the Water Power Technologies Office (WPTO) within the U.S. Department of Energy (DOE) intends to hold an Executive Summit on Hydropower Research and Development ("Summit") in Washington, DC on May 4, 2017. Through this initiative, the WPTO intends to engage industry and researchers to articulate hydropower

industry research and development (R&D) needs, discuss capabilities of the national laboratories, and provide guidance to industry on how to engage with the national laboratories to accelerate innovation and achieve bottom-line results.

DATES: DOE will host the Summit from 7:30 a.m. to 7:00 p.m. on May 4, 2017.

ADDRESSES: The Summit will be held at The National Press Club, 529 14th St NW., Washington, DC 20045.

FOR FURTHER INFORMATION CONTACT: Aleksandra Lemke, Office of Energy Efficiency and Renewable Energy, U.S. Department of Energy, 1000 Independence Ave. SW., Washington, DC 20585. Telephone: (720)-648-4381. Email: Aleksandra.Lemke@EE.DOE.Gov.

SUPPLEMENTARY INFORMATION:

Background

The Executive Summit provides a premier opportunity to learn how DOE-funded research at the national laboratories and beyond is addressing the hydropower industry's R&D needs—and how companies can directly partner with the labs to accelerate innovation and achieve bottom-line results. The Summit will bring together hydropower industry executives, government leaders, and technology researchers to showcase how private-sector and national lab partnerships are successfully addressing critical technology challenges to improve the competitiveness of American hydropower businesses across the country. Invited participants from industry will include design, consulting, assessment, and operations professionals with experience in addressing the short- and long-term challenges of hydropower development and operations.

The information provided and discussed throughout this summit will be compiled in a summary report, which will provide clarity on how the capabilities of DOE's National Laboratories and other DOE Hydropower Program resources align with the perceived and prioritized R&D needs of the industry as outlined in the recently-published DOE Hydropower Vision. The Vision includes a roadmap outlining potential actions, in a non-prescriptive manner, for consideration by all hydropower stakeholder sectors. The workshop sessions will address four primary categories of R&D activities included in the roadmap: (1) Enhanced Revenue and Market Structures, (2) Optimization of Hydropower Security, Reliability, and Value Sustainable Development and Operation, (3) Addressing Hydropower Sustainability

Optimization of Hydropower, and (4) Technology Advancement for Hydropower. The remaining categories of the Roadmap, Regulatory Process Optimization and Enhanced Collaboration, Education, and Outreach, will be addressed in the workshop as cross-cut issues to connect activities in the first three categories.

Public Participation

The event is open to the public based upon space availability. DOE will also accept public comments as described above for purposes of better understanding the hydropower industry and challenges associated with increased deployment. These comments may be submitted at Aleksandra.Lemke@EE.DOE.Gov.

Participants should limit information and comments to those based on personal experience, individual advice, information, or facts regarding this topic. It is not the object of this session to obtain any group position or consensus from the meeting participants.

Following the meeting, a summary will be compiled by DOE and posted for public comment. For those interested in providing additional public comment, the summary will be posted at water.energy.gov.

Issued on March 30, 2017 in Washington, DC.

Alejandro Moreno,

Director, Water Power Technologies Office, Office of Energy Efficiency and Renewable Energy.

[FR Doc. 2017-06859 Filed 4-5-17; 8:45 am]

BILLING CODE 6450-01-P

DEPARTMENT OF ENERGY

National Nuclear Security Administration

Defense Programs Advisory Committee

AGENCY: Office of Defense Programs, National Nuclear Security Administration, Department of Energy.

ACTION: Notice of renewal.

SUMMARY: Pursuant to the Federal Advisory Committee Act, and following consultation with the Committee Management Secretariat, General Services Administration, notice is hereby given that the Defense Programs Advisory Committee (DPAC) will be renewed for a two-year period beginning on February 10, 2017.

The DPAC will provide advice and recommendations to the Deputy Administrator for Defense Programs on

the stewardship and maintenance of the Nation's nuclear deterrent.

Additionally, the renewal of the Committee has been determined to be essential to the conduct of the Department's business and to be in the public interest in connection with the performance of duties imposed upon the Department of Energy by law and agreement. The Committee will continue to operate in accordance with the provisions of the Federal Advisory Committee Act and the rules and regulations in implementation of that Act.

FOR FURTHER INFORMATION CONTACT: Robert Hanrahan, Office of Defense Programs, at (202) 586-4606.

Issued in Washington, DC, on February 10, 2017.

LaTanya R. Butler,

Acting Committee Management Officer.

[FR Doc. 2017-06892 Filed 4-5-17; 8:45 am]

BILLING CODE 6450-01-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: ER17-1345-000.

Applicants: Southern California Edison Company.

Description: § 205(d) Rate Filing; 2017 TACBAA Update to be effective 6/1/2017.

Filed Date: 3/30/17.

Accession Number: 20170330-5140.

Comments Due: 5 p.m. ET 4/20/17.

Docket Numbers: ER17-1346-000.

Applicants: Mid-Atlantic Interstate Transmission, LLC, Pennsylvania Electric Company, PJM Interconnection, L.L.C.

Description: § 205(d) Rate Filing; MAIT submits Service Agreement No. 4665 btwn Penelec, MAIT and Borough of Berlin to be effective 2/24/2017.

Filed Date: 3/30/17.

Accession Number: 20170330-5236.

Comments Due: 5 p.m. ET 4/20/17.

Docket Numbers: ER17-1347-000.

Applicants: PacifiCorp.

Description: § 205(d) Rate Filing; OATT Revised Attachment H-1 (Rev Depreciation Rates 2017) to be effective 6/1/2017.

Filed Date: 3/30/17.

Accession Number: 20170330-5262.

Comments Due: 5 p.m. ET 4/20/17.

Docket Numbers: ER17-1348-000.

Applicants: J.P. Morgan Ventures Energy Corporation.

Description: § 205(d) Rate Filing: Cancellation of cost-based rates tariffs to be effective 3/31/2017.

Filed Date: 3/30/17.

Accession Number: 20170330–5277.

Comments Due: 5 p.m. ET 4/20/17.

Docket Numbers: ER17–1349–000.

Applicants: Central Hudson Gas & Electric Corporation.

Description: § 205(d) Rate Filing: Revisions to FERC Rate Schedule 202 to be effective 3/16/2017.

Filed Date: 3/30/17.

Accession Number: 20170330–5278.

Comments Due: 5 p.m. ET 4/20/17.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: <http://www.ferc.gov/docs-filing/efiling/filing-req.pdf>. For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: March 30, 2017.

Kimberly D. Bose,

Secretary.

[FR Doc. 2017–06840 Filed 4–5–17; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP16–10–000; Docket No. CP16–13–000]

Mountain Valley Pipeline LLC; Equitrans LP; Notice of Revised Schedule for Environmental Review of the Mountain Valley Project and the Equitrans Expansion Project

This notice identifies the Federal Energy Regulatory Commission staff's revised schedule for the completion of the environmental impact statement (EIS) for Mountain Valley Pipeline LLC's (Mountain Valley) Mountain Valley Project and Equitrans LP's (Equitrans) Equitrans Expansion Project. The first notice of schedule, issued on June 28, 2016, identified a final EIS date of March 10, 2017. However, in

response to comments on the draft EIS issued September 16, 2016 (with a comment closing date of December 22, 2016), staff produced several environmental information requests sent to Mountain Valley and Equitrans in January and March, 2017, and only recently received information necessary for us to complete our environmental review. As a result, staff has revised the schedule for issuance of the final EIS.

Schedule for Environmental Review

Issuance of Notice of Availability of the final EIS—June 23, 2017

90-day Federal Authorization Decision Deadline—September 21, 2017

If a schedule change becomes necessary, an additional notice will be provided so that the relevant agencies are kept informed of the project's progress.

Additional Information

In order to receive notification of the issuance of the final EIS and to keep track of all formal issuances and submittals in specific dockets, the Commission offers a free service called eSubscription (<http://www.ferc.gov/docs-filing/esubscription.asp>).

Dated: March 31, 2017.

Kimberly D. Bose,

Secretary.

[FR Doc. 2017–06835 Filed 4–5–17; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Attendance at PJM Interconnection, L.L.C. Meetings

The Federal Energy Regulatory Commission (Commission) hereby gives notice that members of the Commission and Commission staff may attend upcoming PJM Interconnection, L.L.C. (PJM) Members Committee and Markets and Reliability Committee meetings, as well as other PJM committee, subcommittee or task force meetings.¹ The Commission and Commission staff may attend the following meetings:

PJM Members Committee

- April 27, 2017 (Wilmington, DE)
- May 15–17, 2017 (Chicago, IL)

¹For example, PJM subcommittees and task forces of the standing committees (Operating, Planning and Market Implementation) and senior standing committees (Members and Markets and Reliability) meet on a variety of different topics; they convene and dissolve on an as-needed basis. Therefore, the Commission and Commission staff may monitor the various meetings posted on the PJM Web site.

- June 22, 2017 (Wilmington, DE)
- July 27, 2017 (Wilmington, DE)
- September 28, 2017 (Audubon, PA)
- October 26, 2017 (Wilmington, DE)
- November 30, 2017 (Wilmington, DE)

PJM Markets and Reliability Committee

- April 27, 2017 (Wilmington, DE)
- May 25, 2017 (Wilmington, DE)
- June 22, 2017 (Wilmington, DE)
- July 27, 2017 (Wilmington, DE)
- August 24, 2017 (Wilmington, DE)
- September 28, 2017 (Audubon, PA)
- October 26, 2017 (Wilmington, DE)
- November 30, 2017 (Wilmington, DE)
- December 21, 2017 (Wilmington, DE)

PJM Market Implementation Committee

- April 12, 2017 (Audubon, PA)
- May 3, 2017 (Audubon, PA)
- June 7, 2017 (Audubon, PA)
- July 12, 2017 (Audubon, PA)
- August 9, 2017 (Audubon, PA)
- September 13, 2017 (Audubon, PA)
- October 11, 2017 (Audubon, PA)
- November 8, 2017 (Audubon, PA)
- December 13, 2017 (Audubon, PA)

The discussions at each of the meetings described above may address matters at issue in pending proceedings before the Commission, including the following currently pending proceedings:

Docket No. EL05–121, *PJM*

Interconnection, L.L.C.

Docket No. ER12–2708, *Potomac-*

Appalachian Transmission

Highline, LLC, et. al.

Docket No. EL13–88, *Northern*

Indiana Public Service Company v.

Midcontinent Independent System

Operator, Inc. and PJM

Interconnection, L.L.C.

Docket No. EL14–37, *PJM*

Interconnection, L.L.C.

Docket No. ER14–972, *PJM*

Interconnection, L.L.C.

Docket Nos. ER14–1461, EL14–48,

PJM Interconnection, L.L.C.

Docket No. EL15–18, *Consolidated*

Edison Company of New York, Inc.

v. PJM Interconnection, L.L.C.

Docket Nos. EL15–29, ER15–623, *PJM*

Interconnection, L.L.C.

Docket No. EL15–41, *Essential Power*

Rock Springs, LLC, et al., v. PJM

Interconnection, L.L.C.

Docket No. EL15–67, *Linden VFT, LLC*

v. PJM Interconnection, L.L.C.

Docket Nos. EL15–73, ER16–372, *PJM*

Interconnection, L.L.C.

Docket No. EL15–79, *TranSource, LLC*

v. PJM Interconnection, L.L.C.

Docket No. EL15–95, *Maryland and*

Delaware State Commissions v. PJM

Interconnection, L.L.C.
 Docket No. ER15-1387, *PJM Interconnection, L.L.C.*
 Docket Nos. ER15-2562, ER15-2563, *PJM Interconnection, L.L.C.*
 Docket Nos. EL16-6, ER16-121, *PJM Interconnection, L.L.C.*
 Docket No. EL16-49, *Calpine Corporation, et. al., v. PJM Interconnection, L.L.C.*
 Docket Nos. EL16-71, ER17-179, *Monongahela Power Company, et. al., PPL Electric Utilities Corporation*
 Docket Nos. EL16-96, ER16-736, ER16-2401, *PJM Interconnection, L.L.C.*
 Docket No. ER16-453, *PJM Interconnection, L.L.C., and Northeast Transmission Development, LLC*
 Docket No. EL17-22, *Independent Market Monitor for PJM Interconnection, L.L.C. v. American Electric Power Corporation*
 Docket No. EL17-31, *Northern Illinois Municipal Power Agency v. PJM Interconnection, L.L.C.*
 Docket No. EL17-32, *Old Dominion Electric Cooperative v. PJM Interconnection, L.L.C.*
 Docket No. EL17-36, *Advanced Energy Management Alliance v. PJM Interconnection, L.L.C.*
 Docket No. EL17-37, *American Municipal Power, Inc. v. PJM Interconnection, L.L.C.*
 Docket No. ER17-211, *Mid-Atlantic Interstate Transmission, LLC*
 Docket Nos. ER17-214, ER17-216, *PJM Interconnection, L.L.C.*
 Docket No. ER17-217, *PJM Interconnection, L.L.C.*
 Docket No. ER17-335, *PJM Interconnection, L.L.C.*
 Docket No. ER17-367, *PJM Interconnection, L.L.C.*
 Docket Nos. ER17-718, ER17-729, *PJM Interconnection, L.L.C., Midcontinent Independent System Operator, Inc.*
 Docket No. ER17-725, *PJM Interconnection, L.L.C.*
 Docket Nos. ER17-753, *PJM Interconnection, L.L.C.*
 Docket No. ER17-775, *PJM Interconnection, L.L.C.*
 Docket No. ER17-905, *New York Independent System Operator, Inc. v. PJM Interconnection, L.L.C.*
 Docket No. ER17-934, *PJM Interconnection, L.L.C.*
 Docket No. ER17-950, *PJM Interconnection, L.L.C.*
 Docket No. ER17-1016, *PJM Interconnection, L.L.C.*
 Docket No. ER17-1057, *PJM Interconnection, L.L.C.*
 Docket No. ER17-1083, *RC Cape May*

Holdings, LLC
 Docket No. ER17-1138, *PJM Interconnection, L.L.C.*
 Docket No. ER17-1236, *PJM Interconnection, L.L.C.*
 Docket No. ER17-1306, *PJM Interconnection, L.L.C.*
 For additional meeting information, see: <http://www.pjm.com/committees-and-groups.aspx> and <http://www.pjm.com/Calendar.aspx>.
 The meetings are open to stakeholders. For more information, contact Valerie Martin, Office of Energy Market Regulation, Federal Energy Regulatory Commission at (202) 502-6139 or Valerie.Martin@ferc.gov.

Dated: March 31, 2017.

Kimberly D. Bose,

Secretary.

[FR Doc. 2017-06844 Filed 4-5-17; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 14815-000]

Merchant Hydro Developers, LLC; Notice of Preliminary Permit Application Accepted for Filing and Soliciting Comments, Motions To Intervene, and Competing Applications

On January 10, 2017, Merchant Hydro Developers, LLC, filed an application for a preliminary permit, pursuant to section 4(f) of the Federal Power Act (FPA), proposing to study the feasibility of the Richmondale Pumped Storage Hydroelectric Project to be located near the town of Simpson in Lackawanna and Wayne Counties, Pennsylvania. The sole purpose of a preliminary permit, if issued, is to grant the permit holder priority to file a license application during the permit term. A preliminary permit does not authorize the permit holder to perform any land-disturbing activities or otherwise enter upon lands or waters owned by others without the owners' express permission.

The proposed project would consist of the following: (1) A new upper reservoir with a surface area of 260 acres and a storage capacity of 3,900 acre-feet at a surface elevation of approximately 2,000 feet above mean sea level (msl) created through construction of new roller-compacted concrete or rock-filled dams and/or dikes; (2) excavating a new lower reservoir with a surface area of 75 acres and a total storage capacity of 5,625 acre-feet at a surface elevation of 1,450 feet msl; (3) a new 6,710-foot-long, 48-inch-diameter penstock connecting the

upper and lower reservoirs; (5) a new 150-foot-long, 50-foot-wide powerhouse containing two turbine-generator units with a total rated capacity of 230 megawatts; (6) a new transmission line connecting the powerhouse to a nearby electric grid interconnection point with options to evaluate multiple grid interconnection locations; and (7) appurtenant facilities. Possible initial fill water and make-up water would come from the Lackawanna River. The proposed project would have an annual generation of 676,873 megawatt-hours.

Applicant Contact: Adam Rousselle, Merchant Hydro Developers, LLC, 5710 Oak Crest Drive, Doylestown, PA 18902; phone: (267) 254-6107.

FERC Contact: Tim Looney; phone: (202) 502-6096.

Deadline for filing comments, motions to intervene, competing applications (without notices of intent), or notices of intent to file competing applications: 60 days from the issuance of this notice. Competing applications and notices of intent must meet the requirements of 18 CFR 4.36.

The Commission strongly encourages electronic filing. Please file comments, motions to intervene, notices of intent, and competing applications using the Commission's eFiling system at <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <http://www.ferc.gov/docs-filing/ecomment.asp>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov, (866) 208-3676 (toll free), or (202) 502-8659 (TTY). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426. The first page of any filing should include docket number P-14815-000.

More information about this project, including a copy of the application, can be viewed or printed on the "eLibrary" link of the Commission's Web site at <http://www.ferc.gov/docs-filing/elibrary.asp>. Enter the docket number (P-14815) in the docket number field to access the document. For assistance, contact FERC Online Support.

Dated: March 30, 2017.

Kimberly D. Bose,

Secretary.

[FR Doc. 2017-06837 Filed 4-5-17; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission**

[Project No. 9222-032]

Erie Boulevard Hydropower, L.P.; Notice of Intent To File License Application, Filing of Pre-Application Document, Approving Use of the Traditional Licensing Process

a. *Type of Filing:* Notice of Intent to File License Application and Request to Use the Traditional Licensing Process.

b. *Project No.:* 9222-032.

c. *Date Filed:* January 31, 2017.

d. *Submitted By:* Erie Boulevard Hydropower, L.P.

e. *Name of Project:* Yaleville Hydroelectric Project.

f. *Location:* On Raquette River, in St. Lawrence County, New York. No federal lands are occupied by the project works or located within the project boundary.

g. *Filed Pursuant to:* 18 CFR 5.3 of the Commission's regulations.

h. *Potential Applicant Contact:* Steven Murphy, Brookfield Renewable, 33 West 1st Street South, Fulton, NY; (315) 598-6130; email—steven.murphy@brookfieldrenewable.com.

i. *FERC Contact:* Dustin Wilson at (202) 502-6528; or email at dustin.wilson@ferc.gov.

j. Erie Boulevard Hydropower filed its request to use the Traditional Licensing Process on January 31, 2017. Erie Boulevard Hydropower provided public notice of its request on January 27, 2017. In a letter dated March 30, 2017, the Director of the Division of Hydropower Licensing approved Erie Boulevard Hydropower's request to use the Traditional Licensing Process.

k. With this notice, we are initiating informal consultation with the U.S. Fish and Wildlife Service under section 7 of the Endangered Species Act and the joint agency regulations thereunder at 50 CFR, part 402. We are also initiating consultation with the New York State Historic Preservation Officer, as required by section 106, National Historic Preservation Act, and the implementing regulations of the Advisory Council on Historic Preservation at 36 CFR 800.2.

l. With this notice, we are designating Erie Boulevard Hydropower as the Commission's non-federal representative for carrying out informal consultation pursuant to section 7 of the Endangered Species Act and consultation pursuant to section 106 of the National Historic Preservation Act.

m. Erie Boulevard Hydropower filed a Pre-Application Document (PAD; including a proposed process plan and

schedule) with the Commission, pursuant to 18 CFR 5.6 of the Commission's regulations.

n. A copy of the PAD is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site (<http://www.ferc.gov>), using the "eLibrary" link. Enter the docket number, excluding the last three digits in the docket number field to access the document. For assistance, contact FERC Online Support at FERCONlineSupport@ferc.gov, (866) 208-3676 (toll free), or (202) 502-8659 (TTY). A copy is also available for inspection and reproduction at the address in paragraph h.

o. The licensee states its unequivocal intent to submit an application for a new license for Project No. 9222-032. Pursuant to 18 CFR 16.8, 16.9, and 16.10 each application for a new license and any competing license applications must be filed with the Commission at least 24 months prior to the expiration of the existing license. All applications for license for this project must be filed by January 31, 2020.

p. Register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filing and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

Dated: March 30, 2017.

Kimberly D. Bose,
Secretary.

[FR Doc. 2017-06836 Filed 4-5-17; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission**

[Project No. 2879-011]

Green Mountain Power Corporation; Notice of Intent To File License Application, Filing of Pre-Application Document (Pad), Commencement of Pre-Filing Process, and Scoping; Request for Comments on the Pad and Scoping Document, and Identification of Issues and Associated Study Requests

a. *Type of Filing:* Notice of Intent to File License Application for a New License and Commencing Pre-filing Process.

b. *Project No.:* 2879-011.

c. *Dated Filed:* January 31, 2017.

d. *Submitted By:* Green Mountain Power Corporation.

e. *Name of Project:* Bolton Falls Hydroelectric Project.

f. *Location:* On the Winooski River, in Washington and Chittenden Counties, Vermont. The project does not occupy federal lands.

g. *Filed Pursuant to:* 18 CFR part 5 of the Commission's Regulations.

h. *Potential Applicant Contact:* Mr. John Greenan, Green Mountain Power Corporation, 1252 Post Road, Rutland, Vermont 05701; phone: (802) 770-3213 or email at John.Greenan@greenmountainpower.com.

i. *FERC Contact:* Michael Tust at (202) 502-6522 or email at michael.tust@ferc.gov.

j. *Cooperating agencies:* Federal, state, local, and tribal agencies with jurisdiction and/or special expertise with respect to environmental issues that wish to cooperate in the preparation of the environmental document should follow the instructions for filing such requests described in item o below. Cooperating agencies should note the Commission's policy that agencies that cooperate in the preparation of the environmental document cannot also intervene. See 94 FERC ¶ 61,076 (2001).

k. With this notice, we are initiating informal consultation with: (a) The U.S. Fish and Wildlife Service and/or NOAA Fisheries under section 7 of the Endangered Species Act and the joint agency regulations thereunder at 50 CFR, part 402 and (b) the State Historic Preservation Officer, as required by section 106, National Historic Preservation Act, and the implementing regulations of the Advisory Council on Historic Preservation at 36 CFR 800.2.

l. With this notice, we are designating Green Mountain Power Corporation (Green Mountain Power) as the Commission's non-federal representatives for carrying out informal consultation, pursuant to section 7 of the Endangered Species Act and section 106 of the National Historic Preservation Act.

m. Green Mountain Power filed a Pre-Application Document (PAD; including a proposed process plan and schedule) with the Commission, pursuant to 18 CFR 5.6 of the Commission's regulations.

n. A copy of the PAD is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site (<http://www.ferc.gov>), using the "eLibrary" link. Enter the docket number, excluding the last three digits in the docket number field to access the document. For assistance, contact FERC Online Support at FERCONlineSupport@ferc.gov, (866) 208-3676 (toll free), or (202) 502-8659 (TTY). A copy is also available for

inspection and reproduction at the address in paragraph h.

Register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filing and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

o. With this notice, we are soliciting comments on the PAD and Commission's staff Scoping Document 1 (SD1), as well as study requests. All comments on the PAD and SD1, and study requests should be sent to the address above in paragraph h. In addition, all comments on the PAD and SD1, study requests, requests for cooperating agency status, and all communications to and from Commission staff related to the merits of the potential application must be filed with the Commission.

The Commission strongly encourages electronic filing. Please file all documents using the Commission's eFiling system at <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <http://www.ferc.gov/docs-filing/ecomment.asp>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov. In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426. The first page of any filing should include docket number P-2879-011.

All filings with the Commission must bear the appropriate heading: "Comments on Pre-Application Document," "Study Requests," "Comments on Scoping Document 1," "Request for Cooperating Agency Status," or "Communications to and from Commission Staff." Any individual or entity interested in submitting study requests, commenting on the PAD or SD1, and any agency requesting cooperating status must do so by May 30, 2017.

p. Although our current intent is to prepare an environmental assessment (EA), there is the possibility that an Environmental Impact Statement (EIS) will be required. Nevertheless, this meeting will satisfy the NEPA scoping requirements, irrespective of whether an EA or EIS is issued by the Commission.

Scoping Meetings

Commission staff will hold two scoping meetings in the vicinity of the project at the times and places noted

below. The daytime meeting will focus on resource agency, Indian tribes, and non-governmental organization concerns, while the evening meeting is primarily for receiving input from the public. We invite all interested individuals, organizations, and agencies to attend one or both of the meetings, and to assist staff in identifying particular study needs, as well as the scope of environmental issues to be addressed in the environmental document. The times and locations of these meetings are as follows:

Evening Scoping Meeting

Date: Tuesday, April 25, 2017.

Time: 6:00 p.m.

Location: Waterbury Municipal Complex, 28 North Main Street, Waterbury, VT 05676.

Phone: (802) 244-7033.

Daytime Scoping Meeting

Date: Wednesday, April 26, 2017.

Time: 9:00 a.m.

Location: Capitol Plaza Hotel and Conference Center, 100 State Street, Montpelier, VT 05602.

Phone: (802) 223-5252.

Scoping Document 1 (SD1), which outlines the subject areas to be addressed in the environmental document, was mailed to the individuals and entities on the Commission's mailing list. Copies of SD1 will be available at the scoping meetings, or may be viewed on the web at <http://www.ferc.gov>, using the "eLibrary" link. Follow the directions for accessing information in paragraph n. Based on all oral and written comments, a Scoping Document 2 (SD2) may be issued. SD2 may include a revised process plan and schedule, as well as a list of issues, identified through the scoping process.

Environmental Site Review

The potential applicant and Commission staff will conduct an Environmental Site Review (site visit) of the project on Tuesday, April 25, starting at 2:00 p.m., and ending at or about 3:30. All participants should meet at 1:45 p.m. at 341 Power Plant Road, Duxbury, Vermont, at the parking lot located to the left off Power Plant Road before you reach the substation and powerhouse. Participants are responsible for their own transportation. Persons with questions about the site visit should contact John Greenan (802-770-3213) or Gary Lemay (603-428-4960). Persons planning on participating in the site visit should contact Gary Lemay (603-428-4960; glemay@gomezandsullivan.com) or Sharon Lucia (Sharon.Lucia@

greenmountainpower.com) on or before April 11, 2017.

Meeting Objectives

At the scoping meetings, staff will: (1) Initiate scoping of the issues; (2) review and discuss existing conditions and resource management objectives; (3) review and discuss existing information and identify preliminary information and study needs; (4) review and discuss the process plan and schedule for pre-filing activity that incorporates the time frames provided for in Part 5 of the Commission's regulations and, to the extent possible, maximizes coordination of federal, state, and tribal permitting and certification processes; and (5) discuss the appropriateness of any federal or state agency or Indian tribe acting as a cooperating agency for development of an environmental document.

Meeting participants should come prepared to discuss their issues and/or concerns. Please review the PAD in preparation for the scoping meetings. Directions on how to obtain a copy of the PAD and SD1 are included in item n. of this document.

Meeting Procedures

The meetings will be recorded by a stenographer and will be placed in the public records of the project.

Dated: March 31, 2017.

Kimberly D. Bose,
Secretary.

[FR Doc. 2017-06846 Filed 4-5-17; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 14834-000]

Merchant Hydro Developers, LLC; Notice of Preliminary Permit Application Accepted for Filing and Soliciting Comments, Motions To Intervene, and Competing Applications

On January 18, 2017, Merchant Hydro Developers, LLC, filed an application for a preliminary permit, pursuant to section 4(f) of the Federal Power Act (FPA), proposing to study the feasibility of the Stony Creek Pumped Storage Hydro Project to be located near the town of Somerset in Somerset County, Pennsylvania. The sole purpose of a preliminary permit, if issued, is to grant the permit holder priority to file a license application during the permit term. A preliminary permit does not authorize the permit holder to perform any land-disturbing activities or

otherwise enter upon lands or waters owned by others without the owners' express permission.

The proposed project would consist of the following: (1) A new upper reservoir having a surface area of 100 acres and a storage capacity of 1,500 acre-feet at a surface elevation of approximately 2,540 feet above mean sea level (msl) created through construction of new roller-compacted concrete or rock-filled dams; (2) a new lower reservoir having a surface area of 40 acres and a storage capacity of 1,800 acre-feet at a surface elevation of approximately 1,800 feet msl created through construction of new roller-compacted concrete or rock-filled dams; (3) a new 2,560-foot-long, 48-inch-diameter penstock connecting the upper and lower reservoirs; (4) a new 150-foot-long, 50-foot-wide powerhouse containing two turbine-generator units with a total rated capacity of 91 megawatts; (5) a new transmission line connecting the powerhouse to a nearby electric grid interconnection point with options to evaluate multiple grid interconnection locations; and (6) appurtenant facilities. Possible initial fill water and make-up water would come from Stony Creek Lake. The proposed project would have an annual generation of 332,152 megawatt-hours.

Applicant Contact: Adam Rousselle, Merchant Hydro Developers, LLC, 5710 Oak Crest Drive, Doylestown, PA 18902; phone: (267) 254-6107.

FERC Contact: Tim Looney; phone: (202) 502-6096.

Deadline for filing comments, motions to intervene, competing applications (without notices of intent), or notices of intent to file competing applications: 60 days from the issuance of this notice. Competing applications and notices of intent must meet the requirements of 18 CFR 4.36.

The Commission strongly encourages electronic filing. Please file comments, motions to intervene, notices of intent, and competing applications using the Commission's eFiling system at <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <http://www.ferc.gov/docs-filing/ecomment.asp>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov, (866) 208-3676 (toll free), or (202) 502-8659 (TTY). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426. The first page of any filing should include docket number P-14834-000.

More information about this project, including a copy of the application, can be viewed or printed on the "eLibrary" link of the Commission's Web site at <http://www.ferc.gov/docs-filing/elibrary.asp>. Enter the docket number (P-14834) in the docket number field to access the document. For assistance, contact FERC Online Support.

Dated: March 30, 2017.

Kimberly D. Bose,

Secretary.

[FR Doc. 2017-06838 Filed 4-5-17; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RD16-10-000]

Commission Information Collection Activities (FERC-725e); Comment Request; Revision

AGENCY: Federal Energy Regulatory Commission, Department of Energy.

ACTION: Notice of revised information collection and request for comments.

SUMMARY: In compliance with the requirements of the Paperwork Reduction Act the Federal Energy Regulatory Commission (Commission or FERC) is soliciting public comment on a revision to the information collection, FERC-725E (Mandatory Reliability Standards for the Western Electric Coordinating Council) which will be submitted to the Office of Management and Budget (OMB) for a review of the information collection requirements.

DATES: Comments on the collection of information are due June 5, 2017.

ADDRESSES: You may submit comments (identified by Docket No. RD16-10-000) by either of the following methods:

- *eFiling at Commission's Web site:* <http://www.ferc.gov/docs-filing/efiling.asp>

- *Mail/Hand Delivery/Courier:* Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street NE., Washington, DC 20426.

Instructions: All submissions must be formatted and filed in accordance with submission guidelines at: <http://www.ferc.gov/help/submission-guide.asp>. For user assistance contact FERC Online Support by email at ferconlinesupport@ferc.gov, or by phone at: (866) 208-3676 (toll-free), or (202) 502-8659 for TTY.

Docket: Users interested in receiving automatic notification of activity in this docket or in viewing/downloading comments and issuances in this docket

may do so at <http://www.ferc.gov/docs-filing/docs-filing.asp>.

FOR FURTHER INFORMATION CONTACT:

Ellen Brown may be reached by email at DataClearance@FERC.gov, telephone at (202) 502-8663, and fax at (202) 273-0873.

SUPPLEMENTARY INFORMATION:

Title: FERC-725E, Mandatory Reliability Standards for the Western Electric Coordinating Council.

OMB Control No.: 1902-0246.

Type of Request: Revision to the FERC-725E information collection requirements, as discussed in Docket No. RD16-10.

Abstract: On March 23, 2016 (and supplemented on November 16, 2016), the North American Electric Reliability Corporation (NERC) and Western Electricity Coordinating Council (WECC) filed a joint petition to retire regional Reliability Standard TOP-007-WECC-1a—System Operating Limits ("SOL"). The purpose of the proposed retirement is to shift away from the path-centric model and allow entities in the Western Interconnection to align their operating practices with the framework established in the continent-wide TOP/IRO Reliability Standards approved in Order No. 817,¹ which, according to NERC and WECC, achieve the objective of operating within acceptable pre- and post-contingency reliability criteria (*i.e.*, within SOLs and Interconnection Reliability Operating Limits ("IROL")). On March 10, 2017, the Commission approved the retirement of regional Reliability Standard TOP-007-WECC-1a.²

The remaining reporting requirements included in FERC-725E are not being revised.³

Type of Respondents: Public utilities.

*Estimate of Annual Burden*⁴: The Commission estimates the reduction in the annual public reporting burden for the FERC-725E (due to the retirement of

¹ The burdens related to Order No. 871 are included in FERC-725Z (Mandatory Reliability Standards: IRO Reliability Standards, OMB Control No. 1902-0276), and FERC-725A (Mandatory Reliability Standards for the Bulk-Power System, OMB Control No. 1902-0244).

² The Delegated Letter Order is posted in FERC's eLibrary at <https://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=14515285>.

³ In the current OMB-approved inventory for FERC-725E, the total remaining requirements are estimated annually at 7,038 burden hours for reporting and 771 burden hours for recordkeeping.

⁴ Burden is defined as the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. For further explanation of what is included in the information collection burden, refer to 5 Code of Federal Regulations 1320.3.

regional Reliability Standard TOP-007-WECC-1a) as follows:⁵

FERC-725E, MANDATORY RELIABILITY STANDARDS FOR THE WESTERN ELECTRIC COORDINATING COUNCIL, REDUCTIONS DUE TO DOCKET NO. RD16-10

Information collection requirements	Number of respondents (1)	Annual number of responses per respondent (2)	Total number of responses (1) * (2) = (3)	Average burden hours & cost per response (4)	Total annual burden hours & total annual cost (3) * (4) = (5)
Reporting Requirement—Transmission Operators that operate qualified transfer paths ⁶ .	9	3	27	40 hrs.; \$2,908	1,080 hrs.; \$78,516.
Recordkeeping Requirement—Transmission Operators that operate qualified transfer paths.	9	1	.....	12 hrs.; \$347	108 hrs.; \$3,124.
TOTAL REDUCTION (Due to Docket No. RD16-10).	.....	.....	.....	.....	1,188 hrs.; \$81,640.

Comments: Comments are invited on: (1) Whether the collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Dated: March 31, 2017.

Kimberly D. Bose,
Secretary.

[FR Doc. 2017-06847 Filed 4-5-17; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 349-193]

Alabama Power Company; Notice of Application Accepted for Filing and Soliciting Comments, Motions To Intervene, and Protests

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

- a. *Application Type:* Shoreline Management Plan.
- b. *Project No:* 349-193.
- c. *Date Filed:* December 19, 2016.

d. *Applicant:* Alabama Power Company.

e. *Name of Project:* Martin Dam Hydroelectric Project.

f. *Location:* The project is located on the Tallapoosa River in Coosa and Elmore counties, Alabama.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791a-825r.

h. *Applicant Contact:* David Anderson, (205) 257-1398, dkanders@southernco.com.

i. *FERC Contact:* Krista Sakallaris, (202) 502-6302, krista.sakallaris@ferc.gov.

j. *Deadline for filing comments, motions to intervene, and protests:* May 1, 2017.

The Commission strongly encourages electronic filing. Please file comments, motions to intervene, and protests using the Commission's eFiling system at <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <http://www.ferc.gov/docs-filing/ecomment.asp>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov, (866) 208-3676 (toll free), or (202) 502-8659 (TTY). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426. The first page of any filing should include docket number P-349-193. Comments emailed to Commission staff are not considered part of the Commission record.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person whose name appears on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. *Description of Request:* The licensee filed for Commission approval a revised Shoreline Management Plan pursuant to Article 412 of the license order issued December 17, 2015. The revised plan incorporates the provisions required by Article 412 into the previously approved plan, as well as project boundary modifications and the reclassification of some project lands. The plan also includes three proposed changes to the project boundary, these changes were previously reviewed and acted on at the time of relicensing; however, Alabama Power has received and provided additional information prompting the request for potential revision to the previously approved plan.

l. *Locations of the Application:* A copy of the application is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street NE., Room 2A, Washington, DC 20426, or by calling (202) 502-8371. This filing may also be viewed on the Commission's Web site at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number excluding the last three digits in

⁵ The reductions in burden and cost shown in the table are the same figures as those in the current

OMB-approved inventory for the reporting and recordkeeping requirements, now being retired.

⁶ This is based on burden estimates taken from the Order in Docket No. RR07-11-000, P. 130.

the docket number field to access the document. You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call 1-866-208-3676 or email FERCOnlineSupport@ferc.gov, for TTY, call (202) 502-8659. A copy is also available for inspection and reproduction at the address in item (h) above. Agencies may obtain copies of the application directly from the applicant.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. *Comments, Protests, or Motions to Intervene:* Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214, respectively. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

o. *Filing and Service of Documents:* Any filing must (1) bear in all capital letters the title "COMMENTS", "PROTEST", or "MOTION TO INTERVENE" as applicable; (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person commenting, protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis. Any filing made by an intervenor must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 385.2010.

Dated: March 31, 2017.

Kimberly D. Bose,

Secretary.

[FR Doc. 2017-06845 Filed 4-5-17; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER10-2507-011.

Applicants: Westar Energy, Inc.

Description: Notice of Non-Material Change in Status of Westar Energy, Inc.
Filed Date: 3/29/17.

Accession Number: 20170329-5285.

Comments Due: 5 p.m. ET 4/19/17.

Docket Numbers: ER17-1335-000.

Applicants: Western Massachusetts Electric Company.

Description: § 205(d) Rate Filing: Two Party Interconnection Agreement with Nautilus Hydro for Dwight Hydro to be effective 3/29/2017.

Filed Date: 3/29/17.

Accession Number: 20170329-5236.

Comments Due: 5 p.m. ET 4/19/17.

Docket Numbers: ER17-1336-000.

Applicants: Western Massachusetts Electric Company.

Description: § 205(d) Rate Filing: Two Party Interconnection Agreement with Nautilus Hydro for Gardners Falls to be effective 3/29/2017.

Filed Date: 3/29/17.

Accession Number: 20170329-5245.

Comments Due: 5 p.m. ET 4/19/17.

Docket Numbers: ER17-1337-000.

Applicants: California Independent System Operator Corporation.

Description: § 205(d) Rate Filing: 2017-03-27 Extension of PIRP Protective Measures Amendment to be effective 5/1/2017.

Filed Date: 3/29/17.

Accession Number: 20170329-5249.

Comments Due: 5 p.m. ET 4/19/17.

Docket Numbers: ER17-1338-000.

Applicants: Western Massachusetts Electric Company.

Description: § 205(d) Rate Filing: Two Party Interconnection Agreement with Nautilus Hydro for Indian Orchard to be effective 3/29/2017.

Filed Date: 3/29/17.

Accession Number: 20170329-5255.

Comments Due: 5 p.m. ET 4/19/17.

Docket Numbers: ER17-1339-000.

Applicants: Western Massachusetts Electric Company.

Description: § 205(d) Rate Filing: Two Party Interconnection Agreement with Nautilus Hydro for Putts Bridge to be effective 3/29/2017.

