AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

FEDERAL REGISTER

Vol. 82 Tuesday,
No. 112 June 13, 2017

Pages 26979–27104

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**

Printed on recycled paper.

Contents

Federal Register

Vol. 82, No. 112

Tuesday, June 13, 2017

Agency for Toxic Substances and Disease Registry
NOTICES
Draft Toxicological Profiles:
Antimony; 2,4-D; Molybdenum; Silica, 27066–27067

Agricultural Marketing Service
PROPOSED RULES
Pecans Grown in Alabama, Arkansas, Arizona, California, Florida, Georgia, Kansas, Louisiana, Missouri, Mississippi, North Carolina, New Mexico, Oklahoma, South Carolina, and Texas:
Assessment Rates, 27028–27031

Agriculture Department
See Agricultural Marketing Service
See Animal and Plant Health Inspection Service
See Farm Service Agency
See Forest Service
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 27036

Air Force Department
NOTICES
Applications:
NCIS Special Agents Who Were Assigned to Middle East Field Office in Bahrain in Direct Support of CTF–151 Counter-Piracy Mission, 27046

Animal and Plant Health Inspection Service
NOTICES
Meetings:
Animal Disease Traceability System, 27036–27037

Centers for Medicare & Medicaid Services
NOTICES
Applications for Approvals of Surgical Center Accreditations:
American Osteopathic Association / Healthcare Facilities Program, 27067–27068

Civil Rights Commission
NOTICES
Meetings:
Colorado Advisory Committee, 27038–27039

Coast Guard
RULES
Safety Zones:
Annual Firework Events on Colorado River, Between Davis Dam (Bullhead City, AZ) and Headgate Dam (Parker, AZ) Within San Diego Captain of the Port Zone, 27013–27014
Fireworks Displays in Captain of the Port New York Zone, 27014–27015
Pacific Ocean, Mamala Bay, Oahu, HI—Hokulea Arrival, 27011–27013
Recurring Fireworks Displays Within Fifth Coast Guard District, 27015–27016
Southern California Annual Fireworks for San Diego Captain of the Port Zone, 27011
Special Local Regulations and Safety Zones:
Recurring Marine Events and Fireworks Displays Within Fifth Coast Guard District, 26992–27011

Commerce Department
See Foreign-Trade Zones Board
See International Trade Administration
See National Oceanic and Atmospheric Administration
See National Telecommunications and Information Administration

Commodity Futures Trading Commission
NOTICES
Commission Statement Concerning Request Made Pursuant to Commission Regulation, 27044–27045

Consumer Product Safety Commission
NOTICES
Meetings:
Workshop on Recall Effectiveness, 27046
Public Hearings:
Commission Agenda and Priorities, 27045

Copyright Royalty Board
RULES
Procedural Regulations for Copyright Royalty Board Regarding Electronic Filing of Claims, 27016–27021

Defense Department
See Air Force Department

Delaware River Basin Commission
RULES
Regulatory Program Fees and Water Charges Rates, 26989–26990

Education Department
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Evaluation of ESEA Title VI Indian Education LEA Grants Program, 27054–27055
Applications for New Awards:
High School Career and Technical Education Teacher Pathway Initiative, 27047–27054

Energy Department
See Federal Energy Regulatory Commission
See Southwestern Power Administration

Environmental Protection Agency
RULES
Tolerance Exemptions:
Cumene Sulfonic Acid and Its Ammonium, Calcium, Magnesium, Potassium, Sodium and Zinc Salts, 27021–27027
PROPOSED RULES
Air Quality State Implementation Plans; Approvals and Promulgations:
Alaska: Adoption Updates and Rule Revisions, 27031–27033

NOTICES
Proposed Settlement Agreements Under Clean Air Act, 27063

Farm Service Agency
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Transfer of Farm Records Between Counties, 27037–27038

Federal Aviation Administration
RULES
Airworthiness Directives:
Lycoming Engines Reciprocating Engines, 26982–26985
Pratt and Whitney Turbofan Engines, 26979–26982
Rolls-Royce Corporation Turbofan Engines, 26985–26987
VOR Federal Airways; Amendments and Removals:
Eastern United States, 26987–26988

Federal Communications Commission
NOTICES
Meetings:
North American Numbering Council, 27063–27064

Federal Emergency Management Agency
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Hazard Mitigation Grant Program; Application and Reporting, 27071–27072

Federal Energy Regulatory Commission
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 27055
Applications:
California Department of Water Resources, 27059
Combined Filings, 27056–27062
Environmental Reviews:
Florida Gas Transmission Co., LLC, 27060
Initial Market-Based Rate Filings Including Requests for Blanket Section 204 Authorizations:
Solar Star Oregon II, LLC, 27055
Institutions of Section 206 Proceedings:
DTE Electric Co., 27060

Federal Trade Commission
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 27064–27066

Financial Crimes Enforcement Network
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Bank Secrecy Act Designation of Exempt Person Report, 27102–27103

Fish and Wildlife Service
PROPOSED RULES
Endangered and Threatened Species:
Reopening Comment Periods for Five Proposed Rules, 27033–27035
NOTICES
Endangered Species Recovery Permit Applications, 27072–27075

Foreign-Trade Zones Board
NOTICES
Production Authorities; Applications:
Coleman Co., Inc., Foreign-Trade Zone 119, Minneapolis-St. Paul, M, 27039

Forest Service
NOTICES
Meetings:
Lassen County Resource Advisory Committee, 27038

Health and Human Services Department
See Agency for Toxic Substances and Disease Registry
See Centers for Medicare & Medicaid Services
See National Institutes of Health

Homeland Security Department
See Coast Guard
See Federal Emergency Management Agency

Interior Department
See Fish and Wildlife Service
See National Park Service

Internal Revenue Service
NOTICES
Meetings:
Electronic Tax Administration Advisory Committee, 27103–27104

International Trade Administration
NOTICES
Antidumping or Countervailing Duty Investigations, Orders, or Reviews:
Certain Circular Welded Non-Alloy Steel Pipe From Mexico, 27039–27041
Certain Frozen Warmwater Shrimp From India; Correction, 27041–27042

International Trade Commission
NOTICES
Investigations; Determinations, Modifications, and Rulings, etc.:
Certain Consumer Electronic Devices, Including Televisions, Gaming Consoles, Mobile Phones and Tablets, and Network-Enabled DVD and Blu-Ray Players, 27078
Finished Carbon Steel Flanges From Spain, 27075
Large Residential Washers, 27075–27078
Meetings; Sunshine Act, 27079

Justice Department
NOTICES
Proposed Consent Decrees Under the Clean Air Act, 27079

Labor Department
See Wage and Hour Division
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Application of Employee Polygraph Protection Act, 27079–27080
Study of Customer Satisfaction With Five Office of Disability Employment Policy Technical Assistance Centers, 27080–27081

Legal Services Corporation
NOTICES
Meetings; Sunshine Act, 27082–27083

Library of Congress
See Copyright Royalty Board

National Endowment for the Arts
NOTICES
Meetings:
Arts Advisory Panel, 27083
National Council on Arts, 27083–27084

National Foundation on the Arts and the Humanities
See National Endowment for the Arts

National Institutes of Health
NOTICES
Charter Renewals:
Advisory Committee to Director, 27069
Government-Owned Inventions; Availability for Licensing, 27068–27069
Meetings:
Center for Scientific Review, 27070–27071
National Institute of General Medical Sciences, 27071

National Oceanic and Atmospheric Administration
RULES
Fisheries of Northeastern United States:
Atlantic Sea Scallop Fishery; Closure of Elephant Trunk Flex Access Area to General Category Individual Fishing Quota Scallop Vessels, 27027

National Park Service
NOTICES
Minor Boundary Revisions:
Sleeping Bear Dunes National Lakeshore, 27075

National Telecommunications and Information Administration

NOTICES
Promoting Stakeholder Action Against Botnets and Other Automated Threats, 27042–27044

Nuclear Regulatory Commission
NOTICES
Environmental Assessments; Availability, etc.:
American Centrifuge Lead Cascade Facility in Piketon, OH, 27088–27089
License Amendment Applications:
Department of Energy; Fort St. Vrain Independent Spent Fuel Storage Installation, 27084–27085
Department of Energy; Idaho Spent Fuel Facility Independent Spent Fuel Storage Installation, 27086–27087
Department of Energy; Three Mile Island 2 Independent Spent Fuel Storage Installation, 27087–27088
Meetings; Sunshine Act, 27085
Superseded or Outdated Generic Communications; Withdrawal, 27085–27086

Pension Benefit Guaranty Corporation
RULES
Examination and Copying of Pension Benefit Guaranty Corporation Records, 26990–26992
NOTICES
Applications for Approval of Alternative Arbitration Procedures:
American Arbitration Association, 27089–27090

Securities and Exchange Commission
NOTICES
Commission Statement Concerning Request for Interpretation as to Whether Particular Agreement is Swap, Security-Based Swap, or Mixed Swap, 27091
Meetings; Sunshine Act, 27092
Self-Regulatory Organizations; Proposed Rule Changes:
Depository Trust Co.; National Securities Clearing Corp.; Fixed Income Clearing Corp., 27091–27094
Fixed Income Clearing Corp., 27090–27091
Miami International Securities Exchange, LLC, 27092–27093
MIAX PEARL, LLC, 27096–27099
Nasdaq ISE, LLC, 27094–27096

Small Business Administration
NOTICES
Disaster Declarations:
Oklahoma, 27099–27100
Pennsylvania, 27100
Surrender of Licenses of Small Business Investment Companies:
Legg Mason SBIC Mezzanine Fund, L.P., 27100

Southwestern Power Administration
NOTICES
Integrated System Rate Schedules, 27062–27063

State Department
NOTICES
Delegations of Authority, 27101–27102
Delegations of Authority:
Concurance With Exchanges of Defense Personnel, 27100
Concurance With Payment of Personnel Expenses Necessary for Theater Security Cooperation, 27100–27101
Concurance With Provision of Support for Conduct of Operations, 27102
Concurance With Secretary of Defense on Inter-American Air Forces Academy Programs, 27102
Concurance With Secretary of Defense on State Partnership Programs, 27102

Transportation Department
See Federal Aviation Administration

Treasury Department
See Financial Crimes Enforcement Network
See Internal Revenue Service

Wage and Hour Division
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 27081–27082

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.

7 CFR
Proposed Rules:
986 27028

14 CFR
39 (3 documents) 26979, 26982, 26985
71 26987

18 CFR
401 26989
420 26989

29 CFR
4901 26990

33 CFR
100 26992
165 (7 documents) 26992, 27011, 27013, 27014, 27015

37 CFR
350 27016
360 27016

40 CFR
180 27021
Proposed Rules:
52 27031

50 CFR
648 27027
Proposed Rules:
17 27033

Rules and Regulations

Federal Register

Vol. 82, No. 112

Tuesday, June 13, 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–2013–0740; Directorate Identifier 2013–NE–24–AD; Amendment 39–18905; AD 2017–11–06]

RIN 2120–AA64

Airworthiness Directives; Pratt & Whitney Turbofan Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are superseding Airworthiness Directive (AD) 2014–05–32 for all Pratt & Whitney (PW) PW2037, PW2037D, PW2037M, PW2040, PW2040D, PW2043, PW2143, PW2643, and F117–PW–100 turbofan engines. AD 2014–05–32 required one-time eddy current inspection (ECI) of affected engines with certain diffuser and high-pressure turbine (HPT) cases installed. AD 2014–05–32 also required a fluorescent-penetrant inspection (FPI) of the diffuser case rear flange and the HPT case front flange. This AD requires additional repetitive, on-wing ECI inspections. This AD was prompted by the manufacturer determining through analysis that the inspections required by AD 2014–05–32 are not adequate to maintain safety for certain diffuser cases. We are issuing this AD to correct the unsafe condition on these products.

DATES: This AD is effective July 18, 2017.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of July 18, 2017.

ADDRESSES: For service information identified in this final rule, contact Pratt & Whitney, 400 Main St., East Hartford, CT 06118; phone: 860–565–0140; fax: 860–565–5442; email: *HELP24@pw.utc.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–2013–0740.

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–2013–0740; 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 (phone: 800–647–5527) is Document Management Facility, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: Brian Kierstead, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 1200 District Avenue, Burlington, MA 01803; phone: 781–238–7772; fax: 781–238–7199; email: *brian.kierstead@faa.gov.*

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to supersede AD 2014–05–32, Amendment 39–17804 (79 FR 17856, March 31, 2014), (''AD 2014–05–32''). AD 2014–05–32 applied to all PW PW2037, PW2037D, PW2037M, PW2040, PW2040D, PW2043, PW2143, PW2643, and F117–PW–100 turbofan engines. The NPRM published in the **Federal Register** on December 22, 2016 (81 FR 93855) (''the NPRM''). The NPRM was prompted by the manufacturer determining through analysis that the inspections required by AD 2014–05–32 were not adequate to maintain safety for diffuser cases that incorporate a wrought M-flange. Also, repaired wrought flanges cannot be distinguished from other wrought flanges or from non-repaired flanges on diffuser cases installed on the affected engines. The NPRM, therefore, proposed to add additional repetitive, on-wing ECIs. We are issuing this AD to prevent failure of the diffuser-to-HPT case flange, which could lead to uncontained engine failure and damage to the airplane.

Comments

We gave the public the opportunity to participate in developing this AD. The following presents the comments received on the NPRM and the FAA's response to each comment.

Request for New AD Instead of Supersedure AD

PW, Delta Airlines (Delta), FedEx Express (FedEx), and United Airlines (United) requested that the NPRM to supersede AD 2014–05–32 be withdrawn and the requirements of the NPRM be included in a new AD that does not supersede AD 2014–05–32. Delta indicated that the NPRM applies only to a sub-population of diffuser cases. Delta recommended that further field data be captured to validate PW's analysis prior to issuance of the final rule AD. PW, Delta, and United added that the repetitive ECIs introduced by this AD are different from those mandated by AD 2014–05–32.

We disagree. AD 2014–05–32 and this AD address the same safety issue, which is cracking and rupture of the diffuser case M-flange. Therefore, AD 2014–05–32 and this AD have the same applicability. Differences in compliance time reflect different levels of risk associated with different sub-populations of diffuser cases. We therefore find it appropriate that this AD replaces AD 2014–05–32. We are, however, revising the Previous Credit section of this AD to allow credit for ECIs of the diffuser case M-flange performed using either PW Service Bulletin (SB) No. PW2000 72–763, Revision No. 1, dated August 30, 2013; and PW Alert Service Bulletin (ASB) No. PW2000 A72–765, Revision No. 1, dated July 13, 2016.

Request To Exclude F117 Engines From Applicability

PW requested that the F117–PW–100 turbofan engine be excluded from the applicability of this AD. PW indicated that the F117 engine meets all safety requirements and does not warrant a service bulletin or an AD. PW asked that if this AD does not remove the F117 engine from applicability, then this AD should clarify that the repetitive ECIs in

paragraphs (f)(3) and (4) of this AD do not apply to the F117 engine. Further, this AD should reference PW SB F117 72–410, Revision 1, dated December 17, 2013.

We partially agree. We agree that the original build F117–PW–100 engines used only cast material M-flanges and, therefore, are not susceptible to the safety issue responsible for this AD. We note, however, that an F117 diffuser case flange can be repaired using the wrought material making these flanges susceptible to the unsafe condition represented by this AD. We, therefore, find it necessary to include the F117–PW–100 engine in the applicability of this AD.

We disagree with removing the F117 engine from the recurring ECIs in paragraphs (f)(3) and (4) of this AD since these inspections apply to all applicable engines.

We disagree with referencing PW SB F117 72–410, Revision 1, dated December 17, 2013, as this is not an equivalent instruction for the repetitive inspections of this AD. We did not change this AD.

Request To Revise Criteria for Recurrent ECI Inspection

PW, Delta, FedEx, and UPS requested that the re-inspection required by paragraph (f)(4)(ii) of this AD be changed to occur ''within 2,500 cycles since last ECI or last piece-part FPI inspection, whichever occurs last'' instead of ''within 2,500 cycles since last ECI or last piece-part FPI inspection, whichever occurs first'' as proposed. The commenters indicated that using the criteria ''whichever occurs first'' would not allow the repetitive inspection interval to be reset following an ECI inspection. PW also commented that the repetitive inspections required by paragraph (f)(4)(ii) of this AD should reference PW ASB No. PW2000 A72–765, Revision No. 2, dated August 12, 2016.

We partially agree. We agree that changing the criteria in paragraph (f)(4)(ii) of this AD to ''whichever occurs last'' maintains an acceptable level of safety and changed this paragraph accordingly. Paragraph (f)(4) of this AD references direct compliance in accordance with PW ASB No. PW2000 A72–765, Revision No. 2, dated August 12, 2016. There is no need to repeat that instruction in paragraph (f)(4)(ii).

Request To Revise Initial Inspection Threshold

Delta and United requested that the initial inspection intervals be increased. Delta also requested that the initial inspection threshold of 5,500 cycles since new or since M-flange replacement, as specified in paragraph (f)(4)(i)(A) of this AD, be extended to 6,500 cycles since new. United asked that the initial inspection threshold in this paragraph (f)(4)(i)(C) be aligned with the service information, which provides an inspection interval of 1,500 cycles for engines with more than 2,500 cycles since last engine shop visit.

We partially agree. We agree that closer alignment of the initial inspection threshold with PW ASB No. PW2000 A72–765, Revision No. 1, dated July 13, 2016, maintains an acceptable level of safety. We therefore increased the initial inspection threshold in paragraph (f)(4)(i)(C) of this AD from 500 cycles to 1,000 cycles from the effective date of this AD. We do not, however, have data to support increasing the interval from 5,500 to 6,500 cycles since new. Therefore, we did not change paragraph (f)(4)(i)(A) of this AD.

Request To Clarify References to Diffuser Cases

PW and Delta requested that we revise sections in the preamble of the NPRM, particularly the ''Summary'' and the ''Actions Since AD 2014–05–32 Was Issued'' sections, to clarify that the ''subpopulation identified by the manufacturer'' refers to diffuser cases manufactured or repaired using wrought flanges. Also, PW and Delta want to clarify that repaired flanges cannot be distinguished from non-repaired since they share the same part number.

We partially agree. The summary of an AD is not intended to provide the level of detail requested by the commenters, but we added a reference to clarify that we are referring to a certain population of diffuser cases. The ''Actions Since AD 2014–05–32 Was Issued'' section does not exist in a final rule AD, but we clarified in the Discussion sections of this AD that we are referring to diffuser cases that incorporate a wrought M-flange. We also added a statement in the Discussion to note that repaired flanges cannot be distinguished from non-repaired flanges.

Request To Update Service Information References

PW, Delta, United, and FedEx requested that we revise references in the compliance section of this AD from PW ASB No. PW2000 A72–765, Revision No. 1, dated July 13, 2016, to PW ASB No. PW2000 A72–765, Revision No. 2, dated August 12, 2016. PW and Delta also requested that we allow compliance to later revisions of this ASB. PW and Delta indicated that they expect an additional revision to this ASB prior to issuance of this final rule. Delta further asked that publication of this final rule AD be delayed until the latest version of this ASB is published.

We partially agree. We agree to update the references to PW ASB No. PW2000 A72–765 to Revision 2, dated August 12, 2016, in the compliance section of this AD. We do not agree to delay publication of this final rule AD or to revise the references to service information to allow compliance to revisions that have not been published. We cannot require compliance to service information that does not exist.

Request To Clarify References to Diffuser Cases M-flange

PW, Delta, FedEx, and United requested that we clarify that the inspections required by paragraphs (f)(3) and (4) of this AD are for cracks from the diffuser case M-flange bolthole towards the case body. The commenters note that flange bolthole cracks away from the case body do not contribute to the unsafe condition.

We agree. We changed this AD by revising paragraphs (f)(4)(iii) and (iv) to refer to ''bolthole ID crack'' as defined by ASB No. PW2000 A72–765.

Request To Revise SUMMARY

PW requested that we clarify in the **SUMMARY** that FPI is performed at ''piece part opportunity.''

We disagree. The compliance section of this AD specifies that the FPI is performed at piece-part opportunity. The **SUMMARY** is not intended to provide that level of detail. We did not change this AD.

Request To Revise Definition

Delta requested that the Definition of ''piece-part opportunity'' in paragraph (g) of this AD be revised to exclude diffuser cases that will not be returned to service. Delta noted that diffuser cases that will be scrapped should not be required to be inspected.

We disagree. This AD is only applicable to parts that are installed. Parts that will be scrapped do not need to be inspected. We did not change this AD.

Request To Revise Previous Credit Section

PW and Delta requested that the reference to the HPT case M-flange be removed from the Credit for Previous Actions section of this AD. PW commented that only the diffuser case M-flange should be referenced.

PW also requested that in the Credit for Previous Actions section we refer to PW ASB No. PW2000 A72–765,

Revision No. 2, dated August 12, 2016, instead of Revision No. 1 of this SB. PW and Delta asked that we correct the date of PW SB No. PW2000 72–763, Revision No. 1, from August 13, 2013, to August 30, 2013.

We partially agree. We disagree with removing the reference to the HPT case M-flange. In order to have complied with this AD, the operator must have performed an ECI of the diffuser and HPT case M-flange as specified in this AD. As noted in our previous comment response, we agreed to update the reference to PW ASB No. PW2000 A72–765 to Revision No. 2 in the compliance section of this AD. We do not need to refer to Revision No. 2 in the Credit for Previous Actions section. The purpose of the Credit for Previous Actions section is to allow credit for actions that use earlier versions of service information required by this AD. We agree to correct the date for PW SB No. PW2000 72–763, Revision No. 1, to August 30, 2013.

Request Update to Contact Information

PW requested that we update the manufacturer's contact information in this AD to Pratt & Whitney, 400 Main St., East Hartford, CT 06118; phone: 860–565–0140 ; fax: 860–565–5442; email: *HELP24@pw.utc.com.*

We agree. We updated the manufacturer's contact information in the **ADDRESSES** and Material Incorporated by Reference sections of this AD.

Request To Revise Costs of Compliance Estimate

PW commented that that this AD affects 638 engines installed on U.S. airplanes. FedEx commented that the cost of the repetitive ECI proposed in this AD is $618,800.

We disagree. When AD 2014–05–32 was issued, there were only 638 affected engines in the U.S. Registry. However, a more recent inquiry for this AD located 910 engines listed in the U.S. Registry. We disagree with FedEx that the cost for a repetitive ECI is $618,800 because FedEx assumes all engines will be subject to the repetitive ECI. We estimate that the additional inspections affect only 339 of the 910 engines. We did not change this AD.

Conclusion

We reviewed the relevant data, considered the comments received, and determined that air safety and the public interest require adopting this AD with the changes described previously and minor editorial changes. We have determined that these minor changes:

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

We also determined that these changes will not increase the economic burden on any operator or increase the scope of this AD.

Related Service Information Under 1 CFR Part 51

We reviewed PW SB No. PW2000 72–763, Revision No. 1, dated August 30, 2013; and PW ASB No. PW2000 A72–765, Revision No. 2, dated August 12, 2016. This service information describes procedures for a one-time ECI inspection of the engine diffuser case and the HPT case, and repetitive on-wing ECIs of the engine diffuser case assembly, respectively. 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 910 engines installed on 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
On-wing/module ECI Inspection	8 work-hours × $85 per hour = $680.	$0	$680	$230,520 per inspection cycle.
FPI Inspection	3 work-hours × $85 per hour = $255.	20	$275 per inspection cycle	$250,250 per inspection cycle.

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 have 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 DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979),

(3) Will not affect intrastate aviation in Alaska to the extent that it justifies making a regulatory distinction, and

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

List of Subjects in 14 CFR Part 39

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

Adoption of the Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by removing Airworthiness Directive (AD) 2014–05–32, Amendment 39–17804 (79 FR 17856, March 31, 2014), and adding the following new AD:

2017–11–06 Pratt & Whitney: Amendment 39–18905; Docket No. FAA–2013–0740; Directorate Identifier 2013–NE–24–AD.

(a) Effective Date

This AD is effective July 18, 2017.

(b) Affected ADs

This AD replaces AD 2014–05–32, Amendment 39–17804 (79 FR 17856, March 31, 2014).

(c) Applicability

This AD applies to all Pratt & Whitney (PW) PW2037, PW2037D, PW2037M, PW2040, PW2040D, PW2043, PW2143, PW2643, and F117–PW–100 turbofan engines.

(d) Subject

Joint Aircraft System Component (JASC) Code 72, Turbine/Turboprop Engine.

(e) Unsafe Condition

This AD was prompted by a rupture of the diffuser-to-high-pressure turbine (HPT) case flange. We are issuing this AD to prevent failure of the diffuser-to-HPT case flange, which could lead to uncontained engine failure and damage to the airplane.

(f) Compliance

Unless already done, comply with this AD within the compliance times specified.

(1) For diffuser case, part number (P/N) 1B7461, serial numbers (S/Ns) DGGUAK1306 and DGGUAK1308, and HPT case, P/N 1B2440, S/N DKLBCS1032:

(i) Within 100 flight cycles or 30 days after May 5, 2014, whichever is later, eddy current inspect the diffuser case and the HPT case M-flange. Use PW Service Bulletin (SB) No. PW2000 72–763, Revision No. 1, dated August 30, 2013, to do the inspection.

(ii) Reserved.

(2) For all diffuser and HPT cases, at the next piece-part opportunity and every piece-part opportunity thereafter, perform a high sensitivity fluorescent-penetrant inspection (FPI) of the entire diffuser case rear flange (M-flange) and boltholes, and the entire HPT case forward flange (M-flange) and boltholes.

(3) For diffuser cases that have not incorporated PW SB PW2000–72–364 or have incorporated either PW SB PW2000–72–700 or PW2000 Series Engine Manual, Repair-28, Task 72–41–01–300–028 (M-flange replacement), perform initial and repetitive eddy current inspections (ECIs) of the M-flange of the diffuser case in accordance with paragraph (f)(4) of this AD.

(4) Use, as applicable, either the Accomplishment Instructions, ''For Engines Installed on the Aircraft,'' paragraphs 3.(I) through 3.(J), or the Accomplishment Instructions, ''For Engines Removed from the Aircraft,'' paragraphs 3.(D) through 3.(E), of PW Alert Service Bulletin (ASB) No. PW2000 A72–765, Revision No. 2, dated August 12, 2016 to do the ECI as follows:

(i) Perform an initial inspection within the following period, whichever occurs later:

(A) Within 5,500 cycles since new or since M-flange replacement, or

(B) Within 2,500 cycles since last piece-part FPI inspection, or

(C) Within 1,000 cycles from the effective date of this AD.

(ii) If no crack indications are found, re-inspect within 2,500 cycles since last ECI or last piece-part FPI inspection, whichever occurs later.

(iii) If bolthole ID crack indications are found, measure the length and determine the re-inspect interval in accordance with:

(A) Paragraphs 5.(C) through 5.(D) of PW ASB No. PW2000 A72–765, Revision No. 2, dated August 12, 2016 ''For Engines Installed on the Aircraft''; or

(B) Paragraphs 4.(C) through 4.(D) of PW ASB No. PW2000 A72–765, Revision No. 2, dated August 12, 2016, ''For Engines Removed from the Aircraft.''

(iv) Remove from service diffuser cases with bolthole ID cracks exceeding 0.170 inches.

(g) Definition

For the purpose of this AD, piece-part opportunity is defined as when the part is completely disassembled.

(h) Credit for Previous Actions

(1) You may take credit for the diffuser case and HPT case inspections required by paragraphs (f)(1) and (3) of this AD if you performed:

(i) An ECI of the diffuser case and the HPT case M-flange using the Accomplishment Instructions of PW SB No. PW2000 72–763, Revision No. 1, dated August 30, 2013, or an earlier version; or

(ii) a high sensitivity FPI of the diffuser case and the HPT case at a piece-part opportunity after January 1, 2010.

(2) You may take credit for only the diffuser case inspections required by paragraphs (f)(1) and (3) of this AD if you performed an ECI of the M-flange using the Accomplishment Instructions of PW SB No. PW2000 A72–765, Revision No. 1, dated July 13, 2016, or an earlier version.

(i) Alternative Methods of Compliance (AMOCs)

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

(j) Related Information

For more information about this AD, contact Brian Kierstead, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 1200 District Avenue, Burlington, MA 01803; phone: 781–238–7772; fax: 781–238–7199; email: *brian.kierstead@faa.gov.*

(k) Material Incorporated by Reference

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

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

(i) Pratt & Whitney (PW) Service Bulletin No. PW2000 72–763, Revision No. 1, dated August 30, 2013.

(ii) PW Alert Service Bulletin No. PW2000 A72–765, Revision No. 2, dated August 12, 2016.

(3) For PW service information identified in this AD, contact Pratt & Whitney,400 Main St., East Hartford, CT 06118; phone: 860–565–0140; fax: 860–565–5442; email: *HELP24@pw.utc.com.*

(4) 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.

(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 May 17, 2017.

Robert J. Ganley,

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

[FR Doc. 2017–12078 Filed 6–12–17; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2016–9512; Directorate Identifier 2016–NE–27–AD; Amendment 39–18909; AD 2017–11–10]

RIN 2120–AA64

Airworthiness Directives; Lycoming Engines Reciprocating Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; request for comments.

SUMMARY: We are adopting a new airworthiness directive (AD) for all Lycoming TIO–540–AJ1A reciprocating engines. This AD requires initial and repetitive inspections of engine exhaust system weld joints and torque checking the exhaust pipe flange mounting nuts. This AD was prompted by several reports of engine exhaust leaks. We are

issuing this AD to correct the unsafe condition on these products.

DATES: This AD is effective June 28, 2017.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of June 28, 2017.

We must receive comments on this AD by July 28, 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 final rule, contact Lycoming Engines, 652 Oliver Street, Williamsport, PA 17701; phone: 800–258–3279; fax: 570–327–7101; Internet: *www.lycoming.com/Lycoming/SUPPORT/TechnicalPublications/ServiceBulletins.aspx.* 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–2016–9512.

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–2016–9512; 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: Norman Perenson, Aerospace Engineer, New York Aircraft Certification Office, FAA, Engine & Propeller Directorate, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: 516–228–7337; fax: 516–794–5531; email: *Norman.Perenson@faa.gov.*

SUPPLEMENTARY INFORMATION:

Discussion

We received several reports of cracked engine exhaust pipes and exhaust studs pulling out from cylinders on Lycoming TIO–540–AJ1A reciprocating engines. This AD requires initial and repetitive inspections of all engine exhaust system weld joints and torque checking the exhaust pipe flange mounting nuts. We are issuing this AD to prevent engine exhaust leaks, which could lead to uncontrolled engine fire, harmful exhaust gases entering the cabin resulting in crew incapacitation, and damage to the airplane.

Related Service Information Under 1 CFR Part 51

We reviewed Lycoming Engines Mandatory Service Bulletin (MSB) No. 627C, dated November 17, 2016. The MSB describes procedures for exhaust system inspection and flange nut torque check. 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.

Other Related Service Information

We reviewed Lycoming Engines MSB No. 614A, dated October 10, 2014, which provides maintenance instructions on the exhaust system for certain Lycoming engines. The FAA issued AD 2015–10–06, Amendment 39–18162 (80 FR 30345, May 28, 2015), (''AD 2015–10–06'') that mandates replacement of the turbocharger mounting bracket and inspection of the exhaust pipes in accordance with Lycoming Engines MSB No. 614A, dated October 10, 2014. The requirements in this AD are in addition to the requirements of AD 2015–10–06. Complying with AD 2015–10–06 and Lycoming Engines MSB No. 614A, dated October 10, 2014, does not constitute compliance with this AD.

FAA's Determination

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

AD Requirements

This AD requires initial and repetitive inspections of all engine exhaust system weld joints and torque checking the exhaust pipe flange mounting nuts.

Differences Between This AD and the Service Information

Table 1 of Lycoming Engines MSB No. 627C, dated November 17, 2016, provides a longer time between inspections of the engine exhaust system when an operational carbon monoxide detector is installed in the airplane. This AD does not consider whether an operational carbon monoxide detector is installed in the airplane.

Interim Action

We consider this AD interim action. Lycoming is determining the root cause for the unsafe condition identified in this AD. Once a root cause is determined, we will consider additional rulemaking.

FAA's Justification and Determination of the Effective Date

An unsafe condition exists that requires the immediate adoption of this AD. The FAA has found that the risk to the flying public justifies waiving notice and comment prior to adoption of this rule because engine exhaust leaks could lead to uncontrolled engine fire, harmful exhaust gases entering the cabin resulting in crew incapacitation, and damage to the airplane. Therefore, we find that notice and opportunity for prior public comment are impracticable and that good cause exists for making this amendment effective in less than 30 days.

Comments Invited

This AD is a final rule that involves requirements affecting flight safety and was not preceded by notice and an opportunity for public comment. However, we invite you to send any written data, views, or arguments about this AD. Send your comments to an address listed under the **ADDRESSES** section. Include the docket number FAA–2016–9512 and Directorate Identifier 2016–NE–27–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 758 engines, installed on 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
Inspection and torque check	1 work-hour × $85 per hour = $85 per inspection cycle ..	$0.00	$85.00	$64,430.00 per inspection cycle.

Paperwork Reduction Act

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB control number. The control number for the collection of information required by this AD is 2120–0056. The paperwork cost associated with this AD has been detailed in the Costs of Compliance section of this document and includes time for reviewing instructions, as well as completing and reviewing the collection of information. Therefore, all reporting associated with this AD is mandatory. Comments concerning the accuracy of this burden and suggestions for reducing the burden should be directed to the FAA at 800 Independence Ave. SW., Washington, DC 20591. ATTN: Information Collection Clearance Officer, AES–200.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. ''Subtitle VII: Aviation Programs'' describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: ''General requirements.'' Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

This AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that this AD:

(1) Is not a ''significant regulatory action'' under Executive Order 12866,

(2) Is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979),

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

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

List of Subjects in 14 CFR Part 39

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

Adoption of the Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by adding the following new airworthiness directive (AD):

2017–11–10 Lycoming Engines Reciprocating Engines (Type Certificate previously held by Textron Lycoming Division, AVCO Corporation): Amendment 39–18909; Docket No. FAA–2016–9512; Directorate Identifier 2016–NE–27–AD.

(a) Effective Date

This AD is effective June 28, 2017.

(b) Affected ADs

None.

(c) Applicability

This AD applies to all Lycoming TIO–540–AJ1A reciprocating engines.

(d) Subject

Joint Aircraft System Component (JASC) Code 7800, Engine Exhaust System.

(e) Unsafe Condition

This AD was prompted by several reports of engine exhaust leaks. We are issuing this AD to prevent engine exhaust leaks, which could lead to uncontrolled engine fire, harmful exhaust gases entering the cabin resulting in crew incapacitation, and damage to the airplane.

(f) Compliance

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

(g) Required Actions

(1) For all engines, perform an initial exhaust system inspection within 10 hours time in service (TIS) after the effective date of this AD as follows:

(i) Use the Required Action, paragraph 1. of Lycoming Engines Mandatory Service Bulletin (MSB) No. 627C, dated November 17, 2016, to do the inspection.

(ii) For any part that fails the inspection required by paragraph (g)(1)(i) of this AD, before further flight, replace the failed part with a part eligible for installation.

(iii) Use the Required Action, paragraph 3. of Lycoming MSB No. 627C, dated November 17, 2016, to submit a survey to Lycoming Engines within 10 days of performing the inspection.

(2) For all engines, perform an initial torque check of the exhaust system flange nuts within 10 hours TIS after the effective date of this AD, or within 100 hours TIS after the last exhaust system maintenance (ESM), whichever occurs later, as follows:

(i) Use the Required Action, paragraph 2. of Lycoming Engines MSB No. 627C, dated November 17, 2016 to torque check the flange nuts.

(ii) For any part that fails the check required by paragraph (g)(2)(i) of this AD, before further flight, replace the failed part with a part eligible for installation.

(iii) Use the Required Action, paragraph 3. of Lycoming MSB No. 627C, dated November 17, 2016, to submit a survey to Lycoming Engines within 10 days of performing the check.

(3) For all engines with 1,000 hours TIS or less since the last ESM:

(i) Repeat the actions required by paragraphs (g)(1)(i) through (iii) of this AD inclusive, every 25 hours TIS since the last ESM, or exhaust system inspection, whichever occurs later.

(ii) Repeat the actions required by paragraphs (g)(2)(i) through (iii) of this AD inclusive, every 100 hours TIS after the last ESM, or torque check of the exhaust system flange nuts, whichever occurs later.

(4) For all engines with more than 1,000 hours TIS since the last ESM:

(i) Repeat the actions required by paragraphs (g)(1)(i) through (iii) of this AD inclusive, every 50 hours TIS since the last ESM, or exhaust system inspection, whichever occurs later.

(ii) Repeat the actions required by paragraphs (g)(2)(i) through (iii) of this AD inclusive, every 100 hours TIS since the last ESM, or torque check of the exhaust system flange nuts, whichever occurs later.

(h) Definitions

For the purposes of this AD, ESM is any maintenance that requires the removal and replacement of any exhaust system pipe or turbocharger mounting bracket, or the re-torqueing of the exhaust flange mounting nuts.

(i) Terminating Action

The requirement in Required Action paragraph 3., to submit a survey to Lycoming Engines ends one year after the effective date of this AD, but, the exhaust system inspections in Required Actions paragraph 1., and torque checks of the exhaust system flange nuts, in Required Actions paragraph 2., are still required.

(j) Paperwork Reduction Act Burden Statement

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB Control Number. The OMB Control Number for this information collection is 2120–0056. Public reporting for this collection of information is estimated to be approximately 5 minutes per response, including the time for reviewing instructions, completing and reviewing the collection of information. All responses to this collection of information are mandatory. Comments concerning the accuracy of this burden and suggestions for reducing the burden should be directed to the FAA at: 800 Independence Ave. SW., Washington, DC 20591, Attn: Information Collection Clearance Officer, AES–200.

(k) Alternative Methods of Compliance (AMOCs)

The Manager, New York Aircraft Certification Office, FAA, may approve AMOCs for this AD. Use the procedures found in 14 CFR 39.19 to make your request.

(l) Related Information

(1) For more information about this AD, contact Norman Perenson, Aerospace Engineer, New York Aircraft Certification Office, FAA, Engine & Propeller Directorate, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: 516–228–7337; fax: 516–794–5531; email: *Norman.Perenson@faa.gov.*

(2) Lycoming Engines MSB No. 614A, dated October 10, 2014, which is not incorporated by reference in this AD, can be obtained from Lycoming Engines using the contact information in paragraph (m)(3) of this AD.

(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 the AD specifies otherwise.

(i) Lycoming Engines Mandatory Service Bulletin No. 627C, dated November 17, 2016.

(ii) Reserved.

(3) For Lycoming Engines service information identified in this AD, contact Lycoming Engines, 652 Oliver Street, Williamsport, PA 17701; phone: 800–258–3279; fax: 570–327–7101; Internet: *www.lycoming.com/Lycoming/SUPPORT/TechnicalPublications/ServiceBulletins.aspx.*

(4) You may view this service information at 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 May 24, 2017.

Carlos A. Pestana,

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

[FR Doc. 2017–12075 Filed 6–12–17; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2016–9553; Directorate Identifier 2016–NE–29–AD; Amendment 39–18904; AD 2017–11–05]

RIN 2120–AA64

Airworthiness Directives; Rolls-Royce Corporation Turbofan Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for certain Rolls-Royce Corporation (RRC) AE 3007C and 3007C1 turbofan engines. This AD was prompted by analysis and by cracks found in the high-pressure turbine (HPT) wheel during an inspection. This AD requires replacement of the affected HPT wheels at new, lower life limits. We are issuing this AD to correct the unsafe condition on these products.

DATES: This AD is effective July 18, 2017.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of July 18, 2017.

ADDRESSES: For service information identified in this final rule, contact Rolls-Royce Corporation, 450 South Meridian Street, Mail Code NB–01–06, Indianapolis, IN 46225; phone: 317–230–3774; email: *indy.pubs.services@rolls-royce.com;* Internet: *www.rolls-royce.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–2016–9553.

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–2016–9553; 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 (phone: 800–647–5527) is Document Management Facility, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: Kyri Zaroyiannis, Aerospace Engineer, Chicago Aircraft Certification Office, Small Airplane Directorate, FAA, 2300 E. Devon Ave., Des Plaines, IL 60018; phone: 847–294–7836; fax: 847–294–7834; email: *kyri.zaroyiannis@faa.gov.*

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to certain RRC AE 3007C and 3007C1 model turbofan engines. The NPRM published in the **Federal Register** on February 22, 2017 (82 FR

11327) (''the NPRM''). The NPRM was prompted by analysis and by cracks found in the HPT wheel during an inspection. The NPRM proposed to require replacement of the affected HPT wheels at new, lower life limits. We are issuing this AD to prevent uncontained failure of the HPT wheels, damage to the engine, and damage to the airplane.

Comments

We gave the public the opportunity to participate in developing this AD. We have considered the comment received. An individual commenter supported the NPRM.

Conclusion

We reviewed the relevant data, considered the comments received, and determined that air safety and the public interest require adopting this AD as proposed.

Related Service Information Under 1 CFR Part 51

We reviewed RRC Alert Service Bulletin (ASB) AE 3007C–A–72–318, Revision 2, dated September 23, 2016. The ASB provides updated life limits for the affected HPT wheels. 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 307 engines installed on 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 HPT wheel (Part Number (P/N) 23062373, 23065891, or 23070664) at reduced life.	0 work-hours × $85 per hour = $0.	$39,171 (pro-rated cost of part).	$39,171	$3,838,758
Replacement of HPT wheel (P/N 23063462, 23065892, 23069116, 23069592, or 23074643) at reduced life.	0 work-hours × $85 per hour = $0.	$21,911 (pro-rated cost of part).	21,911	4,579,399

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 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by adding the following new airworthiness directive (AD):

2017–11–05 Roll-Royce Corporation (Type Certificate previously held by Allison Engine Company): Amendment 39–18904; Docket No. FAA–2016–9553; Directorate Identifier 2016–NE–29–AD.

(a) Effective Date

This AD is effective July 18, 2017.

(b) Affected ADs

None.

(c) Applicability

(1) This AD applies to Rolls-Royce Corporation (RRC) AE 3007C and 3007C1 turbofan engines with 1st stage high-pressure turbine (HPT) wheels, part number (P/N) 23062373, 23065891, or 23070664; or with 2nd stage HPT wheels, P/N 23063462, 23065892, 23069116, 23069592 (except those serial numbers (S/Ns) noted in paragraph (c)(2) of this AD), or 23074643, installed.

(2) This AD does not apply to RRC AE 3007C and 3007C1 turbofan engines with 2nd stage HPT wheels, P/N 23069592, with S/Ns listed in Table 6 of RRC Alert Service Bulletin (ASB) AE 3007C–A–72–318, Revision 2, dated September 23, 2016, installed.

(d) Subject

Joint Aircraft System Component (JASC) Code 7250, Turbine/turboprop Engine, Turbine Section.

(e) Unsafe Condition

This AD was prompted by analysis and by cracks found in the HPT wheel during an inspection. We are issuing this AD to prevent uncontained failure of the HPT wheels, damage to the engine, and damage to the airplane.

(f) Compliance

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

(1) For all RRC AE 3007C or C1 engines with an installed 1st stage HPT wheel, P/N 23062373, 23065891, or 23070664, or 2nd stage HPT wheel, P/N 23063462, 23065892, 23069116, 23069592 (except those S/Ns excluded by paragraph (c)(2) of this AD) or 23074643, after the effective date of this AD, remove the affected wheels before exceeding the new life limits identified in paragraph C., Table 1 of RRC ASB AE 3007C–A–72–318, Revision 2, dated September 23, 2016.

(2) After the effective date of this AD, do not return to service any engine with an HPT turbine wheel, with an affected P/N and an S/N, with a wheel life that exceeds the new life limits identified in paragraph C., Table 1 of RRC ASB AE 3007C–A–72–318, Revision 2, dated September 23, 2016.

(g) Alternative Methods of Compliance (AMOCs)

The Manager, Chicago Aircraft Certification Office, FAA, may approve AMOCs for this AD. Use the procedures found in 14 CFR 39.19 to make your request.

(h) Related Information

For more information about this AD, contact Kyri Zaroyiannis, Aerospace Engineer, Chicago Aircraft Certification Office, Small Airplane Directorate, FAA, 2300 E. Devon Ave., Des Plaines, IL 60018; phone: 847–294–7836; fax: 847–294–7834; email: *kyri.zaroyiannis@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) Rolls-Royce Corporation (RRC) Alert Service Bulletin AE 3007C–A–72–318, Revision 2, dated September 23, 2016.

(ii) Reserved.

(3) For RRC service information identified in this AD, contact Rolls-Royce Corporation, 450 South Meridian Street, Mail Code NB–01–06, Indianapolis, IN 46225; phone: 317–230–3774; email: *indy.pubs.services@rolls-royce.com;* Internet: *www.rolls-royce.com.*

(4) You may view this service information at the FAA, Engine & Propeller Directorate, 1200 District Avenue, Burlington, MA 01803. 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 May 17, 2017.

Robert J. Ganley,

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

[FR Doc. 2017–12077 Filed 6–12–17; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2017–0107; Airspace Docket No. 16–AEA–11]

Amendment and Removal of VOR Federal Airways; Eastern United States

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action modifies VOR Federal airways V–14, V–265, V–464, and V–552, and removes V–90 in the eastern United States due to the planned decommissioning of the Dunkirk, NY, VORTAC navigation aid, which provides navigation guidance for portions of the above routes.

DATES: Effective date 0901, August 17, 2017. The Director of the Federal Register approves this incorporation by reference action under Title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.11 and publication of conforming amendments.

ADDRESSES: FAA Order 7400.11A, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at *http://www.faa.gov/air_traffic/publications/.* For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone: (202) 267–8783. The Order is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of FAA Order 7400.11A at NARA, call (202) 741–6030, or go to *http://www.archives.gov/federal_register/code_of_federal-regulations/ibr_locations.html.*

FAA Order 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

FOR FURTHER INFORMATION CONTACT: Paul Gallant, Airspace Policy Group, Office of Airspace Services, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone: (202) 267–8783.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. 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. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it modifies the air traffic service route structure in the eastern United States to maintain the efficient flow of air traffic.

History

On March 6, 2017, the FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM) (82 FR 12523) Docket No. FAA–2017–0107, to amend VOR Federal airways V–14, V–265, V–464, and V–552, and remove V–90, due to the planned decommissioning of the Dunkirk, NY, VORTAC. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal. One comment was received.

Discussion of Comment

The Aircraft Owners and Pilots Association (AOPA) wrote that, for those VOR NAVAIDs that are to be decommissioned, and for those airways that are correspondingly removed, the FAA should create an RNAV waypoint at the previous NAVAID location and retain all fixes and intersections along that route by amending their definition to that of an RNAV waypoint. For this specific action, there are no plans to replace the VORTAC and affected route fixes with RNAV waypoints as suggested. However, the distance measuring equipment (DME) function of the Dunkirk VORTAC will be retained in operation. In addition, to provide alternative navigation guidance in place of the airway segments that are being removed, the following routings are available:

V–14 currently extends between Chisum, NM, and Norwich, CT. This action removes the Dunkirk, NY, VORTAC from the route resulting in a gap in the airway between Erie, PA, and Buffalo, NY. The amended route extends between Chisum, NM, and Erie, PA; and between Buffalo, NY, and Norwich, CT. An alternative around the gap is V–270 from Erie, PA, to Jamestown, NY, then V–115 to Buffalo, NY, then rejoin V–14.

V–90 currently extends between Salem, MI, and Dunkirk, NY. This action cancels the entire route. As an alternative, V–418 currently overlies the

same routing between Salem, MI, and the BEWEL, OH, fix. At that point, V–418 continues east to the Jamestown, NY, VOR/DME where northbound traffic could transition to V–115 to Buffalo, NY.

V–464 currently extends between Salem, MI, and Geneseo, NY. This action terminates the route at Aylmer, ON. After Aylmer, aircraft could transition to V–2 to Buffalo, NY, then V–14/V–84 to Geneseo, NY.

Domestic VOR Federal airways are published in paragraph 6010(a) of FAA Order 7400.11A dated August 3, 2016, and effective September 15, 2016, which is incorporated by reference in 14 CFR 71.1. The VOR Federal airways listed in this document will be subsequently published in the Order.

Availability and Summary of Documents for Incorporation by Reference

This document amends FAA Order 7400.11A, Airspace Designations and Reporting Points, dated August 3, 2016, and effective September 15, 2016. FAA Order 7400.11A is publicly available as listed in the **ADDRESSES** section of this document. FAA Order 7400.11A lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

This final rule amends Title 14, Code of Federal Regulations (14 CFR) part 71 by modifying VOR Federal airways V–14, V–265, V–464, and V–552, and removing V–90 due to the planned decommissioning of the Dunkirk, NY, VORTAC. The route changes are described below.

V–14: V–14 extends between Chisum, NM, and Norwich, CT. This rule removes the segments between Erie, PA, and Buffalo, NY, thus eliminating Dunkirk, NY from the route. The amended route extends between Chisum, NM, and Erie, PA, and between Buffalo, NY, and Norwich, CT.

V–90: V–90 extends between Salem, MI, and Dunkirk, NY. V–90 is removed in its entirety.

V–265: V–265 extends between the intersection of the Washington, DC, 043° and the Westminster, MD, 179° radials and Toronto, ON, Canada. This rule removes the segments between Jamestown, NY, and Toronto, ON, Canada, thus terminating the northern end of the route at Jamestown, NY.

V–464: V–464 extends from Salem, MI, through Aylmer, Ontario, Canada to Geneseo, NY. This rule removes the segment between Aylmer, Ontario, Canada, and Geneseo, NY, thus terminating the route at Aylmer, Ontario, Canada.

V–522: V–522 extends between Dryer, OH, and Toronto, Ontario, Canada. This rule eliminates the route segments between Erie, PA, and Toronto, Ontario, Canada. The amended route extends between Dryer, OH, and Erie, PA.

Regulatory Notices and Analyses

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) Is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation because the anticipated impact is so minimal. Since this is a routine matter that only affects air traffic procedures and air navigation, it is certified that this rule does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

The FAA has determined that this action of modifying VOR Federal airways in the eastern United States due to the planned decommissioning of the Dunkirk, NY VORTAC navigation aid qualifies for categorical exclusion under the National Environmental Policy Act and its agency-specific implementing regulations in FAA Order 1050.1F, ''Environmental Impacts: Policies and Procedures'' regarding categorical exclusions for procedural actions at paragraph 5–6.5a, which categorically excludes from full environmental impact review rulemaking actions that designate or modify classes of airspace areas, airways, routes, and reporting points. Therefore, this airspace action is not expected to result in any significant environmental impacts. In accordance with FAA Order 1050.1F, paragraph 5–2 regarding Extraordinary Circumstances, this action has been reviewed for factors and circumstances in which a normally categorically excluded action may have a significant environmental impact requiring further analysis, and it is determined that no extraordinary circumstances exist that warrant preparation of an environmental assessment.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.11A, Airspace Designations and Reporting Points, dated August 3, 2016 and effective September 15, 2016, is amended as follows:

Paragraph 6010(a) Domestic VOR Federal Airways.

* * * * *

V–14 [Amended]

From Chisum, NM; Lubbock, TX; Childress, TX; Hobart, OK; Will Rogers, OK; INT Will Rogers 052° and Tulsa, OK 246° radials; Tulsa; Neosho, MO; Springfield, MO; Vichy, MO; INT Vichy 067° and St. Louis, MO, 225° radials; St. Louis; Vandalia, IL; Terre Haute, IN; Brickyard, IN; Muncie, IN; Flag City, OH; INT Flag City 079° and Dryer, OH, 240° radials; Dryer; Jefferson, OH; to Erie, PA. From Buffalo, NY; Geneseo, NY; Georgetown, NY; INT Georgetown 093° and Albany, NY, 270° radials; Albany; INT Albany 084° and Gardner, MA, 284° radials; Gardner; to Norwich, CT.

V–90 [Removed]

V–265 [Amended]

From INT Washington, DC, 043° and Westminster, MD, 179° radials; via Westminster;

Harrisburg, PA; Philipsburg, PA; Keating, NY; Bradford, PA; to Jamestown, NY.

V–464 [Amended]

From Salem, MI; via INT Salem 082° and Aylmer, ON, Canada, 261° radials; to Aylmer, ON. The airspace within Canada is excluded.

V–522 [Amended]

From Dryer, OH; INT Dryer 049° and Erie, PA, 258° radials; to Erie.

Issued in Washington, DC, on June 6, 2017.

Scott M. Rosenbloom,

Acting Manager, Airspace Policy Group.

[FR Doc. 2017–12111 Filed 6–12–17; 8:45 am]

BILLING CODE 4910–13–P

DELAWARE RIVER BASIN COMMISSION

18 CFR Parts 401 and 420

Regulatory Program Fees and Water Charges Rates

AGENCY: Delaware River Basin Commission.

ACTION: Final rule.

SUMMARY: Notice is provided of the Commission's regulatory program fees and schedule of water charges for the fiscal year beginning July 1, 2017. The Commission is also correcting two footnotes in the regulations which cite incorrectly to the applicable CPI data series.

DATES: This final rule is effective July 1, 2017.

FOR FURTHER INFORMATION CONTACT: Elba L. Deck, CPA, Director of Administration and Finance, 609–883–9500, ext. 201.

SUPPLEMENTARY INFORMATION: The Delaware River Basin Commission (''DRBC'' or ''Commission'') is a Federal-interstate compact agency charged with managing the water resources of the Delaware River Basin on a regional basis without regard to political boundaries. Its members are the governors of the four basin states—Delaware, New Jersey, New York and Pennsylvania—and on behalf of the federal government, the North Atlantic Division Commander of the U.S. Army Corps of Engineers.

In accordance with 18 CFR 401.43(c), on July 1 of every year beginning July 1, 2017, the Commission's regulatory program fees as set forth in Tables 1, 2, and 3 of that section are subject to an annual adjustment, commensurate with any increase in the annual April 12-month Consumer Price Index (CPI) for Philadelphia published by the U.S. Bureau of Labor Statistics during that year. Pursuant to 18 CFR 420.43(c), the same indexed adjustment applies to the Commission's schedule of water charges for consumptive and non-consumptive withdrawals of surface water within the basin. The referenced April 12-month CPI for 2017 showed an increase of 1.27%. Commensurate adjustments are thus required.

This notice is made in accordance with 18 CFR 401.42(c) and 18 CFR 420.42(c), which provide that a revised fee schedule will be published in the **Federal Register** by July 1. The revised fees also may be obtained by contacting the Commission during business hours or by checking the Commission's Web site.

The Commission is also correcting two footnotes in the regulations which cite incorrectly to the applicable CPI data series as CWURA102SA0. The correct data series number is CUUA102SA0. The regulations are thus incorrect and in need of amendment, as set forth below.

List of Subjects

18 CFR Part 401

Administrative practice and procedure, Project review, Water pollution control, Water resources.

18 CFR Part 420

Water supply.

For the reasons set forth in the preamble, the Delaware River Basin Commission amends parts 401 and 420 of title 18 of the Code of Federal Regulations as set forth below:

PART 401—RULES OF PRACTICE AND PROCEDURE

■ 1. The authority citation for part 401 continues to read as follows:

Authority: Delaware River Basin Compact (75 Stat. 688), unless otherwise noted.

Subpart C—Project Review Under Section 3.8 of the Compact

■ 2. In § 401.43, revise footnote 1 and Tables 1, 2, and 3 to read as follows:

§ 401.43 Regulatory program fees.

* * * * *

[1] Consumer Price Index –U/Series ID: CUURA102SA0/Not Seasonally Adjusted/Area: Philadelphia-Wilmington-Atlantic City, PA–NJ–DE–MD/Item: All items/Base Period 1982–84=100.

* * * * *

TABLE 1 TO § 401.43—DOCKET APPLICATION FILING FEE

Project type	Docket application fee	Fee maximum
Water Allocation	$405 per million gallons/month of allocation,[1] not to exceed $15,190.[1] Fee is doubled for any portion to be exported from the basin.	Greater of: $15,190[1] or Alternative Review Fee.
Wastewater Discharge	Private projects: $1,013[1] Public projects: $506[1]	Alternative Review Fee.
Other	0.4% of project cost up to $10,000,000 plus 0.12% of project cost above $10,000,000 (if applicable), not to exceed $75,951[1].	Greater of: $75,951[1] or Alternative Review Fee.

[1] Subject to annual adjustment in accordance with paragraph (c) of this section.

TABLE 2 TO § 401.43—ANNUAL MONITORING AND COORDINATION FEE

	Annual fee	Allocation
Water Allocation	[1] $304	<4.99 mgm.
	[1] 456	5.00 to 49.99 mgm.
	[1] 658	50.00 to 499.99 mgm.
	[1] 835	500.00 to 9,999.99 mgm.
	[1] 1,013	>or = to 10,000 mgm.
	Annual fee	**Discharge design capacity**
Wastewater Discharge	[1] $304	<0.05 mgd.
	[1] 618	0.05 to 1 mgd.
	[1] 830	1 to 10 mgd.

TABLE 2 TO § 401.43—ANNUAL MONITORING AND COORDINATION FEE—Continued

	Annual fee	Discharge design capacity
	[1] 1,013	>10 mgd.

[1] Subject to annual adjustment in accordance with paragraph (c) of this section.

TABLE 3 TO § 401.43—ADDITIONAL FEES

Proposed action	Fee	Fee maximum
Emergency Approval Under 18 CFR 401.40	$5,000	Alternative Review Fee.
Late Filed Renewal Surcharge	$2,000	
Modification of a DRBC Approval	At Executive Director's discretion, Docket Application Fee for the appropriate project type.	Alternative Review Fee.
Name change	$1,013 [1]	
Change of Ownership	$1,519 [1]	

[1] Subject to annual adjustment in accordance with paragraph (c) of this section.

PART 420—BASIN REGULATIONS—WATER SUPPLY CHARGES

■ 3. The authority citation for part 420 continues to read as follows:

Authority: Delaware River Basin Compact, 75 Stat. 688.

■ 4. In § 420.41, revise paragraphs (a) and (b) and footnote 1 to read as follows:

§ 420.41 Schedule of water charges.

* * * * *

(a) $81.01 per million gallons for consumptive use, subject to paragraph (c) of this section; and

(b) $0.81 per million gallons for non-consumptive use, subject to paragraph (c) of this section.

* * * * *

[1] Consumer Price Index—U/Series ID: CUURA102SA0/Not Seasonally Adjusted/Area: Philadelphia-Wilmington-Atlantic City, PA–NJ–DE–MD/Item: All items/Base Period 1982–84=100.

Dated: June 7, 2017.

Pamela M. Bush,

Commission Secretary.

[FR Doc. 2017–12233 Filed 6–12–17; 8:45 am]

BILLING CODE 6360–01–P

PENSION BENEFIT GUARANTY CORPORATION

29 CFR Part 4901

RIN 1212–AB43

Examination and Copying of PBGC Records

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Final rule.

SUMMARY: In accordance with the FOIA Improvement Act of 2016, this rule amends the regulation of the Pension Benefit Guaranty Corporation that governs the examination and copying of PBGC records.

DATES:

Effective date: June 13, 2017.

Applicability date: Like the provisions of the FOIA Improvement Act of 2016 that this rule incorporates, and which PBGC has been following since the Act became effective on June 30, 2016, the amendments in this rule apply to requests for records under the Freedom of Information Act that are made after June 30, 2016.

FOR FURTHER INFORMATION CONTACT:

Samantha M. Lowen (*lowen.samantha@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 3786. (TTY and TDD users may call the Federal relay service toll-free at 800–877–8339 and ask to be connected to 202–326–4400, extension 3786.)

SUPPLEMENTARY INFORMATION:

Executive Summary

Purpose of the Rule

This rule is needed to incorporate changes to the Freedom of Information Act made by the FOIA Improvement Act of 2016. Authority for this rule is provided by section 4002(b)(3) of the Employee Retirement Income Security Act of 1974 and the FOIA Improvement Act of 2016.

Major Provisions of the Rule

This rule provides for an electronic reading room for records, expands the categories of records in the reading room, updates the standard for disclosure, requires additional notice to requesters about FOIA resources, extends the appeal deadline, and places restrictions on fees.

Background

The Pension Benefit Guaranty Corporation (PBGC) is amending its regulation on Examination and Copying of PBGC Records (29 CFR part 4901) (FOIA regulation) to incorporate statutory changes to the Freedom of Information Act (5 U.S.C. 551 *et seq.*) (FOIA). The majority of the regulatory changes are specifically required by the FOIA Improvement Act of 2016 (2016 Act). Section 3 of the 2016 Act requires federal agencies to review their FOIA regulations and to make conforming amendments, as necessary, to incorporate the 2016 Act's changes to the FOIA. In addition to the changes required under the 2016 Act, PBGC is making one other amendment to its FOIA regulation that incorporates a previous statutory change under the Open Government Act of 2007 (2007 Act).

Regulatory Changes

Electronic Reading Room

PBGC is amending §§ 4901.3, 4901.4, and 4901.5 of its FOIA regulation by replacing the references to PBGC's ''public reference room'' with references to its ''electronic reading room.''

Before the 2016 Act, the FOIA required agencies to affirmatively make certain categories of records ''available for public inspection and copying'' without prompting by formal request. Like most agencies, PBGC complied with this requirement by maintaining a physical ''reference room'' to house these records (and indices thereto), which members of the public could inspect and copy in person. The e-FOIA Amendments of 1996 (1996 Act) provided that agencies could supplement or entirely replace their physical reading rooms with electronic reading rooms, where members of the public could access the affirmatively

disclosed material online. Consistent with the 1996 Act, PBGC began maintaining an electronic reading room several years ago. The 2016 Act further modernized the FOIA by replacing the requirement to make these records ''available for public inspection and copying'' with the requirement to make them ''available for public inspection in an electronic format.'' Under the 2016 Act, physical reading rooms are effectively obsolete.

Consistent with these revisions to the FOIA, PBGC is amending its FOIA regulation by removing the now outdated references to PBGC's public reference room and adding a description (including the location) of PBGC's electronic reading room.

Affirmative Disclosure of Certain Records

PBGC is amending § 4901.4 of its FOIA regulation to include two additional types of records in its electronic reading room.

Both the 2007 Act and the 2016 Act added to the list of records that agencies must disclose without formal request. As amended, the FOIA requires each agency to affirmatively release certain records that the agency determines are likely to be the subject of future requests, as well as certain others that have been the subject of three or more requests. The FOIA also requires agencies to redact such records to the extent necessary to protect personal privacy interests before adding them to the electronic reading room.

Consistent with this change, PBGC is amending the list of records available in its electronic reading room at § 4901.4.

Foreseeable Harm

PBGC is amending § 4901.5 of its FOIA regulation to incorporate the 2016 Act's ''foreseeable harm'' standard for responsive disclosures.

The 2016 Act provides that an agency should only withhold information under the FOIA ''if the agency reasonably foresees that disclosure would harm an interest protected by an exemption [under the FOIA]'' or if disclosure is otherwise prohibited by law. Accordingly, PBGC is amending § 4901.5, which sets forth PBGC's general policy of openness under the FOIA, by adding this foreseeable harm exception to disclosure.

Additional Notice to Requesters

PBGC is amending § 4901.14 of its FOIA regulation to incorporate the additional notice requirements to requesters of certain resources available to them. The 2016 Act requires an agency, when issuing a determination to a requester, to offer the services of the agency's FOIA Public Liaison and, if the determination is adverse, to notify the requester of the services provided by the Office of Government Information Services (OGIS).[1] Accordingly, PBGC is amending § 4901.14 by adding these notice requirements to PBGC's obligations when responding to FOIA requests.

Appeal Deadline

PBGC is amending § 4901.15 of its FOIA regulation by increasing the appeal deadline from 30 to 90 days, in conformity with the 90-day minimum time period established by the 2016 Act.

Fee Exception

PBGC is amending § 4901.31 of its FOIA regulation to include new restrictions under the 2016 Act on PBGC's ability to charge fees in certain situations. Under the amended regulation, if PBGC fails to respond to a request within the time specified under paragraph (a)(6) of the FOIA, PBGC generally may not charge the applicable search or duplication fees unless specific conditions—established by the 2016 Act—have been met.

Compliance With Rulemaking Guidelines

PBGC has determined that this rulemaking is not a ''significant regulatory action'' under Executive Order 12866. Accordingly, Executive Order 13771 does not apply to this rule, and the rule has not been reviewed by the Office of Management and Budget under Executive Order 12866.

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

Although this is not a significant regulatory action under Executive Order 12866, PBGC has examined the economic implications of this final rule. PBGC has concluded that because these proposed amendments incorporate statutory changes that facilitate the public's access to PBGC records under the FOIA at no additional cost, these regulatory amendments result in a net benefit to the public.

The amendments of PBGC's FOIA regulation contained herein concern matters of agency procedure and practice. They provide additional protection to the public and are being adopted in accordance with the provisions of the 2016 Act. Pursuant to 5 U.S.C. 553(b), general notice of proposed rulemaking is not required. Because no general notice of proposed rulemaking is required for this rule, the Regulatory Flexibility Act of 1980 does not apply. See 5 U.S.C. 601.

List of Subjects in 29 CFR Part 4901

Freedom of information.

In consideration of the foregoing, PBGC is amending 29 CFR part 4901 as follows.

PART 4901—EXAMINATION AND COPYING OF PENSION BENEFIT GUARANTY CORPORATION RECORDS

■ 1. The authority citation for part 4901 continues to read as follows:

Authority: 5 U.S.C. 552, 29 U.S.C. 1302(b)(3), E.O. 12600, 52 FR 23781, 3 CFR, 1987 Comp., p. 235.

■ 2. Revise § 4901.3 to read as follows:

§ 4901.3 Electronic reading room.

The PBGC will maintain an electronic reading room on its Web site, *www.pbgc.gov,* where persons may inspect in an electronic format all records made available for such purposes under this part.

■ 3. Amend § 4901.4 as follows:

■ a. Revise the section heading and introductory text.

■ b. In paragraph (d)(1), remove the comma at the end of the paragraph and add a semicolon in its place.

■ c. In paragraphs (d)(2) and (3), remove ''; and'' and add a semicolon in its place.

■ d. Add paragraphs (d)(4) and (5).

The revisions and additions read as follows:

§ 4901.4 Information maintained in electronic reading room.

The PBGC shall make available for public inspection in an electronic format without formal request—

* * * * *

(d) * * *

(4) *Frequently requested records.* Records that have been released under 5 U.S.C. 552(a)(3) and have been the subject of three or more requests; and

(5) *Other records.* Records that have been released under 5 U.S.C. 552(a)(3) and that PBGC determines, because of the nature of the records' subject matter,

[1] OGIS is an office of the National Archives and Records Administration that provides dispute resolution services under the FOIA. See 5 U.S.C. 552(h).

have become or are likely to become the subject of subsequent requests for substantially the same records; and

* * * * *

§ 4901.5 [Amended]

■ 4. In § 4901.5, amend paragraph (a) by:

■ a. Removing ''exempt from disclosure'' and adding in its place ''PBGC reasonably foresees that disclosure would harm an interest protected by an exemption'';

■ b. Adding the words ''or disclosure is otherwise prohibited by law'' after the words ''subpart C of this part''; and

■ c. Removing the two instances of ''public reference'' and adding in the place of each ''electronic reading''.

§ 4901.14 [Amended]

■ 5. In § 4901.14:

■ a. Amend paragraph (a) by adding, at the end of the paragraph, the sentence ''When responding to a request under paragraph (b), (c), or (d) of this section, the disclosure officer will notify the requester of the requester's right to seek assistance from the PBGC's FOIA Public Liaison and will provide information about how to contact the FOIA Public Liaison.''

■ b. Amend paragraph (c) by removing ''denial and outline the appeal procedure available'' and adding in its place ''denial, outline the appeal procedure available, and notify the requester of the right to seek dispute resolution services from the PBGC's FOIA Public Liaison or the Office of Government Information Services''.

■ c. Amend paragraph (d) by adding ''and notice of the requester's right to seek dispute resolution services from the PBGC's FOIA Public Liaison or the Office of Government Information Services'' after the word ''circumstances''.

§ 4901.15 [Amended]

■ 6. In § 4901.15, amend paragraph (a) by removing the two instances of the words ''30 days'' and adding in the place of each ''90 days''.

■ 7. In § 4901.31:

■ a. Amend paragraph (a) introductory text by adding, at the end of the paragraph, the sentence ''Except as provided in paragraph (e) of this section, no charge for searching (or in the case of a requester described under 5 U.S.C. 552(a)(4)(A)(ii)(II), for duplication) will be assessed if PBGC has failed to comply with any time limit under 5 U.S.C. 552(a)(6).''

■ b. Add paragraph (e).

The addition reads as follows:

§ 4901.31 Charges for services.

* * * * *

(e) *Unusual or exceptional circumstances.* Notwithstanding paragraph (a) of this section, if PBGC fails to comply with a time limit under 5 U.S.C. 552(a)(6), PBGC may nevertheless assess a charge for searching (or in the case of a requester described under 5 U.S.C. 552(a)(4)(A)(ii)(II), for duplication) if either paragraph (e)(1) or (2) of this section applies:

(1) PBGC has determined that unusual circumstances apply and that more than 5,000 pages are necessary to respond to the request, provided that:

(i) PBGC has provided timely written notice of this determination to the requester; and

(ii) PBGC has discussed with the requester—or made three or more good-faith attempts to do so—via written mail, electronic mail, or telephone how the requester could effectively limit the scope of the request.

(2) A court has determined that exceptional circumstances exist (as defined in 5 U.S.C. 552(a)(6)(C)) and has issued an order excusing PBGC's failure to comply with the time limit.

Issued in Washington, DC, by

W. Thomas Reeder,

Director, Pension Benefit Guaranty Corporation.

[FR Doc. 2017–12207 Filed 6–12–17; 8:45 am]

BILLING CODE 7709–02–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: Interim final rule.

SUMMARY: The Coast Guard is amending its special local regulations and safety zones established for recurring marine events and fireworks displays that take place within the Fifth Coast Guard District area of responsibility. This interim final rule revises 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. This interim final rule updates the list of recurring marine events with revisions to include additional events, change of date(s), 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 rule also removes regulations that are no longer effective or required.

DATES: This rule is effective without actual notice from June 13, 2017. For the purposes of enforcement, actual notice will be used from the date the rule was signed, May 31, 2017, until June 13, 2017.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to *http://www.regulations.gov,* type USCG–2017–0064 in the ''SEARCH'' box and click ''SEARCH.'' Click on Open Docket Folder on the line associated with this rule.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, 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. Public Participation and Comments

The Coast Guard published a notice of proposed rulemaking on April 6, 2017 (82 FR 16746). The public comment period for this NPRM closed on Monday, May 8, 2017; no comments were received.

Documents mentioned in this Interim Final Rule 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.

III. Background Information and Regulatory History

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) that generated no adverse comments.

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 rulemaking 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.

Under 5 U.S.C. 553(d)(3), an agency may make a rule effective less than 30 days from publication of a final notice in the **Federal Register** when the agency for good cause finds that those procedures are impracticable, unnecessary, or contrary to the public interest. The Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**; it would be impracticable and contrary to the public interest to delay the effective date of this rulemaking regarding implementation of the new and revised special local regulations and safety zones. Immediate implementation is required because the special local regulations and safety zones must be established to protect the public from the dangers associated with these scheduled activities. Despite the immediate effective date of this final action, the public has been afforded reasonable time to prepare for the effective date of this rulemaking. These events are planned by the local communities where they take place, and accordingly, the public has received advanced notification of these upcoming events through local media outlets in addition to notification by the Coast Guard through publication of the NPRM. The provisions of this interim final rule which disestablish existing special local regulations and safety zones are effectively immediately in accordance with 5 U.S.C. 553(d)(1), as they relieve a restriction.

This interim rule is effective upon signature. This rule is prepared to provide the most up to date list of recurring marine events, special local regulations and safety zones. These recurring events are noticed to the public through local community media outlets and by event planners in conjunction with the communities in which they take place.

IV. Legal Authority and Need for Rule

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. The Coast Guard has determined that potential hazards associated with marine events and fireworks displays that take place on and over navigable waters will be a safety concern for persons or vessels in the vicinity of these events. The purpose of this rule is to ensure safety of persons and vessels on the navigable waters in the safety zone before, during, and after the scheduled marine event.

The current lists of annual and recurring special local regulations and safety zones for marine events and fireworks displays within the Fifth Coast Guard District area of responsibility (AOR) are published under 33 CFR 100.501 and 165.506, respectively. This interim rule will add to, remove from, and amend 33 CFR 100.501 and 33 CFR 165.506 to create a comprehensive list of recurring marine events and fireworks displays requiring special local regulations and safety zones.

V. Discussion of the Rule

Special Local Regulations

This 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 revises 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 amends 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 revises 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, the large numbers of participants and spectators, and the 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 establishes 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 rule revises 12 previously established safety zones and removes 6 safety zones listed in the Table to § 165.506. Other than changes to the dates of certain safety zones, the other provisions in 33 CFR 165.506 remain unchanged.

The Coast Guard proposed to add eight new safety zones in the previously published Notice of proposed rulemaking on April 6, 2017 (82 FR 16746). The NPRM also proposed to revise the coordinates described by latitude and longitude for the center point of 3 previously established safety zones. Both the new and revised safety zones proposed for 33 CFR 165.506 have been temporarily postponed and are not included in this interim final rule. This action was necessary to ensure compliance with environmental review and policy requirements established under the National Environmental Policy Act (NEPA). Upon completion of NEPA environmental analysis and review, the previously proposed safety zones may be included in a future revision to 33 CFR 165.506.

The rule revises 12 preexisting safety zones that involve changes to event date(s). These revised safety zones are shown in Table 3, with reference by section as printed in the Table to § 165.506.

TABLE 3

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

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

The Coast Guard amends regulations at 33 CFR 165.506 by disestablishing the following 6 safety zones listed in Table 4.

TABLE 4

[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 amends regulations at 33 CFR 100.501 and 33 CFR 165.506 by removing the following 5 temporary

sections listed in Table 5. These temporary sections are no longer effective but continue to appear in the CFR.

TABLE 5

[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.

VI. Regulatory Analyses

We developed this 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 rule has not been designated a ''significant regulatory action'' under Executive Order 12866. Accordingly, it 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 received no comments from the Small Business Administration on this rulemaking. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will 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.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

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

C. Collection of Information

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

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 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 rule does not have tribal implications under Executive Order

13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes. If you believe this 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 rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

F. Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.lD, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have determined 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 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.lD, as the appropriate environmental analysis is contained in the permitting for the events. An environmental analysis checklist supporting this determination and a Record of Environmental Consideration are not required for this section of the rule.

This 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.lD. A Record of Environmental Consideration (REC) supporting this determination is available in the docket where indicated in the **ADDRESSES** section of this preamble.

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.

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 amends 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.

This section applies 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.* 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.* 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, 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. 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) *Controls on vessel movement.* 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) *Directions, instructions, and minimum speed necessary.* 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) *Designated spectator area.* 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 emailing *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:

(i) Anchorage No. 1, general anchorage;

(ii) Anchorage No. 2, general anchorage;

(iii) Anchorage No. 3 Upper, general anchorage; and

(iv) 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″ 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. 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. 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.
5. July—on or about July 4th	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.
6. August—2nd Friday, Saturday and Sunday	Point Pleasant OPA/NJ Offshore Grand Prix.	Offshore Performance Association (OPA) and New Jersey Offshore Racing Assn.	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°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. 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.

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
			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.
7. May—3rd weekend, Saturday and Sunday	New Jersey Offshore Grand Prix.	Offshore Performance Assn. & New Jersey Offshore Racing Assn.	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 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. 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. 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.
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.

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
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.
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, DC 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: 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.

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
			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. 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. 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.
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.
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.

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
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.	Regulated enforcement area: All waters of North Atlantic Ocean bounded within the following designated areas near Ocean City, MD. 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. 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. 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.
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.	Regulated enforcement area: All waters within Hambrooks 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 Hambrooks Bar Light LLNR 24995, thence southwest to latitude 38°35′34.2″ N., longitude 076°05′12.3″ W., terminating at the Hambrooks Bay breakwall as it intersects the shoreline. Race area: Located within the waters of Hambrooks Bay and Choptank River, in an area bound to the north by the Hambrooks 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. Buffer area: All waters within Hambrooks 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.

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
			Spectator area: All waters of the Choptank River, eastward and outside of Hambrooks 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.
22. July—4th or last Saturday and Sunday	Southern Maryland Boat Club Summer Regatta.	Southern Maryland Boat Club.	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. 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. 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. 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. 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. 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.
23. October—Thursday, Friday, Saturday and Sunday after Columbus Day (observed). (biennial, even years)	Baltimore Air Show	Historic Ships in Baltimore, Inc.	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. 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).

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
(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	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. 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. 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.
2. June—1st Friday, Saturday and Sunday or 2nd Friday, Saturday and Sunday	Norfolk Harborfest	Norfolk Festevents, Ltd ..	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.
3. June—2nd or 3rd Saturday	Cock Island Race	Portsmouth Boat Club & City of Portsmouth, VA.	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′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 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.
4. June—last Saturday or July—1st Saturday	RRBA Spring Radar Shootout.	Rappahannock River Boaters Association (RRBA).	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. Buffer area: The waters of Rappahannock River extending 200 yards outwards from east and west boundary lines described in this section.

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
			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.
5. July—last Wednesday and following Friday; or August—1st Wednesday and following Friday	Pony Penning Swim	Chincoteague Volunteer Fire Department.	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′54″ 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. 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′54″ N., longitude 076°18′14″ 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 ..	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.
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.

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
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.

■ 9. Revise § 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) This section applies 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, the 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.
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; September 1st, or 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 Tinicum 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.

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
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.
(b.) Coast Guard Sector Maryland-National Capital Region—COTP Zone		
1 April—1st, 2nd or 3rd Saturday	Washington Channel, Upper Potomac River, Washington, DC; 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 38°58′41.76″ N., 076°28′34.2″ W., located near the entrance to Spa Creek, Annapolis, MD.
3 December 31st	Upper Potomac River, Washington, DC; Safety Zone.	All waters of the Upper Potomac River within a 300 yard radius of the fireworks barge in approximate position 38°48′14″ N., 077°02′10″ W., located near the waterfront (King Street) at Alexandria, Virginia.
4 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 39°15′55″ N., 076°34′35″ W., located adjacent to the East Channel of Northwest Harbor.
5 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.
6 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.
7 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.
8 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.
9 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.
10 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.
11 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.
12 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.
13 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.
14 The Saturday before Independence Day holiday occurring in June or July.	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.
15 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.
16 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.
17 July—1st, 2nd or 3rd Saturday	Upper Potomac River, Washington, DC; 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.
18 March through October, at the conclusion of evening MLB games at Washington Nationals Ball Park.	Anacostia River, Washington, DC; Safety Zone.	All waters of the Anacostia River within a 150 yard radius of the fireworks barge in approximate position latitude 38°52′13″ N., longitude 077°00′16″ W., located near the Washington Nationals Ball Park.
19 June—last Saturday or July—1st Saturday; July—3rd, 4th or last Saturday; 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.

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
20 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.
21 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.
22 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.
23 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.
24 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.
(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 4th 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.
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.

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
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 through 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.
(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″, 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 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.
10 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.
11 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.
12 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.
13 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.
14 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: May 31, 2017.

Meredith L. Austin,

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

[FR Doc. 2017–12112 Filed 6–12–17; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2017–0374]

Safety Zone; Southern California Annual Fireworks for the San Diego Captain of the Port Zone

AGENCY: Coast Guard, DHS.

ACTION: Notice of enforcement of regulation.

SUMMARY: The Coast Guard will enforce a safety zone for the Sea World Fireworks on the waters of Mission Bay, CA on specific evenings from Memorial Day to Labor Day in 2017. This safety zone is necessary to provide for the safety of the participants, spectators, official vessels of the events, and general users of the waterway. Our regulation for the Southern California annual fireworks for the San Diego Captain of the Port Zone identifies the regulated area for the events. During the enforcement period, no spectators shall anchor, block, loiter in, or impede the transit of official patrol vessels in the regulated area without the approval of the Captain of the Port, or his designated representative.

DATES: The regulations in 33 CFR 165.1123, Table 1, Item 7, will be enforced from 8:30 p.m. through 10:30 p.m. on June 30 through July 5, and September 1 through September 4, 2017.

FOR FURTHER INFORMATION CONTACT: If you have questions on this publication, call or email Lieutenant Robert Cole, Waterways Management, U.S. Coast Guard Sector San Diego, CA; telephone 619–278–7656, email *D11MarineEventsSD@uscg.mil.*

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce the regulations in 33 CFR 165.1123 for a safety zone for the Sea World Fireworks on the waters of Mission Bay, CA in 33 CFR 165.1123, Table 1, Item 7 of that section, from 8:30 p.m. through 10:30 p.m. on specific evenings from Memorial Day to Labor Day in 2017. This action is being taken to provide for the safety of life on navigable waterways during the fireworks events. Our regulation for Southern California annual fireworks events for the San Diego Captain of the Port Zone identifies the regulated area for the events. Under the provisions of 33 CFR 165.1123, a vessel may not enter the regulated area, unless it receives permission from the Captain of the Port, or his designated representative. Spectator vessels may safely transit outside the regulated area but may not anchor, block, loiter, or impede the transit of participants or official patrol vessels. The Coast Guard may be assisted by other Federal, State, or Local law enforcement agencies in enforcing this regulation.

This document is issued under authority of 33 CFR 165.1123 and 5 U.S.C. 552(a). In addition to this document in the **Federal Register**, the Coast Guard will provide the maritime community with advance notification of this enforcement period via the Local Notice to Mariners, a Safety Marine Information Broadcast on VHF–FM radio, and local advertising by the event sponsor.

If the Captain of the Port or his designated representative determines that the regulated area need not be enforced for the full duration stated on this document, he or she may use a Broadcast Notice to Mariners or other communications coordinated with the event sponsor to grant general permission to enter the regulated area.

Dated: May 24, 2017.

J.R. Buzzella,

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

[FR Doc. 2017–12217 Filed 6–12–17; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2017–0421]

RIN 1625–AA00

Safety Zone; Pacific Ocean, Mamala Bay, Oahu, Hawaii—Hokulea Arrival

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary 500 yard safety zone around the sailing canoe HOKULEA for her return to Oahu from a three year worldwide voyage. HOKULEA is a culturally significant double-hulled sailing canoe modeled after the vessels that brought the first Polynesians to Hawaii. Thousands of people on various types of water craft, including surfboards, canoes, sailing vessels and motor vessels as well as swimmers, have come out to greet HOKULEA when she has returned to port in the past. This safety zone is necessary to protect personnel, vessels, and the marine environment from potential safety hazards associated with the anticipated large number of spectator craft expected to greet the sailing canoe HOKULEA upon her arrival. A moving 500 yard safety zone around the HOKULEA will be in place during her transit, starting when she passes abeam of Makapu'u light house and continuing through Mamala Bay to her mooring in the Ala Wai Harbor. Upon mooring, the moving safety zone will cease but a stationary 500 yard safety zone will be maintained around the HOKULEA until the conclusion of the HOKULEA arrival festivities. Entry of vessels or persons into the safety zone is prohibited unless specifically authorized by the Captain of the Port (COTP) Honolulu or his designated representative. The Coast Guard will establish a command post at the entrance to the Ala Wai Harbor. This command post will maintain a list of all vessels with authorized moorings in the Ala Wai Harbor that will be allowed to transit the safety zone to depart from or return to these moorings. Vessels not on this list may request to transit the safety zone by contacting the COTP Honolulu or his designated representative.

DATES: This rule is effective from 5:30 a.m. (HST) on June 17, 2017 through 10 p.m. (HST) on June 17, 2017.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to *http://www.regulations.gov,* type USCG–USCG–2017–0421 in the ''SEARCH'' box and click ''SEARCH.'' Click on Open Docket Folder on the line associated with this rule.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email Lieutenant Commander Nicolas Jarboe, Waterways Management Division, U.S. Coast Guard Sector Honolulu at (808) 541–4359 or *nicolas.a.jarboe@uscg.mil,* respectively.

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
TFR Temporary Final Rule
U.S.C. United States Code

II. Background Information and Regulatory History

The Coast Guard is issuing this temporary rule without prior notice and opportunity to comment pursuant to the authority under section 4(a) of the Administrative Procedures Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are ''impracticable, unnecessary, or contrary to the public interest.'' Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because the request for the moving safety zone was received by the Coast Guard on May 10, 2017. Immediate action is needed to prevent possible safety hazards associated with the large amount of vessel traffic expected to greet the sailing canoe HOKULEA in transit and within the small confines of Ala Wai Harbor. It is impracticable to publish an NPRM because we must establish this safety zone by June 17, 2017.

We are issuing this rule, and under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making it effective less than 30 days after publication in the **Federal Register**. Delaying the effective date of this rule would be contrary to public interest due to safety hazards associated with the large number of spectator craft expected to greet the sailing canoe HOKULEA when she arrives to Oahu on June 17, 2017.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under the authority of 33 U.S.C. 1231. The Captain of the Port Honolulu has determined that potential hazards exists form the large number of spectator craft expected to greet the sailing canoe HOKULEA on June 17, 2017. This rule is needed to protect personnel, vessels, and the marine environment in the navigable waters within the 500 yard safety zone while HOKULEA is in transit and moored.

IV. Discussion of Comments, Changes, and the Rule

This rule establishes a safety zone from 5:30 a.m. (HST) on June 17, 2017 through 10 p.m. (HST) on June 17, 2017. This safety zone is located within the COTP zone (See 33 CFR 3.70–10) and will encompass all waters 500 yards in all directions from the sailing canoe HOKULEA during her transit from Makapu'u light house through Mamala Bay to and including her mooring in Ala Wai Harbor. This safety zone will extend from the surface of the water to the ocean floor and is intended to protect personnel, vessels, and the marine environment within the navigable waters of the safety zone during the transit and mooring of the sailing canoe HOKULEA. No vessel will be permitted to enter the safety zone absent the express authorization of the COTP or his designated representative. Before the effective period, the Coast Guard will issue a broadcast notice to mariners to further notify waterway users of these waterway restrictions. If the safety zone is terminated prior to 10 p.m. on June 17, 2017, the Coast Guard will also provide a broadcast notice to mariners.

V. Regulatory Analyses

We developed this 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 rule has not been designated a ''significant regulatory action,'' under Executive Order 12866. Accordingly, it has not been reviewed by the Office of Management and Budget.

This regulatory action is based on the size, location, duration, and time-of-day of the safety zone. Vessel traffic will be able to safely transit around this moving safety zone, which will only impact small designated areas of Mamala Bay on the Island of Oahu, HI. Once the HOKULEA is moored, authorized vessels will be allowed to transit the Ala Wai Harbor. Moreover, the Coast Guard will issue Broadcast Notice to Mariners via VHF–FM marine channel 16 about the safety zone. The rule allows vessels to seek permission to enter the safety zone.

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

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

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

C. Collection of Information

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

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 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 rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes,

or on the distribution of power and responsibilities between the Federal Government and Indian tribes. If you believe this 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 rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

F. Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.lD, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have determined 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 rule involves a safety zone lasting less than 1 day that will prohibit entry within 500 yards of the sailing canoe HOKULEA. It is categorically excluded from further review under paragraph 34(g) of Figure 2–1 of the Commandant Instruction. A preliminary Record of Environmental Consideration (REC) supporting this determination is 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.

List of Subjects in 33 CFR Part 165

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

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

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

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

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

■ 2. Add § 165.T14–0421 to read as follows:

§ 165.T14–0421 Safety Zone; Pacific Ocean, Mamala Bay, Oahu, Hawaii—Hokulea Arrival.

(a) *Location.* This safety zone is located within the COTP zone (See 33 CFR 3.70–10) and will encompass all waters 500 yards in all directions from the sailing canoe HOKULEA during her transit starting when she passes abeam of Makapu'u light house through Mamala Bay to and including her mooring in Ala Wai Harbor. Upon mooring, the moving safety zone will cease but a stationary 500 yard safety zone will be maintained around the HOKULEA through the zone's effective period. This zone extends from the surface of the water to the ocean floor.

(b) *Effective period.* 5:30 a.m. (HST) on June 17, 2017 through 10 p.m. (HST) on June 17, 2017. If the safety zone is terminated prior to 10 p.m. (HST) on June 17, 2017, the Coast Guard will provide notice via broadcast notice to mariners.

(c) *Regulations.* The general regulations governing safety zones contained in § 165.20 apply to the safety zone created by this temporary final rule.

(1) All persons and vessels are required to comply with the general regulations governing safety zones found in this part.

(2) Entry into or remaining in this zone is prohibited unless expressly authorized by the COTP or his designated representative.

(3) Persons or vessels desiring to transit the moving safety zone identified in paragraph (a) of this section may contact the COTP of Honolulu through his designated representatives at the Command Center via telephone: (808) 842–2600 and (808) 842–2601; fax: (808) 842–2642; or on VHF channel 16 (156.8 Mhz) to request permission to enter or transit the moving safety zone. If permission is granted, all persons and vessels must comply with the instructions of the COTP Honolulu or his designated representative and proceed at the minimum speed necessary to maintain a safe course while in the moving safety zone.

(4) The U.S. Coast Guard may be assisted in the patrol and enforcement of the moving safety zone by Federal, State, and local agencies.

(d) *Notice of enforcement.* The COTP Honolulu will provide notice of enforcement of the moving safety zone described in this section by verbal radio broadcasts and written notice to mariners.

(e) *Definitions.* As used in this section, ''designated representative'' means any Coast Guard commissioned, warrant, or petty officer who has been authorized by the COTP to assist in enforcing the moving safety zone described in paragraph (a) of this section.

Dated: June 2, 2017.

M.C. Long,

Captain, U.S. Coast Guard, Captain of the Port Honolulu.

[FR Doc. 2017–12163 Filed 6–12–17; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2017–0377]

Safety Zone; Annual Firework Events on the Colorado River, Between Davis Dam (Bullhead City, Arizona) and Headgate Dam (Parker, Arizona) Within the San Diego Captain of the Port Zone

AGENCY: Coast Guard, DHS.

ACTION: Notice of enforcement of regulation.

SUMMARY: The Coast Guard will enforce the safety zone for the Avi Resort and Casino Independence Day Fireworks on the Colorado River in Laughlin, Nevada on Tuesday, July 4, 2017. This safety zone is necessary to provide for the safety of the participants, spectators, official vessels of the event, and general users of the waterway. Our regulation for annual firework events on the Colorado River within the San Diego Captain of the Port Zone identifies the regulated area for this event. During the enforcement period, no spectators shall anchor, block, loiter in, or impede the transit of official patrol vessels in the regulated area without the approval of the Captain of the Port, or his designated representative.

DATES: The regulations in 33 CFR 165.1124 will be enforced from 8 p.m. through 10 p.m. on July 4, 2017, for Item 3 in Table 1 to § 165.1124.

FOR FURTHER INFORMATION CONTACT: If you have questions on this publication, call or email Lieutenant Robert Cole, Waterways Management, U.S. Coast Guard Sector San Diego, CA; telephone 619–278–7656, email *D11MarineEventsSD@uscg.mil.*

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce the regulations in 33 CFR 165.1124 for a safety zone on the Colorado River in Laughlin, Nevada for the Avi Resort and Casino Independence Day Fireworks in 33 CFR 165.1124, Table 1, Item 3 of that section, from 8 p.m. through 10 p.m. on July 4, 2017. This enforcement action is being taken to provide for the safety of life on navigable waterways during the fireworks event. Our regulation for annual fireworks events on the Colorado River within the San Diego Captain of the Port Zone identifies the regulated area for the this event. Under the provisions of 33 CFR 165.1124, a vessel may not enter the regulated area, unless it receives permission from the Captain of the Port, or his designated representative. Spectator vessels may safely transit outside the regulated area but may not anchor, block, loiter, or impede the transit of participants or official patrol vessels. The Coast Guard may be assisted by other Federal, State, or Local law enforcement agencies in enforcing this regulation.

This document is issued under authority of 33 CFR 165.1124 and 5 U.S.C. 552(a). In addition to this document in the **Federal Register**, the Coast Guard will provide the maritime community with advance notification of this enforcement period via the Local Notice to Mariners and local advertising by the event sponsor.

If the Captain of the Port or his designated representative determines that the regulated area need not be enforced for the full duration stated on this document, he or she may use a Broadcast Notice to Mariners or other communications coordinated with the event sponsor to grant general permission to enter the regulated area.

Dated: May 24, 2017.

J.R. Buzzella,

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

[FR Doc. 2017–12219 Filed 6–12–17; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2017–0396]

Safety Zone; Annual Firework Events on the Colorado River, Between Davis Dam (Bullhead City, Arizona) and Headgate Dam (Parker, Arizona) Within the San Diego Captain of the Port Zone

AGENCY: Coast Guard, DHS.

ACTION: Notice of enforcement of regulation.

SUMMARY: The Coast Guard will enforce the safety zone for the Laughlin/Bullhead City Rockets Over the River Fireworks on the Colorado River in Laughlin, Nevada and Bullhead City, Arizona on Saturday, July 1, 2017 and Tuesday, July 4, 2017. This safety zone is necessary to provide for the safety of the participants, spectators, official vessels of the event, and general users of the waterway. Our regulation for annual fireworks events on the Colorado River within the San Diego Captain of the Port Zone identifies the regulated area for this event. During the enforcement period, no spectators shall anchor, block, loiter in, or impede the transit of official patrol vessels in the regulated area without the approval of the Captain of the Port, or his designated representative.

DATES: The regulations in 33 CFR 165.1124 will be enforced from 8 p.m. through 10 p.m. on July 1 and July 4, 2017, for Item 2 in Table 1 to § 165.1124.

FOR FURTHER INFORMATION CONTACT: If you have questions on this publication, call or email Lieutenant Robert Cole, Waterways Management, U.S. Coast Guard Sector San Diego, CA; telephone 619–278–7656, email *D11MarineEventsSD@uscg.mil.*

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce the regulations in 33 CFR 165.1124 for a safety zone on the Colorado River in Laughlin, Nevada and Bullhead City, Arizona for the Laughlin/Bullhead City Rockets Over the River Fireworks in 33 CFR 165.1124, Table 1, Item 2 of that section from 8 p.m. through 10 p.m. on July 1 and July 4, 2017. This enforcement action is being taken to provide for the safety of life on navigable waterways during the fireworks event. Our regulation for annual fireworks events on the Colorado River within the San Diego Captain of the Port Zone identifies the regulated area for this event. Under the provisions of 33 CFR 165.1124, a vessel may not enter the regulated area, unless it receives permission from the Captain of the Port, or his designated representative. Spectator vessels may safely transit outside the regulated area but may not anchor, block, loiter, or impede the transit of participants or official patrol vessels. The Coast Guard may be assisted by other Federal, State, or Local law enforcement agencies in enforcing this regulation.

This document is issued under authority of 33 CFR 165.1124 and 5 U.S.C. 552(a). In addition to this document in the **Federal Register**, the Coast Guard will provide the maritime community with advance notification of this enforcement period via the Local Notice to Mariners and local advertising by the event sponsor.

If the Captain of the Port or his designated representative determines that the regulated area need not be enforced for the full duration stated on this document, he or she may use a Broadcast Notice to Mariners or other communications coordinated with the event sponsor to grant general permission to enter the regulated area.

Dated: May 24, 2017.

J.R. Buzzella,

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

[FR Doc. 2017–12218 Filed 6–12–17; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2017–0418]

Multiple Safety Zones; Fireworks Displays in Captain of the Port New York Zone

AGENCY: Coast Guard, DHS.

ACTION: Notice of enforcement of regulation.

SUMMARY: The Coast Guard will enforce various safety zones within the Captain of the Port New York Zone on the specified dates and times. This action is necessary to ensure the safety of vessels, spectators and participants from hazards associated with fireworks displays and swim events. During the enforcement period, no person or vessel may enter the safety zones without permission of the Captain of the Port (COTP).

DATES: The regulation for the safety zones described in 33 CFR 165.160 will be enforced on the dates and times listed in the table below.

FOR FURTHER INFORMATION CONTACT: If you have questions on this document, call or email Petty Officer First Class Ronald Sampert U.S. Coast Guard; telephone 718–354–4197, email *ronald.j.sampert@uscg.mil.*

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce the safety zones listed in 33 CFR 165.160 on the specified dates and times as indicated in the Table below. This regulation was published in the **Federal Register** on November 9, 2011 (76 FR 69614).

TABLE 1

1. Orchard Beach, The Bronx Safety Zone, 33 CFR 165.160(3.11)	• Launch site: All waters of Long Island Sound in an area bound by the following points: 40°51′43.5″ N. 073°47′36.3″ W.; thence to 40°52′12.2″ N. 073°47′13.6″ W.; thence to 40°52′02.5″ N. 073°46′47.8″ W.; thence to 40°51′32.3″ N. 073°47′09.9″ W. (NAD 1983), thence to the point of origin. • Date: June 29, 2017. • Time: 9:00 p.m.–10:00 p.m.
2. Fort Hamilton Safety Zone, 33 CFR 165.160(2.14)	• Launch site: A barge located in approximate position 40°36′00″ N. 074°01′42.5″ W. (NAD 1983) approximately 1400 yards southeast of the Verrazano-Narrows Bridge. This Safety Zone is a 240-yard radius from the barge. • Date: July 1, 2017. • Time: 9:30 p.m.–10:15 p.m.
3. Glen cove, Hempstead Harbor Safety Zone, 33 CFR 165.160(3.8)	• Launch site: A barge located in approximate position 40°51′58″ N. 073°39′34″ W. (NAD 1983) approximately 500 yards northeast of Glen Cove Breakwater Light 5 (LLNR 27065). This Safety Zone is a 360-yard radius from the barge. • Date: July 4, 2017. • Time: 9:00 p.m.–10:00 p.m.
4. Ellis Island Safety Zone, 33 CFR 165.160(2.2)	• Launch site: A barge located between Federal Anchorages 20–A and 20–B, in approximate position 40°41′45″ N. 074°02′09″ W. (NAD 1983) about 365 yards east of Ellis Island. This Safety Zone is a 360-yard radius from the barge. • Date: July 6, 2017. • Time: 9:00 p.m.–10:00 p.m.
5. Ellis Island Safety Zone, 33 CFR 165.160(2.2)	• Launch site: A barge located between Federal Anchorages 20–A and 20–B, in approximate position 40°41′45″ N. 074°02′09″ W. (NAD 1983) about 365 yards east of Ellis Island. This Safety Zone is a 360-yard radius from the barge. • Date: September 9, 2017. • Time: 8:00 p.m.–8:30 p.m.
6. Ellis Island Safety Zone, 33 CFR 165.160(2.2)	• Launch site: A barge located between Federal Anchorages 20–A and 20–B, in approximate position 40°41′45″ N. 074°02′09″ W. (NAD 1983) about 365 yards east of Ellis Island. This Safety Zone is a 360-yard radius from the barge. • Date: October 25, 2017. • Time: 9:00 p.m.–9:10 p.m.

Under the provisions of 33 CFR 165.160, vessels may not enter the safety zones unless given permission from the COTP or a designated representative. Spectator vessels may transit outside the safety zones but may not anchor, block, loiter in, or impede the transit of other vessels. The Coast Guard may be assisted by other Federal, State, or local law enforcement agencies in enforcing this regulation.

This document is issued under authority of 33 CFR 165.160(a) and 5 U.S.C. 552(a). In addition to this notification in the **Federal Register**, the Coast Guard will provide mariners with advanced notification of enforcement periods via the Local Notice to Mariners and marine information broadcasts. If the COTP determines that a safety zone need not be enforced for the full duration stated in this notice, a Broadcast Notice to Mariners may be used to grant general permission to enter the safety zone.

Dated: May 24, 2017.

M.H. Day,

Captain, U.S. Coast Guard, Captain of the Port New York.

[FR Doc. 2017–12113 Filed 6–12–17; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2017–0491]

Safety Zones; Recurring Fireworks Displays Within the Fifth Coast Guard District

AGENCY: Coast Guard, DHS.

ACTION: Notice of enforcement of regulation.

SUMMARY: The Coast Guard will enforce safety zones for the Town of Chesapeake Beach fireworks display taking place over the Chesapeake Bay, Chesapeake Beach, MD, on July 2, 2017 and the Havre de Grace 4th of July Celebration fireworks display taking place over the Susquehanna River, Havre de Grace, MD, on July 2, 2017. During the enforcement periods, vessels may not enter, remain in, or transit through the safety zones unless authorized by the Captain of the Port or designated Coast Guard patrol personnel on scene. This action is necessary to ensure safety of life on navigable waters during these events.

DATES: The regulations in 33 CFR 165.506, listed as event (b.) 10, Chesapeake Bay, Chesapeake Beach, MD; Safety Zone, in the table to 33 CFR 165.506 will be enforced from 8:30 p.m. to 10:30 p.m. on July 2, 2017; and in the case of inclement weather enforcement

will be from 8:30 p.m. to 10:30 p.m. on July 3, 2017. The regulations in 33 CFR 165.506, listed as event (b.) 28, Susquehanna River, Havre de Grace, MD; Safety Zone, in the table to 33 CFR 165.506 will be enforced from 8:30 p.m. to 10:30 p.m. on July 2, 2017; and in the case of inclement weather enforcement will be from 8:30 p.m. to 10:30 p.m. on July 3, 2017.

FOR FURTHER INFORMATION CONTACT: If you have questions about this notice of enforcement, call or email Mr. Ron Houck, U.S. Coast Guard Sector Maryland-National Capital Region (WWM Division); telephone 410–576–2674, email *Ronald.L.Houck@uscg.mil.*

SUPPLEMENTARY INFORMATION: The safety zone for the Town of Chesapeake Beach fireworks display will include all waters within 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. The safety zone for the Havre de Grace 4th of July Celebration fireworks display will include all waters within a 150 yard radius of the fireworks barge in approximate position latitude 39°32′19″ N., longitude 076°04′58.3″ W.

This action is being taken to provide for the safety of life on navigable waterways during these events. As specified in § 165.506 (d), during the enforcement period, vessels may not enter, remain in, or transit through the safety zone unless authorized by the Coast Guard Captain of the Port (COTP) or designated Coast Guard patrol personnel on scene. All persons and vessels shall comply with the instructions of the COTP, Coast Guard Patrol Commander or the designated on-scene-patrol personnel. Other Federal, State and local agencies may assist these personnel in the enforcement of the safety zone. If the COTP or his designated on-scene patrol personnel determine the regulated area need not be enforced for the full duration stated in this notice, a Broadcast Notice to Mariners may be used to grant general permission to enter the regulated area.

This notice of enforcement is issued under authority of 33 CFR 165.506(d) and 5 U.S.C. 552(a). In addition to this notice of enforcement in the **Federal Register**, the Coast Guard will provide notification of this enforcement period via the Local Notice to Mariners and marine information broadcasts.

Dated: June 8, 2017.

Lonnie P. Harrison, Jr.,

Captain, U.S. Coast Guard, Captain of the Port Maryland-National Capital Region.

[FR Doc. 2017–12164 Filed 6–12–17; 8:45 am]

BILLING CODE 9110–04–P

LIBRARY OF CONGRESS

Copyright Royalty Board

37 CFR Parts 350 and 360

[Docket No. 17–CRB–0012–RM]

Procedural Regulations for the Copyright Royalty Board Regarding Electronic Filing of Claims

AGENCY: Copyright Royalty Board, Library of Congress.

ACTION: Final rule.

SUMMARY: The Copyright Royalty Judges are amending regulations governing claims to royalty fees deposited with the Copyright Office under compulsory licenses to reflect implementation of a new electronic filing system and to consolidate cable and satellite rules.

DATES: Effective June 13, 2017.

FOR FURTHER INFORMATION CONTACT: Kimberly Whittle, Attorney Advisor, by telephone at (202) 707–7658 or email at *crb@loc.gov.*

SUPPLEMENTARY INFORMATION:

I. Introduction

On March 17, 2017, the Copyright Royalty Judges (Judges) published a notice in the **Federal Register** seeking comments on proposed amendments to regulations relating to an automated system, designated eCRB.[1] The proposed regulations addressed electronic filing of claims to royalty fees deposited with the Copyright Office for compulsory licenses. The Judges received comments from the following interested parties: The Allocation Phase Parties;[2] the Joint Sports Claimants (JSC);[3] the MPAA-Represented Program Suppliers (Program Suppliers);[4] the Performing Rights Organizations (PROs);[5] and Screenrights International (Screenrights).[6]

II. Comments on Proposed Rules and Judges' Findings

The Judges address the comments on a section-by-section basis. The Judges will adopt without change those sections upon which no interested party commented.[7]

Section 360.4—Form and Content of Claims

Each of the comments the Judges received addressed this section. All of the commenters opposed proposed language that would have required parties filing joint claims to identify a qualifying secondary transmission of a work for each copyright owner listed in a joint claim. *See, e.g.,* Comments of the Allocation Phase Parties at 1–4; JSC Comments at 1; Program Suppliers Comments at 3–4; PROs Comments at 4–6; Screenrights Comments at 1. Two commenters sought clarification that § 360.4(b)(2)(ii) does not require the filer of a joint claim to include a separate statement from each copyright owner confirming the filer's authorization to act on the copyright owner's behalf. *See* Comments of the Allocation Phase Parties at 6–7; Program Suppliers Comments at 2–3. In addition, the Program Suppliers proposed that the special relief granted to performing rights organizations in § 360.4(b)(2)(i) and (ii) be extended to ''collective management organizations'' such as AGICOA, EGEDA, and Screenrights. *See* Program Suppliers Comments at 4–7.[8]

The Allocation Phase Parties described the burden on claimants and filers of requiring identification of a qualifying transmission for a work of each copyright owner listed in a joint claim, both in terms of labor and monetary expense. ''For example, the

[1] *See* 82 FR 14167.

[2] ''The Allocation Phase Parties are Program Suppliers, Joint Sports Claimants, Commercial Television Claimants, Public Broadcasting Service, American Society of Composers, Authors and Publishers, Broadcast Music, Inc., SESAC, Inc., Settling Devotional Claimants, Canadian Claimants Group, and National Public Radio.'' Comments of the Allocation Phase Parties at 1 n1.

[3] The JSC is comprised of Office of the Commissioner of Baseball, National Football League, National Basketball Association, Women's National Basketball Association, National Hockey League, and the National Collegiate Athletic Association. JSC Comments at 1 n.1.

[4] The Program Suppliers are comprised of The Motion Picture Association of America, Inc., its member companies and ''other producers and/or distributors of syndicated series, movies, specials, and non-team sports broadcast by television stations.'' Program Suppliers Comments at 1.

[5] The PROs consist of the American Society of Composers, Authors and Publishers, Broadcast Music, Inc., and SESAC, Inc.

[6] ''Screenrights International is a division of the Audio-Visual Copyright Society Pty Ltd trading as Screenrights the Australian based collecting society.'' Screenrights Comments at 1.

[7] The Judges received no comments, apart from technical corrections, on the following sections in the NPRM: §§ 350.5(c)(3), 360.1, 360.2, 360.3, 360.5, 360.20, 360.21, 360.23, 360.24, 360.31, and 360.32. The Judges have incorporated in the final rule all technical corrections to these provisions identified in the comments.

[8] Several commenters also suggested nonsubstantive, technical corrections to this section. The Judges find all of those suggestions to have merit and have included them in the final rule.

last time one of the Allocation Phase Parties . . . undertook such a task, it expended approximately 300 hours annually to identify secondary transmissions . . . . [F]or many copyright owners' claims it would require merging commercially available and expensive broadcast programming databases with cable carriage data . . . .'' Comments of the Allocation Phase Parties at 3. The Allocation Phase Parties also noted that the Copyright Office had considered and ultimately rejected the same requirement in 1994. *Id.* at 2–3. In the face of unanimous opposition from interested parties, the Copyright Office concluded that ''requiring identification of a secondary transmission for each joint claimant would add in some cases a substantial burden and cost to joint claimants without yielding an appreciable return in administrative efficiency.'' *Id.* at 3 (quoting Final Regulations, Copyright Arbitration Royalty Panels, 59 FR 63025–63028 (Dec. 7, 1994)).

Identifying only a single secondary transmission on a joint claim has very little utility for the Judges. The Judges proposed requiring identification of secondary transmissions for each joint claimant at the claims-filing stage in order to improve the efficiency of distribution proceedings by screening out invalid claims at the earliest possible point in the claims distribution process. The Judges must weigh the potential improvement of administrative efficiency against the cost of compliance on some claimants, and the potential for deterring the filing of meritorious claims. On balance, the Judges find that the burden outweighs the benefit and will not include the proposed requirement in the final rule. Moreover, given the extremely limited value of identifying a single secondary transmission on a joint claim, the Judges will eliminate that existing requirement as well.[9]

Similar considerations apply to § 360.4(b)(2)(ii). The language the Judges proposed was intended to elicit information from joint claimants regarding their authorization to file claims on behalf of each of the copyright owners listed in the claim. Again, the Judges were seeking to improve the efficiency of distribution proceedings by screening out invalid claims at the earliest possible point in the distribution process. The Judges recognize that the proposal would impose additional cost on some claimants, potentially deterring them from filing meritorious claims. Consequently, the Judges will omit the proposed the language concerning authorization from the final rule. The Judges will rely instead on the filer's declaration and certification regarding the filer's authority and the veracity of the claim.

The Program Suppliers have proposed that the Judges extend to collective management organizations (CMOs) the existing language that exempts performing rights organizations from the requirement to identify each of the copyright owners covered by a joint claim. The Program Suppliers argued that ''CMOs are distinct from other non-PRO claimants in that they are government-authorized, non-profit entities typically regulated by their native national legislation, and are specifically created to administer audiovisual rights and/or collect royalties on behalf of thousands of rights owners based in their respective countries or regions . . . . Within the context of retransmission royalties, CMOs therefore are similarly situated as PROs.'' Program Suppliers Comments at 5–6.

This is a new proposal that has not been reviewed or commented upon by any interested parties (other than the Program Suppliers). The administrative record is limited to a brief discussion in the Program Suppliers Comments. The Judges are not prepared to extend the existing exemption to a potentially broad group of entities on this basis. The final rule will not include the Program Suppliers' proposal.

Section 360.22—Form and Content of Claims

The PROs urged the Judges to revise this provision to permit filers of joint claims to submit a list of joint claimants in electronic form. PROs Comments at 7. The PROs ''anticipate[d]''—correctly—that eCRB will accommodate lists of claimants in electronic format, and seek express acknowledgement in the regulation. In addition, the PROs sought language that would permit parties filing joint claims by mail or hand delivery to provide claimant lists on a CD or other electronic format.

Claims filed through eCRB are entirely electronic. eCRB will permit a person filing a joint claim to list up to ten claimants in the webform. For joint claims with more than ten claimants, the filer will be permitted to attach a separate electronic file that lists the claimants. Proposed § 360.4(b)(2)(i) already reflects this eCRB innovation. The Judges will modify proposed § 360.22 to reflect this as well.

In addition, the Judges find the PROs' proposal to permit parties filing joint claims by mail or hand delivery to provide claimant lists on a CD or other electronic format to be reasonable and likely to improve administrative efficiency. The Judges will therefore include this proposal in both the final rule for cable and satellite claims (§ 360.4) and the final rule for DART claims (§ 360.22).

Section 360.30—Amendment of Claims

The Allocation Phase Parties and the Program Suppliers urged the Judges to permit amendment of claims after the claims-filing deadline without requiring the claimant to file a motion with the Judges. *See* Comments of the Allocation Phase Parties at 4–6; Program Suppliers Comments at 7–8. As proposed, § 360.30 would permit claimants to amend claims prior to the claims filing deadline by filing a Notice of Amendment. In the proposed rule, after the statutory claims filing period claimants would be required to file a motion with the Judges demonstrating good cause and lack of prejudice to other claimants.

The Allocation Phase Parties noted that ''[t]he only elements of a claim subject to being amended are those relating to the 'general statement of the nature of the works' being claimed and to the example of a secondary transmission of one of the copyright owner's works establishing the basis of the claim.'' Comments of the Allocation Phase Parties at 5 (citations and footnote omitted).[10] They argued that ''amendments of those portions of a claim should be allowed as of right at any time.'' *Id.* The Program Suppliers pointed out that, as drafted, the regulation would require a claimant to file a motion to fix typographical and other nonsubstantive errors after the claims deadline. Program Suppliers Comments at 7. In addition, they noted that ''the Judges typically do not establish docket numbers or official service lists for cable or satellite royalty distribution proceedings until months (or even years) after royalty claims are filed'' making it difficult for claimants to file motions with the Judges. *Id.* at 7–8.

The Allocation Phase Parties' assertion is mistaken: There are other elements of a claim that may be amended. For example, while the proposed regulation would prohibit

[9] In order to maintain consistency for single and joint claimants, the Judges will eliminate the requirement to identify a secondary transmission from both single and joint claims.

[10] The Allocation Phase Parties also note, correctly, that under the proposal claimants are *required* to update contact information for the filer and copyright owner(s) and are *prohibited* from adding additional claimants after the claims filing deadline.

filers from adding additional claimants to a joint claim, it would allow a filer to strike claimants that have been included in error. Filers might also need to amend a claim to correct an erroneous corporate name or to reflect a corporate acquisition or name change. In addition, the Allocation Phase Parties failed to note those elements of a claim to DART royalties, such as the list and category of interested copyright parties and identification of the subfund in which they claim, that are not addressed by the final sentence of § 360.30.

Nevertheless, the Allocation Phase Parties are correct in pointing out that the regulations should allow certain amendments as of right after the claims filing deadline. In addition, the Program suppliers are correct in pointing out practical difficulties in filing a motion to amend a claim prior to the initiation of a distribution proceeding.[11]

The final regulation will permit amendment to filed claims prior to the claims filing deadline as of right. It will also permit amendment to filed claims after the claims filing deadline as of right, provided that the amendment is limited to correcting the general description of the nature of the work, fixing typographical or other nonsubstantive errors in other portions of the claim, or striking a claimant that was erroneously included in a joint claim. The Judges will address the procedure for making any other amendments to filed claims in a separate rulemaking at a later date and after further study.

Having considered all comments from interested parties, the Judges adopt as final rules the changes and additions to 37 CFR parts 350 and 360 detailed in this Final Rule.

Final Regulations

List of Subjects

37 CFR Part 350

Administrative practice and procedure, Claims, Copyright, Electronic filing.

37 CFR Part 360

Administrative practice and procedure, Cable royalties, Claims, Copyright, Electronic filing, Satellite royalties.

For the reasons set forth in the preamble, we amend parts 350 and 360 of Title 37 of the Code of Federal Regulations as follows:

PART 350—GENERAL ADMINISTRATIVE PROVISIONS

■ 1. The authority citation for part 350 continues to read as follows:

Authority: 17 U.S.C. 803.

■ 2. Amend § 350.5 by adding paragraph (c)(3) to read as follows:

§ 350.5 Electronic filing system (eCRB).

* * * * *

(c) * * *

(3) *Claimants.* Any person desiring to file a claim with the Copyright Royalty Board for copyright royalties may obtain an eCRB password for the limited purpose of filing claims by completing the application form available on the CRB Web site.

* * * * *

■ 3. Revise part 360 to read as follows:

PART 360—FILING OF CLAIMS TO ROYALTY FEES COLLECTED UNDER COMPULSORY LICENSE

Subpart A—Cable and Satellite Claims

Sec.
360.1 General.
360.2 Definitions.
360.3 Time of filing.
360.4 Form and content of claims.
360.5 Copies of claims.

Subpart B—Digital Audio Recording Devices and Media (DART) Royalty Claims

360.20 General.
360.21 Time of filing.
360.22 Form and content of claims.
360.23 Copies of claims.
360.24 Content of notices regarding independent administrators.

Subpart C—Rules of General Application

360.30 Amendment of claims.
360.31 Withdrawal of claims.
360.32 Reinstatement of previously withdrawn claims.

Authority: 17 U.S.C. 801, 803, 805.

Subpart A also issued under 17 U.S.C. 111(d)(4) and 119(b)(4).

Subpart B also issued under 17 U.S.C. 1007(a)(1).

Subpart C also issued under 17 U.S.C. 111(d)(4), 119(b)(4) and 1007(a)(1).

Subpart A—Cable and Satellite Claims

§ 360.1 General.

This subpart prescribes procedures under 17 U.S.C. 111(d)(4)(A) and 17 U.S.C. 119(b)(4) whereby parties claiming entitlement to cable compulsory license royalty fees or satellite compulsory license royalty fees must file claims with the Copyright Royalty Board.

§ 360.2 Definitions.

For purposes of this subpart, the following definitions will apply:

Cable compulsory license royalty fees means royalty fees deposited with the Copyright Office pursuant to 17 U.S.C. 111.

Performing rights society has the meaning set forth in 17 U.S.C. 101.

Satellite compulsory license royalty fees means royalty fees deposited with the Copyright Office pursuant to 17 U.S.C. 119.

§ 360.3 Time of filing.

(a) During the month of July each year, any party claiming to be entitled to cable compulsory license royalty fees or satellite compulsory license royalty fees for secondary transmissions during the preceding calendar year must file a claim or claims with the Copyright Royalty Board. No party will receive royalty fees for secondary transmissions during the specified period unless the party has filed a timely claim to the fees. Claimants may file claims jointly or as a single claim. Claimants must file separate claims for cable compulsory license royalty fees and satellite compulsory license royalty fees. The Copyright Royalty Board will reject any claim that purports to be for both cable and satellite royalty fees.

(b) Claims filed with the Copyright Royalty Board will be considered timely filed only if they are filed online through eCRB or by mail or hand delivery in accordance with § 301.2 during the month of July, as determined in accordance with § 350.7.

(c) Notwithstanding paragraphs (a) and (b) of this section, in any year in which July 31 falls on a Saturday, Sunday, holiday, or other nonbusiness day within the District of Columbia or the Federal Government, the due date for claims to cable or satellite compulsory license royalty fees will be the first business day in August.

(d) In the event the Copyright Royalty Board does not receive a claim that was properly addressed and mailed, the filer may prove proper filing of the claim if it was sent by certified mail return receipt requested, and the filer produces a receipt bearing a July date stamp of the United States Postal Service. The Copyright Royalty Board will accept no other offer of proof in lieu of the return receipt.

(e) For claims filed electronically through eCRB, the Copyright Royalty Board will accept the confirmation email generated by eCRB as proof of filing. The Copyright Royalty Board will accept no other offer of proof regarding claims filed electronically through eCRB.

[11] The eCRB system will establish a docket number for distribution proceedings concurrently with the filing of the first claim in each category. Assignment of the docket number alone, however, will not trigger filing Petitions to Participate, which are the source documents for lists of participants requiring notice of proceeding activities.

§ 360.4 Form and content of claims.

(a) *Forms.* (1) Each filer must use the form prescribed by the Copyright Royalty Board to claim cable compulsory license royalty fees or satellite compulsory license royalty fees and must provide all information required by that form and its accompanying instructions.

(2) Copies of claim forms are available:

(i) On the Copyright Royalty Board Web site at *http://www.crb.gov/claims/* during the month of July for claims filed with the Copyright Royalty Board by mail or by hand delivery;

(ii) On the Copyright Royalty Board Web site at *http://www.crb.gov/cable/* (for cable claims) or *http://www.crb.gov/satellite/* (for satellite claims) during the month of July for claims filed online through eCRB; and

(iii) Upon request to the Copyright Royalty Board by mail at the address set forth in § 301.2(a), by email at the address set forth in § 301.2(d), or by telephone at (202) 707–7658.

(b) *Content*—(1) *Single claim.* A claim filed on behalf of a single copyright owner of a work or works secondarily transmitted by a cable system or satellite carrier must include the following information:

(i) The full legal name, address, and email address of the copyright owner entitled to claim the royalty fees.

(ii) A statement of the nature of the copyright owner's work(s) that has (have) been secondarily transmitted by a cable system or satellite carrier establishing a basis for the claim.

(iii) The name, telephone number, full mailing address, and email address of the person or entity filing the single claim. The information contained in a filer's eCRB profile shall fulfill this requirement for claims submitted through eCRB.

(iv) The name, telephone number, and email address of the person whom the Copyright Royalty Board can contact regarding the claim.

(v) An original signature of the copyright owner or of a duly authorized representative of the copyright owner, except for claims filed online through eCRB.

(vi) A declaration of authority to file the claim and a certification of the veracity of the information contained in the claim and the good faith of the person signing in providing the information. Penalties for fraud and false statements are provided under 18 U.S.C. 1001 *et seq.*

(2) *Joint claim.* A claim filed on behalf of more than one copyright owner whose works have been secondarily transmitted by a cable system or satellite carrier must include the following information:

(i) With the exception of joint claims filed by a performing rights society on behalf of its members, a list including the full legal name, address, and email address of each copyright owner whose claim(s) are included in the joint claim. Claims filed online through eCRB must include an Excel spreadsheet containing the information if the number of joint claimants is in excess of ten. For claims filed by mail or hand delivery, the list containing the name of each claimant to the joint claim may be provided in a single Excel spreadsheet on CD, DVD, or other electronic storage medium.

(ii) A general statement of the nature of the copyright owners' works that have been secondarily transmitted by a cable system or satellite carrier establishing a basis for the joint claim.

(iii) The name, telephone number, full mailing address, and email address of the person or entity filing the joint claim. The information contained in a filer's eCRB profile shall fulfill this requirement for claims submitted through eCRB.

(iv) The name, telephone number, and email address of a person whom the Copyright Royalty Board can contact regarding the claim.

(v) Original signatures of the copyright owners identified on the joint claim or of a duly authorized representative or representatives of the copyright owners, except for claims filed online through eCRB.

(vi) A declaration of authority to file the claim and a certification of the veracity of the information contained in the claim and the good faith of the person signing in providing the information. Penalties for fraud and false statements are provided under 18 U.S.C. 1001 *et seq.*

(c) *Changes.* In the event the legal name and/or address of the copyright owner entitled to royalties or the person or entity filing the claim changes after the filing of the claim, the filer or the copyright owner shall notify the Copyright Royalty Board of the change. Any other proposed changes or amendments must be submitted in accordance with 37 CFR 360.30. If the good faith efforts of the Copyright Royalty Board to contact the copyright owner or filer are frustrated because of outdated or otherwise inaccurate contact information, the claim may be subject to dismissal. A person or entity that filed a claim online through eCRB must notify the Copyright Royalty Board of any change of name or address by updating the eCRB profile for that person or entity through eCRB as required by 37 CFR 350.5(g).

§ 360.5 Copies of claims.

Following the instructions outlined in 37 CFR 301.2, a claimant must file an original and one copy of the claim to cable or satellite compulsory license royalty fees at the address(es) listed for each claim submitted to the Copyright Royalty Board by hand delivery or by U.S. mail.

Subpart B—Digital Audio Recording Devices and Media (DART) Royalty Claims

§ 360.20 General.

This subpart prescribes procedures whereby an interested copyright party, as defined in 17 U.S.C. 1001(7), claiming to be entitled to royalty payments made for the importation and distribution in the United States, or the manufacture and distribution in the United States, of digital audio recording devices and media (DART) pursuant to 17 U.S.C. 1006, shall file claims with the Copyright Royalty Board.

§ 360.21 Time of filing.

(a) *General.* During January and February of each year, every interested copyright party claiming to be entitled to DART royalty payments made for quarterly periods ending during the previous calendar year must file a claim with the Copyright Royalty Board. Claimants may file claims jointly or as a single claim.

(b) *Consequences of an untimely filing.* No royalty payments for the previous calendar year will be distributed to any interested copyright party who has not filed a claim to those royalty payments during January or February of the following calendar year.

(c) *Authorization.* Any organization or association acting as a common agent for collection and distribution of DART royalty fees must obtain from its members or affiliates separate, specific, and written authorization, signed by members, affiliates, or their representatives, apart from their standard affiliation agreements, for purposes of royalties claim filing and fee distribution relating to the DART Musical Works Fund or Sound Recordings Fund. The written authorization, however, will not be required for claimants to the Musical Works Fund when either:

(1) The agreement between the organization or association and its members or affiliates specifically authorizes the entity to represent its members or affiliates as a common agent before the Copyright Royalty Board in royalty claims filing and fee distribution proceedings; or

(2) The agreement between the organization or association and its members or affiliates, as specified in a court order issued by a court with authority to interpret the terms of the contract, authorizes the entity to represent its members or affiliates as a common agent before the Copyright Royalty Board in royalty claims filing and fee distribution proceedings.

§ 360.22 Form and content of claims.

(a) *Forms.* (1) Each claim to DART royalty payments must be furnished on a form prescribed by the Copyright Royalty Board and must contain the information required by that form and its accompanying instructions.

(2) Copies of DART claim forms are available:

(i) On the Copyright Royalty Board's Web site at *http://www.crb.gov/claims* for claims filed with the Copyright Royalty Board by mail or by hand delivery;

(ii) On the Copyright Royalty Board's Web site at *http://www.crb.gov/dart/* during the months of January and February for claims filed online through eCRB; and

(iii) Upon request to the Copyright Royalty Board, by mail at the address set forth in § 301.2(a), by email at the address set forth in § 301.2(d), or by telephone at (202) 707–7658.

(b) *Content.* Claims filed by interested copyright parties for DART royalty payments must include the following information:

(1) The full legal name and address of the person or entity claiming royalty payments.

(2) The name, telephone number, full mailing address, and email address of the person or entity filing the claim. The information contained in a filer's eCRB profile will fulfill this requirement for claims submitted through eCRB.

(3) The name, telephone number, and email address of a person whom the Copyright Royalty Board can contact regarding the claim.

(4) A statement as to how the claimant fits within the definition of *interested copyright party.*

(5) A statement as to whether the claim is being made against the Sound Recordings Fund or the Musical Works Fund, as set forth in 17 U.S.C. 1006(b), and as to which Subfund the claim is made. The Subfunds for the Sound Recordings Fund are the Copyright Owners Subfund and the Featured Recording Artists Subfund, The Subfunds for the Musical Works Fund are the Music Publishers Subfund and the Writers Subfund, as described in 17 U.S.C. 1006(b)(1) through (2).

(6) Identification, establishing a basis for the claim, of at least one musical work or sound recording embodied in a digital musical recording or an analog musical recording lawfully made under title 17 of the United States Code that has been distributed (as that term is defined in 17 U.S.C. 1001(6)), and that, during the period to which the royalty payments claimed pertain, has been:

(i) Distributed (as that term is defined in 17 U.S.C. 1001(6)) in the form of digital musical recordings or analog musical recordings; or

(ii) Disseminated to the public in transmissions.

(7) A declaration of the authority to file the claim and of the veracity of the information contained in the claim and the good faith of the person signing in providing the information. Penalties for fraud and false statements are provided under 18 U.S.C. 1001 *et seq.*

(c) *Signature.* Claims must bear the original signature of the claimant or of a duly authorized representative of the claimant, except for claims filed online through eCRB.

(d) *Changes.* In the event that the legal name and/or address of the claimant changes after the filing of the claim, the claimant must notify the Copyright Royalty Board of the change. Any other proposed changes or amendments must be submitted in accordance with 37 CFR 360.30. If the good faith efforts of the Copyright Royalty Board to contact the claimant are frustrated because of failure to notify the Copyright Royalty Board of a name and/or address change, the claim may be subject to dismissal. A person or entity that filed a claim online through eCRB must notify the Copyright Royalty Board of any change of name or address by updating that person or entity's eCRB profile as required by § 350.5(g).

(e) *List of claimants.* If the claim is a joint claim, it must include the name of each claimant participating in the joint claim. Filers submitting joint claims online through eCRB on behalf of ten or fewer claimants, must list claimant information directly on the filed joint claim. Filers submitting joint claims on behalf of more than ten claimants must include an Excel spreadsheet listing the full legal name, address, and email address of each claimant included in the joint claim. For joint claims filed by mail or hand delivery, the filer may submit the list containing the name of each claimant included in the joint claim in a single Excel spreadsheet on CD, DVD, or other electronic storage medium.

(f) *Subfunds.* If an interested copyright party intends to file claims against more than one Subfund, each Subfund claim must be filed separately with the Copyright Royalty Board. The Copyright Royalty Board will reject any claim that purports to claim funds from more than one Subfund.

§ 360.23 Copies of claims.

Following the instructions outlined in 37 CFR 301.2, a claimant must file an original and one copy of the claim to DART royalty fees at the address(es) listed for each claim submitted to the Copyright Royalty Board by hand delivery or by U.S. mail.

§ 360.24 Content of notices regarding independent administrators.

(a) The independent administrator jointly appointed by the interested copyright parties, as defined in 17 U.S.C. 1001(7)(A), and the American Federation of Musicians (or any successor entity) for the purpose of managing and ultimately distributing royalty payments to nonfeatured musicians as defined in 17 U.S.C. 1006(b)(1), must file a notice informing the Copyright Royalty Board of his/her appointment.

(b) The independent administrator jointly appointed by the interested copyright parties, as defined in 17 U.S.C. 1001(7)(A) and the American Federation of Television and Radio Artists (or any successor entity) for the purpose of managing and ultimately distributing royalty payments to nonfeatured vocalists as defined in 17 U.S.C. 1006(b)(1), must file a notice informing the Copyright Royalty Board of his/her appointment.

(c) A notice filed under paragraph (a) or (b) of this section must include the full name, telephone number, mailing address, and email address of the place of business of the independent administrator.

(d) The independent administrator must file the notices identified in paragraphs (a) and (b) of this section through eCRB no later than March 31 of each year, commencing with March 31, 2018.

Subpart C—Rules of General Application

§ 360.30 Amendment of claims.

Any claimant may amend a filed claim as of right by filing a Notice of Amendment during the statutory period for filing annual claims. After the expiration of the time for filing claims, a claimant may amend a filed claim as of right to correct the general description of the nature of the claimant's work(s), to fix typographical or other nonsubstantive errors in other portions of the claim, or to strike a claimant or interested copyright party

that was erroneously included in a joint claim. No filer may amend a filed claim to add additional claimants or interested copyright parties after the expiration of the time for filing claims.

§ 360.31 Withdrawal of claims.

Any claimant may withdraw its claim for any royalty year as of right by filing a Notice of Withdrawal of Claim(s). If a single claimant filed a Petition to Participate in a proceeding, withdrawal of the claim shall serve to dismiss the Petition to Participate. If the claimant withdrawing a claim was included on the Petition to Participate of another entity, withdrawal of the claim shall not affect the Petition to Participate as to other claims listed thereon.

§ 360.32 Reinstatement of previously withdrawn claims.

Once a claimant has withdrawn a claim, that claim may be reinstated only by order of the Copyright Royalty Judges, on motion showing good cause and lack of prejudice to other claimants to the applicable year's royalty funds.

Dated: May 26, 2017.

Suzanne M. Barnett,

Chief Copyright Royalty Judge.

Approved by:

Carla D. Hayden,

Librarian of Congress.

[FR Doc. 2017–12114 Filed 6–12–17; 8:45 am]

BILLING CODE 1410–72–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[EPA–HQ–OPP–2013–0467; FRL–9961–68]

Cumene Sulfonic Acid and Its Ammonium, Calcium, Magnesium, Potassium, Sodium and Zinc Salts; Exemption From the Requirement of a Tolerance

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This regulation establishes an exemption from the requirement of a tolerance for residues of cumene sulfonic acid and its ammonium, calcium, magnesium, potassium, sodium and zinc salts when used as an inert ingredient (surfactants, related adjuvants of surfactants) in pesticide formulations applied to growing crops and to animals. Huntsman Petrochemical LLC submitted a petition to EPA under the Federal Food, Drug, and Cosmetic Act (FFDCA), requesting establishment of an exemption from the requirement of a tolerance. This regulation eliminates the need to establish a maximum permissible level for residues of cumene sulfonic acid and its ammonium, calcium, magnesium, potassium, sodium and zinc salts when applied or used under these conditions.

DATES: This regulation is effective June 13, 2017. Objections and requests for hearings must be received on or before August 14, 2017, and must be filed in accordance with the instructions provided in 40 CFR part 178 (see also Unit I.C. of the **SUPPLEMENTARY INFORMATION**).

ADDRESSES: The docket for this action, identified by docket identification (ID) number EPA–HQ–OPP–2013–0467, is available at *http://www.regulations.gov* or at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), West William Jefferson Clinton Bldg., Rm. 3334, 1301 Constitution Ave. NW., Washington, DC 20460–0001. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566–1744, and the telephone number for the OPP Docket is (703) 305–5805. Please review the visitor instructions and additional information about the docket available at *http://www.epa.gov/dockets.*

FOR FURTHER INFORMATION CONTACT: Michael Goodis, Registration Division (7505P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460–0001; main telephone number: (703) 305–7090; email address: *RDFRNotices@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. The following list of North American Industrial Classification System (NAICS) codes is not intended to be exhaustive, but rather provides a guide to help readers determine whether this document applies to them. Potentially affected entities may include:

- Crop production (NAICS code 111).
- Animal production (NAICS code 112).
- Food manufacturing (NAICS code 311).
- Pesticide manufacturing (NAICS code 32532).

B. How can I get electronic access to other related information?

You may access a frequently updated electronic version of 40 CFR part 180 through the Government Printing Office's e-CFR site at *http://www.ecfr.gov/cgi-bin/text-idx?&c=ecfr&tpl=/ecfrbrowse/Title40/40tab_02.tpl*

C. How can I file an objection or hearing request?

Under FFDCA section 408(g), 21 U.S.C. 346a, any person may file an objection to any aspect of this regulation and may also request a hearing on those objections. You must file your objection or request a hearing on this regulation in accordance with the instructions provided in 40 CFR part 178. To ensure proper receipt by EPA, you must identify docket ID number EPA–HQ–OPP–2013–0467 in the subject line on the first page of your submission. All objections and requests for a hearing must be in writing, and must be received by the Hearing Clerk on or before August 14, 2017. Addresses for mail and hand delivery of objections and hearing requests are provided in 40 CFR 178.25(b).

In addition to filing an objection or hearing request with the Hearing Clerk as described in 40 CFR part 178, please submit a copy of the filing (excluding any Confidential Business Information (CBI)) for inclusion in the public docket. Information not marked confidential pursuant to 40 CFR part 2 may be disclosed publicly by EPA without prior notice. Submit the non-CBI copy of your objection or hearing request, identified by docket ID number EPA–HQ–OPP–2013–0467, by one of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be CBI or other information whose disclosure is restricted by statute.
- *Mail:* OPP Docket, Environmental Protection Agency Docket Center (EPA/DC), (28221T), 1200 Pennsylvania Ave. NW., Washington, DC 20460–0001.
- *Hand Delivery:* To make special arrangements for hand delivery or delivery of boxed information, please follow the instructions at *http://www.epa.gov/dockets/contacts.html.* Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at *http://www.epa.gov/dockets.*

II. Petition for Exemption

In the **Federal Register** of July 19, 2013 (78 FR 43115) (FRL–9392–9), EPA issued a document pursuant to FFDCA section 408, 21 U.S.C. 346a, announcing the filing of a pesticide petition (*PP* IN–10565) by Huntsman Corp., 8600 Gosling Rd., The Woodlands, TX 77381. The petition requested that 40 CFR 180.920 and 180.930 be amended by establishing an exemption from the requirement of a tolerance for residues of cumene sulfonic acid and its ammonium, calcium, magnesium, potassium, sodium and zinc salts (CAS Reg. Nos. 15763–76–5, 16066–35–6, 164524–02–1, 28085–69–0, 28348–53–0, 28631–63–2, 32073–22–6, 37475–88–0, 37953–05–2, and 90959–88–9) when used as an inert ingredient (surfactant, related adjuvants of surfactants) in pesticide formulations applied to growing crops and to animals. That document referenced a summary of the petition prepared by Huntsman Corp., the petitioner, which is available in the docket, *http://www.regulations.gov.* There were no comments received in response to the notice of filing.

III. Inert Ingredient Definition

Inert ingredients are all ingredients that are not active ingredients as defined in 40 CFR 153.125 and include, but are not limited to, the following types of ingredients (except when they have a pesticidal efficacy of their own): Solvents such as alcohols and hydrocarbons; surfactants such as polyoxyethylene polymers and fatty acids; carriers such as clay and diatomaceous earth; thickeners such as carrageenan and modified cellulose; wetting, spreading, and dispersing agents; propellants in aerosol dispensers; microencapsulating agents; and emulsifiers. The term ''inert'' is not intended to imply nontoxicity; the ingredient may or may not be chemically active. Generally, EPA has exempted inert ingredients from the requirement of a tolerance based on the low toxicity of the individual inert ingredients.

IV. Aggregate Risk Assessment and Determination of Safety

Section 408(c)(2)(A)(i) of FFDCA allows EPA to establish an exemption from the requirement for a tolerance (the legal limit for a pesticide chemical residue in or on a food) only if EPA determines that the tolerance is ''safe.'' Section 408(b)(2)(A)(ii) of FFDCA defines ''safe'' to mean that ''there is a reasonable certainty that no harm will result from aggregate exposure to the pesticide chemical residue, including all anticipated dietary exposures and all other exposures for which there is reliable information.'' This includes exposure through drinking water and in residential settings, but does not include occupational exposure. Section 408(b)(2)(C) of FFDCA requires EPA to give special consideration to exposure of infants and children to the pesticide chemical residue in establishing a tolerance and to ''ensure that there is a reasonable certainty that no harm will result to infants and children from aggregate exposure to the pesticide chemical residue . . .''

EPA establishes exemptions from the requirement of a tolerance only in those cases where it can be clearly demonstrated that the risks from aggregate exposure to pesticide chemical residues under reasonably foreseeable circumstances will pose no appreciable risks to human health. In order to determine the risks from aggregate exposure to pesticide inert ingredients, the Agency considers the toxicity of the inert in conjunction with possible exposure to residues of the inert ingredient through food, drinking water, and through other exposures that occur as a result of pesticide use in residential settings. If EPA is able to determine that a finite tolerance is not necessary to ensure that there is a reasonable certainty that no harm will result from aggregate exposure to the inert ingredient, an exemption from the requirement of a tolerance may be established.

Consistent with FFDCA section 408(c)(2)(A), and the factors specified in FFDCA section 408(c)(2)(B), EPA has reviewed the available scientific data and other relevant information in support of this action. EPA has sufficient data to assess the hazards of and to make a determination on aggregate exposure for cumene sulfonic acid and its ammonium, calcium, magnesium, potassium, sodium and zinc salts including exposure resulting from the exemption established by this action. EPA's assessment of exposures and risks associated with cumene sulfonic acid and its ammonium, calcium, magnesium, potassium, sodium and zinc salts follows.

A. Toxicological Profile

EPA has evaluated the available toxicity data and considered their validity, completeness, and reliability as well as the relationship of the results of the studies to human risk. EPA has also considered available information concerning the variability of the sensitivities of major identifiable subgroups of consumers, including infants and children.

The toxicity of cumene sulfonic acid and its ammonium, calcium, magnesium, potassium, sodium and zinc salts was considered in an October 2005 health assessment performed by the Organization for Economic Cooperation and Development (OECD) in the Screening Information Data Set (SIDS) Initial Assessment Profile (SIAP) for the Hydrotropes Category.

The hydrotropes category covers ''toluene sulfonic acid, sodium salt,'' ''xylene sulfonic acid, sodium salt'' and ''cumene sulfonic acid, sodium salt.'' This category also includes isomeric forms (ortho, meta, and/or para) of the respective sulfonic acid salts (sodium, ammonium, calcium and potassium). OECD notes that the hydrotropes category may be initially considered as three sub-groups: The methyl, dimethyl and methylethyl benzene sulfonates, (or the toluene, xylene and cumene sulfonates). Although the counter ion will also determine the physical and chemical behavior of the compounds, the chemical reactivity and classification for this purpose is not expected to be affected by the difference in counter ion. The structures as well as the physical/chemical and toxicological properties of these chemical entities are essentially the same. The three subgroups are expected to be generally comparable and predictable in their chemical behavior (as such or in solution) and that members from one subgroup may be useful for interpolations across to other subgroups and to the hydrotropes category in general. Therefore, on this basis, data on other members of the hydrotrope category can be used in a 'read across' fashion to determine the toxicity of cumene sulfonic acid and its ammonium, calcium, magnesium, potassium, sodium and zinc salts

Cumene sulfonic acid and its salts and the structurally related hydrotropes are categorized as having low acute toxicity via the oral, dermal, and inhalation. They are not dermal irritants or dermal sensitizers and are considered slight eye irritants.