Filed Date: 3/30/17.

Accession Number: 20170330-5000.

Comments Due: 5 p.m. ET 4/20/17.

Docket Numbers: ER17-1340-000.

Applicants: Western Massachusetts Electric Company.

Description: § 205(d) Rate Filing: Two Party Interconnection Agreement with Nautilus Hydro for Red Bridge to be effective 3/29/2017.

Filed Date: 3/30/17.

Accession Number: 20170330-5001.

Comments Due: 5 p.m. ET 4/20/17.

Docket Numbers: ER17-1341-000.

Applicants: Southwest Power Pool, Inc.

Description: § 205(d) Rate Filing: 3313 WAPA & Grand Electric Coop Interconnection Agreement to be effective 3/1/2017.

Filed Date: 3/30/17.

Accession Number: 20170330-5005.

Comments Due: 5 p.m. ET 4/20/17.

Docket Numbers: ER17-1342-000.

Applicants: Duke Energy Florida, LLC
Description: § 205(d) Rate Filing: Joint OATT Real Power Loss (DEF) 2017 to be effective 5/1/2017.

Filed Date: 3/30/17.

Accession Number: 20170330-5036.

Comments Due: 5 p.m. ET 4/20/17.

Docket Numbers: ER17-1343-000.

Applicants: Midcontinent Independent System Operator, Inc.
Description: § 205(d) Rate Filing: 2017-03-30 SA 1136 NSP-GM GIA (G171 G242 G239 J554) to be effective 3/16/2017.

Filed Date: 3/30/17.

Accession Number: 20170330-5091.

Comments Due: 5 p.m. ET 4/20/17.

Docket Numbers: ER17-1344-000.

Applicants: Public Service Company of Colorado.

Description: § 205(d) Rate Filing: OATT Attach T—Form of Svc Agrmt for BAAS to be effective 5/30/2017.

Filed Date: 3/30/17.

Accession Number: 20170330-5095.

Comments Due: 5 p.m. ET 4/20/17.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: <http://www.ferc.gov/docs-filing/efiling/filing-req.pdf>. For other information, call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Dated: March 30, 2017.

Kimberly D. Bose,
Secretary.

[FR Doc. 2017-06839 Filed 4-5-17; 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 exempt wholesale generator filings:

Docket Numbers: EG17-89-000.

Applicants: Red Pine Wind Project, LLC.

Description: Notice of Self-Certification of Exempt Wholesale Generator Status of Red Pine Wind Project, LLC.

Filed Date: 3/31/17.

Accession Number: 20170331-5349.

Comments Due: 5 p.m. ET 4/21/17.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER16-938-006.

Applicants: Arizona Public Service Company.

Description: Compliance filing: EIM OATT Modifications to be effective 6/1/2017.

Filed Date: 3/31/17.

Accession Number: 20170331-5376.

Comments Due: 5 p.m. ET 4/21/17.

Docket Numbers: ER17-1362-000.

Applicants: Duke Energy Progress, LLC, Duke Energy Carolinas, LLC.

Description: § 205(d) Rate Filing: DEC-DEP GSU losses Revised PPA Filing to be effective 6/1/2017.

Filed Date: 3/31/17.

Accession Number: 20170331-5285.

Comments Due: 5 p.m. ET 4/21/17.

Docket Numbers: ER17-1363-000.

Applicants: Duke Energy Carolinas, LLC, Duke Energy Progress, LLC.

Description: § 205(d) Rate Filing: DEC-DEP GSU losses Revised PPA Filing to be effective 6/1/2017.

Filed Date: 3/31/17.

Accession Number: 20170331-5296.

Comments Due: 5 p.m. ET 4/21/17.

Docket Numbers: ER17-1364-000.

Applicants: New England Power Pool Participants Committee.

Description: § 205(d) Rate Filing: Apr 2017 Membership Filing to be effective 4/1/2017.

Filed Date: 3/31/17.

Accession Number: 20170331-5299.

Comments Due: 5 p.m. ET 4/21/17.

Docket Numbers: ER17-1365-000.

Applicants: CL Power Sales Eight, L.L.C.

Description: Tariff Cancellation: Notice of Cancellation to be effective 4/1/2017.

Filed Date: 3/31/17.

Accession Number: 20170331-5317.

Comments Due: 5 p.m. ET 4/21/17.

Docket Numbers: ER17-1366-000.

Applicants: PJM Interconnection, L.L.C.

Description: § 205(d) Rate Filing: ISA Service Agreement No. 4661, Queue Position AA2-115 to be effective 3/2/2017.

Filed Date: 3/31/17.

Accession Number: 20170331-5318.

Comments Due: 5 p.m. ET 4/21/17.

Docket Numbers: ER17-1367-000.

Applicants: Public Service Company of New Mexico.

Description: Application of Public Service Company of New Mexico for 2017 Transmission Formula Rate Post-Retirement Benefits Other than Pensions Expense.

Filed Date: 3/31/17.

Accession Number: 20170331-5362.

Comments Due: 5 p.m. ET 4/21/17.

Docket Numbers: ER17-1368-000.

Applicants: Cleco Power LLC.

Description: Monthly System Support Resource Payment for Teche Unit No. 3 of Cleco Power LLC.

Filed Date: 3/31/17.

Accession Number: 20170331-5369.

Comments Due: 5 p.m. ET 4/21/17.

Docket Numbers: ER17-1369-000.

Applicants: Public Service Company of Colorado.

Description: 2016 Post-Retirement Benefits Other than Pensions of Public Service Company of Colorado.

Filed Date: 3/31/17.

Accession Number: 20170331-5400.

Comments Due: 5 p.m. ET 4/21/17.

Docket Numbers: ER17-1370-000.

Applicants: ENGIE Energy Marketing NA, Inc.

Description: § 205(d) Rate Filing: Notice of Succession to be effective 5/31/2017.

Filed Date: 3/31/17.

Accession Number: 20170331-5425.

Comments Due: 5 p.m. ET 4/21/17.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and § 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: <http://www.ferc.gov/docs-filing/efiling/filing-req.pdf>. For other information, call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Dated: March 31, 2017.

Kimberly D. Bose,
Secretary.

[FR Doc. 2017-06842 Filed 4-5-17; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following electric corporate filings:

Docket Numbers: EC17-99-000.

Applicants: Perigee Energy, LLC.

Description: Application For Authorization Under Section 203 Of The Federal Power Act And Requests For Waivers Of Filing Requirements And For Privileged And Confidential Treatment of Perigee Energy, LLC.

Filed Date: 3/30/17.

Accession Number: 20170330-5359.

Comments Due: 5 p.m. ET 4/20/17.

Take notice that the Commission received the following exempt wholesale generator filings:

Docket Numbers: EG17-87-000.

Applicants: Callahan Wind Divide, LLC.

Description: Notice of Self-Certification of Exempt Wholesale Generator Status of Callahan Wind Divide, LLC.

Filed Date: 3/31/17.

Accession Number: 20170331-5279.

Comments Due: 5 p.m. ET 4/21/17.

Docket Numbers: EG17-88-000.

Applicants: Horse Hollow Wind I, LLC.

Description: Notice of Self-Certification of Exempt Wholesale Generator Status of Horse Hollow Wind I, LLC.

Filed Date: 3/31/17.

Accession Number: 20170331-5280.

Comments Due: 5 p.m. ET 4/21/17.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER11-4338-003.

Applicants: New York Independent System Operator, Inc.

Description: Compliance filing: Compliance of effective date notice re: Order No. 745 Demand Response to be effective 4/7/2015.

Filed Date: 3/31/17.
Accession Number: 20170331–5185.
Comments Due: 5 p.m. ET 4/21/17.
Docket Numbers: ER16–2360–003.
Applicants: Great Western Wind Energy, LLC.
Description: Notice of Non-Material Change in Status of Great Western Wind Energy, LLC.
Filed Date: 3/30/17.
Accession Number: 20170330–5363.
Comments Due: 5 p.m. ET 4/20/17.
Docket Numbers: ER17–734–001.
Applicants: Entergy Louisiana Power, LLC.
Description: Tariff Amendment: Cancellation of CID to be effective 12/31/9998.
Filed Date: 3/30/17.
Accession Number: 20170330–5305.
Comments Due: 5 p.m. ET 4/20/17.
Docket Numbers: ER17–1350–000.
Applicants: Entergy Louisiana, LLC.
Description: § 205(d) Rate Filing: ELL–SRMPA 13th Extension of Interim Agreement to be effective 4/1/2017.
Filed Date: 3/30/17.
Accession Number: 20170330–5304.
Comments Due: 5 p.m. ET 4/20/17.
Docket Numbers: ER17–1351–000.
Applicants: Scrubgrass Generating Company, L.P.
Description: § 205(d) Rate Filing: CIS re Q Power to be effective 3/31/2017.
Filed Date: 3/30/17.
Accession Number: 20170330–5308.
Comments Due: 5 p.m. ET 4/20/17.
Docket Numbers: ER17–1352–000.
Applicants: Southwest Power Pool, Inc.
Description: § 205(d) Rate Filing: 1276R13 Kansas City Power & Light Company NITSA and NOA to be effective 3/1/2017.
Filed Date: 3/30/17.
Accession Number: 20170330–5322.
Comments Due: 5 p.m. ET 4/20/17.
Docket Numbers: ER17–1353–000.
Applicants: PJM Interconnection, L.L.C., Pennsylvania Electric Company, Mid-Atlantic Interstate Transmission, LL.
Description: § 205(d) Rate Filing: MAIT and Penelec submit engineering and construction services agreement No. 4558 to be effective 4/1/2017.
Filed Date: 3/30/17.
Accession Number: 20170330–5336.
Comments Due: 5 p.m. ET 4/20/17.
Docket Numbers: ER17–1354–000.
Applicants: Consolidated Edison Company of New York, Inc.
Description: § 205(d) Rate Filing: Clean Energy Surcharge to be effective 4/1/2017.
Filed Date: 3/31/17.
Accession Number: 20170331–5001.

Comments Due: 5 p.m. ET 4/21/17.
Docket Numbers: ER17–1355–000.
Applicants: AEP Texas Inc.
Description: § 205(d) Rate Filing: AEP TX–Texas-New Mexico Power Interconnection Agreement to be effective 3/15/2017.
Filed Date: 3/31/17.
Accession Number: 20170331–5105.
Comments Due: 5 p.m. ET 4/21/17.
Docket Numbers: ER17–1356–000.
Applicants: AEP Texas Inc.
Description: § 205(d) Rate Filing: AEP TX–RES Cactus Flats Wind Interconnection Agreement to be effective 3/15/2017.
Filed Date: 3/31/17.
Accession Number: 20170331–5108.
Comments Due: 5 p.m. ET 4/21/17.
Docket Numbers: ER17–1357–000.
Applicants: Duke Energy Progress, LLC, Duke Energy Carolinas, LLC.
Description: § 205(d) Rate Filing: Joint OATT DEP and DEC Real Power Loss Factor Filing to be effective 6/1/2017.
Filed Date: 3/31/17.
Accession Number: 20170331–5127.
Comments Due: 5 p.m. ET 4/21/17.
Docket Numbers: ER17–1358–000.
Applicants: PJM Interconnection, L.L.C.
Description: § 205(d) Rate Filing: Amendment to Service Agreement No. 4608; Queue No. AB1–027 to be effective 1/4/2017.
Filed Date: 3/31/17.
Accession Number: 20170331–5192.
Comments Due: 5 p.m. ET 4/21/17.
Docket Numbers: ER17–1359–000.
Applicants: Avista Corporation.
Description: Notice of Termination of Transmission Service Agreement No. T1082–5 of Avista Corporation.
Filed Date: 3/31/17.
Accession Number: 20170331–5207.
Comments Due: 5 p.m. ET 4/21/17.
Docket Numbers: ER17–1360–000.
Applicants: Midcontinent Independent System Operator, Inc.
Description: § 205(d) Rate Filing: 2017–03–31 SA 2931 ATC-Wisconsin Power & Light Amended E&P (J390) to be effective 3/30/2017.
Filed Date: 3/31/17.
Accession Number: 20170331–5241.
Comments Due: 5 p.m. ET 4/21/17.
Docket Numbers: ER17–1361–000.
Applicants: Public Service Company of New Mexico.
Description: § 205(d) Rate Filing: Annual Real Power Loss Factor Filing for 2017 to be effective 6/1/2017.
Filed Date: 3/31/17.
Accession Number: 20170331–5261.
Comments Due: 5 p.m. ET 4/21/17.
 Take notice that the Commission received the following electric securities filings:

Docket Numbers: ES17–15–000.
Applicants: ISO New England Inc.
Description: ISO New England Inc. Application Under Section 204 of the Federal Power Act for an Order Authorizing Future Drawdowns Under Existing Authorized Securities.
Filed Date: 3/31/17.
Accession Number: 20170331–5166.
Comments Due: 5 p.m. ET 4/21/17.
 The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and § 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: <http://www.ferc.gov/docs-filing/efiling/filing-req.pdf>. For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: March 31, 2017.

Kimberly D. Bose,
 Secretary.

[FR Doc. 2017–06841 Filed 4–5–17; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Commission Staff Attendance

The Federal Energy Regulatory Commission (Commission) hereby gives notice that members of the Commission's staff may attend the following meetings related to the transmission planning activities of the New York Independent System Operator, Inc. (NYISO):

NYISO Electric System Planning Working Group Meeting

April 6, 2017, 1:00 p.m.–4:00 p.m. (EST).

The above-referenced meeting will be via web conference and teleconference.

The above-referenced meeting is open to stakeholders.

Further information may be found at: http://www.nyiso.com/public/committees/documents.jsp?com=bic_espwg&directory=2017-04-03.

NYISO Business Issues Committee Meeting

April 12, 2017, 10:00 a.m.–1:00 p.m. (EST)

The above-referenced meeting will be via web conference and teleconference.

The above-referenced meeting is open to stakeholders.

Further information may be found at: <http://www.nyiso.com/public/committees/documents.jsp?com=bic&directory=2017-04-12>.

NYISO Operating Committee Meeting

April 12, 2017, 1:00 p.m.–4:00 p.m. (EST)

The above-referenced meeting will be via web conference and teleconference.

The above-referenced meeting is open to stakeholders.

Further information may be found at: <http://www.nyiso.com/public/committees/documents.jsp?com=oc&directory=2017-04-12>.

NYISO Electric System Planning Working Group Meeting

April 19, 2017, 10:00 a.m.–4:00 p.m. (EST)

The above-referenced meeting will be via web conference and teleconference.

The above-referenced meeting is open to stakeholders.

Further information may be found at: http://www.nyiso.com/public/committees/documents.jsp?com=bic_espwg&directory=2017-04-19.

NYISO Management Committee Meeting

April 26, 2017, 10:00 a.m.–4:00 p.m. (EST)

The above-referenced meeting will be via web conference and teleconference.

The above-referenced meeting is open to stakeholders.

Further information may be found at: <http://www.nyiso.com/public/committees/documents.jsp?com=mc&directory=2017-04-26>.

The discussions at the meetings described above may address matters at issue in the following proceedings:

New York Independent System Operator, Inc., Docket No. ER13–102.

New York Independent System Operator, Inc., Docket No. ER15–2059.

New York Transco, LLC, Docket No. ER15–572.

For more information, contact James Eason, Office of Energy Market Regulation, Federal Energy Regulatory Commission at (202) 502–8622 or James.Eason@ferc.gov.

Dated: March 31, 2017.

Kimberly D. Bose,

Secretary.

[FR Doc. 2017–06843 Filed 4–5–17; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY**Southeastern Power Administration****Proposed Rate Adjustment, Public Forum, and Opportunities for Public Review and Comment for Georgia-Alabama-South Carolina System of Projects**

AGENCY: Southeastern Power Administration, DOE.

ACTION: Notice of proposed rate.

SUMMARY: Southeastern Power Administration (Southeastern) proposes to revise existing schedules of rates and charges applicable to the sale of power from the Georgia-Alabama-South Carolina System of Projects effective for a 5-year period, October 1, 2017, through September 30, 2022. Additionally, opportunities will be available for interested persons to review the present rates and the proposed rates and supporting studies, to participate in a public forum and to submit written comments. Southeastern will evaluate all comments received in this process.

DATES: Written comments are due on or before July 5, 2017. A public information and comment forum will be held in Savannah, Georgia, at 2:30 p.m. on May 9, 2017. Persons desiring to attend the forum should notify Southeastern by May 2, 2017, so that a list of forum participants can be prepared. Persons desiring to speak at the forum should specify this in their notification to Southeastern; others may speak if time permits. If Southeastern has not been notified by close of business on May 2, 2017, that at least one person intends to be present at the forum, the forum may be canceled with no further notice.

ADDRESSES: Written comments should be submitted to: Administrator, Southeastern Power Administration, Department of Energy, 1166 Athens Tech Road, Elberton, Georgia, 30635–6711. The public information and comment forum for the Georgia-Alabama-South Carolina System of Projects will be at the DoubleTree Hotel Savannah Historic District, 411 West Bay Street, Savannah, Georgia 31401, Phone: (912) 790–7000.

FOR FURTHER INFORMATION CONTACT: Virgil Hobbs, Assistant Administrator, Finance & Marketing, Southeastern

Power Administration, Department of Energy, 1166 Athens Tech Road, Elberton, Georgia 30635, (706) 213–3838.

SUPPLEMENTARY INFORMATION: The Federal Energy Regulatory Commission (FERC) confirmed and approved on a final basis Wholesale Power Rate Schedules SOCO–1–E, SOCO–2–E, SOCO–3–E, SOCO–4–E, ALA–1–N, MISS–1–N, Duke–1–E, Duke–2–E, Duke–3–E, Duke–4–E, Santee–1–E, Santee–2–E, Santee–3–E, Santee–4–E, SCE&G–1–E, SCE&G–2–E, SCE&G–3–E, SCE&G–4–E, Pump–1–A, Pump–2, Regulation–1, and Replacement–1 applicable to Georgia-Alabama-South Carolina System of Projects' power for a period ending September 30, 2017. (143 FERC ¶ 62,002; Apr. 2, 2013).

Discussion: The Georgia-Alabama-South Carolina System (System) consists of ten projects in or on the border of the states of Georgia, Alabama, and South Carolina. The power generated at these projects is sold to 170 preference entities serving 203 preference customers in Alabama, Florida, Georgia, Mississippi, South Carolina, and North Carolina. The System provides 2,184,232 kilowatts of capacity and about 3,381,000 MWh of average annual energy from stream-flow based on modeling for the period of record.

Existing rate schedules are predicated upon a July 2012 repayment study and other supporting data. A repayment study prepared in February of 2017 shows that existing rates meet repayment criteria and would generate a large surplus.

The revised repayment study shows that a revenue reduction of \$18,991,000 in Fiscal Year 2018 and all future years over the current repayment study will result in all costs being repaid within the term of these rate schedules or their service life. The revenue requirement is \$200,000,000 per year. Southeastern is proposing to revise the existing rate schedules to generate this revenue. The rate adjustment reduces the Revenue Requirement by about nine percent (9%). To collect this reduced revenue requirement, rates for capacity have been reduced by fifteen percent (15%). The current energy rate will be extended.

This rate reduction is due to capitalized deficits that were unpaid in 2012 being recovered, and required payments due in the last five years being met.¹ Southeastern is proposing

¹In 2012, Southeastern had large repayment obligations on two system projects as well as outstanding capitalized deferred expenses. These

the following rate schedules to be effective for the period from October 1, 2017, through September 30, 2022.

Rate Schedule SOCO-1-F

Available to public bodies and cooperatives in Georgia, Alabama, Mississippi, and Florida to whom power may be wheeled and scheduled pursuant to contracts between the Government and Southern Company Services, Inc.

Rate Schedule SOCO-2-F

Available to public bodies and cooperatives in Georgia, Alabama, Mississippi, and Florida to whom power may be wheeled pursuant to contracts between the Government and Southern Company Services, Inc. The customer is responsible for providing a scheduling arrangement with the Government.

Rate Schedule SOCO-3-F

Available to public bodies and cooperatives in Georgia, Alabama, Mississippi, and Florida to whom power may be scheduled pursuant to contracts between the Government and Southern Company Services, Inc. The customer is responsible for providing a transmission arrangement.

Rate Schedule SOCO-4-F

Available to public bodies and cooperatives in Georgia, Alabama, Mississippi, and Florida served through the transmission facilities of Southern Company Services, Inc. The customer is responsible for providing a scheduling arrangement with the Government and for providing a transmission arrangement.

Rate Schedule ALA-1-O

Available to PowerSouth Energy Cooperative.

Rate Schedule Duke-1-F

Available to public bodies and cooperatives in North Carolina and South Carolina to whom power may be wheeled and scheduled pursuant to contracts between the Government and Duke Energy Carolinas.

Rate Schedule Duke-2-F

Available to public bodies and cooperatives in North Carolina and South Carolina to whom power may be wheeled pursuant to contracts between the Government and Duke Energy Carolinas. The customer is responsible for providing a scheduling arrangement with the Government.

Rate Schedule Duke-3-F

Available to public bodies and cooperatives in North Carolina and South Carolina to whom power may be scheduled pursuant to contracts between the Government and Duke Energy Carolinas. The customer is responsible for providing a transmission arrangement.

Rate Schedule Duke-4-F

Available to public bodies and cooperatives in North Carolina and South Carolina served through the transmission facilities of Duke Energy Carolinas. The customer is responsible for providing a scheduling arrangement with the Government and for providing a transmission arrangement.

Rate Schedule Santee-1-F

Available to public bodies and cooperatives in South Carolina to whom power may be wheeled and scheduled pursuant to contracts between the Government and South Carolina Public Service Authority.

Rate Schedule Santee-2-F

Available to public bodies and cooperatives in South Carolina to whom power may be wheeled pursuant to contracts between the Government and South Carolina Public Service Authority. The customer is responsible for providing a scheduling arrangement with the Government.

Rate Schedule Santee-3-F

Available to public bodies and cooperatives in South Carolina to whom power may be scheduled pursuant to contracts between the Government and South Carolina Public Service Authority. The customer is responsible for providing a transmission arrangement.

Rate Schedule Santee-4-F

Available to public bodies and cooperatives in South Carolina served through the transmission facilities of South Carolina Public Service Authority. The customer is responsible for providing a scheduling arrangement with the Government and for providing a transmission arrangement.

Rate Schedule SCE&G-1-F

Available to public bodies and cooperatives in South Carolina to whom power may be wheeled and scheduled pursuant to contracts between the Government and South Carolina Electric & Gas Company.

Rate Schedule SCE&G-2-F

Available to public bodies and cooperatives in South Carolina to whom power may be wheeled pursuant to contracts between the Government and South Carolina Electric & Gas Company. The customer is responsible for providing a scheduling arrangement with the Government.

Rate Schedule SCE&G-3-F

Available to public bodies and cooperatives in South Carolina to whom power may be scheduled pursuant to contracts between the Government and South Carolina Electric & Gas Company. The customer is responsible for providing a transmission arrangement.

Rate Schedule SCE&G-4-F

Available to public bodies and cooperatives in South Carolina served through the transmission facilities of South Carolina Electric & Gas Company. The customer is responsible for providing a scheduling arrangement with the Government and for providing a transmission arrangement.

Rate Schedule Pump-1-A

Available to all customers of the Georgia-Alabama-South Carolina System and applicable to energy from pumping operations at the Carters and Richard B. Russell Projects.

Rate Schedule Replacement-1

Available to all customers in the Georgia-Alabama-South Carolina System and applicable to replacement energy.

The proposed rates for capacity, energy, and generation services are as follows:

Capacity \$4.09 per kW per month
Energy 12.33 mills per kWh
Generation Services \$0.12 per kW per month

Under this scenario, 75 percent of generation revenues are recovered from capacity sales and 25 percent are recovered from energy sales. These rates are expected to produce an average revenue of \$200,119,000 in FY 2018, \$200,030,000 in FY 2019, and \$200,011,000 in FY 2020 and all future years. The change in revenue for FY 2018 to FY 2020 is due to changing transmission arrangements.

The rates for transmission, scheduling, reactive supply, and regulation and frequency response apply to all four scenarios and are illustrated in Table 1.

SOUTHEASTERN POWER ADMINISTRATION PROPOSED RATES FOR TRANSMISSION SCHEDULING, REACTIVE, AND REGULATION CHARGES

Rate schedule	Transmission charge \$/kW/month	Scheduling charge \$/kW/month	Reactive charge \$/kW/month	Regulation charge \$/kW/month
SOCO-1-F	3.54	0.0806	0.11	0.0483
SOCO-2-F	3.54		0.11	
SOCO-3-F		0.0806		0.0483
SOCO-4-F				
ALA-1-O				
Duke-1-F	1.36			
Duke-2-F	1.36			
Duke-3-F				
Duke-4-F				
Santee-1-F	1.86			
Santee-2-F	1.86			
Santee-3-F				
Santee-4-F				
SCE&G-1-F	2.86			
SCE&G-2-F	2.86			
SCE&G-3-F				
SCE&G-4-F				
Pump-1-A				
Replacement-1				

The referenced repayment studies are available for examination at 1166 Athens Tech Road, Elberton, Georgia 30635-6711. Proposed Rate Schedules SOCO-1-F, SOCO-2-F, SOCO-3-F, SOCO-4-F, ALA-1-O, Duke-1-F, Duke-2-F, Duke-3-F, Duke-4-F, Santee-1-F, Santee-2-F, Santee-3-F, Santee-4-F, SCE&G-1-F, SCE&G-2-F, SCE&G-3-F, SCE&G-4-F, Pump-1-A, and Replacement-1 are also available.

Dated: March 9, 2017.

Kenneth E. Legg,
Administrator.

[FR Doc. 2017-06860 Filed 4-5-17; 8:45 am]

BILLING CODE 6450-01-P

ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OW-2015-0056; FRL-9960-26-OW]

National Advisory Council for Environmental Policy and Technology: Assumable Waters Subcommittee; Notice of Public Meetings

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of Federal Advisory Subcommittee Meetings.

SUMMARY: Consistent with the Federal Advisory Committee Act, Public Law 92463, the Environmental Protection Agency (EPA) is giving notice of an upcoming public meeting of the Assumable Waters Subcommittee convened under the National Advisory Council for Environmental Policy and Technology (NACEPT). The Assumable

Waters Subcommittee will provide advice and recommendations as to how the EPA can best clarify assumable waters for dredge and fill permit programs pursuant to Clean Water Act section 404(g)(1). The EPA is undertaking this effort to support states and tribes that wish to assume the program. Similar to the parent NACEPT, the subcommittee represents a diversity of interests from academia, industry, non-governmental organizations, and local, State, and tribal governments.

Due to unforeseen administrative circumstances, EPA is announcing this meeting with less than fifteen calendar days' notice. Meeting agendas and materials will be posted at www.epa.gov/cwa-404/assumable-waters-sub-committee.

DATES: The Assumable Waters Subcommittee will hold a public meeting on:

- April 17, 2017, from 2:00 p.m. to 5:00 p.m. EDT, at this Web site: <https://cbuilding.zoom.us/j/796981383>.

ADDRESSES:

- This is virtual meeting which can be accessed at Web site: <https://cbuilding.zoom.us/j/796981383> and via phone: (408) 638-0968 (US Toll) or (646) 558-8656 (US Toll). The meeting ID is: 796 981 383.

FOR FURTHER INFORMATION CONTACT:

Jacob B. Strickler, Acting Designated Federal Officer, via email at: assumablewaters@epa.gov, by phone: (202) 564-4692, or via postal service at: U.S. Environmental Protection Agency (MC-2388A), 1200 Pennsylvania Avenue NW., Washington, DC, 20460.

SUPPLEMENTARY INFORMATION: Requests to make oral comments or to provide written comments to the Assumable Waters Subcommittee should be sent to Jacob B. Strickler via email at: assumablewaters@epa.gov by April 10, 2017. The meetings are open to the public, with limited phone lines available on a first-come, first-served basis. Members of the public wishing to attend should contact Jacob B. Strickler via email at: assumablewaters@epa.gov or by phone at: (202) 564-4692 by April 10, 2017, so we can ensure adequate phone lines are available. Public comments will be heard beginning at 4:00 p.m. until 4:15 p.m. EDT or until all comments have been heard.

Meeting Access: The agency will strive to reasonably accommodate individuals with disabilities. Information regarding accessibility and/or accommodations for individuals with disabilities should be directed to Jacob B. Strickler at the email address or phone number listed above. To ensure adequate time for processing, please make requests for accommodations at least 5 days prior to the meeting.

Dated: March 13, 2017.

John Goodin,

Acting Director, Office of Wetlands, Oceans, and Watersheds.

[FR Doc. 2017-06899 Filed 4-5-17; 8:45 am]

BILLING CODE 6560-50-P

FARM CREDIT ADMINISTRATION**Farm Credit Administration Board; Sunshine Act; Regular Meeting****AGENCY:** Farm Credit Administration.**SUMMARY:** Notice is hereby given, pursuant to the Government in the Sunshine Act, of the regular meeting of the Farm Credit Administration Board (Board).**DATE AND TIME:** The regular meeting of the Board will be held at the offices of the Farm Credit Administration in McLean, Virginia, on April 13, 2017, from 9:00 a.m. until such time as the Board concludes its business.**FOR FURTHER INFORMATION CONTACT:** Dale L. Aultman, Secretary to the Farm Credit Administration Board, (703) 883-4009, TTY (703) 883-4056.**ADDRESSES:** Farm Credit Administration, 1501 Farm Credit Drive, McLean, Virginia 22102-5090. Submit attendance requests via email to VisitorRequest@FCA.gov. See**SUPPLEMENTARY INFORMATION** for further information about attendance requests.**SUPPLEMENTARY INFORMATION:** Parts of this meeting of the Board will be open to the public (limited space available), and parts will be closed to the public. Please send an email to VisitorRequest@FCA.gov at least 24 hours before the meeting. In your email include: Name, postal address, entity you are representing (if applicable), and telephone number. You will receive an email confirmation from us. Please be prepared to show a photo identification when you arrive. If you need assistance for accessibility reasons, or if you have any questions, contact Dale L. Aultman, Secretary to the Farm Credit Administration Board, at (703) 883-4009. The matters to be considered at the meeting are:*Open Session**A. Approval of Minutes*

- March 9, 2017

B. Reports

- Quarterly Report on Economic Conditions and FCS Condition and Performance
- Farm Credit System Building Association Auditor's Report on 2016 Financial Audit

*Closed Session **

* Session Closed—Exempt pursuant to 5 U.S.C. Section 552b(c)(8) and (9). Report

- Office of Examination Quarterly Report

*Closed Executive Session ***

** Session Closed—Exempt pursuant to 5 U.S.C. Section 552b(c)(2). Report

- Executive Session—FCS Building

Association Auditor's Report

Dated: April 4, 2017.

Dale L. Aultman,*Secretary, Farm Credit Administration Board.*

[FR Doc. 2017-06965 Filed 4-4-17; 11:15 am]

BILLING CODE 6705-01-P**FEDERAL COMMUNICATIONS COMMISSION****[CC Docket No. 02-6; DA 17-243]****Wireline Competition Bureau Announces E-Rate Inflation-Based CAP for Funding Year 2017****AGENCY:** Federal Communications Commission.**ACTION:** Notice.**SUMMARY:** In this document, the Wireline Competition Bureau (Bureau) announces the E-rate program funding cap for funding year 2017.**FOR FURTHER INFORMATION CONTACT:** James Bachtell, Wireline Competition Bureau, (202) 418-7400 or TTY: (202) 418-0484.**SUPPLEMENTARY INFORMATION:** Pursuant to section 54.507(a) of the Commission's rules, the Wireline Competition Bureau (Bureau) announces that the E-rate program funding cap for funding year 2017 is \$3,990,207,000. The new cap represents a 1.3 percent inflation-adjusted increase in the \$3,939,000,000 billion cap from funding year 2016. This represents a \$51,207,000 increase for the E-rate program funding cap as a whole, including a \$38,077,000 increase for the category one services funding level and a \$13,130,000 increase for the category two services funding level. The Commission began indexing the funding cap to inflation in 2010 to ensure that E-rate program funding keeps pace with the changing broadband and telecommunications needs of schools and libraries. A Public Notice was released on March 13, 2017.

Federal Communications Commission.

Ryan B. Palmer,*Chief, Telecommunications Access Policy Division, Wireline Competition Bureau.*

[FR Doc. 2017-06850 Filed 4-5-17; 8:45 am]

BILLING CODE 6712-01-P**FEDERAL COMMUNICATIONS COMMISSION****[GN Docket No. 17-83]****First Meeting of the Broadband Deployment Advisory Committee****AGENCY:** Federal Communications Commission.**ACTION:** Notice.**SUMMARY:** In this document, the Commission announces and provides an agenda for the first meeting of Broadband Deployment Advisory Committee (BDAC).**DATES:** Friday, April 21, 2017, 10:00 a.m.**ADDRESSES:** Federal Communications Commission, 445 12th Street SW., Room TW-C305, Washington, DC 20554.**FOR FURTHER INFORMATION CONTACT:**Brian Hurley, Designated Federal Officer (DFO), at (202) 418-2220 or brian.hurley@fcc.gov; or Paul D'Ari, Deputy DFO, at (202) 418-1550 or paul.dari@fcc.gov. The TTY number is: (202) 418-0484.**SUPPLEMENTARY INFORMATION:** This meeting is open to members of the general public. The FCC will accommodate as many participants as possible; however, admittance will be limited to seating availability. The Commission will also provide audio and/or video coverage of the meeting over the Internet from the FCC's Web page at www.fcc.gov/live. Oral statements at the meeting by parties or entities not represented on the BDAC will be permitted to the extent time permits, at the discretion of the BDAC Chair and the DFO. Members of the public may submit comments to the BDAC in the FCC's Electronic Comment Filing System, ECFS, at www.fcc.gov/ecfs. Comments to the BDAC should be filed in Docket No. 17-83.Open captioning will be provided for this event. Other reasonable accommodations for people with disabilities are available upon request. Requests for such accommodations should be submitted via email to fcc504@fcc.gov or by calling the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY). Such requests should include a detailed description of the accommodation needed. In addition, please include a way for the FCC to contact the requester if more information is needed to fill the request. Please allow at least five days' advance notice for accommodation requests; last minute requests will be accepted, but may not be possible to accommodate.**Proposed Agenda:** The agenda of the first meeting will be to introduce members of the BDAC, task the BDAC with initial assignments, and introduce working groups that will assist the BDAC with carrying out its work. The BDAC will also begin discussing how to accelerate the deployment of broadband by reducing and/or removing regulatory barriers to infrastructure investment.

This agenda may be modified at the discretion of the BDAC Chair and the DFO.

Federal Communications Commission.

Daniel Kahn,

Chief, Competition Policy Division, Wireline Competition Bureau.

[FR Doc. 2017-06534 Filed 4-5-17; 8:45 am]

BILLING CODE 6712-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency for Toxic Substances and Disease Registry

[30Day-17-171Y]

Agency Forms Undergoing Paperwork Reduction Act Review

The Agency for Toxic Substances and Disease Registry (ATSDR) has submitted the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The notice for the proposed information collection is published to obtain comments from the public and affected agencies.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address any of the following: (a) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) Enhance the quality, utility, and clarity of the information to be collected; (d) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses; and (e) Assess information collection costs.

To request additional information on the proposed project or to obtain a copy of the information collection plan and instruments, call (404) 639-7570 or send an email to omb@cdc.gov. Direct written comments and/or suggestions regarding the items contained in this

notice to the Attention: CDC Desk Officer, Office of Management and Budget, Washington, DC 20503 or by fax to (202) 395-5806. Written comments should be received within 30 days of this notice.

Proposed Project

Biomonitoring of Great Lakes Populations Program III—New—Agency for Toxic Substances and Disease Registry (ATSDR).

Background and Brief Description

The Agency for Toxic Substances and Disease Registry (ATSDR) is requesting a three-year Paperwork Reduction Act (PRA) clearance for a new information collection request (ICR) titled “Biomonitoring of Great Lakes Populations Program III.” ATSDR awarded funds to the Wisconsin Department of Health Services (WIDHS) to conduct this information collection under cooperative agreement #NU61TS000269-01-00. The purpose of the current program is to evaluate body burden levels of legacy and emerging contaminants in susceptible Great Lakes populations in the Milwaukee Estuary Area of Concern (AOC) in Wisconsin, an area that has not been previously covered by Great Lakes Biomonitoring Programs I and II.

The Great Lakes Basin has suffered decades of pollution and ecosystem damage. Many chemicals persist in Great Lakes waters and sediments, as well as in wildlife. These chemicals can build up in the aquatic food chain, and eating contaminated fish is a known route of human exposure. In 2016, ATSDR initiated the Biomonitoring of Great Lakes Populations Program III to provide additional public health information to supplement the previous cooperative agreement programs CDC-RFA-TS10-1001 “Biomonitoring of Great Lakes Populations” (hereafter referred to as “Program I,” OMB Control Number 0923-0044) and CDC-RFA-TS13-1302 “Biomonitoring of Great Lakes Populations—II” (hereafter referred to as “Program II,” OMB Control Number 0923-0052) initiated in FY2010 and FY2013, respectively.

WIDHS received funding for the current program. WIDHS will recruit and enroll two subpopulations of adults in the Milwaukee Bay Estuary Area of Concern (AOC) who are known to eat fish from the Milwaukee River Basin and Lake Michigan. This study will not include pregnant women.

The target populations are: (1) Licensed anglers living in proximity to

the Milwaukee Estuary AOC and (2) Burmese immigrants and their descendants who are known to eat a substantial amount of fish from this area. WIDHS study staff will work closely with local refugee and citizen support organizations on participant recruitment.

The aims of the information collection in this surveillance project are:

1. Assess levels of contaminants (metals, polychlorinated biphenyls, chlorinated pesticides, perfluorinated compounds, and polyaromatic hydrocarbons) in blood and urine of residents who consume fish from contaminated areas that had not been studied in previous Programs I and II;
2. Use the project findings to inform public health officials and offer guidance on public health actions to reduce exposure to Great Lakes contaminants.

This applied public health program aims to measure contaminants in biological samples (blood and urine) from people who may be at high risk of chemical exposure in the Great Lakes area. These measurements will provide a baseline for current and future restoration activities. The results will be compared to available national estimates, such as those reported by the National Health and Nutrition Examination Survey (NHANES).

Respondents will be screened for eligibility and consent will be obtained. Participants who consent will respond to a questionnaire and participate in clinic visits for body measurements and biological specimen collection (blood, urine, and hair). Their blood will be tested for polychlorinated biphenyls, metals, perfluorinated compounds, persistent pesticides, and lipids. Urine will be tested for polycyclic aromatic hydrocarbons and creatinine. The hair samples (optional) will be saved for a later analysis.

Respondents will also be interviewed. They will be asked about demographic and lifestyle factors, hobbies, health conditions that may affect fish consumption and fishing habits, and types of jobs which can contribute to chemical exposure. Some dietary questions will be asked with a focus on consumption of Great Lakes fish.

Participation in the study is voluntary. The estimated annualized burden for the program averaged over the three-year study period is a maximum of 225 hours. There is no cost to respondents other than their time spent in the study.

ESTIMATED ANNUALIZED BURDEN HOURS

Type of respondents	Form name	Number of respondents	Number of responses per respondent	Average burden per response (in hours)
Licensed Anglers	Eligibility Screening Survey (paper)	156	1	5/60
	Eligibility Screening Survey	28	1	5/60
	(screenshots)			
	Study Questionnaire (paper)	58	1	30/60
	Study Questionnaire (screenshots)	87	1	30/60
	Clinic Visit Checklist and Body Measurements.	134	1	35/60
Burmese Immigrants and their Descendants	Follow-up Survey	80	1	5/60
	Eligibility Screening Survey	42	1	5/60
	Contact Information Form	34	1	5/60
	Study Questionnaire	34	1	40/60
	Clinic Visit Checklist and Body Measurements.	34	1	35/60
	Network Size Questions	34	1	5/60
	Follow-up Survey	10	1	5/60

Leroy A. Richardson,
 Chief, Information Collection Review Office,
 Office of Scientific Integrity, Office of the
 Associate Director for Science, Office of the
 Director, Centers for Disease Control and
 Prevention.

[FR Doc. 2017-06873 Filed 4-5-17; 8:45 am]

BILLING CODE 4163-18-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[60Day-17-1049; Docket No. CDC-2017-0031]

Proposed Data Collection Submitted for Public Comment and Recommendations

AGENCY: Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

ACTION: Notice with comment period.

SUMMARY: The Centers for Disease Control and Prevention (CDC), as part of its continuing efforts to reduce public burden and maximize the utility of government information, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995. This notice invites comment on performance monitoring activities for funding opportunity announcement PS13-1308 “Promoting Adolescent Health Through School-Based HIV/STD Prevention”, which is intended to gather information from funded partners to monitor their progress towards achieving the goals of DASH’s funding opportunity

announcement Promoting Adolescent Health through School-Based HIV/STD Prevention and School-Based Surveillance.

DATES: Written comments must be received on or before June 5, 2017.

ADDRESSES: You may submit comments, identified by Docket No. CDC-2017-0031 by any of the following methods:

- *Federal eRulemaking Portal:*

Regulations.gov. Follow the instructions for submitting comments.

- *Mail:* Leroy A. Richardson, Information Collection Review Office, Centers for Disease Control and Prevention, 1600 Clifton Road NE., MS-D74, Atlanta, Georgia 30329.

Instructions: All submissions received must include the agency name and Docket Number. All relevant comments received will be posted without change to *Regulations.gov*, including any personal information provided. For access to the docket to read background documents or comments received, go to *Regulations.gov*.

Please note: All public comment should be submitted through the Federal eRulemaking portal (Regulations.gov) or by U.S. mail to the address listed above.

FOR FURTHER INFORMATION CONTACT: To request more information on the proposed project or to obtain a copy of the information collection plan and instruments, contact the Information Collection Review Office, Centers for Disease Control and Prevention, 1600 Clifton Road NE., MS-D74, Atlanta, Georgia 30329; phone: 404-639-7570; Email: omb@cdc.gov.

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501-3520), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each

collection of information they conduct or sponsor. In addition, the PRA also requires Federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each new proposed collection, each proposed extension of existing collection of information, and each reinstatement of previously approved information collection before submitting the collection to OMB for approval. To comply with this requirement, we are publishing this notice of a proposed data collection as described below.

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency’s estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; to develop, acquire, install and utilize technology and systems for the purpose of collecting, validating and verifying information, processing and maintaining information, and disclosing and providing information; to train

personnel and to be able to respond to a collection of information, to search data sources, to complete and review the collection of information; and to transmit or otherwise disclose the information.

Proposed Project

Promoting Adolescent Health Through School-Based HIV/STD Prevention (OMB Control Number 0920-1049, expiration, 2/28/2018)—Extension—National Center for HIV/AIDS, Viral Hepatitis, STD, and TB Prevention, Centers for Disease Control and Prevention (CDC).

Background and Brief Description

Many young people engage in sexual behaviors that place them at risk for HIV infection, other sexually transmitted diseases (STD), and pregnancy. According to the 2011 National Youth Risk Behavior Survey (YRBS) results, 47% of U.S. high school students ever had sexual intercourse; 34% had sexual intercourse with at least one person during the three months before the survey; and 15% had had sexual intercourse with four or more persons during their lifetime. Of those sexually active high school students, 40% reported that either they or their partner had not used a condom during last sexual intercourse, and 77% reported that either they or their partner had not used birth control pills or Depo-Provera (or any injectable birth control), Nuva Ring (or any birth control ring), Implanon (or any implant), or any intrauterine device (IUD) before last sexual intercourse.

Establishing healthy behaviors during childhood and adolescence is easier and more effective than trying to change unhealthy behaviors during adulthood. Since 1987, the Division of Adolescent and School Health (DASH), which is now a part of the National Center for HIV/AIDS, Viral Hepatitis, STD, and TB Prevention, Centers for Disease Control and Prevention (CDC), has been a unique source of support for HIV prevention efforts in the Nation's schools.

Funded agencies include non-governmental organizations, state education agencies, and local education agencies. The primary purpose of Cooperative Agreement PS-13-1308 is (1) to build the capacity of priority districts and priority schools to

effectively contribute to the reduction of HIV infection and other STD among adolescents; (2) the reduction of disparities in HIV infection and other STD experienced by specific adolescent sub-populations; and (3) the conducting of school-based surveillance, a component not included in this data collection for evaluation.

During the previous approval period we completed six rounds of data collection and review, including the completion of biannual progress reports that provided our funded partners with information on their progress towards achieving the goals of PS13-1308. We completed two annual reports that summarized all of the data collected via this information collection request and provided our division and center information on strengths and barriers to the success of activities under funding opportunity announcement PS13-1308. Additionally, these findings have been submitted to the upcoming American Public Health Association 2017 meeting for dissemination to broader public health audiences.

We are requesting an OMB approval for a one-year extension of the current information collection request so that we can gather performance monitoring data for the remaining year of PS13-1308. We will use this time to collect data on the performance of PS13-1308 funded agencies to better inform our program as they make decisions about the progress of the current funding opportunity and future funding announcements.

CDC continue to use a web-based system to collect data on the approaches that funded agencies are using to meet their goals. Approaches include helping districts and schools deliver exemplary sexual health education emphasizing HIV and other STD prevention; increasing adolescent access to key sexual health services; and establishing safe and supportive environments for students and staff.

To track funded agency progress and evaluate the effectiveness of program activities, CDC will collect data using a mix of process and performance measures. Process measures, which all funded agencies will complete, are important to assess the extent to which planned program activities have been implemented and lead to feasible and sustainable programmatic outcomes. Process measures include items on

school health policy assessment and monitoring, and on providing training and technical assistance to partner education agencies and schools. Only state and local education agencies will complete performance measures to assess whether funded activities at each site are leading to intended outcomes including public health impact of systemic change in schools. These measures drove the development of questionnaires that have been tailored to each funded agencies' approach (*i.e.*, exemplary sexual health education, sexual health services, and safe and supportive environments).

Respondents include 18 state education agencies, 17 local education agencies, and 6 non-governmental organizations that have all been funded under PS13-1308. The questionnaires will be submitted to CDC semi-annually using the Program Evaluation and Reporting System, an electronic web-based interface specifically designed for this data collection.

Each funded agency received a unique log-in to the system and technical assistance to ensure they can use the system easily. The dates when data are requested reflect Procurement and Grants Office deadlines to provide timely feedback to funded agencies and CDC staff for accountability and optimal use of funds. CDC anticipates that semi-annual information collection will occur in August 2017–July 2018.

The estimated burden per response ranges from 0.5 hours to 6 hours. This variation in burden is due to the variability in the questions on the forms based on the approach and type of funded agency. For instance, non-governmental organizations have fewer questions to respond to because they only have questions for process evaluation. Local education agencies have the highest burden because it takes more time to gather information as they gather data at the school- and student-level as compared with state education agencies that report only state- and district-level data. The annualized burden of 804 hours is for all funded agencies. The reduction in burden is a result of one partner agency that withdrew from participation.

There are no costs to respondents other than their time.

Estimated Annualized Burden Hours

Type of respondents	Form name	Number of respondents	Number of responses per respondent	Average burden per response (in hrs.)	Total burden (in hrs.)
State Education Agency (SEA)	Exemplary Sexual Health Education Measures.	18	2	4	144
	Sexual Health Services Measures ...	18	2	3	108
	Safe and Supportive Environments Measures.	18	2	1	36
Local Education Agency (LEA)	Exemplary Sexual Health Education Measures.	17	2	6	204
	Sexual Health Services Measures ...	17	2	3	102
	Safe and Supportive Environments Measures.	17	2	6	204
Non-governmental organization (NGO).	Exemplary Sexual Health Education Measures.	2	2	30/60	2
	Sexual Health Services Measures ...	2	2	30/60	2
	Safe and Supportive Environments Measures.	2	2	30/60	2
Total .....	.....	.....	.....	.....	804

Leroy Richardson,

Chief, Information Collection Review Office,
Office of Scientific Integrity, Office of the
Associate Director for Science, Office of the
Director, Centers for Disease Control and
Prevention.

[FR Doc. 2017-06866 Filed 4-5-17; 8:45 am]

BILLING CODE 4163-18-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES**Centers for Disease Control and Prevention**

[30Day-17-17IX]

Agency Forms Undergoing Paperwork Reduction Act Review

The Centers for Disease Control and Prevention (CDC) has submitted the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The notice for the proposed information collection is published to obtain comments from the public and affected agencies.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address any of the following: (a) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) Enhance the quality, utility, and clarity of the information to be

collected; (d) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses; and (e) Assess information collection costs.

To request additional information on the proposed project or to obtain a copy of the information collection plan and instruments, call (404) 639-7570 or send an email to omb@cdc.gov. Written comments and/or suggestions regarding the items contained in this notice should be directed to the Attention: CDC Desk Officer, Office of Management and Budget, Washington, DC 20503 or by fax to (202) 395-5806. Written comments should be received within 30 days of this notice.

Proposed Project

Assessment of Interventions Intended to Protect Pregnant Women in Puerto Rico from Zika virus Infections—Existing Information Collection in Use Without an OMB Control Number—National Center for Emerging and Zoonotic Infectious Diseases (NCEZID), Centers for Disease Control and Prevention (CDC).

Background and Brief Description

CDC intends to request OMB approval of an Existing Information Collection in Use Without an OMB Control Number. CDC seeks OMB approval until September 2017. This collection is a de facto extension of OMB Control number 0920-1118 (expiration date 12/31/16), an information collection request approved by OMB under an emergency review in June, 2016. This information collection request includes continuing

one project which is part of CDC's ongoing response in Puerto Rico to the Zika virus outbreak.

The goal of the project is to assess the delivery and effects of interventions implemented in Puerto Rico to protect pregnant women from Zika virus infections and the birth defects that Zika virus can cause in their babies. As of February 22, 2017, interventions that have been implemented include Zika Education Sessions (at Women, Infants, and Children [WIC] clinics), Zika Prevention Kits, communications activities, and vector control services in and around the home of pregnant women [Indoor Residual Spraying (IRS), Outdoor Residual Spraying (ORS), and larviciding].

Information collected in this assessment will be used to help refine interventions that have been conducted to prevent and control Zika virus in Puerto Rico and to assess which interventions reduce risk and/or offer protection from Zika virus infections.

Telephone interviews will be conducted with pregnant women in Puerto Rico. CDC needs this assessment to ensure that Zika prevention activities effectively educate, equip, and encourage women to participate in as many Zika prevention behaviors as possible. On-going assessment is an important part of this program because it can reveal novel ways that women protect themselves from Zika, how effective the distribution of the Zika Prevention Kit has been in Puerto Rico, perceived severity and susceptibility to Zika, pregnant women's self-efficacy in protecting themselves from Zika after the interventions have been implemented, as well as the extent to which target populations are using contents of the Zika Prevention Kit.

As the outbreak evolves, interviews with pregnant women in Puerto Rico can help articulate motivations for and against engaging in Zika prevention behaviors that are critical for preventing Zika-associated birth defects and morbidities. Implementing changes

based on results from this assessment has occurred with the previous information collection and is expected to facilitate program improvement and ensure the most efficient allocation of resources for this public health emergency. Understanding risk and

protective factors related to interventions and behaviors of pregnant women can help to establish priorities.

There are no costs to the respondents other than their time. The total number of estimated annual burden hours is 500.

ESTIMATED ANNUALIZED BURDEN HOURS

Type of respondents	Form name	Number of respondents	Number of responses per respondent	Average burden per response (hrs.)
Pregnant WIC participant	Initial Telephone Interview	1,200	1	20/60
	Follow-up Telephone Interview	600	1	10/60

Leroy A. Richardson,

Chief, Information Collection Review Office, Office of Scientific Integrity, Office of the Associate Director for Science, Office of the Director, Centers for Disease Control and Prevention.

[FR Doc. 2017-06868 Filed 4-5-17; 8:45 am]

BILLING CODE 4163-18-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[30Day-17-16AXC]

Agency Forms Undergoing Paperwork Reduction Act Review

The Centers for Disease Control and Prevention (CDC) has submitted the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The notice for the proposed information collection is published to obtain comments from the public and affected agencies.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address any of the following: (a) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) Enhance the quality, utility, and clarity of the information to be collected; (d) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated,

electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses; and (e) Assess information collection costs.

To request additional information on the proposed project or to obtain a copy of the information collection plan and instruments, call (404) 639-7570 or send an email to *omb@cdc.gov*. Written comments and/or suggestions regarding the items contained in this notice should be directed to the Attention: CDC Desk Officer, Office of Management and Budget, Washington, DC 20503 or by fax to (202) 395-5806. Written comments should be received within 30 days of this notice.

Proposed Project

Assessing Safety and Health Hazards to Workers in Oil and Gas Extraction: A Survey—New—National Institute for Occupational Safety and Health (NIOSH), Centers for Disease Control and Prevention (CDC).

Background and Brief Description

The mission of the National Institute for Occupational Safety and Health (NIOSH) is to promote safety and health at work for all people through research and prevention. The Occupational Safety and Health Act, 91 (section 20[a] [1]), authorizes NIOSH to conduct research to advance the health and safety of workers. NIOSH is proposing a two year study to conduct a survey questionnaire of 500 land-based oil and gas (O&G) extraction workers in 5 U.S. states (Texas, North Dakota, Colorado, Oklahoma and a state in the Appalachian Basin) to examine safety and health issues and concerns of this workforce. Workers who drive as a part of their work duties will be asked to complete an additional set of questions about their driving environment and behaviors. We expect a response rate of 80%, so it is estimated that we will

approach 625 workers in order to have 500 workers complete the survey.

The goals of this study are (1) To determine on-duty and off-duty factors that contribute to motor vehicle crashes, injuries and illness among U.S. land-based O&G extraction workers and (2) To identify other safety and health needs and concerns of U.S. land-based O&G extraction workers. The results of this study will guide the development of evidence-based and priority interventions and future research in the O&G extraction industry that will improve the safety and health of O&G workers.

Administration of the survey questionnaire will occur at temporary modular lodging facilities ('man camps'), training centers, equipment/trucking yards, well sites, and community centers in oilfield towns. A screening questionnaire, "Module 1: Screening" will be administered to 313 workers per year (for 2 years) to determine that the worker is eligible for the survey. This questionnaire will take about 5 minutes. NIOSH anticipates that up to 63 workers per year (20% of screened workers) will be eligible but not interested in participating in this study. These workers will be asked to complete a brief, 6-question "Non-Respondent Questionnaire", which will take about 5 minutes. Approximately 250 workers per year (for 2 years) will be eligible and agree to participate in the study (80% response rate). These workers will complete "Module 2: General," "Module 3: Well-site work," and "Module 5: Closing Questions" (approximately 225 workers will use the tablet version and 25 will opt to use the hardcopy version). "Module 5: Closing Questions" includes a brief interview with program staff. The questionnaire and interview will take approximately 25 minutes to complete for workers using the tablet as well as for those using the hardcopy version. Workers

who drive a company vehicle will also be asked to complete “Module 4: Motor Vehicle.” An estimated 75% of the workers will complete the driving portion of the survey (187 workers). This module will take approximately 5

additional minutes to complete for those using the tablet (approximately 168 workers per year) as well as 5 minutes for those completing the hardcopy version (19 workers per year).

Comments submitted in response to this notice will be reviewed and addressed prior to OMB application submission. The total estimated burden hours are 151.

ESTIMATED ANNUALIZED BURDEN HOURS

Type of respondents	Form name	Number of respondents	Number of responses per respondent	Average burden per response (in hours)
Screening of Workers	Module 1: Screening	313	1	5/60
O&G Extraction Workers	Non Respondent Questionnaire	63	1	5/60
O&G Extraction Workers	Tablet Version, Modules 2: General, Module 3: Well Site Work, and, Module 5: Closing Questions.	225	1	25/60
O&G Extraction Workers	Hardcopy, Version, Modules 2: General, Module 3: Well Site Work, and, Module 5: Closing Questions.	25	1	25/60
O&G Extraction Workers who drive at work	Tablet Version, Module 4: Motor Vehicle	168	1	5/60
O&G Extraction Workers who drive at work	Hardcopy Version, Module 4: Motor Vehicle	19	1	5/60

Leroy A. Richardson,
 Chief, Information Collection Review Office,
 Office of Scientific Integrity, Office of the
 Associate Director for Science, Office of the
 Director, Centers for Disease Control and
 Prevention.

[FR Doc. 2017-06874 Filed 4-5-17; 8:45 am]

BILLING CODE 4163-18-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[60Day-17-1140; Docket No. CDC-2017-0030]

Proposed Data Collection Submitted for Public Comment and Recommendations

AGENCY: Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

ACTION: Notice with comment period.

SUMMARY: The Centers for Disease Control and Prevention (CDC), as part of its continuing efforts to reduce public burden and maximize the utility of government information, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995. This notice invites comment on Zika virus persistence in body fluids of patients with Zika virus infection in Puerto Rico (ZIPER Study) to fill gaps in the scientific knowledge base for ZIKV regarding the persistence and transmissibility of ZIKV in body fluids. This information assist ongoing

public health response activities, as well as advance the scientific understanding of ZIKV illness and transmission.

DATES: Written comments must be received on or before June 5, 2017.

ADDRESSES: You may submit comments, identified by Docket No. CDC-2017-0030 by any of the following methods:

- *Federal eRulemaking Portal: Regulations.gov.* Follow the instructions for submitting comments.

- *Mail:* Leroy A. Richardson, Information Collection Review Office, Centers for Disease Control and Prevention, 1600 Clifton Road NE., MS-D74, Atlanta, Georgia 30329.

Instructions: All submissions received must include the agency name and Docket Number. All relevant comments received will be posted without change to *Regulations.gov*, including any personal information provided. For access to the docket to read background documents or comments received, go to *Regulations.gov*.

Please note: All public comment should be submitted through the Federal eRulemaking portal (Regulations.gov) or by U.S. mail to the address listed above.

FOR FURTHER INFORMATION CONTACT: To request more information on the proposed project or to obtain a copy of the information collection plan and instruments, contact the Information Collection Review Office, Centers for Disease Control and Prevention, 1600 Clifton Road NE., MS-D74, Atlanta, Georgia 30329; phone: 404-639-7570; Email: omb@cdc.gov.

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501-3520), Federal agencies must obtain approval from the Office of

Management and Budget (OMB) for each collection of information they conduct or sponsor. In addition, the PRA also requires Federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each new proposed collection, each proposed extension of existing collection of information, and each reinstatement of previously approved information collection before submitting the collection to OMB for approval. To comply with this requirement, we are publishing this notice of a proposed data collection as described below.

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency’s estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; to develop, acquire, install and utilize technology and systems for the purpose of collecting, validating and verifying

information, processing and maintaining information, and disclosing and providing information; to train personnel and to be able to respond to a collection of information, to search data sources, to complete and review the collection of information; and to transmit or otherwise disclose the information.

Proposed Project

Zika virus persistence in body fluids of patients with Zika virus infection in Puerto Rico (ZIPER Study)—Revision—National Center for Emerging and Zoonotic Infectious Diseases (NCEZID), Centers for Disease Control and Prevention (CDC).

Background and Brief Description

CDC plans to seek a one-year OMB approval to extend information collection covered under OMB Control Number 0920–1140, expiration date 10/31/2017.

The Zika PERsistence (ZIPER) study will help inform the presence and duration of Zika virus (ZIKV) shedding in several body fluids among RT–PCR–positive ZIKV cases from Puerto Rico. It will also provide information regarding the duration of detection of anti-ZIKV Immunoglobulin M (IgM) antibodies and the time for development of Immunoglobulin G (IgG) antibodies among the same population. In addition, this study will determine the prevalence of anti-ZIKV IgM and IgG, and virus shedding in body fluids among household contacts of ZIKV cases.

We propose to investigate the persistence (shedding) of ZIKV in different body fluids and its relation to immune response to provide a basis for development of non-blood-based diagnostic tools, and target and refine public health interventions to arrest ongoing spread of infection. To do so, we will conduct a prospective cohort study of individuals with reverse transcription-polymerase chain reaction (RT–PCR) positive ZIKV infection and a cross-sectional study of their household contacts. Results and analyses will be used to update relevant counseling messages and recommendations from the CDC.

The study will include baseline and follow-up questionnaires and the collection of the following specimens: blood, saliva, urine from participants of all ages, and semen/vaginal secretions from adults (ages 21 years or older) and legally emancipated minors (support themselves financially, live

independent of their parents, are pregnant, or have children). Individuals with RT–PCR positive ZIKV infection will be recruited through the Sentinel Enhanced Dengue Surveillance System (SEDSS) at Saint Luke's Episcopal Hospital in Ponce, Puerto Rico and through passive surveillance in selected municipalities in Puerto Rico. SEDSS was established in 2012 through a cooperative agreement between the hospital in Consortium with the Ponce School of Medicine and Ponce Research Institute from the Ponce Health Sciences University and the CDC (Protocol #6214). Specimens will be tested for the presence of ZIKV ribonucleic acid (RNA) by RT–PCR at the CDC Dengue Branch Laboratory in San Juan, and positive specimens will be further tested for virus isolation to evaluate infectivity. Each body fluid will be collected on a weekly basis for 4 weeks and biweekly thereafter until two consecutive negative RT–PCR results are obtained from all specimens. Irrespective of RNA detection, body fluids will also be collected for RT–PCT at 2, 4, and 6 months to investigate intermittent shedding. Analyses of antibody response through titers of IgM and IgG will be performed at baseline and repeated at 2, 4, and 6 months. Among symptomatic participants seven milliliters (ml) of blood will be drawn at each study visit split into a tiger top tube (5ml) and a purple top tube (2ml) for a total not to exceed 50 ml during any given 8-week period. At enrollment healthy non-pregnant adults will have 20 ml of blood collected following standard procedures. Two tiger top tubes of 8.5 ml and one 3ml purple top tubes will be collected. These procedures will be repeated at each follow-up visit, see below. RT–PCR–positive participants will be asked to refer up to 5 household members to establish the percentage of household members with detectable and potentially infectious Zika virus RNA in body fluids. Household members who are found to be ZIKV RT–PCR–positive in any body fluid will be invited to participate in the cohort study. A second study visit will be scheduled with household contact at 2 or 4 months, to detect new infections and estimate incidence. Because the original study consent forms do not include this visit, household contacts will be contacted by study staff and will be consented again using the same consent form.

Since receipt of the initial OMB information collection approval in October 2016, the project has enrolled 295 Zika virus-infected individuals into the Zika virus Persistence study, which are 55 individuals below the target enrollment of 350 individuals. Nonetheless, preliminary findings have been published in *New England Journal of Medicine*, where we also expect that the final report that includes the full sample size will be published.

This is a request to continue information collection with minor modifications. Modifications have been made to reflect the developing nature of the science surrounding Zika virus infection and potential outcomes associated with infection, as well as additional questions that were best answered by taking advantage of the existing study platform. Specifically, CDC proposes the addition of two components to the collection of data under this study, one of which has already begun:

1. A follow-up household visit has been added to determine how many household members of Zika virus-infected participants become infected during the 4 months following initial screening. For any household members that had no evidence of Zika virus infection at the initial visit, the same questionnaires used at the initial household visit will again be completed ~4 months later. Such information will provide additional information regarding the incidence of Zika virus infections among households with a Zika-positive household member.

2. Additionally, CDC proposes following up with men with Zika virus-positive semen specimens to better understand the effect of Zika virus infection on sperm. To do this, 8–14 semen ejaculates from 10–20 men participating in the ZIPER study will be used to determine the presence and/or detection of the Zika virus in different fractions of the semen ejaculate (*i.e.*, seminal plasma, cellular debris, including White Blood Cells [WBCs] and spermatozoa). CDC's Institutional Review Board (IRB) has approved this modification, but information collection has not begun.

There is no cost to respondents other than the time to participate.

Authorizing legislation comes from Section 301 of the Public Health Service Act (42 U.S.C. 241).

ESTIMATED ANNUALIZED BURDEN HOURS

Type of respondents	Form name	Number of respondents	Number of responses per respondent	Average burden per response (hrs)	Total burden (hrs)
Public health personnel	Shedding Questionnaire (Symptomatics)	55	8	10/60	74
	Shedding Questionnaire (Cross-Sectional Asymptomatics).	100	1	10/60	17
General public	Questionnaire for men semen sub-study	30	1	20/60	10
	Shedding Eligibility Form	160	1	2/60	6
	Contact Information Form	32	1	2/60	1
Total .....	.....	.....	.....	.....	108

Leroy A. Richardson,

Chief, Information Collection Review Office,
Office of Scientific Integrity, Office of the
Associate Director for Science, Office of the
Director, Centers for Disease Control and
Prevention.

[FR Doc. 2017-06864 Filed 4-5-17; 8:45 am]

BILLING CODE 4163-18-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES**Centers for Disease Control and Prevention**

[60Day-17-17ZX; Docket No. CDC-2017-0032]

Proposed Data Collection Submitted for Public Comment and Recommendations

AGENCY: Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

ACTION: Notice with comment period.

SUMMARY: The Centers for Disease Control and Prevention (CDC), as part of its continuing efforts to reduce public burden and maximize the utility of government information, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995. This notice invites comment on “Childhood Blood Lead Surveillance (CBLS) and Adult Blood Lead Epidemiology and Surveillance (ABLES).” The National Center for Environmental Health (NCEH) is leading a new three-year information collection request (ICR) that covers two CDC information collections, one for childhood blood lead surveillance by NCEH and another for adult blood lead surveillance by the National Institute for Occupational Safety and Health (NIOSH). CDC requests an annual time burden of 1,120 burden hours for both collections.

DATES: Written comments must be received on or before June 5, 2017.

ADDRESSES: You may submit comments, identified by Docket No. CDC-2017-0032 by any of the following methods:

- **Federal eRulemaking Portal:** *Regulations.gov*. Follow the instructions for submitting comments.

- **Mail:** Leroy A. Richardson, Information Collection Review Office, Centers for Disease Control and Prevention, 1600 Clifton Road NE., MS-D74, Atlanta, Georgia 30329.

Instructions: All submissions received must include the agency name and Docket Number. All relevant comments received will be posted without change to *Regulations.gov*, including any personal information provided. For access to the docket to read background documents or comments received, go to *Regulations.gov*.

Please note: All public comment should be submitted through the Federal eRulemaking portal (*Regulations.gov*) or by U.S. mail to the address listed above.

FOR FURTHER INFORMATION CONTACT: To request more information on the proposed project or to obtain a copy of the information collection plan and instruments, contact the Information Collection Review Office, Centers for Disease Control and Prevention, 1600 Clifton Road NE., MS-D74, Atlanta, Georgia 30329; phone: 404-639-7570; Email: omb@cdc.gov.

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501-3520), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. In addition, the PRA also requires Federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each new proposed collection, each proposed extension of existing collection of information, and each reinstatement of previously approved information

collection before submitting the collection to OMB for approval. To comply with this requirement, we are publishing this notice of a proposed data collection as described below.

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; to develop, acquire, install and utilize technology and systems for the purpose of collecting, validating and verifying information, processing and maintaining information, and disclosing and providing information; to train personnel and to be able to respond to a collection of information, to search data sources, to complete and review the collection of information; and to transmit or otherwise disclose the information.

Proposed Project

Childhood Blood Lead Surveillance (CBLS) and Adult Blood Lead Epidemiology and Surveillance (ABLES)—New—National Center for Environmental Health (NCEH), Centers for Disease Control and Prevention (CDC).

Background and Brief Description

The National Center for Environmental Health (NCEH) is leading a new three-year information collection request (ICR) that covers two Centers for Disease Control and Prevention (CDC) information collections, one for childhood blood lead surveillance by NCEH and another for adult blood lead surveillance by the National Institute for Occupational Safety and Health (NIOSH).

The goal of the NCEH Childhood Blood Lead Surveillance (CBLS) Program is to support blood lead screening and to promote primary prevention of exposure to lead. Also, the CBLS Program supports secondary prevention of adverse health effects when lead exposures occur in children through improved program management and oversight in respondent jurisdictions. The goal of the NIOSH Adult Blood Lead Epidemiology and Surveillance (ABLES) Program is to build state capacity for adult blood lead surveillance programs to measure trends in adult blood lead levels and to prevent lead over-exposures. Thus, blood lead surveillance over the human lifespan is covered under this single information collection request (ICR), specifically for children, less than 16 years, through CBLS at NCEH, and for adults, 16 years and older, through ABLES at NIOSH.

NCEH is announcing a new three-year cooperative agreement, titled “Lead Poisoning Prevention—Childhood Lead Poisoning Prevention—financed partially by Prevention and Public Health Funds” (Funding Opportunity Announcement [FOA] No. CDC-RFA-EH17-1701-PPHF17). The first year of this new program will run concurrently with the final and fourth budget year for “PPHF 2014: Lead Poisoning Prevention—Childhood Lead Poisoning Prevention—financed solely by 2014

Prevention and Public Health Funds” (FOA No. CDC-RFA-EH14-1408PPHF14). The four-year FY14 cooperative agreement program has an existing Paperwork Reduction Act (PRA) clearance titled “Healthy Homes and Lead Poisoning Surveillance System (HHLPSS)” (OMB Control No. 0920-0931; expiration date 05/31/2018), which will be extended through the end of the FY14 program and then discontinued.

In addition to the overlap in program periods, there are sufficient program differences to justify a new ICR for the FY17 NCEH cooperative agreement. For FY17, NCEH is requesting approval for the following: (1) Clarifying partners’ procedures for data delivery into the Childhood Blood Lead Surveillance (CBLS) system; (2) revising the CBLS Variables form to remove healthy homes variables, which will not be collected, and adding three new CBLS indicator variables. Based on available FY17 funds, NCEH is also requesting the following: (3) Increasing the number of potential NCEH respondents from 40 to 50; and (4) increasing the NCEH annual time burden from 640 to 800 hours.

CDC is also taking this opportunity to provide the public with a detailed description of the NIOSH ABLES information collection. Previously, ABLES was mentioned but not described in the HHLPSS ICR (OMB Control No. 0920-0931; expiration date 05/31/2018). Thus, NIOSH is requesting approval for the following: (1) Providing a detailed description of the authority and scope of the ABLES information reporting procedures; (2) adding 40 NIOSH respondents to the burden table; and (3) adding 320 hours for the NIOSH annual time burden. Once approved in this new ICR, CDC will submit a change request to remove ABLES from the

existing HHLPSS ICR to avoid duplication in PRA clearance.

Over the past several decades there have been substantial efforts in environmental lead abatement, improved protection from occupational lead exposure, and a reduction in the prevalence of population BLLs over time. The U.S. population BLLs have substantially decreased over the last four decades. For example, the CDC has reported the 1976–1980 U.S. BLL mean in children, 6 months to 5 years, as 16.0 micrograms per deciliter (µg/dL); and among adults, 18 to 74 years, 14.1 µg/dL. More recently, the CDC reported the 2009–2010 U.S. BLL geometric means among children, 1 to 5 years, and among adults, 20 years and older, as 1.2 µg/dL for both age groups.

In 2012, the National Toxicology Program (NTP) concluded that there is sufficient evidence that BLLs at less than 10 µg/dL and at less than 5 µg/dL are associated with adverse health effects in both children, less than 18 years, and in adults, 18 years and older. Despite the reduction in the overall population BLL over four decades, lead exposures continue to occur at unacceptable levels for individuals in communities and workplaces across the nation. Surveillance will continue through CBLS and ABLES to identify cases of elevated BLLs when primary prevention is not achieved. As of 2015, NCEH and NIOSH define elevated BLLs as greater than or equal to 5 µg/dL for individuals of all ages.

Respondents are defined as state, local, and territorial health departments with lead poisoning prevention programs. The estimated annual time burden for NCEH CBLS is 800 hours. The estimated annual time burden for NIOSH ABLES is 320 hours. In total, CDC is requesting approval for a total annual time burden of 1,120 hours.

ESTIMATED ANNUALIZED BURDEN HOURS

Type of respondents	Form name	Number of respondents	Number of responses per respondent	Average burden per response (in hrs.)	Total burden (in hrs.)
State, Local, and Territorial Health Departments.	Childhood Blood Lead Surveillance (CBLS) Variables.	50	4	4	800
	Adult Blood Lead Epidemiology and Surveillance (ABLES) Variables.	40	1	8	320
Total .....	.....	.....	.....	.....	1,120

Leroy A. Richardson,
Chief, Information Collection Review Office,
Office of Scientific Integrity, Office of the
Associate Director for Science, Office of the
Director, Centers for Disease Control and
Prevention.

[FR Doc. 2017-06867 Filed 4-5-17; 8:45 am]

BILLING CODE 4163-18-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[60Day-17-1146; Docket No. CDC-2017-
0029]

Proposed Data Collection Submitted for Public Comment and Recommendations

AGENCY: Centers for Disease Control and
Prevention (CDC), Department of Health
and Human Services (HHS).

ACTION: Notice with comment period.

SUMMARY: The Centers for Disease
Control and Prevention (CDC), as part of
its continuing efforts to reduce public
burden and maximize the utility of
government information, invites the
general public and other Federal
agencies to take this opportunity to
comment on proposed and/or
continuing information collections, as
required by the Paperwork Reduction
Act of 1995. This notice invites
comment on a revision to the
information collection project approved
under OMB Control number 0920-1146
(expiration date 11/30/2019), Survey of
Surveillance Records of *Aedes aegypti*
and *Aedes albopictus* from 1960 to
Present.

DATES: Written comments must be
received on or before June 5, 2017.

ADDRESSES: You may submit comments,
identified by Docket No. CDC-2017-
0029 by any of the following methods:

- **Federal eRulemaking Portal:**
Regulations.gov. Follow the instructions
for submitting comments.

- **Mail:** Leroy A. Richardson,
Information Collection Review Office,
Centers for Disease Control and
Prevention, 1600 Clifton Road NE., MS-
D74, Atlanta, Georgia 30329.

Instructions: All submissions received
must include the agency name and
Docket Number. All relevant comments
received will be posted without change
to *Regulations.gov*, including any
personal information provided. For
access to the docket to read background
documents or comments received, go to
Regulations.gov.

Please note: All public comment
should be submitted through the

Federal eRulemaking portal
(*Regulations.gov*) or by U.S. mail to the
address listed above.

FOR FURTHER INFORMATION CONTACT: To
request more information on the
proposed project or to obtain a copy of
the information collection plan and
instruments, contact the Information
Collection Review Office, Centers for
Disease Control and Prevention, 1600
Clifton Road NE., MS-D74, Atlanta,
Georgia 30329; phone: 404-639-7570;
Email: omb@cdc.gov.

SUPPLEMENTARY INFORMATION: Under the
Paperwork Reduction Act of 1995 (PRA)
(44 U.S.C. 3501-3520), Federal agencies
must obtain approval from the Office of
Management and Budget (OMB) for each
collection of information they conduct
or sponsor. In addition, the PRA also
requires Federal agencies to provide a
60-day notice in the **Federal Register**
concerning each proposed collection of
information, including each new
proposed collection, each proposed
extension of existing collection of
information, and each reinstatement of
previously approved information
collection before submitting the
collection to OMB for approval. To
comply with this requirement, we are
publishing this notice of a proposed
data collection as described below.

Comments are invited on: (a) Whether
the proposed collection of information
is necessary for the proper performance
of the functions of the agency, including
whether the information shall have
practical utility; (b) the accuracy of the
agency's estimate of the burden of the
proposed collection of information; (c)
ways to enhance the quality, utility, and
clarity of the information to be
collected; (d) ways to minimize the
burden of the collection of information
on respondents, including through the
use of automated collection techniques
or other forms of information
technology; and (e) estimates of capital
or start-up costs and costs of operation,
maintenance, and purchase of services
to provide information.

Burden means the total time, effort, or
financial resources expended by persons
to generate, maintain, retain, disclose or
provide information to or for a Federal
agency. This includes the time needed
to review instructions; to develop,
acquire, install and utilize technology
and systems for the purpose of
collecting, validating and verifying
information, processing and
maintaining information, and disclosing
and providing information; to train
personnel and to be able to respond to
a collection of information, to search
data sources, to complete and review
the collection of information; and to

transmit or otherwise disclose the
information.

Proposed Project

Survey of Surveillance Records of
Aedes aegypti and *Aedes albopictus*
from 1960 to Present—Revision—(OMB
Control number 0920-1146, expires 11/
30/2019) National Center for Emerging
and Zoonotic Infectious Diseases
(NCEZID), Centers for Disease Control
and Prevention (CDC).

Background and Brief Description

The Zika virus response necessitates
the collection of county and sub-county
level records for *Aedes aegypti* and *Ae.*
albopictus, the vectors of Zika virus.
This information will be used to update
species distribution maps for the United
States and to develop a model aimed at
identifying where these vectors can
survive and reproduce. CDC is seeking
to revise the information collection
approved under OMB Control number
0920-1146 to collect information for
three years.

In February 2016, OMB received
emergency clearance for a county-level
survey of vector surveillance records for
a limited number of years (2006-2015)
(OMB Control No. 0920-1101,
expiration date 8/31/2016). OMB then
issued clearance for a follow-up
information collection that was very
similar to the first (OMB Control No.
0920-1146, expiration date 11/30/2019)
but expanded the years that were
evaluated. The information collection in
this information collection request will
be very similar of those surveys, but will
collect these data monthly going
forward.

The previous two surveys aimed to
describe the reported distribution of the
Zika virus vectors *Aedes aegypti* and
Ae. albopictus from 1960 until late 2016
at county and sub-county spatial scales.
The 56-year data review was necessary
because many recent records for these
species of mosquitos were lacking,
likely because from 2004-2015 most
vector surveillance focused on vectors
of West Nile virus (*Culex* spp.) rather
than Zika vectors. The surveys yielded
important data allowing CDC, states,
and partners to understand the spread of
these mosquitos in the U.S as well as
the environmental conditions necessary
for them to survive. The surveys
reviewed data records from 1960-2016
and resulted in a complete assessment
of historical records of mosquito
surveillance but were not designed to
collect these types of data routinely over
time.

In this revision, CDC will also seek
information on locations of the
mosquito traps at sub-county spatial

scales through an online data portal called MosquitoNET (<https://wwwn.cdc.gov/Arbonet/MosquitoNET>) and will be expanded to include insecticide susceptibility and resistance data on local populations of mosquitos. Data will be collected monthly through the expiration date of this OMB approval.

Such information will aid in (1) targeting vector control efforts to prevent mosquito-borne Zika virus transmission in the continental U.S. and (2) targeting future vector surveillance efforts. The resulting maps and models will inform the public and policy makers of the known distribution of these vectors, identify gaps in vector

surveillance, and target allocation of surveillance and prevention resources. As part of the Zika response, efforts to identify *Ae. aegypti* and *Ae. albopictus* in the continental U.S. were substantially enhanced during 2016 and funding will be provided to states to continue to enhance surveillance for these vectors through the longstanding Epidemiology and Laboratory Capacity Program that was expanded to now include mosquito surveillance.