Several subchronic studies via the oral route for hydrotropes are available in the database. In two 14-day toxicity studies in mice and rats with sodium xylene sulfonate, no significant treatment related toxicity was observed at doses up to 4% in the diet (approximately 4,000 mg/kg/day) in mice. In rats, there were some mortalities which were not observed in a dose-related manner as well as losses of body weight that were attributable to palatability of the test article. These effects were not considered as adverse findings. In a repeat study in rats,

mortality was not observed at doses up to 4% in the diet. A 90-day subchronic toxicity study conducted in Wistar rats with doses of sodium xylene sulfonate up to 5% in the diet. A decrease in relative spleen weight in females, along with some clinical chemistry and hematology changes were observed at the highest dose (3,454 mg/kg/day). In a separate 90-day toxicity study in rats and mice, no treatment related effects were observed in mice and rats given sodium xylene sulfonate in the diet at 2% (approximately 2,439 and 2,467 mg/kg/day in mice and rats, respectively). In a 90-day dietary toxicity study with sodium cumene sulfonate in Wistar rats, no evidence of systemic toxicity was observed at doses up to 0.5% in the diet, equivalent to 114 mg/kg/day (corrected for purity of the test substance). Dermal toxicity studies for 17 days and 90 days duration were conducted in mice and rats. No systemic toxicity was observed in mice and rats exposed dermally to sodium xylene sulfonate at doses up to 1,620 and 500 mg/kg/day in mice and rats, respectively. The results of a 2-year dermal toxicity study showed no evidence of skin neoplasms or any other neoplasms at doses up to 727 and 240 mg/kg/day in mice and rats, respectively.

Hydrotropes were tested for their mutagenic potential in various *in vivo* and *in vitro* genotoxicity assays. Sodium xylene sulfonate gave a negative response in a mouse lymphoma assay, the Ames assay, Sister Chromatid Exchange assay, (positive at cytotoxic concentrations only), a Chromosome Aberration Test and three mouse micronucleus assays. Calcium xylene sulfonate and sodium cumene sulfonate were negative for mutagenicity in the Ames test. No evidence of tumors were observed in mice and rats treated dermally with sodium xylene sulfonate for two years at doses of 0, 60, 120 and 240 mg/kg/day for rats and 0, 182, 364 and 727 mg/kg/day for mice.

No reproductive toxicity studies are available for the hydrotropes, although available oral and dermal toxicity studies with various hydrotropes included examination of reproductive organs of both sexes. The OECD SIDS assessment included reviews of a 91-day oral rat feeding study with sodium cumene sulfonate, a 90-day feeding study with sodium xylene sulfonate (mice and rats) and the 2-year dermal studies with sodium xylene sulfonate (in mice and rats) which included examination of the reproductive organs of both sexes. There was no evidence from these studies to suggest that hydrotropes would have an adverse effect on reproductive organs by either the oral or dermal route. No developmental toxicity studies in rats and rabbits are available in the cumene sulfonic acid and its salts. However, a developmental study in rats is available for a surrogate hydrotrope, calcium xylene sulfonate. In this study the NOAEL for maternal and fetal toxicity was the highest dose tested, 3,000 mg/kg/day (936 mg/kg/day, corrected for purity of test material). Based on this information, there is no evidence to consider cumene sulfonic acid and its salts as being developmental toxicants.

Specific information on the studies received and the nature of the adverse effects caused by cumene sulfonic acid and its salts and the other members of the hydrotrupes category as well as the no-observed-adverse-effect-level (NOAEL) and the lowest-observed-adverse-effect-level (LOAEL) from the toxicity studies can be found at *http://www.regulations.gov* in document, ''Decision Document for Petition Number 1E7936; sodium xylene sulfonate Human Health Risk and Ecological Effects Assessments for Proposed Exemption from the Requirement of a Tolerance When Used as Inert Ingredients in Pesticide Formulations.'' at pp. 8–14 in docket ID number EPA–HQ–OPP–2011–0951

B. Toxicological Points of Departure/Levels of Concern

Once a pesticide's toxicological profile is determined, EPA identifies toxicological points of departure (POD) and levels of concern to use in evaluating the risk posed by human exposure to the pesticide. For hazards that have a threshold below which there is no appreciable risk, the toxicological POD is used as the basis for derivation of reference values for risk assessment. PODs are developed based on a careful analysis of the doses in each toxicological study to determine the dose at which no adverse effects are observed (the NOAEL) and the lowest dose at which adverse effects of concern are identified (the LOAEL). Uncertainty/safety factors are used in conjunction with the POD to calculate a safe exposure level—generally referred to as a population-adjusted dose (PAD) or a reference dose (RfD)—and a safe margin of exposure (MOE). For non-threshold risks, the Agency assumes that any amount of exposure will lead to some degree of risk. Thus, the Agency estimates risk in terms of the probability of an occurrence of the adverse effect expected in a lifetime. For more information on the general principles EPA uses in risk characterization and a complete description of the risk assessment process, see *http://www.epa.gov/pesticides/factsheets/riskassess.htm.*

No endpoint of concern following a single dose was identified in the available database. The Agency identified a NOAEL of 763 mg/kg/day for systemic toxicity, which was selected from an oral subchronic study. Effects observed in this study were a decrease in spleen weight in females along with some clinical chemistry and hematology changes at the LOAEL of 3,454 mg/kg/day. No adverse effects were reported in males. This study was used for chronic dietary exposure assessment. An uncertainty factor of 100X is applied (10X for interspecies extrapolation and 10X for intraspecies variability). For several reasons, no additional uncertainty factor is necessary for the use of subchronic study data for chronic exposure assessment. First there was a wide dose spread between the toxic effects seen at the LOAEL of 3,454 mg/kg/day and the NOAEL of 763 mg/kg/day. Second, the changes observed in clinical chemistry and hematological parameters were small in magnitude and no effects on organs were observed in the study. Therefore, the changes observed were not considered toxicologically significant. Finally, the NOAEL in a separate 90-day study in rats was 2,467 mg/kg/day indicating the lower NOAEL value in the selected study is an artifact of dose selection. Therefore, EPA concluded that there is no need to retain an additional uncertainty factor for use of a short-term study for long-term exposure assessment.

Based on the physicochemical data and lack of systemic toxicity in the available dermal toxicity studies, EPA concluded that there is no need to conduct quantitative dermal risk exposure assessment.

No data are available on the inhalation toxicity of cumene sulfonic acid and its salts, however, as a solid with an extremely low vapor pressure and a particle size that is not in the respirable range, the likelihood of significant inhalation exposure to the inert ingredient as a gas, vapor, or aerosol is negligible.

C. Exposure Assessment

1. *Dietary exposure from food and feed uses.* In evaluating dietary exposure to cumene sulfonic acid and its salts, EPA considered exposure under the proposed exemption from the requirement of a tolerance for use as an inert ingredient in pesticide formulations applied to growing crops and animals under the proposed exemptions from the requirement of a tolerance given at 40 CFR 180.920 and

40 CFR 180.930. EPA assessed dietary exposures from cumene sulfonic acid and its salts in food as follows:

i. *Acute exposure.* Quantitative acute dietary exposure and risk assessments are performed for a food-use pesticide chemical, if a toxicological study has indicated the possibility of an effect of concern occurring as a result of a one-day or single exposure. No such effects were identified in the toxicological studies for cumene sulfonic acid and its salts, therefore, a quantitative acute dietary exposure assessment is unnecessary.

ii. *Chronic exposure.* The chronic dietary exposure assessment for this inert ingredient utilizes the Dietary Exposure Evaluation Model Food Commodity Intake Database (DEEM–FCID), Version 3.16, which includes food consumption information from the U.S. Department of Agriculture's National Health and Nutrition Examination Survey, ''What We Eat In America'', (NHANES/WWEIA). This dietary survey was conducted from 2003 to 2008. In the absence of actual residue data, the inert ingredient evaluation is based on a highly conservative model which assumes that the residue level of the inert ingredient would be no higher than the highest established tolerance for an active ingredient on a given commodity. Implicit in this assumption is that there would be similar rates of degradation between the active and inert ingredient (if any) and that the concentration of inert ingredient in the scenarios leading to these highest of tolerances would be no higher than the concentration of the active ingredient. The model assumes 100 percent crop treated (PCT) for all crops and that every food eaten by a person each day has tolerance-level residues. A complete description of the general approach taken to assess inert ingredient risks in the absence of residue data is contained in the memorandum entitled ''Alkyl Amines Polyalkoxylates (Cluster 4): Acute and Chronic Aggregate (Food and Drinking Water) Dietary Exposure and Risk Assessments for the Inerts.'' (D361707, S. Piper, 2/25/09) and can be found at *http://www.regulations.gov* in docket ID number EPA–HQ–OPP–2008–0738.

2. *Dietary exposure from drinking water.* For the purpose of the screening level dietary risk assessment to support this request for an exemption from the requirement of a tolerance for cumene sulfonic acid and its salts, a conservative drinking water concentration value of 100 ppb based on screening level modeling was used to assess the contribution to drinking water for the chronic dietary risk assessments for parent compound. These values were directly entered into the dietary exposure model.

3. *From non-dietary exposure.* The term ''residential exposure'' is used in this document to refer to non-occupational, non-dietary exposure (*e.g.,* textiles (clothing and diapers), carpets, swimming pools, and hard surface disinfection on walls, floors, tables).

Cumene sulfonic acid and its salts may be used as inert ingredient in pesticide products that are registered for specific uses that may result in indoor or outdoor residential inhalation and dermal exposures. A screening-level residential exposure and risk assessment was completed utilizing conservative residential exposure assumptions. The Agency assessed short- and intermediate-term exposures for residential handlers that would result from low pressure handwand, hose end sprayer and trigger sprayer for outdoor scenarios of each pesticide type, herbicide, insecticide and fungicide and mopping, wiping and aerosol sprays for indoor scenarios. The Agency assessed post-application short-term dermal exposure for children and adults as well as short-term hand-to-mouth exposure for children from contact with treated lawns.

Cumene sulfonic acid and its salts may also be used as a component of personal care products. The OECD SIDS assessment estimated highest human exposures resulting from personal care product use. These exposure estimates ranged from 0.02–0.14 mg/kg/day for shampoos and hair conditioners to 0.11–0.17 mg/kg/day for liquid face and hand soaps. Exposure estimates for cleaning product use and residuals on clothing range from 0.01–0.08 mg/kg/day. All exposure evaluations included conservative (protective) input assumptions (*e.g.,* all modeled human exposures are conservative due to the use of a default assumption of 100% absorption). However, the physicochemical data and available toxicological data suggest that dermal absorption is likely to be minimal. Based on the lack of concern for dermal toxicity and the low estimates of residential exposure via the oral, dermal or inhalation routes of exposure, a quantitative residential risk assessment was not performed.

4. *Cumulative effects from substances with a common mechanism of toxicity.* Section 408(b)(2)(D)(v) of FFDCA requires that, when considering whether to establish, modify, or revoke a tolerance, the Agency consider ''available information'' concerning the cumulative effects of a particular pesticide's residues and ''other substances that have a common mechanism of toxicity.''

EPA has not found cumene sulfonic acid and its salts to share a common mechanism of toxicity with any other substances, and cumene sulfonic acid and its salts do not appear to produce a toxic metabolite produced by other substances. While there are other chemicals belonging to the cumene sulfonic acid and its salts class of chemicals (*i.e.,* the ''hydrotropes'' category) that may have a similar toxicity profile, this does not necessarily mean that all such chemicals share a common mechanism of toxicity; therefore, EPA has not assumed that cumene sulfonic acid and its salts have a common mechanism of toxicity with other substances. In any event, EPA believes that these chemicals will be used as an alternative to cumene sulfonic acid and its salts rather than in conjunction with cumene sulfonic acid and its salts and would not likely co-occur. Even if they did, the cPAD for pesticidal uses occupies only 7% of the cPAD for the general population and any potential increase in exposure to this class of chemicals will still be below any levels of concern. For information regarding EPA's efforts to determine which chemicals have a common mechanism of toxicity and to evaluate the cumulative effects of such chemicals, see EPA's Web site at *http://www.epa.gov/pesticides/cumulative.*

D. Safety Factor for Infants and Children

1. *In general.* Section 408(b)(2)(C) of FFDCA provides that EPA shall apply an additional tenfold (10X) margin of safety for infants and children in the case of threshold effects to account for prenatal and postnatal toxicity and the completeness of the database on toxicity and exposure unless EPA determines based on reliable data that a different margin of safety will be safe for infants and children. This additional margin of safety is commonly referred to as the FQPA Safety Factor (SF). In applying this provision, EPA either retains the default value of 10X, or uses a different additional safety factor when reliable data available to EPA support the choice of a different factor.

2. *Prenatal and postnatal sensitivity.* There are no reproductive toxicity studies reported for cumene sulfonic acid and its salts. However, no effects on reproductive organs were observed at very high doses in number of studies such as a 91-day oral rat feeding study with sodium cumene sulfonate, the 90-day feeding study with sodium xylene sulfonate, and the 2-year dermal studies

with sodium xylene sulfonate. Based on the above evidence, EPA concluded that cumene sulfonic acid and its salts are not likely to be a reproductive toxicant. This conclusion is in agreement with the OECD conclusion that there is no evidence to suggest that cumene sulfonic acid and its salts would have an adverse effect on reproductive organs.

In a developmental toxicity study in rats with calcium xylene sulfonate, no maternal or developmental effects were observed at doses of 3,000 mg/kg/day (equal to 936 mg/kg/day corrected for purity of test material).

There is no evidence of prenatal or postnatal sensitivity as a result of exposure to sodium xylene sulfonate.

3. *Conclusion.* EPA has determined that reliable data show the safety of infants and children would be adequately protected if the FQPA SF were reduced to 1X. That decision is based on the following findings:

i. Available studies included several 90-day toxicity studies via oral and dermal routes, chronic studies, mutagenicity battery, a developmental study in rats and metabolism studies. These studies provide an adequate characterization of cumene sulfonic acid and its salts toxicity.

ii. There is no indication that cumene sulfonic acid and its salts is a neurotoxic chemical and there is no need for a developmental neurotoxicity study or additional UFs to account for neurotoxicity.

iii. No reproductive toxicity study or developmental toxicity study are available for cumene sulfonic acid and its salts. However, the concern for increased susceptibility of infants and children exposure to cumene sulfonic acid and its salts are low because no effects on reproductive parameters were observed in various oral toxicity studies and the developmental toxicity in rats for surrogate chemical show lack of systemic toxicity at doses up to 936 mg/kg/day (as discussed under Unit IV.D.2.).

iv. No evidence of immunotoxicity was observed in the database except slightly decreased in spleen weight was observed at the LOAEL of 3,454 mg/kg/day. There are no concerns for immunotoxicity and an immunotoxicity study is not required because the slight decreases in spleen weights were observed at high doses without any evidence of histopathological findings.

v. No additional uncertainty factor is needed for the use of subchronic study data for chronic exposure assessment. The rational for this decision is provided in Unit IV.B.

vi. There are no residual uncertainties identified in the exposure databases. The dietary food exposure assessments were performed based on 100% CT and tolerance-level residues. EPA made conservative (protective) assumptions in the ground water and surface water modeling used to assess exposure to sodium xylene sulfonate in drinking water. EPA used similarly conservative assumptions to assess post-application exposure of children as well as incidental oral exposure of toddlers. These assessments will not underestimate the exposure and risks posed by cumene sulfonic acid and its salts.

E. Aggregate Risks and Determination of Safety

Determination of safety section. EPA determines whether acute and chronic dietary pesticide exposures are safe by comparing aggregate exposure estimates to the acute PAD (aPAD) and chronic PAD (cPAD). For linear cancer risks, EPA calculates the lifetime probability of acquiring cancer given the estimated aggregate exposure. Short-, intermediate-, and chronic-term risks are evaluated by comparing the estimated aggregate food, water, and residential exposure to the appropriate PODs to ensure that an adequate MOE exists.

1. *Acute risk.* An acute aggregate risk assessment takes into account acute exposure estimates from dietary consumption of food and drinking water. No adverse effect resulting from a single oral exposure was identified and no acute dietary endpoint was selected. Therefore, cumene sulfonic acid and its salts is not expected to pose an acute risk.

2. *Chronic risk.* Using the exposure assumptions described in this unit for chronic exposure, EPA has concluded that chronic exposure to cumene sulfonic acid and its salts from food and water under the proposed uses will utilize 7% of the cPAD for the U.S. population and 26% of the cPAD for children 1–2 years old, the population subgroup receiving the greatest exposure.

3. *Short-term risk.* Short-term aggregate exposure takes into account short-term residential exposure plus chronic exposure to food and water (considered to be a background exposure level). A short-term adverse effect relative to residential exposure was not identified. Short-term risk is assessed based on short-term residential exposure plus chronic dietary exposure. Because there are no short-term residential dermal exposure effects of concern and chronic dietary exposure has already been assessed under the appropriately protective cPAD (which is at least as protective as a POD that would be used to assess short-term risk), no further assessment of short-term risk is necessary, and EPA relies on the chronic dietary risk assessment for evaluating short-term risk for cumene sulfonic acid and its salts.

4. *Intermediate-term risk.* Intermediate-term aggregate exposure takes into account intermediate-term residential exposure plus chronic exposure to food and water (considered to be a background exposure level). An intermediate-term adverse effect relative to residential exposure was not identified. Intermediate-term risk is assessed based on intermediate-term residential exposure plus chronic dietary exposure. Because there are no adverse effects identified for intermediate-term residential exposure and chronic dietary exposure has already been assessed under the appropriately protective cPAD (which is at least as protective as a POD that would be used to assess intermediate-term risk), no further assessment of intermediate-term risk is necessary, and EPA relies on the chronic dietary risk assessment for evaluating intermediate-term risk for cumene sulfonic acid and its salts.

5. *Aggregate cancer risk for U.S. population.* Based upon no evidence of carcinogenicity in two adequate rodent carcinogenicity studies via the dermal route of exposure, negative response for mutagenicity in a battery of genotoxicity tests, and lack of any structural alerts for carcinogenicity, cumene sulfonic acid and its salts are not expected to pose a cancer risk to humans.

6. *Determination of safety.* Based on these risk assessments, EPA concludes that there is a reasonable certainty that no harm will result to the general population, or to infants and children from aggregate exposure to residues of cumene sulfonic acid and its ammonium, calcium, magnesium, potassium, sodium and zinc salts.

V. Analytical Enforcement Methodology

An analytical method is not required for enforcement purposes since the Agency is not establishing a numerical tolerance for residues of cumene sulfonic acid and its ammonium, calcium, magnesium, potassium, sodium and zinc salts.

VI. Conclusions

Therefore, an exemption from the requirement of a tolerance is established under 40 CFR 180.920 and 180.930 for cumene sulfonic acid and its ammonium, calcium, magnesium,

potassium, sodium and zinc salts (CAS Reg. Nos. 15763–76–5, 16066–35–6, 164524–02–1, 28085–69–0, 28348–53–0, 28631–63–2, 32073–22–6, 37475–88–0, 37953–05–2, and 90959–88–9) when used as an inert ingredient (surfactant, related adjuvant of surfactant in pesticide formulations applied to growing crops and animals.

VII. Statutory and Executive Order Reviews

This action establishes exemptions from the requirement of a tolerance under FFDCA section 408(d) in response to a petition submitted to the Agency. The Office of Management and Budget (OMB) has exempted these types of actions from review under Executive Order 12866, entitled ''Regulatory Planning and Review'' (58 FR 51735, October 4, 1993). Because this action has been exempted from review under Executive Order 12866, this action is not subject to Executive Order 13211, entitled ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355, May 22, 2001) or Executive Order 13045, entitled ''Protection of Children from Environmental Health Risks and Safety Risks'' (62 FR 19885, April 23, 1997). This action does not contain any information collections subject to OMB approval under the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 *et seq.*), nor does it require any special considerations under Executive Order 12898, entitled ''Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations'' (59 FR 7629, February 16, 1994).

Since tolerances and exemptions that are established on the basis of a petition under FFDCA section 408(d), such as the exemption in this final rule, do not require the issuance of a proposed rule, the requirements of the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*), do not apply.

This action directly regulates growers, food processors, food handlers, and food retailers, not States or tribes, nor does this action alter the relationships or distribution of power and responsibilities established by Congress in the preemption provisions of FFDCA section 408(n)(4). As such, the Agency has determined that this action will not have a substantial direct effect on States or tribal governments, on the relationship between the national government and the States or tribal governments, or on the distribution of power and responsibilities among the various levels of government or between the Federal Government and Indian tribes. Thus, the Agency has determined that Executive Order 13132, entitled ''Federalism'' (64 FR 43255, August 10, 1999) and Executive Order 13175, entitled ''Consultation and Coordination with Indian Tribal Governments'' (65 FR 67249, November 9, 2000) do not apply to this action. In addition, this action does not impose any enforceable duty or contain any unfunded mandate as described under Title II of the Unfunded Mandates Reform Act (UMRA) (2 U.S.C. 1501 *et seq.*).

This action does not involve any technical standards that would require Agency consideration of voluntary consensus standards pursuant to section 12(d) of the National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note).

VIII. Congressional Review Act

Pursuant to the Congressional Review Act (5 U.S.C. 801 *et seq.*), EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: April 27, 2017.

Michael Goodis,

Director, Registration Division, Office of Pesticide Programs.

■ Therefore, 40 CFR chapter I is amended as follows:

PART 180—[AMENDED]

■ 1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 321(q), 346a and 371.

■ 2. In § 180.920, add alphabetically the inert ingredient to the table to read as follows:

§ 180.920 Inert ingredients used pre-harvest; exemptions from the requirement of a tolerance.

* * * * *

Inert ingredients	Limits	Uses
* * * *	*	* *
Cumene sulfonic acid and its ammonium, calcium, magnesium, potassium, sodium and zinc salts (CAS Reg. Nos. 15763–76–5, 16066–35–6, 164524–02–1, 28085–69–0, 28348–53–0, 28631–63–2, 32073–22–6, 37475–88–0, 37953–05–2, and 90959–88–9).	.....	Surfactant, related adjuvant of surfactant.
* * * *	*	* *

■ 3. In § 180.930, add alphabetically the inert ingredient to the table to read as follows:

§ 180.930 Inert ingredients applied to animals; exemptions from the requirement of a tolerance.

* * * * *

Inert ingredients	Limits	Uses
* * * *	*	* *
Cumene sulfonic acid and its ammonium, calcium, magnesium, potassium, sodium and zinc salts (CAS Reg. Nos. 15763–76–5, 16066–35–6, 164524–02–1, 28085–69–0, 28348–53–0, 28631–63–2, 32073–22–6, 37475–88–0, 37953–05–2, and 90959–88–9).	.....	Surfactant, related adjuvant of surfactant.

Inert ingredients				Limits	Uses	
*	*	*	*	*	*	*

[FR Doc. 2017–12238 Filed 6–12–17; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 161118999–7280–02]

RIN 0648–XF409

Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery; Closure of the Elephant Trunk Flex Access Area to General Category Individual Fishing Quota Scallop Vessels

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

ACTION: Temporary rule; closure.

SUMMARY: NMFS announces that the Elephant Trunk Flex Scallop Access Area will close to Limited Access General Category Individual Fishing Quota scallop vessels for the remainder of the 2017 fishing year as of the effective date below. After the effective date, no vessel issued a Limited Access General Category Individual Fishing Quota permit may fish for, possess, or land scallops from the Elephant Trunk Flex Scallop Access Area. Regulations require this action once it is projected that 100 percent of trips allocated to the Limited Access General Category Individual Fishing Quota scallop vessels for the Elephant Trunk Flex Scallop Access Area will be taken.

DATES: Effective 0001 hr local time, June 12, 2017, through March 31, 2018.

FOR FURTHER INFORMATION CONTACT: Shannah Jaburek, Fishery Management Specialist, (978) 282–8456.

SUPPLEMENTARY INFORMATION: The reader can find regulations governing fishing activity in the Sea Scallop Access Areas in 50 CFR 648.59 and 648.60. These regulations authorize vessels issued a valid Limited Access General Category (LAGC) Individual Fishing Quota (IFQ) scallop permit to fish in the Elephant Trunk Flex Scallop Access Area under specific conditions, including a total of 697 trips that may be taken by LAGC IFQ vessels during the 2017 fishing year. Section 648.59(g)(3)(iii) requires the Elephant Trunk Flex Scallop Access Area to be closed to LAGC IFQ permitted vessels for the remainder of the fishing year once the NMFS Greater Atlantic Regional Administrator determines that the allowed number of trips for fishing year 2017 are projected to be taken.

Based on trip declarations by LAGC IFQ scallop vessels fishing in the Elephant Trunk Flex Scallop Access Area, and analysis of fishing effort, NMFS projects that 697 trips will be taken as of June 12, 2017. Therefore, in accordance with § 648.59(g)(3)(iii), NMFS is closing the Elephant Trunk Flex Scallop Access Area to all LAGC IFQ scallop vessels as of June 12, 2017. No vessel issued an LAGC IFQ permit may fish for, possess, or land scallops in or from the Elephant Trunk Flex Scallop Access Area after 0001 local time, June 12, 2017. Any LAGC IFQ vessel that has declared into the Elephant Trunk Flex Access Area scallop fishery, complied with all trip notification and observer requirements, and crossed the vessel monitoring system demarcation line on the way to the area before 0001, June 12, 2017, may complete its trip. This closure is in effect for the remainder of the 2017 scallop fishing year.

Classification

This action is required by 50 CFR part 648 and is exempt from review under Executive Order 12866.

NMFS finds good cause pursuant to 5 U.S.C. 553(b)(B) to waive prior notice and the opportunity for public comment because it would be contrary to the public interest and impracticable. The Elephant Trunk Flex Access Area opened for the 2017 fishing year on March 23, 2017. The regulations at § 648.59(g)(3)(iii) require this closure to ensure that LAGC IFQ scallop vessels do not take more than their allocated number of trips in the Elephant Trunk Flex Scallop Access Area. The projections of the date on which the LAGC IFQ fleet will have taken all of its allocated trips in an Access Area become apparent only as trips into the area occur on a real-time basis and as activity trends begin to appear. As a result, NMFS can only make an accurate projection very close in time to when the fleet has taken all of its trips. In order to propose a closure for purposes of receiving prior public comment, NMFS would need to make a projection based on very little information, which would result in a closure too early or too late. To allow LAGC IFQ scallop vessels to continue to take trips in the Elephant Trunk Flex Scallop Access Area during the period necessary to publish and receive comments on a proposed rule would likely result in vessels taking much more than the allowed number of trips in the Elephant Trunk Flex Scallop Access Area. Excessive trips and harvest from the Elephant Trunk Flex Scallop Access Area would result in excessive fishing effort in the area, where effort controls are critical, thereby undermining conservation objectives of the Atlantic Sea Scallop Fishery Management Plan and requiring more restrictive future management measures. Also, the public had prior notice and full opportunity to comment on this closure process when we put these provisions in place. Current regulations prohibit LAGC IFQ scallop vessels from fishing for, possessing, or landing scallops from this area after the effective date of this notification published in the **Federal Register**. NMFS further finds, pursuant to 5 U.S.C 553(d)(3), good cause to waive the 30-day delayed effectiveness period for the reasons stated above.

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

Dated: June 8, 2017.

Margo B. Schulze-Haugen,

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

[FR Doc. 2017–12182 Filed 6–9–17; 8:45 am]

BILLING CODE 3510–22–P

Proposed Rules

Federal Register
Vol. 82, No. 112
Tuesday, June 13, 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.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 986

[Doc. No. AMS–SC–17–0027; SC17–986–1 PR]

Pecans Grown in the States of Alabama, Arkansas, Arizona, California, Florida, Georgia, Kansas, Louisiana, Missouri, Mississippi, North Carolina, New Mexico, Oklahoma, South Carolina, and Texas; Establishment of Assessment Rates

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Proposed rule.

SUMMARY: This proposed rule would implement a recommendation from the American Pecan Council (Council) to establish the initial assessment rates for the 2016–2017 and subsequent fiscal years at $0.03 per pound for improved varieties, $0.02 per pound for native and seedling varieties, and $0.02 for substandard pecans handled under the pecan marketing order (order). The Council administers the order and is comprised of growers and handlers of pecans operating within the production area and a public member. Assessments upon pecan handlers would be used by the Council to fund reasonable and necessary expenses of the program. The fiscal year begins October 1 and ends September 30. The assessment rates would remain in effect indefinitely unless modified, suspended, or terminated.

DATES: Comments must be received by July 13, 2017.

ADDRESSES: Interested persons are invited to submit written comments concerning this proposed rule. Comments must be sent to the Docket Clerk, Marketing Order and Agreement Division, Specialty Crops Program, AMS, USDA, 1400 Independence Avenue SW., STOP 0237, Washington, DC 20250–0237; Fax: (202) 720–8938; or internet: *http://www.regulations.gov.* Comments should reference the document number and the date and page number of this issue of the **Federal Register** and will be available for public inspection in the Office of the Docket Clerk during regular business hours, or can be viewed at: *http://www.regulations.gov.* All comments submitted in response to this proposed rule will be included in the record and will be made available to the public. Please be advised that the identity of the individuals or entities submitting the comments will be made public on the internet at the address provided above.

FOR FURTHER INFORMATION CONTACT: Jennie M. Varela, Marketing Specialist, or Christian D. Nissen, Regional Director, Southeast Marketing Field Office, Marketing Order and Agreement Division, Specialty Crops Program, AMS, USDA; Telephone: (863) 324–3375, Fax: (863) 291–8614, or Email: *Jennie.Varela@ams.usda.gov* or *Christian.Nissen@ams.usda.gov.*

Small businesses may request information on complying with this regulation by contacting Richard Lower, Marketing Order and Agreement Division, Specialty Crops Program, AMS, USDA, 1400 Independence Avenue SW., STOP 0237, Washington, DC 20250–0237; Telephone: (202) 720–2491, Fax: (202)720–8938, or Email: *Richard.Lower@ams.usda.gov.*

SUPPLEMENTARY INFORMATION: This proposed rule is issued under Marketing Agreement and Order No. 986, (7 CFR part 986), regulating the handling of pecans grown in the states of Alabama, Arkansas, Arizona, California, Florida, Georgia, Kansas, Louisiana, Missouri, Mississippi, North Carolina, New Mexico, Oklahoma, South Carolina, and Texas, hereinafter referred to as the ''order.'' The order is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), hereinafter referred to as the ''Act.''

The Department of Agriculture (USDA) is issuing this proposed rule in conformance with Executive Orders 13563 and 13175.

This action falls within a category of regulatory actions that the Office of Management and Budget (OMB) has exempted from Executive Order 12866 review. Additionally, because this rule does not meet the definition of a significant regulatory action it does not trigger the requirements contained in Executive Order 13771. *See* OMB's Memorandum titled ''Interim Guidance Implementing Section 2 of the Executive Order of January 30, 2017 titled 'Reducing Regulation and Controlling Regulatory Costs' '' (February 2, 2017).

This proposed rule has been reviewed under Executive Order 12988, Civil Justice Reform. Under the marketing order now in effect, pecan handlers are subject to assessments. Funds to administer the order are derived from such assessments. It is intended that the assessment rates as proposed herein would be applicable to all assessable pecans beginning on October 1, 2016, and continue until amended, suspended, or terminated.

The Act provides that administrative proceedings must be exhausted before parties may file suit in court. Under section 608c(15)(A) of the Act, any handler subject to an order may file with USDA a petition stating that the order, any provision of the order, or any obligation imposed in connection with the order is not in accordance with law and request a modification of the order or to be exempted therefrom. Such handler is afforded the opportunity for a hearing on the petition. After the hearing, USDA would rule on the petition. The Act provides that the district court of the United States in any district in which the handler is an inhabitant, or has his or her principal place of business, has jurisdiction to review USDA's ruling on the petition, provided an action is filed not later than 20 days after the date of the entry of the ruling.

This proposed rule would establish continuing assessment rates for the 2016–2017 and subsequent fiscal years at $0.03 per pound for improved varieties and $0.02 per pound for native and seedling varieties and for substandard pecans handled. It is intended that the assessment rates as proposed herein would be applicable to all assessable pecans beginning on October 1, 2016, and continue until amended, suspended, or terminated.

The order provides authority for the Council, with the approval of USDA, to formulate an annual budget of expenses and collect assessments from handlers to administer the program. The members of the Council are growers and handlers of pecans and a public member. They are familiar with the Council's needs and with the costs for goods and services in their respective

local areas and are thus in a position to formulate an appropriate budget and assessment rates. The assessment rates are formulated and discussed in a public meeting. Thus, all directly affected persons have an opportunity to participate and provide input.

For the 2016–2017 fiscal year, the Council recommended, and USDA approved, the Council's budget and the assessment rates that would continue in effect from fiscal year to fiscal year unless modified, suspended, or terminated by USDA upon recommendation and information submitted by the Council or other information available to USDA.

The Council met on November 17, 2016, and unanimously recommended 2016–2017 budget expenditures of $6,000,000 and assessment rates of $0.03 per pound for improved varieties, $0.02 per pound for native and seedling varieties, and $0.02 per pound for substandard pecans handled. These are the first budget of expenditures and assessment rates established under this order.

The major expenditures recommended by the Council for the 2016–2017 year include $3,850,000 for marketing and promotion, $900,000 for administration, $250,000 for reporting and statistics, and $200,000 for compliance.

The assessment rates recommended by the Council were derived by dividing anticipated expenses by expected shipments of pecans. Pecan shipments for the year are estimated at 260,000,000 pounds, with about 75 percent, or an estimated 195 million pounds of improved varieties, and about 25 percent of native and seedling varieties and substandard pecans. This should provide approximately $6,000,000 in assessment income. Income derived from handler assessments would be adequate to cover budgeted expenses. As the Council has no established reserve, its budget also allocated $500,000 for reserve funds to be carried into the next fiscal year. This would be within the maximum permitted by the order of approximately three fiscal years' expenses. If the assessment rates generate less money than is anticipated, the Council and the Agricultural Marketing Service (AMS) will adjust the budget accordingly.

The proposed assessment rates would continue in effect indefinitely unless modified, suspended, or terminated by USDA upon recommendation and information submitted by the Council or other available information.

Although these assessment rates would be in effect for an indefinite period, the Council would continue to meet prior to or during each fiscal year to recommend a budget of expenses and consider recommendations for modification of the assessment rates. The dates and times of Council meetings are available from the Council or USDA. Council meetings are open to the public and interested persons may express their views at these meetings. USDA would evaluate Council recommendations and other available information to determine whether modification of the assessment rates is needed. Further rulemaking would be undertaken as necessary. The Council's budget for subsequent fiscal years would be reviewed and, as appropriate, approved by USDA.

The Council also recommended reporting requirements, to include information on pecans received, shipped, exported, or in inventory, which would facilitate the collection of the assessments. These requirements are being considered under a separate action.

Initial Regulatory Flexibility Analysis

Pursuant to requirements set forth in the Regulatory Flexibility Act (RFA) (5 U.S.C. 601–612), AMS has considered the economic impact of this proposed rule on small entities. Accordingly, AMS has prepared this initial regulatory flexibility analysis.

The purpose of the RFA is to fit regulatory actions to the scale of businesses subject to such actions in order that small businesses will not be unduly or disproportionately burdened. Marketing orders issued pursuant to the Act, and the rules issued thereunder, are unique in that they are brought about through group action of essentially small entities acting on their own behalf.

There are approximately 2,500 producers of pecans in the production area and approximately 250 handlers subject to regulation under the marketing order. Small agricultural producers are defined by the Small Business Administration as those having annual receipts less than $750,000, and small agricultural service firms are defined as those whose annual receipts are less than $7,500,000 (13 CFR 121.201).

According to information from the National Agricultural Statistics Service (NASS), the average grower price for pecans during the 2015–2016 season was $2.20 per pound and 254 million pounds were utilized. The value for pecans in that year totaled $558.8 million ($2.20 per pound multiplied by 254 million pounds). Taking the total value of production for pecans and dividing it by the total number of pecan producers provides a return per grower of $223,520. Using the average price and utilization information, and assuming a normal distribution, the majority of growers have annual receipts of less than $750,000. Evidence presented at the order promulgation hearing indicates an average handler margin of $0.58 per pound for in-shell pecans for an estimated handler price of $2.78. With a total 2015 production of 254 million pounds, the total value of production in 2015 was $706.12 million ($2.78 per pound multiplied by 254 million pounds). Taking the total value of production for pecans and dividing it by the total number of pecan handlers provides a return per handler of $2,824,480. Using this estimated price, the utilization volume, number of handlers, and assuming a normal distribution, the majority of handlers have annual receipts of less than $7,500,000. Thus, the majority of producers and handlers of pecans grown in the states of Alabama, Arkansas, Arizona, California, Florida, Georgia, Kansas, Louisiana, Missouri, Mississippi, North Carolina, New Mexico, Oklahoma, South Carolina, and Texas may be classified as small entities.

This proposal would establish the assessment rates to be collected from handlers for the 2016–2017 and subsequent fiscal years. The Council unanimously recommended 2016–2017 expenditures of $6,000,000 and an assessment rate of $0.03 per pound for improved varieties, $0.02 per pound for native and seedling varieties, and $0.02 per pound for substandard pecans handled. The quantity of pecans for the 2016–2017 year is estimated at 260,000,000 pounds, with about 75 percent, or 195 million pounds of improved varieties, and about 25 percent of native and seedling varieties and substandard pecans. Thus, the proposed rates should provide $6,000,000 in assessment income and be adequate to meet this year's expenses. If the assessment rates generate less money than is anticipated, the Council and AMS will adjust the budget accordingly.

The major expenditures recommended by the Council for the 2016–2017 fiscal year include $3,850,000 for marketing and promotion, $900,000 for administration, $250,000 for reporting and statistics, and $200,000 for compliance.

These are the first budget of expenditures and assessment rates established under this order. The Council's budget also includes a reserve of $500,000.

These are initial assessment rates for the order. The order establishes a range of assessment rates that are permissible during the initial four years of the order. Specifically improved varieties shall be initially assessed at $0.02 to $0.03 per pound and native, seedling, and substandard pecans shall be initially assessed at $0.01 to $0.02 per pound. Prior to arriving at this budget and assessment rates, the Council considered information from various sources, such as the Council's Governance Committee, and its Marketing, Research, and Development Committee. Alternative expenditure levels were discussed by these groups, based upon the relative value of various activities to the pecan industry.

The Council also considered different assessment levels. Some members expressed concern regarding a $0.02 assessment on native, seedling, and substandard pecans given the prices of those pecans. Another member suggested the idea of establishing a lower rate for substandard pecans. The need to collect sufficient assessments to fund the start-up costs for the order and the development of a marketing program was also noted. After consideration and discussion, the Council unanimously supported the levels as recommended.

A communication from one of the states in the production area recommending postponing the establishment of an assessment rate was also considered. The Council determined waiting until the next fiscal year to establish assessment rates would be costly in terms of time lost for a program that had been anticipated by the industry to improve its marketing. The Council also recognized that the industry had been notified through multiple outlets of communication of the possible range of assessments in the order. The Council expressed a preference to establish these rates and begin its work immediately rather than borrowing funds and being limited in its operations until the coming fiscal year. Therefore, these alternatives were rejected, and the Council ultimately determined that 2016–2017 expenditures of $6,000,000 were appropriate, and the recommended assessment rates would generate sufficient revenue to meet its expenses.

A review of historical information and preliminary information pertaining to the upcoming production year indicates the grower price for the 2016–2017 season could range between $1.73 and $2.31 per pound for improved varieties, and between $0.88 and $1.36 per pound for native and seedling pecans. Therefore, the estimated assessment revenue for the 2016–2017 crop year as a percentage of total grower revenue could range between 1.3 and 1.7 percent for improved pecans and 1.5 and 2.2 percent for native and seedling pecans.

This action would establish an assessment obligation imposed on handlers. While assessments impose some additional costs on handlers, the costs are minimal and uniform for all handlers. Some of the additional costs may be passed on to producers. However, these costs would be offset by the benefits derived by the operation of the marketing order. In addition, the Council's meeting was widely publicized throughout the pecan industry and all interested persons were invited to attend the meeting and participate in Council deliberations on all issues. Like all Council meetings, the November 17, 2016, meeting was a public meeting and all entities, both large and small, were able to express views on this issue. Finally, interested persons are invited to submit comments on this proposed rule, including the regulatory and informational impacts of this action on small businesses.

In accordance with the Paperwork Reduction Act of 1995, (44 U.S.C. Chapter 35), the order's information collection requirements have been previously approved by the Office of Management and Budget (OMB) and assigned OMB No. 0581–0291 ''Pecans Grown in AL, AR, AZ, CA, FL, GA, KS, LA, MO, MS, NC, NM, OK, SC and TX.'' No changes in those requirements are necessary as a result of this action. However, the Council is recommending reporting requirements, to include information on pecans received, shipped, exported, or in inventory, which would facilitate the collection of the assessments. These requirements are being considered under a separate action. Should any changes to the information collection requirements become necessary, they would be submitted to OMB for approval.

This proposed rule would impose no additional reporting or recordkeeping requirements on either small or large pecan handlers. As with all Federal marketing order programs, reports and forms are periodically reviewed to reduce information requirements and duplication by industry and public sector agencies.

AMS is committed to complying with the E-Government Act, to promote the use of the internet and other information technologies to provide increased opportunities for citizen access to Government information and services, and for other purposes.

USDA has not identified any relevant Federal rules that duplicate, overlap, or conflict with this action.

A small business guide on complying with fruit, vegetable, and specialty crop marketing agreements and orders may be viewed at: *http://www.ams.usda.gov/rules-regulations/moa/small-businesses.* Any questions about the compliance guide should be sent to Richard Lower at the previously-mentioned address in the **FOR FURTHER INFORMATION CONTACT** section.

A 30-day comment period is provided to allow interested persons to respond to this proposed rule. A 30-day period is deemed appropriate because: (1) The 2016–2017 fiscal year began on October 1, 2016, and the marketing order requires that the rate of assessment for each fiscal year apply to all pecans handled during such fiscal year; (2) the Council needs to have sufficient funds to pay its expenses which are incurred on a continuous basis; and (3) handlers are aware of this action which was unanimously recommended by the Council at a public meeting. All written comments timely received will be considered before a final determination is made on this matter.

List of Subjects in 7 CFR Part 986

Marketing agreements, Pecans, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR part 986 is proposed to be amended as follows:

PART 986—PECANS GROWN IN THE STATES OF ALABAMA, ARKANSAS, ARIZONA, CALIFORNIA, FLORIDA, GEORGIA, KANSAS, LOUISIANA, MISSOURI, MISSISSIPPI, NORTH CAROLINA, NEW MEXICO, OKLAHOMA, SOUTH CAROLINA, AND TEXAS

■ 1. The authority citation for 7 CFR part 986 continues to read as follows:

Authority: 7 U.S.C. 601–674.

■ 2. Amend part 986 by adding Subpart—Assessment Rates consisting of § 986.161 to read as follows:

Subpart—Assessment Rates

§ 986.161 Assessment rates.

On and after October 1, 2016, assessment rates of $0.03 per pound for pecans classified as improved, $0.02 per pound for pecans classified as native and seedling, and $0.02 per pound for pecans classified as substandard pecans are established.

Dated: June 6, 2017.

Bruce Summers,

Acting Administrator, Agricultural Marketing Service.

[FR Doc. 2017–12031 Filed 6–12–17; 8:45 am]

BILLING CODE 3410–02–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R10–OAR–2017–0184, FRL–9963–65–Region 10]

Approval and Promulgation of Implementation Plans; Alaska: Adoption Updates and Rule Revisions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) proposes to approve state implementation plan (SIP) revisions submitted by the State of Alaska Department of Environmental Conservation (ADEC) on September 15, 2016. These revisions primarily update adoptions of Federal regulations in the Alaska SIP. The revisions also strengthen the State of Alaska's (Alaska) minor source permitting requirements and remove obsolete source-specific regulations. EPA also proposes to approve SIP revisions to Alaska's general and transportation conformity regulations submitted by ADEC on March 10, 2016. The EPA is taking action only on the conformity related portions of the March 2016 submittal. The other portions of the submittal are or will be addressed in separate actions.

DATES: Comments must be received on or before July 13, 2017.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R10–OAR–2017–0184, at *http://www.regulations.gov.* Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov*. EPA may publish any comment received to its public docket. Do not electronically submit any information you consider to be Confidential Business Information (CBI) or other information the disclosure of which 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. 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: Randall Ruddick, Air Planning Unit, Office of Air and Waste (OAW–150), Environmental Protection Agency, Region 10, 1200 Sixth Ave., Suite 900, Seattle, WA 98101; telephone number: (206) 553–1999; email address: *ruddick.randall@epa.gov.*

SUPPLEMENTARY INFORMATION: Throughout this document, wherever ''we,'' ''us,'' or ''our'' is used, it is intended to refer to EPA.

Table of Contents

I. Background
II. EPA Evaluation of Alaska SIP Revisions
A. Updates to Adoption by Reference
B. Revisions to Permitting Requirements
C. Removal of Certain Source-Specific Requirements
D. Revisions to Ozone Standard
E. Updates to State General and Transportation Conformity
III. Proposed Action
IV. Incorporation by Reference
V. Statutory and Executive Orders Review

I. Background

Section 110 of the Clean Air Act (CAA) governs the process by which a state submits air quality protection requirements to EPA for approval into the State Implementation Plan (SIP). The SIP is the state's plan to implement, maintain, and enforce National Ambient Air Quality Standards (NAAQS) set by EPA. Because Alaska regularly revises its state rules, and to ensure they stay consistent with Federal CAA requirements, Alaska generally submits an annual update to EPA for approval into the SIP.

On September 15, 2016, ADEC, submitted such an update. The submittal contains regulatory updates to the Alaska Administrative Code (AAC) with a state effective date of August 20, 2016. These updates to AAC Title 18, Environmental Conservation, Chapter 50, Air Quality Control (18 AAC 50) reflect updates to the adoption by reference date of certain Federal regulations, strengthen minor stationary source permitting rules, remove obsolete source-specific regulations, and adopt the Federal 2015 ozone NAAQS.

Transportation conformity is required under section 176(c) of the CAA to ensure federally supported highway, transit projects, and other activities are consistent with (''conform to'') the purpose of the SIP. Transportation conformity currently applies to areas that are designated nonattainment, and to areas that have been redesignated to attainment after 1990 (maintenance areas) with plans developed under section 175A of the CAA for the following transportation-related criteria pollutants: Ozone, particulate matter ($PM_{2.5}$ and PM_{10}), carbon monoxide, and nitrogen dioxide. The transportation conformity regulation is found in 40 CFR part 93, subpart A, and in 40 CFR 51.390.

On September 27, 1995, the EPA approved the general conformity rules in Article 7 of AAC Title 18, Chapter 50 into the Alaska SIP (60 FR 49765). On December 29, 1999, EPA approved ADEC's transportation conformity rules in Article 7 of 18 AAC 50 into the Alaska SIP (64 FR 72940). On March 10, 2016, ADEC submitted a request to make two modifications to the transportation conformity regulations and one modification to the general conformity regulations, discussed below.

II. EPA Evaluation of Alaska SIP Revisions

A. Updates to Adoption by Reference

ADEC revised 18 AAC 50 to update the adoption by reference date of certain federal regulations and documents and submitted those changes to EPA for approval into the Alaska SIP. ADEC also updated citation dates at 18 AAC 50.035(a)(3) to adopt *AP–42, Compilation of Air Pollutant Emission Factors,* as updated through April 2015. Likewise, ADEC updated the adoption by reference date in 18 AAC 50.035(a)(7) to incorporate a more current version of EPA's AERSCREEN User's Guide, EPA–454/B–15–005, dated July 2015. EPA is proposing to approve Alaska's updates.

Alaska's major new source review (NSR) permitting rules for attainment and unclassifiable areas, 18 AAC 50, Article 3, largely adopt by reference the federal Prevention of Significant Deterioration of Air Quality (PSD) program regulations in 40 CFR 51.166 and 40 CFR 52.21. The most recent EPA approval of revisions to Alaska's PSD permitting program was May 19, 2016 (81 FR 31511), in which ADEC adopted by reference portions of 40 CFR 51.166 and 52.21 as in effect on December 9, 2013. ADEC recently updated 18 AAC 50.040(f) and (h) to incorporate federal revisions to portions of 40 CFR 51.166 and 52.21 as in effect on December 28, 2015. These updates ensure Alaska's PSD program is consistent with Federal requirements and therefore EPA is proposing to approve them.

Lastly, ADEC added language in 18 AAC 215(a)(3) to clarify that Alaska's adoption in 18 AAC 50.035(a) of both *Quality Assurance Handbook for Air Pollutant Measurement Systems, Volume IV* and *Meteorological Measurements Version 2.0* are applicable for meteorological monitoring work in Alaska. EPA is proposing to approve the Alaska's clarification.

B. Revisions to Permitting Requirements

Source Test Reports

ADEC's September 15, 2016 SIP submittal revises 18 AAC 50.345(o) to reduce the number of paper copies of source test reports required to be submitted from two copies to one copy for both minor and Title V permitted sources. This reduces paperwork, resource requirements, and associated costs without negatively affecting compliance with environmental regulations. EPA is proposing to approve Alaska's revision.

Minor Source Baseline Date

A minor source baseline date is based on a trigger date set in federal major source permitting regulations. The baseline date is calculated as the date on which the first complete PSD permit application is received after the EPA trigger date, which for fine particulate matter ($PM_{2.5}$) is October 20, 2011. ADEC, utilizing 40 CFR 52.21(b)(14)(ii), determined a minor source $PM_{2.5}$ baseline date for the South Central Alaska Intrastate Air Quality Control Region of October 15, 2015, and incorporated this date into Table 2 of 18 AAC 50.020. Emissions changes at sources in the South Central Alaska Intrastate Air Quality Control Region after this baseline date, consume the region's $PM_{2.5}$ PSD increment. We are proposing to approve Alaska's incorporation of this minor source baseline date into their SIP as consistent with CAA requirements.

Minor Source Permitting Applicability

EPA originally approved Alaska's minor NSR program into the SIP on July 5, 1983 (48 FR 30623), and most recently approved an update to it on May 27, 2015 (80 FR 30161). ADEC has since revised its minor NSR permitting program so that it now requires all existing minor stationary sources to apply for a permit prior to undergoing a modification that will result in a potential to emit above significant emissions thresholds. *See* 18 AAC 50.502(c)(4). ADEC explains that this revision closes a permitting loophole that allowed significant emissions increases below PSD levels to occur without triggering minor source permitting requirements. Such increases will now be subject to minor new source permitting. ADEC made several changes to related regulations to appropriately cross-reference and implement this revision. EPA is proposing to approve ADEC's revision to the applicability of its minor new source review program because it strengthens the SIP and is consistent with CAA requirements.

Minor Source Permit Review and Issuance

ADEC revised 18 AAC 50.542(b)(5) to clarify that the 30-day timeline for fast-tracked permit decisions is based on the receipt of a ''complete'' permit application. The previous language did not include the adjective ''complete.'' This change makes it easier for regulated entities and citizens alike to understand what is expected of both the permitting authority and the applicant.

In addition, ADEC added 18 AAC 50.542(d)(1)(F) to clarify the timing of the approval of alternative modeling in ''fast track'' minor source permitting. ADEC's rules now make clear that, where alternative modeling was approved outside of ''fast-track'' permitting procedures, a 30-day public notice and request for comment period on the decision to approve alternative modeling under 18 AAC 50.215(c)(2) is required, which will be timed, to the extent practicable, to coincide with the public comment period on the draft permit. EPA is proposing to approve these clarifications.

C. Removal of Certain Source Category-Specific Requirements

Alaska repealed certain source category-specific requirements applicable to fuel burning equipment in operation before November 1, 1982, that use more than 20 percent woodwaste as fuel; urea prilling towers in operation before July 1, 1972; portland cement plants; and pulp mills. Alaska determined there are no longer any sources in the state to which these repealed provisions apply. In the September 15, 2016 submittal, ADEC requested EPA remove these state-repealed provisions from the Alaska SIP. EPA proposes to approve ADEC's request to remove 18 AAC 50.055(a)(2), (a)(3), (a)(7), (a)(8), (b)(4), (b)(6), (f) and 18 AAC 50.060 from Alaska's SIP because no sources are subject to these standards. Any new sources in these source categories will be regulated under Alaska's NSR process and any applicable federal regulations that apply to new sources, such as new source performance standards.

D. Revisions to Ozone Standard

ADEC revised the ozone standard in 18 AAC 50.010(4) from 0.075 ppm to 0.070 ppm to reflect the current (2015) Federal NAAQS for ozone. We are proposing to approve Alaska's revision to its ozone standard as consistent with Federal standards.

E. Updates to General and Transportation Conformity

On August 10, 2005, the ''Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users'' (SAFETEA–LU) transportation act was signed into law, and among other things, it amended the CAA to eliminate the requirement for states to adopt and submit general conformity SIPs. On April 5, 2010 (75 FR 17254), EPA updated the general conformity SIP regulations to be consistent with the SAFETEA–LU transportation act by eliminating the Federal regulatory requirement for states to adopt and submit general conformity SIPs. See 40 CFR 51.851. On May 7, 2015, with a supplementary letter received July 29, 2015, ADEC submitted a request to update the transportation conformity regulations and to remove portions of the general conformity regulations from the Alaska SIP. EPA finalized action on this submittal on September 8, 2015 (80 FR 53735). On March 10, 2016, ADEC submitted a request to make two modifications to Alaska's transportation conformity regulations and one modification to the general conformity regulations.

Alaska's March 10, 2016, submittal revises two transportation conformity criteria and procedures. The first modification relates to interagency consultation. The modification adds a reference to a list of exempt projects to existing section 18 AAC 50.715(c)(8). The second modification relates to public involvement. New section 18 AAC 50.720(e) adds a reference to existing Alaska rules regarding charges for photocopying of information.

The modification to the general conformity regulations removes 18 AAC 50.735 from the State's SIP because it is not needed under current Federal regulations. This section is not needed because SAFETEA–LU eliminated the requirement for states to adopt and submit general conformity SIPs.

Alaska's SIP revision updates the State's general and transportation conformity provisions, 18 AAC 50, Article 7, to be consistent with the CAA as amended by SAFETEA–LU and EPA regulations (40 CFR part 93 and 40 CFR 51.390). EPA has reviewed ADEC's March 10, 2016, SIP submittal to assure

consistency with the CAA as amended by SAFETEA–LU and EPA regulations (40 CFR part 93 and 40 CFR 51.390) governing state procedures for general and transportation conformity and interagency consultation, and has concluded that the submittal is consistent with CAA requirements. The EPA is taking action only on the conformity related portions of the March 10, 2016, submittal. The other portions of the submittal are addressed in separate actions.

III. Proposed Action

EPA is proposing to approve, and incorporate by reference where appropriate, in Alaska's SIP, all revisions requested by Alaska on September 15, 2016 (state effective 8/20/2016) to the following provisions:

- 18 AAC 50.010(4) (Ambient Air Quality Standards)
- 18 AAC 50.020(a) (Baseline Dates and Maximum Allowable Increases)
- 18 AAC 50.035(a)(3) and (a)(7) (Documents, Procedures, and Methods Adopted by Reference)
- 18 AAC 50.040(f) and (h) (Federal Standards Adopted by Reference)
- 18 AAC 50.215(a)(3) (Ambient Air Quality Analysis Methods)
- 18 AAC 50.345(o) (Construction, Minor and Operating Permits: Standard Permit Conditions)
- 18 AAC 50.502(c), (e), (f), (f)(1)(C), (f)(5), (g), (h)(3)(A), and (h)(3)(B) (Minor Permits for Air Quality Protection)
- 18 AAC 50.540 (c)(2)(A) (Minor Permit: Application)
- 18 AAC 50.542(b)(5) and (d)(1) (Minor Permit: Review and Issuance)

EPA is also proposing to remove from the SIP the following provisions that ADEC has repealed as a matter of state law: 18 AAC 50.055(a)(2), (a)(3), (a)(7), (a)(8), (b)(4), (b)(6), (f) (Industrial process and Fuel-Burning Equipment) and 18 AAC 50.060 (Pulp Mills).

Finally, EPA is proposing to approve revisions to 18 AAC 50, Article 7, Transportation Conformity, submitted by Alaska on March 10, 2016; specifically, the revisions to transportation conformity provisions in 18 AAC 50.715, .720, and removal of the general conformity provisions in .735 as discussed in Section II.E above.

We have made the preliminary determination that the submitted SIP revisions are consistent with section 110 and part C of Title I of the CAA.

IV. Incorporation by Reference

In this rule, EPA is proposing to include in a final rule, regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, EPA is proposing to incorporate by reference the provisions described above in Section III. Also in this rule, EPA is proposing to remove, in a final EPA rule, regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, EPA is proposing to remove the incorporation by reference of provisions of 18 AAC 50.055 and 50.060 as described above in Section II (C.) and 18 AAC 50.735 as described in Section III. EPA has made, and will continue to make, these documents generally available electronically through *www.regulations.gov* and/or in hard copy at the appropriate EPA office (see the **ADDRESSES** section of this preamble for more information).

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 CAA 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 they meet the criteria of the CAA. 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 it does not involve technical standards; 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 as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), nor will it impose substantial direct costs on tribal governments or preempt tribal law.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Ozone, Particulate matter, Reporting and recordkeeping requirements.

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

Dated: June 1, 2017.

Michelle L. Pirzadeh,

Acting Regional Administrator, Region 10.

[FR Doc. 2017–12234 Filed 6–12–17; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

[Docket Nos. FWS–R2–ES–2016–0099, FWS–R2–ES–2016–0100, FWS–R2–ES–2016–0130, FWS–R2–ES–2016–0137, FWS–R2–ES–2016–0119; FXES11130900000C2–167–FF09E32000]

RINs 1018–BA74; 1018–BA75; 1018–BB90; 1018–BB89; 1018–BB87

Endangered and Threatened Wildlife and Plants; Reopening the Comment Periods for Five Proposed Rules

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rules; reopening comment period.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), announce that we are reopening the comment periods for our proposed rules to list *Festuca ligulata* (Guadalupe fescue) as an endangered species; to designate *Festuca ligulata* critical habitat; to

reclassify *Sclerocactus brevihamatus* ssp. *tobuschii* (Tobusch fishhook cactus) from endangered to threatened; to reclassify *Echinocereus fendleri* var. *kuenzleri* (Kuenzler hedgehog cactus) from endangered to threatened; and to remove *Eriogonum gypsophilum* (gypsum wild-buckwheat) from the Federal List of Endangered and Threatened Plants. We are reopening the comment period for each of these proposed rules for 30 days in order to publish a legal notice and to give all interested parties further opportunity to comment on the proposed rules. Comments previously submitted need not be resubmitted, as they will be fully considered in preparing the final listing determinations.

DATES: To allow us adequate time to consider your comments on the proposed rule, we must receive your comments on or before July 13, 2017.

ADDRESSES:

Written comments: You may submit comments on the proposed rules by one of the following methods:

• *Federal eRulemaking Portal:* Go to the Federal eRulemaking Portal: *http://www.regulations.gov.* In the Search box, enter the appropriate docket number (see Table 1, below). Then click on the Search button. On the resulting page, you may submit a comment by clicking on ''Comment Now!'' Please ensure that you have found the correct rulemaking before submitting your comment.

• *By U.S. mail or hand-delivery:* Public Comments Processing, Attn: [Insert appropriate docket number; see Table 1, below], U.S. Fish and Wildlife Service, MS: BPHC, 5275 Leesburg Pike, Falls Church, VA 22041–3803.

We request that you send comments only by the methods described above. We will post all comments on *http://www.regulations.gov.* This generally means that we will post any personal information you provide us (see **SUPPLEMENTARY INFORMATION** for more information).

TABLE 1—LIST OF PROPOSED RULES REOPENED FOR PUBLIC COMMENT

Proposed rule title	**Federal Register** citation	Docket No.
Guadalupe Fescue Endangered Species Status	81 FR 62450; September 9, 2016	FWS–R2–ES–2016–0099
Guadalupe Fescue Critical Habitat Designation	81 FR 62455; September 9, 2016	FWS–R2–ES–2016–0100
Reclassifying the Tobusch Fishhook Cactus From Endangered to Threatened on the Federal List of Endangered and Threatened Plants.	81 FR 95932; December 29, 2016	FWS–R2–ES–2016–0130
Reclassifying *Echinocereus fendleri* var. *kuenzleri* From Endangered to Threatened.	82 FR 1677; January 6, 2017	FWS–R2–ES–2016–0137
Removing *Eriogonum gypsophilum* From the Federal List of Endangered and Threatened Plants.	82 FR 1657; January 6, 2017	FWS–R2–ES–2016–0119

Document availability: Comments and materials we receive, as well as supporting documentation we used in preparing the proposed rule, will be available for public inspection on *http://www.regulations.gov* under the appropriate docket number (see Table 1, above).

FOR FURTHER INFORMATION CONTACT:

Proposed rule title	Contact person
Guadalupe Fescue Endangered Species Status Guadalupe Fescue Critical Habitat Designation Reclassifying the Tobusch Fishhook Cactus From Endangered to Threatened on the Federal List of Endangered and Threatened Plants.	Adam Zerrenner, Field Supervisor, U.S. Fish and Wildlife Service, Austin Ecological Services Field Office, 10711 Burnet Rd., Suite 200, Austin, TX 78758; telephone (512) 490–0057.
Reclassifying *Echinocereus fendleri* var. *kuenzleri* From Endangered to Threatened. Removing *Eriogonum gypsophilum* From the Federal List of Endangered and Threatened Plants.	Susan Millsap, Field Supervisor, U.S. Fish and Wildlife Service, 2105 Osuna Road NE., Albuquerque, NM 87113–1001; telephone (505) 761–4781.

Individuals who are hearing-impaired or speech-impaired may call the Federal Relay Service at (800) 877–8339 for TTY assistance 24 hours a day, 7 days a week.

SUPPLEMENTARY INFORMATION: On September 9, 2016, we published proposed rules to list Guadalupe fescue as an endangered species on the Federal List of Endangered and Threatened Plants (81 FR 62450) and to designate its critical habitat (81 FR 62455). We sought information, data and comments from the public regarding the proposal for 60 days, ending November 8, 2016. We are reopening the comment period on the proposed rules for an additional 30 days (see **DATES**). We will accept written comments and information during this reopened comment period. In particular, we seek comments concerning the following: (1) New information concerning Guadalupe fescue taxonomic classification and conservation status; (2) new information on Guadalupe fescue historical and current status, range, distribution, and population size, including additional population locations; and (3) new information regarding Guadalupe fescue life history, ecology and habitats. Please refer to the proposed rules for more information on our proposed actions and the specific information we seek.

On December 29, 2016, we published a proposed rule to reclassify Tobusch fishhook cactus from an endangered to a threatened species on the Federal List of Endangered and Threatened Plants (81 FR 95932). We sought information, data and comments from the public regarding the proposal for 60 days, ending February 27, 2017. We are reopening the comment period on the proposed rule for an additional 30 days (see **DATES**). We will accept written comments and information during this reopened comment period. In particular, we seek comments concerning the following: (1) New information concerning Tobusch fishhook cactus taxonomic classification and conservation status; (2) new information on Tobusch fishhook cactus historical and current status, range, distribution, and population size, including additional population locations; and (3) new information regarding Tobusch fishhook cactus life history, ecology and habitats. Please refer to the proposed

rule for more information on our proposed action and the specific information we seek.

On January 6, 2017, we published a proposed rule to reclassify Kuenzler hedgehog cactus from an endangered to a threatened species on the Federal List of Endangered and Threatened Plants (82 FR 1677). We sought information, data and comments from the public regarding the proposal for 60 days, ending March 7, 2017. We are reopening the comment period on the proposed rule for an additional 30 days (see **DATES**). We will accept written comments and information during this reopened comment period. In particular, we seek comments concerning the following: (1) New information concerning Kuenzler hedgehog cactus taxonomic classification and conservation status; (2) new information on Kuenzler hedgehog cactus historical and current status, range, distribution, and population size, including any additional population locations; and (3) new information regarding Kuenzler hedgehog cactus life history, ecology, and habitats. Please refer to the proposed rule for more information on our proposed action and the specific information we seek.

On January 6, 2017, we published a proposed rule to remove gypsum wild-buckwheat from the Federal List of Endangered and Threatened Plants (82 FR 1657). We sought information, data and comments from the public regarding the proposal for 60 days, ending March 7, 2017. We are reopening the comment period on the proposed rule for an additional 30 days (see **DATES**). We will accept written comments and information during this reopened comment period. In particular, we seek comments concerning the following: (1) New information concerning gypsum wild-buckwheat taxonomic classification and conservation status; (2) new information on gypsum wild-buckwheat historical and current status, range, distribution, and population size, including any additional population locations; and (3) new information regarding gypsum wild-buckwheat life history, ecology, and habitats. Please refer to the proposed rule for more information on our proposed action and the specific information we seek.

You may submit your comments and materials concerning any of the proposed rules by one of the methods listed in **ADDRESSES**. 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. All comments and recommendations, including names and addresses, will become part of the administrative record.

If you submit information via *http://www.regulations.gov,* your entire comment—including any personal identifying information—will be posted on the Web site. 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.

If you mail or hand-deliver a hardcopy comment that includes personal identifying information, you may request at the top of your document that we withhold this information from public review, but we cannot guarantee that we will be able to do so. To ensure that the electronic dockets for these rulemakings are complete and all comments we receive are publicly available, we will post all hardcopy submissions on *http://www.regulations.gov.*

Authors

This document's primary authors are Southwest Regional Office and Austin Ecological Services Field Office staff members.

Authority

The Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) is the authority for this action.

Dated: March 30, 2017.

James W. Kurth,

Acting Director, U.S. Fish and Wildlife Service.

[FR Doc. 2017–11968 Filed 6–12–17; 8:45 am]

BILLING CODE 4333–15–P

Notices

Federal Register

Vol. 82, No. 112

Tuesday, June 13, 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

Submission for OMB Review; Comment Request

June 8, 2017.

The Department of Agriculture has submitted the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104–13. Comments are requested regarding (1) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of burden 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 through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Comments regarding this information collection received by July 13, 2017 will be considered. Written comments should be addressed to: Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), New Executive Office Building, 725 17th Street NW., Washington, DC 20502. Commenters are encouraged to submit their comments to OMB via email to: *OIRA_Submission@OMB.EOP.GOV* or fax (202) 395–5806 and to Departmental Clearance Office, USDA, OCIO, Mail Stop 7602, Washington, DC 20250–7602. Copies of the submission(s) may be obtained by calling (202) 720–8958.

An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

Foreign Agricultural Service

Title: Export Sales of U.S. Agricultural Commodities.

OMB Control Number: 0551–0007.

Summary of Collection: The information collection requirements contained in 7 CFR part 20 are necessary to implement the mandatory export sales reporting requirements of § 602 of the Agricultural Trade Act of 1978, as amended (7 U.S.C. 5712). The export sales reporting system provides commodity market participants with information about commodity export commitments, and is one means by which USDA seeks to insure fairness and soundness in commodity marketing. U.S. exports are required to report to the Foreign Agricultural Service (FAS) information on: (1) The quantity of a reportable commodity to be sold to a foreign buyer; (2) the country of destination; and (3) the marketing year of shipment.

Need and Use of the Information: The collected information is needed because it provides up-to-date market data for making rational export policy decisions to prevent market disruptions. FAS reports the information to the public so that all market participants can be aware of such sales and can evaluate the effects of exports on supply and demand estimates of production, prices, and sales. If the information is not collected, the Department would not be in compliance with the statutes and not fulfilling the objectives of the export sales reporting program.

Description of Respondents: Business or other for-profit.

Number of Respondents: 340.

Frequency of Responses: Reporting: Quarterly; Weekly.

Total Burden Hours: 47,907.

Ruth Brown,

Departmental Information Collection Clearance Officer.

[FR Doc. 2017–12194 Filed 6–12–17; 8:45 am]

BILLING CODE 3410–10–P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. APHIS–2017–0016]

Animal Disease Traceability System; Additional Public Meetings

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice of public meetings.

SUMMARY: This is to inform the public of two additional upcoming meetings regarding the Animal Disease Traceability (ADT) system. These regional meetings will provide additional opportunities for the Animal and Plant Health Inspection Service to hear from the public, particularly from the cattle and bison sectors, about the successes and challenges of the current ADT framework and provide a venue for the exchange of ideas about ways to overcome these challenges and fill gaps in the existing system.

DATES: The meetings will be held on July 18 and 20, 2017, from 8 a.m. to 3:30 p.m. (local time) each day. We will accept written statements regarding the ADT system until July 31, 2017.

ADDRESSES: The public meetings will be held in the following locations:

- *July 18:* Embassy Suites Omaha Downtown, 555 South 10th Street, Omaha, NE.
- *July 20:* Dallas/Fort Worth Marriott Hotel & Golf Club at Champions Circle, 3300 Championship Parkway, Fort Worth, TX.

You may also submit written statements using one of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov/#!docket Detail;D=APHIS-2017-0016.*
- *Postal Mail/Commercial Delivery:* Send your comment to Docket No. APHIS–2017–0016, Regulatory Analysis and Development, PPD, APHIS, Station 3A–03.8, 4700 River Road Unit 118, Riverdale, MD 20737–1238.

FOR FURTHER INFORMATION CONTACT: Dr. Sunny Geiser-Novotny, Cattle Health Staff/ADT Veterinarian, Surveillance, Preparedness, and Response Services, VS, APHIS, 2150 Centre Avenue, Building B, Mailstop 3E13, Room 3E97, Fort Collins, CO 80526, (970) 494–7372.

SUPPLEMENTARY INFORMATION: The Animal and Plant Health Inspection

Service (APHIS) plans to hold two additional public meetings to receive input, particularly from the cattle and bison sectors, on enhancing the current Animal Disease Traceability (ADT) system. During April and May 2017, meetings took place in Oklahoma City, OK; Riverdale, MD; Nashville, TN; Bloomington, MN; Denver, CO; Rancho Cordova, CA; and Billings, MT.

The original ADT framework, as described in the January 6, 2013, final rule [1] establishing the program, provided specific performance requirements for an intentionally flexible ADT system. This let States and individual producers use personally efficient methods to meet requirements to move their livestock between States.

These meetings will provide additional opportunities for APHIS to hear from the public about the successes and challenges of the current ADT framework and let attendees brainstorm ideas about overcoming these challenges and finding ways to fill gaps in the existing system. Although APHIS is especially interested during these sessions to hear from cattle and bison industry members, we welcome participation from all members of the public.