Respondents will include vector control professionals, entomologists, and public health professionals who are recipients of ELC funding or their designated points of contact. The respondents will be contacted via ELC

primary recipients and instructed to set up accounts on the MosquitoNET Web site via a simple process. Data collection from ELC recipients will then begin. In order to limit the burden of data entry on respondents who may be entering information for their state, they will have the option of submitting the data via email to CDC using an excel survey.

This information collection request is authorized by Section 301 of the Public Health Service Act (42 U.S.C. 241). The total estimated annualized burden time is 192 hours. There will be no anticipated costs to respondents other than time.

ESTIMATED ANNUALIZED BURDEN HOURS

Type of respondents	Form name	Number of respondents	Number of responses per respondent	Average burden per response (in hrs.)	Total burden (in hrs.)
Vector control professionals, entomologists, and Public health professionals.	MosquitoNET entry of monthly surveillance records of <i>Aedes aegypti</i> and <i>Aedes albopictus</i> .	64	12	15/60	192
Total .....	.....	.....	.....	.....	192

Leroy A. Richardson,
Chief, Information Collection Review Office, Office of Scientific Integrity, Office of the Associate Director for Science, Office of the Director, Centers for Disease Control and Prevention.

[FR Doc. 2017-06865 Filed 4-5-17; 8:45 am]

BILLING CODE 4163-18-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[30 Day-17-17IM]

Agency Forms Undergoing Paperwork Reduction Act Review

The Centers for Disease Control and Prevention (CDC) has submitted the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The notice for the proposed information collection is published to obtain comments from the public and affected agencies.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address any of the following: (a) Evaluate whether the proposed collection of information is

necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) Enhance the quality, utility, and clarity of the information to be collected; (d) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses; and (e) Assess information collection costs.

To request additional information on the proposed project or to obtain a copy of the information collection plan and instruments, call (404) 639-7570 or send an email to omb@cdc.gov. Written comments and/or suggestions regarding the items contained in this notice should be directed to the Attention: CDC Desk Officer, Office of Management and Budget, Washington, DC 20503 or by fax to (202) 395-5806. Written comments should be received within 30 days of this notice.

Proposed Project

Use of the Cyclosporiasis National Hypothesis Generating Questionnaire

(CNHGG) during Investigations of Foodborne Disease Clusters and Outbreaks—New—Center for Global Health (CGH), Centers for Disease Control and Prevention (CDC).

Background and Brief Description

An estimated 1 in six Americans per year become ill with a foodborne disease. Foodborne outbreaks of cyclosporiasis—caused by the parasite *Cyclospora cayetanensis*—have been reported in the United States since the mid-1990s and have been linked to various types of fresh produce. During the 15-year period of 2000–2014, 31 U.S. foodborne outbreaks of cyclosporiasis were reported; the total case count was 1,562. It is likely that more cases (and outbreaks) occurred than were reported; in addition, because of insufficient data, many of the reported cases could not be directly linked to an outbreak or to a particular food vehicle.

Collecting the requisite data for the initial hypothesis-generating phase of investigations of multistate foodborne disease outbreaks is associated with multiple challenges, including the need to have high-quality hypothesis-generating questionnaire(s) that can be used effectively in multijurisdictional investigations. Such a questionnaire was developed in the past for use in the context of foodborne outbreaks caused by bacterial pathogens; that

questionnaire is referred to as the Standardized National Hypothesis Generating Questionnaire (SNHGQ). However, not all of the data elements in the SNHGQ are relevant to the parasite *Cyclospora* (e.g., questions about consumption of meat and dairy products); on the other hand, additional data elements (besides those in the SNHGQ) are needed to capture information pertinent to *Cyclospora* and to fresh produce vehicles of infection. Therefore, the Cyclosporiasis National Hypothesis Generating Questionnaire (CNHGQ) has been developed, by using core data elements from the SNHGQ and incorporating modifications pertinent to *Cyclospora*.

The core data elements from the SNHGQ were developed by a series of working groups comprised of local,

state, and federal public health partners. Subject matter experts at CDC have developed the CNHGQ, by modifying the SNHGQ to include and focus on data elements pertinent to *Cyclospora*/cyclosporiasis. Input also was solicited from state public health partners. Because relatively few data elements in the SNHGQ needed to be modified, a full vetting process was determined not to be necessary. The CNHGQ has been designed for administration over the telephone by public health officials, to collect data elements from case-patients or their proxies. The data that is collected will be pooled and analyzed at CDC, to generate hypotheses about potential vehicles/sources of infection.

CDC requests OMB approval to collect information via the CNHGQ from persons who have developed

symptomatic cases of *Cyclospora* infection during periods in which increased numbers of such cases are reported (typically, during spring and summer months). In part because molecular typing methods are not yet available for *C. cayetanensis*, it is important to interview all case-patients identified during periods of increased reporting, to help determine if their cases could be part of an outbreak(s).

The CNHGQ is not expected to entail substantial burden for respondents. The estimated total annualized burden associated with administering the CNHGQ is 750 hours (approximately 1,000 individuals interviewed x 45 minutes/response). There will be no costs to respondents other than their time.

ESTIMATED ANNUALIZED BURDEN HOURS

Type of respondents	Form name	Number of respondents	Number of responses per respondent	Average burden per response (hours)
Individuals	Cyclosporiasis National Hypothesis Generating Questionnaire	1,000	1	45/60

Leroy A. Richardson,

Chief, Information Collection Review Office, Office of Scientific Integrity, Office of the Associate Director for Science, Office of the Director, Centers for Disease Control and Prevention.

[FR Doc. 2017-06869 Filed 4-5-17; 8:45 am]

BILLING CODE 4163-18-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifiers: CMS-10147, CMS-10203, CMS-R-21, and CMS-R-148]

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Centers for Medicare & Medicaid Services, HHS.

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 the necessity and utility of the proposed information collection for the proper performance of the agency's functions, the accuracy of the estimated burden, ways to enhance the quality, utility, and clarity of the information to be collected, and the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

DATES: Comments must be received by June 5, 2017.

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 <https://www.cms.gov/Regulations-and-Guidance/Legislation/PaperworkReductionActof1995/PRA-Listing.html>.

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: William Parham at (410) 786-4669.

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-10147 Medicare Prescription Drug Coverage and Your Rights
- CMS-10203 Medicare Health Outcomes Survey (HOS)
- CMS-R-21 Withholding Medicare Payments to Recover Medicaid

Overpayments and Supporting Regulations in 42 CFR 447.31
 CMS–R–148 Limitations on Provider Related Donations and Health Care Related Taxes; Limitation on Payment to Disproportionate Share Hospitals; Medicaid and Supporting Regulations in 42 CFR 433.68, 433.74 and 447.272
 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:* Medicare Prescription Drug Coverage and Your Rights; *Use:* Through the delivery of this standardized notice, Part D plan sponsors’ network pharmacies are in the best position to inform enrollees (at the point of sale) about how to contact their Part D plan if their prescription cannot be filled and how to request an exception to the Part D plan’s formulary. The notice restates certain rights and protections related to the enrollees Medicare prescription drug benefits, including the right to receive a written explanation from the drug plan about why a prescription drug is not covered; *Form Number:* CMS–10147 (OMB control number: 0938–0975); *Frequency:* Occasionally; *Affected Public:* Private sector (business or other for-profits); *Number of Respondents:* 62,000; *Total Annual Responses:* 40,100,000; *Total Annual Hours:* 668,066. (For policy questions regarding this collection contact Sabrina Sparkman at 410–786–3209.)

2. *Type of Information Collection Request:* Revision of a currently approved collection; *Title of Information Collection:* Medicare Health Outcomes Survey (HOS); *Use:* The collection is necessary to hold Medicare managed care contracts accountable for the quality of care they deliver to

beneficiaries. This reporting requirement allows us to obtain the information necessary for proper oversight of the Medicare Advantage program. It is critical to our mission that we collect and disseminate valid and reliable information that can be used to improve quality of care through identification of quality improvement opportunities, assist us in carrying out our oversight responsibilities, and help beneficiaries make an informed choice among health plans. *Form Number:* CMS–10203 (OMB control number: 0938–0701); *Frequency:* Yearly; *Affected Public:* Individuals and households; *Number of Respondents:* 739,959; *Total Annual Responses:* 554,895; *Total Annual Hours:* 183,115. (For policy questions regarding this collection contact Kimberly DeMichele at 410–786–4286.)

3. *Type of Information Collection Request:* Extension of a currently approved collection; *Title of Information Collection:* Withholding Medicare Payments to Recover Medicaid Overpayments and Supporting Regulations in 42 CFR 447.31; *Use:* Certain Medicaid providers that are subject to offsets for the collection of Medicaid overpayments may terminate or substantially reduce their participation in Medicaid, leaving the state Medicaid agency unable to recover the amounts due. Recovery procedures allow for determining the amount of overpayments and offsetting the overpayments by withholding the provider’s Medicare payments. To effectuate the withholding, the state agency must provide their respective CMS regional office with certain documentation that identifies the provider and the Medicaid overpayment amount. The agency must also demonstrate that the provider was notified of the overpayment and that demand for the overpayment was made. An opportunity to appeal the overpayment determination must be afforded to the provider by the Medicaid state agency. Lastly, Medicaid state agencies must notify CMS when to terminate the withholding; *Form Number:* CMS–R–21 (OMB control number: 0938–0287); *Frequency:* Occasionally; *Affected Public:* State, Local, or Tribal Governments; *Number of Respondents:* 54; *Total Annual Responses:* 27; *Total Annual Hours:* 81. (For policy questions regarding this collection contact Stuart Goldstein at 410–786–0694.)

4. *Type of Information Collection Request:* Extension of a currently approved collection; *Title of Information Collection:* Limitations on Provider Related Donations and Health

Care Related Taxes; Limitation on Payment to Disproportionate Share Hospitals; Medicaid and Supporting Regulations in 42 CFR 433.68, 433.74 and 447.272; *Use:* States may request a waiver of the broad based and uniformity tax program requirements. Each state must demonstrate that its tax program(s) do not violate the hold harmless provision. Additionally, state Medicaid agencies must report (quarterly) on health care related taxes collected and the source of provider related donations received by the state or unit of local government. Each state must maintain, in readily reviewable form, supporting documentation that provides a detailed description of each donation and tax program being reported, as well as the source and use of all donations received and collected. Without this information, the amount of Federal financial participation payable to a state cannot be determined; *Form Number:* CMS–R–148 (OMB control number: 0938–0618); *Frequency:* Quarterly and occasionally; *Affected Public:* State, Local, or Tribal Governments; *Number of Respondents:* 50; *Total Annual Responses:* 40; *Total Annual Hours:* 3,200. (For policy questions regarding this collection contact Stuart Goldstein at 410–786–0694.)

Dated: April 3, 2017.

William N. Parham, III,
 Director, Paperwork Reduction Staff, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2017–06830 Filed 4–5–17; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifiers: CMS–10501 and CMS–10635]

Agency Information Collection Activities: Submission for OMB Review; Comment Request

AGENCY: Centers for Medicare & Medicaid Services, HHS.

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 (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 a second opportunity for public comment on the notice. Interested persons are invited to send comments regarding the burden estimate or any other aspect of this collection of information, including the necessity and utility of the proposed information collection for the proper performance of the agency's functions, the accuracy of the estimated burden, ways to enhance the quality, utility, and clarity of the information to be collected; and the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

DATES: Comments on the collection(s) of information must be received by the OMB desk officer by May 8, 2017.

ADDRESSES: When commenting on the proposed information collections, please reference the document identifier or OMB control number. To be assured consideration, comments and recommendations must be received by the OMB desk officer via one of the following transmissions: OMB, Office of Information and Regulatory Affairs, Attention: CMS Desk Officer, Fax Number: (202) 395-5806 *OR* Email: *OIRA_submission@omb.eop.gov*.

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 Web site address at <https://www.cms.gov/Regulations-and-Guidance/Legislation/PaperworkReductionActof1995/PRA-Listing.html>.

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: William Parham at (410) 786-4669.

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501-3520), federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. 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 (44 U.S.C. 3506(c)(2)(A)) requires federal agencies to publish a 30-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. Comments submitted in response to the 60-day FR Notice have been addressed in Appendix A of the ICR. To comply with this requirement, CMS is publishing this notice that summarizes the following proposed collection(s) of information for public comment:

1. *Type of Information Collection Request:* Revision of a currently approved information collection; *Title of Information Collection:* Healthcare Fraud Prevention Partnership (HFPP): Data Sharing and Information Exchange; *Use:* Section 1128C(a)(2) of the Social Security Act (42 U.S.C. 1320a-7c(a)(2)) authorizes the Secretary and the Attorney General to consult, and arrange for the sharing of data with, representatives of health plans for purposes of establishing a Fraud and Abuse Control Program as specified in Section 1128(C)(a)(1) of the Social Security Act. The result of this authority has been the establishment of the HFPP. The HFPP was officially established by a Charter in the fall of 2012 and signed by HHS Secretary Sibelius and U.S. Attorney General Holder.

Data sharing within the HFPP primarily focuses on conducting studies for the purpose of combatting fraud, waste, and abuse. These studies are intended to target specific vulnerabilities within the payment systems in both the public and private healthcare sectors. The HFPP and its committees design and develop studies in coordination with the TTP. The core function of the TTP is to manage and execute the HFPP studies within the HFPP. Specifically, the TTP collects and consolidates partner (both public and private) study-related data in order to share information among the HFPP pertaining to analytical tools and techniques; study analysis; successful anti-fraud practices, trends and vulnerabilities; and reports that maintain the confidentiality of its source data. *Form Number:* CMS-10501 (OMB control number: 0938-1251); *Frequency:* Occasionally; *Affected Public:* Private sector (Business or other for-profits); *Number of Respondents:* 20; *Total Annual Responses:* 20; *Total Annual Hours:* 360. (For policy questions regarding this collection contact Marnie Dorsey at 410-786-5942.)

2. *Type of Information Collection Request:* New collection (Request for a new OMB control number); *Title of Information Collection:* Montana Health and Economic Livelihood Partnership

(HELP) Federal Evaluation; *Use:* CMS approved the Montana Health and Economic Livelihood Partnership (HELP) demonstration in November 2015. The demonstration provides flexibility for the expanded Medicaid population under the Affordable Care Act for individuals in the state of Montana (hereinafter, "State" or "Montana").

Montana expects to achieve the following: (1) Premiums and copayment liability that will encourage HELP Program enrollees to be discerning health care purchasers, take personal responsibility for their health care decisions and develop health-conscious behaviors as consumers of health care services; and (2) 12 month continuous eligibility to improve continuity of care. The State also seeks to demonstrate the following over the life of the demonstration: (1) Premiums will not pose a barrier to accessing care for HELP Program beneficiaries; (2) HELP Program enrollees will exhibit health-conscious health care behaviors without harming beneficiary health; and (3) 12 month continuous eligibility will promote continuity of coverage and reduce churning rates.

The demonstration includes the authority to charge premiums of 2 percent of household income to individuals in the new adult group with incomes between 50 and 133 percent of the FPL. The state will credit such individuals' premium obligation towards copayments due. Non-payment of premiums may result in disenrollment for individuals with incomes above 100 percent of the FPL after notice and a grace period. Individuals at or below 100 percent who stop paying premiums will not be disenrolled.

To adequately inform CMS decision-making regarding Section 1115 Demonstrations, this federal evaluation of Montana's HELP demonstration includes surveys and associated focus groups, and informational interviews conducted during site visits and via phone.

Form Number: CMS-10635 (OMB control number: 0938-New); *Frequency:* Once and on occasion; *Affected Public:* Individuals and Households, Business or other for-profits and Not-for-profits institutions, and State, Local, or Tribal Governments; *Number of Respondents:* 1,458; *Total Annual Responses:* 1,458; *Total Annual Hours:* 568. (For policy questions regarding this collection contact Serge King at 410-786-6052.)

Dated: April 3, 2017.

William N. Parham, III,

Director, Paperwork Reduction Staff, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2017-06827 Filed 4-5-17; 8:45 am]

BILLING CODE 4120-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Office of the Director; Notice of Meeting

Notice is hereby given of a meeting scheduled by the Deputy Director for Intramural Research at the National Institutes of Health (NIH) with the Chairpersons of the Boards of Scientific Counselors. The Boards of Scientific Counselors are advisory groups to the Scientific Directors of the Intramural Research Programs at the NIH.

The meeting will be open to the public. Attendance is limited to space available in the conference room. Individuals who plan to attend and need special assistance, such as sign language interpretation or other reasonable accommodations, should notify the contact person listed below.

Date: Friday, May 12, 2017.

Time: 10:00 a.m. to 2:00 p.m.

Place: Room 6, C-Wing, 6th Floor, Building 31, 31 Center Drive, Bethesda, MD 20892.

Agenda: The meeting will include a discussion of policies and procedures that apply to the regular review of NIH intramural scientists and their work. Information is also available on the Office of Intramural Research home page: <http://sourcebook.od.nih.gov>.

Contact Person: Margaret McBurney, Program Specialist, Office of the Deputy Director for Intramural Research, 1 Center Drive, Room 160, Bethesda, MD 20892, email: mmcburney@od.nih.gov, Phone: 301-496-1921, Fax: 301-402-4273.

In the interest of security, NIH has instituted stringent procedures for entrance onto the NIH campus. All visitor vehicles, including taxicabs, hotel and airport shuttles will be inspected before being allowed on campus. Visitors will be asked to show one form of identification (for example, a government-issued photo ID, driver's license, or passport) and to state the purpose of their visit.

Dated: March 31, 2017.

Anna Snouffer,

Deputy Director, Office of Federal Advisory Committee Policy.

[FR Doc. 2017-06775 Filed 4-5-17; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Environmental Health Sciences; Notice of 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 Board of Scientific Counselors, NIEHS.

The meeting will be open to the public as indicated below, with attendance limited to space available. Individuals who plan to attend and need special assistance, such as sign language interpretation or other reasonable accommodations, should notify the Contact Person listed below in advance of the meeting.

The meeting will be closed to the public as indicated below in accordance with the provisions set forth in section 552b(c)(6), Title 5 U.S.C., as amended for the review, discussion, and evaluation of individual intramural programs and projects conducted by the NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES, including consideration of personnel qualifications and performance, and the competence of individual investigators, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Board of Scientific Counselors, NIEHS.

Date: May 7-9, 2017.

Closed: May 07, 2017, 7:00 p.m. to 10:00 p.m.

Agenda: To review and evaluate programmatic concerns and personnel qualifications.

Place: Doubletree Guest Suites, 2515 Meridian Parkway, Research Triangle Park, NC 27713.

Open: May 08, 2017, 8:30 a.m. to 11:00 a.m.

Agenda: Scientific Presentations.

Place: Nat. Inst. of Environmental Health Sciences, Building 101, Rodbell Auditorium, 111 T.W. Alexander Drive, Research Triangle Park, NC 27709.

Closed: May 08, 2017, 11:00 a.m. to 1:00 p.m.

Agenda: To review and evaluate programmatic concerns and personnel qualifications.

Place: Nat. Inst. of Environmental Health Sciences, Building 101, Rodbell Auditorium, 111 T.W. Alexander Drive, Research Triangle Park, NC 27709.

Open: May 08, 2017, 1:00 p.m. to 2:00 p.m.

Agenda: Poster Session.

Place: Nat. Inst. of Environmental Health Sciences, Building 101, Rodbell Auditorium, 111 T.W. Alexander Drive, Research Triangle Park, NC 27709.

Closed: May 08, 2017, 2:00 p.m. to 3:00 p.m.

Agenda: To review and evaluate programmatic concerns and personnel qualifications.

Place: Nat. Inst. of Environmental Health Sciences, Building 101, Rodbell Auditorium, 111 T.W. Alexander Drive, Research Triangle Park, NC 27709.

Open: May 08, 2017, 3:15 p.m. to 4:55 p.m.

Agenda: Scientific Presentations.

Place: Nat. Inst. of Environmental Health Sciences, Building 101, Rodbell Auditorium, 111 T.W. Alexander Drive, Research Triangle Park, NC 27709.

Closed: May 08, 2017, 4:55 p.m. to 5:25 p.m.

Agenda: To review and evaluate programmatic concerns and personnel qualifications.

Place: Nat. Inst. of Environmental Health Sciences, Building 101, Rodbell Auditorium, 111 T.W. Alexander Drive, Research Triangle Park, NC 27709.

Closed: May 08, 2017, 6:00 p.m. to 10:00 p.m.

Agenda: To review and evaluate programmatic concerns and personnel qualifications.

Place: Doubletree Guest Suites, 2515 Meridian Parkway, Research Triangle Park, NC 27713.

Open: May 09, 2017, 8:30 a.m. to 10:00 a.m.

Agenda: Scientific Presentations.

Place: Nat. Inst. of Environmental Health Sciences, Building 101, Rodbell Auditorium, 111 T.W. Alexander Drive, Research Triangle Park, NC 27709.

Closed: May 09, 2017, 10:00 a.m. to 12:30 p.m.

Agenda: To review and evaluate programmatic concerns and personnel qualifications.

Place: Nat. Inst. of Environmental Health Sciences, Building 101, Rodbell Auditorium, 111 T.W. Alexander Drive, Research Triangle Park, NC 27709.

Contact Person: Darryl C. Zeldin, Scientific Director & Principal Investigator, Division of Intramural Research, National Institute of Environmental Health Sciences, NIH, 111 T.W. Alexander Drive, Mail drop A2-09, Research Triangle Park, NC 27709, 919-541-1169, zeldin@niehs.nih.gov.

Any interested person may file written comments with the committee by forwarding the statement to the Contact Person listed on this notice. The statement should include the name, address, telephone number and when applicable, the business or professional affiliation of the interested person.

(Catalogue of Federal Domestic Assistance Program Nos. 93.115, Biometry and Risk Estimation Health Risks from Environmental Exposures; 93.142, NIEHS Hazardous Waste Worker Health and Safety Training; 93.143, NIEHS Superfund Hazardous Substances—Basic Research and Education; 93.894, Resources and Manpower Development in the Environmental Health Sciences; 93.113, Biological Response to Environmental Health Hazards; 93.114, Applied Toxicological Research and Testing, National Institutes of Health, HHS)

Dated: March 31, 2017.

Natasha M. Copeland,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017-06774 Filed 4-5-17; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Aging; 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 on Aging Special Emphasis Panel; ARMADA.

Date: May 3, 2017.

Time: 10:00 a.m. to 12:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institute on Aging, Gateway Building, Suite 2W200, 7201 Wisconsin Avenue, Bethesda, MD 20892, (Telephone Conference Call).

Contact Person: Alicja L. Markowska, Ph.D., D.Sc., Scientific Review Branch, National Institute on Aging, 7201 Wisconsin Avenue, Suite 2C212, Bethesda, MD 20892, 301-496-9666, markowska@nia.nih.gov.

Name of Committee: National Institute on Aging Special Emphasis Panel; Alzheimer's Disease Drug Development.

Date: May 9, 2017.

Time: 12:00 p.m. to 3:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institute on Aging, Gateway Building, Suite 2W200, 7201 Wisconsin Avenue, Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: Alexander Parsadonian, Ph.D., Scientific Review Officer, National Institute on Aging, Gateway Building 2C/212, 7201 Wisconsin Avenue, Bethesda, MD 20892, 301-496-9666, parsadoniana@nia.nih.gov.

Name of Committee: National Institute on Aging Special Emphasis Panel; Enhancing Target and Biomarker Discovery in AD.

Date: May 15, 2017.

Time: 12:00 p.m. to 4:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institute on Aging, Gateway Building, Suite 2W200, 7201 Wisconsin Avenue, Bethesda, MD 20892, (Telephone Conference Call).

Contact Person: Alexander Parsadonian, Ph.D., Scientific Review Officer, National Institute on Aging, Gateway Building 2C/212, 7201 Wisconsin Avenue, Bethesda, MD 20892, 301-496-9666, parsadoniana@nia.nih.gov.

(Catalogue of Federal Domestic Assistance Program Nos. 93.866, Aging Research, National Institutes of Health, HHS)

Dated: March 31, 2017.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017-06772 Filed 4-5-17; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Allergy and Infectious Diseases; 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 Allergy and Infectious Diseases Special Emphasis Panel; NIAID; Investigator Initiated Program Project Application (P01).

Date: April 26, 2017.

Time: 1:00 p.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 5601 Fishers Lane, Rockville, MD 20892, (Telephone Conference Call).

Contact Person: Ann Marie M. Cruz, Ph.D., Program Management & Operations Branch, DEA/SRP RM 3E71, National Institutes of Health, NIAID, 5601 Fishers Lane, Rockville, MD 20852, 301-761-3100, ann-marie.cruz@nih.gov.

(Catalogue of Federal Domestic Assistance Program Nos. 93.855, Allergy, Immunology, and Transplantation Research; 93.856, Microbiology and Infectious Diseases Research, National Institutes of Health, HHS)

Dated: March 31, 2017.

Natasha M. Copeland,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017-06773 Filed 4-5-17; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HOMELAND SECURITY

U.S. Citizenship and Immigration Services

[OMB Control Number 1615-0051]

Agency Information Collection Activities; Extension, Without Change, of a Currently Approved Collection: Monthly Report on Naturalization Papers

AGENCY: U.S. Citizenship and Immigration Services, Department of Homeland Security.

ACTION: 60-Day notice.

SUMMARY: The Department of Homeland Security (DHS), U.S. Citizenship and Immigration (USCIS) invites the general public and other Federal agencies to comment upon this proposed extension of a currently approved collection of information or new collection of information. In accordance with the Paperwork Reduction Act (PRA) of 1995, the information collection notice is published in the **Federal Register** to obtain comments regarding the nature of the information collection, the categories of respondents, the estimated burden (*i.e.* the time, effort, and resources used by the respondents to respond), the estimated cost to the respondent, and the actual information collection instruments.

DATES: Comments are encouraged and will be accepted for 60 days until June 5, 2017.

ADDRESSES: All submissions received must include the OMB Control Number 1615-0051 in the body of the letter, the agency name and Docket ID USCIS-2005-0032. To avoid duplicate submissions, please use only *one* of the following methods to submit comments:

(1) *Online.* Submit comments via the Federal eRulemaking Portal Web site at <http://www.regulations.gov> under e-Docket ID number USCIS-2005-0032;

(2) *Mail.* Submit written comments to DHS, USCIS, Office of Policy and Strategy, Chief, Regulatory Coordination Division, 20 Massachusetts Avenue NW., Washington, DC 20529-2140.

FOR FURTHER INFORMATION CONTACT: USCIS, Office of Policy and Strategy, Regulatory Coordination Division, Samantha Deshommes, Chief, 20

Massachusetts Avenue NW., Washington, DC 20529–2140, telephone number 202–272–8377 (This is not a toll-free number. Comments are not accepted via telephone message). Please note contact information provided here is solely for questions regarding this notice. It is not for individual case status inquiries. Applicants seeking information about the status of their individual cases can check Case Status Online, available at the USCIS Web site at <http://www.uscis.gov>, or call the USCIS National Customer Service Center at 800–375–5283 (TTY 800–767–1833).

SUPPLEMENTARY INFORMATION:

Comments

You may access the information collection instrument with instructions, or additional information by visiting the Federal eRulemaking Portal site at: <http://www.regulations.gov> and enter USCIS–2005–0032 in the search box. Regardless of the method used for submitting comments or material, all submissions will be posted, without change, to the Federal eRulemaking Portal at <http://www.regulations.gov>, and will include any personal information you provide. Therefore, submitting this information makes it public. You may wish to consider limiting the amount of personal information that you provide in any voluntary submission you make to DHS. DHS may withhold information provided in comments from public viewing that it determines may impact the privacy of an individual or is offensive. For additional information, please read the Privacy Act notice that is available via the link in the footer of <http://www.regulations.gov>.

Written comments and suggestions from the public and affected agencies should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other

technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of This Information Collection

(1) *Type of Information Collection:* Extension, Without Change, of a Currently Approved Collection.

(2) *Title of the Form/Collection:* Monthly Report on Naturalization Papers.

(3) *Agency form number, if any, and the applicable component of the DHS sponsoring the collection:* N–4; USCIS.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract: Primary:* State and Local Government. Section 339 of the Immigration and Nationality Act requires that the clerk of each court that administers the oath of allegiance notify USCIS of all persons to whom the oath of allegiance for naturalization is administered, within 30 days after the close of the month in which the oath was administered. This form provides a format listing the number of those persons to USCIS and provides accountability for the delivery of the certificates of naturalization as required under that section of law.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* The estimated total number of respondents for the information collection N–4 is 160 with an estimated 12 responses per respondent annually, and the estimated hour burden per response is 0.5 hours.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The total estimated annual hour burden associated with this collection is 960 hours.

(7) *An estimate of the total public burden (in cost) associated with the collection:* The estimated total annual cost burden associated with this collection of information is \$4,800.

Dated: March 23, 2017.

Samantha Deshombres,

Chief, Regulatory Coordination Division, Office of Policy and Strategy, U.S. Citizenship and Immigration Services, Department of Homeland Security.

[FR Doc. 2017–06816 Filed 4–5–17; 8:45 am]

BILLING CODE 9111–97–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS–R4–ES–2017–N038;
FXES1113040000EA–123–FF04EF1000]

Endangered and Threatened Wildlife and Plants; Availability of Proposed Low-Effect Habitat Conservation Plan, Lake County, FL

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability; request for comments/information.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), have received an application for an incidental take permit (ITP) from New Beginnings of Central Florida, Inc. under the Endangered Species Act of 1973, as amended (Act). New Beginnings of Central Florida, Inc. requests a 5-year ITP. We request public comment on the permit application and accompanying proposed habitat conservation plan (HCP), as well as on our preliminary determination that the plan qualifies as low-effect under the National Environmental Policy Act. To make this determination, we used our environmental action statement and low-effect screening form, which are also available for review.

DATES: To ensure consideration, please send your written comments by May 8, 2017.

ADDRESSES: If you wish to review the application and HCP, you may request documents by email, U.S. mail, or phone (see below). These documents are also available for public inspection by appointment during normal business hours at the office below. Send your comments or requests by any one of the following methods.

Email: northflorida@fws.gov. Use “Attn: Permit number TE19759C–0” as your message subject line for New Beginnings of Central Florida, Inc.

Fax: Field Supervisor, (904) 731–3191, Attn: Permit number TE19759C–0.

U.S. mail: Field Supervisor, Jacksonville Ecological Services Field Office, Attn: Permit number TE19759C–0, U.S. Fish and Wildlife Service, 7915 Baymeadows Way, Suite 200, Jacksonville, FL 32256.

In-person drop-off: You may drop off information during regular business hours at the above office address.

FOR FURTHER INFORMATION CONTACT: Anthony W. Daly-Crews, telephone: (904) 731–3182; email: Anthony_Daly-Crews@fws.gov.

SUPPLEMENTARY INFORMATION:

Background

Section 9 of the Act (16 U.S.C. 1531 *et seq.*) and our implementing Federal regulations in the Code of Federal Regulations (CFR) at 50 CFR part 17 prohibit the “take” of fish or wildlife species listed as endangered or threatened. Take of listed fish or wildlife is defined under the Act as “to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct” (16 U.S.C. 1532). However, under limited circumstances, we issue permits to authorize incidental take—*i.e.*, take that is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity.

Regulations governing incidental take permits for threatened and endangered species are at 50 CFR 17.32 and 17.22, respectively. The Act’s take prohibitions do not apply to federally listed plants on private lands unless such take would violate State law. In addition to meeting other criteria, an incidental take permit’s proposed actions must not jeopardize the existence of federally listed fish, wildlife, or plants.

Applicant’s Proposal

New Beginnings of Central Florida, Inc. is requesting take of approximately 3.3 acres of occupied sand skink foraging and sheltering habitat incidental to the construction of a residential apartment complex and seeks a 5-year permit. The sand skink (*Neoseps reynoldsi*) is listed in 50 CFR 17.11(h) as a threatened species. The 9.67-ac New Beginnings of Central Florida, Inc. project is located on parcel 09–22–26–080500900000, within Section 20, Township 22 South, Range 26 East, Lake County, Florida. The project includes the construction of a residential apartment complex, associated infrastructure, and landscaping. New Beginnings of Central Florida, Inc. proposes to mitigate for the take of sand skinks by purchasing 6.6 mitigation credits within the Scrub Conservation Bank.

Our Preliminary Determination

We have determined that the applicant’s proposal, including the proposed mitigation measures, would have minor or negligible effects on the species covered in the HCP. Therefore, we determined that the ITP would be for a “low-effect” project and qualifies for categorical exclusion under the National Environmental Policy Act (NEPA; 42 U.S.C. 4321 *et seq.*), as provided by the Department of the Interior NEPA regulations (43 CFR part 46). A low-effect HCP is one involving (1) Minor or

negligible effects on federally listed or candidate species and their habitats, and (2) minor or negligible effects on other environmental values or resources.

Next Steps

We will evaluate the HCP and comments we receive to determine whether the ITP application meets the requirements of section 10(a) of the Act. If we determine that the application meets these requirements, we will issue ITP number TE19759C–0. We will also evaluate whether issuance of the section 10(a)(1)(B) ITP complies with section 7 of the Act by conducting an intra-Service section 7 consultation. We will use the results of this consultation, in combination with the above findings, in our final analysis to determine whether or not to issue the ITP. If the requirements are met, we will issue the permit to the applicant.

Public Comments

If you wish to comment on the permit application, HCP, and associated documents, you may submit comments by any one of the methods in **ADDRESSES**.

Public Availability of Comments

Before including your address, phone number, email address, or other personal identifying information in your comments, 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.

Authority

We provide this notice under section 10 of the Act and NEPA regulations (40 CFR 1506.6).

Dated: February 24, 2017.

Jay B. Herrington,

Field Supervisor, Jacksonville Field Office, Southeast Region.

[FR Doc. 2017–06801 Filed 4–5–17; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[178A2100DD/AAKC001030/
AOA501010.999900 253G]

Rate Adjustments for Indian Irrigation Projects

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice.

SUMMARY: The Bureau of Indian Affairs (BIA) owns or has an interest in irrigation projects located on or associated with various Indian reservations throughout the United States. We are required to establish irrigation assessment rates to recover the costs to administer, operate, maintain, and rehabilitate these projects. We are notifying you that we have adjusted the irrigation assessment rates at several of our irrigation projects and facilities to reflect current costs of administration, operation, maintenance, and rehabilitation.

DATES: The irrigation assessment rates are current as of January 1, 2016.

FOR FURTHER INFORMATION CONTACT: For details about a particular BIA irrigation project or facility, please use the tables in the **SUPPLEMENTARY INFORMATION** section to contact the regional or local office where the project or facility is located.

SUPPLEMENTARY INFORMATION: A Notice of Proposed Rate Adjustment was published in the **Federal Register** on August 5, 2016 (81 FR 51927) to propose adjustments to the irrigation assessment rates at several BIA irrigation projects. The public and interested parties were provided an opportunity to submit written comments during the 60-day period that ended October 4, 2016.

Did BIA defer or change any proposed rate increases?

Yes. For the Flathead and Duck Valley Indian Irrigation Projects the rate increase to \$33.50 and \$6.30, respectively, as published in the proposed notice for the 2016 rate was not implemented. The final 2016 rate will remain at the 2015 amounts of \$26.00 and \$5.30. All other rates are to be implemented at the respective irrigation project as published.

Did BIA receive any comments on the proposed irrigation assessment rate adjustments?

No. The BIA did not receive any comments to the proposed irrigation assessment rate adjustment.

Does this notice affect me?

This notice affects you if you own or lease land within the assessable acreage of one of our irrigation projects or if you have a carriage agreement with one of our irrigation projects.

Where can I get information on the regulatory and legal citations in this notice?

You can contact the appropriate office(s) stated in the tables for the

irrigation project that serves you, or you can use the Internet site for the Government Printing Office at www.gpo.gov.

What authorizes you to issue this notice?

Our authority to issue this notice is vested in the Secretary of the Interior

(Secretary) by 5 U.S.C. 301 and the Act of August 14, 1914 (38 Stat. 583; 25 U.S.C. 385). The Secretary has in turn delegated this authority to the Assistant Secretary—Indian Affairs under Part 209, Chapter 8.1A, of the Department of the Interior’s Departmental Manual.

Whom can I contact for further information?

The following tables are the regional and project/agency contacts for our irrigation facilities.

Project name	Project/agency contacts
Northwest Region Contacts	
Stanley Speaks, Regional Director, Bureau of Indian Affairs, Northwest Regional Office, 911 NE. 11th Avenue, Portland, OR 97232–4169, Telephone: (503) 231–6702.	
Flathead Indian Irrigation Project	Pete Plant, Acting Superintendent, Pete Plant, Irrigation Project Manager, P.O. Box 40, Pablo, MT 59855, Telephones: (406) 675–2700 ext. 1300 Superintendent, (406) 745–2661 ext. 2 Project Manager.
Fort Hall Irrigation Project	David Bollinger, Irrigation Project Manager, Building #2 Bannock Ave, Fort Hall, ID 83203–0220, Telephone: (208) 238–6264
Wapato Irrigation Project	David Shaw, Superintendent, Larry Nelson, Acting Project Administrator, P.O. Box 220, Wapato, WA 98951–0220, Telephones: (509) 865–2421 Superintendent, (509) 877–3155 Acting Project Administrator.
Rocky Mountain Region Contacts	
Darryl LaCounte, Regional Director, Bureau of Indian Affairs, Rocky Mountain Regional Office, 2021 4th Avenue North, Billings, MT 59101, Telephone: (406) 247–7943.	
Blackfeet Irrigation Project	Thedis Crowe, Superintendent, Greg Tatsey, Irrigation Project Manager, Box 880, Browning, MT 59417, Telephones: (406) 338–7544, Superintendent, (406) 338–7519, Irrigation Project Manager.
Crow Irrigation Project	Vianna Stewart, Superintendent, John Anevski, Acting Irrigation Project Manager, P.O. Box 69, Crow Agency, MT 59022, Telephones: (406) 638–2672, Superintendent, (406) 247–7998, Acting Irrigation Project Manager.
Fort Belknap Irrigation Project	John St. Pierre, Superintendent, Vacant, Irrigation Project Manager, (Project operation & maintenance contracted to Tribes), R.R.1, Box 980, Harlem, MT 59526, Telephones: (406) 353–2901, Superintendent, (406) 353–8454, Irrigation Project Manager (Tribal Office).
Fort Peck Irrigation Project	Howard Beemer, Superintendent, Huber Wright, Acting Irrigation Project Manager, P.O. Box 637, Poplar, MT 59255, Telephones: (406) 768–5312, Superintendent, (406) 653–1752, Irrigation Project Manager.
Wind River Irrigation Project	Norma Gourneau, Superintendent, John Anevski, Acting Irrigation Project Manager, P.O. Box 158, Fort Washakie, WY 82514, Telephones: (307) 332–7810, Superintendent, (307) 247–7998, Acting Irrigation Project Manager.
Southwest Region Contacts	
William T. Walker, Regional Director, Bureau of Indian Affairs, Southwest Regional Office, 1001 Indian School Road, Albuquerque, NM 87104, Telephone: (505) 563–3100.	
Pine River Irrigation Project	Priscilla Bancroft, Superintendent, Vickie Begay, Irrigation Project Manager, P.O. Box 315, Ignacio, CO 81137–0315, Telephones: (970) 563–4511, Superintendent, (970) 563–9484, Irrigation Project Manager.
Western Region Contacts	
Bryan Bowker, Regional Director, Bureau of Indian Affairs, Western Regional Office, 2600 N. Central Ave., 4th Floor Mailroom, Phoenix, AZ 85004, Telephone: (602) 379–6600.	
Colorado River Irrigation Project	Kellie Youngbear Superintendent, Gary Colvin, Irrigation Project Manager, 12124 1st Avenue, Parker, AZ 85344, Telephone: (928) 669–7111.
Duck Valley Irrigation Project	Joseph McDade, Superintendent, (Project operation & management compacted to Tribes), 2719 Argent Ave., Suite 4, Gateway Plaza, Elko, NV 89801, Telephone: (775) 738–5165, (208) 759–3100, (Tribal Office).
Yuma Project, Indian Unit	Denni Shields, Superintendent, 256 South Second Avenue, Suite D, Yuma, AZ 85364, Telephone: (928) 782–1202.
San Carlos Irrigation Project, Indian Works and Joint Works.	Ferris Begay, Project Manager, Clarence Begay, Irrigation Manager, 13805 N. Arizona Boulevard, Coolidge, AZ 85128, Telephone: (520) 723–6225.
Uintah Irrigation Project	Bart Stevens Superintendent, Ken Asay, Irrigation System Manager, P.O. Box 130, Fort Duchesne, UT 84026, Telephone: (435) 722–4300, (435) 722–4344.
Walker River Irrigation Project	Robert Eben, Superintendent, 311 E. Washington Street, Carson City, NV 89701, Telephone: (775) 887–3500.

What irrigation assessments or charges are adjusted by this notice?

The rate table below contains the current rates for all irrigation projects

where we recover costs of administering, operating, maintaining, and rehabilitating them. The table also contains the final rates for the 2016 calendar year and subsequent years

where applicable. An asterisk immediately following the rate category notes the irrigation projects where 2016 rates are different from the 2015 rates.

Project name	Rate category	Final 2015 rate	Final 2016 rate	Final 2017 rate**
Northwest Region Rate Table				
Flathead Indian Irrigation Project (See Note #1)	Basic-per acre—A	\$26.00	\$26.00	\$26.00
	Basic-per acre—B	13.00	13.00	13.00
	Minimum Charge per tract	75.00	75.00	75.00

Project name	Rate category	Final 2015 rate	Final 2016 rate
Fort Hall Irrigation Project	Basic per acre *	\$49.00	\$52.00
	Minimum Charge per tract *	35.00	37.00
Fort Hall Irrigation Project—Minor Units	Basic per acre *	27.00	31.00
	Minimum Charge per tract *	35.00	37.00
Fort Hall Irrigation Project—Michaud	Basic per acre *	50.50	55.00
	Pressure per acre *	72.50	83.00
	Minimum Charge per tract *	35.00	37.00
Wapato Irrigation Project—Toppenish/Simcoe Units	Minimum Charge per bill *	24.00	25.00
	Basic per acre *	24.00	25.00
Wapato Irrigation Project—Ahtanum Units	Minimum Charge per bill *	25.00	30.00
	Basic per acre *	25.00	30.00
Wapato Irrigation Project—Satus Unit	Minimum Charge per bill	79.00	79.00
	“A” Basic per acre	79.00	79.00
Wapato Irrigation Project—Additional Works	“B” Basic per acre	85.00	85.00
	Minimum Charge per bill *	75.00	78.00
	Basic per acre *	75.00	78.00
Wapato Irrigation Project—Water Rental	Minimum Charge	86.00	86.00
	Basic per acre	86.00	86.00

Rocky Mountain Region Rate Table

Blackfeet Irrigation Project	Basic-per acre	20.00	20.00
Crow Irrigation Project—Willow Creek O&M (includes Agency, Lodge Grass #1, Lodge Grass #2, Reno, Upper Little Horn, and Forty Mile Units).	Basic-per acre *	24.80	26.00
	Basic-per acre *	24.80	26.00
Crow Irrigation Project—All Others (includes Bighorn, Soap Creek, and Pryor Units).	Basic-per acre *	24.80	26.00
Crow Irrigation Project—Two Leggins Unit	Basic-per acre	14.00	14.00
Crow Irrigation Two Leggins Drainage District	Basic-per acre	2.00	2.00
Fort Belknap Irrigation Project	Basic-per acre *	15.00	16.00
Fort Peck Irrigation Project	Basic-per acre	26.00	26.00
Wind River Irrigation Project—Units 2, 3 and 4	Basic-per acre *	21.00	22.50
Wind River Irrigation Project—Unit 6	Basic-per acre	21.00	21.00
Wind River Irrigation Project—LeClair District (see Note#2)	Basic-per acre *	25.70	47.00
Wind River Irrigation Project—Crow Heart Unit	Basic-per acre *	14.00	15.50
Wind River Irrigation Project—A Canal Unit	Basic-per acre *	14.00	15.50
Wind River Irrigation Project—Riverton Valley Irrigation District	Basic-per acre *	21.00	26.00

Southwest Region Rate Table

Pine River Irrigation Project	Minimum Charge per tract	50.00	50.00
	Basic-per acre *	17.00	18.00

Western Region Rate Table

Colorado River Irrigation Project	Basic per acre up to 5.75 acre-feet	\$54.00	\$54.00
	Excess Water per acre-foot over 5.75 acre-feet.	17.00	17.00
Duck Valley Irrigation Project	Basic per acre	5.30	5.30
Yuma Project, Indian Unit (See Note #3)	Basic per acre up to 5.0 acre-feet *	108.50	113.00
	Excess Water per acre-foot over 5.0 acre-feet.	24.50	24.50
	Basic per acre up to 5.0 acre-feet (Ranch 5) *.	108.50	113.00

Project name	Rate category	Final 2015 rate	Final 2016 rate	Final 2017 rate**
San Carlos Irrigation Project (Joint Works) (See Note #4).	Basic per acre *	\$35.00	\$30.00	\$25.00.
	Final 2016—2017 Construction Water Rate Schedule:			
		Off project construction	On project construction—gravity water	On project construction—pump water
	Administrative Fee	\$300.00	\$300.00	\$300.00.
	Usage Fee	\$250.00 per month	No Fee	\$100.00 per acre foot.
	Excess Water Rate †	\$5.00 per 1,000 gal ...	No Charge	No Charge.
† The excess water rate applies to all water used in excess of 50,000 gallons in any one month.				

Project name	Rate category	Final 2015 rate	Final 2016 rate
San Carlos Irrigation Project (Indian Works) (See Note#5)	Basic per acre *	\$86.00	\$81.00
Uintah Irrigation Project	Basic per acre	18.00	18.00
	Minimum Bill	25.00	25.00
Walker River Irrigation Project	Basic per acre	31.00	31.00

* Notes irrigation projects where rates are adjusted.

** The requirement for a final 2017 Rate is only applicable to the Flathead and San Carlos Irrigation Projects due to their specific billing requirements.

Note #1: **Federal Register** Notice on April 29, 2016 established the 2016 rate for the Flathead Irrigation Project (81 FR 25691). This notice makes final the 2017 rate for the Flathead Irrigation Project.

Note #2: The O&M rate varies yearly based upon the budget submitted by the LeClair District.

Note #3: The O&M rate for the Yuma Project, Indian Unit has two components. The first component is the O&M rate established by the Bureau of Reclamation (BOR), the owner and operator of the Project. The BOR rate for 2016 is \$110/acre. The second component is for the O&M rate established by BIA to cover administrative costs including billing and collections for the Project. The 2016 BIA rate is \$3.00/acre.

Note #4: The construction water rate schedule identifies the fees assessed for use of irrigation water for non-irrigation purposes. **Federal Register** Notice on April 29, 2016 established the 2016 rate for the SCIP-JW (81 FR 25691). This notice makes final the 2017 rate for the SCIP-JW.

Note #5: The 2016 O&M rate for the San Carlos Irrigation Project—Indian Works has three components. The first component is the O&M rate established by the San Carlos Irrigation Project—Indian Works, the owner and operator of the Project; this rate is \$51 per acre. The second component is for the O&M rate established by the San Carlos Irrigation Project—Joint Works and is determined to be \$25.00 per acre. The third component is the O&M rate established by the San Carlos Irrigation Project Joint Control Board and is \$5 per acre.

Consultation and Coordination With Tribal Governments (Executive Order 13175)

The Department of the Interior strives to strengthen its government-to-government relationship with Indian Tribes through a commitment to consultation with Indian Tribes and recognition of their right to self-governance and Tribal sovereignty. We have evaluated this notice under the Department’s consultation policy and under the criteria of Executive Order 13175 and have determined there to be substantial direct effects on federally recognized Tribes because the irrigation projects are located on or associated with Indian reservations. To fulfill its consultation responsibility to Tribes and Tribal organizations, BIA communicates, coordinates, and consults on a continuing basis with these entities on issues of water delivery, water availability, and costs of administration, operation, maintenance, and rehabilitation of projects that concern them. This is accomplished at the individual irrigation project by project, agency, and regional representatives, as appropriate, in accordance with local protocol and procedures. This notice is one

component of our overall coordination and consultation process to provide notice to, and request comments from, these entities when we adjust irrigation assessment rates.

Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use (Executive Order 13211)

The rate adjustments are not a significant energy action under the definition in Executive Order 13211. A Statement of Energy Effects is not required.

Regulatory Planning and Review (Executive Order 12866)

These rate adjustments are not a significant regulatory action and do not need to be reviewed by the Office of Management and Budget under Executive Order 12866.

Regulatory Flexibility Act

These rate adjustments are not a rule for the purposes of the Regulatory Flexibility Act because they establish “a rule of particular applicability relating to rates.” 5 U.S.C. 601(2).

Unfunded Mandates Reform Act of 1995

These rate adjustments do not impose an unfunded mandate on state, local, or tribal governments in the aggregate, or on the private sector, of more than \$130 million per year. They do not have a significant or unique effect on state, local, or tribal governments or the private sector. Therefore, the Department is not required to prepare a statement containing the information required by the Unfunded Mandates Reform Act (2 U.S.C. 1531 *et seq.*).

Takings (Executive Order 12630)

These rate adjustments do not effect a taking of private property or otherwise have “takings” implications under Executive Order 12630. The rate adjustments do not deprive the public, state, or local governments of rights or property.

Federalism (Executive Order 13132)

Under the criteria in section 1 of Executive Order 13132, these rate adjustments do not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement because they will not affect the States, the relationship between the national government and

the States, or the distribution of power and responsibilities among various levels of government. A federalism summary impact statement is not required.

Civil Justice Reform (Executive Order 12988)

This notice complies with the requirements of Executive Order 12988. Specifically, in issuing this notice, the Department has taken the necessary steps to eliminate drafting errors and ambiguity, minimize potential litigation, and provide a clear legal standard for affected conduct as required by section 3 of Executive Order 12988.

Paperwork Reduction Act of 1995

These rate adjustments do not affect the collections of information which have been approved by the Office of Information and Regulatory Affairs, Office of Management and Budget, under the Paperwork Reduction Act of 1995. The OMB Control Number is 1076-0141 and expires June 30, 2019.

National Environmental Policy Act

The Department has determined that these rate adjustments do not constitute a major Federal action significantly affecting the quality of the human environment and that no detailed statement is required under the National Environmental Policy Act of 1969, 42 U.S.C. 4321-4370(d), pursuant to 43 CFR 46.210(i). In addition, the rate adjustments do not present any of the 12 extraordinary circumstances listed at 43 CFR 46.215.

Data Quality Act

In developing this notice, we did not conduct or use a study, experiment, or survey requiring peer review under the Data Quality Act (Pub. L. 106-554).

Dated: March 29, 2017.

Michael S. Black,

Acting Assistant Secretary—Indian Affairs.

[FR Doc. 2017-06829 Filed 4-5-17; 8:45 am]

BILLING CODE 4337-15-P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[178A2100DD/AAKC001030/
A0A501010.999900 253G]

Renewal of Agency Information Collection for Financial Assistance and Social Services

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of request for comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, the Assistant Secretary—Indian Affairs is seeking comments on the renewal of Office of Management and Budget (OMB) approval for the collection of information for the “Financial Assistance and Social Services” authorized by OMB Control Number 1076-0017. This information collection expires June 30, 2017.

DATES: Submit comments on or before June 5, 2017.

ADDRESSES: You may submit comments on the information collection to Ms. Evangeline Campbell, Chief, Division of Human Services, Office of Indian Services, Bureau of Indian Affairs, 1849 C Street NW., MS-4513-MIB, Washington, DC 20240; facsimile: (202) 208-5113; email: Evangeline.Campbell@bia.gov.

FOR FURTHER INFORMATION CONTACT: Ms. Evangeline Campbell, telephone: (202) 513-7621.

SUPPLEMENTARY INFORMATION:

I. Abstract

The Bureau of Indian Affairs (BIA) is seeking to renew the information collection it conducts to provide assistance under 25 CFR 20 to eligible Indians when comparable financial assistance or social services either are not available or not provided by State, tribal, county, local, or other Federal agencies. Approval for this collection expires June 30, 2017. The information collection allows BIA to determine whether an individual is eligible for assistance and services. No third party notification or public disclosure burden is associated with this collection.

II. Request for Comments

The BIA requests your comments on this collection concerning: (a) The necessity of this information collection 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 the burden (hours and cost) of the collection of information, including the validity of the methodology and assumptions used; (c) Ways we could enhance the quality, utility, and clarity of the information to be collected; and (d) Ways we could minimize the burden of the collection of the information on the respondents.

Please note that an agency may not conduct or sponsor, and an individual need not respond to, a collection of information unless it has a valid OMB Control Number.

It is our policy to make all comments available to the public for review at the

location listed in the **ADDRESSES** section. 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.

III. Data

OMB Control Number: 1076-0017.

Title: Financial Assistance and Social Services, 25 CFR 20.

Brief Description of Collection: Submission of this information is required of Indian applicants of BIA financial assistance and social services. BIA uses the information to determine if an individual is eligible for services and, where appropriate, to conduct an employability assessment and jointly develop with the individual an Individual Self-Sufficiency Plan (ISP) outlining how the individual can attain self-sufficiency. A response is required to obtain or retain a benefit.

Type of Review: Extension without change of currently approved collection.

Respondents: Individual Indians seeking financial assistance or social services from BIA.

Estimated Number of Respondents: 240,000 provide information on the application, of those, 95,000 contribute information to an employability assessment and ISP.

Frequency of Response: Once, on occasion.

Estimated Time per Response: 1.5 (0.5 hours for the application + 1 hour for the employability assessment and ISP).

Obligation to Respond: Response required to obtain a benefit.

Estimated Total Annual Hour Burden: 215,000 hours ((240,000 × .05 hours for applications) + (95,000 × 1 hour for employability assessment and ISP)).

Estimated Total Annual Non-Hour Dollar Cost: \$0.

Elizabeth K. Appel,

Director, Office of Regulatory Affairs and Collaborative Action—Indian Affairs.

[FR Doc. 2017-06795 Filed 4-5-17; 8:45 am]

BILLING CODE 4337-15-P

DEPARTMENT OF THE INTERIOR**Bureau of Indian Affairs**

[178A2100DD/AAKC001030/
AOA501010.999900 253G]

**Renewal of Agency Information
Collection for IDEIA Part B and C Child
Count**

AGENCY: Bureau of Indian Affairs,
Interior.

ACTION: Notice of request for comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, the Bureau of Indian Education (BIE) is seeking comments on the renewal of Office of Management and Budget (OMB) approval for the collection of information for the Individuals with Disabilities Education Improvement Act (IDEIA) Part B and C Child Count authorized by OMB Control Number 1076–0176. This information collection expires June 30, 2017.

DATES: Submit comments on or before June 5, 2017.

ADDRESSES: You may submit comments on the information collection to Ms. Sue Bement, Bureau of Indian Education, 2001 Killebrew Drive—Suite 122, Bloomington, Minnesota, fax: (952) 851–5439 or email: sue.bement@bie.edu.

FOR FURTHER INFORMATION CONTACT: Ms. Sue Bement, telephone: (952) 851–5423.

SUPPLEMENTARY INFORMATION:**I. Abstract**

The IDEIA requires Tribes and Tribal organizations to submit certain information to the Secretary of the Interior (Secretary). See 20 U.S.C. 1411(h)(4)(c) and 1443(b)(3). Under the IDEIA, the U.S. Department of Education provides funding to the Secretary for the coordination of assistance for special education and related services for Indian children aged zero to five with disabilities on reservations served by Bureau-funded schools. The Secretary, through the BIE, then allocates this funding to Tribes and Tribal organizations based on the number of such children served. In order to allow the Secretary to determine what amounts to allocate to whom, the IDEIA requires Tribes and Tribal organizations to submit information to Interior. The BIE collects this information on two forms, one for Indian children aged three to five covered by IDEIA Part B, and one for Indian children aged zero to two covered by IDEIA Part C.

IDEIA Part B—Assistance for Education of All Children with Disabilities requires Tribes and Tribal

organizations to use the funds to assist in Child Find, screening, and other procedures for the early identification of Indian children aged three through five who may have a disability., Part B funding may also be used to provide parent training, and the provision of direct services. See 20 U.S.C. 1411(h)(4)(D). IDEIA Part C—Infants and Toddlers with Disabilities likewise requires Tribes and Tribal organizations to use the fund to assist in Child Find, screening, and other procedures for early identification of Indian children under three years of age who may have a disability. Part C funding may also be used to provide parent training, and early intervention services. See 20 U.S.C. 1443(b)(4).

II. Request for Comments

The BIE requests your comments on this collection concerning: (a) The necessity of this information collection 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 the burden (hours and cost) of the collection of information, including the validity of the methodology and assumptions used; (c) Ways we could enhance the quality, utility, and clarity of the information to be collected; and (d) Ways we could minimize the burden of the collection of the information on the respondents.

Please note that an agency may not conduct or sponsor, and an individual need not respond to, a collection of information unless it displays a valid OMB Control Number.

It is our policy to make all comments available to the public for review at the location listed in the **ADDRESSES** section. 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.

III. Data

OMB Control Number: 1076–0176.

Title: IDEIA Part B and Part C Child Count.

Brief Description of Collection: Indian Tribes and Tribal organizations served by elementary or secondary schools for Indian children operated or funded by the Department of the Interior that receive allocations of funding under the IDEIA for the coordination of assistance

for Indian children zero to five years of age with disabilities on reservations must submit information to the BIE. The information must be provided on two forms. The Part B form addresses Indian children three to five years of age on reservations served by Bureau-funded schools. The Part C form addresses Indian children up to three years of age on reservations served by Bureau-funded schools. The information required by the forms includes counts of children as of a certain date each year.

Type of Review: Extension without change of currently approved collection.

Respondents: Indian Tribes and Tribal organizations.

Estimated Number of Respondents: 61 each year.

Frequency of Response: Twice (Once per year for each form).

Estimated Number of Responses: 122 each year.

Estimated Time per Response: 20 hours per form.

Obligation to Respond: Response is required to obtain a benefit.

Estimated Total Annual Hour Burden: 2,440 hours.

Estimated Total Annual Non-Hour Dollar Cost: \$0.

Authority

The authorities for this action are the Individuals with Disabilities Education Improvement Act, 20 U.S.C. 1411(h)(4)(c) and 1443(b)(3), and the Paperwork Reduction Act of 1995, 44 U.S.C. 3501 *et seq.*

Elizabeth K. Appel,

Director, Office of Regulatory Affairs and Collaborative Action—Indian Affairs.

[FR Doc. 2017–06796 Filed 4–5–17; 8:45 am]

BILLING CODE 4337–15–P

DEPARTMENT OF JUSTICE**Federal Bureau of Investigation**

**Meeting of the Compact Council for the
National Crime Prevention and Privacy
Compact**

AGENCY: Federal Bureau of Investigation, Department of Justice.

ACTION: Meeting Notice.

SUMMARY: The purpose of this notice is to announce a meeting of the National Crime Prevention and Privacy Compact Council (Council) created by the National Crime Prevention and Privacy Compact Act of 1998 (Compact). Thus far, the Federal Government and 30 states are parties to the Compact which governs the exchange of criminal history records for licensing, employment, and similar purposes. The Compact also

provides a legal framework for the establishment of a cooperative federal-state system to exchange such records.

DATES: The Council will meet in open session from 9 a.m. until 5 p.m., on May 10–11, 2017.

ADDRESSES: The meeting will take place at the Sheraton Pittsburgh Hotel at Station Square, 300 West Station Square, Pittsburgh, Pennsylvania, telephone 412–261–2000.

FOR FURTHER INFORMATION CONTACT: Inquiries may be addressed to Mrs. Chasity S. Anderson, FBI Compact Officer, Module D3, 1000 Custer Hollow Road, Clarksburg, West Virginia 26306, telephone 304–625–2803, facsimile 304–625–2868.

SUPPLEMENTARY INFORMATION: The United States Attorney General appointed 15 persons from state and federal agencies to serve on the Council. The Council will prescribe system rules and procedures for the effective and proper operation of the Interstate Identification Index system for noncriminal justice purposes.

Matters for discussion are expected to include:

- (1) Update on the Child Care and Development Block Grant Act Background Check Requirements
- (2) A Review and Update of the Compact Council's Strategic Plan
- (3) Update on the Work of the National Fingerprint File Qualifications Requirements Focus Group

The meeting will be open to the public on a first-come, first-seated basis. Any member of the public wishing to file a written statement with the Council or wishing to address this session of the Council should notify the Federal Bureau of Investigation (FBI) Compact Officer, Mrs. Chasity S. Anderson at (304) 625–2803, at least 24 hours prior to the start of the session. The notification should contain the individual's name and corporate designation, consumer affiliation, or government designation, along with a short statement describing the topic to be addressed and the time needed for the presentation. Individuals will ordinarily be allowed up to 15 minutes to present a topic.

Dated: March 29, 2017.

Chasity S. Anderson,
FBI Compact Officer, Criminal Justice Information Services Division, Federal Bureau of Investigation.

[FR Doc. 2017–06820 Filed 4–5–17; 8:45 am]

BILLING CODE 4410–02–P

DEPARTMENT OF JUSTICE

[OMB Number 1103–0098]

Proposed eCollection eComments Requested

AGENCY: Office of Community Oriented Policing Services, Department of Justice.

ACTION: Notice.

SUMMARY: The Department of Justice (DOJ) Office of Community Oriented Policing Services (COPS) 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 was previously published in the **Federal Register** on December 12, 2016, to obtain comments from the public and affected agencies.

DATES: The purpose of this notice is to allow for an additional 30 days for public comment May 8, 2017.

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 Lashon M. Hilliard, Department of Justice Office of Community Oriented Policing Services, 145 N Street NE., 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: The proposed information collection was previously published in the **Federal Register** at 81 FR 90869, on December 12, 2016, to obtain comments from the public and affected agencies.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address 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
- 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:* Revision of a currently approved collection.
2. *The Title of the Form/Collection:* COPS Application Package.
3. *The agency form number, if any, and the applicable component of the Department sponsoring the collection:* 1103–0098 U.S. Department of Justice Office of Community Oriented Policing Services.
4. *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: COPS Office grantees.
5. *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* The estimated total number of respondents is 5,000. The estimated hourly burden to the applicant is 11 hours for each respondent to review the instructions and complete the application.
6. *An estimate of the total public burden (in hours) associated with the collection:* There are an estimated 55,000 total annual burden hours associated with this collection. If additional information is required contact: Melody Braswell, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE., 3E.405A, Washington, DC 20530.

Dated: March 31, 2017.

Melody Braswell,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2017–06786 Filed 4–5–17; 8:45 am]

BILLING CODE 4410–AT–P

DEPARTMENT OF JUSTICE

[OMB Number 1122–0003]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Extension of a Currently Approved Collection

AGENCY: Office on Violence Against Women, Department of Justice.

ACTION: 30-day notice.

SUMMARY: The Department of Justice, Office on Violence Against Women (OVW) 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 was previously published in the **Federal Register** at 82 FR 9227 on February 3, 2017, allowing for a 60 day comment period.

DATES: Comments are encouraged and will be accepted for 30 days until May 8, 2017.

FOR FURTHER INFORMATION CONTACT: Written comments and/or suggestion regarding the items contained in this notice, especially the estimated public burden and associated response time, should be directed to Cathy Poston, Office on Violence Against Women, at 202-514-5430 or Catherine.poston@usdoj.gov. Written comments and/or suggestions can also be sent 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:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of This Information Collection

(1) *Type of Information Collection:* Extension of a currently approved collection

(2) *Title of the Form/Collection:* Annual Progress Report for the STOP Formula Grants Program

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form Number: 1122-0003. U.S. Department of Justice, Office on Violence Against Women.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* The affected public includes the 56 STOP state administrators (from 50 states, the District of Columbia and five territories and commonwealths (Guam, Puerto Rico, American Samoa, Virgin Islands, Northern Mariana Islands)) and their subgrantees. The STOP Violence Against Women Formula Grants Program was authorized through the Violence Against Women Act of 1994 (VAWA) and reauthorized and amended in 2000, 2005, and 2013. Its purpose is to promote a coordinated, multi-disciplinary approach to improving the criminal justice system's response to violence against women. The STOP Formula Grants Program envisions a partnership among law enforcement, prosecution, courts, and victim advocacy organizations to enhance victim safety and hold offenders accountable for their crimes of violence against women. OVW administers the STOP Formula Grants Program. The grant funds must be distributed by STOP state administrators to subgrantees according to a statutory formula (as amended).

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond/reply:* It is estimated that it will take the 56 respondents (STOP administrators) approximately one hour to complete an annual progress report. It is estimated that it will take approximately one hour for roughly 2500 subgrantees¹ to complete the relevant portion of the annual progress report. The Annual Progress Report for the STOP Formula Grants Program is divided into sections that pertain to the different types of activities that subgrantees may engage in and the different types of subgrantees that receive funds, i.e. law enforcement

¹ Each year the number of STOP subgrantees changes. The number 2,500 is based on the number of reports that OVW has received in the past from STOP subgrantees.

agencies, prosecutors offices, courts, victim services agencies, etc.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The total annual hour burden to complete the annual progress report is 2,556 hours.

If additional information is required contact: Melody Braswell, Deputy 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: April 3, 2017.

Melody Braswell,

Department Clearance Officer, PRA, U.S. Department of Justice.

[FR Doc. 2017-06799 Filed 4-5-17; 8:45 am]

BILLING CODE 4410-FX-P

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. OSHA-2016-0022]

Bay Area Compliance Laboratories Corp.: Grant of Recognition as a Nationally Recognized Testing Laboratory

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Notice.

SUMMARY: In this notice, OSHA announces its final decision to grant recognition to Bay Area Compliance Laboratories Corp. as a Nationally Recognized Testing Laboratory (NRTL).

DATES: Recognition as a NRTL becomes effective on April 6, 2017.

FOR FURTHER INFORMATION CONTACT: Information regarding this notice is available from the following sources:

Press inquiries: Contact Mr. Frank Meilinger, Director, OSHA Office of Communications, U.S. Department of Labor, 200 Constitution Avenue NW., Room N-3647, Washington, DC 20210; telephone: (202) 693-1999; email: meilinger.francis2@dol.gov.

General and technical information: Contact Mr. Kevin Robinson, Director, Office of Technical Programs and Coordination Activities, Directorate of Technical Support and Emergency Management, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue NW., Room N-3655, Washington, DC 20210; telephone: (202) 693-2110; email: robinson.kevin@dol.gov. OSHA's Web page includes information about the NRTL Program (see <http://>

www.osha.gov/dts/otpca/nrtl/index.html).

SUPPLEMENTARY INFORMATION:

I. Background

Many of OSHA's workplace standards require that a NRTL test and certify certain types of equipment as safe for use in the workplace. NRTLs are independent laboratories that meet OSHA's requirements for performing safety testing and certification of products used in the workplace. To obtain and retain OSHA recognition, the NRTLs must meet the requirements in the NRTL Program regulations at 29 CFR 1910.7. More specifically, to be recognized by OSHA, an organization must: (1) Have the appropriate capability to test, evaluate, and approve products to assure their safe use in the workplace; (2) be completely independent of employers subject to the tested equipment requirements, and manufacturers and vendors of products for which OSHA requires certification; (3) have internal programs that ensure proper control of the testing and certification process; and (4) have effective reporting and complaint handling procedures. Recognition is an acknowledgement by OSHA that the NRTL has the capability to perform independent safety testing and certification of the specific products covered within the NRTL's scope of recognition, and is not a delegation or grant of government authority. Recognition of a NRTL by OSHA also allows employers to use products certified by that NRTL to meet those OSHA standards that require product testing and certification.

The Agency processes applications for initial recognition following requirements in Appendix A of 29 CFR 1910.7. This appendix requires OSHA to publish two notices in the **Federal Register** in processing an application. In the first notice, OSHA announces the application, provides its preliminary finding, and solicits comments on its preliminary findings. In the second notice, the Agency provides its final decision on the application. These notices set forth the NRTL's scope of recognition.

II. Notice of Final Decision

OSHA hereby gives notice of the Agency's decision to grant recognition to Bay Area Compliance Laboratories Corp. (BACL), as a NRTL. According to its application, BACL was incorporated in 1996 to provide product compliance testing services to customers in the areas of Product Safety, Electromagnetic Compatibility and Telecommunications,

testing for Emissions, Immunity, Radio, Radio Frequency (RF) Exposure and Telecommunications. The non-profit, third-party, non-governmental accreditation body A2LA accredited BACL for UL 60950-1, the standard for which BACL requests NRTL recognition. In its application, BACL lists the current address of its headquarters as: Bay Area Compliance Laboratories Corp., 1274 Anvilwood Avenue, Sunnyvale, California 94089.

Each NRTL's scope of recognition includes: (1) The type of products the NRTL may test, with each type specified by its applicable test standard; and (2) the recognized site(s) that have the technical capability to perform the product-testing and product-certification activities for the applicable test standards within the NRTL's scope of recognition. BACL applied for initial recognition as a NRTL on April 30, 2015, and revised its application on May 12, 2016. In its application, BACL requested recognition for one test standard and one site (OSHA-2016-0022-0003 and 0004). OSHA published the preliminary notice announcing BACL's application for recognition in the **Federal Register** on December 16, 2016 (81 FR 91201). The Agency requested comments by January 17, 2017, but it received no comments in response to this notice. OSHA now is proceeding with this final notice to grant recognition to BACL as a NRTL.

To obtain or review copies of all public documents pertaining to BACL's application, go to www.regulations.gov or contact the Docket Office, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue NW., Room N-2625, Washington, DC 20210. Docket No. OSHA-2016-0022 contains all materials in the record concerning BACL's recognition.

III. Final Decision and Order

OSHA staff performed a detailed analysis of BACL's application packet and reviewed other pertinent information. OSHA staff also performed a comprehensive on-site assessment of BACL's testing facilities on May 9-11, 2016. Based on its review of this evidence, OSHA finds that BACL meets the requirements of 29 CFR 1910.7 for recognition as a NRTL, subject to the limitations and conditions listed below. OSHA, therefore, is proceeding with this final notice to grant recognition to BACL as a NRTL. The following sections set forth the scope of recognition included in BACL's grant of recognition.

A. Standards Requested for Recognition

OSHA limits BACL's scope of recognition to testing and certification of products for demonstration of conformance to the test standard listed in Table 1 below.

TABLE 1—APPROPRIATE TEST STANDARD FOR INCLUSION IN BACL'S NRTL SCOPE OF RECOGNITION

Test standard	Test standard title
UL 60950-1	Information Technology Equipment-Safety-Part 1: General Requirement.

OSHA's recognition of any NRTL for a particular test standard is limited to equipment or materials for which OSHA standards require third-party testing and certification before using them in the workplace. Consequently, if a test standard also covers any products for which OSHA does not require such testing and certification, an NRTL's scope of recognition does not include these products.

The American National Standards Institute (ANSI) may approve the test standards listed above as American National Standards. However, for convenience, we may use the designation of the standards-developing organization for the standard as opposed to the ANSI designation. Under the NRTL Program's policy (see OSHA Instruction CPL 1-0.3, Appendix C, paragraph XIV), any NRTL recognized for a particular test standard may use either the proprietary version of the test standard or the ANSI version of that standard. Contact ANSI to determine whether a test standard is currently ANSI-approved.

B. Sites Requested for Recognition

OSHA limits BACL's scope of recognition to include the site at Bay Area Compliance Laboratories Corp., 1274 Anvilwood Avenue, Sunnyvale, California 94089. OSHA's recognition of this site limits BACL to performing product testing and certifications only to the test standards for which the site has the proper capability and programs, and for the test standard in BACL's scope of recognition. This limitation is consistent with the recognition that OSHA grants to other NRTLs that operate multiple sites.

C. Conditions

In addition to those conditions already required by 29 CFR 1910.7, BACL also must abide by the following conditions of the recognition:

1. BACL must inform OSHA as soon as possible, in writing, of any change of ownership, facilities, or key personnel, and of any major change in its operations as a NRTL, and provide details of the change(s);

2. BACL must meet all the terms of its recognition and comply with all OSHA policies pertaining to this recognition; and

3. BACL must continue to meet the requirements for recognition, including all previously published conditions on BACL's scope of recognition, in all areas for which it has recognition.

Pursuant to the authority in 29 CFR 1910.7, OSHA hereby grants recognition to BACL as an NRTL, subject to these limitations and conditions specified above.

IV. Authority and Signature

Dorothy Dougherty, Deputy Assistant Secretary of Labor for Occupational Safety and Health, 200 Constitution Avenue NW., Washington, DC 20210, authorized the preparation of this notice. Accordingly, the Agency is issuing this notice pursuant to 29 U.S.C. 657(g)(2), Secretary of Labor's Order No. 1-2012 (77 FR 3912, Jan. 25, 2012), and 29 CFR 1910.7.

Signed at Washington, DC, on March 31, 2017.

Dorothy Dougherty,

Deputy Assistant Secretary of Labor for Occupational Safety and Health.

[FR Doc. 2017-06870 Filed 4-5-17; 8:45 am]

BILLING CODE 4510-26-P

DEPARTMENT OF LABOR

Office of Workers' Compensation Programs

Division of Federal Employees' Compensation; Proposed Revision to Existing Approved 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. 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: Claim for Compensation (CA-7); Authorization for Examination and/or Treatment (CA-16); Duty Status Report (CA-17); Attending Physician's Report (CA-20); Request for the Services of an Attendant (CA-1090); Referral to a Medical Specialist (CA-1305); OWCP Requirements for Audiological Examination (CA-1087); Referral for a Complete Audiologic and Otologic Examination (CA-1331); Outline for Audiologic Examination (CA-1332); Work Capacity Evaluation, Psychiatric/Psychological Conditions (OWCP-5a); Work Capacity Evaluation, Cardiovascular/Pulmonary Conditions (OWCP-5b); and Work Capacity Evaluation, Musculoskeletal Conditions (OWCP-5c). 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 June 5, 2017.

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) administers the Federal Employees' Compensation Act (FECA), 5 U.S.C. 8101 *et seq.* The statute provides for the payment of benefits for wage loss and/or for permanent impairment to a scheduled member, arising out of a work related injury or disease. The Act outlines the elements of pay which are to be included in an individual's pay rate, and sets forth various other criteria for determining eligibility to and the amount of benefits, including: Augmentation of basic compensation for individuals with qualifying dependents; a requirement to report any earnings during a period that compensation is claimed; a prohibition against concurrent receipt of FECA benefits and benefits from OPM or certain VA benefits; a mandate that

money collected from a liable third party found responsible for the injury for which compensation has been paid is applied to benefits paid or payable. This information collection is currently approved for use through January 31, 2018. This ICR has been classified as a revision, because of a change to the CA-1332, which will include additional questions for the physician to respond to as whether a condition of tinnitus has been diagnosed, has impacted a claimant's daily living and whether such diagnosis is or isn't due to federal employment.

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 a revision in order to carry out its statutory responsibility to compensate injured employees under the provisions of the Act.

Type of Review: Revision.

Agency: Office of Workers' Compensation Programs.

Title: FECA medical Reports, Claim for Compensation.

OMB Number: 1240-0046.

Agency Number: CA-7; CA-16; CA-17; CA-20; CA-1090; CA-1305; CA-1087; CA-1331; CA-1332; OWCP-5a; OWCP-5b; and OWCP-5c.

Affected Public: Individuals or households; Business or other for-profit; Federal Government previously approved.

Total Respondents: 282,353.

Form	Time to complete (min)	Number of responses	Hours burden
CA-7	13	500	120
CA-16	5	29,519	2,460
CA-17	5	182,793	15,233
CA-20	5	56,394	4,700
CA-1090	10	234	39
CA-1305	20	136	45
CA-1331/CA-1087*	5	1,062	89
CA-1332	30	30	6
OWCP-5's	15	11,651	2,913
Totals		282,353	25,605

*Responses and hours associated with Form CA-1087 are included in the estimates for the Form CA-1331. The Form CA-1087 is attached to the Form CA-1331.

Total Annual Responses: 232,353.
Average Time per Response: 5 minutes–30 minutes.
Estimated Total Burden Hours: 25,605.
Frequency: As Needed.
Total Burden Cost (capital/startup): \$0.
Total Burden Cost (operating/maintenance): \$110,118.
 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: March 29, 2017.

Yoon Ferguson,

Agency Clearance Officer, Office of Workers' Compensation Programs, U.S. Department of Labor.

[FR Doc. 2017-06872 Filed 4-5-17; 8:45 am]

BILLING CODE 4510-CH-P

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

National Endowment for the Arts

Proposed Collection; Comment Request

ACTION: Notice.

SUMMARY: The National Endowment for the Arts (NEA), 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. 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 NEA is soliciting comments concerning the proposed information collection for the Evaluation of the Poetry Out Loud Program (POL). A copy of the current information collection request can be obtained by contacting the office listed below in the address section of this notice.

DATES: Submit comments on or before June 5, 2017.

ADDRESSES: Send comments to: Sunil Iyengar, National Endowment for the Arts, 400 7th Street SW., Washington, DC 20506-0001, telephone (202) 682-5424 (this is not a toll-free number), fax (202) 682-5677, or send via email to research@arts.gov.

SUPPLEMENTARY INFORMATION: The NEA 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.

Dated: April 3, 2017.

Kathy Daum,

Director, Administrative Services Office, National Endowment for the Arts.

[FR Doc. 2017-06798 Filed 4-5-17; 8:45 am]

BILLING CODE 7537-01-P

NATIONAL SCIENCE FOUNDATION

Request for Recommendations for Membership on Directorate and Office Advisory Committees

ACTION: Notice.

SUMMARY: The National Science Foundation (NSF) requests recommendations for membership on its scientific and technical Federal advisory committees. Recommendations should consist of the name of the submitting individual, the organization or the affiliation providing the member nomination, the name of the recommended individual, the recommended individual's curriculum vita, an expression of the individual's interest in serving, and the following recommended individual's contact information: employment address, telephone number, FAX number, and email address. Self-recommendations are accepted. If you would like to make a membership recommendation for any of the NSF scientific and technical Federal advisory committees, please send your recommendation to the appropriate committee contact person listed in the chart below.

ADDRESSES: The mailing address for the National Science Foundation is 4201 Wilson Boulevard, Arlington, VA 22230.

Web links to individual committee information may be found on the NSF Web site: NSF Advisory Committees.