Each meeting will start with an overview of the basic principles of ADT and progress made to date given by APHIS employees and a panel of State and industry representatives. A comment/question and answer session will follow. After a break for lunch, attendees will split off into breakout sessions to discuss challenge areas and come up with solutions. The entire group will reconvene to receive the highlights of the breakout sessions, and the meeting will end after some discussion of next steps and closing remarks.

If you are planning to attend a meeting, we ask that you register in advance by visiting *http://www.aphis.usda.gov/animal-health/adt-meeting-registrations.* Same-day registration will also be available at each meeting site. If you require special accommodations, such as a sign language interpreter, please call or write the individual listed under **FOR FURTHER INFORMATION CONTACT**. Written statements about the current ADT system may be filed at the meetings or by using one of the methods described under **ADDRESSES** above.

[1] See *https://www.regulations.gov/docket?D=APHIS-2009-0091.*

Done in Washington, DC, this 8th day of June 2017.

Michael C. Gregoire,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2017–12190 Filed 6–12–17; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Farm Service Agency

Information Collection Request; Transfer of Farm Records Between Counties

AGENCY: Farm Service Agency, USDA.

ACTION: Notice; request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the Farm Service Agency (FSA) is requesting comments from interested individuals and organizations on an extension of a currently approved information collection associated with transferring of farm records from one FSA county office to another.

DATES: We will consider comments that we receive by August 14, 2017.

ADDRESSES: We invite you to submit comments on this Notice. In your comment, include volume, date, and page number of this issue of the **Federal Register**. You may submit comments by any of the following methods:

- *Federal eRulemaking Portal:* Go to: *www.regulations.gov.* Follow the online instructions for submitting comments.
- *Mail, hand delivery, or courier:* Melonie Sullivan, Agricultural Program Specialist, Program Policy Branch, 1400 Independence Avenue SW., STOP 0512, Washington, DC 20250–0512.

You may also send comments to the Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503.

Comments will be available for inspection online at *http://www.regulations.gov.* Copies of the information collection and any public comments may be requested by contacting Melonie Sullivan at the above address.

FOR FURTHER INFORMATION CONTACT: Melonie Sullivan, (202) 690–1003. Persons with disabilities or who require alternative means for communication should contact the USDA Target Center at (202) 720–2600 (voice).

SUPPLEMENTARY INFORMATION:

Title: Transfer of Farm Records between Counties.

OMB Control Number: 0560–0253.

Type of Request: Extension.

Abstract: Farm owners or operators may request to transfer farm records between FSA county offices under certain circumstances, which may include:

- A change has occurred in the operation of the land; or
- there has been a change that would cause the receiving county office to be more accessible, including, but not limited to, the construction of a new highway, relocation of the county office building site; or
- when an FSA county office closes.

FSA County Committees from both the transferring and receiving counties must approve or disapprove all proposed farm record transfers. If the FSA County Committee is not able to approve the request based on one of the criteria in 7 CFR 718.8(e), then the State Committee would need to submit an exception request to the Deputy Administrator for Farm Programs.

For the following estimated total annual burden on respondents, the formula used to calculate the total burden hours is the estimated average time per response multiplied by the estimated total annual responses.

The estimate of the average time to respond includes the estimate for the time to collect and provide the information, including travel time to the local FSA county office. Public reporting burden for collecting information under this notice is estimated to average 10 minutes per response (0.167 hours), including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The average travel time, which is included in the total annual burden, is estimated to be 1 hour per respondent. Therefore, the total estimate of the average time to respond is 1.167 hours.

Type of Respondents: Owners and operators.

Estimated Number of Respondents: 21,240.

Estimated Average Number of Responses per Respondent: 1.

Estimated Total Annual Responses: 21,240.

Estimated Average Time per Response: 1.167.

Estimated Total Annual Burden on Respondents: 24,780 hours.

We are requesting comments on all aspects of this information to help us to:

(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 from those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

All comments received in response to this notice, including names and addresses when provided, will be a matter of public record. Comments will be summarized and included in the submission for Office of Management and Budget Approval.

Chris P. Beyerhelm,

Acting Administrator, Farm Service Agency.

[FR Doc. 2017–12221 Filed 6–12–17; 8:45 am]

BILLING CODE 3410–05–P

DEPARTMENT OF AGRICULTURE

Forest Service

Lassen County Resource Advisory Committee

AGENCY: Forest Service, USDA.

ACTION: Notice of meeting.

SUMMARY: The Lassen County Resource Advisory Committee (RAC) will meet in Susanville, California. The committee is authorized under the Secure Rural Schools and Community Self-Determination Act (the Act) and operates in compliance with the Federal Advisory Committee Act. The purpose of the committee is to improve collaborative relationships and to provide advice and recommendations to the Forest Service concerning projects and funding consistent with the Act. RAC information can be found at the following Web site: *https://www.fs.usda.gov/main/lassen/workingtogether/advisorycommittees.*

DATES: The meeting will be held on Thursday, June 29, 2017, from 1:00 p.m.–4:00 p.m.

All RAC meetings are subject to cancellation. For status of meeting prior to attendance, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

ADDRESSES: The meeting will be held at the Lassen National Forest Supervisor's Office, in the Caribour Conference Room, 2550 Riverside Drive, Susanville, California.

Written comments may be submitted as described under **SUPPLEMENTARY INFORMATION**. All comments, including names and addresses when provided, are placed in the record and are available for public inspection and copying. The public may inspect comments received at the Lassen National Forest Supervisor's Office. Please call ahead to facilitate entry into the building.

FOR FURTHER INFORMATION CONTACT: Matthew Boisseau, District Ranger/RAC Coordinator, by phone at (530) 768–4109 or via email at *mboisseau@fs.fed.us.*

Individuals who use telecommunication devices for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8:00 a.m. and 8:00 p.m., Eastern Standard Time, Monday through Friday.

SUPPLEMENTARY INFORMATION: The purpose of the meeting is to discuss how the committee will review and prioritize projects at the upcoming RAC meeting held on Thursday, August 31, 2017.

The meeting is open to the public. The agenda will include time for people to make oral statements of three minutes or less. Individuals wishing to make an oral statement should request in writing by Friday, June 23, 2017, to be scheduled on the agenda. Anyone who would like to bring related matters to the attention of the committee may file written statements with the committee staff before or after the meeting. Written comments and requests for time for oral comments must be sent to Matthew Boisseau, District Ranger/RAC Coordinator, 2550 Riverside Drive, Susanville, California 96130; or by email to *mboisseau@fs.fed.us,* or via facsimile to (530) 252- 6463.

Meeting Accommodations: If you are a person requiring reasonable accommodation, please make requests in advance for sign language interpreting, assistive listening devices or other reasonable accommodation for access to the facility or proceedings by contacting the person listed in the section titled **FOR FURTHER INFORMATION CONTACT**. All reasonable accommodation requests are managed on a case by case basis.

Dated: May 26, 2017.

Glenn Casamassa,

Associate Deputy Chief, National Forest System.

[FR Doc. 2017–12165 Filed 6–12–17; 8:45 am]

BILLING CODE 3411–15–P

COMMISSION ON CIVIL RIGHTS

Agenda and Notice of Public Meeting of the Colorado Advisory Committee

AGENCY: Commission on Civil Rights.

ACTION: Announcement of meeting.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission), and the Federal Advisory Committee Act (FACA), that a meeting of the Colorado Advisory Committee to the Commission will convene at 6 p.m. (MDT) on July 18, 2017 at the University of Denver, Bldg. 26, Sturm Hall (Building 26), Lindsey Auditorium (Room 281), 2000 E. Asbury Ave., Denver, CO 80208. The purpose of the briefing meeting is to hear testimony on the impact of the Blaine Amendment (Colorado's No Aid Clause) in Colorado.

DATES: Tuesday, July 18, 2017, from 6 p.m. to 8 p.m. MDT.

ADDRESSES: University of Denver, Sturm Hall, Lindsey Auditorium (Rm. 281), 2000 E. Asbury Ave., Denver, CO 80208.

FOR FURTHER INFORMATION CONTACT: Evelyn Bohor at *ebohor@usccr.gov,* or 303–866–1040.

SUPPLEMENTARY INFORMATION: The Colorado Advisory Committee will hear from individuals with expertise on Colorado's No Aid Clause. The Committee will examine the history of the Blaine Amendment, those in favor of continued use and those in favor of modifying or eliminating use of the Blaine Amendment in Colorado. Through testimony, the Committee will receive information on the effects of the Blaine Amendment on the civil rights of a wide range of families in Colorado's schools.

The meeting is free and open to the public. If other persons who plan to attend the meeting require accommodations, please contact Evelyn Bohor at *ebohor@usccr.gov* at the Rocky Mountain Regional Office at least ten (10) working days before the scheduled date of the meeting.

Time will be set aside at the end of the briefing so that members of the public may address the Committee after the formal presentations have been completed. Persons interested in the issue are also invited to submit written comments; the comments must be received in the regional office by Friday, August 18, 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=238* 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.

Tentative Agenda

Tuesday, July 18, 2017

I. Welcome and Introductions
II. History and Background Information on Blaine Amendment: Colorado's No Aid Clause
III. Panel One: For Blaine
IV. Panel Two: Against Blaine
V. Open Session
VI. Adjournment

Dated: June 7, 2017.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2017–12076 Filed 6–12–17; 8:45 am]

BILLING CODE P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B–53–2015]

Foreign-Trade Zone 119—Minneapolis-St. Paul, Minnesota, Application for Additional Production Authority; The Coleman Company, Inc., Subzone 119I, Invitation for Public Comment on Preliminary Recommendation

The FTZ Board is inviting public comment on its staff's preliminary recommendation pertaining to the application of The Coleman Company, Inc. (Coleman) requesting unrestricted production authority within Subzone 119I at the Coleman facility located in Sauk Rapids, Minnesota. Specifically, the application requests unrestricted authority to produce personal flotation devices and flotation cushions using the following inputs in foreign status: Certain nylon and polyester woven fabrics; webbing of man-made fibers; neoprene fabrics; knit polyester fleece fabrics; and, water soluble sensing elements. The FTZ Board staff's analysis of the evidence currently on the record of the proceeding indicates that the applicant has not met the burden of proof as it pertains to the criteria for approval under the FTZ Board's regulations (15 CFR part 400). Therefore, the staff's preliminary recommendation is to not approve the requested authority.

Public comment is invited through July 31, 2017. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period, until August 15, 2017. Submissions shall be addressed to the FTZ Board's Executive Secretary at the address below.

A summary of the FTZ Board's staff's analysis and preliminary recommendation 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) 482–2862.

Dated: June 7, 2017.

Andrew McGilvray,

Executive Secretary.

[FR Doc. 2017–12188 Filed 6–12–17; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–201–805]

Certain Circular Welded Non-Alloy Steel Pipe From Mexico; Final Results of Antidumping Duty Administrative Review and Final Determination of No Shipments; 2014–2015

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: On December 9, 2016, the Department of Commerce (the Department) published the preliminary results of the administrative review of the antidumping duty order on certain circular welded non-alloy steel pipe from Mexico. The period of review (POR) is November 1, 2014, through October 31, 2015. The review covers eight producers/exporters of the subject merchandise, including the two respondents selected for individual examination: Maquilacero, S.A. de C.V. (Maquilacero) and Regiomontana de Perfiles y Tubos, S.A. de C.V. (Regiopytsa). Based on our analysis of the comments received, we made certain changes to our preliminary findings for Regiopytsa. The final weighted-average dumping margins for the reviewed producers/exporters are listed below in the section entitled ''Final Results of Review.''

DATES: Effective June 13, 2017.

FOR FURTHER INFORMATION CONTACT: Mark Flessner or Erin Kearney, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–6312 or (202) 482–0167, respectively.

SUPPLEMENTARY INFORMATION:

Background

On December 9, 2016, the Department published in the **Federal Register** the *Preliminary Results* of this administrative review.[1] In accordance with 19 CFR 351.309(c)(1)(ii), we invited interested parties to comment on the *Preliminary Results.* On December 22, 2016, the Department issued post-preliminary supplemental questionnaires to Maquilacero and Regiopytsa.[2] On January 18 and 19, 2017, Maquilacero and Regiopytsa, respectively, submitted responses to the Department's post-preliminary supplemental questionnaire.[3] On February 21, 2017, the Department received case briefs from the petitioner,[4] Maquilacero, and Regiopytsa.[5] On February 27, 2017, interested parties submitted rebuttal briefs.[6] On February

[1] *See Preliminary Results.*

[2] *See* Department Letter re: Maquilacero Supplemental Section A, B, C, and D Questions, dated December 22, 2016; *see also* Department Letter re: Regiopytsa Supplemental Section A, B, C, and D Questions, dated December 22, 2016.

[3] *See* Maquilacero Letter re: Certain Circular Welded Non-Alloy Steel Pipe and Tube from Mexico; Maquilacero S.A. de C.V.'s Third Supplemental Sections A–D Questionnaire Response, dated January 18, 2017 *see also* Regiopytsa Letter re: Circular Welded Non-Alloy Steel Pipe from Mexico: Response to the Department's December 22, 2016 Supplemental Questionnaire, dated January 19, 2017.

[4] The petitioner is Wheatland Tube Company.

[5] *See* Petitioner Letter re: Circular Welded Non-Alloy Steel Pipe from the Mexico: Case Brief, dated February 21, 2017 (Petitioner Case Brief); *see also* Maquilacero Letter re: Certain Circular Welded Non-Alloy Steel Pipe and Tube from Mexico; Maquilacero S.A. de C.V.'s Case Brief, dated February 21, 2017 (Maquilacero Case Brief); *see also* Regiopytsa Letter re: Circular Welded Non-Alloy Steel Pipe from Mexico: Case Brief, dated February 21, 2017 (Regiopytsa Case Brief).

[6] *See* petitioner Letter re: Circular Welded Non-Alloy Steel Pipe from the Mexico: Rebuttal Brief, dated February 27, 2017 (Petitioner Rebuttal Brief); *see also* Maquilacero Letter re: Certain Circular Welded Non-Alloy Steel Pipe and Tube from Mexico; Maquilacero S.A. de C.V.'s Rebuttal Brief, dated February 27, 2017 (Maquilacero Rebuttal Brief); *see also* Regiopytsa Letter re: Circular Welded Non-Alloy Steel Pipe from Mexico: Rebuttal Brief, dated February 27, 2017 (Regiopytsa Rebuttal Brief).

9 and May 16, 2017, the Department extended the time limit for the final results, until June 7, 2017.[7] The Department conducted this administrative review in accordance with section 751 of the Tariff Act of 1930, as amended (the Act).

Period of Review

The POR is November 1, 2014, through October 31, 2015.

Scope of the Order

The products covered by the order are circular welded non-alloy steel pipes and tubes. The merchandise covered by the order and subject to this review is currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) at subheadings: 7306.30.1000, 7306.30.5025, 7306.30.5032, 7306.30.5040, 7306.30.5055, 7306.30.5085, and 7306.30.5090. Although the HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope of this proceeding is dispositive.

A full description of the scope of the order is contained in the Issues and Decisions Memorandum,[8] which is hereby adopted by this notice and incorporated herein by reference. The Issues and Decisions 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 *https://access.trade.gov* and 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 Issues and Decisions Memorandum can be accessed directly on the Internet at *http://enforcement.trade.gov/frn.* The signed Issues and Decisions Memorandum and electronic versions of the Issues and Decisions Memorandum are identical in content.

Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties to this proceeding are addressed in the Issues and Decision Memorandum. A list of the issues that parties raised, and to which we responded, is attached to this notice as an appendix.

Changes Since the Preliminary Results

Based on our analysis of the comments received, we made certain changes to Regiopytsa's margin calculation. Additionally, we made certain changes to the assessment rates for both mandatory respondents. These changes are fully discussed in the Issues and Decision Memorandum.

Final Results of Review

As a result of this review, we determine the following weighted-average dumping margins exist for the POR:

Exporter or producer	Weighted-average dumping margins (percent)
Maquilacero, S.A. de C.V	7.32
Regiomontana de Perfiles y Tubos, S.A. de C.V./PYTCO, S.A. de C.V[9]	2.43
Conduit, S.A. de C.V	3.53
Productos Laminados de Monterrey, S.A. de C.V	3.53
Ternium Mexico, S.A. de C.V	3.53

Consistent with the *Preliminary Results,* we calculated a weighted-average margin for the companies not selected for individual examination (*i.e.,* Conduit, S.A. de C.V. (Conduit); Productos Laminados de Monterrey, S.A. de C.V. (Prolamsa); and Ternium Mexico, S.A. de C.V. (Ternium)) using the publicly available, ranged total U.S. sales values of the selected respondents, which is 3.53 percent.[10]

Disclosure

The Department intends to disclose the calculations performed for these final results of review within five days of the date of publication of this notice in the **Federal Register**, in accordance with 19 CFR 351.224(b).

Final Determination of No Shipments

Lamina y Placa and Mueller reported that they made no sales of subject merchandise during the POR.[11] On November 28, 2016, we issued a no-shipment inquiry to U.S. Customs and Border Protection (CBP) to confirm that there were no entries of subject merchandise by either Lamina y Placa or Mueller during the POR.[12] We received no information from CBP that contradicted Lamina y Placa and Mueller's claims of no shipments, and we received no comments from interested parties with respect to the Department's preliminary determination of no shipments for Lamina y Placa and Mueller. Therefore, based on the claims of no shipments by Lamina y Placa and Mueller, and because the record contains no information to the contrary, we continue to determine for these final results that Lamina y Placa and Mueller had no shipments of subject merchandise and, therefore, no reviewable transactions during the POR. As noted in the ''Assessment Rates'' section, below, the Department intends to issue appropriate instructions to CBP for Lamina y Placa and Mueller.

Assessment Rates

Pursuant to section 751(a)(2)(A) of the Act, and 19 CFR 351.212(b), the Department has determined, and CBP shall assess, antidumping duties on all appropriate entries of subject merchandise in accordance with the final results of this review. The Department intends to issue assessment instructions to CBP 41 days after the date of publication of these final results of review.

The Department will instruct CBP to apply an *ad valorem* assessment rate of 7.32 percent to all entries of subject merchandise during the POR which were produced and/or exported by Maquilacero. The Department will instruct CBP to apply an *ad valorem* assessment rate of 2.43 percent to all entries of subject merchandise during the POR which were produced and/or exported by Regiopytsa. However, for the reasons discussed in the accompanying Issues and Decisions Memorandum, the Department will adjust the assessment rate for entries on certain entries of subject merchandise produced and/or exported by Maquilacero and Regiopytsa to account for the total amount of duties that would have been collected on the two companies' full universe of U.S. sales. The Department will instruct CBP to apply an *ad valorem* assessment rate of 3.53 percent to all entries of subject merchandise during the POR which

[7] *See* Memorandum, ''Certain Circular Welded Non-Alloy Steel Pipe from Mexico: Extension of Time Limit for Final Results of Antidumping Duty Administrative Review,'' dated February 9, 2017; *see also* Memorandum, ''Certain Circular Welded Non-Alloy Steel Pipe from Mexico: Extension of Time Limit for Final Results of Antidumping Duty Administrative Review,'' dated May 16, 2017.

[8] *See* Memorandum, ''Issues and Decisions Memorandum for the Final Results of the Antidumping Duty Administrative Review: Certain Circular Welded Non-Alloy Steel Pipe from Mexico; 2014–2015,'' dated concurrently with this notice (Issues and Decisions Memorandum).

[9] We continue for these final results to treat Regiomontana de Perfiles y Tubos, S.A. de C.V., and PYTCO, S.A. de C.V., as a single entity. *See* the Issues and Decisions Memorandum.

[10] For Maquilacero, we used the publicly ranged sales value of $3,500,000; *see* Maquilacero Section A Response (Public Version) at Exhibit A–1. For Regiopytsa, we used the publicly ranged sales value of $12,100,259; *see* Maquilacero Section A Response (Public Version) at Exhibit A–1.

[11] *See* Lamina y Placa Letter, re: Certain Circular Welded Non-Alloy Steel Pipe from Mexico: Notice of No Sales, dated January 19, 2016. *See also* Mueller Letter, re: Certain Circular Welded Non-Alloy Steel Pipe from Mexico: Certification of No Shipments, dated February 9, 2016.

[12] *See Preliminary Results.*

were produced and/or exported by Conduit, Prolamsa, or Ternium.

Additionally, because the Department determined that Lamina y Placa and Mueller had no shipments of the subject merchandise, any suspended entries that entered under those companies' case numbers (*i.e.,* at those companies' rates) will be liquidated at the all-others rate effective during the period of review consistent with the Department's practice.[13]

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the notice of final results of administrative review for all shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication of the final results of this administrative review, as provided by section 751(a)(2) of the Act: (1) The cash deposit rates for Conduit, Maquilacero, Prolamsa, Regiopytsa, and Ternium will be the rates established in the final results of this administrative review; (2) for merchandise exported by producers or exporters not covered in this administrative review but covered in a prior segment of the proceeding, 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 original investigation, but the producer is, the cash deposit rate will be the rate established for the most recent period for the producer of the merchandise; and (4) the cash deposit rate for all other producers or exporters will continue to be 32.62 percent, the all-others rate established in the investigation.[14] These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

[13] For a full discussion of this clarification, *see Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003).

[14] *See Final Determination of Sales at Less Than Fair Value: Circular Welded Non-Alloy Steel Pipe from Mexico,* 57 FR 42953 (September 17, 1992).

Administrative Protective Order

This notice also serves as a reminder to parties subject to administrative protective orders (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return/destruction of APO materials, or conversion to judicial protective order, is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.213(h).

Dated: June 6, 2017.

Ronald K. Lorentzen,

Acting Assistant Secretary for Enforcement and Compliance.

Appendix—List of Topics Discussed in the Issues and Decisions Memorandum

I. Summary
II. Background
III. Scope of the Order
IV. Discussion of the Issues
  Comment 1: Calculation of Billing Adjustments
  Comment 2: Programming Error—Month Matching
  Comment 3: Theoretical *Versus* Actual Weight
  Comment 4: Accounting for, and Properly Assessing, All Sales of Subject Merchandise
  Comment 5: Alleged Changes in Model Match Characteristics
  Comment 6: Anomalies in Reporting of Wall Thickness and Pipe Size
  Comment 7: Continuous Entry Bonds
V. Recommendation

[FR Doc. 2017–12187 Filed 6–12–17; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–533–840]

Certain Frozen Warmwater Shrimp From India: Correction to the Initiation Notice of the 2016–2017 Antidumping Duty Administrative Review

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

FOR FURTHER INFORMATION CONTACT: Manuel Rey, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–5518.

SUPPLEMENTARY INFORMATION:

Background

On April 10, 2017, the Department of Commerce (the Department) published in the **Federal Register** notice of its initiation of the 2016–2017 administrative review of the antidumping duty order on certain frozen warmwater shrimp from India.[1] The period of review is February 1, 2016, through January 31, 2017. Subsequent to the publication of the initiation of this segment of the proceeding in the **Federal Register**, we identified inadvertent errors in the *Initiation Notice:.*

- First, the Department omitted from the *Initiation Notice* the following companies for which a review was requested: MTR Foods; Royale Marine Impex Pvt. Ltd.; and Sagar Foods.[2]
- Second, we initiated the review for Hindustan Lever, Ltd., a company for which no review was requested.[3]
- Third, we initiated the review on duplicate companies.[4]
- Finally, we made typographical errors in the name of several companies.[5]

The Department is hereby correcting the *Initiation Notice* to address these errors. This correction to the notice of initiation of administrative review is issued and published in accordance

[1] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 82 FR 17188 (April 10, 2017) (*Initiation Notice*).

[2] Because the Department received timely review requests for these companies, we now correct the *Initiation Notice* to initiate reviews for them.

[3] The Department did not receive a review request for this company; therefore, it should not have been included in the *Initiation Notice.* As a result, we now correct the *Initiation Notice* to remove this company name.

[4] These companies are as follows: Edhayam Frozen Foods Private Limited; Kadalkanny Frozen Foods; Kader Exports Private Limited; Kader Investment and Trading Company Private Limited; Kay Kay Exports (Kay Kay Foods); Liberty Frozen Foods Private Limited; Liberty Oil Mills Ltd.; Nila Sea Foods Exports; Satya Seafoods Private Limited; Universal Cold Storage Private Limited; and Usha Seafoods. These companies were either: (1) found in a previous segment of this proceeding to be part of a collapsed entity (*i.e.,* treated as a single entity for purposes of calculating antidumping duty rates); For (2) considered to be a name variation (*i.e.,* ''also known as'') of another company for which the Department also received a review request. Therefore, we have removed the duplicated instance of the names of these companies.

[5] The following names involved typographical errors: Exporter Coreline Exports Falcon Marine Exports Limited/K.R. Enterprises, Sprint Exports Pvt. Ltd. Sri Sakkthi Cold Storage, and Amarsagar Seafoods Exports Private Limited. The correct individual company names are Exporter Coreline Exports, Falcon Marine Exports Limited/K.R. Enterprises, Sprint Exports Pvt. Ltd., Sri Sakkthi Cold Storage, and Amarsagar Seafoods Private Limited.

with sections 751(a) and 777(i)(1) of the Tariff Act of 1930, as amended.

Dated: June 8, 2017.

Gary Taverman,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2017–12186 Filed 6–12–17; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Telecommunications and Information Administration

[Docket No. 170602536–7536–01]

RIN 0660–XC035

Promoting Stakeholder Action Against Botnets and Other Automated Threats

AGENCY: National Telecommunications and Information Administration, U.S. Department of Commerce.

ACTION: Notice, request for public comment.

SUMMARY: The National Telecommunications and Information Administration (NTIA), on behalf of the Department of Commerce (Department), is requesting comment on actions that can be taken to address automated and distributed threats to the digital ecosystem as part of the activity directed by the President in Executive Order 13800, ''Strengthening the Cybersecurity of Federal Networks and Critical Infrastructure.'' Through this Request for Comments (RFC), NTIA seeks broad input from all interested stakeholders—including private industry, academia, civil society, and other security experts—on ways to improve industry's ability to reduce threats perpetuated by automated distributed attacks, such as botnets, and what role, if any, the U.S. Government should play in this area.

DATES: Comments are due on or before 5 p.m. Eastern Time on July 13, 2017.

ADDRESSES: Written comments may be submitted by email to *counter_botnet_RFC@ntia.doc.gov.* Written comments also may be submitted by mail to the National Telecommunications and Information Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Room 4725, Attn: Evelyn L. Remaley, Deputy Associate Administrator, Washington, DC 20230. For more detailed instructions about submitting comments, see the ''Instructions for Commenters'' section of **SUPPLEMENTARY INFORMATION.**

FOR FURTHER INFORMATION CONTACT: Megan Doscher, tel.: (202) 482–2503, email: *mdoscher@ntia.doc.gov*, or Allan Friedman, tel.: (202) 482–4281, email: *afriedman@ntia.doc.gov*, National Telecommunications and Information Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Room 4725, Washington, DC 20230. Please direct media inquiries to NTIA's Office of Public Affairs, (202) 482–7002, or at *press@ntia.doc.gov.*

SUPPLEMENTARY INFORMATION:

Background: The open and distributed nature of the digital ecosystem has led to unprecedented growth and innovation in the digital economy. However, it has been accompanied by risks that threaten to undermine that very ecosystem. These risks take many forms online, with different combinations of threats, vulnerabilities, and affected parties from those in the physical world. The President has directed the Departments of Commerce and Homeland Security to jointly lead an open and transparent process to identify and promote action by appropriate stakeholders to improve the resilience of the Internet and communications ecosystem and to encourage collaboration with the goal of dramatically reducing threats perpetrated by automated and distributed attacks.[1] This RFC focuses on automated, distributed attacks that affect large sets of victims, and that put the broader network and its users at risk. These types of attacks have been a concern since the early days of the Internet,[2] and were a regular occurrence by the early 2000s.[3] Automated and distributed attacks, particularly botnets due to their ability to facilitate high-impact disruption, form a threat that is bigger than any one company or sector. Botnets are used for a variety of malicious activities, but distributed denial of service (DDoS) attacks, which can overwhelm other networked resources, are a critical threat and developing collaborative solutions to prevent and mitigate these attacks is a priority. As new scenarios emerge, including those exploiting a new generation of connected devices (so called ''Internet of Things'' (IoT) devices), there is an urgent need for coordination and collaboration across a diverse set of ecosystem stakeholders.

As part of this effort, the Department will also host a public workshop at the National Institute of Standards and Technology's National Cybersecurity Center of Excellence on July 11–12, 2017, entitled, ''Enhancing Resilience of the Communications Ecosystem.'' Outputs from this workshop will also help to guide implementation activities related to the President's Executive Order. More information about the workshop will be available on the NIST Web site at: *www.nist.gov.*

The Federal government has worked with stakeholders in the past to address new threats as they arise. Previous efforts include the White House-led Industry Botnet Group[4] (which led to an Anti-Botnet Code of Conduct[5]), the Communications Security, Reliability and Interoperability Council's (CSRIC) reports on ISP Network Protection Practices[6] and Remediation of Server-Based DDoS Attacks,[7] as well as the active and ongoing work by the Department of Justice and its many partners on attacking and ''sink-holing'' the infrastructure supporting these threats.[8] These initiatives, and others like them, underscore the need for active collaboration between the public and private sectors.

The Department has played an important role in facilitating engagement around cybersecurity between public policy interests and the innovative force of the private sector. The Department was tasked to work with industry to develop a framework

[1] *Strengthening the Cybersecurity of Federal Networks and Critical Infrastructure,* Exec. Order 13800, 82 FR 22391 (May 11, 2017).

[2] *See generally United States* v. *Morris,* 928 F.2d 504 (2d Cir. 1991) (discussing one of the first known computer worms to spread across the Internet).

[3] *See* Nicholas C. Weaver, *Warhol Worms: The Potential for Very Fast Internet Plagues, Int'l Computer Science Inst.* (Aug. 15, 2001), *http://www1.icsi.berkeley.edu/~nweaver/papers/warhol/warhol.html.*

[4] U.S. Dep't of Commerce, *White House Announces Public-Private Partnership Initiatives to Combat Botnets* (May 30, 2012), *http://2010-2014.commerce.gov/news/press-releases/2012/05/30/white-house-announces-public-private-partnership-initiatives-combat-b.html.*

[5] Working Group 7—Botnet Remediation, Communications Security, Reliability and Interoperability Council III, *Final Report, U.S. Anti-Bot Code of Conduct (ABC) for Internet Services Providers (ISPs),* Barrier and Metric Considerations (Mar. 2013), *https://transition.fcc.gov/bureaus/pshs/advisory/csric3/CSRIC_III_WG7_Report_March_%202013.pdf.*

[6] Working Group 8, Communications Security, Reliability and Interoperability Council I, *Final Report, Internet Service Provider (ISP) Network Protection Practices* (Dec. 2010), *http://transition.fcc.gov/pshs/docs/csric/CSRIC_WG8_FINAL_REPORT_ISP_NETWORK_PROTECTION_20101213.pdf.*

[7] Working Group 5, Communications Security, Reliability and Interoperability Council IV Working Group 5, *Final Report, Remediation of Server-Based DDoS Attacks* (Sept. 2014), *https://transition.fcc.gov/pshs/advisory/csric4/CSRIC_IV_WG5_Remediation_of_Server-Based_DDoS_Attacks_Report_Final_(pdf)_V11.pdf.*

[8] *See, e.g.,* U.S. Dep't of Justice, *Avalanche Network Dismantled in International Cyber Operation* (Dec. 5, 2016), *https://www.justice.gov/opa/pr/avalanche-network-dismantled-international-cyber-operation.*

for use by U.S. critical infrastructure to improve cybersecurity practices,[9] leading to NIST's Cybersecurity Framework.[10] Other initiatives include Green Papers developed by the Department built on industry input on cybersecurity [11] and IoT.[12] NTIA has also convened multistakeholder processes to identify consensus-based voluntary solutions on security vulnerability disclosure [13] and IoT security patching and upgradability.[14]

The private sector is also playing a key role in tackling botnets. Internet service providers in the United States and around the world have been experimenting with how to notify customers that their devices may be involved in an attack. Standards bodies have offered guidance on how to mitigate some styles of attacks.[15] Technology providers are innovating around tools to protect resources from DDoS attacks. Application and software manufacturers are working to eliminate exploitable vulnerabilities. This community has worked hard to address the threats over the last decade.

The cybersecurity challenge is particularly vexing because it involves adaptive adversaries. Existing tools, institutions, and initiatives are critical, but we must acknowledge that the threat continues to evolve, and more progress is needed, at an accelerated rate, to address the current landscape. The DDoS attacks launched from the Mirai botnet in the fall of 2016, for example, reached a level of sustained traffic that overwhelmed many common DDoS mitigation tools and services, and even targeted a Domain Name System (DNS) service that was a commonly used component in many DDoS mitigation strategies.[16] This attack also highlighted the growing insecurities in—and threats from—consumer-grade IoT devices. As a new technology, IoT devices are often built and deployed without important security features and practices in place.[17] The issue is not the particular botnet, or the particular target, but the risks posed by botnets of this size and scope, and the expected innovation and increased scale and sophistication of future attacks. Meanwhile, old threats continue to evolve. The WannaCry ransomware that threatened to destroy the data of thousands of individuals and organizations, including hospitals, did not initially involve a botnet. It was spread by a worm-like mechanism similar to attacks of 15 years ago. However, criminals were later observed using the Mirai botnet to attack a key defense against the WannaCry ransomware.[18]

It is difficult to predict what the next significant attack vector will be, but that should not preclude taking steps to mitigate the potential impact of those that are known. Left unchecked, without meaningful progress, these new classes of automated and distributed attacks could be a serious risk to the entire ecosystem. Since poorly considered action would likely create significant unnecessary costs and unintended consequences, substantial, carefully considered action must be considered, and it is most likely to be effective and efficient if built on engagement from all stakeholders across the ecosystem.

Request for Comments

The goal of this RFC is to solicit informed suggestions and feedback on current, emerging, and potential approaches for dealing with botnets and other automated, distributed threats and their impact. The Department is interested in comments that address all aspects of this issue, but particularly those that address two broad approaches where substantial progress can be made:

- *Attack Mitigation:* Minimizing the impact of botnet behavior by rapidly identifying and disrupting malicious behaviors, including the potential of filtering or coordinated network management, empowering market actors to better protect potential targets, and reducing known and emerging risks.
- *Endpoint Prevention:* Securing endpoints, especially IoT devices, and reducing vulnerabilities, including fostering prompt adoption of secure development practices, developing practical plans to rapidly deal with newly discovered vulnerabilities, and supporting adoption of new technology to better control and safeguard devices at the local network level.

Respondents are invited to respond to some or all of the questions below:

1. *What works:* What approaches (*e.g.,* laws, policies, standards, practices, technologies) work well for dealing with automated and distributed threats today? What mechanisms for cooperation with other organizations, either before or during an event, are already occurring?

2. *Gaps:* What are the gaps in the existing approaches to dealing with automated and distributed threats? What no longer works? What are the impediments to closing those gaps? What are the obstacles to collaboration across the ecosystems?

3. *Addressing the problem:* What laws, policies, standards, practices, technologies, and other investments will have a tangible impact on reducing risks and harms of botnets? What tangible steps to reduce risks and harms of botnets can be taken in the near term? What emerging or long term approaches may be promising with more attention, research, and investment? What are the public policy implications of the various approaches? How might these be managed, balanced, or minimized?

4. *Governance and collaboration:* What stakeholders should be involved in developing and executing policies, standards, practices, and technologies? What roles should they play? How can stakeholders collaborate across roles and sectors, and what should this collaboration look like, in practical terms?

5. *Policy and the role of government:* What specific roles should the Federal government play? What incentives or other public policies can drive change?

6. *International:* How does the inherently global nature of the Internet and the digital supply chain affect how we should approach this problem? How can solutions explicitly address the international aspects of this issue?

7. *Users:* What can be done to educate and empower users and decision-

[9] *Improving Critical Infrastructure Cybersecurity,* Exec. Order 13636, 78 FR 11737 (Feb. 12, 2013).

[10] National Institute of Standards and Technology, *Framework for Improving Critical Infrastructure Cybersecurity* (Feb. 12, 2014), *https://www.nist.gov/sites/default/files/documents/cyberframework/cybersecurity-framework-021214.pdf.*

[11] Internet Policy Task Force, U.S. Dep't of Commerce, *Cybersecurity, Innovation and the Internet Economy* (June 2011), *https://www.nist.gov/sites/default/files/documents/itl/Cybersecurity_Green-Paper_FinalVersion.pdf.*

[12] Internet Policy Task Force & Digital Economy Leadership Team, U.S. Dep't of Commerce, *Fostering the Advancement of the Internet of Things* (Jan. 2017), *https://www.ntia.doc.gov/files/ntia/publications/iot_green_paper_01122017.pdf.*

[13] NTIA, *Multistakeholder Process: Cybersecurity Vulnerabilities, https://www.ntia.doc.gov/other-publication/2016/multistakeholder-process-cybersecurity-vulnerabilities* (last visited May 17, 2017).

[14] NTIA, *Multistakeholder Process: Internet of Things (IoT) Security Upgradability and Patching, https://www.ntia.doc.gov/other-publication/2016/multistakeholder-process-iot-security* (last visited May 17, 2017).

[15] *See, e.g.,* P. Ferguson & D. Senie, *Network Ingress Filtering: Defeating Denial of Service Attacks Which Employ IP Source Address Spoofing,* Internet Engineering Task Force (May 2010), *https://www.ietf.org/rfc/rfc2827.txt.*

[16] U.S. Computer Emergency Readiness Team, *Alert (TA16–288A): Heightened DDoS Threat Posed by Mirai and Other Botnets, https://www.us-cert.gov/ncas/alerts/TA16-288A* (last revised Nov. 30, 2016).

[17] National Security Telecommunications Advisory Committee, *Report to the President on the Internet of Things* (Nov. 19, 2014), *https://www.dhs.gov/sites/default/files/publications/NSTAC%20Report%20to%20the%20President%20on%20the%20Internet%20of%20Things%20Nov%202014%20%28updat%20%20%20.pdf.*

[18] *See* Andy Greenberg, *Hackers are Trying to Reignite Wannacry with Nonstop Botnet Attacks,* Wired (May 19, 2017), *https://www.wired.com/2017/05/wannacry-ransomware-ddos-attack/.*

makers, including enterprises and end consumers?

Instructions for Commenters: NTIA invites comment on the full range of issues that may be presented by this inquiry, including issues that are not specifically raised in the above questions. Commenters are encouraged to address any or all of the above questions. Comments that contain references to studies, research, and other empirical data that are not widely published should include copies of the referenced materials with the submitted comments.

Comments submitted by email should be machine-readable and should not be copy-protected. Comments submitted by mail may be in hard copy (paper) or electronic (on CD–ROM or disk). Responders should include the name of the person or organization filing the comment, as well as a page number on each page of their submissions. All comments received are a part of the public record and will generally be posted on the NTIA Web site, *https://www.ntia.doc.gov*, without change. All personal identifying information (for example, name, address) voluntarily submitted by the commenter may be publicly accessible. Do not submit confidential business information or otherwise sensitive or protected information. NTIA will accept anonymous comments.

Dated: June 8, 2017.

Leonard Bechtel,

Chief Financial Officer and Director of Administration, Performing the Non-Exclusive Duties of the Assistant Secretary for Communications and Information, National Telecommunications and Information Administration.

[FR Doc. 2017–12192 Filed 6–12–17; 8:45 am]

BILLING CODE 3510–60–P

COMMODITY FUTURES TRADING COMMISSION

Commission Statement Concerning a Request for an Interpretation as to Whether a Particular Agreement Is a Swap, Security-Based Swap, or Mixed Swap

AGENCY: Commodity Futures Trading Commission.

ACTION: Commission statement.

SUMMARY: The Commodity Futures Trading Commission (the ''Commission'') is publishing this statement concerning a request for an interpretation as to whether a particular agreement is a swap, security-based swap, or mixed swap.

FOR FURTHER INFORMATION CONTACT: Eileen T. Flaherty, Director, (202) 418–5326, *eflaherty@cftc.gov;* Frank Fisanich, Chief Counsel, (202) 418–5949, *ffisanich@cftc.gov;* or Jacob Chachkin, Special Counsel, (202) 418–5496, *jchachkin@cftc.gov,* Division of Swap Dealer and Intermediary Oversight, Commodity Futures Trading Commission, 1155 21st Street NW., Washington, DC 20581.

SUPPLEMENTARY INFORMATION:

Statement

On February 7, 2017, Commission staff received a letter from Breakaway Courier Corporation (''Breakaway''), through its counsel, requesting a joint interpretation from the Commission and the Securities and Exchange Commission (''SEC'', and, together with the Commission, the ''Commissions'') pursuant to Commission regulation 1.8 as to whether a particular agreement is a swap, security-based swap, or mixed swap.[1] Breakaway's request relates to a contract labeled as a Reinsurance Participation Agreement (''RPA''), which it has previously executed with Applied Underwriters Captive Risk Assurance Company, Inc. (''AUCRA'').[2] According to Breakaway's submission, it entered into two RPAs with AUCRA, one of which has a stated effective date of July 1, 2009, and the other of July 1, 2012.

The Commission and the SEC jointly adopted Commission regulation 1.8 and Securities Exchange Act of 1934 (''Exchange Act'')[3] Rule 3a68–2 in 2012[4] pursuant to Section 712(d)(4) of the Dodd-Frank Wall Street Reform and Consumer Protection Act (''Dodd-Frank Act'').[5] The rules established a process for parties to request a joint interpretation as to whether a particular agreement, contract, or transaction (or class thereof) is a swap, security-based swap, or mixed swap. Among other things, the rules set forth the information required to be included in a request and a process for withdrawing a request. Commission regulation 1.8 also includes requirements governing the manner and timing by which the two agencies must act after the receipt of a complete submission under the rule, if they determine to issue such joint interpretation. In addition, paragraph (e)(5) of Commission regulation 1.8 provides that ''[i]f the Commission and the [SEC] do not issue a joint interpretation within the time period described in paragraph (e)(1) or (e)(3) [of the rule], each of the Commission and the [SEC] shall publicly provide the reasons for not issuing such a joint interpretation within the applicable timeframes.''[6]

Pursuant to paragraph (e)(5) of Commission regulation 1.8, the Commission is declining to issue a joint interpretation with the SEC in connection with Breakaway's request.[7] The Commission understands that the status of the RPAs is already subject to ongoing private litigation and that the petitioners' request may bear directly on that litigation. We believe that the Commission regulation 1.8 process is not an appropriate vehicle for litigants such as Breakaway to obtain the views of the Commission in connection with issues in ongoing litigation, and we therefore decline Breakaway's request that we state an interpretive position as to the proper characterization of the RPAs.[8]

Issued in Washington, DC, on June 7, 2017, by the Commission.

Christopher J. Kirkpatrick,

Secretary of the Commission.

Note: The following appendix will not appear in the Code of Federal Regulations.

[1] *See* 17 CFR 1.8.

[2] A copy of Breakaway's submission may be found at: *http://www.cftc.gov/LawRegulation/DoddFrankAct/Dodd-FrankFinalRules/index.htm.*

[3] 15 U.S.C. 78 *et seq.*

[4] *See* Further Definition of ''Swap,'' ''Security-Based Swap,'' and ''Security-Based Swap Agreement''; Mixed Swaps; Security-Based Swap Agreement Recordkeeping, 77 FR 48207 (Aug. 13, 2012) (''Product Definitions Adopting Release'').

[5] *See* Dodd-Frank Act, Public Law 111–203, 124 Stat. 1376 (2010). All references to ''Title VII'' in this statement shall refer to Title VII of the Dodd-Frank Act, which established a comprehensive new regulatory framework for swaps and security-based swaps.

[6] Paragraph (e)(5) of SEC Rule 3a68–2 contains identical language (other than reversing the references to the two commissions). *See* 17 CFR 240.3a68–2.

[7] Commission staff has consulted and coordinated with SEC staff and understands that the SEC will be issuing a separate statement on this matter.

[8] As we and the SEC explained when we jointly adopted Commission regulation 1.8 in 2012 (as well as the corresponding rule under the Exchange Act), the purpose of Commission regulation 1.8 is to ''afford market participants with the opportunity to obtain greater certainty from the Commissions regarding the regulatory status of particular Title VII instruments under the Dodd-Frank Act. This provision should decrease the possibility that market participants inadvertently might fail to meet the regulatory requirements applicable to a particular Title VII instrument.'' *See* Product Definitions Adopting Release, 77 FR at 48295. We and the SEC also noted our belief that ''it is essential that the characterization of an instrument be established prior to any party engaging in the transactions so that the appropriate regulatory schemes apply.'' *See* Product Definitions Adopting Release, 77 FR at 48297.

Appendix to Commission Statement Concerning a Request Made Pursuant to Commission Regulation 1.8—Commission Voting Summary

On this matter, Acting Chairman Giancarlo and Commissioner Bowen voted in the affirmative. No Commissioner voted in the negative.

[FR Doc. 2017–12141 Filed 6–12–17; 8:45 am]

BILLING CODE 6351–01–P

CONSUMER PRODUCT SAFETY COMMISSION

Commission Agenda and Priorities; Notice of Hearing

AGENCY: U.S. Consumer Product Safety Commission.

ACTION: Notice of public hearing.

SUMMARY: The U.S. Consumer Product Safety Commission (Commission) will conduct a public hearing to receive views from all interested parties about the Commission's agenda and priorities for fiscal year 2018, which begins on October 1, 2017, and for fiscal year 2019, which begins on October 1, 2018. We invite members of the public to participate. Written comments and oral presentations concerning the Commission's agenda and priorities for fiscal years 2018 and 2019 will become part of the public record.

DATES: The hearing will begin at 10 a.m. on July 26, 2017, and will conclude the same day. Requests to make oral presentations and the written text of any oral presentations must be received by the Office of the Secretary not later than 5 p.m. Eastern Daylight Time (EDT) on July 12, 2017. The Commission will accept written comments as well. These also must be received by the Office of the Secretary not later than 5 p.m. EDT on July 12, 2017.

ADDRESSES: The hearing will be in the Hearing Room, 4th Floor of the Bethesda Towers Building, 4330 East-West Highway, Bethesda, MD 20814. Requests to make oral presentations, and texts of oral presentations and written comments should be captioned, ''Agenda and Priorities FY 2018 and/or 2019,'' and sent by electronic mail (email) to: *cpsc-os@cpsc.gov,* or mailed or delivered to the Office of the Secretary, U.S. Consumer Product Safety Commission, 4330 East-West Highway, Bethesda, MD 20814. Requests and written comments must be received no later than 5 p.m. EDT on July 12, 2017.

FOR FURTHER INFORMATION CONTACT: For information about the hearing, or to request an opportunity to make an oral presentation, please send an email, call, or write Todd A. Stevenson, Office of the Secretary, U.S. Consumer Product Safety Commission, 4330 East-West Highway, Bethesda, MD 20814; email: *cpsc-os@cpsc.gov;* telephone: (301) 504–7923; facsimile: (301) 504–0127. An electronic copy of the CPSC's budget request for fiscal year 2018 and the CPSC's 2016–2020 Strategic Plan can be found at: *www.cpsc.gov/about-cpsc/agency-reports/performance-and-budget.*

SUPPLEMENTARY INFORMATION:

I. Background

Section 4(j) of the Consumer Product Safety Act (CPSA) (15 U.S.C. 2053(j)) requires the Commission to establish an agenda for action under the laws the Commission administers, and to the extent feasible, select priorities for action at least 30 days before the beginning of each fiscal year. Section 4(j) of the CPSA provides further that before establishing its agenda and priorities, the Commission conduct a public hearing and provide an opportunity for the submission of comments.

II. Oral Presentations and Submission of Written Comments

The Commission is in the process of preparing the agency's fiscal year 2018 Operating Plan and fiscal year 2019 Congressional Budget Request. Fiscal year 2018 begins on October 1, 2017, and fiscal year 2019 begins on October 1, 2018. Through this notice, the Commission invites the public to comment on the following questions:

1. What are the priorities the Commission should consider emphasizing and dedicating resources toward in the fiscal year 2018 Operating Plan and/or the fiscal year 2019 Congressional Budget Request?

2. What activities should the Commission consider deemphasizing in the fiscal year 2018 Operating Plan and/or the fiscal year 2019 Congressional Budget Request?

3. What retrospective review of rules should the Commission consider in the fiscal year 2018 Operating Plan and/or the fiscal year 2019 Congressional Budget Request, consistent with the Plan for Retrospective Review of Existing Rules adopted by the Commission on April 1, 2016?

4. The CPSC's programs will align with the strategic goals outlined in the CPSC's 2016- 2020 Strategic Plan. The CPSC's fiscal year 2018 Budget Request, submitted to Congress on May 23, 2017, is based on four agency priorities: (1) Focusing the agency's resources on the highest-priority consumer product safety risks; (2) continuing to support import surveillance by incrementally developing the Risk Assessment Methodology (RAM) system to identify and stop noncompliant imported products from entering the U.S. marketplace; (3) emphasizing outreach and education by engaging all stakeholders through forums and workshops; and (4) expanding the sources and types of data analysis used to identify and assess product safety risks and inform compliance decisions. The Commission requests comments on the priorities as presented in the FY 2018 Budget Request. The CPSC's Budget Request for fiscal year 2018 can be found at: *www.cpsc.gov/about-cpsc/agency-reports/performance-and-budget.* The Commission also requests comments on whether the Commission should consider making any changes or adjustments to the agency's proposed or ongoing safety standards activities, regulation and enforcement efforts in fiscal years 2018 and 2019, keeping in mind the CPSC's existing policy on establishing priorities for Commission action (16 CFR 1009.8). Comments are welcome on whether particular action items should be higher priority than others, should not be included, or should be added to the fiscal year 2018 and/or fiscal year 2019 agendas.

Persons who desire to make oral presentations at the hearing on July 26, 2017 should send an email, call, or write Todd A. Stevenson, Office of the Secretary, U.S. Consumer Product Safety Commission, 4330 East-West Highway, Bethesda, MD 20814; email: *cpsc-os@cpsc.gov;* telephone: (301) 504–7923; facsimile (301) 504–0127 not later than 5 p.m. EDT on July 12, 2017. Requests to make oral presentations and texts of the presentation must be received not later than 5 p.m. EDT on July 12, 2017. Presentations should be limited to approximately 10 minutes. The Commission reserves the right to impose further time limitations on all presentations and further restrictions to avoid duplication of presentations.

If you do not want to make an oral presentation, but would like to provide written comments, you may do so. Please submit written comments in the manner described in the previous paragraph. Written comments must be received no later than 5 p.m. EDT on July 12, 2017.

Dated: June 7, 2017.

Todd A. Stevenson,

Secretary, U.S. Consumer Product Safety Commission.

[FR Doc. 2017–12069 Filed 6–12–17; 8:45 am]

BILLING CODE 6355–01–P

CONSUMER PRODUCT SAFETY COMMISSION

[Docket No. CPSC–2017–0027]

CPSC Workshop on Recall Effectiveness

AGENCY: Consumer Product Safety Commission.

ACTION: Announcement of meeting.

SUMMARY: The Consumer Product Safety Commission (CPSC, Commission, or we) staff is holding a workshop on potential ways to improve the effectiveness of consumer product recalls. We invite interested parties to attend the workshop.

DATES: The workshop will be held from 10 a.m. to 3 p.m. on July 25, 2017. Individuals interested in attending the workshop should register by July 3, 2017. Suggestions for additional topics for the workshop should be submitted by June 23, 2017.

ADDRESSES: The workshop will be held in the Hearing Room at CPSC's headquarters at: 4330 East West Highway, Bethesda, MD 20814. There is no charge to attend the workshop. Persons interested in attending the workshop should register online at: *https://cpsc.gov/content/cpsc-workshop-on-recall-effectiveness.*

If you have suggestions for additional topics for the workshop, please submit them to *jfwilliams@cpsc.gov* by June 23, 2017.

FOR FURTHER INFORMATION CONTACT: Joseph Williams, Compliance Officer, Office of Compliance and Field Operations, Consumer Product Safety Commission, 4330 East-West Highway, Bethesda, MD 20814; telephone 301–504–7585; email: *jfwilliams@cpsc.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

The Consumer Product Safety Commission (CPSC) has the authority to require corrective actions, also called ''recalls,'' of consumer products that present a substantial product hazard. 15 U.S.C. 2064(c). Most recalls of consumer products are conducted voluntarily by firms that work with the CPSC to develop a corrective action plan that will protect the public from potentially unsafe products. Recalls generally include notice to the public and some remedial measure, such as repair or replacement of the product or refund to the purchaser. The CPSC's regulations at 16 CFR 1115.20 and its Recall Handbook, *https://www.cpsc.gov/s3fs-public/8002.pdf,* provide information about working with CPSC to conduct recalls.

The CPSC continually strives to enhance the effectiveness of recalls. In furtherance of this goal, CPSC will hold a workshop to engage stakeholders to explore ideas for improving the effectiveness of recalls.

II. The Workshop

The goal of the workshop is to explore and develop proactive measures CPSC and stakeholders can take to improve recall effectiveness, *i.e.* the effective implementation of recalls from public announcement to product correction.

We have identified some broad topics for discussion, but would also like to include topics that stakeholders believe would be beneficial to discuss. The workshop will have a group discussion of what makes an effective recall, how to measure success, as well as some common obstacles. We will then break out into smaller groups for discussion of topics such as:

- Communicating the hazard
  - challenges
  - possibility of different approaches for different demographics
  - evaluation of various communication channels
  - Statutory/regulatory framework and enhanced authorities
- Consumer motivation
  - incentives
  - ways to improve consumers' motivation to participate in recalls
  - challenges
- In-store notification
  - types available
  - barriers to effectiveness
  - ways to improve effectiveness
- Social media
  - current popular platforms
  - increasing effectiveness of posts about recalls
  - barriers to effective use
  - use of paid advertising on social media
- Other forms of notice (push notifications, email, paid advertising, direct mail, etc.)
  - possible types of notification
  - what makes them effective
  - barriers to effectiveness
  - how to create direct mailing lists/registrations
  - targeted notices (*e.g.,* posters at pediatricians, community centers)

If you would like to suggest topics for discussion, please submit them as indicated in the **ADDRESSES** section of this document by June 23, 2017.

We anticipate that, after the workshop, staff will (1) develop a list of suggestions and ideas from stakeholders that we will share; and (2) create a summary report on key findings and suggestions for follow up.

Dated: June 8, 2017.

Todd A. Stevenson,

Secretary, U.S. Consumer Product Safety Commission.

[FR Doc. 2017–12185 Filed 6–12–17; 8:45 am]

BILLING CODE 6355–01–P

DEPARTMENT OF DEFENSE

Department of the Air Force

Acceptance of Group Application

AGENCY: SAF/MRBB, Department of the Air Force, DOD.

ACTION: Notice.

SUMMARY: Under the provisions specified in the **SUPPLEMENTARY INFORMATION** section of this notice, the Department of Defense Civilian/Military Service Review Board has accepted an application on behalf of a group known as ''NCIS Special Agents Who Were Assigned to the Middle East Field Office in Bahrain in Direct Support of the CTF–151 Counter-Piracy Mission.''

DATES: Persons with information or documentation pertinent to the determination of whether service of this group should be considered active military service to the Armed Forces of the United States are encouraged to submit such information or documentation within 60 days from June 13, 2017 to the DoD Civilian/Military Service Review Board (DoD C/MSRB) address specified in the **ADDRESSES** section of this notice.

ADDRESSES: DoD Civilian/Military Service Review Board (DoD C/MSRB), 1500 West Perimeter Road, Suite 3700, Joint Base Andrews NAF, MD 20762–7002.

FOR FURTHER INFORMATION CONTACT: Mr. Thomas R. Uiselt, Deputy Executive Secretary, DoD C/MSRB, at (240) 612–5409, *thomas.r.uiselt.civ@mail.mil.* Copies of documents or other materials submitted cannot be returned.

SUPPLEMENTARY INFORMATION: The Department of Defense Civilian/Military Service Review Board accepted the application under the provisions of Section 401, Public Law 95–202 and DoD Directive 100.20.

Henry Williams,

Acting Air Force Federal Register, Liaison Officer.

[FR Doc. 2017–12174 Filed 6–12–17; 8:45 am]

BILLING CODE 5001–10–P

DEPARTMENT OF EDUCATION

Applications for New Awards; High School Career and Technical Education Teacher Pathway Initiative

AGENCY: Office of Career, Technical, and Adult Education, Department of Education.

ACTION: Notice.

SUMMARY: The Department of Education is issuing a notice inviting applications for new awards for fiscal year (FY) 2017 for the High School Career and Technical Education Teacher Pathway Initiative, Catalog of Federal Domestic Assistance (CFDA) number 84.051D.

DATES:

Applications Available: June 13, 2017.

Deadline for Notice of Intent to Apply: July 13, 2017.

Date of Pre-Application Webinar: For information about a pre-application webinar, visit the Perkins Collaborative Resource Network (PCRN) at *http://cte.ed.gov/.*

Deadline for Transmittal of Applications: July 28, 2017.

Deadline for Intergovernmental Review: September 26, 2017.

FOR FURTHER INFORMATION CONTACT: Laura Messenger, U.S. Department of Education, 400 Maryland Avenue SW., Potomac Center Plaza (PCP), Room 11028, Washington, DC 20202–7241. Telephone: (202) 245–7840 or by fax at (202) 245–7170.

If you use a telecommunications device for the deaf (TDD) or a text telephone (TTY), call the Federal Relay Service (FRS), toll free, at 1–800–877–8339.

SUPPLEMENTARY INFORMATION:

Full Text of Announcement

I. Funding Opportunity Description

Purpose of Program

The purpose of the High School Career and Technical Education (CTE) Teacher Pathway Initiative is to improve CTE programs assisted under the Carl D. Perkins Career and Technical Education Act of 2006 (the Perkins Act) by increasing the supply of high school CTE teachers available to teach students in CTE programs that align to In-Demand Industry Sectors or Occupations [1] in States and communities where shortages of such teachers exist.

Background

Forty-two Governors have delivered their 2017 State of the State addresses, and workforce development and CTE have emerged as a strong priority—the second most popular education topic mentioned in Governors' State of the State addresses, after school financing.[2] In addition, while the need for CTE programming aligned to labor market demands is high,[3] many States and local school districts are reporting significant shortages of CTE teachers. Data reported to the Department of Education in 2016, for example, show that 32 States are experiencing shortages of CTE teachers.[4] In response to the 2011–2012 Schools and Staffing Survey administered by the National Center for Education Statistics (NCES), 57 percent of public high schools with CTE teacher vacancies reported that CTE teacher vacancies were difficult to fill, while only 39 percent of public high schools with vacancies in any academic field reported having difficulty filling such vacancies.[5]

Several factors contribute to overall teacher shortages in many States and communities, including a decline in teacher preparation program enrollments, increasing student enrollments, and high teacher attrition rates.[6] Other factors are more specific to the CTE teacher shortage, such as increased student demand for CTE programming in some occupational areas, an increased State focus on CTE as a mechanism for teaching key competencies and skills as part of an integrated science, technology engineering and math (STEM) strategy,[7] declines in many CTE teacher preparation programs,[8] and teacher salaries that cannot compete with private industry salaries in high-tech fields.[9]

Several States are working to increase the number of CTE teachers, including through changes to laws and regulations. A majority of States have implemented alternative certification requirements for individuals seeking to become CTE teachers.[10] States often grant short-term licenses to new teachers who have achieved a certain education level, attained a requisite number of hours of work experience in the technical field, and hold industry certifications in their fields.[11] Most alternatively certified CTE teachers still receive teacher preparation, either through formal coursework or professional development, before they receive full certification.[12] Some States have recently revised licensure requirements that grant provisional teaching licenses to CTE applicants without the requirement of a four-year college degree.[13] In these pathways, teachers may move up to longer-term teaching licenses through training and experience. Several States also report having policies that certify industry experts to teach CTE courses part-time, similar to an adjunct faculty position at the postsecondary level.[14] Some

[1] Throughout this notice, all defined terms are denoted with initial capitals.

[2] Rafa, A., and Rogowski, D. ''Governors' Top Education Priorities: 2017 State of the State addresses.'' Education Commission of the States, March 2017. *www.ecs.org/ec-content/uploads/Governors%E2%80%99-Top-Education-Priorities-2017-State-of-the-State-addresses.pdf.*

[3] See, *e.g.,* Georgia High-Demand Initiative. *www.georgia.org/competitive-advantages/workforce-division/programs-initiatives/high-demand-career-initiative-hdci/;* Ohio In-Demand Jobs Reports. *workforce.ohio.gov/Initiatives/InDemandJobs.aspx.*

[4] U.S. Department of Education, Office of Postsecondary Education. Teacher Shortage Areas: Nationwide Listing: 1990–1991 through 2015–2016, March 2015. *www2.ed.gov/about/offices/list/ope/pol/tsa.pdf.*

[5] U.S. Department of Education, Office of Career, Technical, and Adult Education. Career and Technical Education Teachers and Schools: Results from the 2011–12 Schools and Staffing Survey, Washington, DC, Forthcoming.

[6] Sutcher, L., Darling-Hammond, L., & Carver-Thomas, D. ''A Coming Crisis in Teaching? Teacher Supply, Demand, and Shortages in the U.S.'' Learning Policy Institute, December 2016. *learningpolicyinstitute.org/sites/default/files/product-files/A_Coming_Crisis_in_Teaching_REPORT.pdf.*

[7] See, *e.g.,* Georgia High-Demand Initiative. *www.georgia.org/competitive-advantages/workforce-division/programs-initiatives/high-demand-career-initiative-hdci/;* Tennessee Department of Education STEM Strategic Plan. *https://tn.gov/assets/entities/education/attachments/ccte_stem_strategic_plan.pdf.*

[8] Fletcher Jr., E., Gordon, H., Asunda, P., Zirkle, C. ''A 2015 Status Study of Career and Technical Education Programs in the United States.'' Career and Technical Education Research, Volume 40, Number 3, December 2015. *www.tandfonline.com/doi/full/10.1080/0161956X.2017.1302219191-211(21).*

[9] Fensterwald, J. ''Supply Lags Booming Demand for Career Technical Teachers.'' Ed Source, April 28, 2016. *edsource.org/2016/supply-lags-booming-demand-for-career-technical-teachers/563476.*

[10] ''The State of Career and Technical Education: Increasing Access to Industry Experts in High Schools.'' Advance CTE, The Council of Chief State School Officers, December 2016. *www.careertech.org/resource/state-of-cte-increasing-access-to-industry-experts.*

[11] Bonsu, P., et al. ''Career and Technical Education Teacher Licensure Requirements: 50 States and the District of Columbia,'' American Institutes for Research, June 2013, *www.careertech.org/resource/CTE-teacher-licensure-requirements.*

[12] ''The State of Career and Technical Education: Increasing Access to Industry Experts in High Schools.'' Advance CTE, The Council of Chief State School Officers, December 2016. *www.careertech.org/resource/state-of-cte-increasing-access-to-industry-experts.*

[13] Quinton, S. ''States want more career and technical training, but struggle to find teachers.'' Stateline, April 9, 2017. *www.pbs.org/newshour/rundown/states-want-career-technical-training-struggle-find-teachers/.*

[14] ''The State of Career and Technical Education: Increasing Access to Industry Experts in High Schools.'' Advance CTE, The Council of Chief State School Officers, December 2016.

Continued

districts and States are pursuing partnerships between colleges with teacher preparation programs and technical colleges to ensure a seamless, within-State pipeline for certified CTE teachers.[15]

Some school districts facing shortages of CTE teachers are considering new pipelines to hire and retain CTE teachers. For example, one large, urban school district has identified teachers who had worked in industry and are interested in a CTE credential. Other districts, through partnerships with local industry and local government agencies, are offering teachers interested in earning a CTE credential the opportunity to earn the required 1,000 hours of industry experience during the school day and through paid summer externships.[16]

Some districts across the country are utilizing more strategic hiring practices, offering signing bonuses and traveling out of State to recruit teachers. Through local partnerships, some communities with a high cost of living are offering housing as a means to attract new teachers.[17] In addition, persons with disabilities, including military veterans with service-connected disabilities, offer an often overlooked talent pool that can be tapped to address teacher shortages. For example, individuals who are unable to continue to work in a trade or profession due to a disability may excel at sharing their technical skills with students as CTE instructors.

Rural districts often struggle with teacher shortages across many subject areas, but shortages in CTE often result in a lack of access to CTE programming connected to local or regional labor demands. Partnerships with institutions of higher education that offer alternative teacher certification programs to community members who are interested in staying in the community while earning a CTE teacher credential, often referred to as ''grow your own'' models, are another approach that may assist rural and smaller communities in addressing the CTE teacher shortage.[18]

If left unaddressed, the high school CTE teacher shortage will limit State and local capacity to deliver CTE programs for In-demand Industry Sectors or Occupations. Through this competition, under the Secretary's authority in section 114(c) of the Perkins Act to carry out capacity building and provide technical assistance to Perkins grantees with regard to the CTE programs under the Perkins Act, the Secretary will support State and local efforts to increase the supply and quality of high school CTE teachers in In-Demand Industry Sectors or Occupations in States and communities where such shortages exist.

Priorities: This notice contains one absolute priority and one invitational priority. We are establishing the absolute priority for the FY 2017 grant competition and any subsequent year in which we make awards from the list of unfunded applications from this competition, in accordance with section 437(d)(1) of the General Education Provisions Act (GEPA), 20 U.S.C. 1232(d)(1).

Absolute Priority: The following priority is an absolute priority. Under 34 CFR 75.105(c)(3) we consider only applications that meet this absolute priority.

This priority is:

Cash or In-Kind Matching.

To meet this priority, an applicant must provide, from other Federal or non-Federal sources, a cash or in-kind match that is equal to or greater than 20 percent of the amount of the requested grant award amount, calculated consistent with 2 CFR part 200.306. Each applicant, in its application, must provide a signed assurance attesting to its intent and ability to meet this requirement, and must include its matching contribution in its budget for the proposed project. Applicants may propose to use funds available to them under the Perkins Act to meet this matching requirement.

Invitational Priority: This priority is an invitational priority. Under 34 CFR 75.105(c)(1), we do not give an application that meets this invitational priority any preference over other applications.

This priority is:

Rural Local Educational Agencies (LEAs).

The Secretary is particularly interested in receiving applications that propose a state-wide or regional approach to increasing the supply and quality of high school CTE teachers in In-demand Industry Sectors or Occupations in LEAs that are eligible for assistance under the Small Rural School Achievement (SRSA) program or the Rural and Low-Income School (RLIS) program authorized under Title VI, Part B of the Elementary and Secondary Education Act of 1965, as amended.

Note: Eligible applicants may determine whether a particular LEA is eligible for these programs by referring to information on the Department's Web site at *www2.ed.gov/nclb/freedom/local/reap.html.*

Requirements: We are establishing the following three application requirements and three program requirements for the FY 2017 grant competition and any subsequent year in which we make awards from the list of unfunded applications from this competition, in accordance with section 437(d)(1) of GEPA, 20 U.S.C. 1232(d)(1).

The application requirements are:

(1) Each applicant must identify the category under which the applicant meets the eligibility requirements set forth under Eligible Applicants in section III of this notice and provide an assurance from the authorizing representative that the applicant is an eligible applicant.

(2) Each applicant, in its application, must provide a signed assurance attesting to its intent and ability to meet the matching requirement in the Absolute Priority, and must include its matching contribution in its budget for the proposed project.

(3) Each applicant must submit a Logic Model demonstrating that the proposed project is supported by a Strong Theory by providing a graphic depiction (suggested length of no longer than one page) and a narrative explanation of the project's Logic Model, to illustrate how the applicant's proposed project will achieve intended outcomes and increase recruitment and retention of high school CTE teachers for CTE programs that align to an In-Demand Industry Sector or Occupation.

The program requirements are:

Requirement 1—Use of Funds:

A grantee must carry out one or more activities designed to increase recruitment and retention of high school CTE teachers for CTE programs that align to an In-Demand Industry Sector or Occupation, in States or communities where shortages of such teachers exist, such as—

(a) Establishing, improving, or expanding activities to recruit high

www.careertech.org/resource/state-of-cte-increasing-access-to-industry-experts.

[15] See, *e.g.,* Teacher Preparation Pipeline: Preparing California's STEM and CTE teachers, *teacherpipeline.com/.* Luczak, J., Viashnav, A., and Horwath, B. ''Ensuring High-Quality Teacher Talent: How Strong District-Teacher Preparation Program Partnerships are Transforming the Teacher Pipeline.'' Education First, March 2016. *education-first.com/library/publication/ensuring-high-quality-teacher-talent/.*

[16] Fensterwald, J. ''Supply Lags Booming Demand for Career Technical Teachers,'' Ed Source, April 28, 2016. *edsource.org/2016/supply-lags-booming-demand-for-career-technical-teachers/563476.*

[17] Park, M. ''High-Rent School Districts Build Homes for Teachers,'' USA Today, March 26, 2016. *www.usatoday.com/story/news/2016/03/21/school-districts-build-teacher-housing/81583792/.*

[18] ''Elevating Support for Texas Rural and Small Schools.'' Texas Rural Schools Task Force Report, March 2017. *www.tasb.org/Services/HR-Services/Hrexchange/2017/January-2017,-Vol-1/b-recruiting-in-rural-districts.aspx.*

school CTE teachers for CTE programs that align to an In-demand Industry Sector or Occupation;

(b) Establishing, improving, or expanding alternative routes for State certification of high school CTE teachers for CTE programs that align to an In-Demand Industry Sector or Occupation;

(c) Establishing, improving, or expanding teacher induction and mentoring programs to improve the preparation and retention of new high school CTE teachers for CTE programs that align to an In-Demand Industry Sector or Occupation;

(d) Establishing, improving, or expanding local partnerships of community organizations, institutions of higher education, and school districts that support mid-career business and industry professionals, military veterans, parents, students, community members, and paraprofessionals in becoming CTE teachers for CTE programs that align to an In-Demand Industry Sector or Occupation;

(e) Establishing, improving, or expanding Teacher Residency Programs, as defined in this notice, to recruit and retain high school CTE teachers for CTE programs that align to an In-Demand Industry Sector or Occupation;

(f) Implementing differential pay, or other financial incentives, such as signing bonuses, student loan repayment, or scholarships, to recruit and retain high school CTE teachers for CTE programs that align to an In-Demand Industry Sector or Occupation;

(g) Establishing or redesigning teacher preparation programs to better meet the demand for effective high school CTE teachers for CTE programs that align to an In-Demand Industry Sector or Occupation;

(h) Establishing or expanding interstate teacher certification or licensure reciprocity agreements to enable CTE teachers who are licensed or certified in one State to teach in another State without completing additional licensure or certification requirements in CTE programs that align to an In-Demand Industry Sector or Occupation; and

(i) Developing and implementing programs and initiatives to remove barriers to recruiting and retaining high school CTE teachers for CTE programs that align to an In-Demand Industry Sector or Occupation.