SUPPLEMENTARY INFORMATION: Each Directorate and Office has an external advisory committee that typically meets twice a year to review and provide advice on program management; discuss

current issues; and review and provide advice on the impact of policies, programs, and activities in the disciplines and fields encompassed by the Directorate or Office. In addition to Directorate and Office advisory committees, NSF has several committees that provide advice and recommendations on specific topics including: Astronomy and astrophysics; environmental research and education; equal opportunities in science and engineering; cyberinfrastructure; international science and engineering; and business and operations.

A primary consideration when formulating committee membership is recognized knowledge, expertise, or demonstrated ability.¹ Other factors that may be considered are balance among diverse institutions, regions, and groups underrepresented in science, technology, engineering, and mathematics. Committee members serve for varying term lengths, depending on the nature of the individual committee. Although we welcome the recommendations we receive, we regret that NSF will not be able to acknowledge or respond positively to

each person who contacts NSF or has been recommended. NSF intends to publish a similar notice to this on an annual basis. NSF will keep recommendations active for 12 months from the date of receipt.

The chart below is a listing of the committees seeking recommendations for membership. Recommendations should be sent to the contact person identified below. The chart contains web addresses where additional information about individual committees is available.

Advisory committee	Contact person
Advisory Committee for Biological Sciences; https://www.nsf.gov/bio/advisory.jsp .	Brent Miller, Directorate for Biological Sciences; phone: (703) 292-8400; email: bmiller@nsf.gov ; fax: (703) 292-2988.
Advisory Committee for Computer and Information Science and Engineering; https://www.nsf.gov/cise/advisory.jsp .	Gera Jochum, Directorate for Computer and Information Science and Engineering; phone: (703) 292-8900; email: gjochum@nsf.gov ; fax: (703) 292-9074.
Advisory Committee for Cyberinfrastructure; https://www.nsf.gov/cise/aci/advisory.jsp .	Brenda Williams, Division of Advanced Cyberinfrastructure; phone: (703) 292-4554; email: bwilliam@nsf.gov ; fax: (703) 292-9060.
Advisory Committee for Education and Human Resources; https://www.nsf.gov/ehr/advisory.jsp .	Keaven Stevenson, Directorate for Education and Human Resources; phone: (703) 292-8600; email: kstevens@nsf.gov ; fax: (703) 292-9179.
Advisory Committee for Engineering; https://www.nsf.gov/eng/advisory.jsp .	Cecile Gonzalez, Directorate for Engineering; phone: (703) 292-8300; email: cjgonzal@nsf.gov ; fax: (703) 292-9013.
Advisory Committee for Geosciences; https://www.nsf.gov/geo/advisory.jsp .	Melissa Lane, Directorate for Geosciences; phone: (703) 292-8500; email: mlane@nsf.gov ; fax: (703) 292-9042.
Advisory Committee for International Science and Engineering; https://www.nsf.gov/od/oise/advisory.jsp .	Cassandra Dudka, Office of International Science and Engineering; phone: (703) 292-7250; email: cdudka@nsf.gov ; fax: (703) 292-9067.
Advisory Committee for Mathematical and Physical Sciences; https://www.nsf.gov/mps/advisory.jsp .	John Gillaspay, Directorate for Mathematical and Physical Sciences; phone: (703) 292-7173; email: jgillasp@nsf.gov ; fax: (703) 292-9151.
Advisory Committee for Polar Programs; https://www.nsf.gov/geo/plr/advisory.jsp .	Andrew Backe, Office of Polar Programs; phone: (703) 292-2454; email: abacke@nsf.gov ; fax: (703) 292-9081.
Committee on Equal Opportunities in Science and Engineering; https://www.nsf.gov/od/oia/activities/ceose/ .	Bernice Anderson, Office of Integrative Activities; phone: (703) 292-8040; email: banderso@nsf.gov ; fax: (703) 292-9040.
Advisory Committee for Business and Operations; https://www.nsf.gov/oirm/bocomm/ .	Jeffrey Rich, Office of Information and Resource Management; phone: (703) 292-8100; email: jrich@nsf.gov ; fax: (703) 292-9084.
Advisory Committee for Environmental Research and Education; https://www.nsf.gov/dir/index.jsp?org=ERE .	Stephen Meacham, Office of Integrative Activities; phone: (703) 292-8040; email: smeacham@nsf.gov ; fax: (703) 292-9040.
Astronomy and Astrophysics Advisory Committee; https://www.nsf.gov/mps/ast/aaac.jsp .	Elizabeth Pentecost, Division of Astronomical Sciences; phone: (703) 292-4907; email: epenteco@nsf.gov ; fax: (703) 292-9034.

Dated: April 3, 2017.

Crystal Robinson,

Committee Management Officer.

[FR Doc. 2017-06853 Filed 4-5-17; 8:45 am]

BILLING CODE 7555-01-P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-83; NRC-2008-0295]

University of Florida, Training Reactor

AGENCY: Nuclear Regulatory Commission.

ACTION: License renewal; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) issued a renewal of Facility Operating License No. R-56, held by the University of Florida (UF or the licensee) for the continued operation of its University of Florida Training Reactor (UFTR or the reactor) for an additional 20 years from the date of issuance.

DATES: The renewed facility operating license No. R-56 is effective on March 31, 2017.

ADDRESSES: Please refer to Docket ID NRC-2008-0295 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-2008-0295. 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/>

¹ Federally registered lobbyists are not eligible for appointment to these Federal advisory committees.

adams.html. To begin the search, select “ADAMS Public Documents” and then select “Begin Web-based ADAMS Search.” For problems with ADAMS, please contact the NRC’s Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to *pdr.resource@nrc.gov*. The ADAMS accession number for each document referenced (if it available in ADAMS) is provided the first time that a document is referenced. For the convenience of the reader, the ADAMS accession numbers are provided in a table in the “Availability of Documents” section of this document.

- *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:

Duane A. Hardesty, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–3724; email: *Duane.Hardesty@nrc.gov*.

SUPPLEMENTARY INFORMATION:

I. Discussion

The NRC has issued renewed Facility Operating License No. R–56, held by the licensee, which authorizes continued operation of the UFTR, located in Gainesville, Alachua County, Florida. The UFTR is an Argonaut-type graphite-moderated and reflected light water cooled research reactor licensed to operate at a steady-state power level of 100 kilowatts thermal power. The renewed Facility Operating License No. R–56 will expire 20 years from its date of issuance.

The renewed facility operating license 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 regulations in chapter I, of title 10 of the *Code of Federal Regulations*, and sets forth those findings in the renewed facility operating license. The agency afforded an opportunity for hearing in the Notice of Opportunity for Hearing published in

the **Federal Register** on May 27, 2008 (73 FR 30424). The NRC did not receive a request for a hearing or for a petition for leave to intervene following the notice.

The NRC prepared a safety evaluation report (SER) for the renewal of Facility Operating License No. R–56 and concluded, based on that evaluation, that the licensee can continue to operate the facility without endangering the health and safety of the public. The NRC also prepared an environmental assessment and finding of no significant impact for the renewal of the facility operating license, noticed in the **Federal Register** on September 8, 2010 (75 FR 54657), and concluded that renewal of the facility operating license will not have a significant impact on the quality of the human environment.

II. Availability of Documents

The documents identified in the following table are available to interested persons through ADAMS accession numbers, as indicated.

Document	ADAMS accession No.
University of Florida Training Reactor—UFTR Renewal SER	ML102290213
University of Florida Training Reactor—License Application, July 18, 2002	ML022130145
University of Florida Training Reactor—Relicensing Application Submittal Package with Supporting Documents, July 29, 2002	ML022130140
University of Florida Safety Analysis Report Supporting License Renewal, July 31, 2002 (redacted version)	ML081340724
University of Florida Test Reactor Safety Analysis Report Change Pages for License Renewal Application, February 25, 2003 (redacted version).	ML102240048
Startup Report Based On Issuance Of Order Modifying License No. R–56 to Convert from High-To-Low—Enriched Uranium Fuel (Amendment No. 26)—University of Florida Training Reactor, April 6, 2009.	ML090990541
Updated License Renewal Application for Conversion from HEU to LEU Fuel—Safety Analysis Report, And Technical Specifications, September 29, 2009 (redacted version).	ML093620300
University of Florida Training Reactor (UFTR) License Renewal—Responses to the USNRC’s RAIs , February 26, 2010	ML100610445
University of Florida, Submittal of Revised Chapter 5 of FSAR in Support of Application for License Renewal, March 26, 2010	ML100880334
University of Florida Training Reactor (UFTR) License Renewal—Revised Statement of Intent on Decommissioning Funding Assurance, May 3, 2010.	ML101250177
FRN: General Notice. University of Florida, Docket No. 50–083, University of Florida Training Reactor Environmental Assessment and Finding of No. Significant Impact, August 30, 2010.	ML101790239
University of Florida Operator Requalification and Recertification Training Program Plan, August 4, 2011	ML11229A706
UFTR Responses to Request for Additional Information, December 21, 2012	ML12361A262
University of Florida, Response to Request for Additional Information (Technical Specifications, Emergency Plan, ALARA plan, and Chapters 4 and 13 of the FSAR), August 30, 2013 (redacted version).	ML16271A533
UFTR Responses to Request for Additional Information, Chapters 2 and 7 of the FSAR, December 12, 2013	ML13353A174
UFTR Responses to Request for Additional Information; Chapters 1, 3, 5, 6, 8 and 11 of the FSAR, February 18, 2014	ML14070A061
UFTR Responses to Request for Additional Information; Chapters 9, 10, 12, and 16 of the updated Safety Analysis Report (SAR), April 9, 2014 (redacted version).	ML16271A541
University of Florida, Emergency Plan—Extracted from ML13252A141, August 30, 2014	ML16200A378
University of Florida—Responses to Request for Additional Information Regarding Financial Information, September 4, 2014 ..	ML14255A368
UFTR Supplemental Response to Request for Additional Information, updated financial information, March 25, 2015	ML15112A817
E-mail, D. Cronin (UFTR) to D. Hardesty (NRC), on Pu_Be source, October 3, 2016	ML16278A737
University of Florida Response to RAIs (ML15336A796 & ML15336A005) & Updated TS, October 31, 2016	ML16305A354
E-mail D. Cronin, UFTR to D. Hardesty, NRC; UFTR_30-day ORIGEN Files—basis for response to technical RAI No. 7.a.v (for the 30-day calculations) November 7, 2016.	ML16312A224
University of Florida—Responses to Request for Additional Information, Updated FSAR and Technical Specifications, November 30, 2016 (redacted version).	ML17054C281
University of Florida Training Reactor—UFTR Supplemental Information to Support License Renewal Application—Cover Letter, Technical Specifications, and SAR, Redacted version, dated March 6, 2017.	ML17065A267
University of Florida Training Reactor—83–UFTR LRA Supplement Cover Letter, TSs, and SAR Ch. 4_Redacted version, March 24, 2017.	ML17084A000
University of Florida Regarding Issuance of Renewed Facility Operating License No. R–56 for The University of Florida Training Reactor (TAC No. ME1586) March 31, 2017.	ML102500048

Dated at Rockville, Maryland, this 31st day of March 2017.

For the Nuclear Regulatory Commission.

Alexander Adams, Jr.,

Chief, Research and Test Reactors Licensing Branch, Division of Policy and Rulemaking, Office of Nuclear Reactor Regulation.

[FR Doc. 2017-06871 Filed 4-5-17; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

[NRC-2016-0249]

Information Collection: Safeguards on Nuclear Material—Implementation of United States/International Atomic Energy Agency Agreement

AGENCY: Nuclear Regulatory Commission.

ACTION: Renewal of existing information collection; request for comment.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) invites the public to comment on the renewal of Office of Management and Budget (OMB) approval for an existing collection of information. The information collection is entitled, “Safeguards on Nuclear Material—Implementation of United States/International Atomic Energy Agency Agreement (US/IAEA).”

DATES: Please submit comments by June 5, 2017. 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 on or before this date.

ADDRESSES: You may submit your comments by any of the following methods:

- *Federal Rulemaking Web site:* Go to <http://www.regulations.gov> and search for Docket ID NRC-2016-0249. 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:* David Cullison, Office of the Chief Information Officer, Mail Stop: T-2 F43, 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: David Cullison, Office of the Chief Information Officer, U.S. Nuclear

Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-2084; email: INFOCOLLECTS.Resource@NRC.GOV.

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC-2016-0249 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-2016-0249
- *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 supporting statement for part 75 of title 10 of the *Code of Federal Regulations* (10 CFR), Safeguards on Nuclear Material Implementation of US/IAEA Agreement is available in ADAMS under Accession ML16252A242.

- *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.
- *NRC’s Clearance Officer:* A copy of the collection of information and related instructions may be obtained without charge by contacting NRC’s Clearance Officer, David Cullison, Office of the Chief Information Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-2084; email: INFOCOLLECTS.Resource@NRC.GOV.

B. Submitting Comments

Please include Docket ID NRC-2016-0249 in the subject line of your comment submission, in order to ensure that the NRC is able to make your comment submission available to the public in this docket.

The NRC cautions you not to include identifying or contact information in comment submissions 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, and 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. Background

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35), the NRC is requesting public comment on its intention to request the OMB’s approval for the information collection summarized below.

1. *The title of the information collection:* 10 CFR part 75, “Safeguards on Nuclear Material—Implementation of US/IAEA Agreement.”

2. *OMB approval number:* 3150-0055.

3. *Type of submission:* Extension.

4. *The form number, if applicable:* Not applicable.

5. *How often the collection is required or requested:* Selected licensees are required to provide reports of nuclear material inventory and flow for selected facilities under the US/IAEA Safeguards Agreement, permit inspections by International Atomic Energy Agency Agreement (IAEA) inspectors, complementary access of IAEA inspectors under the Additional Protocol, give immediate notice to the NRC in specified situations involving the possibility of loss of nuclear material, and give notice for imports and exports of specified amounts of nuclear material. Reporting is done when specified events occur. Recordkeeping for nuclear material accounting and control information is done in accordance with specific instructions.

6. *Who will be required or asked to respond:* Licensees of facilities on the US eligible list who have been selected by the IAEA for reporting or recordkeeping activities.

7. *The estimated number of annual responses:* 32 (2 reporting responses plus 30 recordkeepers).

8. *The estimated number of annual respondents:* 30.

9. *The estimated number of hours needed annually to comply with the information collection requirement or request:* 4,227 hours.

10. *Abstract:* Part 75 of 10 CFR requires selected licensees to provide reports of nuclear material inventory and flow for selected facilities under the US/IAEA Safeguards Agreement, permit inspections by IAEA inspectors, complementary access of IAEA inspectors under the Additional Protocol, give immediate notice to the NRC in specified situations involving the possibility of loss of nuclear material, and give notice for imports and exports of specified amounts of nuclear material. In addition, this collection is being renewed to include approximately 25 entities subject to the U.S.-IAEA Caribbean Territories Safeguards Agreement (INFCIRC/366). These licensees will provide reports of nuclear material inventory and flow for entities under the U.S.-IAEA Caribbean Territories Safeguards Agreement (INFCIRC/366), permit inspections by IAEA inspectors, give immediate notice to the NRC in specified situations involving the possibility of loss of nuclear material, and give notice for imports and exports of specified amounts of nuclear material. Licensees will also follow written material accounting and control procedures, although actual reporting of transfer and material balance records to the IAEA will be done through the US State system (Nuclear Materials Management and Safeguards System, collected under OMB clearance numbers 3150-0003, 3150-0004, 3150-0057, and 3150-0058). The NRC needs this information to implement its responsibilities under the US/IAEA agreement.

III. Specific Requests for Comments

The NRC is seeking comments that address the following questions:

1. Is the proposed collection of information necessary for the NRC to properly perform its functions? Does the information have practical utility?
2. Is the estimate of the burden of the information collection accurate?
3. Is there a way to enhance the quality, utility, and clarity of the information to be collected?
4. How can the burden of the information collection on respondents be minimized, including the use of automated collection techniques or other forms of information technology?

Dated at Rockville, Maryland, this 31st day of March, 2017.

For the Nuclear Regulatory Commission.

David Cullison,

NRC Clearance Officer, Information Services Branch, Office of the Chief Information Officer.

[FR Doc. 2017-06785 Filed 4-5-17; 8:45 am]

BILLING CODE 7590-01-P

PENSION BENEFIT GUARANTY CORPORATION

Proposed Submission of Information Collections for OMB Review; Comment Request; Multiemployer Plan Regulations

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Notice of intention to request extension of OMB approval of information collections.

SUMMARY: The Pension Benefit Guaranty Corporation (PBGC) intends to request that the Office of Management and Budget (OMB) extend approval, under the Paperwork Reduction Act, of collections of information in PBGC's regulations on multiemployer plans under the Employee Retirement Income Security Act of 1974 (ERISA). This notice informs the public of PBGC's intent and solicits public comment on the collections of information.

DATES: Comments must be submitted on or before June 5, 2017.

ADDRESSES: Comments may be submitted by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. (Follow the online instructions for submitting comments.)
- *Email:* reg.comments@pbgc.gov.
- *Mail or Hand Delivery:* Regulatory Affairs Group, Office of the General Counsel, Pension Benefit Guaranty Corporation, 1200 K Street NW., Washington, DC 20005-4026.

Comments received, including personal information provided, will be posted to www.pbgc.gov. Copies of the collections of information may also be obtained by writing to Disclosure Division, Office of the General Counsel, Pension Benefit Guaranty Corporation, 1200 K Street NW., Washington, DC 20005-4026, or calling 202-326-4040 during normal business hours. (TTY and TDD users may call the Federal relay service toll-free at 800-877-8339 and ask to be connected to 202-326-4040.) PBGC's regulations on multiemployer plans may be accessed on PBGC's Web site at www.pbgc.gov.

FOR FURTHER INFORMATION CONTACT:

Hilary Duke (duke.hilary@pbgc.gov), Attorney, Regulatory Affairs Group, Office of the General Counsel, Pension Benefit Guaranty Corporation, 1200 K Street NW., Washington DC 20005-4026; 202-326-4400, extension 3839. (TTY and TDD users may call the Federal relay service toll-free at 800-877-8339 and ask to be connected to 202-326-4100, ext. 6818, or 202-326-4400, extension 3839.)

SUPPLEMENTARY INFORMATION: OMB has approved and issued control numbers for seven collections of information in PBGC's regulations relating to multiemployer plans. These collections of information are described below. OMB approvals for these collections of information expire June 30, 2017. PBGC intends to request that OMB extend its approval of these collections of information for three years. 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. PBGC is soliciting public comments to—

- Evaluate whether the proposed collections of information are 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 collections of information, including the validity of the methodologies and assumptions used;
- enhance the quality, utility, and clarity of the information to be collected; and
- minimize the burden of the collections 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.

Comments should identify the specific part number(s) of the regulation(s) they relate to.

1. Extension of Special Withdrawal Liability Rules (29 CFR Part 4203) (OMB Control Number 1212-0023)

Sections 4203(f) and 4208(e)(3) of ERISA allow PBGC to permit a multiemployer plan to adopt special rules for determining whether a withdrawal from the plan has occurred, subject to PBGC approval.

The regulation specifies the information that a plan that adopts special rules must submit to PBGC about the rules, the plan, and the industry in which the plan operates. PBGC uses the information to determine whether the rules are appropriate for the industry in which the plan functions and do not pose a significant risk to the insurance system.

PBGC estimates that at most one plan sponsor submits a request each year under this regulation. The estimated annual burden of the collection of information is two hours and \$5,000.

2. Variances for Sale of Assets (29 CFR Part 4204) (OMB Control Number 1212-0021)

If an employer's covered operations or contribution obligation under a plan ceases, the employer must generally pay withdrawal liability to the plan. Section 4204 of ERISA provides an exception, under certain conditions, where the cessation results from a sale of assets. Among other things, the buyer must furnish a bond or escrow, and the sale contract must provide for secondary liability of the seller.

The regulation establishes general variances (rules for avoiding the bond/escrow and sale-contract requirements) and authorizes plans to determine whether the variances apply in particular cases. It also allows buyers and sellers to request individual variances from PBGC. Plans and PBGC use the information to determine whether employers qualify for variances.

PBGC estimates that each year, 100 employers submit, and 100 plans respond to, variance requests under the regulation, and one employer submits a variance request to PBGC. The estimated annual burden of the collection of information is 1,050 hours and \$501,000.

3. Reduction or Waiver of Complete Withdrawal Liability (29 CFR Part 4207) (OMB Control Number 1212-0044)

Section 4207 of ERISA allows PBGC to provide for abatement of an employer's complete withdrawal liability, and for plan adoption of alternative abatement rules, where appropriate.

Under the regulation, an employer applies to a plan for an abatement determination, providing information the plan needs to determine whether withdrawal liability should be abated, and the plan notifies the employer of its determination. The employer may, pending plan action, furnish a bond or escrow instead of making withdrawal liability payments, and must notify the plan if it does so. When the plan then makes its determination, it must so notify the bonding or escrow agent.

The regulation also permits plans to adopt their own abatement rules and request PBGC approval. PBGC uses the information in such a request to determine whether the amendment should be approved.

PBGC estimates that each year, at most one employer submits, and one plan responds to, an application for abatement of complete withdrawal liability, and no plan sponsors request

approval of plan abatement rules from PBGC. The estimated annual burden of the collection of information is 0.5 hours and \$400.

4. Reduction or Waiver of Partial Withdrawal Liability (29 CFR Part 4208) (OMB Control Number 1212-0039)

Section 4208 of ERISA provides for abatement, in certain circumstances, of an employer's partial withdrawal liability and authorizes PBGC to issue additional partial withdrawal liability abatement rules.

Under the regulation, an employer applies to a plan for an abatement determination, providing information the plan needs to determine whether withdrawal liability should be abated, and the plan notifies the employer of its determination. The employer may, pending plan action, furnish a bond or escrow instead of making withdrawal liability payments, and must notify the plan if it does so. When the plan then makes its determination, it must so notify the bonding or escrow agent.

The regulation also permits plans to adopt their own abatement rules and request PBGC approval. PBGC uses the information in such a request to determine whether the amendment should be approved.

PBGC estimates that each year, at most one employer submits, and one plan responds to, an application for abatement of partial withdrawal liability and no plan sponsors request approval of plan abatement rules from PBGC. The estimated annual burden of the collection of information is 0.50 hours and \$400.

5. Allocating Unfunded Vested Benefits to Withdrawing Employers (29 CFR Part 4211) (OMB Control Number 1212-0035)

Section 4211(c)(5)(A) of ERISA requires PBGC to prescribe how plans can, with PBGC approval, change the way they allocate unfunded vested benefits to withdrawing employers for purposes of calculating withdrawal liability.

The regulation prescribes the information that must be submitted to PBGC by a plan seeking such approval. PBGC uses the information to determine how the amendment changes the way the plan allocates unfunded vested benefits and how it will affect the risk of loss to plan participants and PBGC.

PBGC estimates that 10 plan sponsors submit approval requests each year under this regulation. The estimated annual burden of the collection of information is 100 hours and \$100,000.

6. Notice, Collection, and Redetermination of Withdrawal Liability (29 CFR Part 4219) (OMB Control Number 1212-0034)

Section 4219(c)(1)(D) of ERISA requires that PBGC prescribe regulations for the allocation of a plan's total unfunded vested benefits in the event of a "mass withdrawal." ERISA section 4209(c) deals with an employer's liability for de minimis amounts if the employer withdraws in a "substantial withdrawal."

The reporting requirements in the regulation give employers notice of a mass withdrawal or substantial withdrawal and advise them of their rights and liabilities. They also provide notice to PBGC so that it can monitor the plan, and they help PBGC assess the possible impact of a withdrawal event on participants and the multiemployer plan insurance program.

PBGC estimates that there are six mass withdrawals and three substantial withdrawals per year. The plan sponsor of a plan subject to a withdrawal covered by the regulation provides notices of the withdrawal to PBGC and to employers covered by the plan, liability assessments to the employers, and a certification to PBGC that assessments have been made. (For a mass withdrawal, there are two assessments and two certifications that deal with two different types of liability. For a substantial withdrawal, there is one assessment and one certification (combined with the withdrawal notice to PBGC).) The estimated annual burden of the collection of information is 45 hours and \$132,000.

7. Procedures for PBGC Approval of Plan Amendments (29 CFR Part 4220) (OMB Control Number 1212-0031)

Under section 4220 of ERISA, a plan may within certain limits adopt special plan rules regarding when a withdrawal from the plan occurs and how the withdrawing employer's withdrawal liability is determined. Any such special rule is effective only if, within 90 days after receiving notice and a copy of the rule, PBGC either approves or fails to disapprove the rule.

The regulation provides rules for requesting PBGC's approval of an amendment. PBGC needs the required information to identify the plan, evaluate the risk of loss, if any, posed by the plan amendment, and determine whether to approve or disapprove the amendment.

PBGC estimates that at most one plan sponsor submits an approval request per year under this regulation. The estimated annual burden of the

collection of information is 0.5 hours and \$5,000 dollars.

Deborah Chase Murphy,

Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation.

[FR Doc. 2017-06802 Filed 4-5-17; 8:45 am]

BILLING CODE P

POSTAL REGULATORY COMMISSION

[Docket Nos. MC2017-105 and CP2017-152]

New Postal Products

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is noticing a recent Postal Service filing for the Commission's consideration concerning a negotiated service agreement. This notice informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* April 10, 2017.

ADDRESSES: Submit comments electronically via the Commission's Filing Online system at <http://www.prc.gov>. Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

FOR FURTHER INFORMATION CONTACT: David A. Trissell, General Counsel, at 202-789-6820.

SUPPLEMENTARY INFORMATION:

Table of Contents

- I. Introduction
- II. Docketed Proceeding(s)

I. Introduction

The Commission gives notice that the Postal Service filed request(s) for the Commission to consider matters related to negotiated service agreement(s). The request(s) may propose the addition or removal of a negotiated service agreement from the market dominant or the competitive product list, or the modification of an existing product currently appearing on the market dominant or the competitive product list.

Section II identifies the docket number(s) associated with each Postal Service request, the title of each Postal Service request, the request's acceptance date, and the authority cited by the Postal Service for each request. For each request, the Commission appoints an officer of the Commission to represent the interests of the general public in the

proceeding, pursuant to 39 U.S.C. 505 (Public Representative). Section II also establishes comment deadline(s) pertaining to each request.

The public portions of the Postal Service's request(s) can be accessed via the Commission's Web site (<http://www.prc.gov>). Non-public portions of the Postal Service's request(s), if any, can be accessed through compliance with the requirements of 39 CFR 3007.40.

The Commission invites comments on whether the Postal Service's request(s) in the captioned docket(s) are consistent with the policies of title 39. For request(s) that the Postal Service states concern market dominant product(s), applicable statutory and regulatory requirements include 39 U.S.C. 3622, 39 U.S.C. 3642, 39 CFR part 3010, and 39 CFR part 3020, subpart B. For request(s) that the Postal Service states concern competitive product(s), applicable statutory and regulatory requirements include 39 U.S.C. 3632, 39 U.S.C. 3633, 39 U.S.C. 3642, 39 CFR part 3015, and 39 CFR part 3020, subpart B. Comment deadline(s) for each request appear in section II.

II. Docketed Proceeding(s)

1. *Docket No(s):* MC2017-105 and CP2017-152; *Filing Title:* Request of the United States Postal Service to Add Global Expedited Package Services—Non-Published Rates 12 (GEPS-NPR 12) to the Competitive Products List and Notice of Filing GEPS-NPR 12 Model Contract and Application for Non-Public Treatment of Materials Filed Under Seal; *Filing Acceptance Date:* March 31, 2017; *Filing Authority:* 39 U.S.C. 3642 and 39 CFR 3020.30 *et seq.*; *Public Representative:* Katalin K. Clendenin; *Comments Due:* April 10, 2017.

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

Stacy L. Ruble,

Secretary.

[FR Doc. 2017-06851 Filed 4-5-17; 8:45 am]

BILLING CODE 7710-FW-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-80358; File No. SR-NYSE-2017-11]

Self-Regulatory Organizations; New York Stock Exchange LLC; Notice of Filing of Proposed Rule Change To Amend Listing Standards for Acquisition Companies To Modify the Initial and Continued Distribution Requirements

March 31, 2017.

Pursuant to Section 19(b)(1)¹ of the Securities Exchange Act of 1934 (the "Act")² and Rule 19b-4 thereunder,³ notice is hereby given that, on March 20, 2017, New York Stock Exchange LLC ("NYSE" or the "Exchange") filed with the Securities and Exchange Commission (the "Commission") the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend its listing standards for Acquisition Companies ("ACs") to modify the initial and continued distribution requirements. The proposed rule change is available on the Exchange's Web site at www.nyse.com, at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

¹ 15 U.S.C. 78s(b)(1).

² 15 U.S.C. 78a.

³ 17 CFR 240.19b-4.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend its initial and continued distribution requirements for Acquisition Companies (or "ACs") listed under Section 102.06 of the NYSE Listed Company Manual (the "Manual").

An AC (typically known in the marketplace as a special purpose acquisition company or "SPAC") is a special purpose company formed for the purpose of effecting a merger, capital stock exchange, asset acquisition, stock purchase, reorganization or similar business combination with one or more operating businesses or assets. The securities sold by the AC in its initial public offering are typically units, consisting of one share of common stock and one or more warrants (or a fraction of a warrant) to purchase common stock, that are separable at some point after the IPO. Management generally is granted a percentage of the AC's equity and may be required to purchase additional shares in a private placement at the time of the AC's IPO.

Section 102.06 requires that an AC meet the distribution requirements of Section 102.01A at the time of initial listing. Under Section 102.01A, companies listing in connection with their IPO must have 400 holders of round lots (*i.e.*, 100 shares) and 1.1 million publicly held shares. Companies listing in connection with a transfer from another exchange or a quotation listing must have 1.1 million publicly held shares at the time of initial listing on the Exchange and

- (i) 400 round lot holders;
- (ii) 2,200 total stockholders together with average monthly trading volume of 100,000 shares (for the most recent six months); or
- (iii) 500 total stockholders together with average monthly trading volume of one million shares (for the most recent twelve months).

The Exchange proposes to modify the distribution requirements for ACs. As proposed, the distribution requirements for ACs would be included in Section 102.06 rather than incorporated by reference to Section 102.01A. Under the proposed amendment, ACs would have to have at least 300 round lot holders when listing in conjunction with an IPO (rather than 400 round lot holders as is the case currently). ACs transferring from other exchanges or listing in connection with a quotation listing would be allowed to list on the basis of 1.1 million publicly held shares and 300

round lot holders (rather than 400 round lot holders as is the case currently). The Exchange is proposing to move to Section 102.06, but not alter, the other distribution criteria for transfers and quotation listings.

In addition, the Exchange is proposing to make minor clarifying revisions to Section 102.06. Specifically, the Exchange proposes to move a sentence detailing the minimum price per share for an AC at the time of initial listing from the end of a paragraph to the beginning of the same paragraph. Further, the Exchange proposes to delete an incorrect reference to footnote (A) after the aggregate market value requirement because footnote (A) only refers to the publicly-held shares requirement.

Consistent with these changes to the initial listing requirements, the Exchange proposes to amend the continued listing standards applicable to ACs set forth in Section 802.01B of the Manual. Under Section 802.01B, ACs are currently deemed to be below continued listing standards if: (i) Their total number of stockholders is less than 400; (ii) the number of total stockholders is less than 1,200 and the average monthly trading volume is less than 100,000 shares (for the most recent 12 months); or (iii) the number of publicly-held shares is less than 600,000. Consistent with the proposed amendments to the initial listing standards, the Exchange proposes to provide that ACs will be deemed to be below continued listing standards if they have fewer than 300 total stockholders (rather than the 400 total stockholders currently required).⁴

The Exchange believes that the proposed modification in the distribution requirements for ACs is appropriate because of the unique characteristics of the Acquisition Company structure. Specifically, pending the completion of a business combination, each share of an AC represents a right to a *pro rata* share of the AC's assets held in trust, AC shares typically have a trading price very close to their liquidation value and the liquidity and market efficiency concerns relevant to listed operating companies do not arise to the same degree. As such, there is less of a necessity to ensure that there are a large number of shareholders of an AC to create an active market that generates appropriate pricing. The Exchange also notes that SPACs have

been listing on the Nasdaq Capital Market for a number of years subject to initial and continued shareholder requirements identical to those proposed by the Exchange⁵ and that the proposed amendments will enable the Exchange to compete more effectively for SPAC listings.

The Exchange believes that the proposed amendment does not affect the status of NYSE listed securities under Exchange Act Rule 3a51-1(a) (the "Penny Stock Rule"),⁶ as the amended standards satisfy the requirements of Exchange Act Rule 3a51-1(a)(2).⁷ While the amended requirements do not include an explicit requirement that newly-listed ACs have at least \$5 million in stockholders' equity as required by Rule 3a51-1(a)(2)(i)(A)(1),⁸ the requirement that the AC must place at least 80% of its offering proceeds in trust upon consummation of its IPO ensures that all ACs will meet this requirement upon initial listing.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,⁹ in general, and furthers the objectives of Section 6(b)(5)¹⁰ of the Act, in particular in that it is designed to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest and is not designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

The Exchange believes that the proposed amendments to its distribution requirements for ACs are consistent with the protection of investors because AC shares typically have a trading price very close to their liquidation value. The Exchange's distribution standards are important because the existence a significant number of holders can be an indicia of a liquid trading market, which supports an appropriate level of price discovery. As AC shares typically trade close to their liquidation value, price discovery is less important than it is with operating companies and therefore there

⁵ See Nasdaq Marketplace Rules 5505(a)(3) and 5550(a)(3).

⁶ 17 CFR 240.a51-1(a).[sic]

⁷ 17 CFR 240.a51-1(a)(2).[sic]

⁸ 17 CFR 240.a51-1(a)(2)(i)(A)(1)[sic]

⁹ 15 U.S.C. 78f(b).

¹⁰ 15 U.S.C. 78f(b)(5).

⁴ ACs will also continue to be deemed to be below continued listing standards if (i) the number of total stockholders is less than 1,200 and the average monthly trading volume is less than 100,000 shares (for the most recent 12 months) or (ii) the number of publicly-held shares is less than 600,000.

is a reduced reliance on distribution requirements to assure appropriate price discovery. In addition, a number of ACs have listed on Nasdaq Capital Market subject to identical distribution requirements to those proposed by the Exchange and there is no evidence that they have proven unfit for exchange trading. It is also important to note that any AC that remains listed after completing a business combination will be required to meet the NYSE's initial listing requirement of 400 round lot holders at the time of consummation of the transaction.¹¹

While the proposed amended distribution requirements for the listing of ACs would be lower than those for other listing applicants, the Exchange does not believe that this difference is unfairly discriminatory. The Exchange believes this to be the case because market value-based listing standards are largely adopted to ensure adequate trading liquidity and, consequently, efficient market pricing of a company's securities. As an investment in an AC prior to its business combination represents a right to a *pro rata* share of the AC's assets held in trust, AC shares typically have a trading price very close to their liquidation value and the liquidity and market efficiency concerns relevant to listed operating companies do not arise to the same degree. As such, the Exchange does not believe it is unfairly discriminatory to apply different distribution requirements to ACs than to other listing applicants.

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. The proposed rule change is designed to enable the Exchange to better compete with Nasdaq Capital Market by adopting distribution requirements that a greater number of ACs will be able to meet at the time of their IPOs. As such, it is intended to promote competition for the listing of ACs.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 45 days of the date of publication of this notice in the **Federal Register** or *up to 90 days* (i) as the Commission may designate 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 the 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-NYSE-2017-11 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-NYSE-2017-11. 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-NYSE-2017-11 and should be submitted on or before April 27, 2017.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹²

Eduardo A. Aleman,
Assistant Secretary.

[FR Doc. 2017-06787 Filed 4-5-17; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-80359]

Order Extending a Temporary Exemption From Compliance With Rules 13n-1 to 13n-12 Under the Securities Exchange Act of 1934

March 31, 2017.

I. Introduction

The Securities and Exchange Commission ("Commission") is extending certain exemptions previously granted in connection with requirements applicable to security-based swap data repositories ("SDR").

The Commission adopted Rules 13n-1 to 13n-12 (the "SDR Rules") under the Securities Exchange Act of 1934 ("Exchange Act") on February 15, 2015, with a compliance date of March 18, 2016.¹ Following the adoption of the SDR Rules, the Commission, pursuant to its authority in Section 36 of the Exchange Act, granted several temporary exemptions² from compliance with the SDR Rules and also extended exemptions from the provisions of the Dodd-Frank Act set forth in a Commission order providing temporary exemptions and other temporary relief from compliance with certain provisions of the Exchange Act concerning security-based swaps³

¹² 17 CFR 200.30-3(a)(12).

¹ See Exchange Act Release No. 74246 (Feb. 11, 2015), 80 FR 14438 (Mar. 19, 2015).

² See *infra* note 4.

³ See Temporary Exemptions and Other Temporary Relief, Together with Information on Compliance Dates for New Provisions of the Exchange Act Applicable to Security-Based Swaps, Exchange Act Release No. 64678 (June 15, 2011), 76 FR 36287 (June 22, 2011) (the "DFA Effective Date Order"). With respect to Commission regulation of SDRs, the DFA Effective Date Order provided exemptions from Exchange Act Sections

¹¹ See Section 802.01B of the Manual.

(“SDR Relief”). The most current temporary extension expires on April 1, 2017.⁴ These actions have provided the Commission with additional time to review and consider the applications for registration as an SDR (the “Pending SDR Applications”) submitted by DTCC Data Repository (U.S.) LLC (“DDR”) and ICE Trade Vault, LLC (“ICE Trade Vault”)⁵ Commission staff understands that DDR and ICE Trade Vault (collectively the “SDR Applicants”) intend to file amendments to their respective applications for registration as SDRs.

To provide the SDR Applicants additional time to file their amended applications, and for the Commission to review and consider any such amended applications, the Commission is extending the temporary exemption from compliance with the SDR Rules⁶ and the SDR Relief until the later of (i) May 1, 2017 or (ii) for any SDR Applicant⁷ that files with the Commission prior to May 1, 2017 amendments to its Pending SDR

13(n)(5)(D)(i), 13(n)(5)(F), 13(n)(5)(G), 13(n)(5)(H), 13(n)(7)(A), 13(n)(7)(B), and 13(n)(7)(C). Each exemption provided by the DFA Effective Date Order will expire on the earlier of (1) the date the Commission grants registration to an SDR and (2) the earliest compliance date set forth in any of the final rules regarding the registration of SDRs. In addition, the Commission granted temporary exemptions from Exchange Act Section 29(b) in connection with the above listed provisions of the Exchange Act until such date as the Commission specifies.

⁴ On March 18, 2016, the Commission granted a temporary exemption from the SDR Rules until June 30, 2016. See Exchange Act Release No. 34-77400 (Mar. 18, 2016), 81 FR 15599 (Mar. 23, 2016). On June 30, 2016, the Commission extended the temporary exemption until October 5, 2016. See Exchange Act Release No. 34-78215 (June 30, 2016), 81 FR 44337 (July 7, 2016), *corrected at* Exchange Act Release No. 34-78215A (June 30, 2016), 81 FR 45336 (July 13, 2016). On September 29, 2016, the Commission again extended the temporary exemption until April 1, 2017. See Exchange Act Release No. 34-78975 (Sept. 29, 2016), 81 FR 69122 (Oct. 5, 2016).

⁵ See Exchange Act Release No. 77699 (Apr. 22, 2016), 81 FR 25475 (Apr. 28, 2016) (“ICE Trade Vault Notice”) and Exchange Act Release No. 78216 (June 30, 2016), 81 FR 44379 (July 7, 2016) (“DDR Notice”). During the same period, the Commission amended the SDR Rules on August 29, 2016 to require SDRs to make data available to regulators and other authorities to enable them to share information and more effectively oversee the security-based swap market. See Exchange Act Release No. 78716 (Aug. 29, 2016), 81 FR 60585 (Sep. 2, 2016) (“Data Access Rule”).

⁶ This relief applies to the SDR Rules as amended to include the Data Access Rule.

⁷ Any extension of the exemption and SDR Relief provided to an SDR Applicant pursuant to this order shall be applicable to any affiliate of the SDR Applicant in the event that any affiliate engages in activity related to SDR functions prior to the applicant’s registration. See, e.g., Exhibit F to DDR’s Form SDR application and non-confidential exhibits thereto are available at <https://www.sec.gov/rules/other/2016/dtcc-data-repository-form-sdr.htm>.

Application, September 29, 2017. Given the amount of time that has elapsed since the adoption of the SDR Rules, the Commission currently does not intend to provide any further extensions to the exemption and SDR Relief.

II. Discussion

The SDR Rules Release states that SDRs were required to be in compliance with the SDR Rules by March 18, 2016.⁸ The SDR Rules Release also notes that, absent an exemption, any SDR must be registered with the Commission and in compliance with the federal securities laws and the rules and regulations thereunder (including the applicable Dodd-Frank Act provisions and all of the SDR Rules) by that date.

ICE Trade Vault filed with the Commission a Form SDR seeking registration as an SDR on March 29, 2016, and amended that form on April 18, 2016. The Commission’s notice of ICE Trade Vault’s application for registration as an SDR was published in the **Federal Register** on April 28, 2016.⁹ The comment period closed on May 31, 2016. The Commission received six comment letters on the ICE Trade Vault application.

DDR filed with the Commission a Form SDR seeking registration as an SDR on April 6, 2016 and amended that form on April 25, 2016. The Commission’s notice of DDR’s application for registration as an SDR was published in the **Federal Register** on July 7, 2016.¹⁰ The comment period closed on August 8, 2016. The Commission received four comment letters on the DDR application.

The SDR Applicants each have indicated to Commission staff that they intend to file amendments to the Pending SDR Applications. These amendments would provide revised information about the manner in which DDR and ICE Trade Vault propose to operate as SDRs.

The Commission urges the SDR Applicants to finalize and file expeditiously any amendments to the Pending SDR Applications by May 1, 2017, in which case the exemption and the SDR Relief will extend to September 29, 2017.¹¹

⁸ See Exchange Act Release No. 74246 (Feb. 11, 2015), 80 FR 14438 (Mar. 19, 2015) (“SDR Rules Release”).

⁹ See ICE Trade Vault Notice.

¹⁰ See DDR Notice.

¹¹ As the Commission explained in the SDR Rules Release, an SDR application “must include information sufficient to allow the Commission to assess the applicant’s ability to comply with the federal securities laws and the rules and regulations thereunder.” See SDR Rules Release, 80 FR at 14465 n.313 (also noting that “General Instruction 7 to Form SDR, as adopted, provides that “[a] form that

Subject to certain exceptions, Section 36 of the Exchange Act authorizes the Commission, by rule, regulation, or order, to exempt, either conditionally or unconditionally, any person, security, or transaction, or any class or classes of persons, securities, or transactions, from any provision or provisions of the Exchange Act or any rule or regulation thereunder, to the extent that such exemption is necessary or appropriate in the public interest, and is consistent with the protection of investors.¹² The Commission finds that it is necessary and appropriate in the public interest, and consistent with the protection of investors, to grant a temporary exemption from compliance with the SDR Rules and extend the SDR Relief. The comment letters raise important matters for the Commission’s consideration. In addition, this is the first opportunity for the Commission to evaluate the policies and procedures of an SDR, which will have significant consequences for the Commission’s regulatory regime for security-based swaps and the robustness of transaction reporting. In this regard, these SDR applications raise important issues of first impression for the Commission’s consideration. The Commission therefore believes that it is necessary and appropriate in the public interest, and is consistent with the protection of investors, to provide additional time for the Commission to consider the Pending SDR Applications, including comments received and any possible amendments to the Pending SDR Applications.

III. Conclusion

Accordingly, the Commission hereby grants, pursuant to Section 36 of the Exchange Act, a temporary exemption from compliance with the SDR Rules and an extension of the SDR Relief until the later of (i) May 1, 2017 or (ii) for any SDR Applicant that files with the Commission prior to May 1, 2017 amendments to its Pending SDR Application, September 29, 2017.

By the Commission.

Brent J. Fields,
Secretary.

[FR Doc. 2017-06793 Filed 4-5-17; 8:45 am]

BILLING CODE 8011-01-P

is not prepared and executed in compliance with applicable requirements may be deemed as not acceptable for filing.’ . . . If the application is not complete, then the application will not be deemed to have been filed for the Commission’s review”).

¹² See 15 U.S.C. 78mm.

SECURITIES AND EXCHANGE COMMISSION

Submission for OMB Review; Comment Request

Upon Written Request, Copies Available

From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE., Washington, DC 20549-2736.

Extension:

Rule 8c-1, SEC File No. 270-455, OMB Control No. 3235-0514.

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 ("PRA") (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission ("Commission") has submitted to the Office of Management and Budget ("OMB") a request for approval of extension of the previously approved collection of information provided for in Rule 8c-1 (17 CFR 240.8c-1), under the Securities Exchange Act of 1934 ("Exchange Act") (15 U.S.C. 78a *et seq.*).

Rule 8c-1 generally prohibits a broker-dealer from using its customers' securities as collateral to finance its own trading, speculating, or underwriting transactions. More specifically, Rule 8c-1 states three main principles: (1) A broker-dealer is prohibited from commingling the securities of different customers as collateral for a loan without the consent of each customer; (2) a broker-dealer cannot commingle customers' securities with its own securities under the same pledge; and (3) a broker-dealer can only pledge its customers' securities to the extent that customers are in debt to the broker-dealer.¹

The information required by Rule 8c-1 is necessary for the execution of the Commission's mandate under the Exchange Act to prevent broker-dealers from hypothecating or arranging for the hypothecation of any securities carried for the account of any customer under certain circumstances. In addition, the information required by Rule 8c-1 provides important investor protections.

There are approximately 60 respondents as of year-end 2015 (*i.e.*, broker-dealers that conducted business with the public, filed Part II of the FOCUS Report, did not claim an exemption from the Reserve Formula computation, and reported that they had a bank loan during at least one quarter of the current year). Each respondent makes an estimated 45 annual responses, for an aggregate total of 2,700

responses per year.² Each response takes approximately 0.5 hours to complete. Therefore, the total third-party reporting burden per year is 1,350 burden hours.³

The retention period for the recordkeeping requirement under Rule 8c-1 is three years. The recordkeeping requirement under Rule 8c-1 is mandatory to ensure that broker-dealers do not commingle their securities or use them to finance the broker-dealers' proprietary business. This rule does not involve the collection of confidential or personal identifiable information.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information under the PRA unless it displays a currently valid OMB control number.

The public may view background documentation for this information collection at the following Web site: www.reginfo.gov. Comments should be directed to: (i) Desk Officer for the Securities and Exchange Commission, Office of Information and Regulatory Affairs, Office of Management and Budget, Room 10102, New Executive Office Building, Washington, DC 20503, or by sending an email to: [Shagufta Ahmed@omb.eop.gov](mailto:Shagufta.Ahmed@omb.eop.gov); and (ii) Pamela Dyson, Director/Chief Information Officer, Securities and Exchange Commission, c/o Remi Pavlik-Simon, 100 F Street NE., Washington, DC 20549, or by sending an email to: PRA_Mailbox@sec.gov. Comments must be submitted to OMB within 30 days of this notice.

Dated: March 31, 2017.

Edward A. Aleman,

Assistant Secretary.

[FR Doc. 2017-06784 Filed 4-5-17; 8:45 am]

BILLING CODE 8011-01-P

SOCIAL SECURITY ADMINISTRATION

[Docket No. SSA-2012-0035]

Rescission of Social Security Rulings 96-2p, 96-5p, and 06-3p; Correction

AGENCY: Social Security Administration.

ACTION: Notice of rescission; correction.

SUMMARY: The Social Security Administration published a notice of rescission in the **Federal Register** on March 27, 2017, with incorrect modifiers in the published effective date. We are correcting the effective date to March 27, 2017.

FOR FURTHER INFORMATION CONTACT: Joshua Silverman, Office of Disability

Policy, Social Security Administration, 6401 Security Boulevard, Baltimore, MD 21235-6401, (410) 594-2128. For information on eligibility or filing for benefits, call our national toll-free number 1-800-772, 1213, or TTY 1-800-325-0778, or visit our Internet site, Social Security Online, at <http://www.socialsecurity.gov>.

Correction

In the **Federal Register** of March 27, 2017 (82 FR 15263), in FR Doc. 2017-05958, on page 15263, in the first column, make the following correction, in the **DATES** section. Change the effective date to read, "*Effective Date:* March 27, 2017."

Faye Lipsky,

Director, Office of Regulations and Reports Clearance, Social Security Administration.

[FR Doc. 2017-06902 Filed 4-5-17; 8:45 am]

BILLING CODE 4191-02-P

DEPARTMENT OF STATE

[Public Notice 9951]

Request for Statements of Interest

AGENCY: Department of State.

ACTION: Solicitation of applications.

SUMMARY: The Department of State announces a request for statements of interest (RSI) from qualified entities interested in seeking the Department's designation as an Accrediting Entity (AE) to accredit and approve U.S. agencies and persons that seek to provide adoption services in intercountry adoption cases. The RSI is posted on the Web site of the Office of Children's Issues, Bureau of Consular Affairs, U.S. Department State at adoption.state.gov.

DATES: The RSI will be open from March 31, 2017 through June 1, 2017 at 5:00 p.m. EDT. Extended time to submit a statement of interest may be considered upon request to the Department.

ADDRESSES: Consult the RSI posted on adoption.state.gov for instructions on where to submit statements of interest and supporting documents.

FOR FURTHER INFORMATION CONTACT: Questions may be submitted to Adoption@state.gov.

SUPPLEMENTARY INFORMATION: The Intercountry Adoption Act of 2000 (Pub. L. 106-279; 114 Stat. 825; 42 U.S.C. 14901 *et seq.*) designates the Department of State as the U.S. Central Authority for the 1993 Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption (Senate Treaty

¹ See Exchange Act Release No. 2690 (November 15, 1940); Exchange Act Release No. 9428 (December 29, 1971).

² 60 respondents × 45 annual responses = 2,700 aggregate total of annual responses.

³ 2,700 responses × 0.5 hours = 1,350 hours.

Doc. 105–51, 105th Cong., 2d Sess.). Some Central Authority duties are explicitly assigned to other entities, including the Department of Homeland Security (DHS.) The IAA confers on the Department the authority and responsibility for establishing and overseeing the system for accreditation/approval and monitoring and oversight of accredited agencies and approved persons (hereinafter referred to as adoption service providers (ASPs)). Rather than mandating the Department to directly accredit/approve ASPs, the IAA directs the Department to select and designate one or more AEs to carry out those functions. Designated AEs responsibilities are discussed in 22 CFR 96.7 and may be further established by agreement with the Department of State. The federal regulations governing intercountry adoption and the accreditation of agencies and approval of persons can be found at 22 CFR 96, with Subpart B focusing on the selection, designation, and duties of AEs.

This opportunity is extended to nonprofit organizations with expertise in developing and administering standards for entities providing child welfare services and to U.S. State or local government public entities with such expertise and responsibility for licensing adoption agencies, per 22 CFR 96.5. If selected, a State or local government public entity may only accredit/approve agencies and persons within the public entity's State. Federal government entities are not eligible to apply. Newly established nonprofit organizations may apply provided they have IRS Code 501(c)(3) status and can demonstrate that they have the required expertise, as discussed in 22 CFR 96.5, either as an entity or within their staffing.

Under 22 CFR 96.4, the Department is authorized to designate one or more entities to perform AE functions. The Department currently works with one designated AE that is responsible for accreditation/approval of agencies and persons throughout the United States. The number of AEs selected through the upcoming RSI process will depend on the qualifications of the applicants and the Department's determination regarding the best interests of the accreditation/approval program.

Karen L. Christensen

Deputy Assistant Secretary, Overseas Citizen Services, Bureau of Consular Affairs, Department of State.

[FR Doc. 2017-06862 Filed 4-5-17; 8:45 am]

BILLING CODE 4710-06-P

DEPARTMENT OF STATE

[Public Notice: 9950]

Notice of Availability of the Supplemental Draft Environmental Impact Statement for the Foreign Missions Center at the Former Walter Reed Army Medical Center, Washington, DC

AGENCY: Department of State.

ACTION: Notice of availability.

SUMMARY: The U.S. Department of State (DOS) announces the availability of the Supplemental Draft Environmental Impact Statement (SDEIS) on the master plan for the long-term development of a Foreign Missions Center, under authorities of the Foreign Missions Act of 1982, on the site of the former Walter Reed Army Medical Center (WRAMC) in the District of Columbia. Actions evaluated in the master plan consist of assignment of federal land to foreign missions for the purpose of constructing and operating new chancery facilities. DOS has prepared this SDEIS on the alternatives considered for the master plan, consistent with the National Environmental Policy Act (NEPA) of 1969, as amended, regulations developed by the Council on Environmental Quality (40 CFR part 1500), and DOS regulations for implementing NEPA (22 CFR part 161).

The master plan is intended to guide the development of a cohesive campus by establishing design and land-use planning principles for the construction of new buildings, roadways, open green space, and utilities, while minimizing environmental impacts. The SDEIS analyzes the potential impacts associated with a no action alternative and an action alternative that could potentially satisfy the purpose and need defined in the SDEIS and master plan.

A Draft Environmental Impact Statement (DEIS) was previously circulated publicly in February 2014. Subsequent to the publication of the DEIS, the total acreage of the land available for transfer from the Army to DOS was reduced from 43.5 to 31.7 acres through the National Defense Authorization Act of 2015. Because of the change in the proposed action, DOS has prepared an SDEIS to describe the new preferred alternative, and evaluate any change in potential impacts from the reduction in size of the proposed action.

In addition, the DOS is carrying out the Section 106 review process under the National Historic Preservation Act of 1966, through which it consults with interested parties on the potential effect

of the proposed undertaking on identified historic properties.

DATES: This notice announces the opening of the public comment process the DOS will use to gather input from the public on the proposed project. Please note that the public comment period will close on May 18, 2017.

ADDRESSES: Requests for information on the SDEIS should be directed to Geoffrey Hunt, Department of State, A/OPR/RPM, Room 1264, 2201 C St. NW., Washington, DC 20520-1264.

SUPPLEMENTARY INFORMATION: A "chancery" is the principal offices of a foreign mission used for diplomatic or related purposes, and annexes to such offices (including ancillary offices and support facilities), and includes the site and any buildings on the site which are used for such purposes. A "foreign mission" is any mission to or agency or entity in the United States which is involved in diplomatic, consular or other activities of, or which is substantially owned or effectively controlled by, a foreign government; or an organization representing a territory or political entity which has been granted diplomatic or other official privileges and immunities under the laws of the United States or which engages in some aspect of the conduct of international affairs of such territory or political entity, including any real property of such a mission and the personnel of such a mission.

The need for the project is based on increased and high demand for foreign mission facilities in the District of Columbia, a lack of large sites for foreign mission development or redevelopment in the District of Columbia, and the need for land to use in property exchanges with other countries. The proposed foreign missions center is needed to primarily address the increasing scarcity of suitable properties within the District of Columbia to locate the operations of foreign missions. This scarcity has impacted, in certain cases, the DOS's ability to acquire properties of considerable size in foreign capitals nations.

Alternatives Considered

The DOS identified, developed, and analyzed the No Action Alternative and seven action alternatives that could potentially satisfy the proposed action's purpose and need. One action alternative, Alternative 1, and the No Action Alternative, were retained for detailed study in the DEIS. Alternative 1 was dismissed from detailed study within the SDEIS because it is no longer viable given the change in total acreage

required by the National Defense Authorization Act of 2015. DOS, in coordination with U.S. Commission of Fine Arts, the National Capital Planning Commission, The District of Columbia Historic Preservation Office, and District of Columbia Department of Transportation, then developed Alternative 7. Alternative 7 and the No Action Alternative were retained for detailed study within the SDEIS.

Alternative 7 would provide up to 15 lots for chancery development, retain the historic Memorial Chapel building for adaptive reuse, and potentially retain other buildings for adaptive reuse, depending on marketability. Dahlia Street and 14th Street would be developed as connections to the surrounding neighborhoods. The existing historic perimeter fence along 16th Street and Alaska Avenue would remain. The existing landscape on the western boundary of the site would be enhanced to create a 50-foot vegetated buffer, maximizing the tree canopy in that area. Access to individual lots would be internal to the former WRAMC campus.

The No Action Alternative was included to provide a basis for comparison to the action alternative described above as required by the NEPA regulations (40 CFR 1002.14(d)).

After careful consideration of the alternatives developed in response to the study's purpose and needs and in coordination with jurisdictional and interested agencies, DOS has identified Alternative 7 as its Preferred Action Alternative because it best satisfies the study purpose and needs, would fulfill their statutory mission and responsibilities, and has the least adverse environmental impact.

Public Comment/Distribution

You are encouraged to become involved in this process and provide your comments or concerns about the proposed project. The public comment period provides the public with an opportunity to present comments regarding the content and findings of the SDEIS for the Foreign Missions Center at the former Walter Reed Army Medical Center. The SDEIS is available to the public at the Web site: <http://www.state.gov/ofm/property/fmc/index.htm>. The DOS sends information related to this environmental review to individuals, organizations, and government entities interested in and/or potentially affected by the proposed project and maintains a distribution list for this purpose. The distribution list includes: Federal, state, and local government representatives and agencies; elected officials;

environmental and public interest groups; other interested parties; and local libraries and newspapers. Copies are being distributed for public review at the Advisory Neighborhood Commission 4A and 4B offices, the Juanita E. Thornton-Shepherd Park Library, the Takoma Park Neighborhood Library, and the Petworth Neighborhood Library.

DOS invites individuals, organizations and agencies to submit comments. DOS requests comments on the SDEIS that focus on the potential environmental impacts of the proposed project, reasonable alternatives, and measures to further avoid or lessen environmental impacts. The public comment period starts with the publication of this notice in the **Federal Register** and will continue through May 18, 2017. DOS will consider and respond to comments received on the SDEIS in preparing the Final EIS. Comments may be submitted by email to: FMC.info@state.gov or by U.S. mail to: Geoffrey Hunt, Department of State, A/OPR/RPM, Room 1264, 2210 C St. NW., Washington, DC 20520-1264. **FOR FURTHER INFORMATION CONTACT:** Geoffrey Hunt by email at FMC.info@state.gov.

Cliff C. Seagroves,

Director of the Office of Foreign Missions, Department of State.

[FR Doc. 2017-06789 Filed 4-5-17; 8:45 am]

BILLING CODE 4710-43-P

DEPARTMENT OF STATE

[Public Notice: 9948]

Notice of Public Meeting

As required by the Federal Advisory Committee Act (Pub. L. 92-463), the Department of State gives notice of a meeting of the Advisory Committee on International Postal and Delivery Services. This Committee will meet on Monday April 24, 2017, from 1:00 p.m. to 5:00 p.m. Eastern Time at the American Institute of Architects, Board Room, 1735 New York Avenue NW., Washington, DC 20006.

Any member of the public interested in providing input to the meeting should contact Ms. Shereece Robinson, whose contact information is listed below (see the "for further information" section of this notice). Each individual providing oral input is requested to limit his or her comments to five minutes. Requests to be added to the speakers list must be received in writing (letter or email) prior to the close of business on Monday April 17, 2017; written comments from members of the

public for distribution at this meeting must reach Ms. Robinson by letter or email on this same date. A member of the public requesting reasonable accommodation should also make his/her request to Ms. Robinson by April 17. Requests received after that date will be considered but might not be able to be fulfilled.

The agenda of the meeting will include: Universal Postal Union Congress outcomes, goals for the current Universal Postal Union Congress cycle, and United States policy on Extraterritorial Offices of Exchange (ETOEs).

For further information please contact Ms. Shereece Robinson of the Office of Specialized and Technical Agencies (IO/STA), Bureau of International Organization Affairs, U.S. Department of State, at tel. (202) 663-2649, by email at RobinsonSA2@state.gov, or by mail at IO/STA, Suite L-409 SA-1; U.S. Department of State; Washington, DC 20522.

Gregory D. Thome,

Director, Office of Specialized and Technical Agencies, Bureau of International Organization Affairs, Department of State.

[FR Doc. 2017-06861 Filed 4-5-17; 8:45 am]

BILLING CODE 4710-19-P

DEPARTMENT OF STATE

[Public Notice 9949]

Plenary Meeting of the Binational Bridges and Border Crossings Group in Washington, DC

AGENCY: Department of State.

ACTION: Notice.

SUMMARY: Delegates from the United States and Mexican governments, the states of California, Arizona, Texas, and New Mexico, and the Mexican states of Baja California, Sonora, Chihuahua, Coahuila, Nuevo Leon, and Tamaulipas will participate in a plenary meeting of the U.S.-Mexico Binational Bridges and Border Crossings Group on Wednesday, May 24, 2017 in Washington, DC. The purpose of this meeting is to discuss operational matters involving existing and proposed international bridges and border crossings and their related infrastructure and to exchange technical information as well as views on policy. This meeting will include a public session on Wednesday, May 24, 2017, from 8:30 a.m. until 11:30 a.m. This session will allow proponents of proposed bridges and border crossings and related projects to make presentations to the delegations and members of the public.

FOR FURTHER INFORMATION CONTACT: For further information on the meeting and to attend the public session, please contact the Office of Mexican Affairs' Border Affairs Unit via email at WHABorderAffairs@state.gov, by phone at 202-647-9894, or by mail at Office of Mexican Affairs—Room 3924, Department of State, 2201 C St. NW., Washington, DC 20520.

Colleen A. Hoey,
Director, Office of Mexican Affairs,
Department of State.

[FR Doc. 2017-06863 Filed 4-5-17; 8:45 am]

BILLING CODE 4710-29-P

SURFACE TRANSPORTATION BOARD

60-Day Notice of Intent To Seek Extension of Approval: Demurrage Liability Disclosure Requirements

ACTION: Notice and request for comments.

AGENCY: Surface Transportation Board.
SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act of 1995 (PRA), the Surface Transportation Board (STB or Board) gives notice that it is requesting from the Office of Management and Budget (OMB) an extension of approval for the collection of Demurrage Liability Disclosure Requirements.

DATES: Comments on this information collection should be submitted by June 5, 2017.

ADDRESSES: Direct all comments to Chris Oehrle, PRA Officer, Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001, or to PRA@stb.gov. When submitting comments, please refer to "Paperwork Reduction Act Comments, Demurrage Liability Disclosure Requirements."

FOR FURTHER INFORMATION CONTACT: For further information regarding this collection, contact Michael Higgins, Deputy Director, Office of Public Assistance, Governmental Affairs, and Compliance at (202) 245-0284 or at Michael.Higgins@stb.gov. Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.

SUPPLEMENTARY INFORMATION: Comments are requested concerning: (1) The accuracy of the Board's burden estimates; (2) ways to enhance the quality, utility, and clarity of the information collected; (3) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of

information technology, when appropriate; and (4) whether the collection of information is necessary for the proper performance of the functions of the Board, including whether the collection has practical utility. Submitted comments will be summarized and included in the Board's request for OMB approval.

Description of Collection

Title: Demurrage Liability Disclosure Requirements.

OMB Control Number: 2140-0021.

STB Form Number: None.

Type of Review: Extension with change (relating to the change in burden hours based on the estimated decrease in (a) the number of respondents from 650 to 575 and (b) the time per response from eight hours to one hour, due to fact that the unique burdens associated with the initiation of the collection no longer exist).

Respondents: Freight railroads subject to the Board's jurisdiction.

Number of Respondents: 575 (including seven Class I railroads).

Estimated Time per Response: One hour.

Frequency: Occasionally. The notice requirement is triggered in two circumstances: (1) When a shipper initially arranges with a railroad for transportation of goods pursuant to the railroad's tariff; or (2) when a railroad changes the terms of its demurrage tariff.

Total Burden Hours (annually including all respondents): 864.6 hours. Board staff estimates that: (1) Seven Class I railroads will each take on 15 new customers each year (105 hours); (2) each of the seven Class I railroads will update its demurrage tariffs every three years (2.3 hours annualized); (3) 568 non-Class I railroads will each take on one new customer a year (568 hours); and (4) each non-Class I railroad will update its demurrage tariffs every three years (189.3 hours annualized).

Total "Non-Hour Burden" Cost: No non-hourly cost burdens associated with this collection have been identified. The notice may be provided electronically.

Needs and Uses: Demurrage is a charge that railroads assess their customers for detaining rail cars beyond a specified amount of time. It both compensates railroads for expenses incurred for that rail car, and serves as a penalty for undue car detention to promote efficiency. Demurrage is subject to the Board's jurisdiction under 49 U.S.C. 10702 and 10746, which require railroads to compute demurrage charges and to establish demurrage-related rules.

A railroad and its customers may enter into demurrage contracts without providing notice, but, in the absence of such contracts, demurrage will be governed by the railroad's demurrage tariff. Under 49 CFR 1333.3, a railroad's ability to charge demurrage pursuant to its tariff is conditional on its having given, prior to rail car placement, actual notice of the demurrage tariff to the person receiving rail cars for loading and unloading. Once a shipper receives a notice as to a particular tariff, additional notices are only required when the tariff changes materially. The parties use the information in these disclosure requirements to avoid demurrage disputes, and the Board uses the information to resolve demurrage disputes that come before the agency.

Under the PRA, a federal agency that conducts or sponsors a collection of information must display a currently valid OMB control number. A collection of information, which is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c), includes agency requirements that persons submit reports, keep records, or provide information to the agency, third parties, or the public. Under 44 U.S.C. 3506(c)(2)(A), federal agencies are required to provide, prior to an agency's submitting a collection to OMB for approval, a 60-day notice and comment period through publication in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information.

Dated: March 31, 2017.

Jeffery Herzig,
Clearance Clerk.

[FR Doc. 2017-06790 Filed 4-5-17; 8:45 am]

BILLING CODE 4915-01-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Summary Notice No. PE-2017-19]

Petition for Exemption; Summary of Petition Received

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of petition for exemption received.

SUMMARY: This notice contains a summary of a petition seeking relief from specified requirements of title 14, Code of Federal Regulations (14 CFR). The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of the FAA's regulatory activities. Neither publication of this notice nor the inclusion or

omission of information in the summary is intended to affect the legal status of the petition or its final disposition.

DATES: Comments on this petition must identify the petition docket number involved and must be received on or before April 26, 2017.

ADDRESSES: You may send comments identified by docket number FAA–2017–0236 using any of the following methods:

- *Government-Wide Rulemaking Web site:* Go to <http://www.regulations.gov> and follow the instructions for sending your comments digitally.

- *Mail:* Send comments to the Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12–140, Washington, DC 20590.

- *Fax:* Fax comments to the Docket Management Facility at 202–493–2251.

- *Hand Delivery:* Bring comments to the Docket Management Facility in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Privacy: We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. Using the search function of our docket Web site, anyone can find and read the comments received into any of our dockets, including the name of the individual sending the comment (or signing the comment for an association, business, labor union, etc.). You may review the DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477–78).

Docket: To read background documents or comments received, go to <http://www.regulations.gov> at any time or to the Docket Management Facility in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Lynette Mitterer, ANM–113, Federal Aviation Administration, 1601 Lind Avenue SW., Renton, WA 98057–3356, email Lynette.Mitterer@faa.gov, phone (425) 227–1047.

This notice is published pursuant to 14 CFR 11.85.

Victor Wicklund,
Manager, Transport Standards Staff.

Petition for Exemption

Docket No.: FAA–2017–0236.

Petitioner: The Boeing Company.

Section of 14 CFR Affected:
§ 25.981(a)(3)[25–102].

Description of Relief Sought: The exemption, if granted would allow the removal and replacement of two stiffeners at the center wing fuel tank (L & R BBL 615).

[FR Doc. 2017–06794 Filed 4–5–17; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

RTCA Federal Advisory Committee

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of RTCA charter renewal.

SUMMARY: The FAA is issuing this notice to advise the public of the renewal of the RTCA Charter (FAA Order 1110.77W) for 6 months, effective April 1, 2017. The Federal Aviation Administration (FAA) is authorized to establish the RTCA advisory committee in accordance with the provisions of the Federal Advisory Committee Act (FACA). The current charter agreement requires that the RTCA manage various Federal subcommittees on behalf of the agency.

The objective of the advisory committee is to seek resolution of issues and challenges involving air transportation concepts, requirements, operational capabilities, the associated use of technology, and related considerations to aeronautical operations that affect the future of the Air Traffic Management System and the integration of new technologies.

FOR FURTHER INFORMATION CONTACT: Andy Cebula at acebula@rtca.org or (202) 330–0652, or the RTCA Secretariat, 1150 18th Street NW., Suite 910, Washington, DC, 20036, or by telephone at (202) 833–9339, fax at (202) 833–9434, or Web site at <http://www.rtca.org>.

SUPPLEMENTARY INFORMATION: The Federal Advisory Committee meetings are open to the public and announced in the **Federal Register**, except as authorized by Section 10(d) of the Federal Advisory Committee Act.

Issued in Washington, DC, on April 3, 2017.

Mohannad Dawoud

Management & Program Analyst, Partnership Contracts Branch, ANG–A17 NextGen, Procurement Services Division, Federal Aviation Administration.

[FR Doc. 2017–06808 Filed 4–3–17; 4:15 pm]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2016–0412]

Post-Accident Reporting (PAR) Advisory Committee Meeting: Public Meeting

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), DOT.

ACTION: Announcement of advisory committee public meeting.

SUMMARY: FMCSA announces a meeting of its Post-Accident Reporting (PAR) Advisory Committee on Monday, April 24, 2017, at the Commercial Vehicle Safety Alliance (CVSA) Workshop in Atlanta, GA. Under section 5306 of the FAST Act, the PAR was charged with reviewing post-accident reports and made recommendations on the data elements required by the reports and modifications that may improve their use through the addition of data elements at its meeting in December 2016. At this meeting, the PAR will provide suggestions concerning the implementation of its recommendations to the FMCSA Administrator. The meeting is open to the public for its entirety.

DATES: The meeting will be held on Monday, April 24, 2017, from 1:30–5 p.m., Eastern Time (E.T.), at the Hyatt Regency Atlanta, 265 Peachtree Street NE., Atlanta, GA 30303. Copies of the task statement and an agenda for the entire meeting will be made available in advance of the meeting at <http://par.fmcsa.dot.gov>.

FOR FURTHER INFORMATION CONTACT: Ms. Shannon L. Watson, Senior Policy Advisor, Federal Motor Carrier Safety Administration, U.S. Department of Transportation, 1200 New Jersey Avenue SE., Washington, DC 20590, (202) 366–5221.

Services for Individuals with Disabilities: For information on facilities or services for individuals with disabilities or to request special assistance at the meeting, contact Eran Segev at (617) 494–3174, eran.segev@dot.gov, by Wednesday, April 12.

SUPPLEMENTARY INFORMATION:

I. Background

The Department established the PAR Advisory Committee as a discretionary committee under the Federal Advisory Committee Act (FACA, 5 U.S.C. App 2) on October 13, 2016, making it effective through October 13, 2018. The PAR Committee met in December 2016 and provided advice and recommendations

to the FMCSA Administrator on post-accident reporting requirements, specifically those in section 5306. During the April 24 meeting, the Committee will provide suggestions on the implementation of its recommendations, seeking standardization of definitions related to crash reporting, classification of Minimum Model Uniform Crash Criteria (MMUCC) and which should be prioritized for inclusion on police accident reporting forms, and a discussion of how to best implement the PAR's recommendations. The PAR operates in accordance with FACA.

II. Meeting Participation

Oral comments from the public will be heard throughout the meeting, at the discretion of the PAR chairman. Members of the public may submit written comments on the topics to be considered during the meeting by Wednesday, April 12, to Federal Docket Management System (FDMC) Docket Number FMCSA-2016-0412 using any of the following methods:

- *Federal eRulemaking Portal*: Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- *Fax*: 202-493-2251.
- *Mail*: Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building, Room W12-140, Washington, DC 20590.
- *Hand Delivery*: U.S. Department of Transportation, 1200 New Jersey Avenue SE., Room W12-140, Washington, DC, between 9 a.m. and 5 p.m., E.T. Monday through Friday, except Federal holidays.

Issued on: March 30, 2017.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2017-06809 Filed 4-5-17; 8:45 am]

BILLING CODE 4910-EX-P

DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA-2016-0092]

Pipeline Safety: Underground Natural Gas Storage Facility User Fee

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

ACTION: Notice of agency action.

SUMMARY: On November 7, 2016, PHMSA published a notice and request for comments in the **Federal Register**, titled "Pipeline Safety: Underground Natural Gas Storage Facility User Fee"

(November 2016 Notice), seeking comments from underground natural gas storage facility operators on a proposed PHMSA pipeline user-fee assessment and rate structure. PHMSA received nine comments in the docket. We are publishing this notice of agency action to address the comments received and to announce the rate structure PHMSA will implement in fiscal year (FY) 2017 if Congress appropriates FY 2017 funds for the Pipeline Safety Fund's Underground Natural Gas Storage Facility Safety Account.

FOR FURTHER INFORMATION CONTACT:

Roger Little by telephone at 202-366-4569, by fax at 202-366-4566, by email at Roger.Little@dot.gov, or by mail at U.S. Department of Transportation, PHMSA, 1200 New Jersey Avenue SE., PHP-2, Washington, DC 20590-0001.

SUPPLEMENTARY INFORMATION:

Background

The Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA) (Pub. L. 99-272, sec. 7005), codified in part at section 60301 of title 49, United States Code, authorizes the assessment and collection of user fees to fund the pipeline safety activities conducted under chapter 601 of title 49. On June 22, 2016, President Obama signed into law the Protecting our Infrastructure of Pipelines and Enhancing Safety Act of 2016 (Pub. L. 114-183) (PIPES Act of 2016). Section 12 of the PIPES Act of 2016 mandates that PHMSA issue regulations for underground natural gas storage facilities, authorizes user fees on operators of these facilities, and directs PHMSA to prescribe procedures to collect those fees upon appropriation. Section 2 of the PIPES Act of 2016 authorizes \$8 million per year to be appropriated from those fees for each of FY 2017-2019 for the newly established Underground Natural Gas Storage Facility Safety Account in the Pipeline Safety Fund. Accordingly, if Congress appropriates funds to this account for FY 2017 and beyond, PHMSA will collect user fees from the operators of the facilities.

Summary of Comments on the November 7, 2016 Notice

The November 2016 Notice advised all underground natural gas storage facility operators of a proposed PHMSA pipeline user fee assessment and rate structure. 81 FR 78261. During the two-month response period, PHMSA received comments on the proposed underground natural gas storage user-fee billing methodology from nine commenters: David Reitz; the Louisiana Mid-Continent Oil and Gas Association;

ENSTOR Operating Company; Consumers Energy; Cook Inlet Natural Gas Storage Alaska; Atmos Energy Corporation; Pacific Gas and Electric Company; the Texas Pipeline Association; and the Interstate Natural Gas Association of America (INGAA). The comments may be found at <http://www.regulations.gov> in Docket Number PHMSA-2016-0092. Consumers Energy, Atmos Energy Corporation, the Texas Pipeline Association, and INGAA submitted comments generally supporting the rate structure proposed by PHMSA in the November 2016 Notice. The remaining comments are summarized below with PHMSA's response:

Comment: The Louisiana Mid-Continent Oil and Gas Association and Cook Inlet Natural Gas Storage Alaska questioned whether working-gas capacity was the most appropriate basis for the rate structure and expressed the view that using the number of wells at a facility may be a more suitable basis for the user-fee structure.

Response: PHMSA agrees that the number of wells would be an appropriate basis for the user-fee rate structure. However, the PHMSA information collection results that will include the number of wells will not be available for fiscal year 2017 billing. PHMSA is aware of an underground natural gas storage facility survey recently conducted by the American Gas Association (AGA). The survey results, however, are not publicly available. PHMSA also has no way to assess the accuracy of the AGA survey results and in several cases they appear to be inconsistent with information reported to the Energy Information Administration (EIA). In the absence of available, reliable data for another suitable metric, PHMSA's only viable option for an equitable allocation of fees among facility operators in the first year is working-gas capacity. After PHMSA's annual reporting is in place and PHMSA collects information regarding the number of wells, well count is likely to become the basis of the user-fee rate structure for these facilities in future fiscal years.

Comment: David Reitz suggested PHMSA base the tier determination on the working gas an operator has available to serve its customers rather than total working-gas capacity because doing so would facilitate a more precise determination of the appropriate tier in cases where storage fields are jointly owned.

Response: PHMSA's source for working-gas capacity data is the EIA. PHMSA currently lacks data to determine to which customers gas in

storage is available. Therefore, PHMSA will need to use the total working-gas capacity of the field, but appreciates the comment and may revisit this issue in the future if a reliable data source becomes available that breaks working gas down by owner for jointly-owned storage fields and the joint owners are not able to apportion the fee among themselves.

Comment: Pacific Gas and Electric Company recommended that PHMSA use the number of wells collected on the new PHMSA annual report as the basis for the user-fee rate structure.

Response: As stated above, PHMSA agrees that the number of wells would be an appropriate basis for the fee structure. With respect to FY 2017, however, PHMSA does not expect to collect annual report data from facility operators before the FY 2017 billing.

Comment: The Louisiana Mid-Continent Oil and Gas Association requested clarification as to how PHMSA proposes to regulate Louisiana facilities and specifically how regulatory activity will be funded.

Response: PHMSA is supportive of state oversight activities and expects the appropriate Louisiana state agency to become certified to regulate Louisiana's intrastate facilities in accordance with 49 U.S.C. 60141(c). User fees collected by PHMSA from operators of intrastate underground natural gas storage facilities regulated by Louisiana would be granted to the certified Louisiana agency. PHMSA would regulate any interstate facilities in Louisiana. If a Louisiana agency does not become certified, PHMSA will be responsible for

regulating both the interstate and intrastate facilities in Louisiana.

Comment: ENSTOR Operating Company asked if PHMSA will sum the working-gas capacity of facilities for the operator and its affiliates.

Response: PHMSA will sum the working-gas capacity for all fields operated by each holder of a PHMSA-issued operator identification number. For the past several months, PHMSA has been contacting operators of storage facilities to determine the appropriate operator identification number for each facility reported to the EIA.

Comment: ENSTOR Operating Company, LLC, asked if PHMSA has a different definition of working-gas capacity than the EIA.

Response: PHMSA does not have a different definition of working-gas capacity. PHMSA will use the working-gas capacity reported to the EIA.

Comment: ENSTOR Operating Company, LLC, requested that PHMSA provide further analysis supporting the proposed user-fee assessment tier structure to ensure the regulated community can fully comment.

Response: PHMSA provided a full description of the analysis in the November 2016 Notice. PHMSA will also place a spreadsheet in the docket with this notice to provide a more detailed breakdown of the data behind the analysis.