Requirement 2—Partnerships:

A grantee must carry out a High School CTE Teacher Pathway Initiative project in collaboration with partner organizations such as community organizations, institutions of higher education, school districts, State or local agencies, or businesses. An applicant must identify the partner organizations included in its application and include a letter of commitment from each entity with which it will partner to implement the proposed project.

Requirement 3—Cooperation in Federal Evaluation:

Under 34 CFR 75.591, all grantees must cooperate in any evaluation of the program conducted by the Department.

Definitions

The definitions of Career and Technical Education and Eligible Institution are from section 3 of the Perkins Act (20 U.S.C. 2301 *et seq.*). The definition of In-Demand Industry Sector or Occupation is from section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102). The definitions of Logic Model and Strong Theory are from 34 CFR 77.1. The definition of Teacher Residency Program is from section 2002 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301).

Career and Technical Education means organized educational activities that—

(1) Offer a sequence of courses that—

(a) Provides individuals with coherent and rigorous content aligned with challenging academic standards and relevant technical knowledge and skills needed to prepare for further education and careers in current or emerging professions;

(b) Provides technical skill proficiency, an industry-recognized credential, a certificate, or an associate degree; and

(c) May include prerequisite courses (other than a remedial course) that meet the requirements of this definition; and

(2) Include competency-based applied learning that contributes to the academic knowledge, higher-order reasoning and problem-solving skills, work attitudes, general employability skills, technical skills, and occupation-specific skills, and knowledge of all aspects of an industry, including entrepreneurship, of an individual.

Eligible Institution means (1) a public or nonprofit private institution of higher education that offers CTE courses that lead to technical skill proficiency, an industry-recognized credential, a certificate, or a degree; (2) an LEA providing education at the postsecondary level; (3) an area CTE school providing education at the postsecondary level; (4) a postsecondary educational institution controlled by the Bureau of Indian Affairs or operated by or on behalf of any Indian Tribe that is eligible to contract with the Secretary of the Interior for the administration of programs under the Indian Self-Determination and Education Assistance Act (925 U.S.C. 450 *et seq.*) or the Act of April 16, 1934 (25 U.S.C. 452 *et seq.*); (5) an educational service agency; or (6) a consortium of two or more of the entities described in (1) through (5).

In-demand Industry Sector or Occupation means—

(A)(1) An industry sector that has a substantial current or potential impact (including through jobs that lead to economic self-sufficiency and opportunities for advancement) on the State, regional, or local economy, as appropriate, and that contributes to the growth or stability of other supporting businesses, or the growth of other industry sectors; or

(2) An occupation that currently has or is projected to have a number of positions (including positions that lead to economic self-sufficiency and opportunities for advancement) in an industry sector so as to have a significant impact on the State, regional, or local economy, as appropriate.

(B) The determination of whether an industry sector or occupation is in-demand under this definition shall be made by the State board or local board,[19] as appropriate, using State and regional business and labor market projections, including the use of labor market information.

Logic Model (also referred to as theory of action) means a well-specified conceptual framework that identifies key components of the proposed process, product, strategy, or practice (*i.e.,* the active ''ingredients'' that are hypothesized to be critical to achieving the relevant outcomes) and describes the relationships among the key components and outcomes, theoretically and operationally.

Strong Theory means a rationale for the proposed process, product, strategy, or practice that includes a Logic Model.

Teacher Residency Program means a school-based teacher preparation program in which a prospective teacher—

(1) For not less than one academic year, teaches alongside an effective teacher, as determined by the State or LEA, who is the teacher of record for the classroom;

(2) Receives concurrent instruction during the year described in paragraph (1)—

(a) Through courses that may be taught by LEA personnel or by faculty of the teacher preparation program; and

[19] The State board or local board in this instance is the board under sections 101 and 107, respectively, of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102), not the Perkins State board listed as an eligible entity.

(b) In the teaching of the content area in which the teacher will become certified or licensed; and

(3) Acquires effective teaching skills, as demonstrated through completion of a residency program, or other measure determined by the State, which may include a teacher performance assessment.

Waiver of Proposed Rulemaking: Under the Administrative Procedure Act (5 U.S.C. 553), the Department generally offers interested parties the opportunity to comment on proposed priorities and requirements. Section 437(d)(1) of GEPA, however, allows the Secretary to exempt from rulemaking requirements, regulations governing the first grant competition under a new or substantially revised program authority. This is the first grant competition to address the CTE teacher shortage under section 114(c)(1) of the Act, and therefore qualifies for this exemption. In order to ensure timely grant awards, the Secretary has decided to forgo public comment on the absolute priority and requirements under section 437(d)(1) of GEPA. The absolute priority and requirements will apply to the FY 2017 grant competition and any subsequent year in which we make awards from the list of unfunded applications from this competition.

Program Authority: 20 U.S.C. 2324.

Applicable Regulations: (a) The Education Department General Administrative Regulations in 34 CFR parts 75, 77, 81, 82, 84, 86, 97, 98, and 99. (b) The Office of Management and Budget Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement) in 2 CFR part 180, as adopted and amended as regulations of the Department in 2 CFR part 3485. (c) The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in 2 CFR part 200, as adopted and amended in 2 CFR part 3474.

Note: The regulations in 34 CFR part 86 apply to institutions of higher education only.

II. Award Information

Type of Award: Discretionary grants.

Estimated Available Funds: $3,600,102 for one 36-month project period.

Estimated Range of Awards: $350,000 to $900,000 for one 36-month project period.

Estimated Average Size of Awards: $625,000.

Estimated Number of Awards: 5–7.

Note: The Department is not bound by any estimates in this notice.

Project Period: Up to 36 months. Applicants under this competition are required to provide detailed budget information for each year of the proposed project and for the total grant, including their matching contribution.

III. Eligibility Information

1. *Eligible Applicants:* The following entities are eligible to apply under this competition:

(a) A State board designated or created consistent with State law as the sole State agency responsible for the administration of CTE in the State or for the supervision of the administration of CTE in the State;

(b) An LEA (including a public charter school that operates as an LEA), an area CTE school, an educational service agency, or a consortium of such entities, in each case, that receives assistance under section 131 of the Act;

(c) An Eligible Institution that receives assistance under section 132 of the Act.

Note: Eligible applicants proposing to apply for funds as a consortium must comply with the regulations in 34 CFR 75.127 through 75.129, which address group applications.

2. a. *Cost Sharing or Matching:* This initiative requires cost sharing or matching.

b. *Supplement-not-Supplant:* This program is subject to supplement-not-supplant funding requirements. In accordance with section 311(a) of the Act, 20 U.S.C. 2391(a), funds under this program may not be used to supplant non-Federal funds used to carry out CTE activities. Further, the prohibition against supplanting also means that grantees will be required to use their negotiated restricted indirect cost rates under this program. (34 CFR 75.563)

IV. Application and Submission Information

1. *Address to Request Application Package:* Laura Messenger, U.S. Department of Education, 400 Maryland Avenue SW., PCP, Room 11028, Washington, DC 20202–7241. FAX: (202) 245–7170. Telephone: (202) 245–7840 or by email: *CTEteachergrant@ed.gov.*

If you use a TDD or a TTY, call the FRS, toll free, at 1–800–877–8339.

Individuals with disabilities can obtain a copy of the application package in an accessible format (*e.g.,* Braille, large print, audiotape, or compact disc) by contacting the program contact person listed in this section.

2. a. *Content and Form of Application Submission:* Requirements concerning the content and form of an application, together with the forms you must submit, are in the application package for this program.

Notice of Intent to Apply: We will be able to develop a more efficient process for reviewing grant applications if we can anticipate the number of applicants that intend to apply for funding under this competition. Therefore, we strongly encourage each potential applicant to notify us of the applicant's intent to submit an application for funding by sending a short email message. This short email should provide the applicant organization's name and address. Please send this email notification to *CTEteachergrant@ed.gov* with ''Intent to Apply'' in the email subject line. Applicants that do not provide this email notification may still apply for funding.

Page Limit: The application narrative is where you, the applicant, address the selection criteria that reviewers use to evaluate your application. We recommend that you (1) limit the application narrative to no more than 35 pages and (2) use the following standards:

- A ''page'' is 8.5″ x 11″, on one side only, with 1″ margins at the top, bottom, and both sides.
- Double space (no more than three lines per vertical inch) all text in the application narrative, including titles, headings, footnotes, quotations, references, and captions, as well as all text in charts, tables, figures, and graphs.
- Use a font that is either 12 point or larger or no smaller than 10 pitch (characters per inch).
- *Use one of the following fonts:* Times New Roman, Courier, Calibri, or Arial.

The recommended page limit does not apply to the cover sheet; the budget section, including the narrative budget justification; the assurances and certifications; or the one-page abstract, the resumes, the bibliography, or the letters of support. However, the recommended page limit does apply to all of the application narrative.

b. *Submission of Proprietary Information:* Given the types of projects that may be proposed, your application may include business information that the applicant considers proprietary. In 34 CFR 5.11 we define ''business information'' and describe the process we use in determining whether any of that information is proprietary and, thus, protected from disclosure under Exemption 4 of the Freedom of Information Act (5 U.S.C. 552, as amended).

Because we plan to make successful applications available to the public upon request, you may wish to request

confidentiality of business information. Consistent with Executive Order 12600, please designate in your application any information that you believe is exempt from disclosure under Exemption 4. In the appropriate Appendix section of your application, under ''Other Attachments Form,'' please list the page number or numbers on which we can find this information. For additional information please see 34 CFR 5.11(c).

3. *Submission Dates and Times:*

Applications Available: June 13, 2017.

Deadline for Notice of Intent to Apply: July 13, 2017.

Deadline for Transmittal of Applications: July 28, 2017.

A pre-application webinar will be held for this competition shortly after the date that this notice will publish. The webinar is intended to provide technical assistance to all interested grant applicants. Information regarding the pre-application webinar can be found on the Perkins Collaborative Resource Network at *http://cte.ed.gov/.*

Applications for grants under this program must be submitted electronically using the *Grants.gov* Apply site (*Grants.gov*). For information (including dates and times) about how to submit your application electronically, or in paper format by mail or hand delivery if you qualify for an exception to the electronic submission requirement, please refer to *Other Submission Requirements* in section IV of this notice.

We do not consider an application that does not comply with the deadline requirements.

Individuals with disabilities who need an accommodation or auxiliary aid in connection with the application process should contact the person listed under **FOR FURTHER INFORMATION CONTACT**. If the Department provides an accommodation or auxiliary aid to an individual with a disability in connection with the application process, the individual's application remains subject to all other requirements and limitations in this notice.

Deadline for Intergovernmental Review: September 26, 2017.

4. *Intergovernmental Review:* This program is subject to Executive Order 12372 and the regulations in 34 CFR part 79. Information about Intergovernmental Review of Federal Programs under Executive Order 12372 is in the application package for this program.

5. *Funding Restrictions:* We reference regulations outlining funding restrictions in the *Applicable Regulations* section of this notice.

6. *Data Universal Numbering System Number, Taxpayer Identification Number, and System for Award Management:* To do business with the Department of Education, you must—

a. Have a Data Universal Numbering System (DUNS) number and a Taxpayer Identification Number (TIN);

b. Register both your DUNS number and TIN with the System for Award Management (SAM), the Government's primary registrant database;

c. Provide your DUNS number and TIN on your application; and

d. Maintain an active SAM registration with current information while your application is under review by the Department and, if you are awarded a grant, during the project period.

You can obtain a DUNS number from Dun and Bradstreet at the following Web site: *http://fedgov.dnb.com/webform.* A DUNS number can be created within one to two business days.

If you are a corporate entity, agency, institution, or organization, you can obtain a TIN from the Internal Revenue Service. If you are an individual, you can obtain a TIN from the Internal Revenue Service or the Social Security Administration. If you need a new TIN, please allow two to five weeks for your TIN to become active.

The SAM registration process can take approximately seven business days, but may take upwards of several weeks, depending on the completeness and accuracy of the data you enter into the SAM database. Thus, if you think you might want to apply for Federal financial assistance under a program administered by the Department, please allow sufficient time to obtain and register your DUNS number and TIN. We strongly recommend that you register early.

Note: Once your SAM registration is active, it may be 24 to 48 hours before you can access the information in, and submit an application through, *Grants.gov.*

If you are currently registered with SAM, you may not need to make any changes. However, please make certain that the TIN associated with your DUNS number is correct. Also note that you will need to update your registration annually. This may take three or more business days.

Information about SAM is available at *www.SAM.gov.* To further assist you with obtaining and registering your DUNS number and TIN in SAM or updating your existing SAM account, we have prepared a *SAM.gov* Tip Sheet, which you can find at: *www2.ed.gov/fund/grant/apply/sam-faqs.html.*

In addition, if you are submitting your application via *Grants.gov*, you must (1) be designated by your organization as an Authorized Organization Representative (AOR); and (2) register yourself with *Grants.gov* as an AOR. Details on these steps are outlined at the following *Grants.gov* Web page: *www.grants.gov/web/grants/register.html.*

7. *Other Submission Requirements:*

Applications for grants under this program must be submitted electronically unless you qualify for an exception to this requirement in accordance with the instructions in this section.

a. *Electronic Submission of Applications.*

Applications for grants under the High School CTE Teacher Pathway Initiative, CFDA number 84.051D, must be submitted electronically using the Governmentwide *Grants.gov* Apply site at *www.Grants.gov.* Through this site, you will be able to download a copy of the application package, complete it offline, and then upload and submit your application. You may not email an electronic copy of a grant application to us.

We will reject your application if you submit it in paper format unless, as described elsewhere in this section, you qualify for one of the exceptions to the electronic submission requirement *and* submit, no later than two weeks before the application deadline date, a written statement to the Department that you qualify for one of these exceptions. Further information regarding calculation of the date that is two weeks before the application deadline date is provided later in this section under *Exception to Electronic Submission Requirement.*

You may access the electronic grant application for the High School CTE Teacher Pathway Initiative competition at *www.Grants.gov.* You must search for the downloadable application package for this program by the CFDA number. Do not include the CFDA number's alpha suffix in your search (*e.g.,* search for 84.051, not 84.051D).

Please note the following:

- When you enter the *Grants.gov* site, you will find information about submitting an application electronically through the site, as well as the hours of operation.
- Applications received by *Grants.gov* are date and time stamped. Your application must be fully uploaded and submitted and must be date and time stamped by the *Grants.gov* system no later than 4:30:00 p.m., Washington, DC time, on the application deadline date. Except as otherwise noted in this section, we will not accept your application if it is received—that is, date and time

stamped by the *Grants.gov* system—after 4:30:00 p.m., Washington, DC time, on the application deadline date. We do not consider an application that does not comply with the deadline requirements. When we retrieve your application from *Grants.gov*, we will notify you if we are rejecting your application because it was date and time stamped by the *Grants.gov* system after 4:30:00 p.m., Washington, DC time, on the application deadline date.

• The amount of time it can take to upload an application will vary depending on a variety of factors, including the size of the application and the speed of your internet connection. Therefore, we strongly recommend that you do not wait until the application deadline date to begin the submission process through *Grants.gov*.

• You should review and follow the Education Submission Procedures for submitting an application through *Grants.gov* that are included in the application package for this program to ensure that you submit your application in a timely manner to the *Grants.gov* system. You can also find the Education Submission Procedures pertaining to *Grants.gov* under News and Events on the Department's G5 system home page at *www.G5.gov.* In addition, for specific guidance and procedures for submitting an application through *Grants.gov*, please refer to the *Grants.gov* Web site at: *www.grants.gov/web/grants/applicants/apply-for-grants.html.*

• You will not receive additional point value because you submit your application in electronic format, nor will we penalize you if you qualify for an exception to the electronic submission requirement, as described elsewhere in this section, and submit your application in paper format.

• *You must submit all documents electronically, including all information you typically provide on the following forms:* the Application for Federal Assistance (SF 424), the Department of Education Supplemental Information for SF 424, Budget Information—Non-Construction Programs (ED 524), and all necessary assurances and certifications.

• You must upload any narrative sections and all other attachments to your application as files in a read-only, non-modifiable, flattened Portable Document Format (PDF), meaning any fillable PDF documents must be saved as flattened, non-fillable files. Therefore, do not upload an interactive or fillable PDF file. If you upload a file type other than a read-only, flattened PDF (*e.g.,* Word, Excel, WordPerfect, etc.) or submit a password-protected file, we will not review that material. Please note that this could result in your application not being considered for funding because the material in question—for example, the application narrative—is critical to a meaningful review of your proposal. For that reason it is important to allow yourself adequate time to upload all material as read-only, non-modifiable, flattened PDF files. The Department will not convert material from other formats to PDF. There is no need to password protect a file in order to meet the requirement to submit a read-only, non-modifiable, flattened PDF. And, as noted above, the Department will not review password protected files.

• After you electronically submit your application, you will receive from *Grants.gov* an automatic notification of receipt that contains a *Grants.gov* tracking number. This notification indicates receipt by *Grants.gov* only, not receipt by the Department. *Grants.gov* will also notify you automatically by email if your application met all the *Grants.gov* validation requirements or if there were any errors (such as submission of your application by someone other than a registered Authorized Organization Representative, or inclusion of an attachment with a file name that contains special characters). You will be given an opportunity to correct any errors and resubmit, but you must still meet the deadline for submission of applications.

Once your application is successfully validated by *Grants.gov*, the Department will retrieve your application from *Grants.gov* and send you an email with a unique PR/Award number for your application.

These emails do not mean that your application is without any disqualifying errors. While your application may have been successfully validated by *Grants.gov*, it must also meet the Department's application requirements as specified in this notice and in the application instructions. Disqualifying errors could include, for instance, failure to upload attachments in a read-only, flattened PDF; failure to submit a required part of the application; or failure to meet applicant eligibility requirements. It is your responsibility to ensure that your submitted application has met all of the Department's requirements.

• We may request that you provide us original signatures on forms at a later date.

Application Deadline Date Extension in Case of Technical Issues with the Grants.gov System: If you are experiencing problems submitting your application through *Grants.gov*, please contact the *Grants.gov* Support Desk, toll free, at 1–800–518–4726. You must obtain a *Grants.gov* Support Desk Case Number and must keep a record of it.

If you are prevented from electronically submitting your application on the application deadline date because of technical problems with the *Grants.gov* system, we will grant you an extension until 4:30:00 p.m., Washington, DC time, the following business day to enable you to transmit your application electronically or by hand delivery. You also may mail your application by following the mailing instructions described elsewhere in this notice.

If you submit an application after 4:30:00 p.m., Washington, DC time, on the application deadline date, please contact the person listed under **FOR FURTHER INFORMATION CONTACT** and provide an explanation of the technical problem you experienced with *Grants.gov*, along with the *Grants.gov* Support Desk Case Number. We will accept your application if we can confirm that a technical problem occurred with the *Grants.gov* system and that the problem affected your ability to submit your application by 4:30:00 p.m., Washington, DC time, on the application deadline date. We will contact you after we determine whether your application will be accepted.

Note: The extensions to which we refer in this section apply only to the unavailability of, or technical problems with, the *Grants.gov* system. We will not grant you an extension if you failed to fully register to submit your application to *Grants.gov* before the application deadline date and time or if the technical problem you experienced is unrelated to the *Grants.gov* system.

Exception to Electronic Submission Requirement: You qualify for an exception to the electronic submission requirement, and may submit your application in paper format, if you are unable to submit an application through the *Grants.gov* system because—

• You do not have access to the internet; or

• You do not have the capacity to upload large documents to the *Grants.gov* system; *and*

• No later than two weeks before the application deadline date (14 calendar days or, if the fourteenth calendar day before the application deadline date falls on a Federal holiday, the next business day following the Federal holiday), you mail or fax a written statement to the Department, explaining which of the two grounds for an exception prevents you from using the internet to submit your application.

If you mail your written statement to the Department, it must be postmarked no later than two weeks before the

application deadline date. If you fax your written statement to the Department, we must receive the faxed statement no later than two weeks before the application deadline date.

Address and mail or fax your statement to: Laura Messenger, U.S. Department of Education, 400 Maryland Avenue SW., PCP, Room 11028, Washington, DC 20202–7241. FAX: (202) 245–7170.

Your paper application must be submitted in accordance with the mail or hand delivery instructions described in this notice.

b. *Submission of Paper Applications by Mail.*

If you qualify for an exception to the electronic submission requirement, you may mail (through the U.S. Postal Service or a commercial carrier) your application to the Department. You must mail the original and two copies of your application, on or before the application deadline date, to the Department at the following address:

U.S. Department of Education, Application Control Center, Attention: (CFDA Number 84.051D), 550 12th Street SW., Room 7039, Potomac Center Plaza, Washington, DC 20202–4260.

You must show proof of mailing consisting of one of the following:

(1) A legibly dated U.S. Postal Service postmark.

(2) A legible mail receipt with the date of mailing stamped by the U.S. Postal Service.

(3) A dated shipping label, invoice, or receipt from a commercial carrier.

(4) Any other proof of mailing acceptable to the Secretary of the U.S. Department of Education.

If you mail your application through the U.S. Postal Service, we do not accept either of the following as proof of mailing:

(1) A private metered postmark.

(2) A mail receipt that is not dated by the U.S. Postal Service.

Note: The U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, you should check with your local post office.

We will not consider applications postmarked after the application deadline date.

c. *Submission of Paper Applications by Hand Delivery.*

If you qualify for an exception to the electronic submission requirement, you (or a courier service) may deliver your paper application to the Department by hand. You must deliver the original and two copies of your application by hand, on or before the application deadline date, to the Department at the following address:

U.S. Department of Education, Application Control Center, Attention: (CFDA Number 84.051D), 550 12th Street SW., Room 7039, Potomac Center Plaza, Washington, DC 20202–4260.

The Application Control Center accepts hand deliveries daily between 8:00 a.m. and 4:30:00 p.m., Washington, DC time, except Saturdays, Sundays, and Federal holidays.

Note for Mail or Hand Delivery of Paper Applications: If you mail or hand deliver your application to the Department—

(1) You must indicate on the envelope and—if not provided by the Department—in Item 11 of the SF 424 the CFDA number, including suffix letter, if any, of the competition under which you are submitting your application; and

(2) The Application Control Center will mail to you a notification of receipt of your grant application. If you do not receive this notification within 15 business days from the application deadline date, you should call the U.S. Department of Education Application Control Center at (202) 245–6288.

V. Application Review Information

1. *Selection Criteria:* The selection criteria for this program are from 34 CFR 75.210. The maximum score for all the selection criteria is 100 points. The maximum score for each criterion is indicated in parentheses. In addressing the criteria, applicants are encouraged to make explicit connections to the priorities and requirements listed elsewhere in this notice. The selection criteria for this competition are as follows:

(a) Need for the project. (20 points)

The Secretary considers the need for the proposed project. In determining the need for the proposed project, the Secretary considers—

(1) The magnitude or severity of the problem to be addressed by the proposed project. (up to 10 points)

(2) The extent to which the proposed project will prepare personnel for fields in which shortages have been demonstrated. (up to 10 points)

(b) Quality of the project design. (50 points)

The Secretary considers the quality of the project design. In determining the quality of the project design for the proposed project, the Secretary considers—

(1) The extent to which the proposed project is supported by Strong Theory, as defined in this notice. (up to 10 points)

(2) The likelihood that the proposed project will result in system change or improvement. (up to 20 points)

(3) The extent to which the services to be provided by the proposed project involve the collaboration of appropriate partners for maximizing the effectiveness of project services. (up to 10 points)

(4) The extent to which the design of the proposed project is appropriate for, and will successfully address, the needs of the target population or other identified needs. (up to 10 points)

(c) Adequacy of resources (30 points).

The Secretary considers the adequacy of resources for the proposed project. In determining the adequacy of resources for the proposed project, the Secretary considers—

(1) The extent to which the budget is adequate to support the proposed project. (up to 10 points)

(2) The relevance and demonstrated commitment of each partner in the proposed project to the implementation and success of the project. (up to 10 points)

(3) The potential for continued support of the project after Federal funding ends, including, as appropriate, the demonstrated commitment of appropriate entities to such support. (up to 10 points)

2. *Review and Selection Process:* We remind potential applicants that in reviewing applications in any discretionary grant competition, the Secretary may consider, under 34 CFR 75.217(d)(3), the past performance of the applicant in carrying out a previous award, such as the applicant's use of funds, achievement of project objectives, and compliance with grant conditions. The Secretary may also consider whether the applicant failed to submit a timely performance report or submitted a report of unacceptable quality.

In addition, in making a competitive grant award, the Secretary requires various assurances including those applicable to Federal civil rights laws that prohibit discrimination in programs or activities receiving Federal financial assistance from the Department of Education (34 CFR 100.4, 104.5, 106.4, 108.8, and 110.23).

3. *Risk Assessment and Special Conditions:* Consistent with 2 CFR 200.205, before awarding grants under this program the Department conducts a review of the risks posed by applicants. Under 2 CFR 3474.10, the Secretary may impose special conditions and, in appropriate circumstances, high-risk conditions on a grant if the applicant or grantee is not financially stable; has a history of unsatisfactory performance; has a financial or other management system that does not meet the standards in 2 CFR part 200, subpart D; has not fulfilled the conditions of a prior grant; or is otherwise not responsible.

4. *Integrity and Performance System:* If you are selected under this competition to receive an award that over the course of the project period may exceed the simplified acquisition threshold (currently $150,000), under 2 CFR 200.205(a)(2) we must make a judgment about your integrity, business ethics, and record of performance under Federal awards—that is, the risk posed by you as an applicant—before we make an award. In doing so, we must consider any information about you that is in the integrity and performance system (currently referred to as the Federal Awardee Performance and Integrity Information System (FAPIIS)), accessible through SAM. You may review and comment on any information about yourself that a Federal agency previously entered and that is currently in FAPIIS.

Please note that, if the total value of your currently active grants, cooperative agreements, and procurement contracts from the Federal Government exceeds $10,000,000, the reporting requirements in 2 CFR part 200, Appendix XII, require you to report certain integrity information to FAPIIS semiannually. Please review the requirements in 2 CFR part 200, Appendix XII, if this grant plus all the other Federal funds you receive exceed $10,000,000.

VI. Award Administration Information

1. *Award Notices:* If your application is successful, we notify your U.S. Representative and U.S. Senators and send you a Grant Award Notification (GAN); or we may send you an email containing a link to access an electronic version of your GAN. We may notify you informally, also.

If your application is not evaluated or not selected for funding, we notify you.

2. *Administrative and National Policy Requirements:* We identify administrative and national policy requirements in the application package and reference these and other requirements in the *Applicable Regulations* section of this notice.

We reference the regulations outlining the terms and conditions of an award in the *Applicable Regulations* section of this notice and include these and other specific conditions in the GAN. The GAN also incorporates your approved application as part of your binding commitments under the grant.

3. *Reporting:* (a) If you apply for a grant under this competition, you must ensure that you have in place the necessary processes and systems to comply with the reporting requirements in 2 CFR part 170 should you receive funding under the competition. This does not apply if you have an exception under 2 CFR 170.110(b).

(b) At the end of your project period, you must submit a final performance report, including financial information, as directed by the Secretary. If you receive a multiyear award, you must submit an annual performance report that provides the most current performance and financial expenditure information as directed by the Secretary under 34 CFR 75.117. The Secretary may also require more frequent performance reports under 34 CFR 75.720(c). For specific requirements on reporting, please go to *www.ed.gov/fund/grant/apply/appforms/appforms.html.*

(c) Under 34 CFR 75.250(b), the Secretary may provide a grantee with additional funding for data collection analysis and reporting. In this case the Secretary establishes a data collection period.

4. *Performance Measures:* Pursuant to the Government Performance and Results Act of 1993, the Department has established the following performance measures that it will use to evaluate the overall effectiveness of the grantee's project, as well as the High School CTE Teacher Pathway Initiative as a whole:

(a) An increase in the number of individuals recruited and hired to be high school CTE teachers for CTE programs that align to an In-Demand Industry Sector or Occupation; and

(b) An increase in the retention rate of high school CTE teachers for CTE programs that align to an In-Demand Industry Sector or Occupation.

In addition to these measures, applicants may establish interim or other measures that they think will be useful in measuring positive project outcomes, such as: an increase in the number of induction or mentoring programs being implemented for new and returning high school CTE teachers; an increase in the number of individuals teaching in high school CTE programs under emergency or alternative credentials; an increase in the number of high school CTE teachers participating in induction and mentoring programs; or an increase in the number of new and returning high school CTE teachers who express satisfaction with the level of induction and mentoring support that they have received. Grantees will be responsible for collecting and reporting data annually on the required performance measures as well as any other performance measures they choose to establish for their High School CTE Teacher Pathway Initiative project.

VII. Other Information

Accessible Format: Individuals with disabilities can obtain this document and a copy of the application package in an accessible format (*e.g.,* braille, large print, audiotape, or compact disc) on request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT**. If you use a TDD or a TTY, call the FRS, toll free, at 1–800–877–8339.

Electronic Access to This Document: The official version of this document is the document published in the **Federal Register**. Free internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available via the Federal Digital System at: *www.gpo.gov/fdsys.* At this site you can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or PDF. To use PDF you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the **Federal Register** by using the article search feature at: *www.federalregister.gov.* Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Dated: June 7, 2017.

Kim R. Ford,

Delegated the Duties of the Assistant Secretary for Career, Technical, and Adult Education.

[FR Doc. 2017–12132 Filed 6–12–17; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2017–ICCD–0083]

Agency Information Collection Activities; Comment Request; Evaluation of the ESEA Title VI Indian Education LEA Grants Program

AGENCY: Office of Planning, Evaluation and Policy Development (OPEPD), Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, ED is proposing a new information collection.

DATES: Interested persons are invited to submit comments on or before August 14, 2017.

ADDRESSES: To access and review all the documents related to the information collection listed in this notice, please use *http://www.regulations.gov* by searching the Docket ID number ED–2017–ICCD–0083. Comments submitted in response to this notice should be submitted electronically through the

Federal eRulemaking Portal at *http://www.regulations.gov* by selecting the Docket ID number or via postal mail, commercial delivery, or hand delivery. *Please note that comments submitted by fax or email and those submitted after the comment period will not be accepted.* Written requests for information or comments submitted by postal mail or delivery should be addressed to the Director of the Information Collection Clearance Division, U.S. Department of Education, 400 Maryland Avenue SW., LBJ, Room 216–42, Washington, DC 20202–4537.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Jean Yan, 202–205–6212.

SUPPLEMENTARY INFORMATION: The Department of Education (ED), in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the Department's information collection requirements and provide the requested data in the desired format. ED is soliciting comments on the proposed information collection request (ICR) that is described below. The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

Title of Collection: Evaluation of the ESEA Title VI Indian Education LEA Grants Program.

OMB Control Number: 1875—NEW.

Type of Review: A new information collection.

Respondents/Affected Public: State, Local, and Tribal Governments.

Total Estimated Number of Annual Responses: 434.

Total Estimated Number of Annual Burden Hours: 295.

Abstract: This data collection request supports a national evaluation of the Title VI Grants Program that will describe how grantees identify eligible children, and plan and implement program priorities with parent, community and tribal involvement; help AI/AN students meet state standards; align and leverage program funded services with other resources; and assess student outcomes. This information will inform the U.S. Department of Education's Office of Indian Education (OIE), other federal policy, budget and program staff, and grantees about the implementation of current practices. To gather consistent information that addresses questions about how Title VI grantees are identifying eligible children and planning and implementing services for them, it is necessary to collect additional information beyond current federal data collections (*e.g.,* Annual Performance Reports and EASIE Budget Reports provided by the OIE).

Dated: June 8, 2017.

Tomakie Washington,

Acting Director, Information Collection Clearance Division, Office of the Chief Privacy Officer, Office of Management.

[FR Doc. 2017–12162 Filed 6–12–17; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. IC17–4–000]

Commission Information Collection Activities (FERC–521); Comment Request

Correction

Notice document 2017–11760, appearing on pages 26476–26477, in the Issue of Wednesday, June 7, 2017, was inadvertently published and is withdrawn from that Issue.

[FR Doc. C1–2017–11760 Filed 6–9–17; 11:15 am]

BILLING CODE 1301–01–D

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER17–1769–000]

Solar Star Oregon II, LLC; Supplemental Notice That Initial Market-Based Rate Filing Includes Request for Blanket Section 204 Authorization

This is a supplemental notice in the above-referenced proceeding of Solar Star Oregon II, LLC's application for market-based rate authority, with an accompanying rate tariff, noting that such application includes a request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability.

Any person desiring to intervene or to protest should file with the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant.

Notice is hereby given that the deadline for filing protests with regard to the applicant's request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability, is June 27, 2017.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at *http://www.ferc.gov.* To facilitate electronic service, persons with Internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically should submit an original and 5 copies of the intervention or protest to the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426.

The filings in the above-referenced proceeding are accessible in the Commission's eLibrary system by clicking on the appropriate link in the above list. They are also available for electronic review in the Commission's Public Reference Room in Washington, DC. There is an eSubscription link on the Web site that enables subscribers to receive email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email *FERCOnlineSupport@ferc.gov.* or call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: June 7, 2017.

Kimberly D. Bose,

Secretary.

[FR Doc. 2017–12225 Filed 6–12–17; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Filings Instituting Proceedings

Docket Numbers: RP17–197–005.
Applicants: Dominion Energy Cove Point LNG, LP.
Description: Dominion Energy Cove Point LNG, LP submits tariff filing per 154.203: DECP—2016 Section 4 General Rate Case Motion to be effective 6/1/2017.
Filed Date: 05/19/2017.
Accession Number: 20170519–5148.
Comment Date: 5:00 p.m. Eastern Time on Friday, June 09, 2017.

Docket Numbers: RP17–764–000.
Applicants: Algonquin Gas Transmission, LLC.
Description: Algonquin Gas Transmission, LLC submits tariff filing per 154.204: Negotiated Rate—Boston Gas to BBPC—794005 & 794010 to be effective 6/1/2017.
Filed Date: 05/25/2017.
Accession Number: 20170525–5179.
Comment Date: 5:00 p.m. Eastern Time on Tuesday, June 06, 2017.

Docket Numbers: RP17–765–000.
Applicants: Alliance Pipeline L.P.
Description: Alliance Pipeline L.P. submits tariff filing per 154.204: Revise Force Majeure to be effective 7/1/2017.
Filed Date: 05/30/2017.
Accession Number: 20170530–5008.
Comment Date: 5:00 p.m. Eastern Time on Monday, June 12, 2017.

Docket Numbers: RP17–766–000.
Applicants: Noble Energy, Inc., HG Energy, LLC.
Description: Joint Petition of Noble Energy, Inc. and HG Energy II Appalachia, LLC for Temporary Waiver of Capacity Release Regulations and Related Tariff Provisions, and Request for Expedited Action and Shortened Comment Period under RP17–766.
Filed Date: 05/26/2017.
Accession Number: 20170526–5292.
Comment Date: 5:00 p.m. Eastern Time on Friday, June 02, 2017.

Docket Numbers: RP17–767–000.
Applicants: Hardy Storage Company, LLC.
Description: Hardy Storage Company, LLC submits tariff filing per 154.203: Penalty Revenue Crediting Report 2017.
Filed Date: 05/30/2017.
Accession Number: 20170530–5073.
Comment Date: 5:00 p.m. Eastern Time on Monday, June 12, 2017.

Docket Numbers: RP17–768–000.
Applicants: Dominion Energy Questar Pipeline, LLC.
Description: Dominion Energy Questar Pipeline, LLC submits tariff filing per 154.204: Change of Company Name—Dominion Energy Questar Pipeline, LLC to be effective 6/1/2017.
Filed Date: 05/30/2017.
Accession Number: 20170530–5086.
Comment Date: 5:00 p.m. Eastern Time on Monday, June 12, 2017.

Docket Numbers: RP17–769–000.
Applicants: Dominion Energy Overthrust Pipeline, LLC.
Description: Dominion Energy Overthrust Pipeline, LLC submits tariff filing per 154.204: Change of Company Name—Dominion Energy Overthrust Pipeline, LLC to be effective 6/1/2017.
Filed Date: 05/30/2017.
Accession Number: 20170530–5087.
Comment Date: 5:00 p.m. Eastern Time on Monday, June 12, 2017.

Docket Numbers: RP17–770–000.
Applicants: White River Hub, LLC.
Description: White River Hub, LLC submits tariff filing per 154.204: Change of Affiliate Company Name to be effective 6/1/2017.
Filed Date: 05/30/2017.
Accession Number: 20170530–5088.
Comment Date: 5:00 p.m. Eastern Time on Monday, June 12, 2017.

Docket Numbers: RP17–771–000.
Applicants: Iroquois Gas Transmission System, L.P.
Description: Iroquois Gas Transmission System, L.P. submits tariff filing per 154.204: 05/30/17 Negotiated Rates—ENI Trading & Shipping (RTS) 7825–02 to be effective 6/1/2017.
Filed Date: 05/30/2017.
Accession Number: 20170530–5132.
Comment Date: 5:00 p.m. Eastern Time on Monday, June 12, 2017.

Docket Numbers: RP17–772–000.
Applicants: ET Rover Pipeline LLC.
Description: ET Rover Pipeline LLC submits tariff filing per 154.202: Baseline Filing in Compliance with CP15–93, et al Order to be effective 7/1/2017.
Filed Date: 05/30/2017.
Accession Number: 20170530–5134.
Comment Date: 5:00 p.m. Eastern Time on Monday, June 12, 2017.

Docket Numbers: RP17–773–000.
Applicants: ET Rover Pipeline LLC.
Description: ET Rover Pipeline LLC submits tariff filing per 154.202: Baseline Volume No. 1–A Filing in compliance with CP15–93 Order to be effective 7/1/2017.
Filed Date: 05/30/2017.
Accession Number: 20170530–5135.
Comment Date: 5:00 p.m. Eastern Time on Monday, June 12, 2017.

Docket Numbers: RP17–774–000.
Applicants: Panhandle Eastern Pipe Line Company, LP.
Description: Panhandle Eastern Pipe Line Company, LP submits tariff filing per 154.202: Baseline Filing Volume No. 1–A to be effective 7/1/2017.
Filed Date: 05/30/2017.
Accession Number: 20170530–5136.
Comment Date: 5:00 p.m. Eastern Time on Monday, June 12, 2017.

Docket Numbers: RP17–775–000.
Applicants: Panhandle Eastern Pipe Line Company, LP.
Description: Panhandle Eastern Pipe Line Company, LP submits tariff filing per 154.204: Non-Conforming List update—Rover to be effective 7/1/2017.
Filed Date: 05/30/2017.
Accession Number: 20170530–5137.
Comment Date: 5:00 p.m. Eastern Time on Monday, June 12, 2017.

Docket Numbers: RP17–776–000..
Applicants: Trunkline Gas Company, LLC.
Description: Trunkline Gas Company, LLC submits tariff filing per 154.204: Non-Conforming Agreement filed in compliance with CP15–93, et al to be effective 7/1/2017.
Filed Date: 05/30/2017.
Accession Number: 20170530–5140.
Comment Date: 5:00 p.m. Eastern Time on Monday, June 12, 2017.

Docket Numbers: RP17–778–000.
Applicants: National Fuel Gas Supply Corporation.
Description: National Fuel Gas Supply Corporation submits tariff filing per 154.204: Market Pooling(Aliquippa) & Other Changes to be effective 7/1/2017.
Filed Date: 05/30/2017.
Accession Number: 20170530–5145.
Comment Date: 5:00 p.m. Eastern Time on Monday, June 12, 2017.

Docket Numbers: RP17–779–000.
Applicants: Florida Southeast Connection, LLC.
Description: Florida Southeast Connection, LLC submits tariff filing per 154.204: Negotiated rate agreement to be effective 7/1/2017.
Filed Date: 05/30/2017.
Accession Number: 20170530–5188.
Comment Date: 5:00 p.m. Eastern Time on Monday, June 12, 2017.

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: May 31, 2017.

Kimberly D. Bose,

Secretary.

[FR Doc. 2017–12166 Filed 6–12–17; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Filings Instituting Proceedings

Docket Numbers: RP17–780–000.
Applicants: Gulfstream Natural Gas System, L.L.C.
Description: § 4(d) Rate Filing: Name Change Cleanup Filing to be effective 7/1/2017.
Filed Date: 5/31/17.
Accession Number: 20170531–5015.
Comments Due: 5 p.m. ET 6/12/17.

Docket Numbers: RP17–781–000.
Applicants: Southeast Supply Header, LLC.
Description: § 4(d) Rate Filing: Name Change and Contact Cleanup to be effective 7/1/2017.
Filed Date: 5/31/17.
Accession Number: 20170531–5021.
Comments Due: 5 p.m. ET 6/12/17.

Docket Numbers: RP17–782–000.
Applicants: Texas Gas Transmission, LLC.
Description: § 4(d) Rate Filing: Neg Rate Agmts Filing (Indianapolis P&L 34016, 34017) to be effective 6/1/2017.
Filed Date: 5/31/17.
Accession Number: 20170531–5026.
Comments Due: 5 p.m. ET 6/12/17.

Docket Numbers: RP17–783–000.
Applicants: Texas Gas Transmission, LLC.
Description: § 4(d) Rate Filing: Cap Rel Neg Rate Agmt (Gulfport 35446 to BP 36341) to be effective 6/1/2017.
Filed Date: 5/31/17.
Accession Number: 20170531–5027.
Comments Due: 5 p.m. ET 6/12/17.

Docket Numbers: RP17–784–000.
Applicants: Texas Gas Transmission, LLC.
Description: § 4(d) Rate Filing: Cap Rel Neg Rate Agmts (RE Gas 34955, 35433 to BP 36347, 36346) to be effective 6/1/2017.
Filed Date: 5/31/17.
Accession Number: 20170531–5028.
Comments Due: 5 p.m. ET 6/12/17.

Docket Numbers: RP17–785–000.
Applicants: Gulf South Pipeline Company, LP.
Description: § 4(d) Rate Filing: Cap Rel Neg Rate Agmts (Atlanta 8438 to various eff 6–1–2017) to be effective 6/1/2017.
Filed Date: 5/31/17.
Accession Number: 20170531–5035.
Comments Due: 5 p.m. ET 6/12/17.

Docket Numbers: RP17–786–000.
Applicants: Gulf South Pipeline Company, LP.
Description: § 4(d) Rate Filing: Cap Rel Neg Rate Agmts (Encana 37663 to Texla 48240, Spotlight 48242) to be effective 6/1/2017.
Filed Date: 5/31/17.
Accession Number: 20170531–5038.
Comments Due: 5 p.m. ET 6/12/17.

Docket Numbers: RP17–787–000.
Applicants: MarkWest Pioneer, L.L.C.
Description: § 4(d) Rate Filing: Quarterly FRP Filing to be effective 7/1/2017.
Filed Date: 5/31/17.
Accession Number: 20170531–5079.
Comments Due: 5 p.m. ET 6/12/17.

Docket Numbers: RP17–788–000.
Applicants: Enable Gas Transmission, LLC.
Description: § 4(d) Rate Filing: Negotiated Rate Filing—June 2017 XTO 1010983 to be effective 6/1/2017.
Filed Date: 5/31/17.
Accession Number: 20170531–5112.
Comments Due: 5 p.m. ET 6/12/17.

Docket Numbers: RP17–789–000.
Applicants: Northern Natural Gas Company.
Description: § 4(d) Rate Filing: 2017 Negotiated Rates to be effective 6/1/2017.
Filed Date: 5/31/17.
Accession Number: 20170531–5115.
Comments Due: 5 p.m. ET 6/12/17.

Docket Numbers: RP17–790–000.
Applicants: Transcontinental Gas Pipe Line Company.
Description: § 4(d) Rate Filing: Negotiated Rates—Cherokee AGL—Replacement Shippers—Jun 2017 to be effective 6/1/2017.
Filed Date: 5/31/17.
Accession Number: 20170531–5128.
Comments Due: 5 p.m. ET 6/12/17.

Docket Numbers: RP17–791–000.
Applicants: Dominion Energy Questar Pipeline, LLC.
Description: § 4(d) Rate Filing: Pt. 3 Sec. 16.4 Version 2.0.0—Conditioning Reimbursement Factor to be effective 7/1/2017.
Filed Date: 5/31/17.
Accession Number: 20170531–5165.
Comments Due: 5 p.m. ET 6/12/17.

Docket Numbers: RP17–792–000.
Applicants: Florida Gas Transmission Company, LLC.
Description: § 4(d) Rate Filing: Negotiated Rates Filing on 5–31–17 to be effective 6/1/2017.
Filed Date: 5/31/17.
Accession Number: 20170531–5181.
Comments Due: 5 p.m. ET 6/12/17.

Docket Numbers: RP17–793–000.
Applicants: Rover Pipeline LLC.
Description: § 4(d) Rate Filing: Housekeeping to be effective 7/1/2017.
Filed Date: 5/31/17.
Accession Number: 20170531–5185.
Comments Due: 5 p.m. ET 6/12/17.

Docket Numbers: RP17–794–000.
Applicants: Ruby Pipeline, L.L.C.
Description: § 4(d) Rate Filing: EPC and FL&U Update to be effective 7/1/2017.
Filed Date: 5/31/17.
Accession Number: 20170531–5186.
Comments Due: 5 p.m. ET 6/12/17.

Docket Numbers: RP17–795–000.
Applicants: MarkWest New Mexico, L.L.C.
Description: § 4(d) Rate Filing: Ministerial Filing to Update Contact Information to be effective 7/1/2017.
Filed Date: 5/31/17.
Accession Number: 20170531–5188.
Comments Due: 5 p.m. ET 6/12/17.

Docket Numbers: RP17–796–000.
Applicants: Gulf South Pipeline Company, LP.
Description: § 4(d) Rate Filing: Superseding Amendment to Neg Rate Agmt (FPL 41619–13) to be effective 4/1/2017.
Filed Date: 5/31/17.
Accession Number: 20170531–5204.
Comments Due: 5 p.m. ET 6/12/17.

Docket Numbers: RP17–797–000.
Applicants: Colorado Interstate Gas Company, L.L.C.
Description: § 4(d) Rate Filing: LUF Quarterly Filing to be effective 7/1/2017.
Filed Date: 5/31/17.
Accession Number: 20170531–5272.
Comments Due: 5 p.m. ET 6/12/17.

Docket Numbers: RP17–798–000.
Applicants: Northern Natural Gas Company.
Description: § 4(d) Rate Filing: 20170531 Title Change Filing to be effective 6/1/2017.
Filed Date: 5/31/17.
Accession Number: 20170531–5279.
Comments Due: 5 p.m. ET 6/12/17.

Docket Numbers: RP17–799–000.

Applicants: El Paso Natural Gas Company, L.L.C.
Description: § 4(d) Rate Filing: Non-Conforming Agreement Update (SRP) to be effective 6/1/2017.
Filed Date: 5/31/17.
Accession Number: 20170531–5326.
Comments Due: 5 p.m. ET 6/12/17.

Docket Numbers: RP17–800–000.
Applicants: Southern Star Central Gas Pipeline, Inc.
Description: § 4(d) Rate Filing: Vol 2—Negotiated and Non-Conforming Flexible Park & Loan—Tenaska to be effective 6/1/2017.
Filed Date: 5/31/17.
Accession Number: 20170531–5342.
Comments Due: 5 p.m. ET 6/12/17.

Docket Numbers: RP17–801–000.
Applicants: Kern River Gas Transmission Company.
Description: § 4(d) Rate Filing: 2017 Update Title Pages to be effective 6/1/2017.
Filed Date: 6/1/17.
Accession Number: 20170601–5000.
Comments Due: 5 p.m. ET 6/13/17.

Docket Numbers: RP17–802–000.
Applicants: Equitrans, L.P.
Description: § 4(d) Rate Filing: Negotiated Capacity Release Agreements—6/1/17 to be effective 6/1/2017.
Filed Date: 6/1/17.
Accession Number: 20170601–5008.
Comments Due: 5 p.m. ET 6/13/17.

Docket Numbers: RP17–803–000.
Applicants: Gulf South Pipeline Company, LP.
Description: § 4(d) Rate Filing: Amendments to Neg Rate Agmts (Southern 41616, 41617) to be effective 6/1/2017.
Filed Date: 6/1/17.
Accession Number: 20170601–5011.
Comments Due: 5 p.m. ET 6/13/17.

Docket Numbers: RP17–804–000.
Applicants: Tennessee Gas Pipeline Company, L.L.C.
Description: § 4(d) Rate Filing: Volume No. 2 Seneca Resources SP 97126 Exhibit A Amendment to be effective 7/1/2017.
Filed Date: 6/1/17.
Accession Number: 20170601–5082.
Comments Due: 5 p.m. ET 6/13/17.

Docket Numbers: RP17–805–000.
Applicants: Kinder Morgan Louisiana Pipeline LLC.
Description: Period Rate Adjustment Filing of Kinder Morgan Louisiana Pipeline LLC.
Filed Date: 5/31/17.
Accession Number: 20170531–5367.
Comments Due: 5 p.m. ET 6/12/17.

Docket Numbers: RP17–806–000.
Applicants: Discovery Gas Transmission LLC.
Description: Fuel, Lost and Unaccounted For Gas Retention Rate Report of Discovery Gas Transmission LLC.
Filed Date: 5/31/17.
Accession Number: 20170531–5369.
Comments Due: 5 p.m. ET 6/12/17.

Docket Numbers: RP17–807–000.
Applicants: Alliance Pipeline L.P.
Description: § 4(d) Rate Filing: Negotiated Rate Filing PAL June 2017 to be effective 6/1/2017.
Filed Date: 6/1/17.
Accession Number: 20170601–5118
Comments Due: 5 p.m. ET 6/13/17.

Docket Numbers: RP17–808–000.
Applicants: Algonquin Gas Transmission, LLC.
Description: § 4(d) Rate Filing: AFT–E and AFT–ES Filing to Update Tariff Language to be effective 8/1/2017.
Filed Date: 6/1/17.
Accession Number: 20170601–5120.
Comments Due: 5 p.m. ET 6/13/17.

Docket Numbers: RP17–809–000.
Applicants: Dauphin Island Gathering Partners.
Description: § 4(d) Rate Filing: Negotiated Rate Filing 6–1–2017 to be effective 6/1/2017.
Filed Date: 6/1/17.
Accession Number: 20170601–5156.
Comments Due: 5 p.m. ET 6/13/17.

Docket Numbers: RP17–810–000.
Applicants: Dominion Energy Carolina Gas Transmission.
Description: § 4(d) Rate Filing: DECG—Baseline Filing of FERC Gas Tariff, Fourth Revised Volume Nos. 1 and 1.1 to be effective 6/1/2017.
Filed Date: 6/1/17.
Accession Number: 20170601–5182.
Comments Due: 5 p.m. ET 6/13/17.

Docket Numbers: RP17–811–000.
Applicants: Peregrine Oil & Gas II, LLC v. Texas Eas.
Description: Formal Complaint of Peregrine Oil & Gas II, LLC.
Filed Date: 6/1/17.
Accession Number: 20170601–5183.
Comments Due: 5 p.m. ET 6/13/17.

Docket Numbers: RP17–812–000.
Applicants: Dominion Energy Cove Point LNG, LP.
Description: § 4(d) Rate Filing: DECP—Baseline Filing of FERC Gas Tariff, Second Revised Volume No. 1 to be effective 6/1/2017.
Filed Date: 6/1/17.
Accession Number: 20170601–5206.
Comments Due: 5 p.m. ET 6/13/17.

Docket Numbers: RP17–813–000.
Applicants: Empire Pipeline, Inc.
Description: § 4(d) Rate Filing: Negotiated Rate Change to be effective 7/3/2017.
Filed Date: 6/1/17.
Accession Number: 20170601–5211.
Comments Due: 5 p.m. ET 6/13/17.

Docket Numbers: RP17–814–000.
Applicants: Dominion Energy Transmission, Inc.
Description: § 4(d) Rate Filing: DETI—Baseline Filing of FERC Gas Tariff, Volume Nos. 1, 1B, and 2 to be effective 6/1/2017.
Filed Date: 6/1/17.
Accession Number: 20170601–5215.
Comments Due: 5 p.m. ET 6/13/17.

Docket Numbers: RP17–815–000.
Applicants: Dominion Energy Cove Point LNG, LP.
Description: Tariff Cancellation: DECP—Cancellation of First Revised Volume No. 1 to be effective 6/1/2017.
Filed Date: 6/1/17.
Accession Number: 20170601–5230.
Comments Due: 5 p.m. ET 6/13/17.

Docket Numbers: RP17–816–000.
Applicants: Dominion Energy Carolina Gas Transmission.
Description: Tariff Cancellation: DECG—Cancellation of Third Revised Volume Nos. 1 and 1.1 to be effective 6/1/2017.
Filed Date: 6/1/17.
Accession Number: 20170601–5231.
Comments Due: 5 p.m. ET 6/13/17.

Docket Numbers: RP17–817–000.
Applicants: ANR Pipeline Company.
Description: § 4(d) Rate Filing: CNE Gas Supply Neg Rate Agmts to be effective 6/1/2017.
Filed Date: 6/1/17.
Accession Number: 20170601–5232.
Comments Due: 5 p.m. ET 6/13/17.

Docket Numbers: RP17–818–000.
Applicants: Dominion Energy Transmission, Inc.
Description: Tariff Cancellation: DETI—Cancellation of FERC Gas Tariff, Volume Nos. 1, 1A, 1B, and 2 to be effective 6/1/2017.
Filed Date: 6/1/17.
Accession Number: 20170601–5248.
Comments Due: 5 p.m. ET 6/13/17.

Docket Numbers: RP17–819–000.
Applicants: Sabal Trail Transmission, LLC.
Description: § 4(d) Rate Filing: Negotiated rate and Non-Conforming—FPL—850001 to be effective 7/1/2017.
Filed Date: 6/1/17.
Accession Number: 20170601–5262.
Comments Due: 5 p.m. ET 6/13/17.

Docket Numbers: RP17–820–000.
Applicants: Northern Natural Gas Company.
Description: § 4(d) Rate Filing: 20170501 MERC Non-Conforming to be effective 11/1/2017.
Filed Date: 6/1/17.
Accession Number: 20170601–5287.
Comments Due: 5 p.m. ET 6/13/17.

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: June 5, 2017.

Kimberly D. Bose,

Secretary.

[FR Doc. 2017–12167 Filed 6–12–17; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2100–180]

California Department of Water Resources; Notice of Application To Amend License and Accepted for Filing, Soliciting Comments, Motions To Intervene, and Protests

Take notice that the following hydroelectric application has been filed with the Commission in Project No. 2100–000 and is available for public inspection:

a. *Application Type:* Non-Capacity Amendment of License.

b. *Project No:* 2100–180.

c. *Date Filed:* May 17, 2017.

d. *Applicant:* California Department of Water Resources (DWR).

e. *Name of Project:* Feather River Hydroelectric Project.

f. *Location:* On the Feather River in Butte County, California.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791a—825r.

h. *Applicant Contact:* Gail Kuenster, 1416 Ninth Street, P.O. Box 942836, Sacramento, CA 94236–000, (916) 376–9780; *Gail.Kuenster@water.ca.gov.*

i. *FERC Contact:* John Aedo, (415) 369–3335, or by email at *john.aedo@ferc.gov.*

j. *Deadline for filing comments, motions to intervene, and protests:* 15 days from the issuance date of this notice by the Commission. 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–2100–180. Comments emailed to Commission staff are not considered part of the Commission record.

k. *Description of Request:* Flood events in February 2017 caused extensive erosion to the service and emergency spillways at the Oroville Dam, part of the Feather River Hydroelectric Project. The area has been declared a federal major disaster. To protect public safety, DWR must restore project function before the wet season returns in late 2017. The erosion at the spillways compromised two towers supporting primary transmission lines. As part of DWR's broad emergency response and recovery efforts, DWR proposes to permanently relocate approximately two miles of the 230-kV transmission lines onto lands across the Feather River from the damaged spillways outside the current project boundary. The relocation would avoid future damage to the transmission lines, facilitate reconstruction of the spillways, and restore a reliable route for electricity to and from the dam's power plant. Given the urgent need to complete the recovery effort, Commission staff have accepted the May 17 filing as an application for a non-capacity amendment of the project license. On June 1, 2017, Commission staff issued a letter to DWR requesting additional information.

l. *Locations of the Application:* This filing may be viewed on the Commission's Web site at *http://www.ferc.gov/docs-filing/elibrary.asp.* Enter the docket number P–2100 in 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 Commission's Public Reference Room, located at 888 First Street NE., Room 2A, Washington, DC 20426, or by calling (202) 502–8371.

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 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 and otherwise comply with the requirements of 18 CFR 4.34(b). All comments, motions to intervene, or protests should relate to project works which are the subject of the license amendment. Agencies may obtain copies of the application directly from the applicant. A copy of any protest or motion to intervene must be served upon each representative of the applicant named in the May 17 filing. If an intervener 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.

Dated: June 7, 2017.

Kimberly D. Bose,

Secretary.

[FR Doc. 2017–12228 Filed 6–12–17; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EL17–71–000]

DTE Electric Company; Notice of Institution of Section 206 Proceeding and Refund Effective Date

On June 7, 2017, a letter order was issued in Docket No. EL17–71–000 by the Director, Division of Electric Power—Central, Office of Energy Market Regulation, pursuant to section 206 of the Federal Power Act (FPA), 16 U.S.C. 824e (2012), instituting an investigation into whether the proposed rate decrease of DTE Electric Company associated with its cost-based revenue requirements for the provision of Reactive Supply and Voltage Control from Generation Sources Service in the Midcontinent Independent System Operator, Inc. region may be unjust, unreasonable, unduly discriminatory or preferential. *DTE Electric Company,* 159 FERC ¶ 62,251 (2017).

The refund effective date in Docket No. EL17–71–000, established pursuant to section 206(b) of the FPA, will be the date of publication of this notice in the **Federal Register**.

Any interested person desiring to be heard in Docket No. EL17–71–000 must file a notice of intervention or motion to intervene, as appropriate, with the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, in accordance with Rule 214 of the Commission's Rules of Practice and Procedure, 18 CFR 385.214, within 21 days of the date of issuance of the order.

Dated: June 7, 2017.

Kimberly D. Bose,

Secretary.

[FR Doc. 2017–12226 Filed 6–12–17; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP17–79–000]

Florida Gas Transmission Company, L.L.C; Notice of Schedule for Environmental Review of the Wekiva Parkway Relocation Project

On March 16, 2017, Florida Gas Transmission Company, L.L.C (Florida Gas) filed an application in Docket No. CP17–79–000 requesting a Certificate of Public Convenience and Necessity pursuant to Section 7(c) of the Natural Gas Act to construct and operate certain natural gas pipeline facilities. The proposed project is known as the Wekiva Parkway Relocation Project (Project), and would relocate and replace sections of the existing Florida Gas 12-inch-diameter and 26-inch-diameter Sanford Lateral pipelines that conflict with construction of the Florida Department of Transportation's Wekiva Parkway.

On March 29, 2017, the Federal Energy Regulatory Commission (Commission or FERC) issued its Notice of Application for the Project. Among other things, that notice alerted agencies issuing federal authorizations of the requirement to complete all necessary reviews and to reach a final decision on a request for a federal authorization within 90 days of the date of issuance of the Commission staff's Environmental Assessment (EA) for the Project. This instant notice identifies the FERC staff's planned schedule for the completion of the EA for the Project.

Schedule for Environmental Review

Issuance of EA July 28, 2017
90-day Federal Authorization Decision Deadline October 26, 2017

If a schedule change becomes necessary, additional notice will be provided so that the relevant agencies are kept informed of the Project's progress.

Project Description

The Project would abandon in place and relocate 4.60 miles of 12-inch-diameter Sanford Lateral pipeline and 3.16 miles of 26-inch-diameter Sanford Lateral Loop pipeline in Lake and Seminole Counties, Florida. The Project intent is to resolve conflicts between the existing pipeline facilities and construction of the Florida Department of Transportation's new State Road (SR) 429, Wekiva Parkway. Florida Gas proposes to relocate the affected pipeline sections to new adjacent right-of-way abutting the north side of existing SR 429 right-of-way.

Background

On April 18, 2017, the Commission issued a *Notice of Intent to Prepare an Environmental Assessment for the Proposed Wekiva Parkway Relocation Project and Request for Comments on Environmental Issues* (NOI). The NOI was sent to affected landowners; federal, state, and local government agencies; elected officials; environmental and public interest groups; Native American tribes; other interested parties; and local libraries and newspapers. In response to the NOI, the Commission received comments from the Seminole Tribe of Florida, Florida Fish and Wildlife Commission, and one landowner. The primary issues raised by the commentors are assuring that proper wildlife habitat surveys and a Phase 1 Cultural Survey be conducted. Landowner comments were limited to concerns about individual property use and impacts.

Additional Information

In order to receive notification of the issuance of the EA and to keep track of all formal issuances and submittals in specific dockets, the Commission offers a free service called eSubscription. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. Go to *www.ferc.gov/docs-filing/esubscription.asp.*

Additional information about the Project is available from the Commission's Office of External Affairs at (866) 208–FERC or on the FERC Web site (*www.ferc.gov*). Using the eLibrary link, select General Search from the eLibrary menu, enter the selected date range and Docket Number excluding the last three digits (*i.e.,* CP17–79), and follow the instructions. For assistance with access to eLibrary, the helpline can be reached at (866) 208–3676, TTY (202) 502–8659, or at *FERCOnlineSupport@ferc.gov.* The eLibrary link on the FERC Web site also provides access to the texts of formal documents issued by the Commission, such as orders, notices, and rule makings.

Dated: June 7, 2017.

Kimberly D. Bose,

Secretary.

[FR Doc. 2017–12224 Filed 6–12–17; 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 electric corporate filings:

Docket Numbers: EC17–119–000.

Applicants: Drift Sand Wind Project, LLC.

Description: Amendment to May 18, 2017 Application Under Section 203 of the Federal Power Act and Request for Shortened Notice Period of Drift Sand Wind Project, LLC.

Filed Date: 5/22/17.

Accession Number: 20170522–5192.

Comments Due: 5 p.m. ET 6/8/17.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER12–540–007; ER10–1346–006; ER10–1348–006; ER12–539–007.

Applicants: APDC, Inc., Atlantic Power Energy Services (US) LLC, ManChief Power Company LLC, Frederickson Power L.P.

Description: Supplement to December 21, 2016 Triennial market power update for Northwest region of APDC, Inc., *et. al.*

Filed Date: 6/7/17.

Accession Number: 20170607–5118.

Comments Due: 5 p.m. ET 6/28/17.

Docket Numbers: ER10–2124–016.

Applicants: Spring Canyon Energy LLC.

Description: Second Supplement to December 23, 2016 Triennial Report of Spring Canyon Energy LLC.

Filed Date: 6/7/17.

Accession Number: 20170607–5086.

Comments Due: 5 p.m. ET 6/28/17.

Docket Numbers: ER10–2135–012.

Applicants: Spindle Hill Energy LLC.

Description: Second Supplement to December 23, 2016 Triennial Report of Spindle Hill Energy LLC.

Filed Date: 6/7/17.

Accession Number: 20170607–5084.

Comments Due: 5 p.m. ET 6/28/17.

Docket Numbers: ER16–1720–002.

Applicants: Invenergy Energy Management LLC.

Description: Third Supplement to December 23, 2016 Triennial Report for the Northwest Region of Invenergy Energy Management LLC.

Filed Date: 6/7/17.

Accession Number: 20170607–5087.

Comments Due: 5 p.m. ET 6/28/17.

Docket Numbers: ER17–1770–000.

Applicants: PJM Interconnection, L.L.C.

Description: Tariff Cancellation: Notice of Cancellation of 1st Revised Service Agreement No. 4633, Queue #AB1–026 to be effective 5/24/2017.

Filed Date: 6/7/17.

Accession Number: 20170607–5074.

Comments Due: 5 p.m. ET 6/28/17.

Take notice that the Commission received the following PURPA 210(m)(3) filings:

Docket Numbers: QM17–4–000.

Applicants: Big Rivers Electric Corporation.

Description: Big Rivers Electric Corporation's Application to Terminate Purchase Obligation for QFs Greater Than 20 MW.

Filed Date: 6/7/17.

Accession Number: 20170607–5104.

Comments Due: 5 p.m. ET 7/5/17.

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: June 7, 2017.

Kimberly D. Bose,

Secretary.

[FR Doc. 2017–12223 Filed 6–12–17; 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: ER14–2140–006; ER14–2141–006;ER15–632–006 ER15–634–006; ER14–2466–007; ER14–2465–007 ER15–1952–004; ER14–2939–004; ER15–2728–006.

Applicants: Mulberry Farm, LLC, Selmer Farm, LLC, CID Solar, LLC, Cottonwood Solar, LLC, RE Camelot LLC, RE Columbia Two LLC, Pavant Solar, LLC, Imperial Valley Solar Company (IVSC) 2, Maricopa West Solar PV, LLC.

Description: Supplement to April 26, 2017 Notice of Non-Material Change in Status of the Dominion Companies.

Filed Date: 6/7/17.

Accession Number: 20170607–5022.

Comments Due: 5 p.m. ET 6/28/17.

Docket Numbers: ER17–1488–001.

Applicants: PJM Interconnection, L.L.C.

Description: Tariff Amendment: Errata to attachments for SA No. 2554, Queue No. Z1–087 submitted in ER17–1488 to be effective 1/9/2017.

Filed Date: 6/6/17.

Accession Number: 20170606–5151.

Comments Due: 5 p.m. ET 6/27/17.

Docket Numbers: ER17–1760–000.

Applicants: Clean Energy Future—Lordstown, LLC.

Description: Request for Limited Waiver and Expedited Action of Clean Energy Future Lordstown, LLC.

Filed Date: 6/6/17.

Accession Number: 20170606–5087.

Comments Due: 5 p.m. ET 6/20/17.

Docket Numbers: ER17–1761–000.

Applicants: Clean Energy Future—Lordstown, LLC.

Description: Request for Limited Waiver and Expedited Action of Clean Energy Future—Lordstown, LLC.

Filed Date: 6/6/17.

Accession Number: 20170606–5106.

Comments Due: 5 p.m. ET 6/20/17.

Docket Numbers: ER17–1762–000.

Applicants: Mid-Atlantic Interstate Transmission, LLC, PJM Interconnection, L.L.C.

Description: § 205(d) Rate Filing: MAIT submits Interconnection Agreement SA No. 4562 to be effective 8/5/2017.

Filed Date: 6/6/17.

Accession Number: 20170606–5147.

Comments Due: 5 p.m. ET 6/27/17.

Docket Numbers: ER17–1763–000.

Applicants: Playa Solar 1, LLC.

Description: § 205(d) Rate Filing: Amended and Restated Shared Facilities Common Ownership Agreement to be effective 6/7/2017.

Filed Date: 6/6/17.

Accession Number: 20170606–5148.

Comments Due: 5 p.m. ET 6/27/17.

Docket Numbers: ER17–1764–000.

Applicants: Playa Solar 2, LLC.

Description: § 205(d) Rate Filing: Amended and Restated Shared Facilities Common Ownership Agreement to be effective 6/7/2017.

Filed Date: 6/6/17.

Accession Number: 20170606–5149.

Comments Due: 5 p.m. ET 6/27/17.

Docket Numbers: ER17–1765–000.

Applicants: Public Service Company of Colorado.

Description: § 205(d) Rate Filing: 20170606 Grand Valley Amended PPA to be effective 5/17/2017.

Filed Date: 6/6/17.

Accession Number: 20170606–5152.

Comments Due: 5 p.m. ET 6/27/17.

Docket Numbers: ER17–1766–000.

Applicants: Avista Corporation.

Description: § 205(d) Rate Filing: Avista Corp Rate Schedule No. T–0360 BPA WOH to be effective 6/7/2017.

Filed Date: 6/6/17.

Accession Number: 20170606–5153.

Comments Due: 5 p.m. ET 6/27/17.

Docket Numbers: ER17–1767–000.

Applicants: Public Service Company of Colorado.

Description: § 205(d) Rate Filing: 20170606 Yampa Valley 2nd Amended PPA to be effective 4/28/2017.

Filed Date: 6/6/17.
Accession Number: 20170606–5154.
Comments Due: 5 p.m. ET 6/27/17.

Docket Numbers: ER17–1768–000.
Applicants: Public Service Company of Colorado.
Description: § 205(d) Rate Filing: 20170606 4th Amended IREA PPA to be effective 4/28/2017.
Filed Date: 6/6/17.
Accession Number: 20170606–5155.
Comments Due: 5 p.m. ET 6/27/17.

Docket Numbers: ER17–1769–000.
Applicants: Solar Star Oregon II, LLC.
Description: Baseline eTariff Filing: Baseline new to be effective 12/31/9998.
Filed Date: 6/6/17.
Accession Number: 20170606–5156.
Comments Due: 5 p.m. ET 6/27/17.

Take notice that the Commission received the following qualifying facility filings:

Docket Numbers: QF17–1062–000.
Applicants: UE–00501MD, LLC.
Description: Form 556 of UE–00501MD, LLC.
Filed Date: 6/5/17.
Accession Number: 20170605–5117.
Comments Due: None Applicable.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: June 7, 2017.

Kimberly D. Bose,

Secretary.

[FR Doc. 2017–12227 Filed 6–12–17; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Southwestern Power Administration

Integrated System Rate Schedules

AGENCY: Southwestern Power Administration, DOE.

ACTION: Notice of public review and comment on proposed extension.

SUMMARY: The Administrator, Southwestern Power Administration (Southwestern), completed an annual review of the continuing adequacy of the existing hydroelectric power rates for the Integrated System which are in effect through September 30, 2017. This review, included within the 2017 Integrated System Power Repayment Study (PRS), indicated the need for a revenue adjustment of 0.7 percent to continue to satisfy cost recovery criteria. Because the 0.7 percent revenue adjustment is within Southwestern's established ± 2 percent rate adjustment threshold, the Administrator has deferred the revenue adjustment and is proposing, to the Deputy Secretary for interim approval, a two-year extension of the Integrated System Rate Schedules for the period October 1, 2017 to September 30, 2019. Southwestern's current Integrated System Rate Schedules P–13, NFTS–13A, and EE–13 are set to expire September 30, 2017.