Revised Underground Natural Gas Storage Facility User-Fee Plan

As discussed above in the comment responses, in the absence of available, reliable data for another suitable metric, PHMSA's only viable option for an equitable allocation of fees among

facility operators in the first year is working-gas capacity. Accordingly, for FY 2017 billing, PHMSA will use working-gas capacity as the basis for the user-fee rate structure. PHMSA will use the working-gas capacity values from the most recent Form EIA-191 Monthly Underground Natural Gas Storage Report. PHMSA will sum the working-gas capacity for all fields operated by the holder of a PHMSA-issued operator identification number. For fields where PHMSA is unable to determine the operator identification number, working-gas capacities will be summed based on the company name in the Form EIA-191 data. If a company receives a bill that it believes to be in error in some way, it should contact PHMSA for further information, using the Web site <http://www.phmsa.dot.gov/pipeline/operator-resources/pay-user-fee-assessments>.

The operator working-gas capacity values will be divided into 10 tiers. The lowest values will be in tier 1 and the highest values in tier 10. The minimum and maximum working-gas capacities for each tier will be selected to place an equal number of operators in each tier. Each tier will have a user-fee assessment to be paid by each operator in the tier.

In the November 2016 Notice, PHMSA used Form EIA-191 annual data from 2015 to determine the published assessment per tier and tier ranges. Based on Form EIA-191 monthly data available through the EIA's Natural Gas Annual Respondent Query System,¹ and summing working-gas capacity using the EIA company name, the tiers and assessment per tier to collect \$8,000,000 would be:

Tier	Assessment per operator	Working-gas capacity (Mcf) range
1	\$11,799	Less than 930,000.
2	23,599	More than 930,000 and less than 3,000,000.
3	29,499	More than 3,000,000 and less than 5,800,000.
4	35,398	More than 5,800,000 and less than 11,000,000.
5	47,198	11,000,000 or more and less than 13,700,000.
6	58,997	More than 13,700,000 and less than 21,000,000.
7	70,796	More than 21,000,000 and less than 32,100,000.
8	76,696	More than 32,100,000 and less than 48,000,000.
9	88,496	More than 47,000,000 and less than 91,500,000.
10	147,493	More than 91,500,000.

PHMSA placed a spreadsheet in the docket showing the EIA company names in each tier, as well as the methodology used to determine the assessment per tier and tier ranges. If Congress appropriates less than \$8 million to the

Underground Natural Gas Storage Facility Safety Account, PHMSA will proportionally reduce the assessment for each tier to collect the appropriated amount. Regardless of the appropriated amount, PHMSA expects that

approximately 25% will fund PHMSA actions and 75% will fund grants to certified state agencies.

Finally, in the November 2016 Notice, we expressed an intent to assess user fees on operators of active fields on the

¹ http://www.eia.gov/cfapps/ngqs/ngqs.cfm?f_report=RP8&f_sortby=&f_items=&f_year_start=&f_year_end=&f_show_compilid=&f_fullscreen=

EIA list. Since then, PHMSA has learned that the EIA includes inactive fields in the Form EIA-191 data because inactive fields could be restored to service at any time. The EIA removes a field from the Form EIA-191 list only after the company reports that all wells connected to the field have been abandoned. Essentially, inactive fields on the Form EIA-191 list are idle, but not abandoned. Therefore, at least for fiscal year 2017 billing, PHMSA will use the EIA-191 form data, which includes inactive wells.

This approach is also consistent with PHMSA's exercise of regulatory jurisdiction over pipelines and with its assessment of user fees on such pipelines. In an Advisory Bulletin published on August 16, 2016, titled: "Clarifications of Terms Relating to Pipeline Operational Status," PHMSA emphasized that idle pipelines are subject to the same regulatory requirements as active pipelines. 81 FR 54512. This same regulatory approach applies to underground natural gas storage fields. Because inactive fields could be restored to service, PHMSA will exercise regulatory authority over inactive fields. Accordingly, PHMSA will bill both inactive and active fields appearing in the Form EIA-191 data.

Issued in Washington, DC, on March 31, 2017, under authority delegated in 49 CFR 1.97.

Alan K. Mayberry,

Associate Administrator for Pipeline Safety.

[FR Doc. 2017-06803 Filed 4-5-17; 8:45 am]

BILLING CODE 4910-60-P

DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA-2016-0087]

Pipeline Safety: Request for Special Permit; City of Bangor, Maine

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA); DOT.

ACTION: Notice.

SUMMARY: PHMSA is publishing this notice to seek public comment on a request for special permit, seeking relief from compliance with certain requirements in the Federal pipeline safety regulations. At the conclusion of the 30-day comment period, PHMSA will review the comments received from this notice as part of its evaluation to grant or deny the special permit request.

DATES: Submit any comments regarding this special permit request by May 8, 2017.

ADDRESSES: Comments should reference the docket number for the specific special permit request and may be submitted in the following ways:

- *E-Gov Web site:* <http://www.Regulations.gov>. This site allows the public to enter comments on any **Federal Register** notice issued by any agency.
- *Fax:* 1-202-493-2251.
- *Mail: Docket Management System:* 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: Docket Management System:* 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 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays.

Instructions: You should identify the docket number for the special permit request you are commenting on at the beginning of your comments. If you submit your comments by mail, please submit two copies. To receive confirmation that PHMSA has received your comments, please include a self-addressed stamped postcard. Internet users may submit comments at <http://www.Regulations.gov>.

Note: There is a privacy statement published on <http://www.Regulations.gov>. Comments, including any personal information provided, are posted without changes or edits to <http://www.Regulations.gov>.

FOR FURTHER INFORMATION CONTACT:

General: Ms. Kay McIver by telephone at 202-366-0113, or email at kay.mciver@dot.gov.

Technical: Mr. Max Kieba by telephone at 202-493-0595, or email at max.kieba@dot.gov.

SUPPLEMENTARY INFORMATION:

PHMSA has received a special permit request from the City of Bangor, Maine to deviate from the pipeline safety regulations to pressure test a single segment of its pipeline with Jet-A fuel (kerosene), rather than water as the medium, during the performance of a Subpart E pressure test. A Draft Environmental Assessment (DEA) accompanies the special permit request. The DEA is available at <http://www.Regulations.gov>, in Docket Number, PHMSA-2016-0087. We invite interested persons to participate by reviewing the special permit request and DEA at <http://www.Regulations.gov>, and by submitting written comments, data, or other views. Please include any comments on potential safety and

environmental impacts that may result if the special permit is granted.

Before issuing a decision on the special permit request, PHMSA will evaluate all comments received on or before the comment closing date. Comments received after the closing date will be evaluated if it is possible to do so without incurring additional expense or delay. PHMSA will consider each relevant comment we receive in making our decision to grant or deny a request.

The City of Bangor operates its less than one-mile-long pipeline from terminal tankage to the Bangor International Airport. The pipeline is located in an industrial area of the City, offsite of the Bangor International Airport in Penobscot County, Maine.

The City requests this special permit for safety concerns of private, commercial and military aircraft that refuel at the Bangor International Airport. Due to the stringent quality control requirements for fuel established for military and commercial aircraft, any contaminants introduced during a test with water, including the water itself, could endanger commercial and private aircraft, as well as the many military missions originating from the airport.

Testing the pipeline with water would force the City to cease fueling operations for an estimated 48 to 72 hours. The City and the Maine Air National Guard operate under a Federal Joint Use Agreement, which stipulates that the airport must remain open and available twenty four hours a day, seven days a week, to support strategic military missions. This is the only pipeline that supplies fuel to the airport. Shutting down the airport would put the City in breach of contract with the military.

The maximum allowable operating pressure of this pipeline ranges from 150 to 182 psi, and no leaks have been found in the past 11 years of pressure testing.

Issued in Washington, DC on March 31, 2017, under authority delegated in 49 CFR 1.97.

Alan K. Mayberry,

Associate Administrator for Pipeline Safety.

[FR Doc. 2017-06804 Filed 4-5-17; 8:45 am]

BILLING CODE 4910-60-P

DEPARTMENT OF THE TREASURY**Office of Foreign Assets Control****Sanctions Actions Pursuant to the Foreign Narcotics Kingpin Designation Act and Executive Order 12978**

AGENCY: Office of Foreign Assets Control, Treasury.

ACTION: Notice.

SUMMARY: The U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC) is publishing the names of persons and entities whose property and interests in property have been unblocked pursuant to the Foreign Narcotics Kingpin Designation Act (Kingpin Act) or Executive Order 12978 of October 21, 1995, "Blocking Assets and Prohibiting Transactions with Significant Narcotics Traffickers". Additionally, OFAC is publishing an update to the identifying information of one person currently included in the list of Specially Designated Nationals and Blocked Persons (SDN List).

DATES: OFAC's actions described in this notice were effective on March 31, 2017.

FOR FURTHER INFORMATION CONTACT: The Department of the Treasury's Office of Foreign Assets Control: Assistant Director for Licensing, tel.: 202-622-2480, Assistant Director for Regulatory Affairs, tel.: 202-622-4855, Assistant Director for Sanctions Compliance & Evaluation, tel.: 202-622-2490; or the Department of the Treasury's Office of the Chief Counsel (Foreign Assets Control), Office of the General Counsel, tel.: 202-622-2410.

SUPPLEMENTARY INFORMATION:**Electronic Availability**

The list of Specially Designated Nationals and Blocked Persons (SDN List) and additional information concerning OFAC sanctions programs are available from OFAC's Web site at <http://www.treasury.gov/ofac>.

Notice of OFAC Actions

On March 31, 2017, OFAC removed from the SDN List the persons listed below, whose property and interests in property were blocked pursuant to section 805(b) of the Kingpin Act or Executive Order 12978.

Individuals

1. CASTRO DE SANTACRUZ, Amparo, c/o INMOBILIARIA SAMARIA LTDA., Cali, Colombia; c/o SAMARIA LTDA., Cali, Colombia; c/o INVERSIONES SANTA LTDA., Cali, Colombia; c/o COMERCIALIZACION Y FINANCIACION DE AUTOMOTORES S.A., Cali, Colombia; c/o INVERSIONES INTEGRAL LTDA., Cali, Colombia; c/o MIRALUNA LTDA., Cali, Colombia; c/o

URBANIZACIONES Y CONSTRUCCIONES LTDA., DE CALI, Cali, Colombia; DOB 13 Jan 1948; alt. DOB 13 Jan 1946; alt. DOB 14 Apr 1959; Cedula No. 38983611 (Colombia); Passport PE027370 (Colombia); alt. Passport AA429676 (Colombia) (individual) [SDNT].

2. CONTRERAS SANCHEZ, Diego; DOB 19 Apr 1985; POB Jalisco, Mexico; R.F.C. COSD850419T13 (Mexico); C.U.R.P. COSD850419HJCNNG02 (Mexico) (individual) [SDNTK] (Linked To: RESTAURANT BAR LOS ANDARIEGOS, S.A. DE C.V.; Linked To: BOCADOS DE AUTOR, S.A. DE C.V.).

3. CONTRERAS SANCHEZ, Maria Aurora, Av. Hidalgo No. 2433, Colonia Vallarta Norte, Guadalajara, Jalisco, Mexico; 3888 Paseo de los Parques, Colonia Colinas de San Javier, Zapopan, Jalisco, Mexico; DOB 25 Oct 1979; POB Guadalajara, Jalisco, Mexico; R.F.C. COSA791025645 (Mexico) (individual) [SDNTK] (Linked To: INMOBILIARIA CORSANCH, S.A. DE C.V.).

4. DELAROSA RAMOS, Jibrán (a.k.a. DE LA ROSA RAMOS, Jibrán); DOB 10 Mar 1984; POB Juan Galindo, Mexico; Passport G01255779 (Mexico) (individual) [SDNTK] (Linked To: NETLLUX MOVIL S.A. DE C.V.).

5. GALLEGO SOSSA, Rosa Esperanza, Calle 24AN No. 42BN-61, Cali, Colombia; c/o CONCRETOS CALI S.A., Cali, Colombia; c/o CONSTRUCTORA DIMISA LTDA., Cali, Colombia; DOB 01 May 1963; Cedula No. 43059188 (Colombia) (individual) [SDNT].

6. GIL GARZON, Marco Antonio, c/o CONSTRUCTORA AMERICA S.A., Bogota, Colombia; DOB 25 May 1947; POB Toca, Boyaca, Colombia; Cedula No. 17176949 (Colombia) (individual) [SDNT].

7. GRAJALES LEMOS, Aida Salome, Calle 14 No. 13-03, La Union, Valle, Colombia; c/o AGRONILLO S.A., Toro, Valle, Colombia; c/o ALMACAES S.A., Bogota, Colombia; c/o CRETA S.A., La Union, Valle, Colombia; c/o CASA GRAJALES S.A., La Union, Valle, Colombia; c/o GAD S.A., La Union, Valle, Colombia; c/o GRAJALES S.A., La Union, Valle, Colombia; c/o HOTEL LOS VINEDOS, La Union, Valle, Colombia; c/o MACEDONIA LTDA., La Union, Valle, Colombia; c/o RAMAL S.A., Bogota, Colombia; c/o SALIM S.A., La Union, Valle, Colombia; c/o FRUTAS DE LA COSTA S.A., Malambo, Atlantico, Colombia; c/o TARRITOS S.A., Cali, Colombia; c/o FUNDACION CENTRO DE INVESTIGACION HORTIFRUTICOLA DE COLOMBIA, La Union, Valle, Colombia; c/o JEHOVA LTDA., Tulua, Valle, Colombia; DOB 13 Dec 1970; POB La Union, Valle, Colombia; Cedula No. 39789871 (Colombia) (individual) [SDNT].

8. POSSO DE GRAJALES, Elba Myriam, c/o CASA GRAJALES S.A., La Union, Valle, Colombia; c/o FREXCO S.A., La Union, Valle, Colombia; c/o GRAJALES S.A., La Union, Valle, Colombia; c/o IBADAN LTDA., Tulua, Valle, Colombia; c/o INVERSIONES AGUILA LTDA., La Union, Valle, Colombia; Cedula No. 29611241 (Colombia) (individual) [SDNT].

9. QUINTANA FUERTES, Andres Fernando; DOB 03 Jul 1966; POB Candelaria, Valle, Colombia; nationality Colombia; citizen Colombia; Cedula No. 16989000 (Colombia); Passport AI375038 (Colombia); alt. Passport 16989000 (Colombia) expires 13

Dec 2000 (individual) [SDNT] (Linked To: TARRITOS S.A.).

10. ROSALES MORFIN, Eva Luz, 3888 Calle Paseo de los Parques, La Colonia Colinas de San Javier, Zapopan, Jalisco, Mexico; DOB 11 Apr 1968; POB Guadalajara, Jalisco, Mexico; Passport G01626402 (Mexico); R.F.C. ROME6804111R9 (Mexico) (individual) [SDNTK] (Linked To: INMOBILIARIA CORSANCH, S.A. DE C.V.).

11. SANTACRUZ CASTRO, Ana Milena, c/o SOCIEDAD CONSTRUCTORA LA CASCADA S.A., Cali, Colombia; c/o COMERCIALIZACION Y FINANCIACION DE AUTOMOTORES S.A., Cali, Colombia; c/o INVERSIONES INTEGRAL LTDA., Cali, Colombia; c/o MIRALUNA LTDA., Cali, Colombia; c/o URBANIZACIONES Y CONSTRUCCIONES LTDA., DE CALI, Cali, Colombia; DOB 31 Mar 1965; Cedula No. 31929808 (Colombia); Passport 31929808 (Colombia); alt. Passport AB151189 (Colombia) (individual) [SDNT].

Entities

1. COMERCIALIZACION Y FINANCIACION DE AUTOMOTORES S.A. (a.k.a. COMFIAUTOS S.A.), Carrera 4 No. 11-33 of. 303, Cali, Colombia; Avenida 2N No. 7N-55 of. 609, Cali, Colombia; NIT # 800086115-1 (Colombia) [SDNT].

2. INVERSIONES INTEGRAL LTDA., Carrera 4 No. 12-41 of. 1403, 1501 Edificio Seguros Bolivar, Cali, Colombia; Apartado Aereo 10077, Cali, Colombia; NIT # 800092770-9 (Colombia) [SDNT].

3. LE MALL-SAIDA (a.k.a. LE MALL SAIDA), Saida, Al Janub, Lebanon [SDNTK] (Linked To: MERHI, Merhi Ali Abou; Linked To: ABOU MERHI GROUP).

4. MIRALUNA LTDA. (f.k.a. EL PASO LTDA.), Carrera 4 No. 12-41 of. 1403, 1501, Cali, Colombia; NIT # 890328836-9 (Colombia) [SDNT].

5. NEGOCIOS LOS SAUCES LTDA. Y CIA. S.C.S. (f.k.a. INMOBILIARIA SAMARIA LTDA.), Calle 13A 64-50 F102, Cali, Colombia; Carrera 4 12-41 of. 1501, Edificio Seguros Bolivar, Cali, Colombia; Calle 13 3-32 piso 13, Cali, Colombia; Calle 18, No. 106-96 of. 201/202, Cali, Colombia; NIT # 890937859-0 (Colombia) [SDNT].

6. NEGOCIOS LOS SAUCES LTDA., Carrera 4 No. 4-21 of. 1501, Edificio Seguros Bolivar, Cali, Colombia; Apartado Aereo 10077, Cali, Colombia; NIT # 890328835-1 (Colombia) [SDNT].

7. NETLLUX MOVIL S.A. DE C.V., Boulevard Hermanos Serdan No. 45 Penthouse, Colonia Amor, Puebla CP. 72140, Mexico [SDNTK].

8. URBANIZACIONES Y CONSTRUCCIONES LTDA. DE CALI (f.k.a. URBANIZACIONES Y CONSTRUCCIONES LTDA.), Carrera 4 No. 12-41 of. 1403, Cali, Colombia; NIT # 890306569-2 (Colombia) [SDNT].

Additionally, on March 31, 2017, OFAC updated the SDN listing for the person listed below, whose property and interests in property continue to be blocked pursuant to the Kingpin Act.

MERHI, Merhi Ali Abou (a.k.a. ABOU MERHI, Merhi; a.k.a. MERHI, Merhi Abou); DOB 05 Jul 1964; POB Hilalie, Lebanon;

citizen Lebanon; Passport RL0575682 (Lebanon) (individual) [SDNTK] (Linked To: ABOU MERHI GROUP; Linked To: ABOU-MERHI LINES SAL; Linked To: ABOU-MERHI CRUISES SAL; Linked To: LE MALL-SAIDA; Linked To: QUEEN STATIONS; Linked To: ORIENT QUEEN HOMES; Linked To: ABOU MERHI COTONOU; Linked To: ABOU MERHI NIGERIA; Linked To: ABOU MERHI HAMBURG; Linked To: LEBANON CENTER; Linked To: ABOU MERHI CHARITY INSTITUTION).

-to-

MERHI, Merhi Ali Abou (a.k.a. ABOU MERHI, Merhi; a.k.a. MERHI, Merhi Abou); DOB 05 Jul 1964; POB Hilalie, Lebanon; citizen Lebanon; Passport RL0575682 (Lebanon) (individual) [SDNTK] (Linked To: ABOU MERHI GROUP; Linked To: ABOU-MERHI LINES SAL; Linked To: ABOU-MERHI CRUISES SAL; Linked To: QUEEN STATIONS; Linked To: ORIENT QUEEN HOMES; Linked To: ABOU MERHI COTONOU; Linked To: ABOU MERHI

NIGERIA; Linked To: ABOU MERHI HAMBURG; Linked To: LEBANON CENTER; Linked To: ABOU MERHI CHARITY INSTITUTION).

Dated: March 31, 2017.

Gregory T. Gatjanis,

*Associate Director, Office of Global Targeting,
Office of Foreign Assets Control.*

[FR Doc. 2017-06792 Filed 4-5-17; 8:45 am]

BILLING CODE 4810-AL-P



FEDERAL REGISTER

Vol. 82

Thursday,

No. 65

April 6, 2017

Part II

The President

National Security Presidential Memorandum—4 of April 4, 2017—
Organization of the National Security Council, the Homeland Security
Council, and Subcommittees

Title 3—

National Security Presidential Memorandum—4 of April 4, 2017

The President

Organization of the National Security Council, the Homeland Security Council, and Subcommittees

Memorandum for the Vice President[,] the Secretary of State[,] the Secretary of the Treasury[,] the Secretary of Defense[,] the Attorney General[,] the Secretary of Agriculture[,] the Secretary of Health and Human Services[,] the Secretary of Transportation[,] the Secretary of Commerce[,] the Secretary of Energy[,] the Secretary of Homeland Security[,] the Assistant to the President and Chief of Staff[,] the Director of the Office of Management and Budget[,] the Representative of the United States to the United Nations[,] the United States Trade Representative[,] the Chairman of the Council of Economic Advisers[,] the Chairman of the Board of Governors of the Federal Reserve System[,] the Director of National Intelligence[,] the Director of the Central Intelligence Agency[,] the Chairman of the Joint Chiefs of Staff[,] the Assistant to the President for National Security Affairs[,] the Assistant to the President for Homeland Security and Counterterrorism the Assistant to the President for Economic Policy[,] the Assistant to the President for Trade and Manufacturing Policy[,] the Assistant to the President for Intragovernmental and Technology Initiatives[,] the Counsel to the President[,] the Deputy Assistant to the President and National Security Advisor to the Vice President[,] the Administrator of the United States Agency for International Development[,] the Administrator of the National Aeronautics and Space Administration[,] the Chairman of the Nuclear Regulatory Commission[,] the Director of the Federal Bureau of Investigation[,] the Director of the Office of Science and Technology Policy[,] the Director of National Drug Control Policy[,] the Chairman of the President's Intelligence Advisory Board[,] the Administrator of the Federal Emergency Management Agency[, and] the Archivist of the United States

As President, my highest priority is to ensure the safety and security of the American people. In order to advise and assist me in executing this solemn responsibility, as well as to protect and advance the national interests of the United States at home and abroad, I hereby direct that my system for national security policy development and decision making shall be organized as follows:

A. The National Security Council, the Homeland Security Council, and Supporting Staff

The National Security Act of 1947, as amended, established the National Security Council (NSC) to advise the President with respect to the integration of domestic, foreign, and military policies relating to the national security. There is also a Homeland Security Council (HSC)—established through Executive Order 13228 of October 8, 2001, and subsequently codified in the Homeland Security Act of 2002—that has the purpose of advising the President on matters pertaining to homeland security. Each Council is also responsible for the effective coordination of the security-related activities and functions of the executive departments and agencies.

The security threats facing the United States in the 21st century transcend international boundaries. Accordingly, the United States Government's decision-making structures and processes to address these challenges must remain equally adaptive and transformative. Both Councils are statutory bodies that

the President will continue to chair. Invitations to participate in specific Council meetings shall be extended to those heads of executive departments and agencies, and other senior officials, who are needed to address the issue or issues under consideration. When the President is absent from a meeting of either Council, the Vice President may preside at the President's direction.

The Assistant to the President for National Security Affairs (National Security Advisor) shall be responsible, as appropriate and at the President's direction, for determining the agenda for the NSC or HSC, respectively, ensuring that the necessary papers are prepared and recording Council actions and Presidential decisions in a timely manner. The Assistant to the President for Homeland Security and Counterterrorism (Homeland Security Advisor) may, at the sole discretion of the National Security Advisor, perform those functions. When international economic issues are on the agenda of the NSC, the Assistant to the President for Economic Policy may, at the sole discretion of the National Security Advisor, perform those functions.

The NSC and HSC shall have as their regular attendees (both statutory and non-statutory) the President, the Vice President, the Secretary of State, the Secretary of the Treasury, the Secretary of Defense, the Attorney General, the Secretary of Energy, the Secretary of Homeland Security, the National Security Advisor, the Homeland Security Advisor, and the Representative of the United States to the United Nations. The Director of National Intelligence and the Chairman of the Joint Chiefs of Staff, as statutory advisors to the NSC, shall also be regular attendees, as will the Director of the Central Intelligence Agency.

When international economic issues are on the agenda of the NSC, the NSC's regular attendees will include the Secretary of Commerce, the United States Trade Representative, and the Assistant to the President for Economic Policy.

The Assistant to the President and Chief of Staff (Chief of Staff to the President), the Counsel to the President, the Deputy Counsel to the President for National Security Affairs, and the Director of the Office of Management and Budget are invited as attendees to any NSC meeting.

In addition to the NSC and HSC, there is also a single NSC staff within the Executive Office of the President that serves both the NSC and HSC. The staff is composed of regional, issue-focused, and functional directorates and headed by a single civilian Executive Secretary, pursuant to 50 U.S.C. 3021, who is also the Chief of Staff. All policy and staff activity decisions will be transmitted to the Executive Secretary for appropriate distribution and awareness. The purpose of the staff is to advise the President, the National Security Advisor, the Homeland Security Advisor, the NSC members, the HSC members, and others in the White House; to facilitate the implementation of Administration policy; and to help coordinate the national-security-related activities of the executive departments and agencies.

B. The Principals Committee

The Principals Committee (PC) shall continue to serve as the Cabinet-level senior interagency forum for considering policy issues that affect the national security interests of the United States. The PC shall be convened and chaired by the National Security Advisor. The Homeland Security Advisor may, at the sole discretion of the National Security Advisor, also convene and chair the PC. The Chair shall determine the agenda in consultation with the appropriate committee members, and the Executive Secretary shall ensure that necessary papers are prepared, and that conclusions and decisions are communicated in a timely manner. Invitations to participate in or attend a specific PC shall be extended at the discretion of the Chair, and may include those Cabinet-level heads of executive departments and agencies, and other senior officials, who are needed to address any issue under consideration.

The PC shall have as its regular attendees the Secretary of State, the Secretary of the Treasury, the Secretary of Defense, the Attorney General, the Secretary of Energy, the Secretary of Homeland Security, the Chief of Staff to the President, the Director of National Intelligence, the Chairman of the Joint Chiefs of Staff, the Director of the Central Intelligence Agency, the National Security Advisor, the Homeland Security Advisor, and the Representative of the United States to the United Nations. The Counsel to the President, the Deputy Counsel to the President for National Security Affairs, and the Director of the Office of Management and Budget may attend all PC meetings.

The Assistant to the President and Deputy National Security Advisor (Deputy National Security Advisor), the Deputy National Security Advisor for Strategy, the Deputy Assistant to the President and National Security Advisor to the Vice President, and the Executive Secretary (who shall serve as the Executive Secretary of the PC) shall attend all of the meetings of the PC, and the Assistant to the President for Intragovernmental and Technology Initiatives may attend as appropriate.

When international economic issues are on the agenda of the PC, the Committee's regular attendees will include the Secretary of Commerce, the United States Trade Representative, and the Assistant to the President for Economic Policy (who shall serve as Chair for agenda items that principally pertain to international economics).

C. The Deputies Committee

The Deputies Committee (DC) shall continue to serve as the senior sub-Cabinet interagency forum for consideration of, and where appropriate, decision making on, policy issues that affect the national security interests of the United States. The DC shall be convened and chaired by the Deputy National Security Advisor. The Deputy Homeland Security Advisor may, at the sole discretion of the National Security Advisor, also convene and Chair the DC. The Chair shall determine the agenda in consultation with the regular DC attendees, and the Executive Secretary shall ensure that necessary papers are prepared and that conclusions and decisions are communicated in a timely manner. Invitations to participate in or attend a specific DC meeting shall be extended by the Chair to those at the Deputy Secretary or Under Secretary level of executive departments and agencies, and to other senior officials, who are needed to address any issue under consideration.

The DC shall have as its regular attendees the Deputy Secretary of State, the Deputy Secretary of the Treasury, the Deputy Secretary of Defense, the Deputy Attorney General, the Deputy Secretary of Energy, the Deputy Secretary of Homeland Security, the Deputy Director of the Office of Management and Budget, the Deputy Director of National Intelligence, the Vice Chairman of the Joint Chiefs of Staff, the Deputy Director of the Central Intelligence Agency, the Deputy National Security Advisor, the Deputy National Security Advisor for Strategy, the Deputy Homeland Security Advisor, the Deputy Assistant to the President and National Security Advisor to the Vice President, and the Administrator of the United States Agency for International Development.

The Executive Secretary shall attend the DC meetings. The Deputy Counsel to the President for National Security Affairs may attend all DC meetings. Other senior officials, including the Deputy Representative of the United States to the United Nations, may be invited when appropriate.

The DC shall review and monitor the work of the interagency national security process, including the interagency groups established pursuant to section D below. The DC shall help to ensure that issues brought before the NSC, HSC, and PC have been properly analyzed and prepared for decision. The DC shall also focus significant attention on monitoring the implementation of policies and decisions and shall conduct periodic reviews of the Administration's major national security and foreign policy initiatives.

The DC is responsible for establishing Policy Coordination Committees (PCCs) and for providing objectives and clear guidance.

D. Policy Coordination Committees

Management of the development and implementation of national security policies by multiple executive departments and agencies typically shall be accomplished by the PCCs, with participation primarily occurring at the Assistant Secretary level. As the main day-to-day fora for interagency coordination of national security policies, the PCCs shall provide policy analysis for consideration by the more senior committees of the national security system and ensure timely responses to the President's decisions.

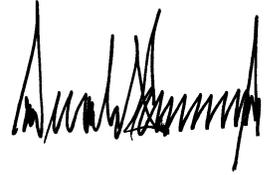
Regional and issue-related PCCs shall be established at the direction of the DC. Members of the NSC staff (or National Economic Council staff, as appropriate) will chair the PCCs; the DC, at its discretion, may add co-chairs to any PCC. The PCCs shall review and coordinate the implementation of Presidential decisions in their respective policy areas. The Chair of each PCC, in consultation with the Executive Secretary, shall invite representatives of other executive departments and agencies to attend meetings of the PCC where appropriate. The Chair of each PCC, with the agreement of the Executive Secretary, may establish subordinate working groups to assist that PCC in the performance of its duties.

E. General

The President and the Vice President may attend any and all meetings of any entity established by or under this memorandum.

This document is part of a series of National Security Presidential Memoranda, which have replaced both Presidential Policy Directives and Presidential Study Directives as the instrument for communicating relevant Presidential decisions. This memorandum shall supersede all other existing Presidential directives and guidance on the organization or support of the NSC and the HSC, including National Security Presidential Memorandum—2 (January 28, 2017), which is hereby revoked. With regard to its application to economic matters, this document shall be interpreted in concert with any Executive Order governing the National Economic Council and with Presidential Memoranda signed hereafter that implement it or those Executive Orders.

The Secretary of Defense is hereby authorized and directed to publish this memorandum in the *Federal Register*.

A handwritten signature in black ink, appearing to be the name of the President, located in the upper right quadrant of the page.

THE WHITE HOUSE,
Washington, April 4, 2017

[FR Doc. 2017-07064
Filed 4-5-17; 11:15 am]
Billing code 5001-06-P



FEDERAL REGISTER

Vol. 82

Thursday,

No. 65

April 6, 2017

Part III

The President

Proclamation 9587—National Crime Victims' Rights Week, 2017

Presidential Documents

Title 3—

Proclamation 9587 of April 3, 2017

The President

National Crime Victims' Rights Week, 2017

By the President of the United States of America

A Proclamation

During National Crime Victims' Rights Week, we stand with crime victims and their families, we renew our commitment to safeguarding our communities from crime, and we recognize those who devote their lives to supporting and empowering victims and survivors.

Crime and violence rob people of their rights to life, liberty, and the pursuit of happiness. We must focus on the plight of crime victims and search for effective solutions. For too long, communities across this Nation have suffered from murder rates that are far too high. Gang-related shootings plague our major cities, while violence continues to afflict towns both small and large.

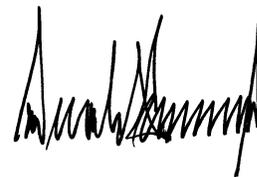
The physical, mental, and emotional scars borne by crime victims are often coupled with serious financial implications. In 1984, President Reagan signed the Victims of Crime Act, which established the Crime Victims Fund. This fund provides compensation for victims of crime for crime-related expenses such as medical payments, counseling, lost wages, and funeral and burial costs; supports victims' service programs such as domestic violence shelters and rape crisis centers; and builds capacity to improve responsiveness to the needs of crime victims. The Crime Victims Fund receives billions of dollars each year from, among other sources, certain criminal fines and penalties paid by convicted Federal offenders, which helps prevent American taxpayers from shouldering the burdens of reparations. While this fund cannot completely undo the damage caused by crime, it can at least ease the monetary burden felt by victims and their families in the midst of grief.

As a society, we must continue to support those who have endured the fallout from crime. My Administration is developing an office to assist victims of crimes committed by criminal aliens. The Victims Of Immigration Crime Engagement (VOICE), within the Department of Homeland Security, will work to serve the victims of open borders policies—which will no longer form the basis of our immigration system. These victims will not be ignored by the media or silenced by special interests any longer. We will restore law and order and protect our citizens from this undue harm.

During National Crime Victims' Week, we renew our commitment to protecting all victims of crime, vindicating their rights, alleviating their burdens, and preventing future crime. We will assist our law enforcement community in bringing justice to victims and to their communities. My Administration is resolved to uphold this fundamental purpose of the United States Government—preserving security for all Americans.

NOW, THEREFORE, I, DONALD J. TRUMP, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 2 through April 8, 2017, as National Crime Victims' Rights Week. I urge all Americans, families, law enforcement, community and faith-based organizations, and private organizations to work together to support victims of crime and protect their rights.

IN WITNESS WHEREOF, I have hereunto set my hand this third day of April, in the year of our Lord two thousand seventeen, and of the Independence of the United States of America the two hundred and forty-first.

A handwritten signature in black ink, appearing to be the name of Donald Trump, written in a cursive style.

Reader Aids

Federal Register

Vol. 82, No. 65

Thursday, April 6, 2017

CUSTOMER SERVICE AND INFORMATION

Federal Register/Code of Federal Regulations

General Information, indexes and other finding aids **202-741-6000**

Laws 741-6000

Presidential Documents

Executive orders and proclamations **741-6000**

The United States Government Manual 741-6000

Other Services

Electronic and on-line services (voice) **741-6020**

Privacy Act Compilation **741-6050**

Public Laws Update Service (numbers, dates, etc.) **741-6043**

ELECTRONIC RESEARCH

World Wide Web

Full text of the daily Federal Register, CFR and other publications is located at: www.fdsys.gov.

Federal Register information and research tools, including Public Inspection List, indexes, and Code of Federal Regulations are located at: www.ofr.gov.

E-mail

FEDREGTOC (Daily Federal Register Table of Contents Electronic Mailing List) is an open e-mail service that provides subscribers with a digital form of the Federal Register Table of Contents. The digital form of the Federal Register Table of Contents includes HTML and PDF links to the full text of each document.

To join or leave, go to <https://public.govdelivery.com/accounts/USGPOOFR/subscriber/new>, enter your email address, then follow the instructions to join, leave, or manage your subscription.

PENS (Public Law Electronic Notification Service) is an e-mail service that notifies subscribers of recently enacted laws.

To subscribe, go to <http://listserv.gsa.gov/archives/publaws-l.html> and select *Join or leave the list (or change settings)*; then follow the instructions.

FEDREGTOC and **PENS** are mailing lists only. We cannot respond to specific inquiries.

Reference questions. Send questions and comments about the Federal Register system to: fedreg.info@nara.gov

The Federal Register staff cannot interpret specific documents or regulations.

CFR Checklist. Effective January 1, 2009, the CFR Checklist no longer appears in the Federal Register. This information can be found online at <http://bookstore.gpo.gov/>.

FEDERAL REGISTER PAGES AND DATE, APRIL

16101-16286.....	3
16287-16508.....	4
16509-16724.....	5
16725-16890.....	6

CFR PARTS AFFECTED DURING APRIL

At the end of each month the Office of the Federal Register publishes separately a List of CFR Sections Affected (LSA), which lists parts and sections affected by documents published since the revision date of each title.

3 CFR

Proclamations:

9581.....	16707
9582.....	16709
9583.....	16711
9584.....	16713
9585.....	16715
9586.....	16717
9587.....	16889

Executive Orders:

13775 (Revoked by EO 13787).....	16723
13784.....	16279
13785.....	16719
13786.....	16721
13787.....	16723

Administrative Orders:

Memorandums:	
Memorandum of January 28, 2017 (Revoked by Memorandum of April 4, 2017).....	16881
Memorandum of March 6, 2017.....	16283
Memorandum of April 4, 2017.....	16881

5 CFR

Proposed Rules:	
1631.....	16744

7 CFR

1436.....	16101
-----------	-------

12 CFR

Proposed Rules:	
1002.....	16307

14 CFR

39.....	16101, 16725, 16728
---------	---------------------

Proposed Rules:

39.....	16138
71.....	16140

15 CFR

744.....	16730
902.....	16478

20 CFR

401.....	16509
----------	-------

21 CFR

1.....	16733
--------	-------

Proposed Rules:

73.....	16321
---------	-------

22 CFR

Proposed Rules:	
96.....	16322

30 CFR

Proposed Rules:

1202.....	16323, 16325
1206.....	16323, 16325

33 CFR

100.....	16105
117.....	16105, 16106, 16735
165.....	16107, 16109, 16111, 16112, 16114, 16510

167.....	16510
183.....	16512

Proposed Rules:

100.....	16746
165.....	16142, 16327, 16746

38 CFR

17.....	16287
---------	-------

40 CFR

63.....	16736
81.....	16740

Proposed Rules:

52.....	16770, 16772
60.....	16144, 16329, 16330, 16331
68.....	16146

42 CFR

447.....	16114
495.....	16741

Proposed Rules:

409.....	16150
410.....	16150
418.....	16150
440.....	16150
484.....	16150
485.....	16150
488.....	16150

44 CFR

64.....	16122
---------	-------

45 CFR

500.....	16124
510.....	16124

46 CFR

530.....	16288
531.....	16288

Proposed Rules:

401.....	16542
403.....	16542
404.....	16542

47 CFR

1.....	16297
54.....	16127, 16297

Proposed Rules:

2.....	16777
25.....	16777
36.....	16152

48 CFR	219.....	16127	235.....	16127	1109.....	16550
Proposed Rules:	220.....	16127	236.....	16127	1111.....	16550
816.....	221.....	16127	237.....	16127	1114.....	16550
828.....	222.....	16127	238.....	16127	1130.....	16550
852.....	223.....	16127	239.....	16127		
	224.....	16127	240.....	16127		
49 CFR	225.....	16127	241.....	16127	50 CFR	
209.....	227.....	16127	242.....	16127	15.....	16522
213.....	228.....	16127	243.....	16127	17.....	16522, 16668
214.....	229.....	16127	244.....	16127	92.....	16298
215.....	230.....	16127	270.....	16127	635.....	16136, 16478
216.....	231.....	16127	272.....	16127	679.....	16306, 16540, 16742
217.....	232.....	16127	Proposed Rules:		Proposed Rules:	
218.....	233.....	16127	1104.....	16550	17.....	16559
	234.....	16127				

LIST OF PUBLIC LAWS

Note: No public bills which have become law were received by the Office of the Federal Register for inclusion

in today's **List of Public Laws**.

Last List April 4, 2017

Public Laws Electronic Notification Service (PENS)

PENS is a free electronic mail notification service of newly

enacted public laws. To subscribe, go to <http://listserv.gsa.gov/archives/publaws-l.html>

Note: This service is strictly for E-mail notification of new laws. The text of laws is not available through this service. **PENS** cannot respond to specific inquiries sent to this address.