DATES: Written comments are due on or before July 13, 2017.

ADDRESSES: Comments should be submitted to Marshall Boyken, Senior Vice President and Chief Operating Officer, Office of Corporate Operations, Southwestern Power Administration, U.S. Department of Energy, One West Third Street, Tulsa, Oklahoma 74103, (918) 595–6646, *marshall.boyken@swpa.gov.*

FOR FURTHER INFORMATION CONTACT: Marshall Boyken, Senior Vice President and Chief Operating Officer, Office of Corporate Operations, Southwestern Power Administration, U.S. Department of Energy, One West Third Street, Tulsa, Oklahoma 74103, (918) 595–6646, *marshall.boyken@swpa.gov.*

SUPPLEMENTARY INFORMATION: Originally established by Secretarial Order No. 1865 of the Secretary of the Interior dated August 31, 1943, Southwestern is a Federal Power Marketing Administration within the U.S. Department of Energy (DOE), transferred to DOE by the Department of Energy Organization Act, Public Law 95–91, dated August 4, 1977. Guidelines for rate extensions are under Title 10, subpart A of the Code of Federal Regulations (10 CFR 903.23). Procedures for the confirmation and approval of rates for the Federal Power Marketing Administrations are found at Title 18, chapter I, subchapter L of the Code of Federal Regulations (18 CFR part 300).

Southwestern markets power from 24 multi-purpose reservoir projects with hydroelectric power facilities constructed and operated by the U.S. Army Corps of Engineers (Corps). These projects are located in the states of Arkansas, Missouri, Oklahoma, and Texas. Southwestern's marketing area includes these states plus Kansas and Louisiana. The costs associated with the hydropower facilities of 22 of the 24 projects are repaid via revenues received under the Integrated System rates, as are the costs associated with Southwestern's transmission facilities that consist of 1,380 miles of high-voltage transmission lines, 27 substations, and 46 microwave and VHF radio sites. Costs associated with the Sam Rayburn and Robert D. Willis Dams, two Corps projects that are isolated hydraulically, electrically, and financially from the Integrated System, are repaid by separate rate schedules and are not addressed in this notice.

Decision Rationale

Southwestern's current Integrated System Rate Schedules (P–13, NFTS–13A, and EE–13) are based on the 2013 PRS. Each subsequent annual PRS, through 2017, has indicated the need for a revenue adjustment that fell within a plus or minus two percent range. It is Southwestern's practice to defer revenue adjustments for the Integrated System if such adjustments are within plus or minus two percent of the revenue estimated from the current Integrated System Rate Schedules. The deferral of a revenue adjustment (rate change) provides for rate stability and savings on the administrative cost of implementation, and recognizes that the revenue sufficiency will be re-examined in the following year's PRS. Therefore, in line with the annual PRS results, Southwestern has deferred revenue adjustments in 2014, 2015, 2016 and 2017. The most recent deferral was in response to the 2017 Integrated System PRS, which concluded that the annual revenues needed to be increased by 0.7 percent. It was determined to be prudent to defer the increase in accordance with the established ± 2 percent threshold, allowing the current Integrated System Rate Schedules, which are set to expire September 30, 2017, to remain in effect.

Therefore, Southwestern is proposing an extension of the current Integrated System Rate Schedules, for the period October 1, 2017 to September 30, 2019. In accordance with 10 CFR 903.22(h) and 903.23(a)(3), the Deputy Secretary of Energy may extend existing rates on an interim basis beyond the period specified by the Federal Energy Regulatory Commission (FERC).

The current Integrated System Rate Schedules were placed in effect on an interim basis by the Deputy Secretary of Energy effective September 1, 2013, and were confirmed and approved by the

FERC on a final basis on January 9, 2014, for a period that ends September 30, 2017. Since the current Integrated System Rate Schedules were first placed in effect, there has been one change. A specific section (2.3.6) within Non-Federal Transmission Service (NFTS) rate schedule NFTS–13 was added to replace the stated-rate for customers taking Southwest Power Pool (SPP) Network Integration Transmission Service (NITS) with a revenue-requirement based methodology that includes determining the SPP NITS Annual Revenue Requirement (ARR) portion of Southwestern's NFTS ARR. The rate schedule was re-designated NFTS–13A to reflect the change to the initial rate schedule. This rate schedule change was placed in effect on an interim basis by the Deputy Secretary of Energy effective January 1, 2017, and confirmed and approved on a final basis by the FERC on March 9, 2017, under docket EF14–1–001. This revision had no impact on the revenue requirements for Southwestern's Integrated System. No change was made to the original expiration date, September 30, 2017.

The Administrator will review and consider all written comments and the information gathered when submitting the finalized Integrated System Rate Schedules Extension to the Deputy Secretary of Energy for confirmation and approval on an interim basis.

Dated: May 31, 2017.

Scott Carpenter,

Administrator.

[FR Doc. 2017–12171 Filed 6–12–17; 8:45 am]

BILLING CODE 6450–01–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OGC–2017–0030; FRL–9962–52–OGC]

Proposed Settlement Agreement, Clean Air Act Petition for Review; Reopening of Comment Period

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice; reopening of comment period.

SUMMARY: EPA issued a notice in the **Federal Register** on January 19, 2017, soliciting comments on the proposed settlement agreement in *Sierra Club* v. *EPA,* No. 16–1158 (D.C. Cir.). The proposed settlement agreement would resolve Sierra Club's lawsuit challenging EPA's final action titled ''Revisions to Ambient Monitoring Quality Assurance and Other Requirements'' upon EPA's sending of two nonbinding guidance documents (described in the proposed settlement agreement) recommending public notification practices concerning the submission and approval of ambient air monitoring network plans. The comment period on the proposed settlement agreement closed on February 21, 2017. EPA received two requests to review and comment on the draft guidance before issuance. The draft guidance documents are now available and will be placed in the docket. This document reopens the comment period on the proposed settlement agreement for 30 days from June 13, 2017 to July 13, 2017. EPA is soliciting comment on whether EPA should proceed to finalize the settlement.

DATES: Written comments on the proposed settlement agreement must be received by July 13, 2017.

ADDRESSES: Follow the detailed instructions provided under **ADDRESSES** in the **Federal Register** document of January 19, 2017 (82 FR 6532) (EPA–HQ–OGC–2017–0030; FRL–9958–55–OGC).

FOR FURTHER INFORMATION CONTACT: Jonathan Skinner-Thompson, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460; telephone: (202) 564–0291; fax number (202) 564–5603; email address: *skinner-thompson.jonathan@epa.gov.*

SUPPLEMENTARY INFORMATION: This document reopens the public comment period established in the **Federal Register** document of January 19, 2017. In that document, EPA announced a 30-day public review period soliciting comments on the proposed settlement agreement in *Sierra Club* v. *EPA,* No. 16–1158 (D.C. Cir.). The proposed settlement agreement would resolve Sierra Club's lawsuit challenging EPA's final action titled ''Revisions to Ambient Monitoring Quality Assurance and Other Requirements'' upon EPA's issuance of two nonbinding guidance documents recommending public notification practices concerning the submission and approval of ambient air monitoring network plans. As described in paragraph 2 of the proposed settlement agreement, one guidance document would be sent to state and local monitoring agencies recommending that air agencies make proposed network plans available on a state Web site and notify interested parties of plan availability for public comment. EPA would also request that states confirm in a submitted plan the timing and form of notice given. The guidance would explicitly be a nonbinding recommendation. As described in paragraph 3 of the proposed settlement agreement, the second guidance document would be sent to EPA regional offices, requesting that regions notify interested parties within 15 business days of EPA action on a network plan and that approved network plans be uploaded to EPA Web site within 15 business days of approval. EPA received two requests from state agencies to review and comment on the draft guidance before issuance. The draft guidance documents are now available to consider in commenting on the proposed settlement agreement and will be placed in the official docket for this action under Docket ID No. EPA–HQ–OGC–2017–0030. EPA is hereby reopening the comment period on the proposed settlement agreement for 30 days from June 13, 2017 to July 13, 2017. EPA is soliciting comment on whether EPA should proceed to finalize the settlement.

To submit comments, or access the docket, please follow the detailed instructions provided under **ADDRESSES** in the **Federal Register** document of January 19, 2017. If you have questions, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

Dated: May 3, 2017.

Lorie J. Schmidt,

Associate General Counsel.

[FR Doc. 2017–12237 Filed 6–12–17; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

[CC Docket No. 92–237; DA 17–542]

Next Meeting of the North American Numbering Council

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: In this document, the Commission released a public notice announcing the meeting and agenda of the North American Numbering Council (NANC). The intended effect of this action is to make the public aware of the NANC's next meeting and agenda.

DATES: Thursday, June 29, 2017, 10:00 a.m.

ADDRESSES: Request to make an oral statement or provide written comments to the NANC should be sent to Carmell Weathers, Competition Policy Division, Wireline Competition Bureau, Federal

Communications Commission, Portals II, 445 12th Street SW., Room 5–C162, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Carmell Weathers at (202) 418–2325 or *Carmell.Weathers@fcc.gov.* The fax number is: (202) 418–1413. The TTY number is: (202) 418–0484.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's document in CC Docket No. 92–237, DA 17–542 released June 5, 2017. The complete text in this document is available for public inspection and copying during normal business hours in the FCC Reference Information Center, Portals II, 445 12th Street SW., Room CY–A257, Washington, DC 20554. The document may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street SW., Room CY–B402, Washington, DC 20554, telephone (800) 378–3160 or (202) 863–2893, facsimile (202) 863–2898, or via the Internet at *http://www.bcpiweb.com.* It is available on the Commission's Web site at *http://www.fcc.gov.* The North American Numbering Council (NANC) has scheduled a meeting to be held Thursday, June 29, 2017, from 10:00 a.m. until 2:00 p.m. The meeting will be held at the Federal Communications Commission, Portals II, 445 12th Street SW., Room TW–C305, Washington, DC. This meeting is open to members of the general public. The FCC will attempt to accommodate as many participants as possible. The public may submit written statements to the NANC, which must be received two business days before the meeting. In addition, oral statements at the meeting by parties or entities not represented on the NANC will be permitted to the extent time permits. Such statements will be limited to five minutes in length by any one party or entity, and requests to make an oral statement must be received two business days before the meeting.

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 and Governmental Affairs Bureau at 202–418–0530 (voice), 202–418–0432 (tty). Reasonable accommodations for people with disabilities are available upon request. Include a description of the accommodation you will need, including as much detail as you can. Also include a way we can contact you if we need more information. Please allow at least five days advance notice; last minute requests will be accepted, but may be impossible to fill.

Proposed Agenda

*Thursday, June 29, 2017, 10:00 a.m.**

1. Announcements and Recent News
2. Approval of March 28 Meeting Transcript
3. Discussion of the North American Numbering Plan Administrator (NANPA) Report
4. Discussion of the National Thousands Block Pooling Administrator (PA) Report
5. Discussion of the Numbering Oversight Working Group (NOWG) Report
6. Discussion of the Toll Free Number Administrator (TFNA) Report
7. Discussion of the North American Numbering Plan Billing and Collection (NANP B&C) Agent Report
8. Discussion of the Billing and Collection Working Group (B&C WG) Report
9. Discussion of the North American Portability Management LLC (NAPM LLC) Report
10. Discussion of the Local Number Portability Administrator (LNPA) Transition Oversight Manager (TOM) Report
11. Discussion of the LNPA Working Group (WG) Report
12. Discussion of the Future of Numbering Working Group (FoN WG) Report
13. Status of the Industry Numbering Committee (INC) Activities
14. Status of the ATIS All-IP Transition Initiatives
15. Summary of Action Items
16. Public Comments and Participation (maximum 5 minutes per speaker)
17. Other Business Adjourn no later than 2:00 p.m.

* The Agenda may be modified at the discretion of the NANC Chairman with the approval of the Designated Federal Officer (DFO).

Federal Communications Commission.

Marilyn Jones,

Senior Counsel for Number Administration, Wireline Competition Bureau.

[FR Doc. 2017–12222 Filed 6–12–17; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL TRADE COMMISSION

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Extension

AGENCY: Federal Trade Commission (''FTC'' or ''Commission'').

ACTION: Notice.

SUMMARY: The FTC intends to ask the Office of Management and Budget (''OMB'') to extend for an additional three years the current Paperwork Reduction Act (''PRA'') clearance for the FTC's enforcement of the information collection requirements in its ''Fair Credit Reporting Risk-Based Pricing Regulations'' (''RBP Rule''), which applies to certain motor vehicle dealers, and its shared enforcement with the Consumer Financial Protection Bureau (''CFPB'') of the risk-based pricing provisions (subpart H) of the CFPB's Regulation V regarding other entities. That clearance expires on July 31, 2017.

DATES: Comments must be filed by July 13, 2017.

ADDRESSES: Interested parties may file a comment online or on paper, by following the instructions in the Request for Comment part of the **SUPPLEMENTARY INFORMATION** section below. Write ''RBP Rule, PRA Comment, P145403,'' on your comment and file your comment online at *https://ftcpublic.commentworks.com/ftc/rbprulepra2* by following the instructions on the web-based form. If you prefer to file your comment on paper, write ''RBP Rule, PRA Comment, P145403'' on your comment and on the envelope, and mail your comment to the following address: Federal Trade Commission, Office of the Secretary, Room H–113 (Annex J), 600 Pennsylvania Avenue NW., Washington, DC 20580, or deliver your comment to the following address: Federal Trade Commission, Office of the Secretary, Constitution Center, 400 7th Street SW., 5th Floor, Suite 5610, Washington, DC 20024.

FOR FURTHER INFORMATION CONTACT: Katherine White, Attorney, Division of Privacy and Identity Protection, Bureau of Consumer Protection, (202) 326–2878, 600 Pennsylvania Ave. NW., Room CC–8232, Washington, DC 20580.

SUPPLEMENTARY INFORMATION: On March 3, 2017, the FTC sought public comment on the information collection requirements (creditor disclosures to consumers) associated with the RBP Rule and the Commission's shared enforcement with the CFPB of subpart H of Regulation V (March 3, 2017 Notice [1]) and the FTC's associated PRA burden analysis. One relevant comment was received.[2] The commenter, the National Automobile Dealers Association (''NADA''), observed that many dealers face compliance costs beyond those that the FTC had estimated for respondents to modify and distribute notices:

[1] 82 FR 12452.

[2] *https://www.ftc.gov/policy/public-comments/initiative-702.*

(a) Obtaining those reports, including (i) the direct costs from the CRA's, (ii) the personnel costs associated with obtaining the reports, and (b) the direct and indirect costs of properly handling, storing, and disposing of that sensitive personally identifiable information.

Additionally, NADA contended that the FTC's estimate of hours burden does not contemplate the burden associated with ''obtaining, and properly handling, storing, and disposing of the information in the [credit] reports.''

The FTC believes that its burden estimates do not need to be increased. NADA's suggestion that compliance with the Rule compels its members to purchase consumer credit scores is incorrect. Automobile dealers, and all other respondents, are covered by the Rule *only if* they already use consumer reports and/or credit scores to set the terms of credit they offer to consumers. Because respondents already are using consumer reports and have access to the information necessary to provide the notices, the Rule does not impose, directly or indirectly, the additional cost of purchasing consumer reports or credit scores.

NADA's comment focuses on automobile dealers that are engaged in three-party financing transactions, in which a dealer agrees to extend financing to a consumer and then assigns the loan to a third party, such as a bank or financing company. In this scenario, automobile dealers will obtain certain personal information from consumers, along with an authorization to obtain their consumer reports, and will shop the information to several potential financing sources. These financing sources will pull consumer reports in order to determine the ''buy rate'' at which the financing source would agree to purchase the contract. The automobile dealer uses a consumer report in setting the retail financing rate for the credit because it uses the ''buy rate'' offered by the third-party financing source to set the rate offered to the consumer. In some instances, the dealer may not have physically accessed the consumer report. Nevertheless, the FTC has always maintained that the Rule covers these dealers since they are the original creditor in a transaction that uses a consumer report in connection with an application for, or a grant, extension, or other provision of, credit. The FTC's interpretation of the Rule was upheld by the DC District Court in *Nat'l Auto Dealers Ass'n* v. *FTC,* 854 F. Supp. 2d 65 (D.D.C. May 22, 2012).

This interpretation that dealers are ''original'' creditors under the Rule does not impose the vast costs that NADA suggests. As the court in *Nat'l Auto Dealers Ass'n* noted in its decision, ''. . . given the preexisting channels between financing sources and auto dealers (to convey, for example, credit applications and loan rates), the dealer could get the credit information from the financing source as well . . . [the FTC's interpretation] does not mandate an impossibility nor does it obligate them to purchase a consumer report.'' [3] Indeed, the dealer could require simply that the financing source pass on to the dealer the credit score it obtained on the consumer. Although the Rule does allow dealers to comply by providing all consumers with their credit scores, nothing in the Rule mandates this course of action.

Moreover, automobile dealers already handle, maintain, store, and dispose of sensitive personal information about consumers (*e.g.,* credit applications, financing contracts etc.). Thus, the FTC does not believe that the Rule imposes an additional burden when it comes to the handling, storing, and disposing of consumer report information.

Pursuant to the OMB regulations, 5 CFR part 1320, that implement the PRA, 44 U.S.C. 3501 *et seq.,* the FTC is providing this second opportunity for public comment while seeking OMB approval to renew clearance for the FTC's calculated share of the associated PRA burden for the underlying disclosure requirements.

*Burden statement:*The burden figures below present estimates of the number of applicable motor vehicle dealers subject to the FTC's RBP Rule [4] and their assumed recurring disclosure burden, in addition to the estimated number of and burden for other entities over which the FTC shares enforcement burden with the CFPB under subpart H of Regulation V. For more details about the creditor notifications required and the basis for the calculations summarized below, see the March 3, 2017 Notice.

Title: Fair Credit Reporting Risk-Based Pricing Regulations.

OMB Control Number: 3084–0145.

Type of Review: Extension of currently approved collection.

Estimated number of respondents: 160,250.

Estimated Annual Burden: 9,652,500 hours and $174,127,650 [5] in associated labor costs.

Estimated Capital or Other Non-Labor Costs: The FTC believes that the FTC and CFPB rules impose negligible capital or other non-labor costs, as the affected entities are likely to have the necessary supplies and/or equipment already (*e.g.,* offices and computers) for the information collections discussed above.

Request for Comment: You can file a comment online or on paper. For the Commission to consider your comment, we must receive it on or before July 13, 2017. Write ''RBP Rule, PRA Comment, P145403,'' on your comment. Your comment—including your name and your state—will be placed on the public record of this proceeding, including to the extent practicable, on the public Commission Web site, at *https://www.ftc.gov/policy/public-comments.*

Postal mail addressed to the Commission is subject to delay due to heightened security screening. As a result, we encourage you to submit your comments online. To make sure that the Commission considers your online comment, you must file it at *https://ftcpublic.commentworks.com/ftc/rbprulepra2,* by following the instructions on the web-based form. If this Notice appears at *http://www.regulations.gov/#!home,* you also may file a comment through that Web site.

If you file your comment on paper, write ''RBP Rule, PRA Comment, P145403'' on your comment and on the envelope, and mail your comment to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW., Suite CC–5610 (Annex J), Washington, DC 20580, or deliver your comment to the following address: Federal Trade Commission, Office of the Secretary, Constitution Center, 400 7th Street SW., 5th Floor, Suite 5610, Washington, DC 20024. If possible, please submit your paper comment to the Commission by courier or overnight service.

Comments on the information collection requirements subject to review under the PRA should additionally be submitted to OMB. If sent by U.S. mail, they should be addressed to Office of Information and

[3] *Nat'l Auto Dealers Ass'n* v. *FTC,* 864 F. Supp. 2d 65, n.17 (D.D.C. May 22, 2012).

[4] The FTC retains rulemaking authority for its RBP Rule solely for motor vehicle dealers described in section 1029(a) of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Pub. L. 111–203, 124 Stat. 1376 (2010)) that are predominantly engaged in the sale and servicing of motor vehicles, the leasing and servicing of motor vehicles, or both.

[5] Bureau of Labor Statistics, Economic News Release, March 31, 2017, Table 1, ''National employment and wage data from the Occupational Employment Statistics survey by occupation, May 2016'': *http://www.bls.gov/news.release/ocwage.htm.* This is an update of the labor information used in the March 3, 2017 Notice. The newer table shows $18.11 as the mean hourly wage for correspondence clerks, an increase from $17.47 previously used.

Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for the Federal Trade Commission, New Executive Office Building, Docket Library, Room 10102, 725 17th Street NW., Washington, DC 20503. Comments sent to OMB by U.S. postal mail are subject to delays due to heightened security precautions. Thus, comments instead can also be sent via email to *wliberante@omb.eop.gov.*

Because your comment will be placed on the publicly accessible FTC Web site at *https://www.ftc.gov/,* you are solely responsible for making sure that your comment does not include any sensitive or confidential information. In particular, your comment should not include any sensitive personal information, such as your or anyone else's Social Security number; date of birth; driver's license number or other state identification number, or foreign country equivalent; passport number; financial account number; or credit or debit card number. You are also solely responsible for making sure that your comment does not include any sensitive health information, such as medical records or other individually identifiable health information. In addition, your comment should not include any ''trade secret or any commercial or financial information which . . . is privileged or confidential''—as provided by Section 6(f) of the FTC Act, 15 U.S.C. 46(f), and FTC Rule 4.10(a)(2), 16 CFR 4.10(a)(2)—including in particular competitively sensitive information such as costs, sales statistics, inventories, formulas, patterns, devices, manufacturing processes, or customer names.

Comments containing material for which confidential treatment is requested must be filed in paper form, must be clearly labeled ''Confidential,'' and must comply with FTC Rule 4.9(c). In particular, the written request for confidential treatment that accompanies the comment must include the factual and legal basis for the request, and must identify the specific portions of the comment to be withheld from the public record. *See* FTC Rule 4.9(c). Your comment will be kept confidential only if the General Counsel grants your request in accordance with the law and the public interest. Once your comment has been posted on the public FTC Web site—as legally required by FTC Rule 4.9(b)—we cannot redact or remove your comment from the FTC Web site, unless you submit a confidentiality request that meets the requirements for such treatment under FTC Rule 4.9(c), and the General Counsel grants that request.

Visit the FTC Web site to read this Notice. The FTC Act and other laws that the Commission administers permit the collection of public comments to consider and use in this proceeding as appropriate. The Commission will consider all timely and responsive public comments that it receives on or before July 13, 2017. For information on the Commission's privacy policy, including routine uses permitted by the Privacy Act, see *https://www.ftc.gov/site-information/privacy-policy.*

David C. Shonka,

Acting General Counsel.

[FR Doc. 2017–12191 Filed 6–12–17; 8:45 am]

BILLING CODE 6750–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency for Toxic Substances and Disease Registry

[Docket No. ATSDR–2014–0002]

Availability of Draft Toxicological Profiles: Antimony; 2,4-D; Molybdenum; Silica

AGENCY: Agency for Toxic Substances and Disease Registry (ATSDR), Department of Health and Human Services (HHS).

ACTION: Notice of availability, and request for comment.

SUMMARY: The Agency for Toxic Substances and Disease Registry (ATSDR), within the Department of Health and Human Services (HHS) announces the availability of Toxicological Profiles for review and comment. All toxicological profiles issued as ''Drafts for Public Comment'' represent ATSDR's best efforts to provide important toxicological information on priority hazardous substances. ATSDR is seeking public comments and additional information or reports on studies about the health effects of these four substances for review and potential inclusion in the profiles.

Although ATSDR considers key studies for these substances during the profile development process, this document solicits any relevant, additional studies. ATSDR will evaluate the quality and relevance of such data or studies for possible inclusion into the profile. ATSDR remains committed to providing a public comment period for these documents as a means to best serve public health and the public.

DATES: Comments must be submitted by September 11, 2017.

ADDRESSES: You may submit comments, identified by docket number ATSDR–2014–0002, by any of the following methods:

- *Internet:* Access the Federal eRulemaking Portal at *www.regulations.gov.* Follow the instructions for submitting comments.
- *Mail:* Division of Toxicology and Human Health Sciences, Agency for Toxic Substances and Disease Registry, 1600 Clifton Rd. NE., MS F–57, Atlanta, GA 30329.

Instructions: All submissions must include the agency name and docket number for this notice. All relevant comments will be posted without change. This means that no confidential business information or other confidential information should be submitted in response to this notice.

FOR FURTHER INFORMATION CONTACT: Commander Jessilynn B. Taylor, Division of Toxicology and Human Health Sciences, Agency for Toxic Substances and Disease Registry, 1600 Clifton Rd. NE., MS F–57, Atlanta, GA 30329, Email: *jxt1@cdc.gov;* Phone: 770–488–3313.

SUPPLEMENTARY INFORMATION: The Superfund Amendments and Reauthorization Act of 1986 (SARA) [42 U.S.C. 9601 *et seq.*] amended the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA or Superfund) [42 U.S.C. 9601 *et seq.*] by establishing certain requirements for ATSDR and the U.S. Environmental Protection Agency (EPA) regarding hazardous substances that are most commonly found at facilities on the CERCLA National Priorities List (NPL). Among these statutory requirements is a mandate for the Administrator of ATSDR to prepare toxicological profiles for each substance included on the priority list of hazardous substances [also called the Substance Priority List (SPL)]. This list identifies 275 hazardous substances that ATSDR and EPA have determined pose the most significant potential threat to human health. The SPL is available online at *www.atsdr.cdc.gov/spl.*

In addition, CERCLA provides ATSDR with the authority to prepare toxicological profiles for substances not found on the SPL. CERCLA authorizes ATSDR to establish and maintain inventory of literature, research, and studies on the health effects of toxic substances (CERCLA Section 104(i)(1)(B)); to respond to requests for health consultations (CERCLA Section 104(i)(4)); and to support the site-specific response actions conducted by the agency.

Availability

The Draft Toxicological Profiles are available online at *http://www.atsdr.cdc.gov/ToxProfiles* and at *www.regulations.gov,* Docket No. ATSDR–2014–0002.

Pamela I. Protzel Berman,

Director, Office of Policy, Planning and Evaluation, Agency for Toxic Substances and Disease Registry.

[FR Doc. 2017–12161 Filed 6–12–17; 8:45 am]

BILLING CODE 4163–70–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[CMS–3343–PN]

Medicare and Medicaid Programs: Application From the American Osteopathic Association/Healthcare Facilities Accreditation Program (AOA–HFAP) for Continued CMS Approval of Its Ambulatory Surgical Center Accreditation Program

AGENCY: Centers for Medicare and Medicaid Services, HHS.

ACTION: Notice with request for comment.

SUMMARY: This proposed notice acknowledges the receipt of an application from the American Osteopathic Association/Healthcare Facilities Accreditation Program (AOA–HFAP) for continued recognition as a national accrediting organization for Ambulatory Surgical Centers that wish to participate in the Medicare or Medicaid programs.

DATES: To be assured consideration, comments must be received at one of the addresses provided below, no later than 5 p.m. on July 13, 2017.

ADDRESSES: In commenting, please refer to file code CMS–3343–PN. Because of staff and resource limitations, we cannot accept comments by facsimile (FAX) transmission.

You may submit comments in one of four ways (please choose only one of the ways listed):

1. *Electronically.* You may submit electronic comments on this regulation to *http://www.regulations.gov.* Follow the ''Submit a comment'' instructions.

2. *By regular mail.* You may mail written comments to the following address ONLY: Centers for Medicare & Medicaid Services, Department of Health and Human Services, Attention: CMS–3343–PN, P.O. Box 8010, Baltimore, MD 21244–8010.

Please allow sufficient time for mailed comments to be received before the close of the comment period.

3. *By express or overnight mail.* You may send written comments to the following address ONLY: Centers for Medicare & Medicaid Services, Department of Health and Human Services, Attention: CMS–3343–PN, Mail Stop C4–26–05, 7500 Security Boulevard, Baltimore, MD 21244–1850.

4. *By hand or courier.* Alternatively, you may deliver (by hand or courier) your written comments ONLY to the following addresses:

a. For delivery in Washington, DC—Centers for Medicare & Medicaid Services, Department of Health and Human Services, Room 445–G, Hubert H. Humphrey Building, 200 Independence Avenue SW., Washington, DC 20201.

(Because access to the interior of the Hubert H. Humphrey Building is not readily available to persons without Federal government identification, commenters are encouraged to leave their comments in the CMS drop slots located in the main lobby of the building. A stamp-in clock is available for persons wishing to retain a proof of filing by stamping in and retaining an extra copy of the comments being filed.)

b. For delivery in Baltimore, MD—Centers for Medicare & Medicaid Services, Department of Health and Human Services, 7500 Security Boulevard, Baltimore, MD 21244–1850.

If you intend to deliver your comments to the Baltimore address, call telephone number (410) 786–9994 in advance to schedule your arrival with one of our staff members.

Comments erroneously mailed to the addresses indicated as appropriate for hand or courier delivery may be delayed and received after the comment period.

For information on viewing public comments, see the beginning of the **SUPPLEMENTARY INFORMATION** section.

FOR FURTHER INFORMATION CONTACT: Monda Shaver, (410) 786–0310, Erin McCoy, (410) 786–2337, or Patricia Chmielewski, (410) 786–6899.

SUPPLEMENTARY INFORMATION:

Inspection of Public Comments: All comments received before the close of the comment period are available for viewing by the public, including any personally identifiable or confidential business information that is included in a comment. We post all comments received before the close of the comment period on the following Web site as soon as possible after they have been received: *http://www.regulations.gov.* Follow the search instructions on that Web site to view public comments.

Comments received timely will also be available for public inspection as they are received, generally beginning approximately 3 weeks after publication of a document, at the headquarters of the Centers for Medicare & Medicaid Services, 7500 Security Boulevard, Baltimore, Maryland 21244, Monday through Friday of each week from 8:30 a.m. to 4 p.m. To schedule an appointment to view public comments, phone 1–800–743–3951.

I. Background

Under the Medicare program, eligible beneficiaries may receive covered services from an Ambulatory Surgical Center (ASC) provided certain requirements are met. Section 1832(a)(2)(F)(i) of the Social Security Act (the Act) establishes distinct criteria for facilities seeking designation as an ASC. Regulations concerning provider agreements are at 42 CFR part 489 and those pertaining to activities relating to the survey and certification of facilities are at 42 CFR part 488. The regulations at 42 CFR part 416 specify the conditions that an ASC must meet in order to participate in the Medicare program, the scope of covered services, and the conditions for Medicare payment for ASCs.

Generally, to enter into an agreement, an ASC must first be certified by a State survey agency as complying with the conditions or requirements set forth in part 416 of our Medicare regulations. Thereafter, the ASC is subject to regular surveys by a State survey agency to determine whether it continues to meet these requirements.

Section 1865(a)(1) of the Act provides that, if a provider entity demonstrates through accreditation by a Centers for Medicare & Medicaid Services (CMS) approved national accrediting organization (AO) that all applicable Medicare conditions are met or exceeded, we may deem those provider entities as having met the requirements. Accreditation by an AO is voluntary and is not required for Medicare participation.

If an AO is recognized by the Secretary of the Department of Health and Human Services as having standards for accreditation that meet or exceed Medicare requirements, any provider entity accredited by the national accrediting body's approved program may be deemed to meet the Medicare conditions. An AO applying for approval of its accreditation program under part 488, subpart A, must provide CMS with reasonable assurance that the AO requires the accredited provider

entities to meet requirements that are at least as stringent as the Medicare conditions. Our regulations concerning the approval of AOs are set forth at § 488.5.

II. CMS Approval of Accreditation Organizations

Section 1865(a)(2) of the Act and our regulations at § 488.5 require that our findings concerning review and approval of an AO's requirements consider, among other factors, the applying AO's requirements for accreditation; survey procedures; resources for conducting required surveys; capacity to furnish information for use in enforcement activities; monitoring procedures for provider entities found not in compliance with the conditions or requirements; and ability to provide CMS with the necessary data for validation.

Section 1865(a)(3)(A) of the Act further requires that we publish, within 60 days of receipt of an organization's complete application, a notice identifying the national accrediting body making the request, describing the nature of the request, and providing at least a 30-day public comment period. We have 210 days from the receipt of a complete application to publish notice of approval or denial of the application.

The purpose of this notice of proposed recognition is to inform the public of the American Osteopathic Association/Healthcare Facilities Accreditation Program's (AOA–HFAP's) request for continued CMS approval of its ASC accreditation program. This notice also solicits public comment on whether AOA–HFAP's requirements meet or exceed the Medicare conditions for coverage (CfCs) for ASCs.

III. Evaluation of an AO's Accreditation Program

AOA–HFAP submitted all the necessary materials to enable us to make a determination concerning its request for continued CMS approval of its ASC accreditation program. This application was determined to be complete on April 14, 2017. Under section 1865(a)(2) of the Act and our regulations at § 488.5, our review and evaluation of AOA–HFAP will be conducted in accordance with, but not necessarily limited to, the following factors:

- The equivalency of AOA–HFAP's standards for ASCs as compared with Medicare's CfCs for ASCs.
- AOA–HFAP's survey process to determine the following:

++ The composition of the survey team, surveyor qualifications, and the ability of the organization to provide continuing surveyor training.

++ The comparability of AOA–HFAP's processes to those of State agencies, including survey frequency, and the ability to investigate and respond appropriately to complaints against accredited facilities.

++ AOA–HFAP's processes and procedures for monitoring an ASC found out of compliance with AOA–HFAP's program requirements. These monitoring procedures are used only when AOA–HFAP identifies noncompliance. If noncompliance is identified through validation reviews or complaint surveys, the State survey agency monitors corrections as specified at § 488.9(c)(1).

++ AOA–HFAP's capacity to report deficiencies to the surveyed facilities and respond to the facility's plan of correction in a timely manner.

++ AOA–HFAP's capacity to provide CMS with electronic data and reports necessary for effective validation and assessment of the organization's survey process.

++ The adequacy of AOA–HFAP's staff and other resources, and its financial viability.

++ AOA–HFAP's capacity to adequately fund required surveys.

++ AOA–HFAP's policies with respect to whether surveys are announced or unannounced, to assure that surveys are unannounced.

++ AOA–HFAP's agreement to provide CMS with a copy of the most current accreditation survey, together with any other information related to the survey as CMS may require (including corrective action plans).

Upon completion of our evaluation, including evaluation of comments received as a result of this notice, we will publish a final notice in the **Federal Register** announcing the result of our evaluation.

IV. Collection of Information Requirements

This document does not impose information collection requirements, that is, reporting, recordkeeping or third-party disclosure requirements. Consequently, there is no need for review by the Office of Management and Budget under the authority of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

V. Response to Public Comments

Because of the large number of public comments we normally receive on **Federal Register** documents, we are not able to acknowledge or respond to them individually. We will consider all comments we receive by the date and time specified in the **DATES** section of this preamble, and, when we proceed with a subsequent document, we will respond to the comments in the preamble to that document.

Dated: June 7, 2017.

Seema Verma,

Administrator, Centers for Medicare & Medicaid Services.

[FR Doc. 2017–12193 Filed 6–12–17; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Government-Owned Inventions; Availability for Licensing

AGENCY: National Institutes of Health, HHS.

ACTION: Notice.

SUMMARY: The invention listed below is owned by an agency of the U.S. Government and is available for licensing to achieve expeditious commercialization of results of federally-funded research and development. Foreign patent applications are filed on selected inventions to extend market coverage for companies and may also be available for licensing.

FOR FURTHER INFORMATION CONTACT: Dr. Natalie Greco, 301–761–7898; *Natalie.Greco@nih.gov.* Licensing information and copies of the patent applications listed below may be obtained by communicating with the indicated licensing contact at the Technology Transfer and Intellectual Property Office, National Institute of Allergy and Infectious Diseases, 5601 Fishers Lane, Rockville, MD 20852; tel. 301–496–2644. A signed Confidential Disclosure Agreement will be required to receive copies of unpublished patent applications.

SUPPLEMENTARY INFORMATION: Technology description follows.

Human and Veterinary Cancer Therapeutic Agent Utilizing Anthrax Toxin-Based Technology

Description of Technology

Due to the disorganized nature of blood vessels that run through tumors, chemotherapeutic agents often fail to penetrate tumors and kill cancer cells at the tumor's center. This can lead to ineffective chemotherapeutic treatments, because tumors can quickly grow back if the entire tumor is not destroyed. NIH researchers have developed a therapeutic agent that solves this problem facing current chemotherapy treatments. By elegantly

exploiting cell surface proteases present at high levels in tumors, they have developed a tumor-targeted anthrax based toxin that inactivates the blood vessels within tumors. While in some cases cancer cells are also killed by the tumor-targeted toxin, the primary mechanism of action is thought to be a decrease in blood flow to the center of tumors, causing cancer cell death and tumor necrosis. Preliminary and on-going studies have demonstrated that the targeted toxins have antitumor effects on melanomas, lung cancers and colon cancer in mouse models, and on feline and canine oral tumors. Interestingly, this therapy does not target a specific type of cancer cell, rather it targets the vasculature in and around tumors. Therefore, it has great potential to treat a wide range of solid tumors. Additionally, because few non-surgical treatments are available to treat many human and veterinary solid tumors, this technology would fill an unmet need in cancer therapy.

This technology is available for licensing for commercial development in accordance with 35 U.S.C. 209 and 37 CFR part 404, as well as for further development and evaluation under a research collaboration.

Potential Commercial Applications

Therapeutic agent for a wide range of human and veterinary solid tumors, including:

- Melanomas
- Lung and colon cancers
- Oral squamous carcinomas

Competitive Advantages

- Proven effective in a variety of models, including models of important veterinary cancers.
- Agent is only active in tumor micro-environments, resulting in low toxicity to healthy tissue.
- Cancer cells are not directly targeted, so this agent can be used to treat a broad spectrum of solid tumors and resistance is unlikely to arise.
- Fills an unmet need in cancer therapy, because few non-surgical treatments exist.

Development Stage

- *in vitro* data available
- *in vivo* data available (animal)
- prototype

Inventors: S. Leppla (NIAID); S.-H. Liu (NIAID); T. Bugge (NIDCR); A.Wein (NIAID); D. Peters (NIDCR); J. Liu (NHLBI); K.-H.Chen (NIAID); H. Birkedal-Hansen (NIDCR); S. Netzel-Arnett (NIDCR); D. Phillips (NIAID); C. Leysath (NIAID); C. Bachran (NIAID)

Publications

Chen KH, *et al.*, Selection of anthrax toxin protective antigen variants that discriminate between the cellular receptors tem8 and cmg2 and achieve targeting of tumor cells. J Biol Chem. 2007 Mar 30; 282(13): 9834–9845 [PMID: 17251181 PMCID: PMC2530824]

Liu S, *et al.*, Solid tumor therapy by selectively targeting stromal endothelial cells. Proc Natl Acad Sci U S A. 2016 Jul 12; 113(28): E4079–E4087 [PMID: 27357689 PMCID: PMC4948345]

Wein AN, *et al.*, An anthrax toxin variant with an improved activity in tumor targeting. Sci Rep. 2015; 5: 16267 [PMID: 26584669 PMCID: PMC4653645]

Peters DE, *et al.*, Comparative toxicity and efficacy of engineered anthrax lethal toxin variants with broad anti-tumor activities. Toxicol Appl Pharmacol. 2014 Sep 1; 279(2): 220–229 [PMID: 24971906 PMCID: PMC4137396]

Bachran C, *et al.*, Cytolethal distending toxin B as a cell-killing component of tumor-targeted anthrax toxin fusion proteins. Cell Death Dis. 2014 Jan; 5(1): e1003 [PMID: 24434511 PMCID: PMC4040664]

Wein AN, *et al.*, Tumor therapy with a urokinase plasminogen activator-activated anthrax lethal toxin alone and in combination with paclitaxel. Invest New Drugs. 2013 Feb; 31(1): 206–212 [PMID: 22843210 PMCID: PMC3757568]

Phillips DD, *et al.*, Engineering Anthrax Toxin Variants That Exclusively Form Octamers and Their Application to Targeting Tumors. J Biol Chem. 2013 Mar 29; 288(13): 9058–9065 [PMID: 23393143 PMCID: PMC3610978]

Liu S, *et al.*, Intermolecular complementation achieves high specificity tumor targeting by anthrax toxin. Nat Biotechnol. 2005 Jun; 23(6): 725–730 [PMID: 15895075 PMCID: PMC2405912]

Intellectual Property

HHS E–256–2015—US Application Nos. 62/210,771, filed 27 Aug 2015; 62/323,218, filed 15 Apr 2016; PCT App. No. PCT/US16/48706, filed 25 Aug 2016.

HHS E–120–2013—US App. No. 14/898,248, filed 14 Dec 2015; PCT App. No. PCT/US2014/043131, filed 19 Jun 2014.

HHS E–246–2012—US App. No. 14/423,408, filed 23 Feb 2015; PCT App. No. PCT/US13/56205

HHS E–059–2004—US Patent No. 7,947,289, filed 09 Feb 2005.

HHS E–293–1999—US Patent Nos. 7,468,352, filed 22 Mar 2002; 8,791,074, filed 20 Oct 2008, and 9,403,872 filed 24 Jun 2014.

Licensing Contact: Dr. Natalie Greco, 301–761–7898; *Natalie.Greco@nih.gov*.

Collaborative Research Opportunity: The National Institute of Allergy and Infectious Diseases is seeking statements of capability or interest from parties interested in collaborative research to further develop, evaluate or commercialize anthrax toxin-based cancer therapeutics. For collaboration opportunities, please contact Dr. Natalie Greco, 301–761–7898; *Natalie.Greco@nih.gov.*

Dated: June 1, 2017.

Suzanne Frisbie,

Deputy Director, Technology Transfer and Intellectual Property Office, National Institute of Allergy and Infectious Diseases.

[FR Doc. 2017–12147 Filed 6–12–17; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Office of the Director; Notice of Charter Renewal

In accordance with Title 41 of the U.S. Code of Federal Regulations, Section 102–3.65(a), notice is hereby given that the Charter for the Advisory Committee to the Director, National Institutes of Health, was renewed for an additional two-year period on May 31, 2017.

It is determined that the Advisory Committee to the Director, National Institutes of Health, is in the public interest in connection with the performance of duties imposed on the National Institutes of Health by law, and that these duties can best be performed through the advice and counsel of this group.

Inquiries may be directed to Jennifer Spaeth, Director, Office of Federal Advisory Committee Policy, Office of the Director, National Institutes of Health, 6701 Democracy Boulevard, Suite 1000, Bethesda, Maryland 20892 (Mail code 4875), Telephone (301) 496–2123, or *spaethj@od.nih.gov*.

Dated: June 7, 2017.

Jennifer Spaeth,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–12143 Filed 6–12–17; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflicts: Stress and Psychopathology.
Date: July 5–6, 2017.
Time: 10:00 a.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).
Contact Person: Maribeth Champoux, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3170, MSC 7848, Bethesda, MD 20892, 301–594–3163, *champoum@csr.nih.gov.*

Name of Committee: AIDS and Related Research Integrated Review Group; AIDS Discovery and Development of Therapeutics Study Section.
Date: July 6, 2017.
Time: 8:00 a.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Ritz Carlton Hotel, 1150 22nd Street NW., Washington, DC 20037.
Contact Person: Shiv A Prasad, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5220, MSC 7852, Bethesda, MD 20892, 301–443–5779, *prasads@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: HIV/AIDS Innovative Research Applications.
Date: July 6, 2017.
Time: 8:00 a.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Ritz Carlton Hotel, 1150 22nd Street NW., Washington, DC 20037.
Contact Person: Shiv A Prasad, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5220, MSC 7852, Bethesda, MD 20892, 301–443–5779, *prasads@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Biomaterials, Delivery and Nanotechnology.
Date: July 6–7, 2017.
Time: 8:00 a.m. to 4:00 p.m.
Agenda: To review and evaluate grant applications.
Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).
Contact Person: Nitsa Rosenzweig, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4152, MSC 7760, Bethesda, MD 20892, (301) 404–7419, *rosenzweign@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Neurodevelopmental and Neuropsychiatric Disorders.
Date: July 6, 2017.
Time: 8:00 a.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).
Contact Person: Samuel C Edwards, Ph.D., Chief, Brain Disorders and Clinical Neuroscience, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5210, MSC 7846, Bethesda, MD 20892, (301) 435–1246, *edwardss@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Fellowships: Neurodevelopment, Synaptic Plasticity and Neurodegeneration.
Date: July 6–7, 2017.
Time: 8:00 a.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Place: The St. Regis Washington DC, 923 16th Street NW., Washington, DC 20006.
Contact Person: Mary Schueler, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5214, MSC 7846, Bethesda, MD 20892, 301–451–0996, *marygs@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Cancer Diagnostics and Treatments (CDT).
Date: July 6–7, 2017.
Time: 8:00 a.m. to 6:00 p.m.
Agenda: To review and evaluate grant applications.
Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).
Contact Person: Zhang-Zhi Hu, MD, Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6186, MSC 7804, Bethesda, MD 20892, (301) 594–2414, *huzhuang@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Virology.
Date: July 6, 2017.
Time: 11:00 a.m. to 1:00 p.m.
Agenda: To review and evaluate grant applications.
Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Telephone Conference Call).
Contact Person: Alexander D Politis, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3210, MSC 7808, Bethesda, MD 20892, (301) 435–1150, *politisa@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; RFA/PAR Molecular Mechanisms of APOE in Alzheimer's Pathogenesis.
Date: July 6, 2017.
Time: 1:00 p.m. to 3:00 p.m.
Agenda: To review and evaluate grant applications.
Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Telephone Conference Call).
Contact Person: Carol Hamelink, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4192, MSC 7850, Bethesda, MD 20892, (301) 213–9887, *hamelinc@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR Panel: Synthetic Psychoactive Drugs and Strategic Approaches to Counteract their Deleterious Effects.
Date: July 6, 2017.
Time: 1:00 p.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).
Contact Person: Michael Selmanoff, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5164, MSC 7844, Bethesda, MD 20892, 301–435–1119, *selmanom@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; RFA/PAR APOE Review.
Date: July 6, 2017.
Time: 1:00 p.m. to 3:30 p.m.
Agenda: To review and evaluate grant applications.
Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Telephone Conference Call).
Contact Person: Carole L Jelsema, Ph.D., Chief and Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4176, MSC 7850, Bethesda, MD 20892, (301) 435–1248, *jelsemac@csr.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research, 93.306, 93.333, 93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: June 7, 2017.

David Clary,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–12145 Filed 6–12–17; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Center for Scientific Review Special Emphasis Panel, Synthetic and Biological Chemistry AREA Review.

Date: June 15, 2017.

Time: 10:00 a.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Virtual Meeting).

Contact Person: Mike Radtke, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4176, MSC 7806, Bethesda, MD 20892, 301–435–1728, *radtkem@csr.nih.gov*.

This notice is being published less than 15 days prior to the meeting due to the timing limitations imposed by the review and funding cycle.

Name of Committee: Center for Scientific Review Special Emphasis Panel, Small Business: Instrumentation, Environmental, and Occupational Safety.

Date: June 26–27, 2017.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892.

Contact Person: Marie-Jose Belanger, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Rm 6188, MSC 7804, Bethesda, MD 20892, 301–435–1267, *belangerm@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel, PAR17–179: From Genomic Association to Causation: A Convergent Neuroscience Approach.

Date: June 29, 2017.

Time: 12:00 p.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Virtual Meeting).

Contact Person: Nicholas Gaiano, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5178, MSC 7844, Bethesda, MD 20892, 301–435–1033, *gaianonr@csr.nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research, 93.306, 93.333, 93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: June 7, 2017.

Natasha M. Copeland,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–12144 Filed 6–12–17; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of General Medical Sciences Amended; Notice of Meeting

Notice is hereby given of a change in the meeting of the Training and Workforce Development Subcommittee—A, June 15, 2017, 8:00 a.m. to June 16, 2017, 5:00 p.m., Cambria Suites Rockville, 1 Helen Heneghan Way, Rockville, MD 20850 which was published in the **Federal Register** on April 11, 2017, 82 FR 17436.

The meeting notice is amended to change the date of the meeting from June 15–16, 2017 to June 15, 2017. The meeting is closed to the public.

Dated: June 6, 2017.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–12146 Filed 6–12–17; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID: FEMA–2016–0024; OMB No. 1660–0076]

Agency Information Collection Activities: Submission for OMB Review; Comment Request; Hazard Mitigation Grant Program (HMGP) Application and Reporting

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Reinstatement.

SUMMARY: The Federal Emergency Management Agency (FEMA) will submit the information collection abstracted below to the Office of Management and Budget for reinstatement and clearance in accordance with the requirements of the Paperwork Reduction Act of 1995. The reinstatement submission will describe the nature of the information collection, the categories of respondents, the estimated burden (*i.e.,* the time, effort and resources used by respondents to respond) and cost, and the actual data collection instruments FEMA will use.

DATES: Comments must be submitted on or before July 13, 2017.

ADDRESSES: Submit written comments on the proposed information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget. Comments should be addressed to the Desk Officer for the Department of Homeland Security, Federal Emergency Management Agency, and sent via electronic mail to *oira.submission@omb.eop.gov.*

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection should be made to Director, Records Management Division, 500 C Street SW., Washington, DC 20472–3100, email address *FEMA-Information-Collections-Management@fema.dhs.gov* or Jennie Orenstein, Grants Policy Branch, FEMA at 202–212–4071.

SUPPLEMENTARY INFORMATION: This information collection previously published in the **Federal Register** on October 28, 2016, at 81 FR 74463 with a 60 day comment period. No comments were received. This information collection expired on October 31, 2016. FEMA is requesting a reinstatement of the collection with change. The changes include updating the term ''Grantees'' to ''Recipients'' to comply with 2 CFR 200 and 3002; changes to account for Indian tribal governments being eligible as direct recipients of HMGP as a result of the Sandy Recovery Improvement Act of 2013, Public Law 113–2; and the annual burden hours increased to account for the data collection activities of Indian tribal governments acting as a recipient and respondent under this collection.

The purpose of this notice is to inform the public that FEMA will submit the information collection abstracted below to the Office of Management and Budget for reinstatement and clearance.

Collection of Information

Title: Hazard Mitigation Grant Program (HMGP) Application and Reporting.

Type of information collection: Reinstatement, with change, of a previously approved information

collection for which approval has expired.

OMB Number: 1660–0076.

Form Titles and Numbers: FEMA Form 009–0–111A, Quarterly Progress Reports.

Abstract: FEMA administers the Hazard Mitigation Grant Program, which is a post-disaster program that contributes funds toward the cost of hazard mitigation activities in order to reduce the risk of future damage hardship, loss or suffering in any area affected by a major disaster. FEMA uses applications to provide financial assistance in the form of awards and, through recipient quarterly reporting, monitor recipient project activities and expenditure of funds.

Affected Public: State, local or Tribal Government.

Estimated Number of Respondents: 59.

Estimated Total Annual Burden Hours: 51,153.

Estimated Cost: The estimated annual burden hour cost to respondents is $2,177,584. The annual costs to the Federal government are $1,894,720. There are no annual start-up or capital costs.

Dated: June 7, 2017.

Richard Mattison,

Records Management Branch, Chief, Mission Support, Federal Emergency Management Agency, Department of Homeland Security.

[FR Doc. 2017–12216 Filed 6–12–17; 8:45 am]

BILLING CODE 9111–47–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS–R4–ES–2017–N043; FXES11140400000–178–FF04E00000]

Endangered Species Recovery Permit Applications

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of receipt of permit applications; request for comment.

SUMMARY: We, the U.S. Fish and Wildlife Service, invite the public to comment on the following applications to conduct certain activities with endangered species. With some exceptions, the Endangered Species Act (Act) prohibits activities with listed species unless a Federal permit is issued that allows such activities. The Act requires that we invite public comment before issuing these permits.

DATES: We must receive written data or comments on the applications at the address given in **ADDRESSES** by July 13, 2017.

ADDRESSES: *Reviewing Documents:* Documents and other information submitted with the applications are available for review, subject to the requirements of the Privacy Act and Freedom of Information Act, by any party who submits a written request for a copy of such documents to the following office within 30 days of the date of publication of this notice: U.S. Fish and Wildlife Service Regional Office, Ecological Services, 1875 Century Boulevard, Atlanta, GA 30345 (Attn: Karen Marlowe, Permit Coordinator).

Submitting Comments: If you wish to comment, you may submit comments by any one of the following methods:

- *U.S. mail or hand-delivery:* Fish and Wildlife Service's Regional Office (see above).
- *Email: permitsR4ES@fws.gov.* Please include your name and return address in your email message. If you do not receive a confirmation from the Fish and Wildlife Service that we have received your email message, contact us directly at the telephone number listed in **FOR FURTHER INFORMATION CONTACT.**

FOR FURTHER INFORMATION CONTACT: Karen Marlowe, Permit Coordinator, 404–679–7097 (telephone) or 404–679–7081 (fax).

SUPPLEMENTARY INFORMATION: We invite review and comment from local, State, and Federal agencies and the public on applications we have received for permits to conduct certain activities with endangered and threatened species under section 10(a)(1)(A) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.;* Act), and our regulations in the Code of Federal Regulations (CFR) at 50 CFR 17. With some exceptions, the Act prohibits activities with listed species unless a Federal permit is issued that allows such activities. The Act requires that we invite public comment before issuing these permits.

Public Availability of Comments

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Permit Applications

Permit Application Number: TE 079883–4

Applicant: Arkansas Highway and Transportation Department, Little Rock, AR

The applicant requests renewal of their permit to take (capture, identify, and release) the yellowcheek darter (*Etheostoma moorei*), Arkansas fatmucket (*Lampsilis powellii*), Curtis pearlymussel (*Epioblasma florentina curtisii*), fanshell (*Cyprogenia stegaria*), fat pocketbook (*Potamilus capax*), Neosho mucket (*L. rafinesqueana*), Ouachita Rock pocketbook (*Arkansia wheeleri*), pink mucket (*L. abrupta*), rabbitsfoot (*Quadrula cylindrica* ssp. *cylindrica*), scaleshell (*Leptodea leptodon*), snuffbox (*E. triquetra*), speckled pocketbook (*L. streckeri*), spectaclecase (*Cumberlandia monodonta*), turgid blossom (*E. turgidula*), winged mapleleaf (*Q. fragosa*), and American burying beetle (*Nicrophorus americanus*) while conducting presence/absence surveys in Arkansas.

Permit Application Number: TE 02166C–0

Applicant: Zoe D. Bryant, Tabernacle, NJ

The applicant requests an amendment to her application to take (capture with mist-nets and harp traps, handle, band, and radio-tag) Indiana bats (*Myotis sodalis*) and northern long-eared bats (*M. septentrionalis*) to include authorization to conduct the proposed activities in Connecticut, Delaware, Kentucky, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia for presence/absence surveys. The receipt of her application was originally published in the **Federal Register** on September 9, 2016, at which time she had not requested the inclusion of these 14 States.

Permit Application Number: TE 20288C–0

Applicant: Scott Veum, Starkville, MS

The applicant requests a permit to take (capture with mist-nets and harp traps, handle, and radio-tag) gray bats (*Myotis grisescens*), Indiana bats (*M. sodalis*), and northern long-eared bats (*M. septentrionalis*) for presence/absence surveys in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, North Carolina, Ohio, South Carolina, Tennessee, and Wisconsin.

Permit Application Number: TE 20308C–0

Applicant: North Carolina State University, Raleigh, NC

The applicant requests a permit to take (capture with bowl traps or sweep nets) the rusty-patched bumble bee (*Bombus affinis*) while conducting research to describe the diversity of pollinators and determine if planted pollinator habitat is positively benefiting local pollinator communities at the Lake Wheeler Farm Complex, Wake County, North Carolina.

Permit Application Number: TE 98424B–2

Applicant: U.S. Geological Survey, Davie, FL

The applicant requests amendment of their permit to add authorization to take (capture on beach, restrain, handle, take standard carapace measurements, PIT-tag, flipper tag, collect 10 milliliters of blood from the cervical sinus, and satellite tag a subset of individuals) up to 5 Kemp's ridley sea turtles (*Eretmochelys imbricata*) and up to 5 green sea turtles (*Chelonia mydas*) annually, and to allow for morphometric measurements to be done while the turtles are laying their eggs, rather than upon completion of egg-laying, in Baldwin County, Alabama, to determine remigration intervals and conduct research into the genetics and diet (isotopes) of each individual.

Permit Application Number: TE 075916–5

Applicant: Thomas Virzi, Olympia, WA

The applicant requests renewal of his permit to continue take (capture with mist-nets, band, collect blood samples, monitor nests) of the Cape Sable seaside sparrow (*Ammodramus maritimus mirabilis*) and amendment of his permit to add authorization to place temperature dataloggers in nests, collect breast feathers and cloacal swabs from adults and juveniles for genetic analysis and mercury analysis, and deploy nest cameras on active nests in the incubation or brooding stages for scientific research aimed at conservation of the species.

Permit Application Number: TE 121059–3

Applicant: Peggy Measel, Salyersville, KY

The applicant requests renewal of her permit to continue take (enter hibernacula and roosts, capture with mist nets and harp traps, handle, identify, band, attach radio transmitters, and light-tag) Indiana bats (*Myotis sodalis*), gray bats (*M. grisescens*), and northern long-eared bat (*M. septentrionalis*) while conducting presence/absence surveys in Alabama, Arkansas, Georgia, Indiana, Kentucky, Missouri, Ohio, Tennessee, Virginia, and West Virginia.

Permit Application Number: TE 21570C–0

Applicant: Tennessee Wildlife Resources Agency Cumberland River Aquatic Center, Nashville, TN

The applicant requests a permit to take (collect from the wild, collect tissues, hold in captivity, mark, and release) 48 endangered freshwater mussel species for captive propagation, research, and reintroduction in Tennessee.

Permit Application Number: TE 129703–6

Applicant: HMB Professional Engineers, Inc., Frankfort, KY

The applicant requests renewal of their permit to continue authorization to take (enter hibernacula or maternity roost caves, capture with mist nets or harp traps, handle, identify, band, and radio-tag) Indiana bats (*Myotis sodalis*), gray bats (*Myotis grisescens*), northern long-eared bats (*Myotis septentrionalis*), and Virginia big-eared bats (*Corynorhinus townsendii virginianus*); take (capture, identify, and release) amber darter (*Percina antesella*), blackside dace (*Chrosomus cumberlandensis*), blue shiner (*Cyprinella* (=*Notropis*) *caerulea*), bluemask (=jewel) darter (*Etheostoma akatulo*), boulder (=Elk River) darter (*E. wapiti*), Conasauga logperch (*P. jenkinsi*), duskytail darter (*E. percnurum*), pygmy madtom (*Noturus stanauli*), smoky madtom (*N. baileyi*), and snail darter (*P. tanasi*); and take (capture, identify, release, and collect relict shells) 36 species of freshwater mussels, and amend their permit to add authorization to conduct those same activities with Big Sandy crayfish (*Cambarus callainus*), Kentucky arrow darter (*E. spilotum*), Cumberland darter (*E. susanae*), diamond darter (*Crystallaria cincotta*), relict darter (*E. chienense*), palezone shiner (*Notropis albizonatus*), clubshell (*Pleurobema clava*), northern riffleshell (*Epioblasma torulosa rangiana*), spectaclecase (*Cumberlandia monodonta*), snuffbox (*E. triquetra*), scaleshell (*Leptodea leptodon*), sheepnose (*Plethobasus cyphyus*), slabside pearlymussel (*Pleuronaia dolabelloides*), fluted kidneyshell (*Ptychobranchus subtentum*), and rabbitsfoot (*Quadrula c. cylindrica*) for presence/absence surveys in Alabama, Georgia, Indiana, Kentucky, North Carolina, Ohio, Tennessee, and West Virginia.

Permit Application Number: TE 23537C–0

Applicant: Appalachian Ecological Services, LLC, Etowah, NC

The applicant requests a permit to take (capture with mist-nets, handle, band, and radio-tag) Indiana bats (*Myotis sodalis*) and northern long-eared bats (*M. septentrionalis*) in Arkansas, Kentucky, North Carolina, Pennsylvania, Tennessee, Virginia, and West Virginia for presence/absence surveys.

Authority: We provide this notice under section 10(c) of the Act.

Dated: March 6, 2017.

Leopoldo Miranda,

Assistant Regional Director, Ecological Services, Southeast Region.

[FR Doc. 2017–12177 Filed 6–12–17; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS–R6–ES–2017–N034; FXES11130600000–178–FF06E00000]

Endangered Species Recovery Permit Applications

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of receipt of permit applications; request for comment.

SUMMARY: We, the U.S. Fish and Wildlife Service, invite the public to comment on the following applications for a permit to conduct activities intended to enhance the survival of endangered species. With some exceptions, the Endangered Species Act of 1973, as amended (Act), prohibits certain activities that may impact endangered species unless a Federal permit allows such activity. The Act also requires that we invite public comment before issuing these permits.

DATES: To ensure consideration, please send your written comments by July 13, 2017.

ADDRESSES: Please specify the permit you are interested in by number (*e.g.,* Permit No. TE–XXXXXX).

- *Email: permitsR6ES@fws.gov.* Please refer to the respective permit number (*e.g.,* Permit No. TE–XXXXXX) in the subject line of the message.
- *U.S. Mail:* Ecological Services, U.S. Fish and Wildlife Service, P.O. Box 25486–DFC, Denver, CO 80225.
- *In-Person Drop-off, Viewing, or Pickup:* Call (719) 628–2670 to make an appointment during regular business hours at 134 Union Blvd., Suite 645, Lakewood, CO 80228.

FOR FURTHER INFORMATION CONTACT: Kathy Konishi, Recovery Permits Coordinator, Ecological Services, (719) 628–2670 (phone); *permitsR6ES@fws.gov* (email).

SUPPLEMENTARY INFORMATION:

Background

The Act (16 U.S.C. 1531 *et seq.*) prohibits certain activities with endangered and threatened species unless authorized by a Federal permit. The Act and our implementing regulations in part 17 of title 50 of the Code of Federal Regulations (CFR) provide for the issuance of such permits and require that we invite public comment before issuing permits for activities involving endangered species.

A permit granted by us under section 10(a)(1)(A) of the Act authorizes the permittee to conduct activities with U.S. endangered or threatened species for scientific purposes, enhancement of propagation or survival, or interstate commerce (the latter only in the event that it facilitates scientific purposes or enhancement of propagation or survival). Our regulations implementing section 10(a)(1)(A) for these permits are found at 50 CFR 17.22 for endangered wildlife species, 50 CFR 17.32 for threatened wildlife species, 50 CFR 17.62 for endangered plant species, and 50 CFR 17.72 for threatened plant species.

Applications Available for Review and Comment

Documents and other information submitted with the applications are available for review, subject to the requirements of the Privacy Act and Freedom of Information Act, by any party who submits a written request for copies to the following office within 30 days of the date of publication of this notice.

We invite local, State, Tribal, and Federal agencies and the public to comment on the following applications. Please refer to the permit number for the application when submitting comments. Documents and other information submitted with these applications are available for review, subject to the requirements of the Privacy Act (5 U.S.C. 552a) and Freedom of Information Act (5 U.S.C. 552).

Permit Applications

Proposed activities in the following permit requests are for the recovery and enhancement of survival of the species in the wild.

Application No.	Applicant	Species	Location	Activity	Type of take	Permit action
TE040510–1	ERO Resources Corporation.	Black-footed ferret (*Mustela nigripes*)	Colorado	Survey and monitoring.	Spotlight survey	Amend.
TE051826–1	Louisville Zoological Gardens.	Black-footed ferret (*Mustela nigripes*)	Kentucky	Captive propagation	Handle, captive propagation, and husbandry.	Renew.
TE053925–3	National Park Service, Niobrara National Scenic River.	Interior least tern (*Sternula antillarum athalassos*).	Nebraska	Survey and monitoring.	Capture, band, tag, bio sample, and release.	Amend.
TE37351A–1	Stephen Spomer, University of Nebraska, Lincoln.	Salt Creek tiger beetle (*Cicindeoa nevadica lincolniana*).	Nebraska	Captive propagation	Capture, handle, captive propagation, and release.	Renew.
TE131398–1	Lower Brule Sioux Tribe.	Black-footed ferret (*Mustela nigripes*)	South Dakota	Survey and monitoring.	Spotlight survey, trap, vaccinate, mark, tag.	Renew.
TE051139–2	Turner Endangered Species Fund, LLC.	Black-footed ferret (*Mustela nigripes*)	New Mexico	Survey and monitoring.	Spotlight survey, trap, vaccinate, mark, tag.	Renew.
TE040748–1	Cheyenne Mountain Zoo.	Black-footed ferret (*Mustela nigripes*), Wyoming toad (*Anaxyrus baxteri*), Mexican wolf (*Canis lupus* ssp. *Baileyi*).	Colorado	Captive propagation, educational display.	Capture, handle, captive propagation, and release.	Renew.
TE047285–1	U.S. Geological Survey, Fort Peck.	Pallid sturgeon (*Scaphirhynchus albus*)	Montana, North Dakota.	Survey, monitor, tag, transport, and stock.	Capture, handle, and release.	Renew.
TR052582–1	TRC Environmental Corporation.	Black-footed ferret (*Mustela nigripes*), Southwestern willow flycatcher (*Empidonax traillii extimus*).	Arizona, New Mexico, Colorado, South Dakota, Utah, Wyoming.	Survey and monitoring.	Spotlight surveys, playback calls.	Renew.
TE27486B–1	Wetland Dynamics, LLC.	Southwestern willow flycatcher (*Empidonax traillii extimus*).	Colorado	Survey and monitoring.	Playback calls	Amend.
TE37337A–1	National Mississippi River Museum and Aquarium.	Wyoming toad (*Anaxyrus baxteri*)	Iowa	Captive propagation, educational display.	Handle, captive propagation, and husbandry.	Renew.
TE064682–1	Prairie Wildlife Research Corporation.	Black-footed ferret (*Mustela nigripes*)	Arizona, Colorado, Kansas, Montana, New Mexico, South Dakota, Wyoming, Utah.	Survey and monitoring.	Spotlight survey, trap, vaccinate, mark, tag.	Renew.
TE26580C–0	Milu Velarde	New Mexico meadow jumping mouse (*Zapus hudsonius luteus*), gray bat (*Myotis grisescens*),.	Colorado, Kansas	Survey and monitoring.	Capture, handle, and release.	New.
TE26583C–0	Chicago Botanic Garden.	Wright's fishhook cactus (*Sclerocactus wrightiae*).	Utah	Remove and reduce to possession.	Survey, collect spines for genetic analysis.	New.
TE09941B–2	Felsburg Holt and Ullevig.	Indiana bat (*Myotis sodalist*)	Iowa	Survey and monitoring.	Mist net, mark and recapture.	Amend.
TE121911–1	Bureau of Land Management, White River Field Office.	Black-footed ferret (*Mustela nigripes*)	Colorado	Survey and monitoring.	Spotlight survey, trap, vaccinate, mark, tag.	Renew.

Public Availability of Comments

All comments and materials we receive in response to these requests will be available for public inspection, by appointment, during normal business hours at the address listed above in **ADDRESSES**.

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.

Authority

We provide this notice under section 10 of the Act (16 U.S.C. 1531 *et seq.*).

Dated: March 28, 2017.

Nicole Alt,

Deputy Assistant Regional Director, Mountain-Prairie Region.

[FR Doc. 2017–12178 Filed 6–12–17; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–MWR–SLBE–22512; PS.SMWLA0058.00.1]

Minor Boundary Revision at Sleeping Bear Dunes National Lakeshore

AGENCY: National Park Service, Interior.

ACTION: Notification of boundary revision.

SUMMARY: The boundary of Sleeping Bear Dunes National Lakeshore is modified to include 46 acres of land located in Benzie County, Michigan, immediately adjacent to the boundary of the national lakeshore. The United States will purchase, from willing sellers, two parcels containing 45 acres of land. The third parcel contains one acre and will be acquired by donation.

DATES: The effective date of this boundary revision is June 13, 2017.

ADDRESSES: The map depicting this boundary revision is available for inspection at the following locations: National Park Service, Land Resources Program Center, Midwest Region, 601 Riverfront Drive, Omaha, Nebraska 68102 and National Park Service, Department of the Interior, 1849 C Street NW., Washington, DC 20240.

FOR FURTHER INFORMATION CONTACT: Chief Realty Officer Daniel L. Betts, National Park Service, Land Resources Program Center, Midwest Region, 601 Riverfront Drive, Omaha, Nebraska 68102, telephone (402) 661–1780.

SUPPLEMENTARY INFORMATION: Notice is hereby given that, pursuant to 54 U.S.C. 100506(c), the boundary of Sleeping Bear Dunes National Lakeshore is modified to include 46 acres of adjacent land identified as Tracts 46–162, 67–161, and 67–162. The boundary revision is depicted on Map No. 634/129,621, dated June 2016.

54 U.S.C. 100506(c) provides that, after notifying the House Committee on Natural Resources and the Senate Committee on Energy and Natural Resources, the Secretary of the Interior is authorized to make this boundary revision upon publication of notice in the **Federal Register**. The Committees have been notified of this boundary revision. This boundary revision and subsequent acquisition will contribute to the protection of local watersheds, add valuable plant and wildlife habitat, and increase recreational opportunities, as well as contribute to the preservation of the scenic character of the area.

Dated: December 2, 2016.

Cameron H. Sholly,

Regional Director, Midwest Region.

Editorial Note: The Office of the Federal Register received this document on June 7, 2017.

[FR Doc. 2017–12150 Filed 6–12–17; 8:45 am]

BILLING CODE 4312–52–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 731–TA–1333 (Final)]

Finished Carbon Steel Flanges From Spain

Determination

On the basis of the record [1] developed in the subject investigation, the United States International Trade Commission (''Commission'') determines,[2] pursuant to the Tariff Act of 1930 (''the Act''), that an industry in the United States is materially injured by reason of imports of finished carbon steel flanges from Spain, provided for in subheading 7307.91.50 of the Harmonized Tariff Schedule of the United States, that have been found by the Department of Commerce (''Commerce'') to be sold in the United States at less than fair value (''LTFV'').

Background

The Commission, pursuant to section 735(b) of the Act (19 U.S.C. 1673d(b)), instituted this investigation effective June 30, 2016, following receipt of a petition filed with the Commission and Commerce by Weldbend Corporation, Argo, Illinois and Boltex Mfg. Co., L.P., Houston, Texas. The final phase of this investigation was scheduled by the Commission following notification of a preliminary determination by Commerce that imports of finished carbon steel flanges from Spain were sold at LTFV within the meaning of 733(b) of the Act (19 U.S.C. 1673b(b)). Notice of the scheduling of the final phase of the Commission's investigation and of a public hearing to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** on February 17, 2017 (82 FR 11056). The hearing was held in Washington, DC, on April 25, 2017, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission made this determination pursuant to section 735(b) of the Act (19 U.S.C. 1673d(b)). It completed and filed its determination in this investigation on June 7, 2017. The views of the Commission are contained in USITC Publication 4696 (June 2017), entitled *Finished Carbon Steel Flanges from Spain: Investigation No. 731–TA–1333 (Final).*

By order of the Commission.

Issued: June 7, 2017.

Lisa R. Barton,

Secretary to the Commission.

[FR Doc. 2017–12159 Filed 6–12–17; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. TA–201–76]

Large Residential Washers; Institution and Scheduling of Safeguard Investigation and Determination That the Investigation Is Extraordinarily Complicated

AGENCY: United States International Trade Commission.

ACTION: Notice of institution of investigation and scheduling of public hearings.

SUMMARY: Following receipt of a petition for import relief, as amended and properly filed on June 5, 2017, the Commission has instituted investigation No. TA–201–76 pursuant to section 202 of the Trade Act of 1974 (''the Act'') to determine whether large residential washers (''LRWs'') are being imported into the United States in such increased quantities as to be a substantial cause of serious injury, or the threat thereof, to the domestic industry producing an article like or directly competitive with the imported articles. The Commission

[1] The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

[2] Commissioner F. Scott Kieff did not participate in the vote.

has deemed the petition, as amended, to have been properly filed on June 5, 2017. The Commission has determined that this investigation is ''extraordinarily complicated,'' and will make its injury determination within 122 days after the petition was filed, or by October 5, 2017. The Commission will submit to the President the report required under section 202(f) of the Act within 180 days after the date on which the petition was deemed filed, or by December 4, 2017.

DATES: Effective June 5, 2017.

FOR FURTHER INFORMATION CONTACT: Michael Szustakowski (202–205–3169), Office of Investigations, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202–205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202–205–2000. General information concerning the Commission may also be obtained by accessing its internet server (*https://www.usitc.gov*). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov.*

SUPPLEMENTARY INFORMATION:

Background.—This investigation is being instituted, pursuant to section 202 of the Act (19 U.S.C. 2252), in response to a petition, as amended and properly filed on June 5, 2017, by Whirlpool Corporation (''Whirlpool''), a producer of LRWs in the United States. Whirlpool alleges that LRWs are being imported into the United States in such increased quantities as to be a substantial cause of serious injury, or the threat thereof, to the domestic industry producing an article like or directly competitive with the imported article. The Commission must submit its report on this investigation to the President no later than 180 days after institution, which in this case falls on December 4, 2017. (19 U.S.C. 2252(f)).

The articles covered by this investigation are all LRWs and certain parts thereof. For purposes of this petition, the term LRWs denotes all automatic clothes washing machines, regardless of the orientation of the rotational axis, with a cabinet width (measured from its widest point) of at least 24.5 inches (62.23 cm) and no more than 32.0 inches (81.28 cm), except as noted below.

Also covered are certain parts used in large residential washers, namely: (1) All cabinets, or portions thereof, designed for use in large residential washers; (2) all assembled tubs [1] designed for use in large residential washers which incorporate, at a minimum: (a) A tub; and (b) a seal; (3) all assembled baskets [2] designed for use in large residential washers which incorporate, at a minimum: (a) A side wrapper; [3] (b) a base; and (c) a drive hub; [4] and (4) any combination of the foregoing parts or subassemblies.

Excluded from the scope are stacked washer-dryers and commercial washers. The term ''stacked washer-dryers'' denotes distinct washing and drying machines that are built on a unitary frame and share a common console that controls both the washer and the dryer. The term ''commercial washer'' denotes an automatic clothes washing machine designed for the ''pay per use'' segment meeting either of the following two definitions:

(1)(a) It contains payment system electronics; [5] (b) it is configured with an externally mounted steel frame at least six inches high that is designed to house a coin/token operated payment system (whether or not the actual coin/token operated payment system is installed at the time of importation); (c) it contains a push button user interface with a maximum of six manually selectable wash cycle settings, with no ability of the end user to otherwise modify water temperature, water level, or spin speed for a selected wash cycle setting; and (d) the console containing the user interface is made of steel and is assembled with security fasteners; [6] or

(2)(a) it contains payment system electronics; (b) the payment system electronics are enabled (whether or not the payment acceptance device has been installed at the time of importation) such that, in normal operation,[7] the unit cannot begin a wash cycle without first receiving a signal from a bona fide payment acceptance device such as an electronic credit card reader; (c) it contains a push button user interface with a maximum of six manually selectable wash cycle settings, with no ability of the end user to otherwise modify water temperature, water level, or spin speed for a selected wash cycle setting; and (d) the console containing the user interface is made of steel and is assembled with security fasteners.

Also excluded from the scope are automatic clothes washing machines that meet all of the following conditions: (1) Have a vertical rotational axis; (2) are top loading; [8] (3) have a drive train consisting, inter alia, of (a) a permanent split capacitor (PSC) motor,[9] (b) a belt drive,[10] and (c) a flat wrap spring clutch.[11]

Also excluded from the scope are automatic clothes washing machines that meet all of the following conditions: (1) Have a horizontal rotational axis; (2) are front loading; [12] and (3) have a drive train consisting, inter alia, of (a) a controlled induction motor (CIM),[13] and (b) a belt drive.

Also excluded from the scope are automatic clothes washing machines that meet all of the following conditions: (1) Have a horizontal rotational axis; (2) are front loading; and (3) have cabinet width (measured from its widest point) of more than 28.5 inches (72.39 cm).

For Customs purposes, the LRWs covered by the investigation are provided for under Harmonized Tariff Schedule of the United States (''HTSUS'') subheading 8450.20.00. LRWs and certain parts thereof subject to this petition may also be imported under HTSUS subheadings 8450.11.00, 8450.90.20, and 8450.90.60. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise subject to this petition is dispositive.

Determination to institute this investigation.—Whirlpool initially

[1] A ''tub'' is the part of the washer designed to hold water.

[2] A ''basket'' (sometimes referred to as a ''drum'') is the part of the washer designed to hold clothing or other fabrics.

[3] A ''side wrapper'' is the cylindrical part of the basket that actually holds the clothing or other fabrics.

[4] A ''drive hub'' is the hub at the center of the base that bears the load from the motor.

[5] ''Payment system electronics'' denotes a circuit board designed to receive signals from a payment acceptance device and to display payment amount, selected settings, and cycle status. Such electronics also capture cycles and payment history and provide for transmission to a reader.

[6] A ''security fastener'' is a screw with a non-standard head that requires a non-standard driver. Examples include those with a pin in the center of the head as a ''center pin reject'' feature to prevent standard Allen wrenches or Torx drivers from working.

[7] ''Normal operation'' refers to the operating mode(s) available to end users (*i.e.,* not a mode designed for testing or repair by a technician).

[8] ''Top loading'' means that access to the basket is from the top of the washer.

[9] A ''PSC motor'' is an asynchronous, alternating current (AC), single phase induction motor that employs split phase capacitor technology.

[10] A ''belt drive'' refers to a drive system that includes a belt and pulleys.

[11] A ''flat wrap spring clutch'' is a flat metal spring that, when engaged, links abutted cylindrical pieces on the input shaft with the end of the concentric output shaft that connects to the drive hub.

[12] ''Front loading'' means that access to the basket is from the front of the washer.

[13] A ''controlled induction motor'' is an asynchronous, alternating current (AC), polyphase induction motor.

submitted a petition on May 31, 2017. On June 2, 2017, Commission staff sent a letter requesting that Whirlpool supply additional data on its percentage share of total domestic production and estimated data in calculating import-to-production ratios, apparent consumption, and market shares held by imports and domestic producers, in compliance with Commission Rule 206.14 (19 CFR 206.14). On June 5, 2017, Whirlpool amended its petition and provided the additional data requested by Commission staff. The Commission determined that the petition, as amended, was properly filed as of June 5, 2017.

Determination that investigation is extraordinarily complicated.—The Commission has determined that this investigation is ''extraordinarily complicated'' within the meaning of section 202(b)(2)(B) of the Act (19 U.S.C. 2252(b)(2)(B)). The Commission's decision to designate this investigation ''extraordinarily complicated'' is based on the complexity of the issues, including the existence of antidumping and/or countervailing duty orders on certain imports covered by this investigation. Ordinarily, the Commission would have been required to make its injury determination within 120 days after the petition was filed, or by October 3, 2017. (19 U.S.C. (b)(2)(A)). The statute permits the Commission to take up to 30 additional days to make its injury determination in an investigation where it determines that the investigation is extraordinarily complicated. In this instance, the Commission intends to take two extra days and make its injury determination by October 5, 2017.

Participation in the investigation and public service list.—Persons (other than petitioner) wishing to participate in the investigation as parties must file an entry of appearance with the Secretary to the Commission, as provided in section 201.11 of the Commission's rules, not later than 21 days after publication of this notice in the **Federal Register**. The Secretary will prepare a service list containing the names and addresses of all persons, or their representatives, who are parties to this investigation upon the expiration of the period for filing entries of appearance.

Limited disclosure of confidential business information (CBI) under an administrative protective order (APO) and CBI service list.—Pursuant to section 206.17 of the Commission's rules, the Secretary will make CBI gathered in this investigation available to authorized applicants representing interested parties (as defined in 19 CFR 206.17(a)(3)(iii)) under the APO issued in the investigation, provided that the application is made not later than 21 days after the publication of this notice in the **Federal Register**. A separate service list will be maintained by the Secretary for those parties authorized to receive CBI under the APO.

The Commission may include CBI in the reports it sends to the President and to the U.S. Trade Representative. Additionally, all information, including CBI, submitted in this investigation may be disclosed to and used by (i) the Commission, its employees and Offices, and contract personnel (a) for developing or maintaining the records of this or a related proceeding, or (b) in internal investigations, audits, reviews, and evaluations relating to the programs, personnel, and operations of the Commission including under 5 U.S.C. Appendix 3; or (ii) by U.S. government employees and contract personnel for cybersecurity purposes. The Commission will not otherwise disclose any CBI in a manner that would reveal the operations of the firm supplying the information.

Hearings on injury and remedy.—The Commission has scheduled separate hearings in connection with the injury and remedy phases of this investigation. The hearing on injury will be held beginning at 9:30 a.m. on September 7, 2017, at the U.S. International Trade Commission Building, 500 E Street SW., Washington, DC. In the event that the Commission makes an affirmative injury determination or is equally divided on the question of injury in this investigation, a hearing on the question of remedy will be held beginning at 9:30 a.m. on October 19, 2017. Requests to appear at the hearings should be filed in writing with the Secretary to the Commission on or before August 31, 2017 for the injury hearing, and October 13, 2017 for the remedy hearing. A nonparty who has testimony that may aid the Commission's deliberations may request permission to present a short statement at the hearings. All parties and nonparties desiring to appear at the hearings and make oral presentations should participate in prehearing conferences to be held on September 5, 2017 for the injury hearing and October 17, 2017 for the remedy hearing, if deemed necessary. Oral testimony and written materials to be submitted at the public hearings are governed by sections 201.6(b)(2) 201.13(f), and 206.5 of the Commission's rules. Parties must submit any request to present a portion of their hearing testimony *in camera* no later than 7 business days prior to the date of the respective hearings.

Written submissions.—Each party who is an interested party may submit a prehearing brief to the Commission. Prehearing briefs must conform with the provisions of sections 201.8, 206.7, and 206.8 of the Commission's rules. The deadline for filing prehearing briefs on injury is August 29, 2017; that for filing prehearing briefs on remedy, including any commitments pursuant to 19 U.S.C. 2252(a)(6)(B), is October 12, 2017. Parties may also file written testimony in connection with their presentation at the hearing, as provided in sections 201.13, 206.5, and 206.8 of the Commission's rules, and posthearing briefs, which must conform with the provisions of sections 201.8, 201.13, 206.7, and 206.8 of Commission's rules. The deadline for filing posthearing briefs for the injury phase of the investigation is September 14, 2017; the deadline for filing posthearing briefs for the remedy phase of the investigation, if any, is October 26, 2017. In addition, any person who has not entered an appearance as a party to the investigation may submit a written statement of information pertinent to the consideration of injury on or before September 14, 2017, and pertinent to the consideration of remedy on or before October 26, 2017. All written submissions must conform with the provisions of section 201.8 of the Commission's rules; any submissions that contain CBI must also conform with the requirements of sections 201.6 and 206.17 of the Commission's rules. The Commission's *Handbook on E-Filing,* available on the Commission's Web site at *https://www.usitc.gov/secretary/documents/handbook_on_filing_procedures.pdf,* elaborates upon the Commission's rules with respect to electronic filing.

Any additional written submissions to the Commission, including requests pursuant to section 201.12 of the Commission's rules, will not be accepted unless good cause is shown for accepting such a submission, or unless the submission is pursuant to a specific request by a Commissioner or Commission staff.

In accordance with section 201.16(c) of the Commission's rules, each document filed by a party to the investigation must be served on all other parties to the investigation (as identified by the service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

For further information concerning the conduct of this investigation and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A and B (19 CFR part 201), and part 206, subparts A and B (19 CFR part 206).

Authority: This investigation is being conducted under authority of Section 202 of the Act; this notice is published pursuant to section 203(b)(3) of the Act.

By order of the Commission.

Issued: June 7, 2017.

Lisa R. Barton,

Secretary to the Commission.

[FR Doc. 2017–12160 Filed 6–12–17; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1060]

Certain Consumer Electronic Devices, Including Televisions, Gaming Consoles, Mobile Phones and Tablets, and Network-Enabled DVD and Blu-Ray Players; Institution of Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on May 9, 2017, under section 337 of the Tariff Act of 1930, as amended, on behalf of ARRIS Enterprises LLC of Suwanee, Georgia. Supplements were filed on May 26, 2017. The complaint alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain consumer electronic devices, including televisions, gaming consoles, mobile phones and tablets, and network-enabled DVD and Blu-ray players by reason of infringement of U.S. Patent No. 6,473,858 (''the '858 patent''); U.S. Patent No. 6,934,148 (''the '148 patent''); U.S. Patent No. 7,113,502 (''the '502 patent''); U.S. Patent No. 7,752,564 (''the '564 patent''); U.S. Patent No. 8,300,156 (''the '156 patent''); and U.S. Patent No. 9,521,466 (''the '466 patent''). The complaint further alleges that an industry in the United States exists as required by the applicable Federal Statute.

The complainant requests that the Commission institute an investigation and, after the investigation, issue a limited exclusion order and cease and desist orders.

ADDRESSES: The complaint, except for any confidential information contained therein, is available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW., Room 112, Washington, DC 20436, telephone (202) 205–2000. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (202) 205–2000. General information concerning the Commission may also be obtained by accessing its internet server at *https://www.usitc.gov.* The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov.*

FOR FURTHER INFORMATION CONTACT: Pathenia M. Proctor, The Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205–2560.

SUPPLEMENTARY INFORMATION:

Authority: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 CFR 210.10 (2017).

Scope of Investigation: Having considered the complaint, the U.S. International Trade Commission, on June 6, 2017, *ordered that*—

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain consumer electronic devices, including televisions, gaming consoles, mobile phones and tablets, and network-enabled DVD and Blu-ray players by reason of infringement of one or more of claims 29, 33–39, 42, and 43 of the '858 patent; claims 1, 2, and 4 of the '148 patent; claims 1–6, 18–21, and 34–37 of the '502 patent; claims 1–6 and 8–22 of the '564 patent; claims 1–6, 9, and 11–31 of the '156 patent; and claims 1–5, 7, 8, 12, and 15–17 of the '466 patent, and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainant is: ARRIS Enterprises LLC, 3871 Lakefield Drive, Suwanee, GA 30024.

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

Sony Corporation, 1–7–1 Konan Minato-ku, Tokyo, 108–0075, Japan

Sony Corporation of America, 25 Madison Avenue, New York, NY 10010–8601

Sony Electronics Inc., 16535 Via Esprillo, San Diego, CA 92127

Sony Interactive Entertainment, Inc., 1–7–1 Konan Minato-ku, Tokyo, 108–0075, Japan

Sony Mobile Communications (USA), Inc., 2207 Bridgepointe Parkway, San Mateo, CA 94404

Sony Interactive Entertainment LLC, 2207 Bridgepointe Parkway, San Mateo, CA 94404

Sony Interactive Entertainment America LLC, 2207 Bridgepointe Parkway, San Mateo, CA 94404

(c) The Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street SW., Suite 401, Washington, DC 20436; and

(3) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 CFR 210.13. Pursuant to 19 CFR 201.16(e) and 210.13(a), such responses will be considered by the Commission if received not later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.

Issued: June 7, 2017.

Lisa R. Barton,

Secretary to the Commission.

[FR Doc. 2017–12158 Filed 6–12–17; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[USITC SE–17–026]

Government in the Sunshine Act Meeting Notice

AGENCY HOLDING THE MEETING: United States International Trade Commission.

TIME AND DATE: June 16, 2017 at 11:00 a.m.

PLACE: Room 101, 500 E Street SW., Washington, DC 20436, Telephone: (202) 205–2000.

STATUS: Open to the public.

Matters To Be Considered

1. *Agendas for future meetings:* None.
2. Minutes.
3. Ratification List.
4. Vote in Inv. No. 731–TA–461 (Fourth Review) (Gray Portland Cement and Cement Clinker from Japan). The Commission is currently scheduled to complete and file its determination and views of the Commission by June 29, 2017.
5. Vote in Inv. Nos. 701–TA–564 and 731–TA–1338 and 1340 (Final) (Steel Concrete Reinforcing Bar from Japan and Turkey. The Commission is currently scheduled to complete and file its determinations and views of the Commission by June 30, 2017.
6. *Outstanding action jackets:* None.

In accordance with Commission policy, subject matter listed above, not disposed of at the scheduled meeting, may be carried over to the agenda of the following meeting. Earlier notification of this meeting was not possible.

By order of the Commission:

Issued: June 9, 2017.

Katherine M. Hiner,

Supervisory Attorney.

[FR Doc. 2017–12360 Filed 6–9–17; 4:15 pm]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

Notice of Extended Opportunity To Comment on Proposed Consent Decree Under the Clean Air Act

On April 17, 2017, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the District of Alaska in the lawsuit entitled *United States and State of Alaska* v. *Westward Seafoods, Inc.,* Civil Action No. 3:17–cv–00087–TMB. On April 24, 2017, the Notice of Lodging of Proposed Consent Decree was published in the **Federal Register** at 82 FR 18928. The original comment period was to extend through May 24, 2017. The United States is now extending the comment period as set forth below.

This Consent Decree resolves disputes against Westward Seafoods, Inc. with respect to violations of the Clean Air Act at Westward's seafood processing facility in Dutch Harbor, Alaska. Coincidental with the entry of the Consent Decree we are also resolving claims for stipulated penalties for violations of a Consent Decree entered into with Westward regarding this facility in 2010 involving the Facility (''2010 Decree''). The same set of facts give rise to the violations of the CAA and the stipulated penalty provisions of the 2010 Decree.

The Consent Decree requires a penalty of $570,000 ($228,000 to the state of Alaska and $342,000 to the United States). Moreover, Westward has to pay $730,000 to resolve the Stipulated Penalty claims. Hence, Westward will pay a total of $1,300,000 in penalties. In addition, the Consent Decree requires that: (1) Westward undertake injunctive relief relating to improved operation and maintenance procedures and employee training focused on the key power generators; (2) Westward be subject to Third Party Verification regarding compliance with the Decree and with Westward's Clean Air Act permit; and (3) Westward implement two mitigation projects.

This publication of this notice holds opens the period for public comment on the Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States and State of Alaska* v. *Westward Seafoods, Inc.,* Civil Action No. 3:17–cv–00087–TMB, D.J. Ref. No. 90–5–2–1–09168/1. All comments must be submitted no later than twenty (20) days after the publication date of this notice. Comments may be submitted either by email or by mail:

To submit comments:	*Send them to:*
By email	*pubcomment-ees.enrd@usdoj.gov.*
By mail	Assistant Attorney General, U.S. DOJ–ENRD, P.O. Box 7611, Washington, DC 20044–7611.

During the public comment period, the Consent Decree may be examined and downloaded at this Justice Department Web site: *https://www.justice.gov/enrd/consent-decrees.* We will provide a paper copy of the Consent Decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ–ENRD, P.O. Box 7611, Washington, DC 20044–7611.

Please enclose a check or money order for $36.75 (25 cents per page reproduction cost) payable to the United States Treasury. For a paper copy without the exhibits, the cost is $17.00.

Susan M. Akers,

Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 2017–12206 Filed 6–12–17; 8:45 am]

BILLING CODE 4410–15–P

DEPARTMENT OF LABOR

Office of the Secretary

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Application of the Employee Polygraph Protection Act

ACTION: Notice.

SUMMARY: The Department of Labor (DOL) is submitting the Wage and Hour Division (WHD) sponsored information collection request (ICR) titled, ''Application of the Employee Polygraph Protection Act,'' to the Office of Management and Budget (OMB) for review and approval for continued use, without change, in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that agency receives on or before July 13, 2017.

ADDRESSES: A copy of this ICR with applicable supporting documentation; including a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained free of charge from the *RegInfo.gov* Web site at *http://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=201701-1235-003* (this link will only become active on the day following publication of this notice) or by contacting Michel Smyth by telephone at 202–693–4129, TTY 202–693–8064, (these are not toll-free numbers) or by email at *DOL_PRA_PUBLIC@dol.gov.*

Submit comments about this request by mail to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for DOL–WHD, Office of Management and Budget, Room 10235, 725 17th Street NW., Washington, DC 20503; by Fax: 202–395–5806 (this is not a toll-free number); or by email: *OIRA_submission@omb.eop.gov.*

Commenters are encouraged, but not required, to send a courtesy copy of any comments by mail or courier to the U.S. Department of Labor—OASAM, Office of the Chief Information Officer, Attn: Departmental Information Compliance Management Program, Room N1301, 200 Constitution Avenue NW., Washington, DC 20210; or by email: *DOL_PRA_PUBLIC@dol.gov.*

FOR FURTHER INFORMATION CONTACT: Michel Smyth by telephone at 202–693–4129, TTY 202–693–8064, (these are not toll-free numbers) or by email at *DOL_PRA_PUBLIC@dol.gov.*

SUPPLEMENTARY INFORMATION: This ICR seeks to extend PRA authority for the Application of the Employee Polygraph Protection Act (EPPA) information collection. These third-party notifications and recordkeeping requirements help ensure polygraph examinees receive the protections and rights provided by the EPPA. EPPA sections 5 and 7 through 9 authorize this information collection. *See* 29 U.S.C. 2004, 2006–2008.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless it is approved by the OMB under the PRA and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. *See* 5 CFR 1320.5(a) and 1320.6. The DOL obtains OMB approval for this information collection under Control Number 1235–0005.

OMB authorization for an ICR cannot be for more than three (3) years without renewal, and the current approval for this collection is scheduled to expire on October 31, 2017. The DOL seeks to extend PRA authorization for this information collection for three (3) more years, without any change to existing requirements. The DOL notes that existing information collection requirements submitted to the OMB receive a month-to-month extension while they undergo review. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on December 19, 2016 (81 FR 91956).

Interested parties are encouraged to send comments to the OMB, Office of Information and Regulatory Affairs at the address shown in the **ADDRESSES** section within thirty (30) days of publication of this notice in the **Federal Register**. In order to help ensure appropriate consideration, comments should mention OMB Control Number 1235–0005. The OMB is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Agency: DOL–WHD.

Title of Collection: Application of the Employee Polygraph Protection Act.

OMB Control Number: 1235–0005.

Affected Public: Private Sector—business or other for-profits, farms, and not-for-profit institutions.

Total Estimated Number of Respondents: 85,200.

Total Estimated Number of Responses: 757,400.

Total Estimated Annual Time Burden: 68,739 hours.

Total Estimated Annual Other Costs Burden: $0.

Authority: 44 U.S.C. 3507(a)(1)(D).

Dated: June 7, 2017.

Michel Smyth,

Departmental Clearance Officer.

[FR Doc. 2017–12230 Filed 6–12–17; 8:45 am]

BILLING CODE 4510–27–P

DEPARTMENT OF LABOR

Office of the Secretary

Agency Information Collection Activities; Submission for OMB Review; Comment Request; A Study of Customer Satisfaction With Five Office of Disability Employment Policy (ODEP) Technical Assistance (TA) Centers

AGENCY: Office of the Assistant Secretary for Policy, Chief Evaluation Office, Department of Labor.

ACTION: Notice.

SUMMARY: The Department of Labor (DOL), 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 (PRA) of 1995 (PRA95) [44 U.S.C. 3506(c)(2)(A)]. This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents is properly assessed.

Currently, the Department of Labor is soliciting comments concerning the collection of data for a study of customer satisfaction with five Office of Disability Employment Policy (ODEP) Technical Assistance (TA) Centers. A copy of the proposed Information Request (ICR) can be obtained by contacting the office listed in the addressee section of this notice.

DATES: Written comments must be submitted to the office listed in the addresses section below on or before August 14, 2017.

ADDRESSES: You may submit comments by either one of the following methods: *Email: ChiefEvaluationOffice@dol.gov*; *Mail or Courier:* Cherise Hunter, Chief Evaluation Office, U.S. Department of Labor, Room S–1303, 200 Constitution Avenue NW., Washington, DC 20210.

Instructions: Please submit one copy of your comments by only one method. All submissions received must include the agency name and OMB Control Number identified above for this information collection. Because we continue to experience delays in receiving mail in the Washington, DC area, commenters are strongly encouraged to transmit their comments electronically via email or to submit them by mail early. Comments, including any personal information provided, become a matter of public record. They will also be summarized and/or included in the request for OMB approval of the information collection request.

FOR FURTHER INFORMATION CONTACT: Cherise Hunter by email at *ChiefEvaluationOffice@dol.gov.*

SUPPLEMENTARY INFORMATION:

I. Background. The Chief Evaluation Office (CEO) of the U.S. Department of Labor in partnership with the Office of Disability Employment Policy (ODEP) seeks to examine customer satisfaction with ODEP TA Centers. ODEP established five TA Centers to serve a diverse set of purposes, functions, and

customers. Operating with grants funded by ODEP, these Centers assist employers, federal agencies, state governments, non-profits, individuals with disabilities, and others with technical assistance and policy development concerning the integration of people with disabilities into employment. The overarching goals of the study are to determine the extent to which customers are satisfied with the TA provided by the Centers and to document the processes and methods used by the TA Centers to encourage the adoption and implementation of ODEP's policies and practices by targeted and untargeted customers. This study will answer research questions regarding how the TA Centers operate, the quality and utility of the services they provide, and the degree to which Center programs and services have led to the adoption and implementation of ODEP-recommended policies and practices, as perceived by customers. This **Federal Register** Notice provides the opportunity to comment on the four proposed data collection instruments that will be used in the study:

* *The Pulse Survey.* Customers with an available email address will receive an email invitation to complete a brief web survey approximately 48 hours following contact with a TA Center. This questionnaire will collect information on the customer's level of satisfaction with Center staff, the usefulness of the information obtained, their overall satisfaction with the interaction, and the likelihood they would recommend the Center to others.

* *The In-Depth Survey.* Frequent customers and customers who have ongoing relationships with the Centers will be contacted annually and invited to complete a more in-depth web survey to assess their overall satisfaction with the Centers. In addition to assessing satisfaction with Center staff, the Centers overall, and the utility of information obtained, the In-Depth Survey will delve into the utility of network and collaborative activities, the extent to which the TA was applied or implemented, and whether or not the customer adopted new policies or practices.

* *Qualitative Interviews with Customers.* Qualitative interviews will be conducted annually with a small sample of three types of customers—employers, government agencies, and community-based organizations—to assess the utility and implementation of TA and policy dissemination within specific settings of different organizations.

* *Qualitative Interviews with Center Staff.* Annual qualitative interviews with Center staff will collect information on their perspective on adoption and implementation of ODEP-recommended policies and practices.

II. Desired Focus of Comments. Currently, the Department of Labor is soliciting comments concerning the above data collection for a study of customer satisfaction with the five ODEP TA Centers. DOL is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submissions of responses.

III. Current Actions. At this time, the Department of Labor is requesting clearance for data collection to assess customer satisfaction with five ODEP TA Centers via surveys with Center customers and qualitative interviews with Center customers and staff.

Type of Review: New information collection request.

OMB Control Number: XXXX–0NEW.

ESTIMATED TOTAL BURDEN HOURS

Data collection activity	Total number of respondents	Number of responses per respondent	Total annual responses	Average burden hours per response	Total annual burden hours
Pulse Survey	33,900	1	11,300	.083	937.90
In-Depth Survey	9,855	1	3,285	.250	821.25
Qualitative Interviews with Customers	72	1	24	1.000	24.00
Qualitative Interviews with Center staff	30	1	10	1.000	10.00
Total	43,857		14,619		1793.15

Affected Public: Customers and staff of the five ODEP TA Centers: The Employer Resource Network (EARN); the National Collaborative on Workforce and Disability for Youth (NCWD/Y); the Job Accommodation Network (JAN); the Partnership on Employment and Accessible Technology (PEAT); and the National Center on Leadership for the Employment and Economic Advancement of People with Disabilities (LEAD).

Form(s): Pulse Survey, In-Depth Survey, Qualitative Interview Discussion Guides.

Total Respondents: 43,857.

Annual Frequency: One time.

Comments submitted in response to this request 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: June 7, 2017.

Molly Irwin,

Chief Evaluation Officer, U.S. Department of Labor.

[FR Doc. 2017–12232 Filed 6–12–17; 8:45 am]

BILLING CODE 4510–HX–P

DEPARTMENT OF LABOR

Wage and Hour Division

Agency Information Collection Activities; Announcement of OMB Approvals

AGENCY: Wage and Hour Division, Department of Labor.

ACTION: Notice.

SUMMARY: The Department of Labor, Wage and Hour Division announces that the Office of Management and Budget (OMB) has approved certain collections of information listed in the

SUPPLEMENTARY INFORMATION below, following the Wage and Hour Division's submission of requests for approvals under the Paperwork Reduction Act of 1995 (PRA). This notice describes the information collections that have been approved or re-approved, the corresponding OMB Control Numbers, and their current expiration dates.

FOR FURTHER INFORMATION CONTACT: Robert Waterman, Compliance Specialist, Division of Regulations, Legislation, and Interpretation, Wage and Hour, U.S. Department of Labor, Room S–3502, 200 Constitution Avenue NW., Washington, DC 20210; telephone: (202) 693–0406 (this is not a toll-free number). Copies of this notice may be obtained in alternative formats (Large Print, Braille, Audio Tape, or Disc), upon request, by calling (202) 693–0023 (not a toll-free number). TTY/TTD callers may dial toll-free (877) 889–5627 to obtain information or request materials in alternative formats.

SUPPLEMENTARY INFORMATION: The PRA and its implementing regulations require Federal agencies to display OMB control numbers and inform respondents of their legal significance after OMB has approved an agency's information collections. In accordance with those requirements, WHD hereby notifies the public that the following information collections have been re-approved by OMB following WHD's submission of an information collection request (ICR) for approval or extension of a prior approval:

- OMB Control No. 1235–0001, Special Employment Under the Fair Labor Standards Act. The expiration date for this information collection is December 31, 2019.
- OMB Control No. 1235–0002, Disclosures to Workers Under the Migrant and Seasonal Agricultural Worker Protection Act. The expiration date for this information collection is June 30, 2017.
- OMB Control No. 1235–0003, Family and Medical Leave Act of 1993, As Amended. The expiration date for this information collection is May 31, 2018.
- OMB Control No. 1235–0005, Application of the Employee Polygraph Protection Act. The expiration date for this information collection is October 31, 2017.
- OMB Control No. 1235–0006, Housing Occupancy Certificate—Migrant and Seasonal Agricultural Worker Protection Act. The expiration date for this information collection is September 30, 2017.
- OMB Control No. 1235–0007, Labor Standards for Federal Service Contracts. The expiration date for this information collection is December 31, 2019.
- OMB Control No. 1235–0008, Davis-Bacon Certified Payroll. The expiration date for this information collection is February 28, 2018.
- OMB Control No. 1235–0013, Requirements of a Bona Fide Thrift or Savings Plan (29 CFR part 547) and Requirements of a Bona Fide Profit-Sharing Plan or Trust (29 CFR part 549). The expiration date for this information collection is February 28, 2018.
- OMB Control No. 1235–0015, Report of Construction Contractor's Wage Rates. The expiration date for this information collection is June 30, 2017.
- OMB Control No. 1235–0016, Application for a Farm Labor Contractor or Farm Labor Contractor Employee Certificate of Registration. The expiration date for this information collection is November 30, 2018.
- OMB Control No. 1235–0018, Records to be kept by Employers—Fair Labor Standards Act. The expiration date for this information collection is December 31, 2019.
- OMB Control No. 1235–0021, Employment Information Form. The expiration date for this information collection is December 31, 2019.
- OMB Control No. 1235–0023, Requests to Approve Conformed Wage Classifications and Unconventional Fringe Benefit Plans Under the Davis-Bacon and Related Acts and Contract Work Hours and Safety Standards Act. The expiration date for this information collection is August 31, 2019.
- OMB Control No. 1235–0024, Work-Study Program of the Child Labor Regulations. The expiration date for this information collection is June 30, 2019.
- OMB Control No. 1235–0025, Nondisplacement of Qualified Workers Under Service Contracts, Executive Order 13495. The expiration date for this information collection is January 31, 2018.
- OMB Control No. 1235–0029, Government Contractor Paid Sick Leave. The expiration date for this information collection is December 31, 2019.

Dated: June 1, 2017.

Melissa Smith,

Director, Division of Regulation, Legislation, and Interpretation.

[FR Doc. 2017–12231 Filed 6–12–17; 8:45 am]

BILLING CODE 4510–27–P

LEGAL SERVICES CORPORATION

Sunshine Act Meeting

DATE AND TIME: The Legal Services Corporation's Finance Committee will meet telephonically on June 21, 2017. The meeting will commence at 2:00 p.m., EDT, and will continue until the conclusion of the Committee's agenda.

LOCATION: John N. Erlenborn Conference Room, Legal Services Corporation Headquarters, 3333 K Street NW., Washington, DC 20007.

PUBLIC OBSERVATION: Members of the public who are unable to attend in person but wish to listen to the public proceedings may do so by following the telephone call-in directions provided below.

CALL-IN DIRECTIONS FOR OPEN SESSIONS:

- Call toll-free number: 1–866–451–4981;
- When prompted, enter the following numeric pass code: 5907707348.
- When connected to the call, please immediately ''MUTE'' your telephone.

Members of the public are asked to keep their telephones muted to eliminate background noises. To avoid disrupting the meeting, please refrain from placing the call on hold if doing so will trigger recorded music or other sound. From time to time, the Chair may solicit comments from the public.

STATUS OF MEETING: Open.

MATTERS TO BE CONSIDERED:

1. Approval of agenda
2. Approval of minutes of the Committee's meeting of April 24, 2017
3. Public comment regarding LSC's fiscal year 2019 budget request
   - Presentation by a representative of the American Bar Association's Standing Committee on Legal Aid and Indigent Defendants (SCLAID)
   - Presentation by a representative of National Legal Aid and Defender Association (NLADA)
   - Other Interested Parties
4. Public comment
5. Consider and act on other business
6. Consider and act on adjournment of meeting.

CONTACT PERSON FOR INFORMATION: Katherine Ward, Executive Assistant to the Vice President & General Counsel, at (202) 295–1500. Questions may be sent by electronic mail to *FR_NOTICE_QUESTIONS@lsc.gov.*

ACCESSIBILITY: LSC complies with the Americans with Disabilities Act and Section 504 of the 1973 Rehabilitation Act. Upon request, meeting notices and materials will be made available in alternative formats to accommodate individuals with disabilities. Individuals needing other accommodations due to disability in order to attend the meeting in person or telephonically should contact Katherine

Ward, at (202) 295–1500 or *FR_NOTICE_QUESTIONS@lsc.gov,* at least 2 business days in advance of the meeting. If a request is made without advance notice, LSC will make every effort to accommodate the request but cannot guarantee that all requests can be fulfilled.

Dated: June 8, 2017.

Katherine Ward,

Executive Assistant to the Vice President for Legal Affairs and General Counsel.

[FR Doc. 2017–12330 Filed 6–9–17; 4:15 pm]

BILLING CODE 7050–01–P

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

National Endowment for the Arts

Arts Advisory Panel Meetings

AGENCY: National Endowment for the Arts, National Foundation on the Arts and Humanities.

ACTION: Notice of meetings.

SUMMARY: Pursuant to the Federal Advisory Committee Act, as amended, notice is hereby given that 14 meetings of the Arts Advisory Panel to the National Council on the Arts will be held by teleconference.

DATES: See the **SUPPLEMENTARY INFORMATION** section for individual meeting times and dates. All meetings are Eastern time and ending times are approximate:

ADDRESSES: National Endowment for the Arts, Constitution Center, 400 7th St. SW., Washington, DC 20506.

FOR FURTHER INFORMATION CONTACT: Further information with reference to these meetings can be obtained from Ms. Sherry P. Hale, Office of Guidelines & Panel Operations, National Endowment for the Arts, Washington, DC 20506; *hales@arts.gov,* or call 202–682–5696.

SUPPLEMENTARY INFORMATION: The closed portions of meetings are for the purpose of Panel review, discussion, evaluation, and recommendations on financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including information given in confidence to the agency. In accordance with the determination of the Chairman of July 5, 2016, these sessions will be closed to the public pursuant to subsection (c)(6) of section 552b of title 5, United States Code.

The upcoming meetings are:

Arts Education (review of applications): This meeting will be closed.

Date and time: July 13, 2017; 1:30 p.m. to 3:30 p.m.

Presenting and Multidisciplinary Works (review of applications): This meeting will be closed.

Date and time: July 13, 2017; 3:00 p.m. to 5:00 p.m.

Folk and Traditional Arts (review of applications): This meeting will be closed.

Date and time: July 17, 2017; 1:00 p.m. to 3:00 p.m.

Presenting and Multidisciplinary Works (review of applications): This meeting will be closed.

Date and time: July 17, 2017; 3:00 p.m. to 5:00 p.m.

Folk and Traditional Arts (review of applications): This meeting will be closed.

Date and time: July 18, 2017; 1:00 p.m. to 3:00 p.m.

Presenting and Multidisciplinary Works (review of applications): This meeting will be closed.

Date and time: July 18, 2017; 3:00 p.m. to 5:00 p.m.

Arts Education (review of applications): This meeting will be closed.

Date and time: July 19, 2017; 1:30 p.m. to 3:30 p.m.

Museums (review of applications): This meeting will be closed.

Date and time: July 19, 2017; 11:30 a.m. to 1:30 p.m.

Museums (review of applications): This meeting will be closed.

Date and time: July 19, 2017; 2:30 p.m. to 4:30 p.m.

Museums (review of applications): This meeting will be closed.

Date and time: July 20, 2017; 11:30 a.m. to 1:30 p.m.

Arts Education (review of applications): This meeting will be closed.

Date and time: July 20, 2017; 1:30 p.m. to 3:30 p.m.

Arts Education (review of applications): This meeting will be closed.

Date and time: July 27, 2017; 1:30 p.m. to 3:30 p.m.

Literature (review of applications): This meeting will be closed.

Date and time: August 2, 2017; 2:30 p.m. to 4:30 p.m.

Literature (review of applications): This meeting will be closed.

Date and time: August 3, 2017; 2:30 p.m. to 4:30 p.m.

Dated: June 8, 2017.

Sherry P. Hale,

Staff Assistant, National Endowment for the Arts.

[FR Doc. 2017–12214 Filed 6–12–17; 8:45 am]

BILLING CODE 7537–01–P

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

National Endowment for the Arts

National Council on the Arts 191st Meeting

AGENCY: National Endowment for the Arts, National Foundation on the Arts and Humanities.

ACTION: Notice of meeting.

SUMMARY: Pursuant to the Federal Advisory Committee Act (Pub. L. 92–463), as amended, notice is hereby given that a meeting of the National Council on the Arts will be held in Conference Room 3063/3064 and Conference Rooms A & B at Constitution Center, 400 7th St. SW., Washington, DC 20506. Agenda times are approximate.

DATES: Thursday, June 29th, 2017 from 12:30 p.m. to 2:30 p.m. and Friday, June 30th, 2017 from 9:00 a.m. to 11:30 a.m.

FOR FURTHER INFORMATION CONTACT: Office of Public Affairs, National Endowment for the Arts, Washington, DC 20506, at 202–682–5570.

SUPPLEMENTARY INFORMATION: The meeting on June 29th from 12:30 p.m. to 2:30 p.m., will be in Conference Room 3063/3064 and will be closed for discussion of National Medal of Arts nominations. The meeting on June 30th, in Conference Rooms A & B from 9:00 a.m. to 11:30 a.m., will be open to the public on a space available basis. The tentative agenda is as follows: The meeting will begin at 9:00 a.m. with opening remarks and voting on recommendations for funding and rejection and guidelines, followed by updates from the Chairman. There also will be the following presentations (times are approximate): from 9:30 a.m. to 10:00 a.m.—*Presentation on TimeSlips Creative Storytelling* (Anne Basting, Founder & President of TimeSlips); from 10:00 a.m. to 10:30 a.m.—*Presentation on The Matheny School and Hospital* (Dr. Kenneth Robey, Director of Research Institute in Developmental Disabilities); from 10:30 a.m.–11:00 a.m.—*Presentation on Metro Nashville Arts Commission* (Jen Cole, Executive Director). From 11:00–11:15 a.m. there will be concluding remarks from the Chairman and announcement of voting results. The meeting will adjourn at 11:30 a.m.

The Friday, June 30th session also will be webcast. To register to watch the webcasting of this open session of the meeting, go to *https://www.arts.gov/event/2017/national-council-arts-june-2017-public-meeting.*

If, in the course of the open session discussion, it becomes necessary for the

Council to discuss non-public commercial or financial information of intrinsic value, the Council will go into closed session pursuant to subsection (c)(4) of the Government in the Sunshine Act, 5 U.S.C. 552b, and in accordance with the February 15, 2012 determination of the Chairman. Additionally, discussion concerning purely personal information about individuals, such as personal biographical and salary data or medical information, may be conducted by the Council in closed session in accordance with subsection (c)(6) of 5 U.S.C. 552b.

Any interested persons may attend, as observers, Council discussions and reviews that are open to the public. If you need special accommodations due to a disability, please contact the Office of Accessibility, National Endowment for the Arts, Constitution Center, 400 7th St. SW., Washington, DC 20506, 202–682–5733, Voice/T.T.Y. 202–682–5496, at least seven (7) days prior to the meeting.

Dated: June 8, 2017.

Sherry P. Hale,

Staff Assistant, Office of Guidelines and Panel Operations.

[FR Doc. 2017–12213 Filed 6–12–17; 8:45 am]

BILLING CODE 7537–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 72–09; NRC–2017–0051]

U.S. Department of Energy; Fort St. Vrain Independent Spent Fuel Storage Installation

AGENCY: Nuclear Regulatory Commission.

ACTION: License amendment application; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) reviewed an application by the U.S. Department of Energy (DOE) for an amendment to Materials License No. SNM–2504, for the Fort St. Vrain (FSV) independent spent fuel storage installation (ISFSI), located in Platteville, Colorado. The amendment revises the licensee delegation of authority in the license, the technical specifications, and the final safety analysis report. These documents currently delegate authority under the license to the Manager, DOE Idaho Operations Office. The amendment would replace that reference with the Deputy Manager, Idaho Cleanup Project in each of the documents.

DATES: Notice of issuance of amendment to Materials License No. SNM–2504 given on June 13, 2017.

ADDRESSES: Please refer to Docket ID NRC–2017–0051 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–2017–0051. Address questions about NRC dockets to Carol Gallagher; telephone: 301–415–3463; email: *Carol.Gallagher@nrc.gov.* For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly-available documents online in the ADAMS Public Documents collection at *http://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''*ADAMS Public Documents*'' and then select ''*Begin Web-based ADAMS Search.*'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to *pdr.resource@nrc.gov.* The Fort St. Vrain license amendment request is available electronically in ADAMS under Accession No. ML16258A179.
- *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: Jose Cuadrado, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–0606; email: *Jose.Cuadrado@nrc.gov.*

SUPPLEMENTARY INFORMATION: By letter dated September 8, 2016, DOE submitted to the NRC an application to amend the Materials License No. SNM–2504 for the FSV ISFSI, located in Platteville, Colorado (ADAMS Accession No. ML16258A179). Materials License No. SNM–2504 authorizes the licensee to receive, possess, store, and transfer spent nuclear fuel from the decommissioned FSV Nuclear Generating Station. The proposed amendment revises the licensee delegation of authority in the license, the technical specifications, and the final safety analysis report. These documents currently delegate authority under the license to the Manager, DOE Idaho Operations Office. The amendment would replace that reference with the Deputy Manager, Idaho Cleanup Project in each of the documents.

In a letter to DOE dated December 9, 2016, NRC notified DOE that the application was acceptable to begin a technical review (ADAMS Accession No. ML16347A129). In accordance with § 72.16 of tittle 10 of the *Code of Federal Regulations* (10 CFR), a notice of docketing was published in the **Federal Register** on February 23, 2017 (82 FR 11484).

The NRC prepared a safety evaluation report (SER) (ADAMS Accession No. ML17151A391) to document its review and evaluation of the amendment request. As further explained in the SER, the NRC has also determined that the license amendment is administrative in nature, and therefore satisfies the 10 CFR 51.22(c)(11) criteria for a categorical exclusion from the requirement to prepare an environmental impact statement. Under 10 CFR 51.22(c)(11), this action is eligible for categorical exclusion, because it is an amendment to a materials licenses which is administrative, organizational, or procedural in nature, or which results in a change in process operations or equipment, provided that (i) there is no significant change in the types or significant increase in the amounts of any effluents that may be released offsite, (ii) there is no significant increase in individual or cumulative occupational radiation exposure, (iii) there is no significant construction impact, and (iv) there is no significant increase in the potential for or consequences from radiological accidents. Consequently, an environmental assessment and finding of no significant impact are not required.

Upon completing its review, the NRC staff determined the request complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), as well as the NRC's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR chapter I, which are set forth in the license amendment. The NRC approved and issued Amendment No. 11 to Special Nuclear Materials License No. SNM–2504, held by DOE for the receipt, possession, transfer, and storage of spent fuel and associated radioactive materials at the FSV ISFSI. Amendment No. 11 was effective as of the date of issuance.

In accordance with 10 CFR 72.46(b)(2), the NRC has determined that Amendment No. 11 does not

present a genuine issue as to whether the health and safety of the public will be significantly affected. Therefore, the publication of a notice of proposed action and an opportunity for hearing or a notice of hearing is not warranted. Notice is hereby given of the right of interested persons to request a hearing on whether the action should be rescinded or modified.

Dated at Rockville, Maryland, this 25th day of May, 2017.

For the Nuclear Regulatory Commission.

John McKirgan,

Chief, Spent Fuel Licensing Branch, Division of Spent Fuel Management, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 2017–12136 Filed 6–12–17; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2017–0001]

Sunshine Act Meeting Notice

DATE: Weeks of June 12, 19, 26, July 3, 10, 17, 2017.

PLACE: Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

STATUS: Public and Closed.

Week of June 12, 2017

Thursday, June 15, 2017

9:00 a.m.— Briefing on Results of the Agency Action Review Meeting (Public Meeting) (Contact: Andrew Waugh: 301–415–5601)

This meeting will be webcast live at the Web address—*http://www.nrc.gov/.*

Week of June 19, 2017—Tentative

Thursday, June 22, 2017

2:00 p.m.—Briefing on Human Capital and Equal Employment Opportunity (Public Meeting) (Contact: Tanya Parwani-Jaimes: 301–287–0730)

This meeting will be webcast live at the Web address—*http://www.nrc.gov/.*

Week of June 26, 2017—Tentative

There are no meetings scheduled for the week of June 26, 2017.

Week of July 3, 2017—Tentative

There are no meetings scheduled for the week of July 3, 2017.

Week of July 10, 2017—Tentative

There are no meetings scheduled for the week of July 10, 2017.

Week of July 17, 2017—Tentative

There are no meetings scheduled for the week of July 17, 2017.

* * * * *

Additional Information

The Briefing on Human Capital and Equal Employment Opportunity scheduled for 10:00 a.m. on Tuesday, June 13, 2017 has been changed to 2:00 p.m. on Thursday, June 22, 2017.

* * * * *

The schedule for Commission meetings is subject to change on short notice. For more information or to verify the status of meetings, contact Denise McGovern at 301–415–0681 or via email at *Denise.McGovern@nrc.gov.*

* * * * *

The NRC Commission Meeting Schedule can be found on the Internet at: *http://www.nrc.gov/public-involve/public-meetings/schedule.html.*

* * * * *

The NRC provides reasonable accommodation to individuals with disabilities where appropriate. If you need a reasonable accommodation to participate in these public meetings, or need this meeting notice or the transcript or other information from the public meetings in another format (*e.g.,* Braille, large print), please notify Kimberly Meyer, NRC Disability Program Manager, at 301–287–0739, by videophone at 240–428–3217, or by email at *Kimberly.Meyer-Chambers@nrc.gov.* Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

* * * * *

Members of the public may request to receive this information electronically. If you would like to be added to the distribution, please contact the Nuclear Regulatory Commission, Office of the Secretary, Washington, DC 20555 (301–415–1969), or email *Brenda.Akstulewicz@nrc.gov* or *Patricia.Jimenez@nrc.gov.*

Dated: June 8, 2017.

Denise L. McGovern,

Policy Coordinator, Office of the Secretary.

[FR Doc. 2017–12245 Filed 6–9–17; 11:15 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2017–0126]

Superseded or Outdated Generic Communications

AGENCY: Nuclear Regulatory Commission.

ACTION: Generic communications; withdrawal.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is withdrawing the selected generic communications because their guidance no longer provides useful information, their guidance is superseded by updated guidance, or the information can be more effectively made available to interested stakeholders by other means.

DATES: The effective date of the withdrawals is June 13, 2017.

ADDRESSES: Please refer to Docket ID NRC–2017–0126 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–2017–0126. Address questions about NRC dockets to Carol Gallagher; telephone: 301–415–3463; email: *Carol.Gallagher@nrc.gov.* For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly-available documents online in the ADAMS Public Documents collection at *http://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''*ADAMS Public Documents*'' and then select ''*Begin Web-based ADAMS Search.*'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to *pdr.resource@nrc.gov.* The ADAMS accession number for each document referenced (if it is available in ADAMS) is provided the first time that it is mentioned in 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: Erika A. Lee, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–2065; email: *Erika.Lee@nrc.gov.*

SUPPLEMENTARY INFORMATION:

Discussion

A. General Information

The NRC performs periodic reviews of generic communications and withdraws them when they no longer provide useful information or are superseded by

technological innovations or updated guidance. A withdrawal includes the original generic communication and any supplements or revisions. The NRC is currently publishing withdrawals of generic communications on a quarterly basis.

Withdrawal of the original generic communication and supplements, if applicable, will not affect the public's ability to obtain this information. The original generic communication and supplements will remain accessible through ADAMS and the NRC's generic communications Web site. The NRC's generic communications Web site will be updated to reflect the generic communications status as withdrawn. The generic communications Web site is accessible at *https://www.nrc.gov/reading-rm/doc-collections/gen-comm/.*

B. Withdrawals of Generic Communications

The following generic communications are withdrawn:

• Generic Letter (GL) 1978–35, ''Regional Meetings to Discuss Upgraded Guard Qualifications,'' August 25, 1978 (ADAMS Accession No. ML031280394).

The meeting dates of September 27, October 3, October 5, and October 11, 1978, referenced in this GL have passed.

• GL 1978–37, ''Revised Meeting Schedule and Locations for Upgraded Guard Qualifications,'' September 12, 1978 (ADAMS Accession No. ML031280398).

The meeting dates of September 27, October 3, October 5, and October 13, 1978, referenced in this GL have passed.

• GL 1995–08, Revision 1, ''10 CFR 50.54(p) Process for Changes to Security Plans Without Prior NRC Approval,'' April 16, 2014 (ADAMS Accession No. ML14055A356).

This GL was issued to withdraw the original GL 1995–08, dated October 31, 1995. Since the original GL has been withdrawn, there is no longer a need for this revision, and it is also withdrawn.

• Regulatory Issue Summary (RIS) 2013–16, ''Interactions Between the NRC and NRC Stakeholders During a Lapse of Agency Appropriations,'' October 1, 2013 (ADAMS Accession No. ML110550923).

This RIS was issued to inform addressees on how to communicate and interact with NRC during the Federal Government shutdown of 2013. Since the guidance only applied to the Federal Government shutdown of 2013, there is no longer a need for this RIS.

• RIS 2013–16, Supplement 1, ''Interactions Between the NRC and NRC Stakeholders During a Lapse of Agency Appropriations,'' October 9, 2013 (ADAMS Accession No. ML13273A190).

This supplement to RIS 2013–16 was issued to notify addressees that NRC appropriations no longer supported normal operations, and the NRC would be operating at a reduced level. Since the guidance only applied to the Federal Government shutdown of 2013, there is no longer a need for this RIS.

Dated at Rockville, Maryland, this 5th day of June 2017.

For the Nuclear Regulatory Commission.

Alexander D. Garmoe,

Chief (Acting), Generic Communications Branch, Division of Policy and Rulemaking, Office of Nuclear Reactor Regulation.

[FR Doc. 2017–12138 Filed 6–12–17; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 72–25; NRC–2017–0049]

U.S. Department of Energy; Idaho Spent Fuel Facility Independent Spent Fuel Storage Installation

AGENCY: Nuclear Regulatory Commission.

ACTION: License amendment application; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) reviewed an application by the U.S. Department of Energy (DOE) for an amendment to Materials License No. SNM–2512, for the Idaho Spent Fuel Facility independent spent fuel storage installation (ISFSI), located on the Idaho National Engineering Laboratory in Butte County, Idaho. The amendment revises the licensee delegation of authority in the license, the technical specifications, and the final safety analysis report. These documents currently delegate authority under the license to the Manager, DOE Idaho Operations Office. The amendment would replace that reference with the Deputy Manager, Idaho Cleanup Project in each of the documents.

DATES: Notice of issuance of amendment to Materials License No. SNM–2512 given on June 13, 2017.

ADDRESSES: Please refer to Docket ID NRC–2017–0049 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–2017–0049. Address questions about NRC dockets to Carol Gallagher; telephone: 301–415–3463; email: *Carol.Gallagher@nrc.gov.* For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

• *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly-available documents online in the ADAMS Public Documents collection at *http://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''*ADAMS Public Documents*'' and then select ''*Begin Web-based ADAMS Search.*'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to *pdr.resource@nrc.gov.* The Idaho Spent Fuel Facility License amendment request is available electronically in ADAMS under Accession No. ML16258A178.

• *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: Jose Cuadrado, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–0606; email: *Jose.Cuadrado@nrc.gov.*

SUPPLEMENTARY INFORMATION: By letter dated September 8, 2016, DOE submitted to the NRC an application to amend the Materials License No. SNM–2512 for the Idaho Spent Fuel Facility ISFSI, located on the Idaho National Engineering Laboratory in Butte County, Idaho (ADAMS Accession No. ML16258A178). Materials License No. SNM–2512 authorizes the licensee to receive, possess, store, and transfer spent nuclear fuel elements from the Peach Bottom Unit 1 reactor and various TRIGA reactors; reflector modules and rods from the Shippingport reactor; and associated radioactive materials and components related to the fuel elements' receipt, transfer, and storage. The proposed amendment revises the licensee delegation of authority in the license, the technical specifications, and the final safety analysis report. These documents currently delegate authority under the license to the Manager, DOE Idaho Operations Office. The amendment would replace that reference with the Deputy Manager, Idaho Cleanup Project in each of the documents.

In a letter to DOE dated December 9, 2016, the NRC notified DOE that the application was acceptable to begin a technical review (ADAMS Accession

No. ML16347A133). In accordance with § 72.16 of title 10 of the *Code of Federal Regulations* (10 CFR), a notice of docketing was published in the **Federal Register** on February 23, 2017 (82 FR 11485).

The NRC prepared a safety evaluation report (SER) (ADAMS Accession No. ML17151A201) to document its review and evaluation of the amendment request. As further explained in the SER, the NRC has also determined that the license amendment is administrative in nature, and therefore satisfies the 10 CFR 51.22(c)(11) criteria for a categorical exclusion from the requirement to prepare an environmental impact statement. Under 10 CFR 51.22(c)(11), this action is eligible for categorical exclusion, because it is an amendment to a materials licenses which is administrative, organizational, or procedural in nature, or which results in a change in process operations or equipment, provided that (i) there is no significant change in the types or significant increase in the amounts of any effluents that may be released offsite, (ii) there is no significant increase in individual or cumulative occupational radiation exposure, (iii) there is no significant construction impact, and (iv) there is no significant increase in the potential for or consequences from radiological accidents. Consequently, an environmental assessment and finding of no significant impact are not required.

Upon completing its review, the NRC staff determined the request complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), as well as the NRC's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. The NRC approved and issued Amendment No. 3 to Special Nuclear Materials License No. SNM–2512, held by DOE for the receipt, possession, transfer, and storage of spent fuel and associated radioactive materials at the Idaho Spent Fuel Facility ISFSI. Amendment No. 3 was effective as of the date of issuance.

In accordance with 10 CFR 72.46(b)(2), the NRC has determined that Amendment No. 3 does not present a genuine issue as to whether the health and safety of the public will be significantly affected. Therefore, the publication of a notice of proposed action and an opportunity for hearing or a notice of hearing is not warranted. Notice is hereby given of the right of interested persons to request a hearing on whether the action should be rescinded or modified.

Dated at Rockville, Maryland, this 25th day of May 2017.

For the Nuclear Regulatory Commission.

John McKirgan,

Chief, Spent Fuel Licensing Branch, Division of Spent Fuel Management, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 2017–12135 Filed 6–12–17; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 72–20; NRC–2017–0050]

U.S. Department of Energy; Three Mile Island 2 Independent Spent Fuel Storage Installation

AGENCY: Nuclear Regulatory Commission.

ACTION: License amendment application; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) reviewed an application by the U.S. Department of Energy (DOE) for an amendment to Materials License No. SNM–2508, for the Three Mile Island 2 (TMI–2) independent spent fuel storage installation (ISFSI), located on the Idaho National Engineering Laboratory in Butte County, Idaho. The amendment revises the licensee delegation of authority in the license, the technical specifications, and the final safety analysis report. These documents currently delegate authority under the license to the Manager, DOE Idaho Operations Office. The amendment would replace that reference with the Deputy Manager, Idaho Cleanup Project in each of the documents.

DATES: Notice of issuance of amendment to Materials License No. SNM–2508 given on June 13, 2017.

ADDRESSES: Please refer to Docket ID NRC–2017–0050 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–2017–0050. Address questions about NRC dockets to Carol Gallagher; telephone: 301–415–3463; email: *Carol.Gallagher@nrc.gov.* For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly-available documents online in the ADAMS Public Documents collection at *http://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''*ADAMS Public Documents*'' and then select ''*Begin Web-based ADAMS Search.*'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to *pdr.resource@nrc.gov.* The Three Mile Island 2 license amendment request is available electronically in ADAMS under Accession No. ML16258A191.
- *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: Jose Cuadrado, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–0606; email: *Jose.Cuadrado@nrc.gov.*

SUPPLEMENTARY INFORMATION: By letter dated September 8, 2016, DOE submitted to the NRC an application to amend the Materials License No. SNM–2508 for the TMI–2 ISFSI, located on the Idaho National Engineering Laboratory in Butte County, Idaho (ADAMS Accession No. ML16258A191). Materials License No. SNM–2508 authorizes the licensee to receive, possess, store, and transfer canisters containing core debris and damaged spent nuclear fuel from the Three Mile Island Unit 2 (TMI–2) reactor, in addition to other authorized uses. The proposed amendment revises the licensee delegation of authority in the license, the technical specifications, and the final safety analysis report. These documents currently delegate authority under the license to the Manager, DOE Idaho Operations Office. The amendment would replace that reference with the Deputy Manager, Idaho Cleanup Project in each of the documents.

In a letter to DOE dated December 9, 2016, NRC notified DOE that the application was acceptable to begin a technical review (ADAMS Accession No. ML16347A192). In accordance with § 72.16 of title 10 of the *Code of Federal Regulations* (10 CFR), a notice of docketing was published in the **Federal Register** on February 22, 2017 (82 FR 11371).

The NRC prepared a safety evaluation report (SER) (ADAMS Accession No. ML17151A327) to document its review

and evaluation of the amendment request. As further explained in the SER, the NRC has also determined that the license amendment is administrative in nature, and therefore satisfies the 10 CFR 51.22(c)(11) criteria for a categorical exclusion from the requirement to prepare an environmental impact statement. Under 10 CFR 51.22(c)(11), this action is eligible for categorical exclusion, because it is an amendment to a materials licenses which is administrative, organizational, or procedural in nature, or which results in a change in process operations or equipment, provided that (i) there is no significant change in the types or significant increase in the amounts of any effluents that may be released offsite, (ii) there is no significant increase in individual or cumulative occupational radiation exposure, (iii) there is no significant construction impact, and (iv) there is no significant increase in the potential for or consequences from radiological accidents. Consequently, an environmental assessment and finding of no significant impact are not required.

Upon completing its review, the NRC staff determined the request complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), as well as the NRC's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. The NRC approved and issued Amendment No. 5 to Special Nuclear Materials License No. SNM–2508, held by DOE for the receipt, possession, transfer, and storage of spent fuel and associated radioactive materials at the TMI–2 ISFSI. Amendment No. 5 was effective as of the date of issuance.

In accordance with 10 CFR 72.46(b)(2), the NRC has determined that Amendment No. 5 does not present a genuine issue as to whether the health and safety of the public will be significantly affected. Therefore, the publication of a notice of proposed action and an opportunity for hearing or a notice of hearing is not warranted. Notice is hereby given of the right of interested persons to request a hearing on whether the action should be rescinded or modified.

Dated at Rockville, Maryland, this 25 day of May 2017.

For the Nuclear Regulatory Commission.

John McKirgan,

Chief, Spent Fuel Licensing Branch, Division of Spent Fuel Management, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 2017–12137 Filed 6–12–17; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 70–7003; NRC–2017–0137]

The American Centrifuge Lead Cascade Facility in Piketon, Ohio

AGENCY: Nuclear Regulatory Commission.

ACTION: Environmental assessment and finding of no significant impact; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is issuing an environmental assessment (EA) and a finding of no significant impact regarding a request from American Centrifuge Operating, LLC (ACO or the licensee). ACO is authorized to possess and use special nuclear material (SNM), source material, and byproduct material at its Lead Cascade Facility (LCF) in Ohio under NRC License SNM–7003, issued in 2004. ACO requested the NRC's approval to ship radioactively contaminated and non-contaminated classified matter and waste from the LCF to the Nevada National Security Site (NNSS) operated by the U.S. Department of Energy (DOE). The classified matter and waste would be permanently buried at the NNSS. ACO operated the LCF on DOE's site in Piketon, Ohio, where a gaseous diffusion uranium enrichment plant had previously operated. The LCF was operated as a test facility using centrifuges to enrich uranium, and provided reliability, performance, cost and other data for use in deciding whether to construct and operate a commercial uranium enrichment plant at DOE's Piketon, Ohio, site.

DATES: The EA and FONSI referenced in this document are available on June 13, 2017.

ADDRESSES: Please refer to Docket ID NRC–2017–0137 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–2017–0137. Address questions about NRC dockets to Carol Gallagher; telephone: 301–415–3463; email: *Carol.Gallagher@nrc.gov.* For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly-available documents online in the ADAMS Public Documents collection at *http://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''ADAMS Public Documents'' and then select ''*Begin Web-based ADAMS Search.*'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to *pdr.resource@nrc.gov.* The ADAMS accession number for each document referenced (if it is available in ADAMS) is provided the first time that it is mentioned in 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: Jean Trefethen, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–0867, email: *Jean.Trefethen@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Introduction

By letter dated February 24, 2017 and supplemented on March 10, 2017 (ADAMS Accession Nos. ML17073A109 and ML17087A285, respectively), the licensee requested NRC approval of ACO's plan to ship off site for disposal radioactively contaminated and non-contaminated classified matter and waste generated at the American Centrifuge LCF. The LCF is located on an approximately 3,700 acre (1,500 hectare) site in Pike County, Ohio, that is owned by the DOE. The DOE leases portions of this site, including the LCF buildings, to the licensee. The LCF classified matter and waste would be sent to the DOE's NNSS for permanent disposal there. The NRC staff has prepared an EA (ML17153A093) as part of its review of this proposed action in accordance with the requirements in part 51 of title 10 of the *Code of Federal Regulations* (10 CFR), ''Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions'' and associated staff guidance. The NRC has concluded that the proposed action will not have a significant effect on the quality of the human environment.

II. Summary of Environmental Assessment

The licensee has identified three types of waste to be shipped: Solid radioactive, liquid radioactive, and solid low level mixed waste (LLMW). The licensee states that approximately 315 waste shipments to NNSS will be necessary, and anticipates that these shipments will be completed in calendar year 2018.

The ACO estimates that approximately 180,000 cubic feet (5,097 cubic meters) of Class A solid radioactive waste would need to be shipped to NNSS. This waste would be packaged in Intermodal Freight Transport and B–25 box containers for shipment. The B–25 box containers are nominally 4 x 4 x 6 feet steel containers with a bolted lid. The licensee also plans to ship liquid radioactive waste consisting of oils removed from LCF process equipment during disassembly. Solid LLMW, consisting of various electronic components from the LCF, would be packaged into B–25 box containers for disposal. This solid LLMW would first be further processed at the EnergySolutions facility in Oak Ridge, Tennessee, to substantially reduce surface exposure to leaching media, before being shipped to NNSS for disposal.

ACO also would transfer unclassified, low-level contaminated liquid waste to a facility on DOE's Piketon, Ohio, site for further processing. This unclassified waste would not be shipped to NNSS.

The Need for the Proposed Action

By letter dated March 2, 2016, the licensee notified the NRC of its decision to permanently cease LCF operations (ADAMS Accession No. ML16074A405). In preparation for future decommissioning of the LCF, ACO is packaging its classified matter and waste for transport to the NNSS for permanent burial.

Environmental Impacts of the Proposed Action

The NRC staff evaluated the potential environmental impacts associated with the proposed action, and has performed its environmental review in accordance with the requirements in 10 CFR part 51 and associated staff guidance. As detailed in the EA, the staff in preparing the EA reviewed relevant information submitted by the licensee, consulted with the Ohio State Historic Preservation Office (Ohio SHPO), and received input from the Ohio Department of Health.

Packaging and preparation of classified matter and waste for shipping occurs inside the LCF buildings, and no activities involving land disturbance are planned. Therefore, the NRC staff finds that there would be no impacts to the following resources areas: Land use, geology and soils, water resources, ecology, meteorology, climate, air quality, noise, visual and scenic resources, and socioeconomic resources.

The NRC staff evaluated the radiological impacts to workers and the public. The staff found that the projected radiological doses to workers would be below the dose limits specified in 10 CFR 20.1201, ''Occupational dose limits to adults,'' and that radiological doses to the public would be indistinguishable when compared to background radiation.

The proposed shipments would be made using authorized commercial carriers that would travel primarily on state highways using well-established routes to the final burial site at NNSS. The NRC determined that the relatively small total number of shipments spread over an extended period of time, along with the limited duration of the shipping process, would not significantly affect traffic flow.

The NRC staff also evaluated the cumulative impacts by identifying past, present, and reasonably foreseeable future actions at DOE's Piketon, Ohio, site, and the incremental impacts of ACO's proposed action. The staff determined that the proposed action would not significantly contribute to cumulative impacts. The staff also determined that the proposed action would not affect federally-listed endangered or threatened species or their critical habitats.

Environmental Impacts of the No-Action Alternative

As an alternative to the proposed action, the staff considered denial of the proposed action (*i.e.,* the ''no-action'' alternative). Under the no-action alternative, all waste generated by LCF operations to date would remain onsite. The no-action alternative does not comply with commitments made during licensing or the decommissioning requirements of 10 CFR 70.38. Therefore, the NRC staff concludes that leaving all of the LCF the waste onsite is not a reasonable alternative to approving the proposed action.

Agencies and Persons Consulted

On May 24, 2017 (ADAMS Accession No. ML17111A766), the NRC consulted with Ohio Department of Health regarding the environmental impacts of the proposed action. The state official concurred with the environmental assessment and finding of no significant impact (ADAMS Accession No. ML17153A269). The NRC also spoke with the Ohio SHPO and consulted by letter dated April 13, 2017 (ADAMS Accession No. ML17102B319). The Ohio SHPO responded by letter dated May 8, 2017, stating that a finding of No Adverse Effect for the proposed action is appropriate (ADAMS Accession No. ML17144A176).

III. Finding of No Significant Impact

In accordance with the requirements in 10 CFR part 51, the NRC staff has concluded that the proposed action will not significantly affect the quality of the human environment. Therefore, the staff has determined, pursuant to 10 CFR 51.31, that preparation of an environmental impact statement is not required for the proposed action, and that a finding of no significant impact is appropriate.

Dated at Rockville, Maryland, this 5th day of June 2017.

For the Nuclear Regulatory Commission.

Craig G. Erlanger,

Director, Division of Fuel Cycle Safety, Safeguards, and Environmental Review, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 2017–12139 Filed 6–12–17; 8:45 am]

BILLING CODE 7590–01–P

PENSION BENEFIT GUARANTY CORPORATION

Notice of the American Arbitration Association's Response to Public Comments Related to the Pending Request for Approval of an Alternative Arbitration Procedure

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Notice of the American Arbitration Association's response to public comments.

SUMMARY: The Pension Benefit Guaranty Corporation invited the American Arbitration Association to respond to the public comments submitted in response to its request for approval of an Alternative Arbitration Procedure under section 4221 of the Employee Retirement Income Security Act of 1974 and PBGC's default arbitration procedures. On March 23, 2016, PBGC published notice of the American Arbitration Association's request in the **Federal Register** to advise interested persons of the request and solicit their views on it. This notice provides the public with the American Arbitration Association's letter response and solicits public comment on the response.

DATES: Comments must be received on or before July 28, 2017.

ADDRESSES: Comments may be submitted by any of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the Web site instructions for submitting comments.
- *Email: reg.comments@pbgc.gov.*
- *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 comments may also be obtained by writing to Disclosure Division, Office of the General Counsel, Pension Benefit Guaranty Corporation, 1200 K Street NW., Washington, DC 20005–4026 or calling 202–326–4040 during normal business hours. (TTY and TDD users may call the Federal relay service toll-free at 1–800–877–8339 and ask to be connected to 202–326–4040.)

FOR FURTHER INFORMATION CONTACT: Bruce Perlin, Assistant Chief Counsel (*Perlin.Bruce@PBGC.gov*), 202–326–4020, ext. 6818, or Jon Chatalian, Deputy Assistant Chief Counsel (*Chatalian.Jon@PBGC.gov*), ext. 6757, Office of the Chief Counsel, Suite 340, 1200 K Street NW., Washington, DC 20005–4026; (TTY/TDD users may call the Federal relay service toll-free at 1–800–877–8339 and ask to be connected to 202–326–4020.)

SUPPLEMENTARY INFORMATION:

Background

The Pension Benefit Guaranty Corporation (PBGC) administers title IV of the Employee Retirement Income Security Act of 1974 (ERISA). Section 4221(a)(1) of ERISA requires ''any dispute'' between an employer and a multiemployer pension plan concerning a withdrawal liability determination to be ''resolved through arbitration.''

In lieu of PBGC's default arbitration procedures, under 29 CFR 4221.14, a withdrawal liability arbitration may be conducted in accordance with an alternative arbitration procedure approved by the PBGC in accordance with § 4221.14(c). Under § 4221.14(c), the sponsor of an arbitration procedure may request PBGC approval of its procedures by submitting an application to the PBGC. The application must include: (1) A copy of the procedures for which approval is sought; (2) a description of the history, structure and membership of the organization that sponsors the procedures; and (3) a discussion of the reasons why, in the sponsoring organization's opinion, the procedures satisfy the criteria for approval set forth in this section. Under § 4221.14(d), PBGC shall approve an application if it determines that the proposed procedures will be substantially fair to all parties involved in the arbitration of a withdrawal liability dispute and that the sponsoring organization is neutral and able to carry out its role under the procedures.

On November 20, 2015, the American Arbitration Association (AAA) requested approval of an Alternative Arbitration Procedure under section 4221 of the Employee Retirement Income Security Act of 1974 and 29 CFR 4221.14. On March 23, 2016, PBGC published notice of AAA's Request for Approval of Alternative Arbitration Procedure to advise interested persons of the request and solicit their views on it (81 FR 15578). The comments that PBGC received in response to AAA's request are available for viewing at: *http://www.pbgc.gov/prac/pg/other/guidance/multiemployer-notices.html* or *https://www.regulations.gov/document?D=PBGC-2016-0001-0001*.

PBGC provided AAA with an opportunity to respond to the comments submitted in response to AAA's request, as it deemed appropriate. On March 30, 2017, AAA responded to the comments; the response can be viewed at: *http://www.pbgc.gov/prac/pg/other/guidance/multiemployer-notices.html*.

All interested persons are invited to submit written comments to AAA's March 30, 2017 letter.

All comments will be made part of the administrative record.

Issued in Washington, DC.

W. Thomas Reeder,

Director, Pension Benefit Guaranty Corporation.

[FR Doc. 2017–12149 Filed 6–12–17; 8:45 am]

BILLING CODE 7709–02–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–80879; File No. SR–FICC–2017–010]

Self-Regulatory Organizations; Fixed Income Clearing Corporation; Notice of Designation of Longer Period for Commission Action on a Proposed Rule Change To Amend the Mortgage-Backed Securities Division Rules Concerning Use of Clearing Fund for Losses, Liabilities or Temporary Needs for Funds Incident to the Clearance and Settlement Business and Make Other Related Changes

June 7, 2017.

On April 11, 2017, Fixed Income Clearing Corporation (''FICC'') filed with the Securities and Exchange Commission (''Commission'') proposed rule change SR–FICC–2017–010 pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'') [1] and Rule 19b–4 thereunder.[2] The proposed rule change was published for comment in the **Federal Register** on April 28, 2017.[3] The Commission did not receive any comments on the proposed rule change.

Section 19(b)(2) of the Act [4] provides that within 45 days of the publication of notice of the filing of a proposed rule change, or within such longer period up to 90 days as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or as to which the self-regulatory organization consents, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved. The 45th day after publication of the notice for this proposed rule change is June 12, 2017.

The Commission is extending the 45-day time period for Commission action on the proposed rule change. The Commission finds that it is appropriate to designate a longer period within which to take action on the proposed rule change so that it has sufficient time to consider and take action on the proposed rule change.

Accordingly, pursuant to Section 19(b)(2)(A)(ii)(I) of the Act [5] and for the reasons stated above, the Commission designates July 27, 2017 as the date by

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] Securities Exchange Act Release No. 80517 (April 24, 2017), 82 FR 19771 (April 28, 2017) (SR–FICC–2017–010).

[4] 15 U.S.C. 78s(b)(2).

[5] 15 U.S.C. 78s(b)(2)(A)(ii)(I).

which the Commission shall either approve, disapprove, or institute proceedings to determine whether to disapprove proposed rule change SR–FICC–2017–010.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[6]

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2017–12156 Filed 6–12–17; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–80870]

Commission Statement Concerning a Request for an Interpretation as to Whether a Particular Agreement Is a Swap, Security-Based Swap, or Mixed Swap

AGENCY: Securities and Exchange Commission.

ACTION: Commission statement.

SUMMARY: The Securities and Exchange Commission (the ''Commission'') is publishing this statement concerning a request for an interpretation as to whether a particular agreement is a swap, security-based swap, or mixed swap.

FOR FURTHER INFORMATION CONTACT: Andrew Bernstein, Senior Special Counsel, Office of Derivatives Policy, Division of Trading and Markets, at (202) 551–5870, or Andrew Schoeffler, Special Counsel, Office of Capital Markets Trends, Division of Corporation Finance, at (202) 551–3860; U.S. Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549.

Statement

This statement pertains to a letter that Commission staff received from Breakaway Courier Corporation (''Breakaway''), through its counsel, requesting a joint interpretation from the Commission and the Commodity Futures Trading Commission (''CFTC'') pursuant to Rule 3a68–2 under the Securities Exchange Act of 1934 (''Exchange Act'') as to whether a particular agreement, contract, or transaction (or class thereof) is a swap, security-based swap, or mixed swap.[1] Breakaway's request relates to a contract labeled as a Reinsurance Participation Agreement (''RPA''), which it has previously executed with Applied Underwriters Captive Risk Assurance Company, Inc. (''AUCRA'').[2] According to Breakaway's submission, it entered into two RPAs with AUCRA, one of which has a stated effective date of July 1, 2009, and the other of July 1, 2012.

The Commission and the CFTC jointly adopted Exchange Act Rule 3a68–2 and CEA Rule 1.8 in 2012 [3] pursuant to Section 712(d)(4) of the Dodd-Frank Wall Street Reform and Consumer Protection Act (''Dodd-Frank Act'').[4] The rules established a process for parties to request a joint interpretation as to whether a particular agreement, contract, or transaction (or class thereof) is a swap, security-based swap, or a mixed swap. Among other things, the rules set forth the information required to be included in a request and a process for withdrawing a request. Rule 3a68–2 also includes requirements governing the manner and timing by which the two agencies must act after the receipt of a complete submission under the rule, if they determine to issue such joint interpretation. In addition, paragraph (e)(5) of Rule 3a68–2 provides that ''[i]f the Commission and the [CFTC] do not issue a joint interpretation within the time period described in paragraph (e)(1) or (e)(3) [of the rule], each of the Commission and the [CFTC] shall publicly provide the reasons for not issuing such a joint interpretation within the applicable timeframes.'' [5]

Pursuant to paragraph (e)(5) of Rule 3a68–2, the Commission is declining to issue a joint interpretation with the CFTC in connection with Breakaway's request.[6] The Commission understands that the status of the RPAs is already subject to ongoing private litigation and that the petitioners' request may bear directly on that litigation. We believe that the Rule 3a68–2 process is not an appropriate vehicle for litigants such as Breakaway to obtain the views of the Commission in connection with issues in ongoing litigation, and we therefore decline Breakaway's request that we state an interpretive position as to the proper characterization of the RPAs.[7]

Finally, to help ensure that requests under Rule 3a68–2 are expeditiously routed to appropriate staff, the Commission encourages market participants to provide the requests to the Office of the Secretary, with copies to the Division of Trading and Markets and the Division of Corporation Finance.

By the Commission.

Dated: June 7, 2017.

Brent J. Fields,

Secretary.

[FR Doc. 2017–12140 Filed 6–12–17; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–80876; File Nos. SR–DTC–2017–005; SR–FICC–2017–009; SR–NSCC–2017–006]

Self-Regulatory Organizations; The Depository Trust Company; Fixed Income Clearing Corporation; National Securities Clearing Corporation; Notice of Designation of Longer Period for Commission Action on Proposed Rule Changes To Adopt the Clearing Agency Stress Testing Framework (Market Risk)

June 7, 2017.

On April 7, 2017, The Depository Trust Company (''DTC''), Fixed Income Clearing Corporation (''FICC''), and National Securities Clearing Corporation (''NSCC,'' each a ''Clearing Agency'') filed with the Securities and Exchange Commission (''Commission''), respectively proposed rule changes SR–DTC–2017–005, SR–FICC–2017–009, and SR–NSCC–2017–006 (collectively, the ''Proposed Rule Changes''), pursuant to Section 19(b)(1) of the Securities

[6] 17 CFR 200.30–3(a)(31).

[1] *See* 17 CFR 240.3a68–2. The letter specifically refers to the corresponding rule for the CFTC's process, Rule 1.8 under the Commodity Exchange Act (''CEA''). 17 CFR 1.8.

[2] A copy of Breakaway's submission may be found at: *https://www.sec.gov/rules/other/2017/2017-331-tm-exhibit.pdf.*

[3] *See* Further Definition of ''Swap,'' ''Security-Based Swap,'' and ''Security-Based Swap Agreement''; Mixed Swaps; Security-Based Swap Agreement Recordkeeping, Exchange Act Release No. 67453 (Jul. 18, 2012), 77 FR 48207 (Aug. 13, 2012) (''Product Definitions Adopting Release'').

[4] *See* Dodd-Frank Wall Street Reform and Consumer Protection Act, Public Law 111–203, 124 Stat. 1376 (2010). All references to ''Title VII'' in this statement shall refer to Title VII of the Dodd-Frank Act, which established a comprehensive new regulatory framework for swaps and security-based swaps.

[5] Paragraph (e)(5) of CFTC Rule 1.8 contains identical language (other than reversing the references to the two commissions).

[6] Commission staff has consulted and coordinated with CFTC staff and understands that the CFTC will be issuing a separate statement on this matter.

[7] As we and the CFTC explained when we jointly adopted Rule 3a68–2 in 2012 (as well as the corresponding rule under the CEA), the purpose of the rule is to ''afford market participants with the opportunity to obtain greater certainty from the Commissions regarding the regulatory status of particular Title VII instruments under the Dodd-Frank Act. This provision should decrease the possibility that market participants inadvertently might fail to meet the regulatory requirements applicable to a particular Title VII instrument.'' *See* Product Definitions Adopting Release, 77 FR at 48295. We and the CFTC also noted our belief that ''it is essential that the characterization of an instrument be established prior to any party engaging in the transactions so that the appropriate regulatory schemes apply.'' *See* Product Definitions Adopting Release, 77 FR at 48297.

Exchange Act of 1934 (''Act'')[1] and Rule 19b-4 thereunder.[2] The Proposed Rule Changes were published for comment in the **Federal Register** on April 25, 2017.[3] The Commission did not receive any comment letters on the Proposed Rule Changes.

Section 19(b)(2) of the Act[4] provides that within 45 days of the publication of notice of the filing of a proposed rule change, or within such longer period up to 90 days as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or as to which the self-regulatory organization consents, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved. The 45th day after publication of the notice for the Proposed Rule Changes is June 9, 2017.

The Commission is extending the 45-day time period for Commission action on the Proposed Rule Changes. The Commission finds that it is appropriate to designate a longer period within which to take action on the Proposed Rule Changes so that it has sufficient time to consider and take action on the Proposed Rule Changes.

Accordingly, pursuant to Section 19(b)(2) of the Act[5] and for the reasons stated above, the Commission designates July 24, 2017 as the date by which the Commission shall either approve, disapprove, or institute proceedings to determine whether to disapprove proposed rule changes SR–DTC–2017–005, SR–FICC–2017–009, and SR–NSCC–2017–006.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[6]

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2017–12157 Filed 6–12–17; 8:45 am]

BILLING CODE 8011–01–P

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 80485 (April 19, 2017), 82 FR 19131 (April 25, 2017) (SR–DTC–2017–005; SR–FICC–2017–009; SR–NSCC–2017–006).

[4] 15 U.S.C. 78s(b)(2).

[5] 15 U.S.C. 78s(b)(2)(A)(ii)(I).

[6] 17 CFR 200.30–3(a)(31).

SECURITIES AND EXCHANGE COMMISSION

Sunshine Act Meeting

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Public Law 94–409, that the Securities and Exchange Commission will hold a closed meeting on Thursday, June 15, 2017 at 2 p.m.

Commissioners, Counsel to the Commissioners, the Secretary to the Commission, and recording secretaries will attend the closed meeting. Certain staff members who have an interest in the matters also may be present.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, one or more of the exemptions set forth in 5 U.S.C. 552b(c)(3), (5), (7), 9(B) and (10) and 17 CFR 200.402(a)(3), (a)(5), (a)(7), (a)(9)(ii) and (a)(10), permit consideration of the scheduled matter at the closed meeting.

Commissioner Piwowar, as duty officer, voted to consider the items listed for the closed meeting in closed session.

The subject matter of the closed meeting will be:

Institution and settlement of injunctive actions;

Institution and settlement of administrative proceedings; and

Other matters relating to enforcement proceedings.

At times, changes in Commission priorities require alterations in the scheduling of meeting items.

For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact Brent J. Fields from the Office of the Secretary at (202) 551–5400.

Dated: June 8, 2017.

Brent J. Fields,

Secretary.

[FR Doc. 2017–12273 Filed 6–9–17; 11:15 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–80869; File No. SR–MIAX–2017–27]

Self-Regulatory Organizations; Miami International Securities Exchange LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend MIAX Options Rule 406, Long Term Option Contracts

June 7, 2017.

Pursuant to the provisions of Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on June 6, 2017, Miami International Securities Exchange, LLC (''MIAX Options'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') a proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange is filing a proposal to make a technical amendment to Exchange Rule 406, Long Term Option Contracts.

The text of the proposed rule change is available on the Exchange's Web site at *http://www.miaxoptions.com/rule-filings,* at MIAX's principal office, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange is proposing to amend Exchange Rule 406, Long Term Option Contracts, to make clarifying changes to the Rule, as described below.

Currently, Exchange Rule 406(a) states that the Exchange may list long-term option contracts that expire from twelve (12) to thirty-nine (39) months from the time they are listed. The Exchange proposes to amend Rule 406(a) by defining expirations from twelve (12) to thirty-nine (39) months from the time the option is listed as ''long-term expiration months.''

Rule 406(a) states that there may be ''up to six additional expiration months.'' As currently written, the Rule does not specify which expiration months the six months are in addition to, or whether that means that there may be a total of six long-term expiration months (six long-term expiration months in addition to existing non-long-

term expiration months) or a total of seven expiration months (one long term expiration month plus six additional long-term expiration months), and thus is ambiguous. Accordingly, for clarity, the Exchange proposes to delete the word ''additional'' from Rule 406(a). As amended, the rule would clearly and simply provide that the Exchange may list up to six long-term expiration months (*i.e.,* that expire from twelve up to thirty-nine months from the time they are listed).

Finally, in order to further clarify the Rule, the Exchange is proposing to amend Rule 406(a) to state that there may be up to six (6) long-term expiration months per option class. Thus, there is no limit to the number of option classes for which the Exchange could list options with long-term expiration months; the rule will now clearly state that there may be up to six long-term expiration months per class, *i.e.,* for any class(es) in which the Exchange determines to list options with long-term expiration months.

2. Statutory Basis

MIAX believes that its proposed rule change is consistent with Section 6(b) of the Act [3] in general, and furthers the objectives of Section 6(b)(5) of the Act [4] in particular, in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in facilitating transactions in securities, to remove impediments to and perfect the mechanisms of a free and open market and a national market system and, in general, to protect investors and the public interest, by clarifying rule language associated with permitted listings of long term options on the Exchange.

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 will have no impact on competition as it is not designed to address any competitive issues but rather to add additional clarity to, and remedy possible conflicts in, the Exchange's Rules.

The Exchange does not believe that the proposed rule changes will impose any burden on intermarket competition as the Rules apply equally to all Exchange Members.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act [5] and subparagraph (f)(6) of Rule 19b–4 thereunder.[6]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

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 No. SR–MIAX–2017–27 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090.

All submissions should refer to File No. SR–MIAX–2017–27. 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 No. SR–MIAX–2017–27, and should be submitted on or before July 5, 2017.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[7]

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2017–12151 Filed 6–12–17; 8:45 am]

BILLING CODE 8011–01–P

[3] 15 U.S.C. 78f(b).

[4] 15 U.S.C. 78f(b)(5).

[5] 15 U.S.C. 78s(b)(3)(A).

[6] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

[7] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–80878; File Nos. SR–DTC–2017–003, SR–NSCC–2017–004, SR–FICC–2017–007]

Self-Regulatory Organizations; The Depository Trust Company; National Securities Clearing Corporation; Fixed Income Clearing Corporation; Notice of Designation of Longer Period for Commission Action on Proposed Rule Changes, as Modified by Amendments No. 1, To Adopt the Clearing Agency Policy on Capital Requirements and the Clearing Agency Capital Replenishment Plan

June 7, 2017.

On April 6, 2017, The Depository Trust Company (''DTC''), National Securities Clearing Corporation (''NSCC''), and Fixed Income Clearing

Corporation (''FICC,'' and together with DTC and NSCC, the ''Clearing Agencies''), filed with the Securities and Exchange Commission (''Commission'') proposed rule changes SR–DTC–2017–003, SR–NSCC–2017–004, SR–FICC–2017–007, respectively, pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'') [1] and Rule 19b–4 thereunder.[2] On April 13, 2017, the Clearing Agencies filed Amendments No. 1 to the proposed rule changes, which made technical corrections to the page numbers and the Table of Contents in the Exhibit 5s. The proposed rule changes, as modified by Amendments No. 1 (hereinafter, ''Proposed Rule Changes''), were published for comment in the **Federal Register** on April 25, 2017.[3] The Commission did not receive any comments on the Proposed Rule Changes.

Section 19(b)(2) of the Act [4] provides that within 45 days of the publication of notice of the filing of a proposed rule change, or within such longer period up to 90 days as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or as to which the self-regulatory organization consents, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved. The 45th day after publication of the notice for the Proposed Rule Changes is June 9, 2017.

The Commission is extending the 45-day time period for Commission action on the Proposed Rule Changes. The Commission finds that it is appropriate to designate a longer period within which to take action on the Proposed Rule Changes so that it has sufficient time to consider and take action on the Proposed Rule Changes.

Accordingly, pursuant to Section 19(b)(2) of the Act [5] and for the reasons stated above, the Commission designates July 24, 2017 as the date by which the Commission shall either approve, disapprove, or institute proceedings to determine whether to disapprove proposed rule changes SR–DTC–2017–003, SR–NSCC–2017–004, and SR–FICC–2017–007.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[6]

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2017–12155 Filed 6–12–17; 8:45 am]

BILLING CODE 8011–01–P

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] Securities Exchange Act Release No. 80491 (April 19, 2017), 82 FR 19127 (April 25, 2017) (SR–DTC–2017–003, SR–NSCC–2017–004, SR–FICC–2017–007).

[4] 15 U.S.C. 78s(b)(2).

[5] 15 U.S.C. 78s(b)(2)(A)(ii)(I).

[6] 17 CFR 200.30–3(a)(31).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–80877; File Nos. SR–DTC–2017–004; SR–NSCC–2017–005; SR–FICC–2017–008]

Self-Regulatory Organizations; The Depository Trust Company; National Securities Clearing Corporation; Fixed Income Clearing Corporation; Notice of Designation of Longer Period for Commission Action on Proposed Rule Changes, as Modified by Amendments No. 1, To Adopt the Clearing Agency Liquidity Risk Management Framework

June 7, 2017.

On April 6, 2017, The Depository Trust Company (''DTC''), National Securities Clearing Corporation (''NSCC''), and Fixed Income Clearing Corporation (''FICC,'' and together with DTC and NSCC, the ''Clearing Agencies''), filed with the Securities and Exchange Commission (''Commission'') proposed rule changes SR–DTC–2017–004, SR–NSCC–2017–005, SR–FICC–2017–008, respectively, pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'') [1] and Rule 19b–4 thereunder.[2] On April 13, 2017, the Clearing Agencies filed Amendments No. 1 to the proposed rule changes, which made technical corrections to the page numbers and the Table of Contents in the Exhibit 5s. The proposed rule changes, as modified by Amendments No. 1 (hereinafter, ''Proposed Rule Changes''), were published for comment in the **Federal Register** on April 25, 2017.[3] The Commission did not receive any comments on the Proposed Rule Changes.

Section 19(b)(2) of the Act [4] provides that within 45 days of the publication of notice of the filing of a proposed rule change, or within such longer period up to 90 days as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or as to which the self-regulatory organization consents, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved. The 45th day after publication of the notice for the Proposed Rule Changes is June 9, 2017.

The Commission is extending the 45-day time period for Commission action on the Proposed Rule Changes. The Commission finds that it is appropriate to designate a longer period within which to take action on the Proposed Rule Changes so that it has sufficient time to consider and take action on the Proposed Rule Changes.

Accordingly, pursuant to Section 19(b)(2) of the Act [5] and for the reasons stated above, the Commission designates July 24, 2017 as the date by which the Commission shall either approve, disapprove, or institute proceedings to determine whether to disapprove proposed rule changes SR–DTC–2017–004, SR–NSCC–2017–005, and SR–FICC–2017–008.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[6]

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2017–12154 Filed 6–12–17; 8:45 am]

BILLING CODE 8011–01–P

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] Securities Exchange Act Release No. 80489 (April 19, 2017), 82 FR 19120 (April 25, 2017) (SR–DTC–2017–004, SR–NSCC–2017–005, SR–FICC–2017–008).

[4] 15 U.S.C. 78s(b)(2).

[5] 15 U.S.C. 78s(b)(2).

[6] 17 CFR 200.30–3(a)(31).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–80873; File No. SR–ISE–2017–51]

Self-Regulatory Organizations; Nasdaq ISE, LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Remove Chapter 21 From the ISE Rulebook

June 7, 2017.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on June 5, 2017, Nasdaq ISE, LLC (''ISE'' or ''Exchange'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission'') the proposed rule change as described in Items I, II, and III, below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to remove Chapter 21, entitled ''ISE Stock Exchange, LLC Trading Rules'' from the ISE Rulebook.

The text of the proposed rule change is available on the Exchange's Web site at *www.ise.com,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of this rule change is to remove Chapter 21, entitled ''ISE Stock Exchange, LLC Trading Rules'' from the ISE Rulebook. The Exchange is not currently operating an equities market on ISE. At this time, the Exchange proposes to remove Chapter 21 rules related to an equities market and reserve that section. The Exchange also proposes to remove any cross-references to Chapter 21 within the ISE Rules.[3]

In 2006, ISE received approval to adopt rules to govern its electronic trading system for equity securities.[4] The rules in Chapter 21 were adopted at that time. These rules govern the operation of the ISE Stock Exchange, LLC (''ISE Stock Exchange''),[5] an electronic trading system for equity securities. In addition, certain options rules are incorporated into Chapter 21 by reference to those rules for the trading of equity securities on the ISE Stock Exchange.

ISE Stock Exchange operated until December 23, 2008, at which time, ISE merged ISE Stock Exchange with a wholly-owned subsidiary of Direct Edge Holdings LLC (''Direct Edge'').[6] For a period of time after which ISE ceased operating the equities business, ISE, pursuant to a regulatory services agreement, conducted various regulatory services on behalf of EDGX Exchange, Inc. until such time as EDGX received its registration in 2010.[7]

At this time, ISE is proposing to remove all rules in Chapter 21 from the ISE Rulebook, along with the references to Chapter 21 in other ISE rules. The Exchange would file a proposed rule change to adopt new rules if it determines to operate an equities market in the future.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,[8] in general, and furthers the objectives of Section 6(b)(5) of the Act,[9] in particular, in that it is designed to promote just and equitable principles of trade, 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 for the reasons stated below. The Exchange is currently not operating an equities market and has not operated an equities market since December 2008. The Exchange desires to remove the rules relating to an equities market from its Rulebook at this time as well as references to Chapter 21 in other ISE rules. The Exchange believes that the removal of the rules and cross-references are consistent with the Act to perfect the mechanism of a free and open market and a national market system, and, in general to protect investors and the public interest in avoiding any confusion the operation of these rules.

Today, ISE operates an options market which will not be impacted by the removal of the Chapter 21 rules and cross-references to Chapter 21. The remainder of the Rulebook concerns the operation of the options product.

The Exchange does not believe that the remove of Chapter 21 and cross-references to Chapter 21 will materially impact members on ISE as such trading has not occurred since late 2008.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any undue burden on competition not necessary or appropriate in furtherance of the purposes of the Act. The proposal would eliminate confusion with respect to ISE's offerings. The Exchange does not believe that this proposal imposes any burden on competition because there are many venues today which offer trading in equities products. The Exchange does not believe that the removal of Chapter 21 and cross-references to Chapter 21 will materially impact members on ISE as such trading has not occurred since December 2008. Also, the options market will not be impacted by the removal of the Chapter 21 rules and cross-references to Chapter 21.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A)(iii) of the Act[10] and subparagraph (f)(6) of Rule 19b–4 thereunder.[11]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is: (i) Necessary or appropriate in the public interest; (ii) for the protection

[3] *See* ISE Rules 100(a)(4), (7), (29), (34), Rule 500 and Rule 702.

[4] *See* Securities and Exchange Act Release No. 54528 (September 28, 2006), 71 FR 58650 (October 4, 2006) (Order Approving Proposed Rule Change and Notice of Filing and Order Granting Accelerated Approval of Amendment No. 1 Thereto Relating to the Adoption of Rules To Govern Its Electronic Trading System for Equities) (SR–ISE–2006–48).

[5] On September 1, 2006, the Commission approved a proposed rule change establishing the ISE Stock Exchange as a ''facility,'' as defined in Section 3(a)(2) of the Act, of the Exchange. *See* Securities Exchange Act Release No. 54399, 71 FR 53728 (September 12, 2006) (SR–ISE–2006–45).

[6] *See* Securities and Exchange Act Release No. 59135 (December 22, 2008); 73 FR 79954 (December 30, 2008) (SR–ISE–2008–85).

[7] *See* Securities and Exchange Act Release No. 61698 (March 12, 2010); 75 FR 13151 (March 18, 2010) (File Nos. 10–194 and 10–196) (In the Matter of the Applications of EDGX Exchange, Inc., and EDGA Exchange, Inc. for Registration as National Securities Exchanges; Findings, Opinion, and Order of the Commission.)

[8] 15 U.S.C. 78f(b).

[9] 15 U.S.C. 78f(b)(5).

[10] 15 U.S.C. 78s(b)(3)(A)(iii).

[11] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

of investors; or (iii) otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–ISE–2017–51 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090.

All submissions should refer to File Number SR–ISE–2017–51. 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–ISE–2017–51 and should be submitted on or before July 5, 2017.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[12]

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2017–12152 Filed 6–12–17; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–80875; File No. SR–PEARL–2017–26]

Self-Regulatory Organizations; MIAX PEARL, LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend the MIAX PEARL Fee Schedule To Establish an Options Regulatory Fee (''ORF'')

June 7, 2017.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on May 26, 2017, MIAX PEARL, LLC (''MIAX PEARL'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') a proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange is filing a proposal to amend the MIAX PEARL Fee Schedule (the ''Fee Schedule'') by establishing an Options Regulatory Fee (''ORF'').

The Exchange initially filed the proposal on February 3, 2017 (SR–PEARL–2017–09).[3] That initial filing was withdrawn and replaced with a second filing on March 30, 2017 (SR–PEARL–2017–15).[4] That second filing was withdrawn and replaced with a third filing on May 26, 2017 (SR–PEARL–2017–26).

The text of the proposed rule change is available on the Exchange's Web site at *http://www.miaxoptions.com/rule-filings/pearl,* at MIAX's principal office, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

Currently, the Exchange charges an ORF in the amount of $0.0010 per contract side. The proposed rule change does not change the amount of the ORF, but instead modifies the rule text to clarify how the ORF is assessed and collected. The per-contract ORF will continue to be assessed by MIAX PEARL to each MIAX PEARL Member for all options transactions, including Mini Options, cleared or ultimately cleared by the Member which are cleared by the Options Clearing Corporation (''OCC'') in the ''customer'' range, regardless of the exchange on which the transaction occurs. The ORF will be collected by OCC on behalf of MIAX PEARL from either (1) a Member that was the ultimate clearing firm for the transaction or (2) a non-Member that was the ultimate clearing firm where a Member was the executing clearing firm for the transaction. The Exchange uses reports from OCC to determine the identity of the executing clearing firm and ultimate clearing firm.

To illustrate how the ORF is assessed and collected, the Exchange provides the following set of examples. If the transaction is executed on the Exchange and the ORF is assessed, if there is no change to the clearing account of the original transaction, then the ORF is collected from the Member that is the executing clearing firm for the transaction. (The Exchange notes that, for purposes of the Fee Schedule, when there is no change to the clearing account of the original transaction, the executing clearing firm is deemed to be the ultimate clearing firm.) If there is a change to the clearing account of the original transaction (*i.e.,* the executing clearing firm ''gives-up'' or ''CMTAs'' the transaction to another clearing firm), then the ORF is collected from the

---

[12] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 80035 (February 14, 2017), 82 FR 11272 (February 21, 2017)(SR–PEARL–2017–09).

[4] *See* Securities Exchange Act Release No. 80423 (April 10, 2017), 82 FR 18045 (April 14, 2017)(SR–PEARL–2017–15). The replacement filings did not increase or decrease the amount of the ORF, but rather clarified the application of the ORF.

clearing firm that ultimately clears the transaction—the ultimate clearing firm. The ultimate clearing firm may be either a Member or non-Member of the Exchange. If the transaction is executed on an away exchange and the ORF is assessed, then the ORF is collected from the ultimate clearing firm for the transaction. Again, the ultimate clearing firm may be either a Member or non-Member of the Exchange. The Exchange notes, however, that when the transaction is executed on an away exchange, the Exchange does not assess the ORF when neither the executing clearing firm nor the ultimate clearing firm is a Member (even if a Member is ''given-up'' or ''CMTAed'' and then such Member subsequently ''gives-up'' or ''CMTAs'' the transaction to another non-Member via a CMTA reversal). Finally, the Exchange will not assess the ORF on outbound linkage trades, whether executed at the Exchange or an away exchange. ''Linkage trades'' are tagged in the Exchange's system, so the Exchange can readily tell them apart from other trades. A customer order routed to another exchange results in two customer trades, one from the originating exchange and one from the recipient exchange. Charging ORF on both trades could result in double-billing of ORF for a single customer order, thus the Exchange will not assess ORF on outbound linkage trades in a linkage scenario. This assessment practice is identical to the assessment practice currently utilized by the Exchange's affiliate, Miami International Securities Exchange, LLC (''MIAX Options'').

As a practical matter, when a transaction that is subject to the ORF is not executed on the Exchange, the Exchange lacks the information necessary to identify the order entering member for that transaction. There are countless order entering market participants, and each day such participants can and often do drop their connection to one market center and establish themselves as participants on another. For these reasons, it is not possible for the Exchange to identify, and thus assess fees such as an ORF, on order entering participants on away markets on a given trading day.

Clearing members, however, are distinguished from order entering participants because they remain identified to the Exchange on information the Exchange receives from OCC regardless of the identity of the order entering participant, their location, and the market center on which they execute transactions. Therefore, the Exchange believes it is more efficient for the operation of the Exchange and for the marketplace as a whole to collect the ORF from clearing members.

As discussed below, the Exchange believes it is appropriate to charge the ORF only to transactions that clear as customer at the OCC. The Exchange believes that its broad regulatory responsibilities with respect to a Member's' activities supports applying the ORF to transactions cleared but not executed by a Member. The Exchange's regulatory responsibilities are the same regardless of whether a Member enters a transaction or clears a transaction executed on its behalf. The Exchange regularly reviews all such activities, including performing surveillance for position limit violations, manipulation, front-running, contrary exercise advice violations and insider trading. These activities span across multiple exchanges.

The ORF is designed to recover a material portion of the costs to the Exchange of the supervision and regulation of Members' customer options business, including performing routine surveillances and investigations, as well as policy, rulemaking, interpretive and enforcement activities. The Exchange believes that revenue generated from the ORF, when combined with all of the Exchange's other regulatory fees and fines, will cover a material portion, but not all, of the Exchange's regulatory costs. The Exchange notes that its regulatory responsibilities with respect to Member compliance with options sales practice rules have been allocated to the Financial Industry Regulatory Authority (''FINRA'') under a 17d–2 Agreement. The ORF is not designed to cover the cost of options sales practice regulation.

The Exchange will continue to monitor the amount of revenue collected from the ORF to ensure that it, in combination with its other regulatory fees and fines, does not exceed the Exchange's total regulatory costs. The Exchange expects to monitor MIAX PEARL regulatory costs and revenues at a minimum on a semi-annual basis. If the Exchange determines regulatory revenues exceed or are insufficient to cover a material portion of its regulatory costs, the Exchange will adjust the ORF by submitting a fee change filing to the Commission. Going forward, the Exchange will notify Members of adjustments to the ORF via regulatory circular at least 30 days prior to the effective date of the change.

The Exchange believes it is reasonable and appropriate for the Exchange to charge the ORF for options transactions regardless of the exchange on which the transactions occur. The Exchange has a statutory obligation to enforce compliance by Members and their associated persons under the Act and the rules of the Exchange and to surveil for other manipulative conduct by market participants (including non-Members) trading on the Exchange. The Exchange cannot effectively surveil for such conduct without looking at and evaluating activity across all options markets. Many of the Exchange's market surveillance programs require the Exchange to look at and evaluate activity across all options markets, such as surveillance for position limit violations, manipulation, front-running and contrary exercise advice violations/expiring exercise declarations. While much of this activity relates to the execution of orders, the ORF is assessed on and collected from clearing firms. The Exchange, because it lacks access to information on the identity of the entering firm for executions that occur on away markets, believes it is appropriate to assess the ORF on its Members' clearing activity, based on information the Exchange receives from OCC, including for away market activity. Among other reasons, doing so better and more accurately captures activity that occurs away from the Exchange over which the Exchange has a degree of regulatory responsibility. In so doing, the Exchange believes that assessing ORF on Member clearing firms equitably distributes the collection of ORF in a fair and reasonable manner. Also, the Exchange and the other options exchanges are required to populate a consolidated options audit trail (''COATS'') [5] system in order to surveil a Member's activities across markets.

In addition to its own surveillance programs, the Exchange works with other SROs and exchanges on intermarket surveillance related issues. Through its participation in the Intermarket Surveillance Group (''ISG''),[6] the Exchange shares information and coordinates inquiries and investigations with other exchanges designed to address potential intermarket manipulation and trading abuses. The Exchange's participation in ISG helps it to satisfy the requirement that it has coordinated surveillance with

[5] COATS effectively enhances intermarket options surveillance by enabling the options exchanges to reconstruct the market promptly to effectively surveil certain rules.

[6] ISG is an industry organization formed in 1983 to coordinate intermarket surveillance among the SROs by co-operatively sharing regulatory information pursuant to a written agreement between the parties. The goal of the ISG's information sharing is to coordinate regulatory efforts to address potential intermarket trading abuses and manipulations.

markets on which security futures are traded and markets on which any security underlying security futures are traded to detect manipulation and insider trading.[7]

The Exchange believes that charging the ORF across markets will avoid having Members direct their trades to other markets in order to avoid the fee and to thereby avoid paying for their fair share for regulation. If the ORF did not apply to activity across markets then a Member would send their orders to the least cost, least regulated exchange. Other exchanges do impose a similar fee on their member's activity, including the activity of those members on MIAX PEARL.[8]

The Exchange notes that there is established precedent for an SRO charging a fee across markets, namely, FINRAs Trading Activity Fee[9] and the NYSE Amex, NYSE Arca, CBOE, PHLX, ISE, ISE Gemini and BOX ORF. While the Exchange does not have all the same regulatory responsibilities as FINRA, the Exchange believes that, like other exchanges that have adopted an ORF, its broad regulatory responsibilities with respect to a Member's activities, irrespective of where their transactions take place, supports a regulatory fee applicable to transactions on other markets. Unlike FINRA's Trading Activity Fee, the ORF would apply only to a Member's customer options transactions.

Additionally, the Exchange proposes to specify in the Fee Schedule that the Exchange may only increase or decrease the ORF semi-annually, and any such fee change will be effective on the first business day of February or August. In addition to submitting a proposed rule change to the Commission as required by the Act to increase or decrease the ORF, the Exchange will notify participants via a Regulatory Circular of any anticipated change in the amount of the fee at least 30 calendar days prior to the effective date of the change. The Exchange believes that by providing guidance on the timing of any changes to the ORF, the Exchange would make it easier for participants to ensure their systems are configured to properly account for the ORF.

2. Statutory Basis

The Exchange believes that its proposal to amend its fee schedule is consistent with Section 6(b) of the Act[10] in general, and furthers the objectives of Section 6(b)(4) of the Act[11] in particular, in that it is an equitable allocation of reasonable dues, fees, and other charges among its members and issuers and other persons using its facilities. The Exchange also believes the proposal furthers the objectives of Section 6(b)(5) of the Act[12] in that it is designed to promote just and equitable principles of trade, 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 and dealers.

The Exchange believes the ORF is equitable and not unfairly discriminatory because it is objectively allocated to Members in that it is charged to all Members on all their transactions that clear as customer at the OCC. Moreover, the Exchange believes the ORF ensures fairness by assessing fees to those Members that are directly based on the amount of customer options business they conduct. Regulating customer trading activity is much more labor intensive and requires greater expenditure of human and technical resources than regulating non-customer trading activity, which tends to be more automated and less labor-intensive. As a result, the costs associated with administering the customer component of the Exchange's overall regulatory program are materially higher than the costs associated with administering the non-customer component (*e.g.,* Member proprietary transactions) of its regulatory program.

The ORF is designed to recover a material portion of the costs of supervising and regulating Members' customer options business including performing routine surveillances, investigations, examinations, financial monitoring, and policy, rulemaking, interpretive, and enforcement activities. The Exchange will monitor, on at least a semi-annual basis the amount of revenue collected from the ORF to ensure that it, in combination with its other regulatory fees and fines, does not exceed the Exchange's total regulatory costs. The Exchange has designed the ORF to generate revenues that, when combined with all of the Exchange's other regulatory fees, will be less than or equal to the Exchange's regulatory costs, which is consistent with the Commission's view that regulatory fees be used for regulatory purposes and not to support the Exchange's business side. In this regard, the Exchange believes that the initial level of the fee is reasonable.

The Exchange believes that the proposal to limit changes to the ORF to twice a year on specific dates with advance notice is reasonable because it will give participants certainty on the timing of changes, if any, and better enable them to properly account for ORF charges among their customers. The Exchange believes that the proposed change is equitable and not unfairly discriminatory because it will apply in the same manner to all Members that are subject to the ORF and provide them with additional advance notice of changes to that fee.

The Exchange believes that the proposal to collect the ORF from non-Members when such non-Members ultimately clear the transaction (that is, when the non-Member is the ''ultimate clearing firm'' for a transaction in which a Member was assessed the ORF) is an equitable allocation of reasonable dues, fees, and other charges among its members and issuers and other persons using its facilities. The Exchange notes that there is a material distinction between ''assessing'' the ORF and ''collecting'' the ORF. The ORF is only assessed to a Member with respect to a particular transaction in which it is either the executing clearing firm or ultimate clearing firm. The Exchange does not assess the ORF to non-Members. Once, however, the ORF is assessed to a Member for a particular transaction, the ORF may be collected from the Member or a non-Member, depending on how the transaction is cleared at OCC. If there was no change to the clearing account of the original transaction, the ORF would be collected from the Member. If there was a change to the clearing account of the original transaction and a non-Member becomes the ultimate clearing firm for that transaction, then the ORF will be collected from that non-Member. The Exchange believes that this collection practice is reasonable and appropriate, and was originally instituted for the benefit of clearing firms that desired to have the ORF be collected from the clearing firm that ultimately clears the transaction.

[7] *See* Section 6(h)(3)(I) of the Act.

[8] Similar regulatory fees have been instituted by PHLX (*See* Securities Exchange Act Release No. 61133 (December 9, 2009), 74 FR 66715 (December 16, 2009) (SR–Phlx–2009–100)); ISE (*See* Securities Exchange Act Release No. 61154 (December 11, 2009), 74 FR 67278 (December 18, 2009) (SR–ISE–2009–105)); and ISE Gemini (*See* Securities Exchange Act Release No. 70200 (August 14, 2013) 78 FR 51242 (August 20, 2013) (SR–Topaz–2013–01)).

[9] *See* Securities Exchange Act Release No. 47946 (May 30, 2003), 68 FR 34021 (June 6, 2003) (SR–NASD–2002–148).

[10] 15 U.S.C. 78f(b).

[11] 15 U.S.C. 78f(b)(4).

[12] 15 U.S.C. 78f(b)(5).

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. The ORF is not intended to have any impact on competition. Rather, it is designed to enable the Exchange to recover a material portion of the Exchange's cost related to its regulatory activities. The Exchange is obligated to ensure that the amount of regulatory revenue collected from the ORF, in combination with its other regulatory fees and fines, does not exceed regulatory costs. Unilateral action by MIAX PEARL in establishing fees for services provided to its Members and others using its facilities will not have an impact on competition. As a new entrant in the already highly competitive environment for equity options trading, MIAX PEARL does not have the market power necessary to set prices for services that are unreasonable or unfairly discriminatory in violation of the Act. MIAX PEARL's proposed ORF, as described herein, are comparable to fees charged by other options exchanges for the same or similar services. The proposal to limit the changes to the ORF to twice a year on specific dates with advance notice is not intended to address a competitive issue but rather to provide Members with better notice of any change that the Exchange may make to the ORF.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(ii) of the Act,[13] and Rule 19b–4(f)(2)[14] thereunder. At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File No. SR-PEARL–2017–26 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090.

All submissions should refer to File No. SR–PEARL–2017–26. 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 No. SR–PEARL–2017–26, and should be submitted on or before July 5, 2017.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[15]

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2017–12153 Filed 6–12–17; 8:45 am]

BILLING CODE 8011–01–P

[13] 15 U.S.C. 78s(b)(3)(A)(ii).

[14] 17 CFR 240.19b–4(f)(2).

[15] 17 CFR 200.30–3(a)(12).

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #15155 and #15156; OKLAHOMA Disaster #OK–00114]

Administrative Declaration of a Disaster for the State of Oklahoma

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is a notice of an Administrative declaration of a disaster for the State of Oklahoma dated 06/06/2017.

Incident: Tornadoes, Straight-line Winds, Flooding and Severe Storms.

Incident Period: 05/16/2017 through 05/19/2017.

DATES: Effective 06/06/2017.

Physical Loan Application Deadline Date: 08/07/2017.

Economic Injury (EIDL) Loan Application Deadline Date: 03/06/2018.

ADDRESSES: Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

FOR FURTHER INFORMATION CONTACT: A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street SW., Suite 6050, Washington, DC 20416, (202) 205–6734.

SUPPLEMENTARY INFORMATION: Notice is hereby given that as a result of the Administrator's disaster declaration, applications for disaster loans may be filed at the address listed above or other locally announced locations.

The following areas have been determined to be adversely affected by the disaster:

Primary Counties: Beckham

Contiguous Counties:

Oklahoma: Custer, Greer, Harmon, Kiowa, Roger Mills, Washita

Texas: Collingsworth, Wheeler

The Interest Rates are:

	Percent
For Physical Damage:	
Homeowners with Credit Available Elsewhere	3.875
Homeowners without Credit Available Elsewhere	1.938

	Percent
Businesses with Credit Available Elsewhere	6.430
Businesses without Credit Available Elsewhere	3.215
Non-Profit Organizations with Credit Available Elsewhere	2.500
Non-Profit Organizations without Credit Available Elsewhere	2.500
For Economic Injury:	
Businesses & Small Agricultural Cooperatives without Credit Available Elsewhere	3.215
Non-Profit Organizations without Credit Available Elsewhere	2.500

The number assigned to this disaster for physical damage is 15155C and for economic injury is 151560.

The States which received an EIDL Declaration # are Oklahoma, Texas.

(Catalog of Federal Domestic Assistance Number 59008)

Dated: June 6, 2017.

Linda E. McMahon,

Administrator.

[FR Doc. 2017–12183 Filed 6–12–17; 8:45 am]

BILLING CODE 8025–01–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #15157 and #15158; Pennsylvania Disaster #PA–00080]

Administrative Declaration of a Disaster for the Commonwealth of Pennsylvania

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is a notice of an Administrative declaration of a disaster for the Commonwealth of Pennsylvania dated 06/07/2017.

Incident: Seventeen Story Apartment Building Fire.

Incident Period: 05/15/2017.

DATES: Effective 06/07/2017.

Physical Loan Application Deadline Date: 08/07/2017.

Economic Injury (EIDL) Loan Application Deadline Date: 03/07/2018.

ADDRESSES: Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

FOR FURTHER INFORMATION CONTACT: A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street SW., Suite 6050, Washington, DC 20416, (202) 205–6734.

SUPPLEMENTARY INFORMATION: Notice is hereby given that as a result of the Administrator's disaster declaration, applications for disaster loans may be filed at the address listed above or other locally announced locations.

The following areas have been determined to be adversely affected by the disaster:

Primary Counties: Allegheny

Contiguous Counties:

Pennsylvania: Armstrong, Beaver, Butler, Washington, Westmoreland

The Interest Rates are:

	Percent
For Physical Damage:	
Homeowners With Credit Available Elsewhere	3.875
Homeowners Without Credit Available Elsewhere	1.938
Businesses With Credit Available Elsewhere	6.430
Businesses Without Credit Available Elsewhere	3.215
Non-Profit Organizations With Credit Available Elsewhere	2.500
Non-Profit Organizations Without Credit Available Elsewhere	2.500
For Economic Injury:	
Businesses & Small Agricultural Cooperatives Without Credit Available Elsewhere	3.215
Non-Profit Organizations Without Credit Available Elsewhere	2.500

The number assigned to this disaster for physical damage is 15157 5 and for economic injury is 15158 0.

The Commonwealth which received an EIDL Declaration # is Pennsylvania.

(Catalog of Federal Domestic Assistance Number 59008)

Dated: June 7, 2017.

Linda E. McMahon,

Administrator.

[FR Doc. 2017–12181 Filed 6–12–17; 8:45 am]

BILLING CODE 8025–01–P

SMALL BUSINESS ADMINISTRATION

Surrender of License of Small Business Investment Company

Pursuant to the authority granted to the United States Small Business Administration under the Small Business Investment Act of 1958, as amended, under Section 309 of the Act and Section 107.1900 of the Small Business Administration Rules and Regulations (13 CFR 107.1900) to function as a small business investment company under the Small Business Investment Company License No. 03/03–0236 issued to Legg Mason SBIC Mezzanine Fund, L.P., said license is hereby declared null and void. United States Small Business Administration

Dated: May 31, 2017.

A. Joseph Shepard,

Associate Administrator for Investment and Innovation.

[FR Doc. 2017–12180 Filed 6–12–17; 8:45 am]

BILLING CODE P

DEPARTMENT OF STATE

[Delegation of Authority: 426]

Delegation of Authority To Concur With Exchanges of Defense Personnel

By virtue of the authority vested in the Secretary of State by the laws of the United States, including section 1 of the State Department Basic Authorities Act (22 U.S.C. 2651a) and 10 U.S.C. 311, I hereby delegate to the Assistant Secretary for Political-Military Affairs, to the extent authorized by law, the authority to concur with the Secretary of Defense on exchanges of defense personnel between the United States and friendly foreign countries pursuant to 10 U.S.C. 311.

Notwithstanding this delegation of authority, any function or authority delegated herein may be exercised by the Secretary, a Deputy Secretary, the Under Secretary for Arms Control and International Security, or by other senior Department officials pursuant to a delegation of authority. Any reference in this delegation of authority to any statute or delegation of authority shall be deemed to be a reference to such statute or delegation of authority as amended from time to time.

This delegation of authority shall be published in the **Federal Register**.

Dated: May 4, 2017.

Rex W. Tillerson,

Secretary of State.

[FR Doc. 2017–12196 Filed 6–12–17; 8:45 am]

BILLING CODE 4710–25–P

DEPARTMENT OF STATE

[Delegation of Authority: 427]

Delegation of Authority To Concur With Payment of Personnel Expenses Necessary for Theater Security Cooperation

By virtue of the authority vested in the Secretary of State by the laws of the United States, including section 1 of the State Department Basic Authorities Act (22 U.S.C. 2651a) and 10 U.S.C. 312, I hereby delegate to the Assistant Secretary for Political-Military Affairs, to the extent authorized by law, the authority to concur with the Secretary of Defense on payments of personnel

expenses necessary for theater security cooperation pursuant to 10 U.S.C. 312.

Notwithstanding this delegation of authority, any function or authority delegated herein may be exercised by the Secretary, a Deputy Secretary, the Under Secretary for Arms Control and International Security, or by other senior Department officials pursuant to a delegation of authority. Any reference in this delegation of authority to any statute or delegation of authority shall be deemed to be a reference to such statute or delegation of authority as amended from time to time.

This delegation of authority shall be published in the **Federal Register**.

Dated: May 4, 2017.

Rex W. Tillerson,

Secretary of State.

[FR Doc. 2017–12197 Filed 6–12–17; 8:45 am]

BILLING CODE 4710–25–P

DEPARTMENT OF STATE

[Delegation of Authority: 436]

Delegation of Authority To Concur With Secretary of Defense on Providing Assistance for the Recovery and Accounting for Missing United States Government Personnel

By virtue of the authority vested in the Secretary of State by the laws of the United States, including 22 U.S.C. 2651a and 10 U.S.C. 408(c), I hereby delegate to the Assistant Secretary for Political-Military Affairs, to the extent authorized by law, the authority to concur with the Secretary of Defense on providing assistance under 10 U.S.C. 408.

Notwithstanding this delegation of authority, any function or authority delegated herein may be exercised by the Secretary, a Deputy Secretary, the Under Secretary for Arms Control and International Security, or by other senior Department officials pursuant to a delegation of authority. Any reference in this delegation of authority to any statute or delegation of authority shall be deemed to be a reference to such statute or delegation of authority as amended from time to time.

This delegation of authority shall be published in the **Federal Register**.

Dated: May 4, 2017.

Rex W. Tillerson,

Secretary of State.

[FR Doc. 2017–12205 Filed 6–12–17; 8:45 am]

BILLING CODE 4710–25–P

DEPARTMENT OF STATE

[Delegation of Authority: 435]

Delegation of Authority To Concur With Secretary of Defense on Inter-European Air Forces Academy Programs

By virtue of the authority vested in the Secretary of State by the laws of the United States, including section 1 of the State Department Basic Authorities Act (22 U.S.C. 2651a) and 10 U.S.C. 350, I hereby delegate to the Assistant Secretary for Political-Military Affairs, to the extent authorized by law, the authority to concur with the Secretary of Defense on providing education and training under 10 U.S.C. 350.

Notwithstanding this delegation of authority, any function or authority delegated herein may be exercised by the Secretary, a Deputy Secretary, the Under Secretary for Arms Control and International Security, or by other senior Department officials pursuant to a delegation of authority. Any reference in this delegation of authority to any statute or delegation of authority shall be deemed to be a reference to such statute or delegation of authority as amended from time to time.

This delegation of authority supersedes Delegation of Authority 404 dated November 1, 2015, and shall be published in the **Federal Register**.

Dated: May 4, 2017.

Rex W. Tillerson,

Secretary of State.

[FR Doc. 2017–12203 Filed 6–12–17; 8:45 am]

BILLING CODE 4710–25–P

DEPARTMENT OF STATE

[Delegation of Authority: 431]

Delegation of Authority To Concur With Secretary of Defense on State NGO/IO Participation in Regional Centers Activities

By virtue of the authority vested in the Secretary of State by the laws of the United States, including section 1 of the State Department Basic Authorities Act (22 U.S.C. 2651a) and 10 U.S.C. 342, I hereby delegate to the Assistant Secretary for Political-Military Affairs, to the extent authorized by law, the authority to concur with the Secretary of Defense on the waiver of participation costs for non-governmental organizations and international organizations in Department of Defense Regional Centers of Security Studies pursuant to 10 U.S.C. 342.

Notwithstanding this delegation of authority, any function or authority delegated herein may be exercised by the Secretary, a Deputy Secretary, the Under Secretary for Arms Control and International Security, or by other senior Department officials pursuant to a delegation of authority. Any reference in this delegation of authority to any statute or delegation of authority shall be deemed to be a reference to such statute or delegation of authority as amended from time to time.

This delegation of authority supersedes Delegation of Authority 409, dated April 13, 2015, and shall be published in the **Federal Register**.

Dated: May 4, 2017.

Rex W. Tillerson,

Secretary of State.

[FR Doc. 2017–12201 Filed 6–12–17; 8:45 am]

BILLING CODE 4710–25–P

DEPARTMENT OF STATE

[Delegation of Authority: 433]

Delegation of Authority To Concur With Secretary of Defense on Electronic Training Materials

By virtue of the authority vested in the Secretary of State by the laws of the United States, including section 1 of the State Department Basic Authorities Act (22 U.S.C. 2651a) and 10 U.S.C. 346, I hereby delegate to the Assistant Secretary for Political-Military Affairs, to the extent authorized by law, the authority to concur with the Secretary of Defense on authorizing the distribution of education and training materials and information technology to certain foreign personnel, pursuant to 10 U.S.C. 346.

Notwithstanding this delegation of authority, any function or authority delegated herein may be exercised by the Secretary, a Deputy Secretary, the Under Secretary for Arms Control and International Security, or by other senior Department officials pursuant to a delegation of authority. Any reference in this delegation of authority to any statute or delegation of authority shall be deemed to be a reference to such statute or delegation of authority as amended from time to time.

This delegation of authority shall be published in the **Federal Register**.

Dated: May 4, 2017.

Rex W. Tillerson,

Secretary of State.

[FR Doc. 2017–12199 Filed 6–12–17; 8:45 am]

BILLING CODE 4710–25–P

DEPARTMENT OF STATE

[Delegation of Authority: 428]

Delegation of Authority To Concur With the Provision of Support for the Conduct of Operations

By virtue of the authority vested in the Secretary of State by the laws of the United States, including section 1 of the State Department Basic Authorities Act (22 U.S.C. 2651a) and 10 U.S.C. 331, I hereby delegate to the Assistant Secretary for Political-Military Affairs, to the extent authorized by law, the authority to concur with Secretary of Defense support and capacity building for the conduct of certain designated counterterrorism and combined operations pursuant to 10 U.S.C. 331.

Notwithstanding this delegation of authority, any function or authority delegated herein may be exercised by the Secretary, a Deputy Secretary, the Under Secretary for Arms Control and International Security, or by other senior Department officials pursuant to a delegation of authority. Any reference in this delegation of authority to any statute or delegation of authority shall be deemed to be a reference to such statute or delegation of authority as amended from time to time.

This delegation of authority shall be published in the **Federal Register**.

Dated: May 4, 2017.

Rex W. Tillerson,

Secretary of State.

[FR Doc. 2017–12204 Filed 6–12–17; 8:45 am]

BILLING CODE 4710–25–P

DEPARTMENT OF STATE

[Delegation of Authority: 434]

Delegation of Authority To Concur With Secretary of Defense on Inter-American Air Forces Academy Programs

By virtue of the authority vested in the Secretary of State by the laws of the United States, including section 1 of the State Department Basic Authorities Act (22 U.S.C. 2651a) and 10 U.S.C. 349, I hereby delegate to the Assistant Secretary for Political-Military Affairs, to the extent authorized by law, the authority to concur with the Secretary of Defense on providing education and training under 10 U.S.C. 349.

Notwithstanding this delegation of authority, any function or authority delegated herein may be exercised by the Secretary, a Deputy Secretary, the Under Secretary for Arms Control and International Security, or by other senior Department officials pursuant to a delegation of authority. Any reference in this delegation of authority to any statute or delegation of authority shall be deemed to be a reference to such statute or delegation of authority as amended from time to time.

This delegation of authority shall be published in the **Federal Register**.

Dated: May 4, 2017.

Rex W. Tillerson,

Secretary of State.

[FR Doc. 2017–12198 Filed 6–12–17; 8:45 am]

BILLING CODE 4710–25–P

DEPARTMENT OF STATE

[Delegation of Authority: 430]

Delegation of Authority To Concur With Secretary of Defense on State Partnership Programs

By virtue of the authority vested in the Secretary of State by the laws of the United States, including section 1 of the State Department Basic Authorities Act (22 U.S.C. 2651a) and 10 U.S.C. 341, I hereby delegate to the Assistant Secretary for Political-Military Affairs, to the extent authorized by law, the authority to concur with the Secretary of Defense on State Partnership Programs pursuant to 10 U.S.C. 341.

Notwithstanding this delegation of authority, any function or authority delegated herein may be exercised by the Secretary, a Deputy Secretary, the Under Secretary for Arms Control and International Security, or by other senior Department officials pursuant to a delegation of authority. Any reference in this delegation of authority to any statute or delegation of authority shall be deemed to be a reference to such statute or delegation of authority as amended from time to time.

This delegation of authority supersedes Delegation of Authority 411, dated November 28, 2014, and shall be published in the **Federal Register**.

Dated: May 4, 2017.

Rex W. Tillerson,

Secretary of State.

[FR Doc. 2017–12202 Filed 6–12–17; 8:45 am]

BILLING CODE 4710–25–P

DEPARTMENT OF STATE

[Delegation of Authority: 432]

Delegation of Authority To Concur With Secretary of Defense on Multinational Centers of Excellence

By virtue of the authority vested in the Secretary of State by the laws of the United States, including section 1 of the State Department Basic Authorities Act (22 U.S.C. 2651a) and 10 U.S.C. 344, I hereby delegate to the Assistant Secretary for Political-Military Affairs, to the extent authorized by law, the authority to concur with the Secretary of Defense on the authorization of the participation of DoD civilian or military personnel in Multinational Centers of Excellence pursuant to 10 U.S.C. 344.

Notwithstanding this delegation of authority, any function or authority delegated herein may be exercised by the Secretary, a Deputy Secretary, the Under Secretary for Arms Control and International Security, or by other senior Department officials pursuant to a delegation of authority. Any reference in this delegation of authority to any statute or delegation of authority shall be deemed to be a reference to such statute or delegation of authority as amended from time to time.

This delegation of authority shall be published in the **Federal Register**.

Dated: May 4, 2017.

Rex W. Tillerson,

Secretary of State.

[FR Doc. 2017–12200 Filed 6–12–17; 8:45 am]

BILLING CODE 4710–25–P

DEPARTMENT OF THE TREASURY

Financial Crimes Enforcement Network

Proposed Collection; Comment Request; Update and Renewal of the Bank Secrecy Act Designation of Exempt Person Report

AGENCY: Financial Crimes Enforcement Network (''FinCEN''), Treasury.

ACTION: Notice and request for comments.

SUMMARY: FinCEN, a bureau of the U.S. Department of the Treasury (''Treasury''), invites all interested parties to comment on its proposed update and renewal of the collection of information through its ''Designation of Exempt Person'' (''DoEP'') report, used by banks and other depository institutions to designate eligible customers as exempt from the requirement to report transactions in currency over $10,000. FinCEN is proposing to remove the reference to ''Document Control Number,'' which is no longer in use, and add a country field to accommodate reporting from U.S. territories in Part II following the current item 11, and Part III following the current item 23. This request for comments is being made pursuant to the Paperwork Reduction Act (''PRA'') of 1995.

DATES: Written comments are welcome and must be received on or before August 14, 2017.

ADDRESSES: Comments may be submitted by any of the following methods:

• *Federal E-rulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments. Refer to Docket Number FINCEN–2017–0007.

• *Mail:* Policy Division, Financial Crimes Enforcement Network, P.O. Box 39, Vienna, VA 22183. Refer to Docket Number FINCEN–2017–0007.

Please submit comments by one method only. All comments submitted in response to this notice will become a matter of public record. Therefore, you should submit only information that you wish to make publicly available.

FOR FURTHER INFORMATION CONTACT: The FinCEN Resource Center at 800–767–2825 or electronically at *frc@fincen.gov.*

SUPPLEMENTARY INFORMATION:

Title: BSA Designation of Exempt Persons (DoEP) Report by Depository Financial Institutions, (See 31 CFR 1020.315(a)–(i)).

Office of Management and Budget (''OMB'') Number: 1506–0012.

Form Number: FinCEN Form 110.

Abstract: The statute generally referred to as the ''Bank Secrecy Act,'' Titles I and II of Public Law 91–508, as amended, codified at 12 U.S.C. 1829b, 12 U.S.C. 1951–1959, and 31 U.S.C. 5311–5332, authorizes the Secretary of the Treasury, among other things, to require financial institutions to keep records and file reports that are determined to have a high degree of usefulness in criminal, tax, and regulatory matters, or in the conduct of intelligence or counter-intelligence activities to protect against international terrorism, and to implement counter-money laundering programs and compliance procedures.[1] Regulations implementing Title II of the Bank Secrecy Act (''BSA'') appear at 31 CFR Chapter X. The authority of the Secretary to administer the BSA has been delegated to the Director of FinCEN.

The Secretary of the Treasury was granted authority in 1992, with the enactment of 31 U.S.C. 5313, to permit financial institutions to exempt certain persons from the requirement to file currency transaction reports.

The information collected on the DoEP is required to be provided pursuant to 31 U.S.C. 5313, as implemented by FinCEN regulations found at 31 CFR 1020.315(a)–(i). The information collected under this requirement is made available to appropriate agencies and organizations as disclosed in FinCEN's Privacy Act System of Records Notice relating to Bank Secrecy Act (''BSA'') Reports.[2]

Current Action: An update and a renewal of the current DOEP, FinCEN Form 110. The report is accessible on the FinCEN Web site at: *http://www.fincen.gov/forms/bsa_forms/.*

Type of Review: Update and renewal of a currently approved collection.

Affected Public: Businesses or other for-profit and not-for-profit financial institutions.

Frequency: As required.

Estimated Reporting Burden: Average of 60 minutes per report and 15 minutes recordkeeping per filing. (The reporting burden of the regulations 31 CFR 1020.315(a)–(i) is reflected in the burden for the form.)

Estimated Recordkeeping and Reporting Burden for 31 CFR 1020.315(a)–(i): 75 minutes.

Estimated Number of Respondents: 13,520.[3]

Estimated Total Annual Responses: 25,160.[4]

Estimated Total Annual Reporting and Recordkeeping Burden: 31,450 hours.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Records required to be retained under the BSA must be retained for five years.

Request for Comments

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection 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; (f) removal of the reference to ''document control number'' and the addition of a ''country'' field in Parts II and III.

Jamal El Hindi,

Deputy Director, Financial Crimes Enforcement Network.

[FR Doc. 2017–11974 Filed 6–12–17; 8:45 am]

BILLING CODE 4810–02–P

[1] Language expanding the scope of the Bank Secrecy Act to intelligence or counter-intelligence activities to protect against international terrorism was added by Section 358 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001, Public Law 107–56.

[2] Treasury Department bureaus such as FinCEN renew their System of Records Notices every three years unless there is cause to amend them more frequently. FinCEN's System of Records Notice for the BSA Report System was most recently published at 79 FR 20969, April 14, 2014, effective May 19, 2014.

[3] As of January 31, 2014, there are 6,900 banks, and savings and loans, and 6,620 credit unions.

[4] Number of responses are based on actual 2013 filings as reported to the FinCEN System of Record.

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Meeting of the Electronic Tax Administration Advisory Committee

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of meeting.

SUMMARY: The Electronic Tax Administration Advisory Committee (ETAAC) will hold a public meeting on Wednesday, June 28, 2017.

FOR FURTHER INFORMATION CONTACT: Mr. Michael Deneroff, National Public Liaison, CL:NPL:SRM, Rm. 7559, 1111 Constitution Avenue NW., Washington, DC 20224. Phone: 202–317–6851 (not a toll-free number). Email address: *PublicLiaison@irs.gov.*

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. (1988), that a public meeting of the ETAAC will be held on Wednesday, June 28, 2017 from 9:00 a.m. to 12:00 p.m. at The Melrose Georgetown Hotel, 2430 Pennsylvania Ave NW., Washington, DC 20037.

The ETAAC provides continuing input into the development and implementation of the IRS organizational strategy for electronic tax administration. The ETAAC provides an organized public forum for discussion of electronic tax administration issues such as prevention of identity theft and refund fraud in support of the overriding goal that paperless filing should be the preferred and most convenient method of filing tax and information returns. ETAAC members convey the public's perceptions of IRS electronic tax administration activities, offer constructive observations about

current or proposed policies, programs and procedures, and suggest improvements.

Due to limited seating and security requirements, please call or email Michael Deneroff to confirm your attendance. Mr. Deneroff can be reached at 202–317–6851 or *PublicLiaison@irs.gov* . Should you wish the ETAAC to consider a written statement, please call 202–317–6851, or write to: Internal Revenue Service, Office of National Public Liaison, CL:NPL:SRM, Room 7559, 1111 Constitution Avenue NW., Washington, DC 20224 or email: *PublicLiaison@irs.gov.*

Dated: June 6, 2017.

John Lipold,

Designated Federal Official, Branch Chief, National Public Liaison.

[FR Doc. 2017–12215 Filed 6–12–17; 8:45 am]

BILLING CODE 4830–01–P

Reader Aids

Federal Register

Vol. 82, No. 112

Tuesday, June 13, 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, JUNE

25203–25502 1
25503–25714 2
25715–25930 5
25931–26334 6
26335–26570 7
26571–26738 8
26739–26842 9
26843–26978 12
26979–27104 13

CFR PARTS AFFECTED DURING JUNE

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:
9618 25921
9619 25923
9620 25925
9621 25927
9622 25929

5 CFR

1201 25715
1800 26739

7 CFR

800 26843
4279 26335

Proposed Rules:
982 26859
986 27028

10 CFR

72 25931

Proposed Rules:
72 25973

12 CFR

1263 25716

Proposed Rules:
229 25539
701 ..... 26378, 26605
703 26378
705 26378
708a 26378, 26605
708b 26605
709 26378
741 26378
745 26378
746 ..... 26378, 26391
747 26378
750 26378

13 CFR

121 25503
134 25503

14 CFR

23 25509
39 ..... 25723, 25936, 25940, 25943, 25946, 25954, 26571, 26573, 26576, 26579, 26580, 26843, 26979, 26982, 26985
71 ..... 25958, 25959, 26336, 26338, 26987

Proposed Rules:
39 ..... 25542, 25545, 25547, 25550, 25552, 25554, 25556, 25742, 25744, 25746, 25748, 25975, 25978, 25980, 25983, 25986, 26403, 26615, 26617, 26758, 26864, 26867, 26869, 26872, 26874
71 ..... 25559, 25561, 25563, 25988, 25989, 25991, 26406, 26408, 26409, 26619

15 CFR

922 26339

18 CFR

401 26989
420 26989

Proposed Rules:
1318 26620

19 CFR

12 ..... 26340, 26582

21 CFR

814 26348
1308 26349

Proposed Rules:
1308 25564

23 CFR

490 25726

28 CFR

Proposed Rules:
16 25751

29 CFR

4901 26990

Proposed Rules:
405 26877
406 26877

30 CFR

250 26741

33 CFR

100 ..... 25511, 25960, 26992
117 ..... 25726, 25727, 26584, 26744, 26745, 26746
165 ..... 25515, 25517, 25519, 25521, 25728, 25962, 25964, 25965, 26584, 26586, 26746, 26749, 26846, 26848, 26992, 27011, 27013, 27014, 27015

Proposed Rules:
Ch. I 26632
110 25207
165 26760

36 CFR

1270 26588

37 CFR

201 26850
202 26850
350 27016
360 27016

38 CFR

60 26592

14 26751

40 CFR

52 ....25203, 25523, 25969, 26351, 26594, 26596, 26754, 26854
60 25730
62 ....25734, 25969
80 26354
81 25523
171 25529
180 ....25532, 26599, 27021
232 26603
258 25532

Proposed Rules:

52 ....25208, 25211, 25213, 25992, 25996, 25999, 26007, 26634, 26638, 26762, 26883, 27031
62 ....25753, 25969
158 25567
258 25568
174 ....26639, 26641
180 26641
423 26017
721 26644

42 CFR

Proposed Rules:

Ch. IV 26885
483 26649

44 CFR

64 25739

Proposed Rules:

1 26411

45 CFR

Proposed Rules:

Subtitle A 26885
1148 26763

46 CFR

Proposed Rules:

Ch. I 26632
Ch. III 26632
515 25221
520 25221
525 25221
530 25221
531 25221
532 25221
535 25221
540 25221
565 25221

47 CFR

0 25660
1 25660
25 25205
36 25535
61 25660
63 25660
69 25660
96 26857

Proposed Rules:

1 26019
8 25568
54 26653
20 25568
73 ....25590, 26887

49 CFR

7 25740
270 26359
571 26360
585 26360

Proposed Rules:

383 ....26888, 26894
384 26894
387 25753
Ch. IV 26632

50 CFR

217 26360
622 ....25205, 26366
635 26603
648 27027

Proposed Rules:

17 27033
Ch. II 26419
Ch. III 26419
Ch. IV 26419
Ch. V 26419
Ch. VI 26419
660 26902

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 June 12, 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.